

PLANNING APPLICATIONS COMMITTEE

26th March 2015

Item No:

UPRN	APPLICATION NO.	DATE VALID
	14/P4693	18/12/2014
Address/Site:	The Old Library, 150 Lower Morden Lane, Morden, Surrey SM4 4SJ	
(Ward)	Lower Morden	
Proposal	Replacement of the first floor extension with new first and second floor extensions and reconfiguration of site to create 4 x 2 bed flats with continued use of ground floor office space (use within Class B1).	
Drawing No's	Site location plan Site location plan, Drawings MRD/5/1000, MRD/5/001 Rev A, MRD/5/101 Rev B and Flood Risk Assessment (FRA) issue B dated 4 th December 2014 prepared by Monson Engineering Ltd.	
Contact Officer	Leigh Harrington (020 8545 3836)	

RECOMMENDATION

GRANT PLANNING PERMISSION subject to planning conditions.

CHECKLIST INFORMATION

- Heads of agreement: No
- 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 - 25
- Press notice - No
- Site notice - Yes
- External consultations: Environment Agency.
- Number of jobs created N/A
- Flood risk assessment - Yes

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee due to the level of objection to the proposal.

2 SITE AND SURROUNDINGS

- 2.1 The application site is located on the north side of Lower Morden Lane, being bordered to the north and east by the Nursery/Garden Centre with Bow Lane forming the western boundary beyond which is Hatfeild School. The opposite side of the road is characterised by semi detached properties situated on large plots.
- 2.2 The building has two floors and is of a brick built functional design having originally been built as a library. The ground floor is the larger of the two floors and is currently used as offices for a kitchen design company (B1). The upper floor forms part of the subject of this application and is currently vacant office space. The upper unit is located towards the rear of the building and has a large area of flat roof in front of it. There is an area in front of the building that is currently used for off street parking provision.
- 2.3 The site is not within a conservation area and has a Public Transport Accessibility Levels of 2. The site is not within a Controlled Parking Zone.
- 2.4 The site is within a Flood Risk Zone (3a).

3. CURRENT PROPOSAL

- 3.1 The proposal is for the partial demolition of the building and the replacement of the first floor with new first and second floor extensions and reconfiguration of the building to create 4 x 2 bed flats with continued use of ground floor office space.
- 3.2 On the ground floor there will be some minor interior alterations to the layout of the front office space which will remain on site including alterations to windows. To the rear the existing series of small extensions would be removed and rationalized so that the block would have a uniform rectangular floor plan. The entrance to the residential accommodation would be situated at the side of the block with a lobby and staircase to the upper floors whilst a 2 bedroom apartment would be created at the rear of

- the ground floor of the building. The accommodation would comprise a 17.2m² master bedroom with 4.1m² ensuite bathroom and an 11m² single bedroom, a 26m² combined living/dining/kitchen area and 4.4m² bathroom. Patio doors on the rear elevation would open out onto a mixed grass and patio amenity area closed off behind 1.8m high fences and gates and enclosed with 1.8m high hedging with low level planting adjacent to the walls of the building.
- 3.3 On the first floor the existing floor will be demolished and replaced with a new floor, the front façade of which will be set back 3.5m from the ground floor front façade and set behind a small pitched roof that provides containment and some screening for a 20m² amenity balcony that will serve Flat 2 which is one of two 2 bedroom apartments on this floor. Flat 2 would feature a 14.5m² master bedroom with ensuite and a 12m² double bedroom as well as a 30m² combined living/dining/kitchen, all of which will have windows facing the front of the site as well as a second internal bathroom. Flat 3 would be situated to the rear and would largely mirror the design of Flat 2 but with larger bedrooms and a 7m² private rear balcony.
- 3.4 The new upper/second floor would be largely contained within the roof space and would provide Flat 4, a 2 bedroom apartment. This flat would also be accessed via the same central staircase serving Flats 2 & 3. A 19m² bedroom would feature a dressing room and ensuite bathroom and would be situated at the front of the building with the main window being located within a small front dormer. A slightly larger 19.5m² ensuite bedroom would also be located to the front of the building and situated within a gable front. The 35m² combined living/dining/kitchen area would be situated at the rear with access out to a 7m² balcony set within the rear roof slope. Seven skylights within three of the roof slopes would provide additional internal lighting.
- 3.5 The ground floor would be finished in exposed brickwork. The first floor would be finished in vertical hanging tiles and the windows on the two flank elevations would be obscured glazed. The roof would feature a variety of pitched roof slopes and small dormers finished in roof tiles.
- 3.6 The existing hardstanding area to the front of the site is to be reconfigured to provide a parking space for each of the four flats and 2 for the office use as well as a secure cycle store.
- 3.7 The applicant has provided a flood risk assessment that relates to the impact of the new foot print of the building works on the flood plain. The report states that the greatest risk of flooding would be from surface water flooding. In order to mitigate the impact the report recommends and the Environment agency endorses the raising of floor levels, the installation of

a floor protection barrier at the ground floor doors and the connection of residents to the local flood warning system.

