

Agenda Item 5

PLANNING APPLICATIONS COMMITTEE
16 January 2014

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	12/P2922	22/03/2013
Address/Site:	land adjacent to 30 Brenley Close Mitcham CR4 1HL	
Ward	Figges Marsh	
Proposal	Erection of a new 2 bedroom end of terrace dwelling attached to No 30 Brenley Close involving alterations to the roof of No. 30	
Drawing No's	A12010(AL)01, A12010AL(0)3 Revision D, A12010AL(0)4 Revision C, A12010AL(0)5 Revision A, A12020AL(0)6 (received 12/03/2013 labelled 'survey plan') and A12010AL(0)6 (received 23/04/2012 labelled proposed section).	
Contact Officer	Joyce Ffrench (020 8545 3045)	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions and S106 planning obligations.

CHECKLIST INFORMATION.

- S106: Affordable Housing; Education
 - Is a screening opinion required: No
 - Is an Environmental Statement required: No
 - Has an Environmental Impact Assessment been submitted – No
 - Press notice – No
 - Site notice – Yes
 - Design Review Panel consulted – No
 - Number of neighbours consulted – 8
 - External consultations – Mitcham Common Conservators
 - Density – 240hr/ha
 - Number of jobs created: N/A
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1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration, to obtain authority to enter into a section 106 agreement and at the request of Councillor Stanford

2. SITE AND SURROUNDINGS

- 2.1 The application site is the garden to the side of No. 30 Brenley Close which is an end-of-terrace dwellinghouse in a cul-de-sac on the junction of Commonsides East and Brenley Close.
- 2.2 The terrace is currently comprised of 7 properties which have a covered access to rear gardens between every other house. This symmetry is reflected in the opposite terrace which has 8 houses. Both terraces have retained the hipped roofs.
- 2.3 Opposite the application site is a house of a different architectural style which was built in the mid 1980's as part of a development of two detached houses. The frontage of these dwellings is on Commonsides East.
- 2.4 The plot is not in conservation area, a flood risk zone or an archaeological priority zone; the site is not located within a Controlled Parking Zone and has a low Public Transport Accessibility Level [PTAL] of 2 [where 1a represents the least accessible areas and 6b the most accessible]; it is within a short walk of Mitcham Eastfields Station. The land directly to the south of the plot is a site of importance for nature conservation

3. CURRENT PROPOSAL

- 3.1 The current proposal is for the construction of an attached two bedroom house.
- 3.2 The proposal provides an open plan entrance/living area, a kitchen/breakfast room, and a w.c., to the ground floor. To the first floor there is one double and one single bedroom and a family bathroom. The external appearance reflects the design of the existing adjacent properties; maintaining the hipped roof. The width, eaves level and overall height also respects adjacent properties
- 3.3 The proposal does not provide any off-street parking
- 3.4 The original; scheme was for a 3-bedroom property. Plans have been amended removing the rear roof extension to provide a two bedroom property with a hipped roof.

4. PLANNING HISTORY.

No history

5. RELEVANT POLICIES.

National Planning Framework [March 2012]

- 5.1 The National Planning Framework was published on the 27 March 2012. This document is put forward as a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.
- 5.2 The document reiterates the plan led system stating that development which accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework states that the

primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development. To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, local planning authorities need to approach development management decisions positively and look for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

The London Plan [2011].

The relevant policies in the London Plan [July 2011] are 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]; 3.11 [Affordable housing targets]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.13 [Sustainable drainage]; Table 6.2 (Car Parking Standards); 6.9 [Cycling]; 6.10 [Walking]; 7.6 [Architecture] and 8.2 [Planning obligations].

Policies retained in Adopted Unitary Development Plan [2003]

- 5.3 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE.15 [New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise]; BE16 [Urban design]; BE22 [Design of new development]; BE25 [Sustainable development]; C13 [planning obligations for educational facilities]; F2 [Planning obligations]; HS1 [Housing layout and amenity]; PE.12 [Energy Generation and Energy Saving].

