

## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P0544	30/01/2019
<b>Address/Site:</b>	18 Commonsides West, Mitcham, CR4 4HA
<b>Ward:</b>	Figges Marsh
<b>Proposal:</b>	ERECTION OF A ROOFTOP EXTENSION TO FORM A TWO BEDROOM SELF-CONTAINED FLAT, EXTERNALLY CLAD WITH DARK GREY ZINC CLADDING TO MATCH THE EXISTING. (AMENDED)
<b>Drawing No.'s:</b>	18-478-PR01, 18-478-PR02, 18-478-PR03, 18-478-PR04C, 18-478-PR05A, 18-478-PR06A, 18-478-PR07C, 18-478-PR08A, 18-478-PR09A, 18-478-PR10A, 18-478-PR11.
<b>Contact Officer:</b>	Catarina Cheung (020 8545 4747)

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### RECOMMENDATION

**Grant planning permission subject to conditions.**

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### CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 17
- External consultations: 0
- Controlled Parking Zone: No
- Archaeological Zone: Zone 2
- Conservation Area: Mitcham Cricket Green Conservation Area, Three Kings Piece Character Area.

## **1. INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and number of objections received.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a newly constructed flatted development of two storeys facing toward Mitcham Common, located on the western side of Commonsides West in Mitcham. Permission for the demolition of the pre-existing detached house and construction of this development was granted at the meeting of the Council's Planning Applications Committee held on the 7<sup>th</sup> November 2013 (ref: 13/P1480 and 13/P1479).
- 2.2 West of the application site, at number 22, is another recently completed modern flatted development of three storeys. The freehold of numbers 18 and 22 are both owned by Danube Developments who have submitted the application the subject of this report. Immediately north of the application site is a short row of two storey (with roof accommodation) 1930s terrace dwellings. The rear of the plot backs onto the rear gardens of the terrace houses on Langdale Avenue.
- 2.2 The site is located within Mitcham Cricket Green Conservation Area, specifically the Three Kings Piece Character Area. The building is not locally or statutorily listed.

## **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the erection of a roof extension to provide a 2 bed self-contained unit.
- 3.2 The roof extension would have the following dimensions and materials:
- 2.9m height;
  - 9.54m width;
  - Overall depth of 12.8m, including the front curved stairwell feature;
  - The extension would be externally finished in zinc cladding with vertical seams and a rendered white stairwell, both to match the existing, and solar panels are proposed on the flat roof of the development.
- 3.3 The 2 bed unit (Flat 5) would provide an internal GIA of 76.8sqm with access to 2 roof terraces, which face toward Mitcham Common, in total measuring 8.3sqm.

## **4. PLANNING HISTORY**

- 4.1 A number of discharge of condition applications were submitted and approved between 2014 and 2015 in relation to permission 13/P1479, discharging conditions 4, 5, 7, 9 and 10 (14/P1043, 14/P1081, 14/P1139 and 15/P2161).
- 4.2 13/P1479: Demolition of the existing bungalow and ancillary garage and erection of a new two-storey building providing four self contained flats comprising 2 three-bedroom flats and 2 two-bedroom flats with four off street parking spaces and a new vehicular crossover on to Commonsides West.  
– Granted Permission Subject to Section 106 Oligation or any other enabling agreement 04/03/2014