4. PLANNING HISTORY

- 4.1 02/P0215 Planning permission GRANTED for change of use from library to offices (Class B1) and alterations to access.
- 4.2 03/P0808 Planning permission REFUSED and appeal dismissed for alterations and extension to existing building and conversion to provide 3 x 2 bed self contained flats
- 4.3 04/P0430 Planning permission GRANTED for change of use of first floor from library to offices (Class B1)
- 4.4 04/P1469 Planning permission REFUSED change of use of ground floor from offices to retail involving the installation of a new shopfront Reason; **The proposal would result in the loss of employment land prejudicial to the Council's objectives of maintaining an adequate supply of employment land for business purposes contrary to policies ST.14 and E.9 of the Adopted Unitary Development Plan (October 2003). AND The proposed retail use would be inappropriate in that it would neither provide replacement retail floor space for existing facilities, nor would it meet deficiencies in existing shopping provision within the Lower Morden Area, contrary to Policy S.6 of the Adopted Unitary Development Plan (October 2003). AND The proposed car parking and access arrangements coupled with the use of the forecourt by customers' vehicles would be likely to result in vehicle movements which would detract from the free flow of traffic and highway/pedestrian safety, contrary to Policy RN.4 of the Adopted Unitary Development Plan (October 2003).**
- 4.5 11/P2842 Planning permission granted for the replacement and enlargement of two windows in the ground floor office.
- 4.6 12/P0143 Planning permission granted by Planning Applications Committee for Conversion of the first floor from vacant office space into a 2 bedroom self-contained flat with alterations to windows, doors and the formation of a roof terrace with front balustrade.
- 4.7 12/P3032 Planning permission granted for conversion of part of ground floor into a 2 bedroom self-contained flat with garden and parking space.
- 4.8 13/P2322 Prior approval not required in relation to the change of use from office space (Class B1) to residential (Class C3), creating 4 x 2 bed flats.

- 4.9 14/P0004 Planning permission refused and appeal dismissed for demolition of first floor and erection of a two storey extension over the existing ground floor to create 5 x 2 bedroom flats including 6 parking spaces and secure cycle parking while retaining office use on the ground floor (Class B1)

Reasons for refusal;

The proposed development by reason of design, siting, scale, height, materials, proportions and massing, represents an overly large and visually intrusive form of development that fails to respect or complement the original building and the form, function and structure of surrounding buildings and locally distinctive pattern of development and would therefore be harmful to the visual amenities of the Lower Morden Lane streetscene, contrary to policies 7.2 of the London Plan 2011, LBM Core Strategy Policy CS14 and saved policies BE 15, BE 16, BE.22 and BE.23 of the Merton Adopted UDP (2003).

The proposed development by reason of design and siting of the ground floor bedroom window and lack of Safer by Design principles for secure access, fails to provide a layout that is safe, secure and takes account of crime prevention, contrary to saved policy BE 22 of the Merton Adopted UDP (2003).

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

The proposed development would generate additional pressure on educational facilities locally and, in the absence of a financial contribution to offset the impact of the proposals, would be contrary to policies C.13 of the Merton Unitary Development Plan (2003) and Supplementary Planning Guidance: Planning Obligations (2006).

5. CONSULTATION

- 5.1 The application was advertised by means of neighbour notification letters to 25 neighbouring addresses and a site notice.
- 5.2 There were nine letters of objection to the proposal which raised the following issues;
- The front balcony would be out of keeping with the properties along the road and would raise issues of visual intrusion of neighbouring properties.
 - Windows would overlook windows of houses opposite causing loss of privacy and the school playground which is a security risk.

- Other residents would not be allowed to construct such a front terrace.
- No other three storey building in this lane and could be built elsewhere.
- Car parking presents a hazard for school children.
- Insufficient car parking spaces, should be two per flat.
- Houses in the road not allowed windows in the front elevation.
- Other houses not allowed to increase their roof space so much.
- Houses locally are of a uniform standard size and design and this is out of keeping with the area
- Building is too tall and would restrict views of the trees to the rear.
- Over development of the site.
- No outdoor space.
- No other flats in the street.
- Noise dust and disturbance during construction and additional risk to children.
- Potential problem of flooding.

A petition with 70 signatures objected to the proposals on the grounds that it would be out of character, over development of the site and cause more traffic and less parking making school drop off more difficult and dangerous.

