

PLANNING APPLICATIONS COMMITTEE

21 March 2019

APPLICATION NO.

18/P4357

DATE VALID

10/12/2018

Address/Site: 58 Haynt Walk, Raynes Park, SW20 9NX
Ward: Cannon Hill

Proposal: Erection of a two storey end of terrace dwellinghouse with associated off street car parking.

Drawing No.'s: 03_R; 05_R; 06_R; 07 (section drawing); 07 Rev 02 (Block Plan); 08 (Site location Plan); 08_R

Contact Officer: Tony Smith (020 8545 3144)

RECOMMENDATION

Grant planning permission subject to conditions.

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: 22
- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood risk zone: No
- 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 is located on land to the southern side of No.58 Haynt Walk, Raynes Park which is an irregular shaped plot located at the corner bend of Haynt Walk, adjacent to No.58 Haynt Walk (a semi-detached house). A shared access drive with No.60 Haynt Walk provides vehicular and pedestrian access

from Haynt Walk to the front hardstanding area of Nos. 58 and 60, which is used for car parking. A private drive is also located alongside the northern side boundary which provides access to additional parking at the rear of the site. The existing dwelling has a regular footprint and is two storeys in height with a hipped roof. The dwelling has not been previously extended. The application site has an approximate area of 665sq.m.

- 2.2 The surrounding area is residential in character with semi-detached dwellings being the predominant housing type.
- 2.3 The site has a public transport accessibility level (PTAL) of 2 which is considered poor (with 0 being the lowest and 6b being the highest). The site is not located within a conservation area.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the erection of a new two storey, end-of-terrace dwellinghouse with accommodation on two floors within the existing side garden of the semi-detached dwelling at No.58 Haynt Walk. The dwelling would be a 3 bedroom, 5 person dwellinghouse. The dwelling would have an internal floor area of 96.48.sq.m while the new plot created would have a total area of 481.sq.m.
- 3.2 The proposed dwelling would be two storeys in height with pedestrian/vehicle access via the shared access drive to Haynt Walk. The dwelling would adjoin No.58 Haynt Walk thereby creating a terrace of three properties. The front of the house would be oriented north towards Haynt Walk, set back from the front façade of the existing dwelling by 1.5m, and the side elevation would face into a large private garden to the east.
- 3.3 The dwelling would have a hipped roof and would be finished with roof tiles and brickwork to match the materials of No.58 Haynt Walk. Regular window openings would feature at first floor in the north, east and south elevations to match the adjoining dwelling and there would be access doors and/or windows at ground level in all elevations. The dimensions of the proposed dwelling would be 6.92m wide and 8.24m deep with eaves and ridge height to match No.58 Haynt Walk.
- 3.4 The front garden area would incorporate two off-street car parking spaces for the new dwelling, as well as space for cycle and refuse storage. Two off-street parking spaces would also be retained for the existing dwelling, No.58 Haynt Walk.
- 3.5 Following the initial submission of the application, officers raised concerns regarding the potential overlooking from first floor rear bedroom windows into the garden area of No.60 which wraps around the rear of No.58. Amended plans were received with these windows being partly obscured glazed and the internal arrangement of bedrooms amended to direct outlook into either the application site or the highway.
- 3.6 It is noted that this application follows previously refused applications 15/P4803,

17/P2447 & 18/P2416, with the main difference being the layout and size of garden areas for the existing and proposed dwellings and the re-arrangement of windows to retain privacy. This report will consider, in section 7, whether the proposals address previous reasons for refusal.

3.7 The specific differences between the previous refused and dismissed scheme (17/P2447) and the current scheme are as follows:

- The current scheme shows the proposed dwelling to be set back 1.5m from the front building line of the existing pair of semi-detached dwellings, whereas the previous scheme showed no setback from the front building line. The current scheme shows the existing dwelling to terminate in a gable end, where it meets the flank wall of the proposed dwelling.
- As a result of the change in position to the proposed dwelling the separation distance from the boundary with No.56 would be 4.7m, whereas the previous scheme showed a separation distance to the boundary of around 2m (as stated by the Inspector, however, when the plan is measured this separation distance is 3.16m).
- The high level window to the rear elevation shown in the refused scheme would be replaced with regular sized windows.
- The subdivision of the garden in the current scheme allows a large garden area for the proposed dwelling.
- Other minor changes to fenestration.
- The roof pitch of the currently proposed dwelling is 45 degrees whereas the refused scheme showed a roof pitch of 34 degrees.