Policies within the Adopted Core Strategy [2011]

- 5.4 The relevant policies within the Adopted Core Strategy [July 2011] are CS8 [Housing choice]; CS9 [Housing provision]; CS13 [Open space; nature conservation; leisure and culture]; CS14 [Design]; CS15 [Climate change]; CS18 [Active transport]; CS19 [Public transport]; and CS20 [Parking; servicing and delivery].

Merton Supplementary Planning Guidance

- 5.5 The key supplementary planning guidance relevant to the proposals includes New Residential Development [1999]; Design [2004]; and Planning Obligations [2006].

6. CONSULTATION

- 6.1 The submitted planning application was publicised by means of a two site notices, one erected by the Case Officer; and individual consultation letters sent to 8 neighbouring properties. In response one letter of objection has been received raising concerns with regard to parking.

Councillor Stanford and Councillor Akyigyina have also raised concerns as follows:-

- Site is not large enough to accommodate a new dwelling

- Loss of hipped roof would result in loss of symmetry
- Parking
- Loss of trees

6.2 LB Merton Transport Planning has commented as follows:- as the site is not located in a Controlled Parking Zone it will create additional parking pressures, however the application is unlikely to have a significant impact on highway function therefore there are no transport objections to this proposal

6.3 The Tree and Landscape officer has asked that a condition be imposed to replace lost trees on the site

7. PLANNING CONSIDERATIONS

7.1 The key planning issues are considered to be the principle of residential development; design, scale and siting; standard of accommodation; neighbour impact; highway safety; developer contributions.

Principle of Development

7.2 Policy CS9 within the Council's Adopted Core Strategy [2011] states that the Council will work with housing providers to provide a minimum of 4,800 additional homes between 2011 and 2016.

7.3 The proposed development will provide a new family unit that will help meet the Council's housing targets in line with policy CS 9 in the Council's Adopted Core Strategy [2011]. The site is in a residential area and it is considered that this site is of a sufficient size to provide a new unit of accommodation.

7.4 The proposal will not result in the loss of land safeguarded for other purposes by the Council's planning policies. The principle of a residential dwelling is considered appropriate in this location.

Design, Scale, Siting

7.5 Policy CS9 within the Council's Adopted Core Strategy [2011]] states that the Council will require redevelopment proposals to be well designed. Policy CS14 states that development should respect, reinforce and enhance local character and contribute to Merton's sense of place and identity.

7.6 Policies BE.16 and BE.22 of the adopted Unitary Development Plan [October 2003] require proposals for development to complement the character and appearance of the wider setting. This is achieved by careful consideration of how the density, scale, design and materials of a development relate to the urban setting in which the development is placed.

7.7 The area surrounding the application site is residential in character with two storey dwellings being the prevailing building form.

7.8 The scale of the proposed development providing an end-of-terrace property is considered appropriate for this location. The design of the proposed building reflects the height, width, scale and design of the adjoining terrace and maintains the building line of Brenley Close with the amendment to

maintain the hipped roof form addressing the concerns of the Case Officer and local Councillors.

7.9 With regard to the building on garden land, this land has not been safeguarded for any other use and the size of the plot is considered sufficient for the purposes of the proposal. Notwithstanding the tapered shape of the dwelling, the layout and alignment of the development makes good use of this site, and as a matter of judgement it is considered that an irregular shaped building on this plot would blend in without harm to the overall character of the surrounding area.

7.10 The proposals are not considered to conflict with UDP policies BE.15, BE.16 and BE.22 and policies CS.9 and CS.14 of the Council's Adopted Core Strategy [2011].

Standard of the proposed new accommodation.

7.11 Policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed. Policy HS.1 of the adopted Unitary Development Plan [2003] states that all proposals for residential development should safeguard the residential amenities of occupiers in terms of providing adequate internal space, a safe layout and access for all users; and provision of adequate amenity space to serve the needs of occupants.

7.12 The London Plan was published on the 22 July 2011 and minimum gross internal area [GIA] floor space standards for new residential units are set out at table 3.3 within the plan. The standards are expressed in terms of gross internal area and supersedes the individual room size standards provided within the Council's Supplementary Planning Guidance - "New Residential Development" [1999]. The standards are based on the number of occupiers and number of bedrooms.