- 4.3 12/P2069: APPLICATION FOR CONSERVATION AREA CONSENT FOR THE DEMOLITION OF THE EXISTING BUNGALOW IN CONNECTION WITH THE ERECTION OF 3 x 4 BED DWELLING HOUSES WITH ASSOCIATED PARKING.
- **Conservation Area Consent Refused 11/10/2012**
- Reason - The demolition of the existing bungalow would result in the loss of a property that makes a positive contribution to the character of the Mitcham Cricket Green Conservation Area and the applicant has failed to demonstrate, in the absence of an approved scheme to redevelop the site that there are planning benefits that outweigh the harm that would arise from the loss of this property. The proposed demolition would therefore be premature and would detract from and fail to preserve the character of the Mitcham Cricket Green Conservation Area and would be contrary to policy 7.8 of the London Plan (2011), policy CS.14 of the Merton LDF Core Planning Strategy and policy BE.2 of the Merton Unitary Development Plan (2003).**
- 4.4 12/P2066: DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 3 x 4 BED DWELLING HOUSES WITH ASSOCIATED PARKING.
- **Refused Permission 12/10/2012**
- Reason 1- 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).**
- Reason 2 - The proposals by reason of design, materials, bulk and siting, and the removal of trees from the site would: i) Be unduly dominant and result in the loss of garden space and space around the existing building where this contributes to the more open character of this part of the streetscene and the Conservation Area to the detriment of visual amenity; ii) Result in the loss of trees of amenity value and detract from the green setting of the site which contributes to the character of the area and the backdrop to the adjoining Metropolitan Open Land and fail to encourage biodiversity; iii) Fail to achieve a high standard of design that would complement the character of the area; iv) Result in cramped and unsatisfactory accommodation for future occupiers by reason of a ground floor living room and first floor bedrooms that would fail to meet minimum floorspace standards, and the absence of storage space. The proposals would be contrary to policies BE 1, BE.15, BE.16, BE.22, NE.11 and NE 2 of the Merton UDP (2003), policies CS 13 and CS 14 of the Merton Core Strategy 2011, policy 3.5 of the London Plan 2011, the London Housing Design Guide 2010 & the Draft Mitcham Cricket Green Conservation Area Appraisal and Management Plan 2010.**

## 5. CONSULTATION

### External

- 5.1 Public consultation was undertaken by way of letters sent to 17 neighbouring properties, Conservation Area site notice and press notice advertised in the

local paper. 7 representations were received during the initial consultation of the proposal, the summary of their objections are as follows:

- Overlooking and loss of privacy from roof extension to neighbouring properties and rear gardens;
- Impact on daylight;
- Overbearing visual impact through the bulk and massing of the proposed development;
- The additional storey was considered inappropriate when the building was originally designed and there is no reason why an alternative view should now be taken;
- Replicating the height and massing of 22 Commonside West would result in the building becoming a copy and the use of zinc cladding would lower the overall look of the property;
- Zinc cladding finish would appear more 'commercial property' than 'private dwelling';
- Lack of external amenity space;
- Loss of light into existing internal communal stairwell;
- Overdevelopment of the site and introduce an incongruous dense urban form to Commonside West;
- Cluttering of front balconies with household items;
- Noise pollution on roof simply by birds landing and walking across the existing roof structure, it is feared an additional level with a family walking above would significantly increase noise levels;
- Positioning of new internal staircase impeding access to existing flat;
- Objection to additional mains, foul and drainage services being run through existing flats;
- Construction management plan should be required;
- The additional flat would not be provided with on-site parking and will lead to illegal parking within the local area;
- No bike storage on the property, given the limited external amenity space there is no space to build such storage;
- The scheme would not relate well to the 1930s houses and would be incongruous in its setting, disingenuous to suggest that the scheme responds well to 22 Commonside West.

5.2 Following amendments a 14 day re-consult was undertaken and 7 objections were raised. The comments raised included the same issues as those summarised under section 5.1, with the following additions:

- The revised proposal continues to show a fundamental lack of respect for its context;
- Construction and site access would lead to an unacceptable impact on highway safety, the applicant has not got access to use the forecourt and would not be able to store materials there;
- The proposed development would have a significant impact on the existing occupiers' amenity in terms of noise and/or vibration from the construction works. Requests a Noise Impact Assessment;
- The proposed development, due to its massing would fail to respect the scale of the surrounding buildings, giving rise to an overly dominant and cramped

appearance along Commonsides West, resulting in material harm to the character of the area;

- Fails to demonstrate adequate waste and recycling capacity;
- Inconsistencies in planning application documents;
- Impact on wildlife, bats may be roosting on the roof;
- Contravening terms of the lease with existing occupiers;
- Developer greed;
- History of developer's unacceptably poor workmanship & building practice;
- Loss of amenity to existing flats.

#### Internal

5.3 Urban design officer – following amendments to the scheme, no objection is raised.

5.4 Conservation officer – following amendments to the scheme, no objection is raised.

5.5 Transport officer – The site lies within an area of a PTAL score of 3 which is considered to be a moderate rating. A moderate rating suggests that it is possible to plan regular journeys such as daily work trips or trips to and from school using public transport. The site is not located in a controlled parking zone and consequently the surrounding streets do not contain parking restrictions.