3.8 It is of note that there were discrepancies in the previously submitted plans, 17/P2447, in that the side elevation showed a gable roof ending, whereas the other elevation drawings and roof plans showed a hipped roof ending.

3.9 The roof pitch of the proposed extension would be 45 degrees whereas in the previous application 17/P2447, it was shown to be 34 degrees. The existing elevations for the current application show the roof pitch of the existing dwelling to be 45 degrees and the existing plans for 17/P2447 show the existing dwelling to have a roof pitch of 34 degrees. For clarity, officers can confirm that the actual existing roof pitch appears to be 45 degrees and it would appear that the elevation drawings for the previous application were not accurate in relation to the roof pitch of the existing building.

3.10 Application 18/P2416 was refused, for the reason shown below in this report. This scheme is currently at appeal with no decision having yet been made by the Planning Inspectorate. This scheme showed a setback of 1.5m from the front building line of the existing dwelling (i.e. the same footprint as the current proposal – 18/P4357). This scheme showed a high level window to the rear elevation, with partly obscurely glazed rear first floor windows. The scheme showed a garden layout similar to that proposed under 17/P2447.

4. PLANNING HISTORY

4.1 15/P4803 - ERECTION OF NEW TWO STOREY DETACHED DWELLING

HOUSE WITH REAR ROOF DORMER AND 3 X ROOFLIGHTS TO THE FRONT ROOF SLOPE. Refused 21/03/2016.

Reasons:

- i) **The proposed dwelling by reason of its size, siting and height is considered an unneighbourly form of development which would be overly large and overbearing on neighbours in the proposed location on site, and visually intrusive, and harmful to the amenity of neighbours in terms of overshadowing, overlooking and visual intrusion, appearing unduly dominant and out of context and character with the existing Haynt Road urban landscape.**
- ii) **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.**

4.2 17/P2447 - ERECTION OF A TWO STOREY 3 BEDROOM TERRACE DWELLINGHOUSE: Refused 14/09/2017, Dismissed at appeal 26/03/2018.

Reason: The proposed dwelling by reason of its design, size, siting and height would be an unneighbourly form of development which would be:

- i) **Overly large, visually intrusive and overbearing to the detriment of the visual amenities of neighbours;**
- ii) **Result in loss of privacy and overshadowing to the detriment of neighbour amenity; and**
- iii) **Would appear out of context and character with this part of the Haynt Walk street scene which is characterised by a distinct and orderly layout of semi-detached dwellings.**

The key findings of the Inspector were as follows:

- *The proposal would have a significant overbearing effect to users of the garden area of No.56.*
- *Loss of outlook to occupiers of No.56.*
- *No significant loss of privacy would occur.*
- *The development would create a short terrace of 3 dwellings that would be offset from the central position occupied by the existing semi-detached pair. However, it would be in a secluded position with restricted visibility from the street. In this regard, any loss of symmetry within the site would not be readily perceptible from along most of Haynt Walk. The design of the proposed dwelling would also be consistent with the existing semi-detached pair, and there are a number of existing terraced properties in the immediate vicinity. The development would therefore not be out of keeping with the surrounding area, in my view. For the above reasons, I conclude that the development would not significantly harm the character and appearance of the area.*

4.3 18/P2416 - ERECTION OF A TWO STOREY END OF TERRACE DWELLINGHOUSE. Refused 12/11/2018.

Reason:

- i) **The proposed dwelling, by reason of its size, siting and design, would constitute an unneighbourly form of development being**

visually dominant and overbearing and resulting in overlooking and loss of privacy, to the detriment of the amenities of the occupiers of 58 Haynt Walk, contrary to policies 7.6 of the London Plan (2016), policies DMD2 and DMD3 of the Adopted Sites and Policies Plan (2014), and policy CS14 of the Merton Core Planning Strategy (2011).

