

Agenda Item 7

PLANNING APPLICATIONS COMMITTEE
17 September 2015

Item No:

UPRN	APPLICATION NO.	DATE VALID
	15/P2166	22/06/2015

Address/Site: Land to the rear of Nos. 81 & 83 Ashbourne Road Mitcham

Ward: Graveney

Proposal: Erection of a 3 bedroom detached dwelling house with accommodation in the roofspace.

Drawing No's: 15/2079 2A, 15/2079 3A, 15/P2079 4A, block and site location plan

Contact Officer: Joyce Ffrench (020 8545 3045)

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

CHECKLIST INFORMATION.

- " S106: Affordable Housing
- " 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 - 14
- " External consultations -None.

1. INTRODUCTION

1.1 This application is brought before Committee for Members' consideration at the request of Councillor Kirby

1.2 A similar scheme (planning application reference 13/P1522) was presented to, and approved at, Planning Committee in 2013, this approved scheme was presented with a slightly smaller site area.

2. SITE AND SURROUNDINGS

2.1 The application site is garden land to the rear of the gardens of 81 and 83 Ashbourne Road. The site is currently laid to grass, shrubs and small trees, none of which are protected by TPO's. There are garages to the southern end of the plot, a dropped kerb serves the garage on Edenvale Road. There are two street trees along the boundary in Edenvale Road.

2.2 To the rear is a service road which gives vehicle access to garages in the rear gardens of Edenvale and Woodland Way. To the south is Edenvale Open Space

2.3 The area is residential and the plot is not designated as an Archaeological Priority Zone, is not in conservation area or in an area at risk from flooding. The site is not located within a Controlled Parking Zone and has a medium Public Transport Accessibility Level [PTAL] of 3 [where 1a represents the least accessible areas and 6b the most accessible].

3. CURRENT PROPOSAL

- 3.1 The current proposal is for the erection of a 3-bedroom detached dwelling house incorporating accommodation in the roofspace.
- 3.2 The application involves the demolition of the garages to the rear of the site and the formation of hardstanding areas to park 2 vehicles.
- 3.3 The building would be 3.3m to the eaves rising to 5.7 m. from ground level. The building would be orientated to face Edenvale Road. The flank of the building would be 18m from the rear of neighbouring dwellings in Ashbourne Road, 7.5m from the site boundary with the back garden of No. 81 and 11.m. from the site boundary of No. 83.
- 3.4 Dormer windows are proposed in the front and rear roof slopes with the front dormers serving bedrooms and rear facing dormers serving one bedroom and two bathrooms. The windows to the rear facing dormers serving bathrooms would be designed to be fixed shut and would be glazed with obscured glass.

4. PLANNING HISTORY.

- 4.1 15/P1982 - construction of a 4 bedroom detached house - tbd
- 4.2 13/P1522 – erection of a 2 bedroom detached bungalow with accommodation in the roofspace – approved at PAC subject to s106 and conditions
- 4.3 12/P2624 - erection of 2 bedroom detached bungalow with accommodation in the roofspace - refused under delegated powers.

Reason for refusal:

The proposed new dwelling house, by reason of its, size, design and siting, would be visually intrusive and overbearing to the detriment occupiers of neighbouring properties in Ashbourne Road, and would result in cramped and unsatisfactory living accommodation unlikely to meet the needs of future occupiers at first floor level, contrary to policies BE.15, BE.22 & HS.1 of the Merton Unitary Development Plan (October 2003), policy CS.14 of the Merton LDF Core Planning Strategy (2011).

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 [2015].
- 5.3 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]; 3.6 [Children and young people's play and informal recreation facilities]; 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]; 5.7 [Renewable energy]; 5.13 [Sustainable drainage]; 6.9 [Cycling]; 6.10 [Walking]; 6.13 [Parking]; 7.6 [Architecture] and 8.2 [Planning obligations].

London Housing Supplementary Planning Guidance.

- The relevant policies in the Council's Adopted Sites and Policies Plan 2014 are:
- 5.4 DM D1 Urban design and the public realm
DM D2: Design considerations
DM T3 Car parking
- Policies within the Adopted Core Strategy [2011]
- 5.5 The relevant policies within the Adopted Core Strategy [July 2011] are CS8 [Housing choice]; CS9 [Housing provision]; CS 11 Infrastructure; 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].

