

PLANNING APPLICATIONS COMMITTEE 20th October 2022.

CASE OFFICER REPORT

UPRN	APPLICATION NO. 22/P1990	Item No: DATE VALID 28.06.2022
Address/Site	153 Links Road Tooting SW17 9EW	
Ward:	Graveney	
Proposal:	Application for the proposed change of use of a dwelling house to a 7-bed (7 person) House in Multiple Occupation	
Drawing Nos:	Site location plan and drawings LIN-TA-XX-XX-DR-A-301002 P01 & LIN-TA-XX-XX-DR-A-520001 P02	
Contact Officer:	Leigh Harrington (020 8545 3836)	

RECOMMENDATION

Grant planning permission subject to conditions and s106 agreement for permit free.

CHECKLIST INFORMATION.

- Heads of agreement: Permit Free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 26
- Press notice – No
- Site notice –Yes
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – Yes, GC
- PTAL Score -2

1. **INTRODUCTION**

- 1.1 The application has been brought before the Committee at the request of Councillor Linda Kirby. The application is subject to a requirement for planning permission because an HMO with more than 6 residents is subject to a requirement for planning permission.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is an end terrace house located on the north side of Links Road at the junction with Jersey Road in Tooting. The property benefits from a rear garage and a hip to gable and rear roof dormer extension.
- 2.2 The site is not located within a conservation area nor is it in anyway listed. The site is located within the GC controlled parking zone and has a public transport accessibility level (PTAL) of 2 (0 being the lowest and 6b being the best).

3. **CURRENT PROPOSAL**

- 3.1 The proposals are for the conversion of the existing C3 Dwellinghouse into a sui Generis 7 resident HMO.
- 3.2 On the ground floor there would be a single occupancy ensuite bedroom to the front with a communal kitchen/dining room and a living room to the rear with access out to the conservatory, communal garden, bike and bin stores.
- 3.3 The first floor would accommodate 4x single bedrooms, two of which would be ensuite.
- 3.4 The roof extensions would accommodate 2 single ensuite bedrooms and a bathroom for the two non-ensuite bedrooms on the first floor.
- 3.5 There are no additions proposed to the building, the only physical exterior changes being a small repositioning of a first floor rear window.

4. **PLANNING HISTORY**

- 4.1 22/P1537 - Application refused for a lawful development certificate in respect of the proposed change of use from C3 (dwellinghouse) to C4 (HMO) and the erection of a single storey rear extension. Reasons for refusal

The proposed level of occupation with 8 bedrooms would exceed the 3-6 occupier threshold as set out in Class C4 (Houses in multiple occupation) of The Town and Country Planning (Use Classes) Order 1987 (As amended). The proposed development would therefore be Sui Generis

(Large Houses in multiple occupation) for which planning permission would be required.

And

The proposed single storey rear extension would not constitute an extension to a dwellinghouse as permitted by Schedule 2, Part 1, Class A (enlargement, improvement or other alteration of a dwellinghouse) of the Town and Country Planning (General Permitted Development (England) order 2015 (as amended). Planning permission would therefore be required.

- 4.2 22/P1279 LAWFUL DEVELOPMENT CERTIFICATE issued IN RESPECT OF THE PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION
- 4.3 21/P1096 - THAT THE USE OF GARAGE AT LAND TO THE REAR OF 153 LINKS ROAD AS STORAGE (USE WITHIN CLASS B8) IS LAWFUL FOR PLANNING PURPOSES - Withdrawn
- 4.4 20/P3802 Planning permission granted for the PROPOSED DEMOLITION OF OUTBUILDINGS AND ERECTION OF A REPLACEMENT GARAGE.
- 4.5 06/P0490 CERTIFICATE OF LAWFULNESS issued FOR A PROPOSED REAR ROOF EXTENSION.

5. CONSULTATION

- 5.1. Consultation letters sent to 26 neighbouring properties and site notice posted. No objections were received
- 5.2 The Council's HMO Officer

Based on the information provided below we have no objections as it would meet our requirements/standards.

- 5.3 The Council's Waste services

These would be treated as kerbside waste collection service.

So for the 7x units, the following sets of bins are recommended for a fortnight collection service. Food waste remains a weekly service:

- 2x 240L wheelie bins for general refuse
- 2x 240L wheelie bins for paper/card
- Individual mixed recycling boxes or 1x 240L wheelie bin for mixed recycling
- Individual food caddies

No further concern from waste services”.

6. POLICY CONTEXT

- 6.1 Relevant policies in the London Plan 2021:
D3 Optimising site capacity through the design-led approach
D6 Housing quality and standards
D11 Safety and security
D14 Noise
H1 Increasing housing supply
H6 Housing standards
H9 Ensuring the best use of stock
T5 Cycling
T6.1 Residential parking
T4 Assessing and mitigating transport impacts
SI 7 Reducing waste and supporting the circular economy
- 6.2 Merton adopted Core Strategy (July 2011):
CS2 Mitcham Sub-Area
CS8 Housing Choice
CS9 Housing Provision
CS14 Design
CS15 climate change
CS17 Refuse
CS18 Active transport
CS20 Parking, servicing and delivery
- 6.3 Merton adopted Sites and Policies Plan (July 2014):
DM H5 Student housing, other housing with shared facilities and bedsits
DM D2 Design considerations in all developments
DM D3 Alterations and extensions to existing buildings
DM EP2 Reducing and mitigating noise
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
- 6.4 Other guidance:
London Housing SPG - 2016
London Character and Context SPG - 2014
Accessible London: Achieving an Inclusive Environment – 2014
London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2019)
Waste and Recycling Storage Requirements, a Guidance note for Architects

7. PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the impact that the proposed development would have on the existing building, the character of the local area, the impact that it would have on the amenity of neighbouring residents and future occupiers.

