

## PLANNING APPLICATIONS COMMITTEE 21 March 2019

**APPLICATION NO.**  
19/P0418

**DATE VALID**  
14/01/2019

**Address/Site:** 356 Garth Road, Morden, SM4 4NL  
**Ward:** Lower Morden

**Proposal:** Erection of an end of terrace dwelling with basement level incorporating new vehicular crossover to Wydell Close and off-street parking.

**Drawing No.'s:** 01, 12, 13C, 14D and 15D.

**Contact Officer:** Tony Smith (020 8545 3144)

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### **RECOMMENDATION**

**Grant planning permission subject to conditions.**

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### **CHECKLIST INFORMATION**

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood Zone: 1 (part of site to rear is 2 & 3)
- Designated Open Space: No

## **1. INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number and nature of objections received.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site encompasses a semi-detached plot which is located on the eastern side of Garth Road and on the junction with Wydell Close, Morden. The property comprises a two storey semi-detached dwellinghouse with a front, side and rear garden area. The property features a detached single storey garage to the south side of the dwelling and works are currently being undertaken at

the site which relate to a hip to gable and rear roof extension, a front porch infill extension and a single storey rear extension, which have been confirmed to be within permitted development tolerances under application 18/P0643. The application site has an approximate area of 363sq.m.

- 2.2 Garth Road and Wydell Close are residential in character and the dwellings in this stretch of Garth Road and in Wydell Close are characterised by traditionally hipped roofs, two storey front and rear bay windows and single storey front porch canopies. Many dwellings in the vicinity have constructed gabled roofs and feature single storey side extensions.
- 2.3 The site has a public transport accessibility level (PTAL) of 1b which is poor (with 0 being the lowest and 6b being the highest). The site is not within a Controlled Parking Zone. The site is not located within a conservation area. The rear portion of the site to the east is within Flood Zones 2 and 3, however the area that concerns this development is not considered to be at significant risk.

### **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the erection of single storey (with basement level) end of terrace dwelling, providing a 1 bedroom, 2 person unit. The proposed dwelling would have an internal floor area of 64.28.sq.m while the new plot created would have a total area of 103.sq.m.
- 3.2 The existing garage to the south would be demolished and the proposed dwelling would be erected to the south elevation of 356 Garth Road. The dwelling would be single storey in height when viewed externally, terminating in a part flat, part pitched roof. The dwelling would incorporate a small front porch element with a part flat, part pitched roof and a single storey rear element with a flat roof. It would have a basement level which would create a lower level patio to the rear, extending rearward of a ground floor balcony area.
- 3.3 The proposed dwelling would be set back from the main façade of the existing dwelling with the porch addition extending to be in line with the front façade. The proposed dwelling would have a regular footprint, extending rearward of the established rear building line by 3m to align with and match an approved single storey rear extension at no 365, which is currently under construction. The proposed dwelling would have the following dimensions: 3.4m maximum width, 1.5m minimum width, 10m maximum length, 8.3m minimum length, 5m max height, 3-3.2m eaves heights.
- 3.4 The front of the property would remain paved and would include an area for the proposed dwellings bin storage and a small glass block pavement light well to give light to the front of the lower level. To the rear it is proposed to erect a highway crossover from Wydell Close to a single off-street car parking space with a cycle storage unit. The property boundary would be defined by a 2m high timber fencing to match the existing.
- 3.5 It should be noted that this application is a resubmission of a similar application (18/P1577) previously refused by Members of Planning Committee due to poor outlook and restricted daylight to the basement level. This application has been

amended to increase the length of the rear light well from 2.75m to 4.3m and the size from 8.5sq.m to 14.8 sq.m. The boundary surrounding the light well has been reduced to a 1.1m high glass balustrade, as opposed to a 2m high solid fence, and an internal daylight study has been submitted in support of the issue of light into the unit.

#### **4. PLANNING HISTORY**

4.1 07/P3075 - CONSTRUCTION OF A PART SINGLE,PART TWO-STOREY SIDE EXTENSION, SINGLE STOREY REAR ROOF EXTENSION, HIP TO GABLE AND REAR ROOF EXTENSION IN CONNECTION WITH THE CONVERSION OF DWELLING HOUSE INTO 4 x 1 BED FLATS, WITH THE PROVISION OF 4 PARKING SPACES, BIN STORE & BICYCLE SHED IN REAR GARDEN. Refused 07/01/2008.