- 5.3 Environment Agency. No objection to the proposal subject to the imposition of suitable conditions requiring the works to be undertaken in accordance with the approved Flood Risk Assessment (FRA) issue B dated 4th December 2014 prepared by Monson Engineering Ltd including the finished floor levels being set no lower than 21.54m above Ordnance Datum (AOD)
- 5.4 LBM Transport planning. While Transport planning officers have encouraged the use of available spaces solely for the proposed flats they acknowledge that provision at a ratio of less than 1 to 1 for the units would not be a basis to withhold permission.

6. POLICY CONTEXT

- 6.1 The relevant policies in the Further Alterations to the London Plan (2015) are:
- 3.3 (Increasing housing supply)
 - 3.4 (Optimising housing potential)
 - 3.5 (Quality and design of housing developments)
 - 6.13 (Parking)
 - 7.4 (Local character)
 - 7.6 (Architecture)

London Housing Supplementary Planning Guidance 2012

- 6.2 The relevant policies in the Merton LDF Core Planning Strategy (2011) are:
CS 9 (Housing provision)
CS 14 (Design)
CS 16 (Flood risk management)
CS 20 (Parking, servicing and delivery)

- 6.3 The relevant policies in the Merton Sites and Policies Plan (July 2014) are:
DM D1 (Urban design)
DM D2 (Design considerations)
DM D3 (Alterations and Extensions to Buildings)
DM E1 (Employment Areas in Merton),
DM E3 (Protection of scattered employment sites),
DM E2 (Offices in town and local centres),
DM F1 (Support for Flood Risk management)
DM T 2 (Transport impacts of developments)

Supplementary Planning Guidance for New Residential Development
1999.

7.0 PLANNING CONSIDERATIONS

- 7.1 The main issues for consideration are the loss of potential employment floorspace, the suitability of the property for conversion to flats, the impact on neighbour amenity and the local streetscene including flood risk.

- 7.2 Loss of employment floorspace and the provision of housing:
The office area subject to this application has been granted planning permission for use as offices but has never been occupied as such and despite attempts at marketing the site for office use, it has remained vacant.

- 7.3 Planning consent has previously been granted for both the vacant upper floor and the area to the rear of the ground floor to be converted to flats and prior approval was not required for the conversion of the whole building to flats. Consequently it is considered that loss of employment floorspace would not be a basis to withhold permission.

- 7.4 Policy CS. 9 within the Council's Adopted Core Strategy [July 2011] states that the Council will work with housing providers to provide a minimum of 4,800 additional homes [320 new dwellings annually] between 2011 and 2026. The Further amendments to the London Plan (2015) have increased the Borough target to a minimum of 411 dwellings per year from 2015 to 2025. This proposal will provide four new flats suitable for small family accommodation and would contribute to meeting these targets.

7.5 Housing standards and amenity space provision.

The proposal would provide 4 two bedroom flats. Flat 1 would be a 2 bedroom 3 person unit with a Gross Internal Area of over 70m² which exceeds the 61m² minimum Gross Internal Area requirements of the London Plan (2015). The remaining three flats are 2 bedroom 4 person units and with GIAs of 79m², 79m² and 102m² respectively and these also exceed the minimum requirement for 70m². Flats 3 and 4 meet the required minimum amount of amenity space set by Standard 4.10.1 of the London Housing SPG whilst Flats 1 and 2 readily exceed the minimum standard. Consequently it is considered that the proposal would provide additional housing capacity to an acceptable standard and therefore accords with relevant planning policies in this regard.

7.6 The impact on neighbour amenity

London Plan policy 7.6 and SPP policy DM D2 require that proposals do not have a negative impact on neighbour amenity in terms of loss of light, privacy visual intrusion or noise and disturbance There are no residential neighbours on the same side of the road as the proposal and therefore the proposal will have no impact in terms of loss of light or outlook on neighbour amenity on that side of the road and all the windows on these sides would be obscure glazed and therefore have no impact on privacy. The fronts of the residential properties on the opposite side of Lower Morden Lane are more than 31m from the upper windows in the new flats site across a busy road whilst the front balcony would be 29m from the houses opposite which exceeds the 20m requirement set out in the Merton New Residential Development SPG 1999. The size of this separation distance and the fact that it relates to front gardens and not the rear gardens, where existing occupiers may reasonably expect design guidance to be employed to maintain privacy, would ensure that the proposals did not conflict with relevant planning policies or design guidance.

7.7 The impact on the street scene

London Plan policy 7.4, Sites and Policies Plan policies DM D1 (Urban design), DM D2: (Design considerations) and DM D3: (Alterations and Extensions to existing Buildings) as well as LBM Core Strategy Policy CS14 are all policies designed to ensure that proposals are well designed and in keeping with the character of the local area.