6. CONSULTATION

- 6.1 The submitted planning application was publicised by means of a site notice and individual consultation letters sent to 14 neighbouring properties.
- 6.2 In response to this consultation one letter has been received raising concerns with regard to the preservation of the existing street trees.
- 6.3 LB Merton Transport Planning/Highways have raised no transport objections to this proposal.
- 6.4 Councillor Kirby objects to the resubmission of this application which she considers to be unacceptable 'garden grabbing'

7. PLANNING CONSIDERATIONS

- 7.1 The key planning issues are considered to be the principle of residential development; design, scale, the standard of accommodation; neighbour impact; parking; and 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 size residential unit that will help meet the Council's housing targets in line with policy CS9 in the Council's Adopted Core Strategy [2011]. The site is in a residential area and, subject to more detailed consideration of design and neighbour amenity issues, 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 DM D2 of DM D3 of the SPP & CS 14 of the CPS require proposals for development to respond and reinforce locally distinctive patterns of development and landscape, that development respect the siting, rhythm, scale, density proportions, height, materials and massing of surrounding buildings, achieves a high standard of design that will complement the character and appearance of the wider setting and a layouts that is safe and secure.
- 7.7 The current proposal involves the construction of a new dwelling in the gardens of existing properties. While this type of development is not generally encouraged, in this case, the gardens are of sufficient depth to accommodate the proposal.
- 7.8 The current scheme is of a design that does not reflect that of nearby properties; however this is not considered to present a reason for refusal as the site is isolated from the dwellings in Edenvale Road as a result of the open space to the south of the plot. The design of the chalet bungalow with rooms in the roofspace, complements the character of the wider area and would not appear out of character or unduly intrusive.
- 7.9 The proposal is well placed, with regard to safety and security, with access to the property and the parking area on Edenvale Road which has a street lamp directly opposite with no necessity to access the unlit track to gain access to family vehicles thus complying with policy DM D2
- 7.10 In conclusion the design and appearance of the development, given its height and set back from the pavement, is considered to be acceptable in this location. The proposal is considered in line with the policy requirements in SPP (2014) policies DM D2 & DM D3 & policies CS9 & CS14 within the Council's Adopted Core Strategy [2011].
- Standard of the proposed new accommodation.
- 7.11 Policies CS8, 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 DM D2 of the SPP 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 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 supersede 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. These include rooms which could be in use as either a study or a bedroom.
- 7.13 The proposed development will provide a five-person three-bedroom property that has a gross internal area of 147sqm. square metres. This exceeds the minimum standard provided within the London Plan of 93 square metres for dwellings of this size. It is considered that all rooms have good levels of outlook and daylight and adequate living space for future occupiers. Policy 3.8 of the London Plan requires all new dwellings to be built to Lifetime Home Standards and a planning condition is recommended to ensure that this takes place in this instance.

- 7.14 Standard 4.4.3 of the London Plan SPG states that dwellings for 5 persons or more should have 2 living spaces i.e. a kitchen diner and a separate living room. The proposal provided two living spaces with a total of 46sqm. which is in excess of the required 33sqm.
- 7.15 Standard 5.4.1. of the London Plan SPG states that floor to ceiling heights in habitable rooms should be in excess of 2.5m. in this case the proposal does not meet this requirement. The floor to ceiling height of the ground floor rooms is 2.4m. and the maximum floor to ceiling height to the upper floor is a maximum of 2.3m.
- 7.16 In terms of the provision of garden space the amenity space standards set out in the SPP (DM D2) seek a minimum of 50 square metres of private garden space for all new houses. The development will provide private rear garden space of 153 square metres for the proposed property. A garden area of approx. 75 square metres will be retained by No. 81; the gardens would exceed adopted standards for the purposes of family sized dwellings.
- 7.17 Policy CS20 of the adopted Core Strategy [July 2011] states that the Council will require developments to incorporate adequate facilities for refuse storage and collection. The proposed plans illustrate the provision of a dedicated bin storage area.
- 7.18 In conclusion the overall 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 a good standard of accommodation in line with policies CS8, CS9 and CS14 within the Council's Adopted Core Strategy [2011]; policy 3.8 and minimum internal space standards in the London Plan (2015).