**Reasons:**

**The proposals, by reason of size, massing, bulk and design would:**

- i) be detrimental to the appearance of the host dwelling and would constitute an insensitive addition to the Garth Road streetscene to the detriment of the visual amenities of the area;**
- ii) be overly dominant and visually intrusive resulting in a loss of light and outlook to the detriment of neighbouring occupiers;**
- iii) result in unsatisfactory environment for future occupiers arising from sub-standard outdoor amenity space that would fail to meet the likely needs of future occupiers;**
- iv) result in an unsatisfactory environment for future occupiers arising from a failure to provide a Flood Risk Assessment and demonstrate that adequate flood mitigation measures can be provided to safeguard future occupiers in an area at risk from flooding, contrary to policies HS.1, BE.15, BE.16, BE.22, BE.23, BE24, PE5 and PK2 of the Adopted Merton Unitary Development Plan (October 2003).**

4.2 15/P2652 - ERECTION OF A DETACHED 4 BED DWELLINGHOUSE WITH 1 x PARKING SPACE. Refused 03/02/2016.

**Reasons:**

- 1) The proposal, by reason of its size, sitting, design would represent a form of development that would fail to achieve a high standard of design that would enhance the character of the area to the detriment of the character of the Wydell Close streetscene, contrary to policies 7.4 and 7.6 of the London Plan 2015, DM D2 of the Adopted Merton Sites and Policies Plan 2014 and policy CS.14 of the Core Planning Strategy (2011).**
- 2) The proposed two-storey house by reason of its design and siting would result in the provision of cramped and unsatisfactory accommodation failing to meet adopted minimum internal floorspace standards to the detriment of the amenities of future occupiers contrary to policy 3.5 of the London Plan 2015, policy CS 14 of the Merton Core Strategy 2011 and policy DM D2 of the Adopted Merton Sites and Policies Plan 2014.**
- 3) The proposal by reason of its scale, bulk, positioning and massing in relation to neighbouring properties and the Wydell Close streetscene would result in an unacceptable amenity impact contrary to policy DM**

**D2 of the Adopted Merton Sites and Policies Plan 2014.**

- 4) The proposed development would fail to contribute to meeting affordable housing targets and in the absence of a legal undertaking securing a financial contribution towards the delivery of affordable housing off-site would be contrary to policy CS.8 of the Merton LDF Core Planning Strategy (2011).**

4.3 15/P4156 - ERECTION OF A TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION, HIP TO GABLE AND REAR ROOF EXTENSION, INSTALLATION OF 3 ROOFLIGHTS INTO THE FRONT ROOFSLOPE, PROVISION OF 4 OFF STREET CAR PARKING SPACES (INVOLVING THE CREATION OF ADDITIONAL CROSSOVER ON WYDELL CLOSE AND CHANGE OF USE FROM A FAMILY DWELLING HOUSE (USE WITHIN CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION FOR UP TO 8 PEOPLE [SUI GENERIS] COMPRISING 8 BEDROOMS AND SHARED LIVING ROOM AND KITCHEN FACILITIES. Refused 23/03/2016 & dismissed on Appeal 15/08/2016.

**Reasons:**

- 1) The proposed two storey side extension by reason of design, siting, scale, height, proportions and massing, represents an overly large, unduly dominant and visually intrusive form of development that fails to respect or complement the original building and the form, function and structure of surrounding buildings and locally distinctive pattern of development and would therefore also be harmful to the visual amenities of the Garth Road and Wydell Close streetscene, contrary to policies 7.4 of the London Plan 2011, LBM Core Strategy Policy CS14 and policies DM D2 and DM D3 of the Merton Sites and Policies Plan (2014).**
- 2) The proposed development, by reason of the provision of communal living/dining/kitchen space in the form of a single space, when considered against the likely occupancy levels of the HMO, and the potential increased occupancy in the event of guests visiting the property, would result in a cramped and unsatisfactory environment for future occupiers contrary to policy CS. 14(d) of LBM Core Strategy (2011) , policy DM H5 of Merton's Sites and Policies Plan (2014) and Annex 1 of the London Housing SPG (2012).**

4.4 18/P0643 - APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE IN RESPECT OF THE PROPOSED ERECTION OF A HIP TO GABLE AND REAR ROOF EXTENSION, 2 ROOFLIGHTS TO THE FRONT ROOF SLOPE, ERECTION OF A SINGLE STOREY REAR EXTENSION AND ERECTION OF A FRONT PORCH. Certificate Issued 28/03/2018 and construction started.