7.2 Principle

7.2.1 Policy CS 8 states that the Council will seek the provision of a mix of housing types, sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units, provision for those unable to compete financially in the housing market sector and for those with special needs. Property managed and regulated Houses in Multiple Occupation can offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing.

7.2.2 Policy H9 of the London Plan notes that HMO accommodation is a strategically important element of London's housing offer although it does acknowledge that it's quality can give rise to concern. In terms of the standard of accommodation for the HMO, this is largely addressed under Licencing requirements as opposed to through the planning system. Members will note within the planning history section of this report that the applicant applied for an 8 bedroom HMO under a lawful development certificate but this was refused. The application before members of the planning committee has been assessed on 7 bedrooms which are single bedrooms in terms of size and therefore designed for 1 occupant per bedroom, so a total of 7 persons. The level of occupancy would be set out in the decision notice and controlled via a planning condition. Should the applicant wish to increase the number of persons within the HMO this would be subject of a separate application and assessed on its own merits.

7.2.3 As a matter of background for members, where HMO applications have been refused elsewhere in the borough this has often been due to the high numbers of occupiers and the impact of so many people living in one property. In this instance the proposed level of occupancy is 7 persons, which is only one greater than would be allowable under permitted development.

7.3 Impact on the existing building.

7.3.1 The proposals do not involve any additions to the existing building. The additional facilities that would be required, namely the cycle storage and refuse facilities, would be accommodated in the rear garden from where there is direct access out to Jersey Road. The changes to the first floor rear fenestration involve blocking up an existing window and replacing it with a window to match the existing such that both windows appear to match. Consequently it is considered that the impact on the appearance of the existing building would be minimal.

7.4 **Impact on the character of the area.**

7.4.1 Policy DM H5 of the Site and Policies (July 2014) aims to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The policy states that Houses in Multiple Occupation Housing will be supported provided that the following criteria are met:

- i. The proposal will not involve the loss of permanent housing;

Officer comment

The current lawful use of the existing application property is as a single dwelling and the current application involves the use of existing rooms. A house in multiple occupation is a form of permanent housing where occupants have their own bedrooms, have access to shared facilities and take care of their own everyday needs. Paragraph 2.59 in the Supporting text to the policy also states that short stay accommodation is intended for occupancy of less than 90 days. The proposal is therefore, considered acceptable in regard to this criteria.

- ii. The proposal will not compromise the capacity to meet the supply of land for additional self-contained homes;

Officer comment

The current application involves the use of existing building and will therefore not compromise any capacity to meet the supply of land for additional self-contained homes.

- iii. The proposal meets an identified local need;

Officer comment

The Merton Strategic Housing Market Assessment was commissioned by the Council to guide the Council's future housing policies including the adopted Sites and Policies Plan.

The report of the Housing Market Assessment findings advises that "Much of the growth of extra households in both the low and high estimates is expected to be single persons. For the low estimates there is projected to be a rise of 6,900 in number of non-pensioner single person households and 1,900 single pensioners in the period 2006-2026. The high estimates show there are projected to be rises of 7,900 non-pensioner single person households and 2,600 single pensioners". The assessment further advises

that “The implication of this situation for younger person single households is that they create demand for the private rented sector and this in turn drives its growth. Given that the income of many single people is below the threshold for market housing there would be a considerable demand for intermediate affordable housing”. The Housing Market Assessment found that much of the growth of extra households is expected to be single persons. The proposal is therefore considered to meet an identified local need.

- iv. The proposal will not result in an overconcentration of similar uses detrimental to residential character and amenity;

Officer comment

The application site is in an area of predominantly family housing and the submitted proposal for the house in multiple occupation will increase the range of residential accommodation that is available locally. Please note that the Housing Strategy Statistical Appendix (HSSA) 2007 for Merton estimated that only 0.55% of Merton’s population live in communal residences whereas the London average was 1.8%, which means there is a significantly lower concentration of this type of accommodation in Merton compared to the rest of London.

In relation to numbers of registered HMOs in the area there are 25 in SW17, of which this would be the 6th in Links Road but this would only represent around 2.5% of the 265 houses in Links Road. In the CR4 2- - postcode area which covers much of Graveney Ward there are 63 registered HMOs, around 10 of which are in an adjoining ward (Figges Marsh). NB properties are registered by address and not ward but as an approximation there are around 75-80 Registered HMOs in Graveney Ward but smaller HMOs on only two floors do not have to be registered. Officers therefore consider that whilst there are other HMO’s in the surrounding area, the prevailing properties remain either single family dwellings or flats, in this instance, there is no evidence that the conversion of this property into a HMO would result in an overconcentration.