7.13 The proposed development provides a three-person two-bedroom house that provides a GIA of 78 square metres. This is in excess of the minimum standard provided within the London Plan which is 73 square metres.

7.14 In terms of the provision of garden space the amenity space standards set out in UDP policy HS.1 are still relevant and these standards seek a minimum of 50 square metres of private garden space for all new houses. The development will provide a rear private garden space of approximately 50 square metres leaving 77 square metres remaining at No. 30.

7.15 Policy CS 20 of the adopted Core Strategy [July 2011] states that the Council will require developments to incorporate adequate facilities for refuse storage and collection. No details of refuse storage have been submitted. A planning condition is recommended to secure the submission of appropriate details.

7.16 The proposed new building, which faces west, will provide good levels of daylight and sunlight and the house would provide satisfactory living space for future occupiers.

- 7.17 In conclusion the standard of the proposed development is considered acceptable and in line with relevant guidance. The general layout and size of the proposed property will provide an adequate standard of family accommodation.

Neighbour Impact

- 7.18 Policy BE.15 of the adopted Unitary Development Plan [2003] requires the orientation and design of new buildings to provide adequate levels of sunlight and daylight to adjoining buildings and land, with good levels of privacy for adjacent occupiers.
- 7.19 Policy HS.1 of the adopted Unitary Development Plan [2003] states that all proposals for residential development should safeguard the residential amenities of occupiers of nearby properties in terms of maintaining adequate daylight and sunlight and the protection of privacy. The Council's Supplementary Planning Guidance on Residential Development sets out recommended separation distances between new and existing residential properties in order to avoid overlooking/loss of privacy and loss of sunlight and daylight.
- 7.20 The proposal will not involve any loss of light to windows to No.30. An LBM light test confirms there would be no loss of light as a result of the single storey element at the rear of the proposal
- 7.21 In conclusion, it is considered that the proposed development will have no significant impact on residential amenity in terms of loss of daylight, sunlight or privacy to adjacent properties. The proposal is considered in accordance with the objectives of UDP policies BE.15 and HS.1.

7.22 Trees

There are no trees of any arboricultural merit on the site, however as the application would result in the removal of two holly trees and the Tree and Landscape Officer has requested that a condition be imposed requiring planting of a new tree in the front garden of the new dwelling

Car parking, access and highway safety

- 7.23 Policy CS 19 of the adopted Core Strategy [2011] states that the Council will support and enhance the public transport network by encouraging developers to demonstrate that the proposals do not have an adverse effect on transport within the vicinity of the site. The site has a low Public Transport Accessibility Level [PTAL] of 2 [where 1a represents the least accessible areas and 6b the most accessible].
- 7.24 The proposed development includes no provision for off-street car parking. The development has been assessed in terms of highway safety and with the on-street parking capacity that is available locally the proposal is considered acceptable. The application site is a 10 minute walk from Mitcham Eastfields station.
- 7.25 There is no indication of provision for cycle storage on the site; a planning condition will be imposed seeking details for the provision of a storage facility.

- 7.26 After consideration of issues relating to parking the submitted proposal is considered acceptable, subject to conditions, with no objections to the development raised by the Council's Transport Planning team.

Planning obligations

- 7.27 The proposed two-bedroom family property is likely to lead to increased demand for school places. The Council's Supplementary Planning guidance on Planning Obligations provides a mechanism to mitigate against this impact. In line with this guidance and UDP policies F2 and C13 it is recommended that a planning obligation is sought for a financial contribution towards education provision through a S106 agreement.
- 7.28 Policy CS. 8 within the Council's Adopted Core Strategy [2011] states that the Council will require redevelopment proposals to create socially mixed and sustainable neighbourhoods. Proposals should also include provision for those unable to compete financially in the housing market sector with a borough-wide affordable housing target of 40% to meet a numerical target of 1,920 affordable homes in Merton for the period 2011- 2026. In order to meet a defined need for affordable housing in the borough and in line with CS.8 a planning obligation is recommended as part of a section 106 agreement to secure a financial contribution towards off site affordable housing provision.
- 7.29 The applicant confirmed that (s)he is, aware of, and is amenable, to paying the financial planning obligations as outlined below. The original education figure was redefined and affordable housing sums have been reduced as the applicant stated that the scheme was not viable should it be subject to the calculated figures for affordable housing and the original education figure. As a result a viability assessment was submitted to an independent assessor who concluded that the scheme would be viable with the figures as indicated below. No Unilateral Undertaking has been received