4.5 18/P1577 - ERECTION OF AN END OF TERRACE DWELLING WITH BASEMENT LEVEL. Refused at PAC 30/11/2018.

**Reason:**

- 1) The proposals by reason of their design and layout would result in a poor and foreshortened outlook and restricted daylight to the basement level living room resulting in a poor quality environment for future occupiers. The proposals would be contrary to policy 3.5 of the**

**London Plan (2015), policy CS.14 (b)(vi) of the Merton Core Planning Strategy (2011) and policy DM.D2 (v) of the Merton Sites and Policies Plan (2014)**

**5. CONSULTATION**

- 5.1 Public consultation was undertaken by way of post sent to neighbouring properties. The outcome of the consultation is summarised as follows:
- 5.2 Representations were received from 7 individuals who raised the following concerns:
- Development is out of character with Wydell Close and impacts streetscene.
  - Would affect highway safety and reduce resident parking.
  - Substandard living conditions.
  - There are no basements in local area.
  - Would set a precedent.
  - Proximity to Pyl brook river and drainage issues.
  - There is a mature tree on the site and removal would affect habitats and wildlife.
  - Devaluation of properties.
  - Increased traffic would increase danger.
  - Waste management plan not submitted and flood risk assessment does not include the whole site.
  - The enlarged light well may cause the application to be in flood zone 2.
  - Insurance will be expensive to obtain given it is a basement in a flood risk area.
  - Wydell Close sewers overflow and will affect basement.
  - Request for weekly monitoring during build as contractors are not following safety practises.
  - Would create a higher density in the area, putting strains on services.
  - Increased surface water flood risk.
  - Construction traffic and parking.
  - Address within application form does not match the company's address.
- 5.3 Objections also reference previous points made on application 18/P1577 which are summarised below:
- Extension to no. 354 Garth Road were carried out some time ago to extend family home and not for financial gain.
  - The development is purely for profit.
  - Devaluation of current properties.
  - Most properties are semi-detached.
  - All previous planning applications have been objected to due to applicant's wish to rent out and turn into multiple occupancy.
  - No benefit for local residents having an end of terrace house with basement.
  - Housing made on Garth Road from turning disused office block into flats.
  - Query how a basement would work with general landscaping or to be in keeping with existing properties.
  - A basement risks worsening properties in Garth Road from shuddering from heavy traffic.
  - A dropped kerb would restrict visitor parking on street and encourage parking at Lower Morden Lane intersection which could increase traffic risks.
  - Impact to street access to narrow entrance of Wydell Close.
  - Removal of tree and building in garden space would result in overcrowding of

- built up area and would be detrimental to character of Wydell Close.
- Higher population density will strain on local resources and negatively impact character of neighbourhood.
- New dwelling is modern and out of keeping with area.
- Will block light into Wydell Close and would make the Close more claustrophobic.
- Increased traffic and danger to young and old residents.
- The area is within a flood risk zone and 50m to Pyl Brook river.
- Impact to sewers from additional drainage and waste.
- No waste management plan submitted.

5.4 LBM Climate Change Officer: No objection. The planning statement shows that the development would achieve the relevant sustainability requirements, being a 19% improvement on Part L of the Building Regulations 2013 and an internal water usage not exceeding 105 litres per person per day; these requirements should be secured by condition and informative.

5.5 LBM Transport and Highways Officers: No objection. The proposed vehicle parking provisions are acceptable and would not impact the adjoining highway or pedestrian safety. Standard retention of car parking condition to be attached. Further cycle parking details are required and a pre-occupation condition will be included for this. The crossover shown on the plans will require separate arrangement with LBM Highways Team and this information is to be included as an informative. A more detailed Construction Traffic Management Plan is required and will be secured by way of a pre-commencement condition.

5.6 LBM Flood Risk Engineer:  
No objection. Conditions to be attached regarding a detailed SuDs scheme to be approved and implemented prior to development and detailed design of permeable paving to be submitted and approved prior to development. Informative regarding discharge of water run-off also to be included.