Appeal lodged 7th January 2019 – decision currently pending.

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:

- Little change to previous plans.
- Dwelling would still be overbearing and result in overlooking and loss of privacy.
- Out of keeping with semi-detached houses.
- Privacy will be worsened.
- Lack of space on site for another dwelling.
- 3 houses would have been built instead of 2 originally if there had been enough space - should not fill all available land.
- Limited access on shared driveway with 5 vehicles already using it.
- Access is in a state of disrepair and is only to be used by cars.
- Area floods regularly and more building will make this worse.
- Loss of natural habitats.
- Fence has been removed and concerns over obtaining more land.
- Recent gas explosion at property on same street.
- Applicant has removed hedges and trees already and replaced them with unsightly temporary fencing.
- Gate has been replaced with fence.
- Numerous refused planning applications and appeal.
- Applications have contained errors.
- Devaluation of property prices.

5.3 Following the receipt of amended plans, a second round of consultation was undertaken. Comments were received following this which and the further concerns are summarised below:

- Previous objections remain.
- Size and position hasn't changed.
- Discrepancy of development type on planning explorer.
- Block plan drawing not showing the driveway correctly.
- Moving of boundaries and fences prior to planning permission.
- Would set a precedent.
- Removal of shrubs and planting outside of application site.
- Boundary and access works are delayed on assumption of granting of planning permission.
- Motive is for profit.

5.4 Comments were also received from the applicant in response to the above concerns:

- Untrue comments made by neighbours.
- New neighbours objecting to help others.
- Site notice was erected and was dated.
- Amendments have been made to address concerns and the entrance will be made good after service works.
- Area is not within a flood risk zone and other neighbours have completed extensions.
- The garden is not being used as a building yard and only a small van enters the site each day.
- The removal of bushes does not require permission and other neighbours have done the same.
- Temporary fences have been put up and new ones will be installed at cost of applicant.

5.5 LBM Climate Change Officer: No objection. The development would need 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 an informative should be included detailing this.

5.6 LBM Transport and Highways Officers: No objection. The proposed off-street parking and refuse storage areas are acceptable and in line with existing arrangements within the street. Conditions are requested to implement the above prior to occupation of the dwelling and to retain them thereafter. The location for cycle storage facilities is acceptable, however, these should be secure and under cover. A condition is requested requiring details to be provided and for the retention thereafter. Conditions are also requested for hours of construction and the provision of a construction management plan prior to construction to ensure minimal impacts to neighbouring properties.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2018)

- 5. Delivering a sufficient supply of homes
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2016)

Relevant policies include:

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing developments
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 5.17 Waste Capacity

- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 8.3 Community Infrastructure Levy

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

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Active 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 F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
- DM T1 Support for sustainable transport
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards

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
- 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 2 (0 is the worst and 6b being excellent). The site is not within a controlled parking size and would provide off-street parking. The proposals would result in an additional 5 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 as detailed in the relevant sections below.
- 7.8 In order to be acceptable in planning terms the current scheme must overcome the concerns of the Inspector raised under 17/P2447 and the reason for refusal imposed under 18/P2416.
- 7.9 It is important to note that the inspector's decision accepted the principle of a new dwelling, of this scale, in this location.
- 7.10 The increased separation distance to No.56 is considered to be sufficient to avoid a materially harmful overbearing impact or loss of outlook (as was the conclusion under 18/P2416) and therefore, the concerns of the Inspector have been overcome in the current scheme.
- 7.11 The changes to the garden layouts are such that the current proposal would not result in the same overbearing impact to No.58, as the garden of No.58 would not be directly to the rear of the proposed dwelling.
- 7.12 Therefore, it is concluded that the proposal has overcome both the concerns of the Inspector under 17/P2447 and the reason for refusal under 18/P2416 for the reasons set out in this report.
- 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 Previous refusals at the site (15/P4803, 17/P2447) have included reasons for refusal based on character and appearance, namely in that the proposal would be harmful to the orderly pattern of semi-detached houses. However, it is acknowledged that a recent appeal decision against 17/P2447 did not support the Council's reason for refusal based on impact to the character and appearance of the area. This current proposal, being set back from the front façade by 1.5m and utilising a matching fenestration pattern, architectural style and use of materials, would serve to reduce its impact on the streetscene, over and above the previous scheme. A condition for materials to match the existing dwelling is recommended to further ensure this.
- 7.15 It is therefore not considered the proposal's impact on the character and appearance of the local area would warrant a reason for refusal in this instance and it is important to note that the most recent refused application (18/P2416) did not include this as a reason for refusal.