It is noted that Councillor Kirby has raised concerns relating to the cumulative effect of high numbers of HMO premises in the borough and in particular in this ward. Members should note that there is currently a review of HMOs in the borough into whether an Article 4 Direction restricting them under permitted development (3-6 persons) can be justified. If the Article 4 Direction is adopted, this would not completely prevent HMO’s, but would require all HMO’s (regardless of the number of persons) within the affected areas to require full planning permission. The lead officer working of the Article 4 Direction confirmed that if adopted would not come in before next September and be restricted to certain wards within Merton.

Officer therefore consider that the proposal will not result in an overconcentration of similar uses and will not be detrimental to residential character. The impact of amenity is considered later will this assessed further later in this report.

- v. The proposal complies with all relevant standards;

Officer comment

The proposal complies with relevant standards including those set out in the London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2021)

- vi. The proposal is fully integrated into the residential surroundings;

Officer comment

The current application does not include any external alterations other than a small repositioning of a first floor rear window. It is therefore considered that the proposal is fully integrated into the residential surroundings.

- 7.4 The Mayor of London Supplementary Planning Guidance (2016) on housing advises that “Outside London they are sometimes associated with concentrations of particular types of occupier e.g. students, leading to concerns about the social mix of some localities. In London, the occupier profile tends to be more broadly based and HMOs play a particularly important role in supporting labour market flexibility (especially for new entrants), and in reducing pressure on publicly provided affordable housing. However, as elsewhere in the country, their quality can give rise to concern”.

7.5 **The impact on neighbour amenity**

- 7.5.1 SPP Policies DM D2 and DM D3 and London Plan Policy D3 require proposals to ensure that development does not adversely impact on the amenity of nearby residential properties and that people feel comfortable with their surroundings.

- 7.5.1 There have been no neighbour objections to the proposals. There are no physical exterior works proposed and therefore there are not considered to be any concerns in relation to overlooking, loss of light, visual intrusion etc.

- 7.5.2 With seven adults living on site there is the potential for greater levels of noise and activity including later at night than might be the case with a single-family dwelling. However, with 7 residents this would only be 1 more than was allowable under permitted development rights. It is therefore considered that this would not

represent enough of a difference to robustly justify the proposals on the grounds of harm to the amenity of neighbours.

7.6 Standard of accommodation

- 7.6.1 London Plan policy H9 notes that the quality of some HMO properties can be a cause for concern whilst policy D3 requires that developments achieve indoor and outdoor environments that are comfortable and inviting for people to use. As noted above, certain standards of accommodation are addressed through the requirement to Licence an HMO.
- 7.6.2 The HMO Licensing requirements relate to the number and size of shared facilities, internal bedroom size etc. This would not override the requirement for the accommodation to be of a high and well-designed standard. The rooms all exceed the minimum space standards (some bedrooms have ensuite bathrooms), are all of a relatively regular shape which allows for a more efficient use of the space and benefit from acceptable levels of natural light (although room 3B in the roof has limited outlook). In addition, the shared living spaces would include a 21sqm kitchen/dinning area, 12sqm living space, rear conservatory and access to a good sized rear garden area.
- 7.6.3 Merton's HMO guidance document suggests that residents should not have to travel more than one floor to a kitchen, however this does not apply where a living room is provided on the same floor as the kitchen as would be the case with the proposed scheme.
- 7.6.4 The Council's HMO officer has confirmed no objection to the proposal as it would meet our requirements/standards.

7.7 Parking and highway considerations

- 7.7.1 Planning Policy T1 (Strategic approach to transport) of the London Plan 2021 states that the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 7.7.2 Planning Policy DM T2 (Transport impacts of development) of Merton's Sites and Policies Plans seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment.

Car Parking

- 7.7.3 The application site has a low level of accessibility to public transport with a PTAL rating of 2 although the site is located a short distance from a number of bus routes and Tooting Railway Station. The application site is also located in a

Controlled Parking Zone (Zone GC) and as such is located in an area of the borough subject to high parking stress.

- 7.7.3 At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking. The site is within CPZ GC but does not provide any off-street parking spaces for future residents, either for cars or motorcycles/scooters. Given the proposal would likely accommodate a higher number of adult occupiers there will likely be an increase in on-street car parking demand. Consequently, in order to protect parking facilities in the area and to reinforce the Council's drive for reduced levels of car ownership it is recommended that a s106 agreement to make the property permit free is entered into. This can be controlled via a S106 agreement.

Cycle Parking

- 7.7.4 London Plan Policy T5 requires 1 long stay space per 1 bedroom (1 person) dwelling, which means a total of 7 spaces should be provided. It is considered that the proposal would comply with this policy with 7 secure covered cycle spaces provided at the rear of the property.

7.8 **Refuse facilities**

- 7.8.1 London Plan policy D6 states Housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste.

- 7.8.1 The need for adequate levels of refuse facilities can often have a detrimental impact on the appearance of a building when the frontage becomes dominated by large numbers of wheelie bins. In this instance there is scope to store these to the rear ready for kerbside presentation on collection day and waste services raise no objection to the proposed facilities.

8. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

9. **CONCLUSION**

- 9.1 It is considered that the proposed HMO would offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing. Whilst there are other HMOs in the local area, the prevailing character of the area remains single family houses and flats. It should

also be noted that there is currently a fallback position whereby the property could be converted to a six person small House in Multiple Occupation under permitted development, (without planning permission). The consideration therefore with this application is the impact of having one additional occupant.