## 6. **POLICY CONTEXT**

### 6.1 National Planning Policy Framework (2018)

- 5. Delivering a sufficient supply of homes.
- 9. Promoting sustainable transport.
- 10. Meeting the challenge of climate change, flooding and coastal change.
- 12. Achieving well-designed places

### 6.2 London Plan (2016)

- Relevant policies include:
- 2.6 Outer London: Vision and strategy
  - 2.8 Outer London: Transport
  - 3.3 Increasing housing supply
  - 3.4 Optimising housing potential
  - 3.5 Quality and design of housing developments
  - 3.8 Housing choice
  - 3.9 Mixed and balanced communities
  - 5.1 Climate change mitigation
  - 5.2 Minimising carbon dioxide emissions

- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.17 Waste capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road network capacity
- 6.13 Parking
- 7.2 An Inclusive environment
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.19 Biodiversity and access to nature
- 8.2 Planning obligations
- 8.3 CIL

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 14 Design
- CS 15 Climate change
- CS 16 Flood risk management
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM D2 Design considerations
- DM D3 Alterations and extensions to existing buildings
- DM EP2 Reducing and mitigating noise
- DM F1 Support for flood risk management
- DM F2 Sustainable urban drainage systems and; wastewater and water infrastructure
- DM T1 Support for sustainable transport
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Supplementary planning considerations

- London Housing SPG – 2016
- London Character and Context SPG 2014
- DCLG - Technical Housing Standards 2015

**7. PLANNING CONSIDERATIONS**

## 7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Refuse storage and collection
- Basement construction and flood risk
- Sustainable design and construction
- Community Infrastructure Levy
- Response to objections

### Principle of development

- 7.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2018 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.
- 7.3 The existing use of the site is residential, the site is within a residential area and has a public transport accessibility level (PTAL) of 1b (0 is the worst and 6b being excellent). The proposals would result in an additional 2 person dwelling, thereby meeting NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of sites at higher densities.
- 7.4 Given the above, it is considered the proposal is acceptable in principle, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.
- 7.5 In order to be acceptable in planning terms, the proposal will also need to overcome previous reasons for refusal; namely an acceptable outlook and access to daylight to the basement level.



### Need for additional housing

- 7.6 The National Planning Policy Framework (March 2018) requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.7 Policy 3.3 of the London Plan states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The policy also states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.
- 7.8 The Council's planning policies commit to working with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025 (a minimum of 411 new dwellings to be provided annually). This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The emerging London Plan is likely to increase this annual target, however, only limited weight can be attributed at this stage.
- 7.9 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:
- All the main housing targets have been met for 2017/18.
  - 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
  - 2013-18 provision: 2,686 net units (813 homes above target)
  - For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.
- 7.10 The current housing target for the London Borough of Merton is 411 annually. Last year's published AMR figures are: "688 additional new homes were built during the monitoring period, 277 above Merton's target of 411 new homes per year (in London Plan 2015)."
- 7.11 The draft London Plan includes a significantly higher figure of 1328 new homes annually. However, this is at draft stage and in addition the London Borough of Merton is disputing the small sites methodology. Therefore, only limited weight should be attached to this figure.
- 7.12 To conclude, whilst there is an on-going need for housing in the borough, the weight given to this should be considered in light of the fact that the Council has consistently exceeded its housing targets.