Impact upon neighbouring amenity

- 7.16 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.
- 7.17 The previously refused application (18/P2416) had an awkward plot layout whereby the rear garden of No.58 (existing dwelling) extended as a dogleg across the rear of the proposed dwelling. This resulted in significant overlooking from the rear first floor windows which served two bedrooms and also resulted in the building being overbearing and overly dominant to that part of the garden of No.58 given its size and proximity along the shared boundary. It is important to note that this was the only reason for refusal and that all other impacts were considered acceptable, including the impact on No.56 Haynt Walk. As the footprint, bulk and massing proposed is identical to that proposed under 18/P2416, it is considered that the impact on No.56 Haynt Walk would be acceptable as it was in the previous scheme.
- 7.18 This application seeks to address the reason for refusal imposed under 18/P2416, which related to an adverse impact to No.58 Haynt Walk. The proposed layout of the plot is such that No.58 would have a regular boundary extending rearward of the dwelling from its western flank wall. The proposed dwelling would no longer extend along a shared boundary now and would therefore be considered acceptable in terms of visual dominance and sense of overbearing.
- 7.19 With regards to the privacy and overlooking aspect of the previous reason for refusal, the applicant has amended the internal layout and the glazing of windows to direct outlook from bedrooms either into the application site or onto the highway. The rear windows at first floor would be obscure glazed and fixed shut up to 1.7m, restricting any views towards the southern aspects of No.60 & 58's gardens. The bedroom windows in the first floor eastern flank would face

into the application site and is therefore not considered to give rise to an unacceptable loss of privacy. The first floor window to front in the NE corner would face the rear elevation and amenity of No.56 and has therefore been obscure glazed and fixed shut to restrict any views here. It is recommended to include a condition to retain the obscure glazed windows and restrict permitted development rights to install further windows to retain privacy to neighbouring properties.

- 7.20 Given the above amendments, it is considered that the proposal would be acceptable in terms of privacy, overlooking, sense of overbearing and visual dominance and would overcome previous reasons for refusal from 18/P2416 and the concerns raised by the Inspector under 17/P2447.

Standard of accommodation

- 7.21 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.
- 7.22 The London Plan and DCLG - Technical Housing Standards require that a 3 bed, 5 person, 2 storey dwelling have a gross internal floor area of 93sq.m. The proposed dwelling would have a gross internal floor area of 94.48sq.m which would exceed the minimum standards. It is noted that single bedrooms would require 7.5sqm and double bedrooms would require 11.5sqm. The proposed bedrooms would meet these minimum requirements.
- 7.23 The proposed dwelling would include 3 bedrooms on the first floor, all of which would have sufficient access to natural light and outlook. It is acknowledged that the bedrooms 2 & 3 in the NE and SE corners have an obscured glazed window in order to protect privacy of neighbouring residents, however the proposed windows in the flank elevation would allow for sufficient outlook into the site itself. It is considered the layout of the dwelling as a whole would result in a suitable living space for 5 persons.
- 7.24 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 proposal would include approx. 350sq.m of external amenity space to the side and rear of the dwelling which would far exceed the minimum requirements. It is further noted that the existing dwelling at No.58 would retain an acceptable standard of 50sq.m garden to the rear.
- 7.25 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