Local financial considerations

- 7.30 The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Cross Rail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.

8. Sustainability and environmental impact assessment

- 8.1 Policy CS 15 of the adopted Core Strategy [2011] states that proposals will be required to demonstrate how resources have been used effectively. Proposals would also need to demonstrate how they make the fullest contribution to minimising carbon dioxide emissions. Proposals should meet the CO2 reduction targets in line with the London Plan. Policy 5.2 of the London Plan [2011] states that development proposals should make the fullest contribution to minimising carbon dioxide emissions
- 8.2 In order to ensure that the development meets the requirements of the Core Strategy and the London Plan on sustainability planning conditions are

recommended to ensure that the development achieves Code for Sustainable Homes level 4 certification.

Environmental Impact Assessment

- 8.3 The proposals do not fall to be considered under any of the categories of development defined in Schedule 2 under the Town & Country Planning [Environmental Impact Assessment] Regulations 1999 (As amended). There are no requirements for an Environmental Impact Assessment in this instance.
9. CONCLUSION
- 9.1 This amended scheme to build a house on garden land attached to 30 Brenley Close is in accordance with adopted policies and Government Guidance which seek to make effective use of land to meet the increased demand for new housing.
- 9.2 The proposal will provide a house with a satisfactory standard of living space with no detriment to highway safety or loss of amenity to neighbouring occupiers. The quantum of the proposed development, including the height and scale of the building in relation to surrounding properties is considered to be appropriate and in keeping with the character of the area.
- 9.3 The planning application is recommended for planning approval subject to S106 unilateral undertaking seeking planning obligations regarding education and affordable housing and appropriate conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a Section 106 Agreement and planning conditions.

1. Provision of financial contribution towards education (£857).
2. Provision of financial contribution towards affordable housing (£4000).
3. The developer agreeing to meet the Council's costs of preparing, drafting the Section 106 Obligations.
4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.

And the following conditions:

1. A.1 Commencement of development (full application)
2. A.7 Approved Plans
3. B.1 External materials to be approved
4. B.5 Details of Walls/Fences
5. C.1 No Permitted Development (Extensions)
6. C.6 Refuse & Recycling