### Design and impact upon the character and appearance of the area

- 7.13 Section 12 of the NPPF, London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DM D2 and DM D3 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context, thus they must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.
- 7.14 There are a number of side extensions within the local area of the site with a large variation in form and design. The semi-detached neighbour to the north at no. 358 exhibits a single storey side which sits flush with the front façade and extends the porch roof. The further dwelling to the north at no. 337 Lower Morden Lane has a double width single storey garage extension with a flat roof, and nos. 6, 7 & 8 Wydell Close have attached side extensions, some flush with the front and some set back.
- 7.15 As viewed from the streetscene, the proposed dwelling would be single storey in height and would utilise a part flat part pitched roof, akin to the form of a regular side extension, albeit with a front porch and rear projection. The proposed dwelling would match the roof slope angles of the main roof and front porch of the original dwelling and would utilise matching materials; this would be confirmed by way of a condition to ensure the visual style of the existing semi-detached pair is preserved. It is considered that the use of a single storey side addition with a roof profile and front porch to match that of the original dwellinghouse serves to preserve the character the existing built form and wider area. It is also considered that the set back of the main element by 1.6m and the set in from the highway by 0.5m would reduce any sense of an overbearing relationship with the streetscene, particularly when considering the existing garage is similar in size and built right up to the pavement.
- 7.16 The rear element which is effectively a single storey rear extension would utilise a flat roof and would extend rearward of the original dwelling by 3m, to match a granted lawful development certificate at no. 356, which is currently under construction. It is considered that extending the approved extension along the rear would form a coherent design that is respectful in terms of scale and bulk to the original dwelling. A ground floor 'balcony' area would be formed to the rear of this element which would utilise a glass panel railing. The balcony would be raised above ground level by 0.3m and would incorporate glass railings; however, this element would be obscured from views from the street due to the side boundary along the site boundary with Wydell close and the off-street car parking to the east. Further details of the boundary treatments will be confirmed by way of condition.
- 7.17 It is noted that several schemes at the site have previously been refused due to a harmful visual impact on the street scene. It is considered this proposal, reducing the scale and bulk and utilising a respectful design would overcome previous reasons for refusal. It is of note that the previous scheme (18/P1577) was found to be acceptable in terms of the impact on the character of the area.
- 7.18 As a whole, whilst being in a prominent siting, it is considered the proposal would be in keeping with the character of the surrounding area, would be

modest in scale and bulk and would incorporate an appropriate set-in from the side boundary with Wydell Close. It is therefore considered the proposal would respect the character of the area and would adhere to national and local design policy.

#### Impact upon neighbouring amenity

- 7.19 London Plan policies 7.6 and 7.15 along with SPP policies DM D2 and DM EP2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light (sunlight and daylight), quality of living conditions, privacy, visual intrusion and noise.
- 7.20 The single storey side and front porch element of the dwelling would not extend forward or rearwards of the building line of the host dwelling and would have modest heights. This, in conjunction with its separation from other surrounding properties, is not considered to unduly impact neighbouring amenity.
- 7.21 The single storey rear element would have a moderate height of 3.2m and depth of 3m. It is also acknowledged that this would respect the scale of the under-construction extension at the original property. It is therefore not considered the rear extension would result in an undue impact to the amenity of the neighbouring dwelling. In regards to other neighbouring properties, this element would be separated by a considerable distance and therefore not considered to have an impact.
- 7.22 The primary outlook from the proposed dwellings would be directed toward the front (to the public highway) and rear (into their own amenity space). Whilst the balcony would be slightly raised from the natural garden level by 0.3m, a condition regarding boundary treatments is recommended to ensure sufficient protection from raised overlooking and loss of privacy to the original dwelling.
- 7.23 It is important to note that the previous application (18/P1577) was found to be acceptable in terms of the impact on residential amenity.

#### Standard of accommodation

- 7.24 Policies 3.5 and 3.8 of the London Plan 2016 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan (amended March 2016) and the DCGL – Technical Housing Standards 2015. Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.
- 7.25 The London Plan and DCLG - Technical Housing Standards require that a 1 bed, 2 person, 2 storey dwelling have a gross internal floor area of 58sq.m. The proposed dwelling would have a gross internal floor area of 64.28sq.m which would exceed the minimum standards. The applicant has supplied an internal daylight study which shows the development would meet BRE daylight standards within the basement level. Given this, in conjunction with the

increased depth and area of the light well, the lowered glass boundary and the inclusion of sun tubes, it is considered the proposal would now receive an acceptable standard of daylight and outlook. It is considered the layout of the dwelling as a whole would result in a suitable and comfortable living space for two persons and has overcome the previous reason for refusal under 18/P1577.

7.26 In accordance with the London Housing SPG, policy DMD2 of the Council's Sites and Policies Plan states that there should be 50sq.m of external amenity space provided for all new dwellings in a single, usable space. The amenity standard makes no distinction between different sizes of house whereas a more prescriptive approach is taken for flats, which does make a distinction between dwelling types of different sizes. Given the proposal is only for a one bedroom unit, likely to be for a couple, officers consider that it would be appropriate to relax this standard. The proposal includes 25sq.m outdoor amenity space in the form of a lower level patio and a ground floor balcony area. Officers consider that this would reasonably meet the likely needs of future occupiers. It is of note that the extent of external amenity space was found to be acceptable under the previous application (18/P1577) and did not constitute a reason for refusal.

