

**PLANNING APPLICATIONS COMMITTEE
15 January 2015**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P4153	03/11/2014
Address/Site:	34 Elmhurst Avenue Mitcham CR4 2HN	
Ward:	Graveney	
Proposal:	Demolition of existing garage and the erection of a detached single storey unit of accommodation	
Drawing No's:	E315-100, E315-111, E315-112, E315-114, E315-115, E315-116 & E315-119	
Contact Officer:	Joyce Ffrench (020 8545 3045)	

Recommendation: GRANT PLANNING PERMISSION subject to conditions

CHECKLIST INFORMATION.

- " S106: N/A
- " 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: 2
- " External consultations: No
- " Density: N/A
- " Additional employment: N/A.

1. INTRODUCTION

- 1.1 This application is presented to the Planning Committee for consideration at the request of Councillor Kirby.

2. SITE AND SURROUNDINGS

- 2.1 The application site is to the rear of 34 Elmhurst Avenue which is an end-of terrace property on the junction of Beecholme Avenue. The property has an enclosed porch and a part depth side extension wrapping round to a rear extension. To the rear there is a flat roof garage which was built in 1975 and is

set back 2m from the boundary on Beecholme Avenue with a dropped kerb to allow access.

2.2 The property has been recently (October 2014) extended with a hip to gable and rear roof extension allowed under permitted development.

2.2 The property is not in a conservation area

3. CURRENT PROPOSAL

3.1 The proposal is for the erection of a detached, full width single storey outbuilding for use as a granny annexe to accommodate relatives of the occupiers of No. 34.

3.3 The outbuilding would be 5.9m long, 2.9m high (from excavated ground level) 7.75m wide with internal headroom of 2.5m.

3.4 The building, to be finished in brick, would have a flat roof with a small sloping section towards the boundary with 2 Beecholme Avenue, high level windows facing on to Beecholme Avenue, French doors and 2 windows facing the rear of 34 Elmhurst Avenue.

4. PLANNING HISTORY

4.1 14/P2169 - demolition of existing garage erection of detached, single storey granny annexe with access only from existing rear garden – refused

Reasons for refusal:-

- 1) **The proposed annexe by reason of its size, height, design and siting would be harmful to the outlook from forward facing habitable rooms to 2 Beecholme Avenue to the detriment of neighbour amenity, contrary to policy DM D2 of the Council's Sites and Policies Document (July 2014) and policy CS.14 of the Merton LDF Core Planning Strategy (2011).**
- 2) **The proposed annexe by reason of its layout and design, incorporating a kitchen, living area, bedroom and bathroom, thereby providing facilities that would enable self-contained living, and with a maximum internal floor to ceiling height of 2.15m, would provide a cramped and unsatisfactory standard accommodation for occupation by two persons, failing to meet the objectives of policy 3.5 of the London Plan (2011) and contrary to policy DM.D2 of the Council's Sites and Policies Document (July 2014) and policy CS.14 of the Merton LDF Core Planning Strategy (2011).**

4.2 Appeal dismissed (Appeal decision letter and drawings attached as Appendix 1).

4.3 14/P3186 - application for a lawful development certificate issued for a proposed hip to gable and rear roof extension with 2 x rooflights to front roof slope.

4.4 12/P1991 - demolition of the existing garage and construction of a new detached single storey 1 bed unit of accommodation with rooms within roofspace - refused.
Reasons for refusal -

1) The proposal by reason of its height, siting, size, massing and design would be an overly dominant and visually intrusive form of development, that would lead to a loss of privacy to neighbouring occupiers in Elmhurst Avenue, and loss of outlook to the detriment of the amenities of neighbouring occupiers in Beecholme Avenue and Elmhurst Avenue, contrary to policy BE.15 and BE.22 of the Council's Unitary Development Plan (October 2003) and policy CS.14 of the Merton LDF Core Planning Strategy (2011).

3) The proposed development by reason of its design would result in cramped internal accommodation and, by reason of the size of the retained rear garden would fail to provide and retain adequate garden space to meet the needs of both the occupiers of the existing dwelling and those of the new unit to the detriment of the amenities of future and existing occupiers and would be contrary to the objectives of policy HS.1 of the Council's Unitary Development Plan (October 2003).

4.5 Appeal dismissed.

4.6 11/P3481 - demolition of the existing garage and construction of a detached two storey, one bedroom unit of accommodation - refused
Reasons for refusal -

1) The proposal by reason of its height, siting, size, massing and design would be an overly dominant and visually intrusive form of development, that would lead to a loss of privacy to neighbouring occupiers in Elmhurst Avenue, and loss of outlook to the detriment of the amenities of neighbouring occupiers in Beecholme Avenue and Elmhurst Avenue, contrary to policy BE.15 and BE.22 of the Council's Unitary Development Plan (October 2003) and policy CS.14 of the Merton LDF Core Planning Strategy (2011).

2) The proposed development by reason of the size of the retained rear garden would fail to provide and retain adequate garden space to meet the needs of both the occupiers of the existing dwelling and those of the "annexe" to the detriment of the amenities of the occupiers and would be contrary to the objectives of policy HS.1 of the Council's Unitary Development Plan (October 2003).