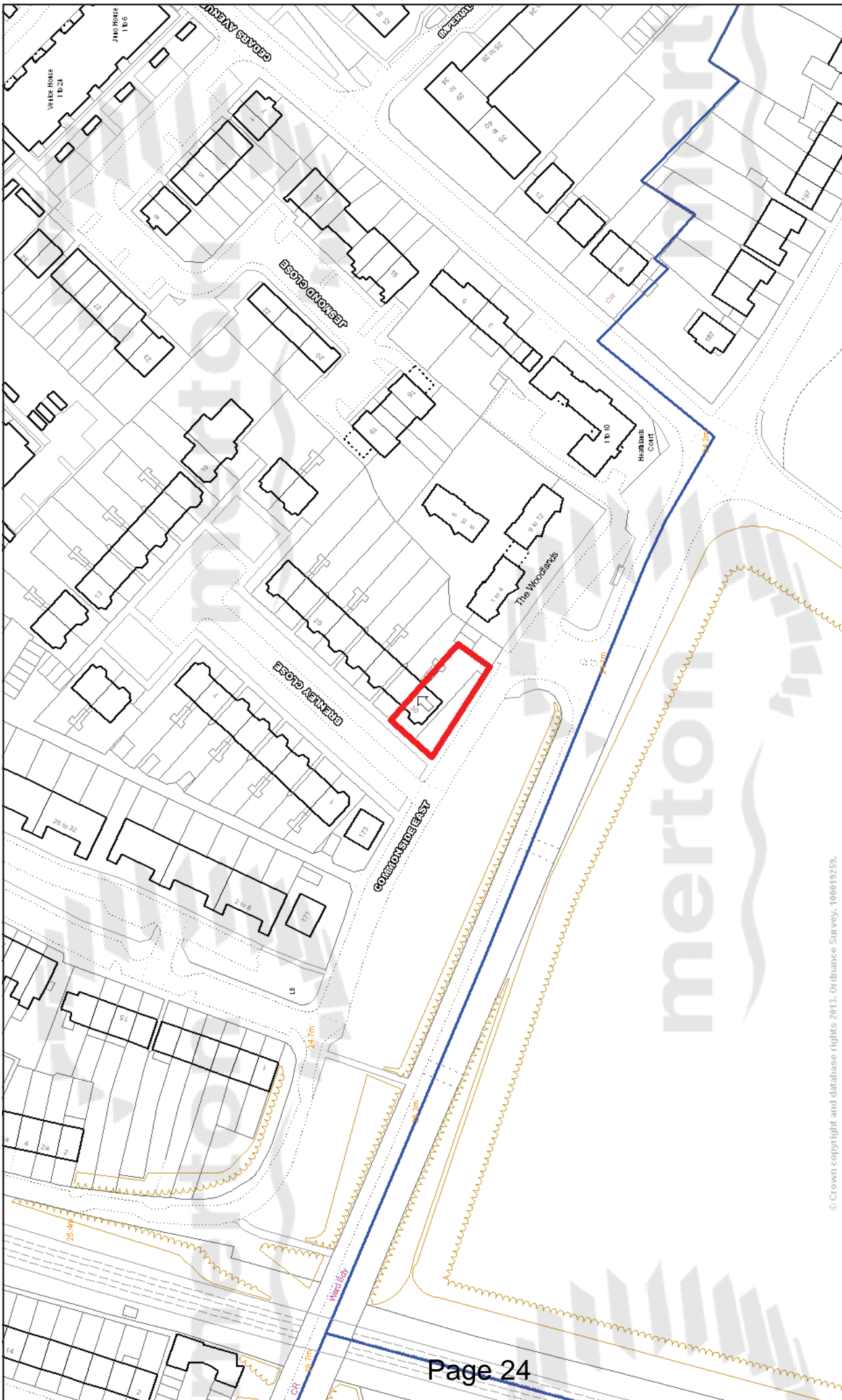
7. C.8 No use of flat roof
8. D.11 Hours of construction
- 9 H.6 Cycle parking
10. J.1 Lifetime Homes
11. L.2 Code for Sustainable Homes (Pre commencement)
12. L.3 Code for Sustainable Homes - (Pre occupation)

13. Non Standard Condition – Details of a replacement semi-mature tree, to be planted at the conclusion of construction works or in the first available planting season whichever is the sooner, should be submitted and approved by the LPA to mitigate the loss of the 2 holly trees. The tree shall be maintained and replaced, if necessary, to the satisfaction of the LPA

Reason for condition:- To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the adopted Merton Core Planning Strategy (2011)

Informatives:-

- (1) INF1 Party Walls Act
- (2) INF2 Lifetime Homes
- (3) INF4 Code for Sustainable Homes
- (4) INF12 Works affecting the Public Highway