7.27 As outlined above, the scheme as a whole is considered to offer an acceptable standard of living for prospective occupants.

#### Transport, highway network, parking and sustainable travel

7.28 London Plan policies 6.3 and 6.12, CS policies CS18 and CS20 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management. London Plan policies 6.9, 6.10, 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points and to provide parking spaces on a restraint basis (maximum standards).

7.29 The LBM Transport Planner has reviewed this application and their comments are integrated into the assessment below.

7.30 Garth Road and Wydell Close are not within controlled parking zones and the site has a PTAL of 1b which is poor, as such, on-site vehicle parking would be required. The scheme proposes 1 parking space to the east, which is of a satisfactory size and includes 1.5m visibility splays for safety, therefore meeting minimum requirements whilst not exceeding maximum standards. Maximum standards are in place to ensure vehicle parking provisions do not undermine sustainable travel objectives. Officers do not consider the position of the proposed vehicle parking off Wydell Close to significantly impact the highway or pedestrian safety. However, in order to limit potential impacts caused during construction, a condition will be included requiring a detailed Construction Traffic Management Plan to be submitted to and approved by the LA before works start. The level of on-street parking currently is such that the loss of one on-street parking space, by reason of the creation of a new vehicular access & dropped kerb is not objectionable.

7.31 In accordance with London Plan policy 6.9 and table 6.3, 1 cycle storage space would be required for the development; cycle storage for residential units should be secure, sheltered and adequately lit, with convenient access to the street. It is noted that the plans indicates a proposed cycle area in the rear off-street parking area. It is considered that this position would be acceptable LBM Transport Officers request a condition requiring further details of the cycle storage prior to occupation and for this to be retained thereafter. Similarly, a condition is requested for the vehicle parking to be implemented before occupation and to be retained thereafter.

7.32 It is of note that parking and access arrangements were found to be acceptable under the previous application (18/P1577).

Refuse storage and collection

7.33 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy.

7.34 A storage area for bins has been indicated on the plans to the front of the dwelling. It is considered the siting for the refuse is acceptable and would be in line with existing arrangements at the neighbouring dwellings, as was the case with the previous application (18/P1577).

7.35 Basement Construction and Flood Risk

London Plan policies 5.13 & 5.13 and Policies DM D2 and DMF1 and DMF2 of the Merton Sites and Policies Plan seek to ensure basement constructions are suitable in terms of drainage and structural impacts to the host and neighbouring properties.

7.36 The applicant has provided a Basement Impact Assessment, Flood Risk Assessment & Surface Water and SuDs Assessment to demonstrate the proposed basement would be structurally sound and not result in drainage issues. LBM flood risk engineers have reviewed the proposal and related documents and are satisfied that the proposed dwelling would be suitably designed. Officers requested two pre-commencement conditions for a detailed drainage strategy to be submitted and implemented and for further details regarding the permeable paving serving the off-street car parking. The proposed basement would also require the necessary Building Control approval prior to commencement to further ensure the works would not result in a harmful impact to the surrounding area.

### Sustainable design and construction

- 7.37 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.
- 7.38 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres per person per day. Climate Change officers recommend a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

### Community Infrastructure Levy

- 7.39 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £220 per additional square metre of floorspace to be paid to Merton Council and an additional £35 per additional square meter to be paid to the Mayor. Further information on this can be found at:  
<http://www.merton.gov.uk/environment/planning/cil.htm>

### 7.40 Responses to objections

The majority of the issues raised by objectors are addressed in the body of the report but in addition the following response is provided:

- The tenancy of the property (i.e. rented or owner occupied) is not a material planning consideration.
- The motives of the developer are not a material planning consideration. The assessment is based on the acceptability of the proposal against adopted Planning Policies.
- The impact on the character of the area is a material planning consideration but the impact on property prices is not.
- Any increased impact on local infrastructure is intended to be addressed by CIL contributions and it would not be reasonable to refuse on this basis.
- The proposal shows suitable bin storage arrangements and a waste management plan is not required for this small-scale type of development
- No intentions are outlaid in this proposal to remove a tree, and in any case, the removal of non-protected trees can be undertaken without the need for planning permission.
- The proposal would be located 13 – 24m from Flood Zone 2 and is considered to incorporate an appropriate mitigation and drainage strategy for both fluvial and surface water flooding
- A Construction & Traffic Management plan is to be provided by the application prior to any works starting and working hours will be restricted.
- The proposal is acceptable in principle and would not set a precedent in planning terms.