7.8 A number of objections raised concerns relating to the impact of the appearance of the proposed building on the street scene, in particular it being out of keeping with the local area. The previous application 14/P0004 for two additional storeys was refused under delegated powers by officers on grounds of scale bulk massing and appearance. It was

considered to be too large as it followed the ground floor footprint up through all three floors and its very modern appearance, as a purpose built block of flats, was considered to make no reference to local context.

7.9 It is considered that the applicants have addressed the reasons for refusal. Rather than have the second floor with a footprint that fully matched the first floor, the second floor is now incorporated into a roof design that reduces its scale and bulk whilst blending it into a hipped tiled roof which is a common feature of the local area. Indeed the whole design has been revised such that it now has the appearance of being a large house finished in more 'domestic' materials rather than an overtly modern block of flats.

7.10 Neighbour concerns have focused on the proposal failing to respect the character and appearance of the streetscene. However, in this instance the context for the proposals on the northern side of Lower Morden Lane is a garden centre and a primary school with no residential properties. While residential dwellings of a similar design characterize the southern side of the road it is considered that a degree of flexibility may be accorded to the character and appearance of the remodeled and extended former library building so as to ensure that overall it blends in with its surroundings while not necessarily being a slavish copy of the dwellings to the south. The proposal has been designed to give the appearance of a large house and would complement rather than jar with the wider streetscene. The addition of a balcony and increase in roof space on this building is considered acceptable, and would not create a precedent for the houses on the opposite side of the road.

7.11 Parking, servicing and deliveries.

Core Strategy Policy CS 20 is concerned with issues surrounding pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. The proposal will provide four flats which would be an increase of two flats above the existing permissions for the site. Consequently in terms of additional traffic it is considered that this small number of additional units would not create a noticeable increase in traffic in the area. In terms of parking the site can accommodate 6 cars and sufficient cycle storage as the provision of 4 on-site parking spaces for the flats will accord with the recommended provision of less than 1 space per dwelling for 2 bedroom dwellings as set out on standard 3.3.1 in the London Housing SPG and policy 6.13 of the London Plan.

7.11 Risk from flooding

The proposal involves a reduction in the amount of ground floor buildings on site. The existing area of non permeable hardstanding at the side of the site will be replaced by an area of porous hardstanding blockwork which

will serve to improve the situation regarding water run off. The Environment agency raised no objection to the proposals subject to the imposition of suitable conditions relating to the inclusion of the flood mitigation methods identified in the FRA such as the raising of floor levels, the installation of a floor protection barrier at the ground floor doors and the connection of residents to the local floor warning system. Consequently the proposal accords with SPP policy DM F1 (Support for Flood Risk Management).

8 CONCLUSION

- 8.1 Officers consider that the applicants have responded favourably in addressing the previous grounds for refusal and have developed a scheme that is less bulky and, whilst there is no predominant form of development on that side of Lower Morden Lane, the appearance and character of the proposed building is more akin to a large residential property with a number of design features intended to ensure it is in keeping with the locality. The positioning and siting of the building is such that it has no impact on neighbour amenity on that side of the road and is far enough away from the houses on the opposite side of the road that it complies with adopted planning requirements for a 20m separation distance between habitable windows. The proposal will provide two more flats than has been previously consented and it is considered that a total of four flats on the site would not generate a material increase in traffic or requirements for parking to justify a refusal of planning permission. The proposal will also provide four units of accommodation that will exceed the required standards for internal and external space standards and will contribute to the provision of new additional housing within the borough. For these reasons the proposal is recommended for approval subject to conditions

RECOMMENDATION

GRANT PLANNING PERMISSION subject to planning conditions;

A1 Commencement of Development

A7 Construction in accordance with plans Site location plan, Drawings, MRD/5/1000, MRD/5/001 Rev A, MRD/5/101 Rev B and Flood Risk Assessment (FRA) issue B dated 4th December 2014 prepared by Monson Engineering Ltd.

B1 The materials to be approved

C6 Details of the provision to be made for the storage of refuse and recycling shall be submitted to and approved

C7 Refuse and recycling implementation

D11 Construction times.

F2 Landscape implementation; All hard and soft landscape works shall be carried out in accordance with the details as shown on drawing MRD/5/1000. The works shall be carried out in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied.

F9 Hardstandings

H7 Cycle parking implementation

H9 Construction vehicles

Non Standard condition; The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) issue B dated 4th December 2014 prepared by Monson Engineering Ltd and the following mitigation measures detailed within the FRA;

Finished floor levels are set no lower than 21.54m above Ordnance Datum (AOD) and the mitigation measures shall be fully implemented prior to occupation.

Reason; To reduce the risk of flooding to the proposed development and future occupants in accordance with policy DM F1 of the Merton Sites and Policies Plan 2014.

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