- 9.2 One additional occupant is not considered likely to result in such a significant increase in noise and disturbance so as to warrant a refusal of the application. The internal facilities can accommodate the one extra person without a detrimental impact on the amenity of other occupiers and the residential facilities for all the occupiers are considered acceptable.
- 9.3 The proposal involves no additions to the existing building and the refuse and cycle facilities to serve the seven occupiers, which are considered acceptable, can be readily housed out of sight within the back garden and therefore there would be no harm to the appearance of the host building.
- 9.4 As this is a planning application it can be made subject to the development being parking permit free, this is not an option with permitted development. This would ensure the proposal did not have a negative impact on car parking capacity in the CPZ.
- 9.5 In view of these factors and in light of the permitted development rights it is considered that there would be no robust reasons to refuse the application and therefore it is recommended that the proposal be approved subject to conditions and a section 106 agreement.

10. **RECOMMENDATION**

GRANT Planning Permission subject to:

The completion of a Legal Agreement covering the following heads of terms:-

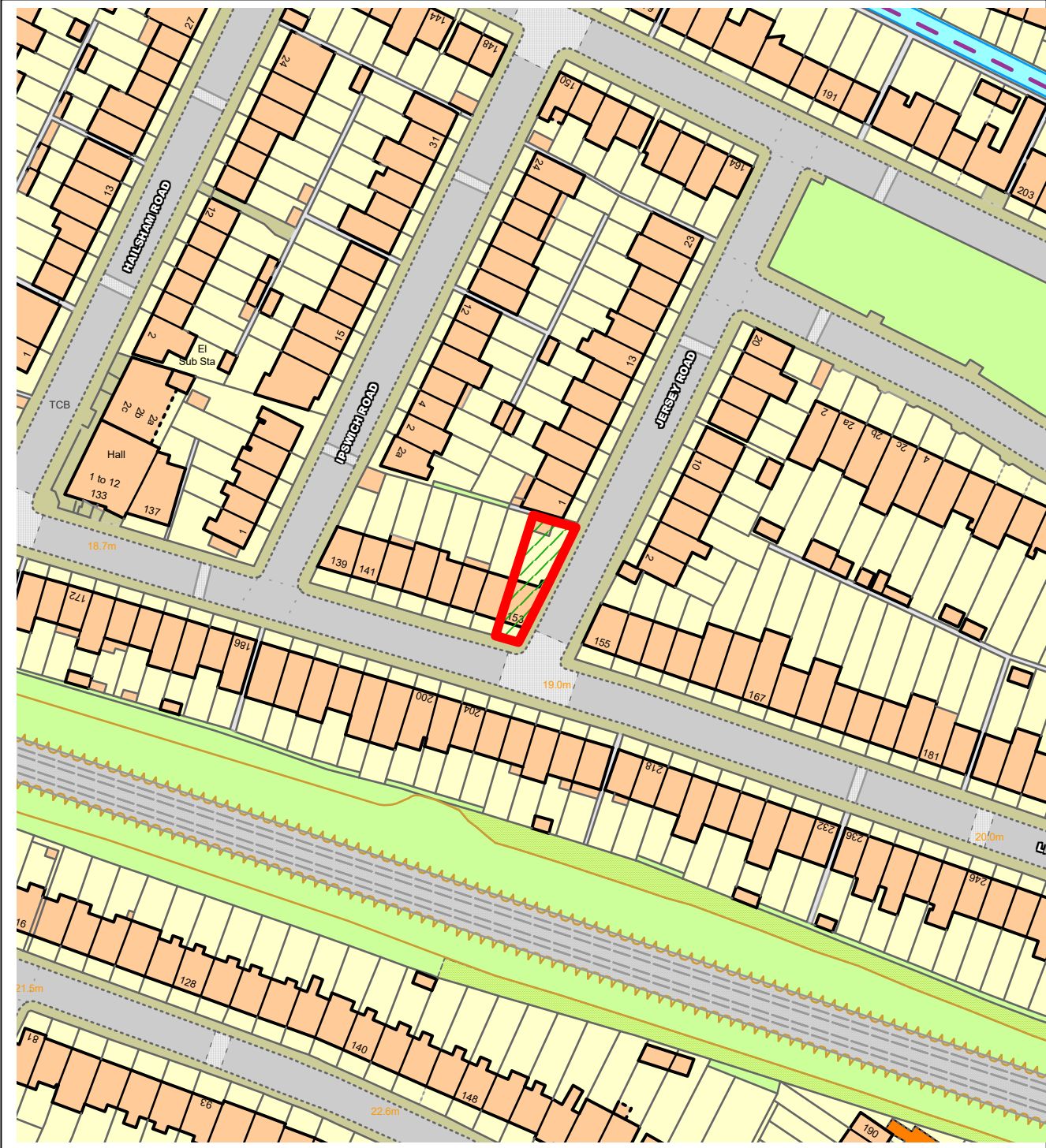
1. Permit free development
2. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And Conditions

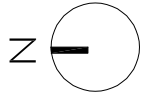
1. A1 Commencement of Development
2. A7 Approved Plans; Site location plan and drawings LIN-TA-XX-XX-DR-A-301002 P01 & LIN-TA-XX-XX-DR-A-520001 P02