No parking is provided for the proposed flat. The existing parking layout shows four parking spaces for the existing four flats. The lack of parking for the proposed unit is unlikely to have a significant impact on the surrounding highway network.

Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments: 1 per studio and one bed dwellings and 2 per all other dwellings. The proposal should provide 2 cycle spaces (secure & undercover) to satisfy the London Plan standards.

Refuse arrangement would be as existing.

No objection raised subject to condition requiring cycle parking.

## **6. POLICY CONTEXT**

6.1 NPPF - National Planning Policy Framework (2019):

Part 5 Delivering a sufficient supply of homes

Part 12 Achieving well-designed places

Part 16 Conserving and enhancing the historic environment

6.2 London Plan 2016:

3.5 Quality and design of housing developments

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.17 Waste Capacity

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

- 6.3 Merton Sites and Policies Plan July 2014 policies:  
 DM D2 Design considerations in all developments  
 DMD3 Alterations and extensions to existing buildings  
 DMD4 Managing heritage assets  
 DM T2 Transport impacts of development  
 DM T3 Car parking and servicing standards

- 6.4 Merton Core Strategy 2011 policy:  
 CS 14 Design  
 CS 15 Climate change  
 CS 17 Waste management  
 CS 18 Transport  
 CS 20 Parking servicing and delivery

- 6.5 Supplementary planning documents  
 London Housing SPG 2016  
 Technical Housing standards – nationally described space standards 2015

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The key planning considerations of the proposal are as follows:
- Principle of development
  - Design and impact upon the character and appearance of the area
  - Impact upon neighbouring amenity
  - Standard of accommodation
  - Transport, parking and cycle storage
  - Refuse
  - Sustainability

### Principle of development

- 7.2 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policy CS8 and CS9 all seek to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that an acceptable standard of accommodation would be provided. Policy 3.3 of the London Plan 2016 also states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.
- 7.3 The development seeks to provide a further residential unit on site by increasing the density through the construction of an additional level. The principle of doing so is considered acceptable and in line with policies to increase provision of additional homes and seeking opportunities through intensification of the site.

- 7.4 However, the scheme is also subject to all other criteria being equally fulfilled and compliant with the policies referred to above.

#### Character and Appearance

- 7.5 Policy DM D2 of Merton's Sites and Policies Plan requires development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting. The requirement for good quality design is further supported by the London Plan London Plan Policies 7.4 and 7.6 and Merton's Core Strategy Policy CS14.
- 7.6 SPP policy DM D3 further seeks for roof extensions to use compatible materials, to be of a size and design that respects the character and proportions of the original building and surrounding context, do not dominate the existing roof profile and are sited away from prominent roof pitches unless they are a specific feature of the area.
- 7.7 The proposed design has been amended to set the roof level back from the rear building line, imitating the existing 'staggered' floor plan. The materiality of the development would retain its timber cladding on the projecting first floor level, in order to remain distinguishable from number 22, and the new roof extension would be externally clad in zinc to match the existing.
- 7.8 The report to PAC in 2013 included comments which were made at the Design Review Panel in May 2012 about the two storey design, these comments included:
- Paragraph 5.11: It was felt that the building would benefit from a vertical element to help reinforce its predominantly horizontal form...it was considered that the stairwell was the obvious element of the form to express vertically and could extend beyond the roof height.
  - Paragraph 5.14: It was considered that in terms of form, scale and massing – and in order to help in the expression of the front elevation – **the building would benefit from an additional storey, albeit set back from the main building line**. This would aid the composition of the building and better relate to the scale and roof forms of the building either side. The proposed building was described as 'wide and low slung', 'something missing' and 'not quite finished'. It was felt that the cue for its height had been taken from the eaves level of the adjacent buildings, rather than some balance between their eaves and ridge lines.
- 7.9 Given the above, the roof extension in this proposal looks to address the comments toward the previous design. The roof extension would replicate the curved stairwell detail at the roof level which would be the building's defining prominent feature, it has been appropriately set back from the front building line to avoid a bulky mass, but would sit directly above the existing stairwell and be finished in matching white render which would draw the attention vertically when viewed from the streetscene.