## **8. CONCLUSION**

- 8.1 The proposal is considered to be acceptable in principle, providing a residential development at an increased density, in line with planning policy. The proposal is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout and materials. The proposal would unduly impact upon neighboring amenity. The proposal would not unduly impact upon the highway network, including parking provisions. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate sustainable design and construction standards and would sufficiently mitigate the risk of flooding.
- 8.2 Having regard to the larger light well, reduced boundary screening and the provision of a BRE Daylight and Sunlight Analysis, it is considered that the proposal would offer acceptable living standards for prospective occupants. The proposal is considered to have overcome the previous reason for refusal under 18/P1577.
- 8.3 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

## **RECOMMENDATION**

Grant planning permission subject to the following conditions:

### **Conditions:**

- 1) Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Amended standard condition [Materials]: The facing materials (other than balcony screening and boundary treatments) used in the development hereby permitted shall match those of the existing building in materials, style, colour, texture and, in the case of brickwork, bonding, coursing and pointing.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DMD2 and DMD3 of Merton's Sites and Policies Plan 2014.

- 4) Amended standard condition [Details of Walls/Fences]: No development shall take place until details of all boundary walls, fences, railings or screenings are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reasons: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 5) Standard condition [No use of flat roof]: Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 6) Standard condition [Refuse storage] The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2016 policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 7) Amended standard condition [Cycle storage]: The development hereby permitted shall not be occupied until further details of the proposed cycle parking have been submitted to and approved by the Local Authority. The approved cycle parking must be provided and made available for use prior to occupation and these facilities shall be retained for the occupants of and visitors to the development at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

- 8) Amended standard condition [Car parking]: The vehicle parking area shown on the approved plan '13C' shall be provided and made available for use prior to



occupation and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

- 9) Amended standard condition: [Permeable paving]: Prior to the commencement of development, the detailed design and specification for the permeable paving shall be submitted to and approved in writing by the Local Planning Authority. The design shall be carried out as approved, retained and maintained in perpetuity thereafter.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2016, policy CS16 of Merton's Core Planning Strategy 2011 and policy DMF2 of Merton's Sites and Policies Plan 2014.

- 10) Non-standard condition [Drainage] No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the restricted rate of no more than 0.2l/s, with no less than 7.1m<sup>3</sup> of attenuation storage, in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2016, policy CS16 of Merton's Core Planning Strategy 2011 and policy F2 of Merton's Sites and Policies Plan 2014.

- 11) Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO<sub>2</sub> reductions not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2016 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 12) Standard condition [Permitted development rights]: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse hereby authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 13) Amended standard condition [Construction vehicles/storage]: Development shall not commence until a Construction Traffic Management Plan has been submitted to and is approved in writing by the Local Planning Authority to accommodate:

- Parking of vehicles of site workers and visitors
- Loading and unloading of plant and materials
- Storage of construction plant and materials;
- Wheel cleaning facilities
- Control of dust, smell and other effluvia;
- Control of surface water runoff.

The approved details must be implemented and complied with for the duration of the construction process.

Reasons: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 14) Standard condition [Timing of construction]: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

### **Informatives:**

- 1) INFORMATIVE  
In accordance with paragraphs 38 and 39 of the National Planning Policy Framework 2018, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and

proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

2) **INFORMATIVE**

Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation.

3) **INFORMATIVE**

Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
  - the location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and
  - the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling; along with one of the following:
    - Water Efficiency Calculator for New Dwellings; **or**
    - Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; **or**
    - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'.

4) **INFORMATIVE**

It is Council's policy for the Council's contractor to construct new vehicular access. The applicant should contact Council's Highway Team on: 0208 545 3829 prior to any work starting to arrange for this work to be done. Please be advised that there is a further charge for this work.

5) **INFORMATIVE**

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer,

prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

- 6) INFORMATIVE  
No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.
  
- 7) INFORMATIVE  
This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton

Street Naming and Numbering (Business Improvement Division)  
Corporate Services  
7th Floor, Merton Civic Centre  
London Road  
Morden  
SM4 5DX  
Email: [street.naming@merton.gov.uk](mailto:street.naming@merton.gov.uk)

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[Click here](#) for full plans and documents related to this application.

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