3. C07 Refuse & Recycling – The use shall not commence until the refuse facilities shown on the approved plans are available and operational.
4. D11 Construction Times – No demolition, construction or conversion 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.
5. H7 Cycle facilities - The use shall not commence until the refuse facilities shown on the approved plans are available and operational.
6. 7 Person HMO

NORTHGATE SE GIS Print Template

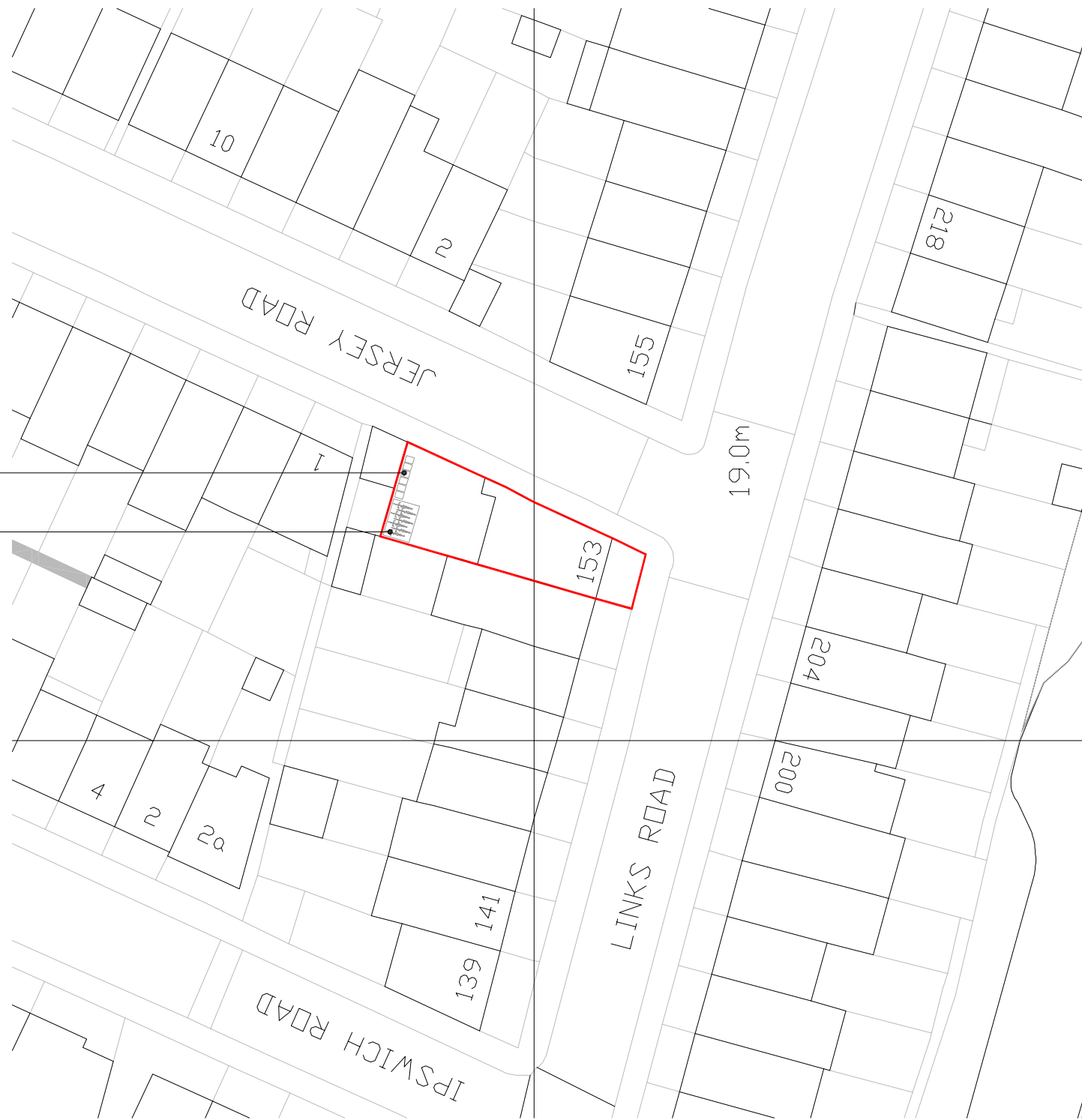


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Covered cycle storage for 7no bicycles accessed from rear garden on Jersey Road

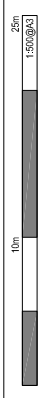
6no wheelite bins including mixed recycling accessed from rear garden on Jersey Road



REV	DATE	ISSUED BY	CHKD BY	DESCRIPTION
P01	22.06.22			FIRST ISSUE

NOTES

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33 HIGH HOLBORN LONDON WC1N 6AX 020 7421 1790 www.trehearne.co.uk