- 4.7 1975 to 2008 other planning permissions for extensions to existing garage to Beecholme Avenue, ground floor side and rear extension and retention of boundary walls.

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.

5.3 London Plan (July 2011)

- 3.3 (Increasing London's supply of housing),
- 3.4 (Optimising Housing potential)
- 3.5 (Quality and design of housing developments)
- 3.8 (Housing choice),
- 5.3 (Sustainable design and construction)
- 5.7 (Renewable energy)
- 5.13 (Sustainable drainage).
- 8.2 (Planning Obligations)
- 8.3 (Community Infrastructure Levy)

London Plan Supplementary Planning Guidance (2012): New Residential Development

5.4 Merton Core Planning Strategy (July 2011)

- CS 8 Housing choice,
- CS 9 Housing provision,
- CS 14 Design,
- CS.15 Climate change,
- CS 18 Active transport
- CS 20 Parking, Servicing & delivery.

- 5.5 Merton Sites and Policies Plan (July 2014)
DM D2 (Design considerations in all developments)
DM D3 (Alterations and Extensions to existing Buildings)

6. CONSULTATION

- 6.1 No objections received.

7. PLANNING CONSIDERATIONS

- 7.1 Planning considerations are design and massing, the proposed standard of accommodation, any impact on the streetscene and on neighbour amenity. The following assessment takes into account the Planning Inspector's comments and conclusions for the refused appeal on application reference 14/P2169, a proposal similar to that currently under consideration.

Design, massing and impact on visual/neighbour amenity.

- 7.2 This proposed structure would have the appearance of an outbuilding when viewed from the streetscene, with a flat roof and would be relatively low, the latest design being no higher than the most recent appealed scheme and slightly higher than the garage it would replace. The Inspector concluded that the design and massing of the appealed scheme would not be significantly different from the current situation and did not consider the Council's concerns in terms of harmful visual impact on 2 Beecholme Avenue, that were the basis of the first reason for refusal, were sufficiently well founded for the appeal to fail. Notwithstanding a slight increase in the footprint of the building compared with the most recent appealed scheme it is considered in light of the appeal decision that it would be unreasonable to withhold permission on the grounds of harmful visual impact to 2 Beecholme Avenue.

Standard of accommodation.

- 7.3 The proposed unit would have all the facilities required for the annexe to be occupied in an independent manner. It has been confirmed by the applicant that the intention is for the unit to be used by parents. The floor plans show a 'garden room' with open plan living, kitchen and bedroom facilities, plus a bathroom and wardrobe. Shortcomings in terms of the overall size of the annexe and areas of restricted headroom formed the basis of the Council's second reason for refusal on the previous application. The Inspector concluded that an overly prescriptive approach in applying standards from the London Plan for new self-contained residential units would not be appropriate here but did flag up matters relating to the standard of accommodation that led him to conclude that the scheme would provide poor and cramped accommodation.
- 7.4 The length of the structure has been increased from the appealed scheme (from 5.35m to 5.85m) increasing the floorspace to 37 sq.m. Notwithstanding that the proposals show the provision of a double bed within an open plan living space, suggesting that the accommodation could be occupied by two persons, given the

Inspector's conclusions it would appear unreasonable for the Council to refuse on the basis of failing to meet London Plan standards for a two person unit (50 sq.m).

- 7.5 The height of the structure above immediately adjoining garden level has also been increased to 2.9m from around 2.6m. However, this is achieved by excavations to the rear of the garden to enable the structure to be constructed at a lower level allowing a greater height without increasing the height from the original ground level. The consequence is to increase internal floor to ceiling height to 2.5m with only a small strip where this decrease due to a sloping roof. It is considered that this addresses the Inspector's concerns regarding cramped internal room height.
- 7.6 The proposal also includes a high level window along the majority of the Beechholme Road elevation in response to Inspector's comment with regard to the provision of daylight to the unit, thereby improving daylight and sunlight without harm to the appearance of the streetscene.
- 7.7 The unit would remain open plan in layout (the only outstanding issue constituting a concern raised by the Inspector) and it is a matter of judgement as to whether permission should be refused for the annexe on this ground alone.
- 7.8 Finally, the garden area that would be shared as a result of the new unit would be 62sq.m exceeding by 12 sq.m the minimum the Council requires for a family house. The Council did not cite shortfalls in garden space as a ground for refusal on the most recent appealed application and officers consider the size of garden that would be available for shared use to be satisfactory.

8. CONCLUSION

- 8.1 Proposals for an annexe on this site have long planning history and the scheme currently under consideration represents a significant reduction in the bulk and massing from original proposals and a material improvement on the most recent appealed proposals. While the unit would provide a basic form of separate accommodation for independent living supplementary to the main house it is considered that the proposals may be approved subject to appropriate conditions.

RECOMMENDATION

Grant permission subject to conditions:

1. A.1 Time limits
2. A.7 The development hereby permitted shall be carried out in accordance with the following approved plans (See drawing numbers above).
Reason:- For the avoidance of doubt and in the interests of proper planning.
3. B.2 – Matching materials
4. C.3 – Obscure glazing – fixed windows – to Beecholme Avenue elevation
5. C.8 – No use of flat roof.
6. E.6 – Ancillary residential accommodation.

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