London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

Scale 1/1250

Date 31/12/2013

Land adj to 30 Brentley Close

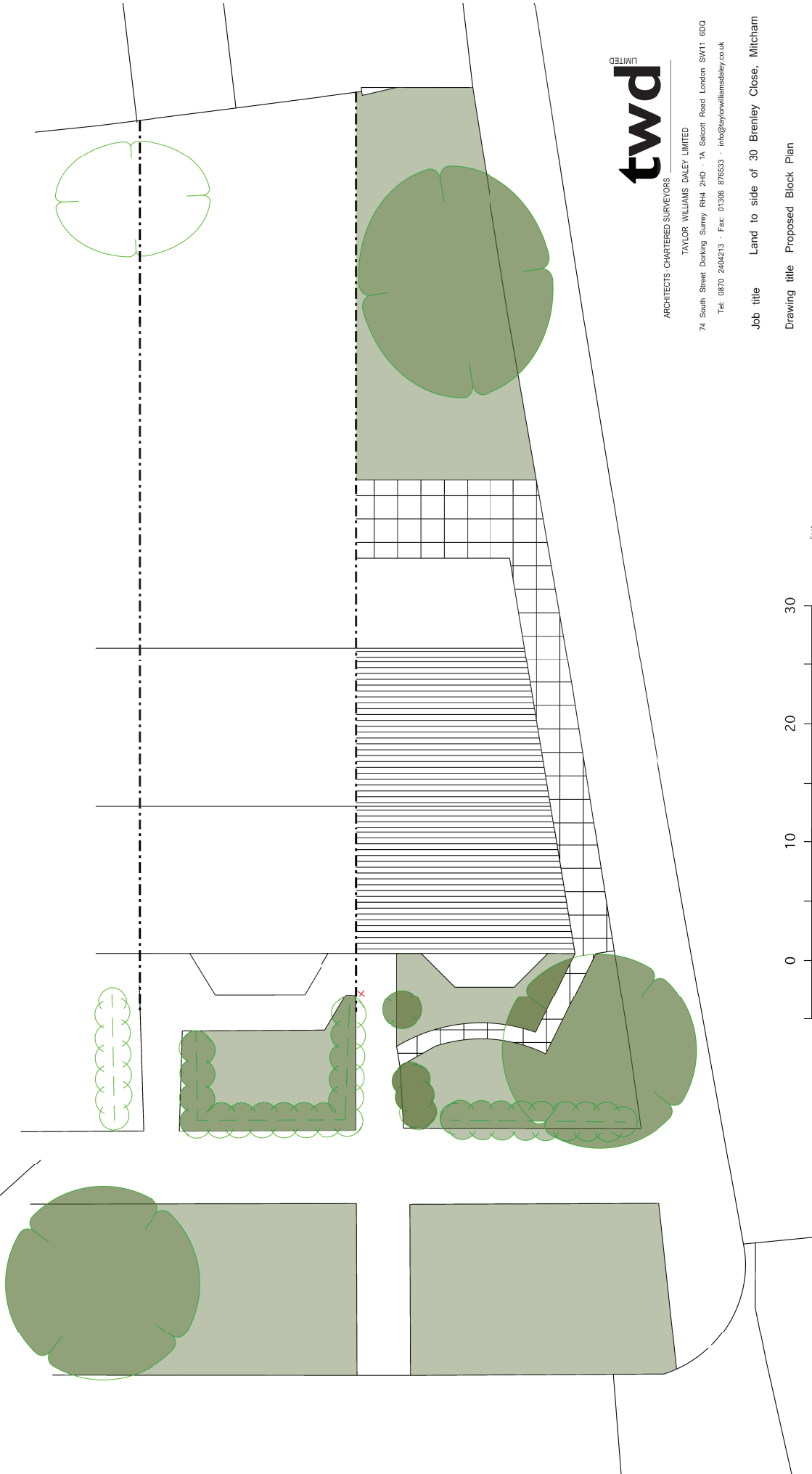
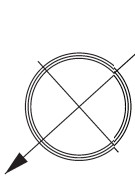
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DEVELOPMENT CONTROL

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Notes

All dimensions are to be checked on site. Any discrepancies are to be reported to the Architect before work commences. Figured dimensions are to be taken in preference to scaled dimensions.