PROJECT: 153 Links Road
JOB NO.: L2159
DRAWN BY: SWYF/SEW
DATE: 06/22
DRAWING TITLE: Site Plan
SCALE (B/A): 1 : 500

PROJECT STAGE: **Stage 3**

SUITABILITY CODE DESCRIPTION: **S2 Suitable for Information**

DOCUMENT REFERENCE: **LIN-TA-XX-XX-DR-A-301002**

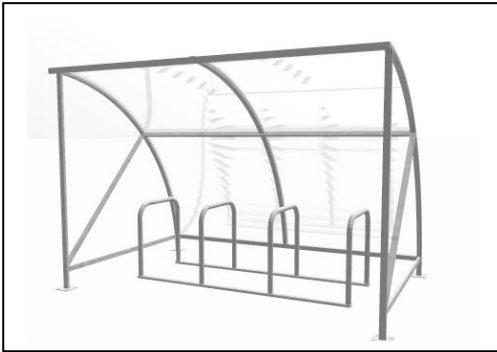
ISSUE NO: **P01**



3 D Lee Moor Business Park
Rennington, Alnwick
NE66 3RL

Tel 01665577022
Fax 01665577901

ECO CYCLE SHELTER RANGE



Product Name: Eco Cycle Shelter and Rack

Product Code: USP/ES8/4HR

Size: 3050 mm Long x 2040 mm Wide x 2100 mm High

Description: 8 Cycle Capacity Shelter Complete with Sheffield toast rack

Price: £ 889.00 plus Vat

Total Price including Vat £ 1066.80

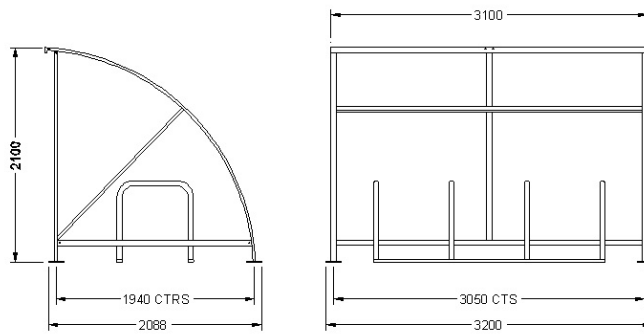
Side Panel option Kit £ 252.00 plus Vat Total for side panel kit including vat £ 302.40

LEAD TIME EX STOCK 4 TO 5 DAYS

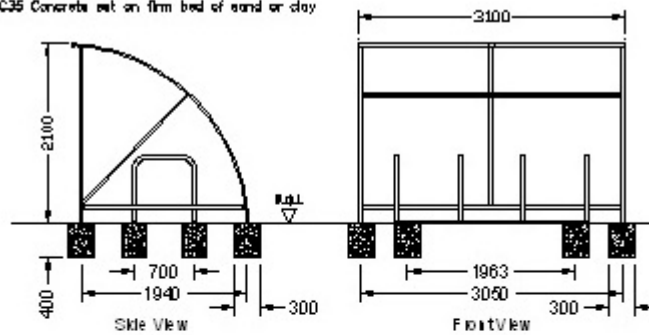
Carriage: Free UK Mainland delivery (other destinations please telephone for a quote)

Product information: The Cycle Shelters are made with a mild steel frame and are Plate Mounted Bolt down. The Eco Cycle Shelter is very easy to assemble and is delivered flat pack. The shelter is lightweight yet robust and being galvanised will give maximum protection from rust for many years. This is a full size shelter and will take up to 10 adult cycles. The assembly is very straight forward. The shelters are available in Galvanised finish only however if you want a painted shelter, simply assemble the frame and paint it to the desired colour (leave it to dry) and then fit the sheeting. To hand paint a shelter will only take about 45 minutes.

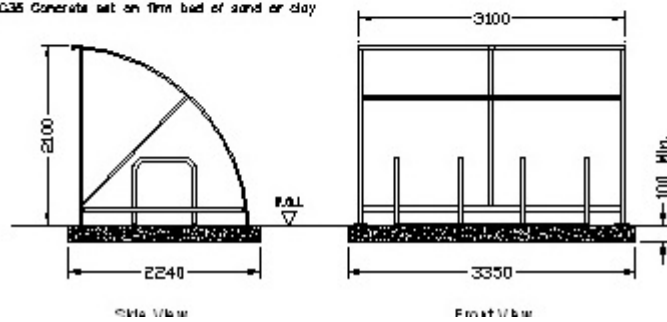
The Cycle Rack is manufactured with 50 mm diameter tube and is also fully galvanised to BS EN ISO 1461:1999. Complete with flanges for bolting directly to suitable ground surface. Easy to fit and supplied as a full section so no assembly other than ground fixing.