Neighbour Impact

- 7.19 Policy DM D2 of the SPP 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.
- 7.20 There is a gap of 18m. between the proposed structure and the rear elevations of Nos. 81 & 83 Ashbourne Road which is considered to be an adequate separation distance which will ensure no overlooking or loss of privacy for the occupiers of these properties. The siting of the proposal to the very end of the garden aligned with neighbouring garages ensures that the dormer window to the rear would not overlook neighbouring gardens and result in a loss of privacy, the bathroom windows will be obscure glazed and fixed shut. The proposed hedges/fences will also ensure there is no loss of privacy to the gardens of those properties and there are no windows to the flank elevation of the proposed scheme thereby complying with the objectives of policy DM D2
- 7.21 In conclusion, it is considered that the proposed development will have no undue impact on residential amenity including in terms of daylight, sunlight or privacy to adjacent properties. The proposal is considered in accordance with the objectives of SPP policy DM D2.

Car parking, access and highway safety

- 7.22 Policy CS19 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 Public Transport Accessibility Level [PTAL] of 3 [where 1a represents the least accessible areas and 6b the most accessible].
- 7.23 The proposed development includes the provision of two off-street car parking spaces accessed from Edenvale Road and a cycle storage facility. The development has been assessed in terms of

highway safety by the Highways Officer who has confirmed that there are no objections in terms of highway and parking matters

- 7.24 The scheme involves the removal of the existing garage that currently serves the occupiers of No. 81 and the provision of a hardstanding area to provide 2 off-street parking spaces for the proposed dwelling house which will involve the provision of a new dropped kerb in Edenvale Road. A condition will be imposed to reinstate the existing dropped kerb. It is noted that, unlike the previous scheme (planning reference 13/P1522) which provided an off street parking space for the occupier of No. 81, both the spaces provided for this scheme will serve the proposed house.

Trees and Landscaping

- 7.25 Policy CS13 of the adopted Core Strategy [2011] states that development will be expected to incorporate and maintain appropriate elements of landscape such as trees and to protect street trees.
- 7.26 The proposal includes the provision of a dropped kerb to provide access to off-street parking on Edenvale Road. There is a street tree in the vicinity; however it has been confirmed by a Highways Officer that the dropped kerb will not have any detrimental impact on the street tree. The proposals will result in the loss of some trees; it has been confirmed by the Tree and Landscape Officer that these trees have little amenity value.

Planning obligations

- 7.27 Policy CS8 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 CS8 a planning obligation is recommended as part of a section 106 agreement to seek a financial contribution towards off site affordable housing provision.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT

Sustainability

- 8.1 Policy CS15 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 are on a site of less than 0.5 hectares and therefore falls outside the scope of Schedule 2 development under the Town & Country Planning [Environmental Impact Assessment] Regulations 1999. There are no requirements for an Environmental Impact Assessment in this instance.

9. CONCLUSION

- 9.1 The current planning application to introduce a new residential unit 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 planning application will provide a new residential unit 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 obligations for 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 affordable housing (£28260).
- 2 The developer agreeing to meet the Council's costs of preparing, drafting the Section 106 Obligations.
- 3 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. B5 Details of Walls/Fences
5. B.6 Levels
6. C.1 No Permitted Development (Extensions) (Classes A, B & E)
7. C.2 No Permitted Development (Windows & doors)
8. C.3 Obscured Glazing (Fixed Windows)
9. D.10 No external lighting
10. D.11 Hours of construction
11. F.9 Hardstandings
12. H.1 New Vehicle Access - details to be submitted
13. H.2 Vehicle access to be provided

- 14 H.3 Redundant crossovers
- 15. J.1 Lifetime Homes
- 16. L.2 Code for Sustainable Homes (Pre commencement)
- 17. L.3 Code for Sustainable Homes - (Pre occupation)

INFORMATIVES:

- (1) INF2 Lifetime Homes
- (2) INF4 Code for Sustainable Homes
- (3) INF7 Hardstandings
- (4) INF8 Construction of accesses
- (5) INF12 Works affecting the public highway