- 7.26 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).
- 7.27 The LBM Transport Planner has reviewed this application and their comments are integrated into the assessment below.
- 7.28 The site is not within a controlled parking zone and has a PTAL of 2 which is poor, as such, vehicle parking would be required. The plans indicate two parking spaces for the new dwelling and one space for the existing dwelling at No.58. The London Plan Standard 3.3.1 (amended March 2016) specifies that a 3 bedroom dwelling should provide a maximum of 1.5 spaces. However, given the low PTAL of the property, it is considered that 2 spaces would be acceptable. A condition is recommended for the vehicle parking to be implemented before occupation and to be retained thereafter.
- 7.29 In accordance with London Plan policy 6.9 and table 6.3, 2 cycle storage spaces 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 and LBM Transport Officers request a condition requiring further details of the cycle storage prior to occupation and for this to be retained thereafter. A condition on working hours and a condition for the provision of a Construction Management Plan are recommended to ensure minimal impacts to neighbouring properties during construction

Refuse storage

- 7.30 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.
- 7.31 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. A condition is recommended to implement this prior to occupation and retain it thereafter.

Sustainable design and construction

- 7.32 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.
- 7.33 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 to include a condition and informative which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Community Infrastructure Levy

- 7.34 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>

7.35 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 motives of the developer are not a material planning consideration. The assessment is based on the acceptability of the proposal against adopted Planning Policies.
- Issues relating to gas leakages and explosion are not within the control of the Council and are not a material planning consideration.
- The shared accessway and its state of repair is a civil matter between neighbours.
- Removal of fences and erection of temporary fences within the application site would not require permission subject to the height being lower than 2m.
- The impact on the character of the area is a material planning consideration but the impact on property prices is not.
- The removal of non-protected trees and bushes/shrubs can be undertaken without the need for planning permission.
- The proposal is not within a flood risk area and whilst maps indicate other properties within the street are at a moderate/low risk of surface water flooding, the application site itself is not.
- A Construction & Traffic Management plan is to be provided by the applicant 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.
- Any hardstanding made in the future would likely need planning permission and an informative will be included to inform the applicant of this.
- The dimensions of the site, particularly in reference to the entrance from the shared access, are consistent with Council mapping technology.
- There is no indication that the site has such a high biodiversity value to warrant a refusal of planning permission.

8. CONCLUSION

- 8.1 The proposal would increase residential density and provide an additional dwelling, in line with the broad objectives set out in planning policy.

- 8.2 The development would create a short terrace of 3 dwellings and officers note that in assessing similar proposals in the recent appeal for an end of terrace dwelling the Inspector concluded that such a development would not significantly harm the character and appearance of the area. Thus, notwithstanding the Council's concerns under application 17/P2447, the current proposal would not have a greater impact on the character of the area than the scheme dismissed at appeal and it would be unreasonable for the Council to cite similar grounds for the latest scheme.
- 8.3 Having regard to the changes to the garden layout and subdivision, the proposed fenestration it is considered that the proposal has overcome both the inspector's concerns under 17/P2447.
- 8.4 Having regard to the revised layout of plots, the arrangement of internal bedrooms and inclusion of obscure glazing to certain windows, it is considered the proposal would not unduly impact the amenity of neighbouring properties. The proposal is considered to have overcome the previous reason for refusal under 18/P2416.
- 8.5 As with the previous schemes, the proposal would not unduly impact upon the highway network, including parking provisions and the proposal would achieve suitable refuse provisions.
- 8.6 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 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 [Parking]: The development hereby permitted shall not be occupied until the vehicle parking provisions shown on the approved plans have been provided and made available for use. These facilities shall be retained for the occupants of, and visitors to, the development at all times thereafter.

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.

- 5) Amended standard condition [Obscure glazed windows]: Before the development hereby permitted is first occupied, the first floor windows as shown on drawing 05_R shall be glazed with obscured glass and fixed shut to 1.7m above internal floor level and shall be maintained as such thereafter.

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) 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 CO2 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.

- 9) 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 (including insertion or alteration of windows) 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.

- 10) 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.

- 11) 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 Policies Plan 2014.

- 12) Standard condition [Details of Wall/Fences]: No development shall take place until details of all boundary walls or fences 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 / the use of the development hereby approved shall not commence 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.

Reason: 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.

Informatives:

- 1) **INFORMATIVE**
In accordance with paragraph 38 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**
Any hardstanding will require planning permission and an application showing the detailed design and specification for permeable paving shall be submitted to and approved in writing by the Local Planning Authority.
- 5) **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

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

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