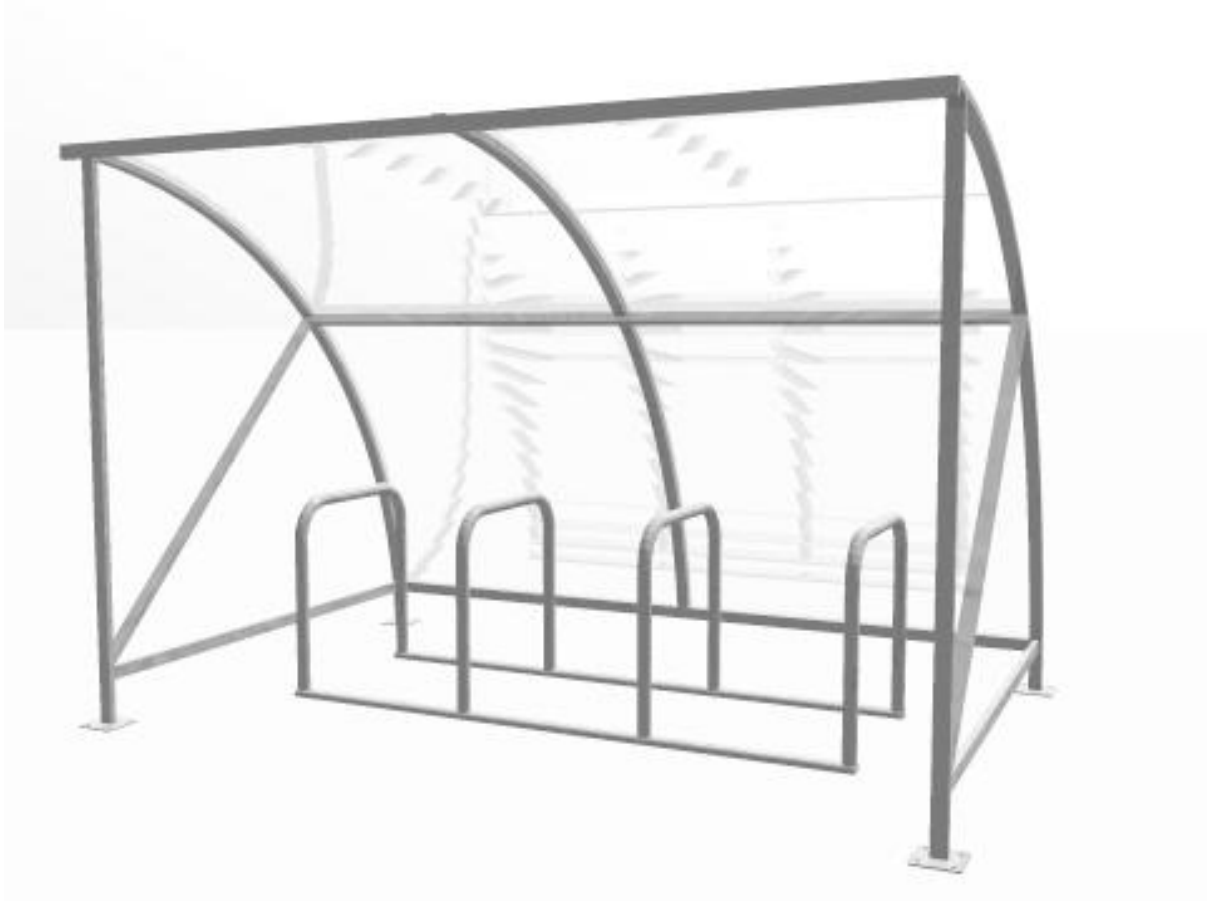
Pads Foundations:
 C35 Concrete set on firm bed of sand or clay



Plinth Foundations:
 C35 Concrete set on firm bed of sand or clay

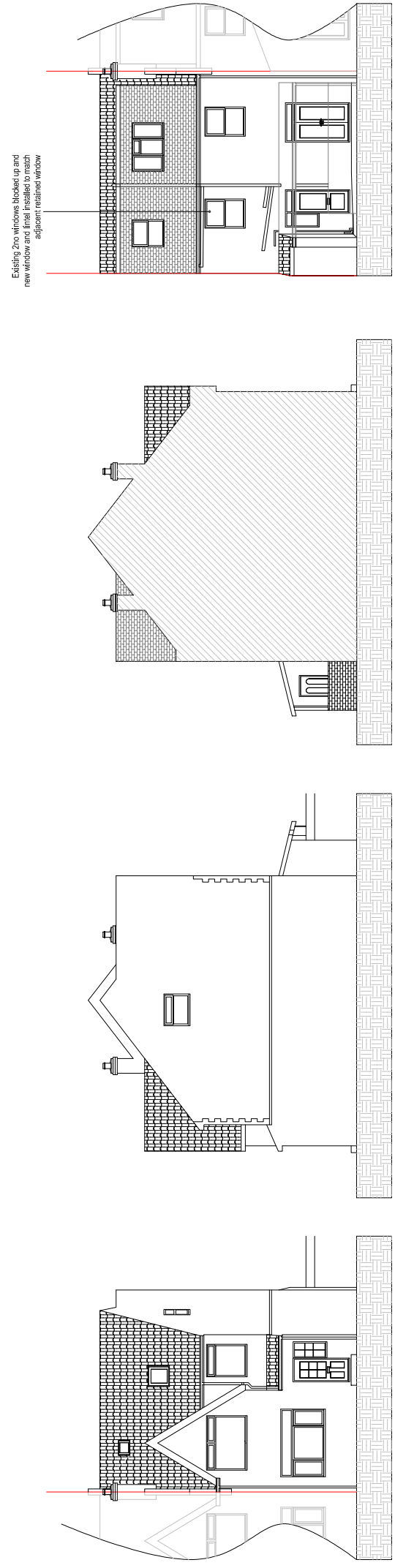


To order this product please telephone 01665577022 or email sales@urbanfab.com. We will need to know the delivery address including post code and how soon you want delivery. The shelter is manufactured in large sections however assembly is a straight forward two person job.