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LIMITED

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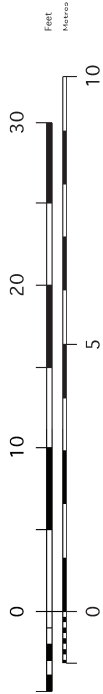
Tel: 0870 2404213 · Fax: 01306 876533 · info@taylorwilliamsdaley.co.uk

Job title Land to side of 30 Brenley Close, Mitcham

Drawing title Proposed Block Plan

Scale 1:100 Date June 2012

Drawing number A12010AL(O)5	Revision B
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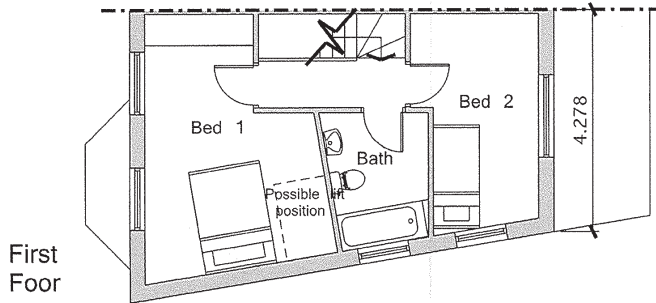
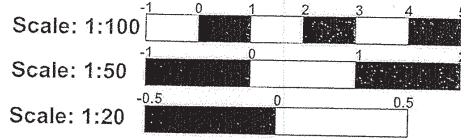
A3 Drawing

Notes

All dimensions are to be checked on site. Any discrepancies are to be reported to the Architect before work commences. Figured dimensions are to be taken in preference to scaled dimensions.

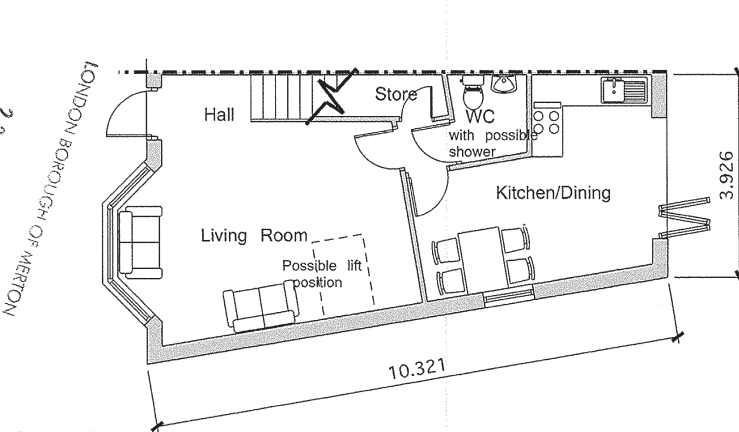
Schedule of Areas

Bed 1	14.2sqm
Bed 2	9.2sqm
Living	16.2sqm
Kitchen/Dining	14.6sqm

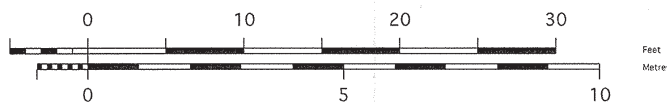


First Floor

3



Ground Floor



A3 Drawing

AMENDED
 23 APR 2013
 LONDON BOROUGH OF MERTON

ARCHITECTS - CHARTERED SURVEYORS



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Job title Land to side of 30 Brenley Close, Mitcham

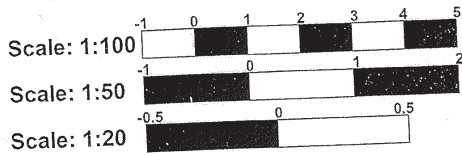
Drawing title Proposed Plans

Scale 1:100 Date June 2012

Drawing number A12010AL(O)4	Revision C
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Notes

All dimensions are to be checked on site. Any discrepancies are to be reported to the Architect before work commences. Figured dimensions are to be taken in preference to scaled dimensions.



North-West Elevation



South-East Elevation

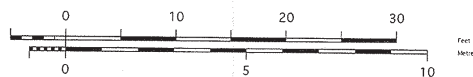
AMENDED

23 APR 2013

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South Elevation



A2 Drawing

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Job title Land to Side of 30 Brenley Close, Mitcham

Drawing title Proposed Elevations

Scale 1:100 Date August 2012

Drawing number A12010AL(O)3	Revision D
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Proposed Elevations - Amended
23-04-13

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