Product Code USP/ES8/4HR





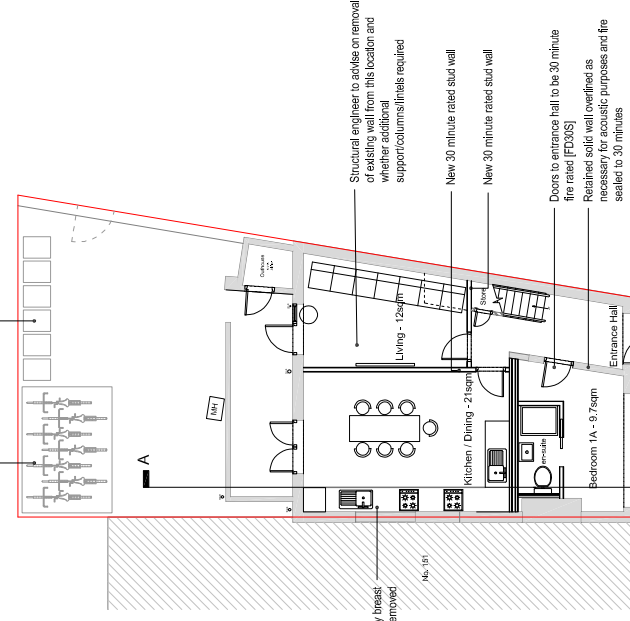
Proposed Front Elevation

Proposed Side Elevation

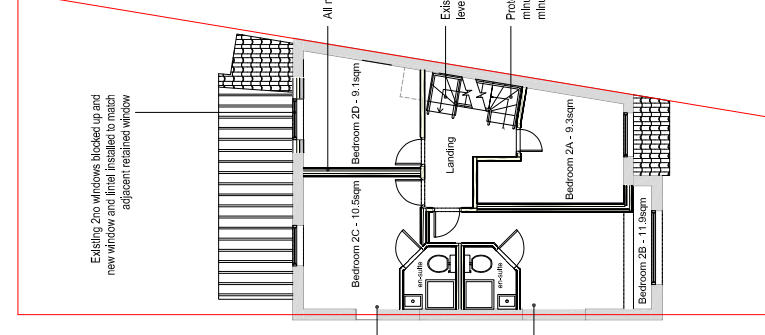
Proposed Side Elevation (from No. 151)

Proposed Rear Elevation

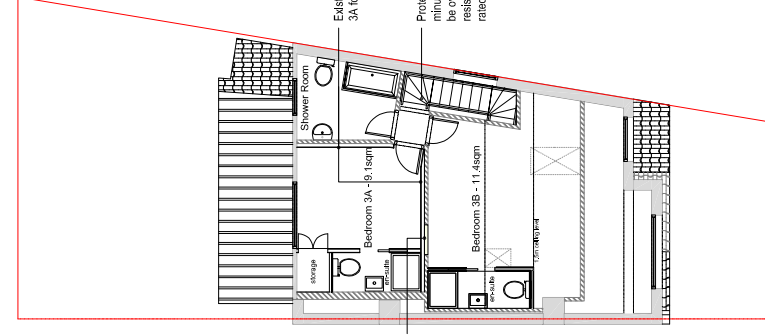
Covered cycle storage for 7no bicycles accessed from rear garden on Jersey Road



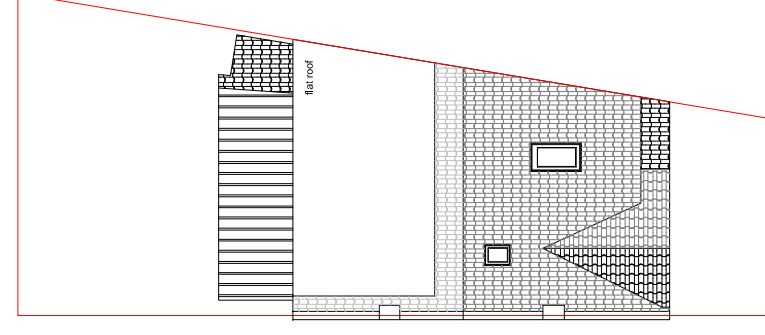
Proposed Ground Floor



Proposed First Floor



Proposed Loft

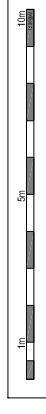


Proposed Roof

REV	DATE	ISSUED BY	CHKD BY	DESCRIPTION
P02	27.08.22	JA	KM	REISSUED WITH CLIENT AMENDMENTS
P01	17.05.22	JA	KM	ISSUED FOR INFORMATION

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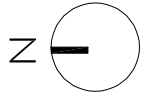
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PROJECT: 153 LINKS ROAD RESIDENTIAL L2159
 LOCATION: LONDON SW17 9EW
 DOCUMENT TITLE: PROPOSED GA PLANS
 SCALE (MM): 1:100

PROJECT PHASE: **Stage 2**

FOR INFORMATION ONLY
S2 Suitable for Information

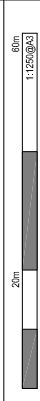
DOCUMENT NUMBER: LIN-TA-XX-XX-DR-A-520001
 DRAWING: P02



REV	DATE	ISSUED BY	CHKD BY	DESCRIPTION
P01	22.06.22			FIRST ISSUE

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TREHEARNEARCHITECTS
33 HIGH HOLBORN LONDON WC1N 6AX 020 7421 1790 www.trehearne.co.uk

PROJECT
153 Links Road
SW17 3EW
DATE
06/22
SCALE (A4)
1 : 1250

PROJECT STAGE
Stage 3

SUBMITTAL CODE DESCRIPTION
S2 Suitable for Information

DRAWING NUMBER
LIN-TA-XX-XX-DR-A-301001

REVISION
P01

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