- 7.10 Given the newly constructed development at number 22, which is of three storeys, the streetscene and context of the application site has evolved from when it was assessed in 2013. Whilst the height of the proposed development would be taller than that of its immediate buildings, it would not be viewed as inappropriately tall, but appears as an organic flow of buildings heights. The current two storeys appears somewhat 'stunted' and an additional level would balance the building out, and the roof addition has been designed sympathetically so as to appear like an original feature. The Conservation officer was consulted and raises no significant issues with the design and greater height.

#### Neighbouring Amenity

- 7.11 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

#### **Existing flats within Maria Court, 18 Commonside West**

- 7.12 Whilst there would be openings at the rear of the roof level, this addition would be set back from the rear building line by around 1m. Therefore, whilst there would be some views into the ground floor gardens, these would be somewhat skewed because of the setback. Furthermore, it is noted there are existing windows at the rear of first level flats which would have a similar outlook to those proposed on the roof level. It is considered views from Flat 5 would not be more intrusive as the existing situation, the Juliette balcony is in fact smaller in size than the first floor window measuring 2.4x2.2m (w x h), whereas the first floor bedroom window measures 2.5x2.8m.

- 7.13 Given the roof addition would not project beyond the main building lines of the existing building, it is not considered the development would obstruct outlook from the existing windows nor would it have a harmful impact in terms of light.

#### **17 Commonside West**

- 7.14 The roof extension would be set in from the boundaries of the first floor level. Toward 17 Commonside West there would be a separation distance of approximately 5.7m, and the one window proposed on the northern elevation would be obscured glazed. Therefore, it is not considered the roof addition would have an overbearing impact toward number 17 nor raise issues in terms of overlooking from the side window, whilst there may be some shading of sunlight, overall, daylight would remain acceptable.

- 7.15 The building line of number 18 sits further back within the site than number 17, therefore, the rear window and Juliette balcony of the roof extension would have very limited views onto number 17's immediate rear patio and garden area, there would be some views to the rear of the garden and outbuilding which would not be considered harmful.

#### **22 Commonside West**

- 7.16 As mentioned above, the roof extension would be set in from the first floor level's boundaries. Therefore, towards 22 Commonside West there would be a



set-back of approximately 4.8m.

- 7.17 It is also noted that the building line of number 18 does not project as far as number 22. Therefore, whilst concerns have been raised by the neighbouring occupiers in terms of overlooking, given the orientation of the buildings, it is considered that the Juliette balcony would have limited views into the southern neighbour's garden, and the kitchen window, which is set further back than the Juliette balcony, would have even more restricted views.
- 7.18 Consequently, overlooking into the neighbouring amenity area would not be considered materially harmful or unacceptable such as to warrant refusal. Given the orientation of the site, impact in terms of sunlight and daylight are not considered a significant issue, and being set back reasonably from number 22 raises little concern in terms of outlook.

### **Langdale Avenue**

- 7.19 There is one Juliette balcony and two windows proposed at the rear of the roof extension.
- 7.20 The middle window would serve a bathroom and would be obscure glazed so would remove overlooking opportunities toward Langdale Avenue.
- 7.21 The Juliette balcony would serve a bedroom, and the window, a kitchen. The outlook of the openings are comparable to those on the existing first floor level and at the roof level of 22 Commonside West. The roof extension has been set back approximately 1.3m from the rear building line, therefore the overall separation distance from the properties on Langdale Avenue would be at least 32m. This is a considerable set back and would unlikely introduce inappropriate overlooking, nor raise concerns in terms of impact toward neighbouring access to light or outlook.
- 7.22 The London Housing SPG 2016 suggests a minimum distance of 18-21m between dwellings where privacy is concerned. Given this guidance, a 32m separation distance in this instance does not look to uncomfortably encroach on the rear neighbours.

### Standard of accommodation

#### **Internal**

- 7.23 Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality internally and externally, and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.3 of the London Plan. Table 3.3 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan (2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

Flat	No. of bedrooms	No. of persons	No. of storey's	Proposed GIA	Required GIA	Compliant
1	2	4	1	76.8	70	Yes

7.24 Demonstrated by the table above, the proposed unit would meet the London Plan minimum space standards.

### **External**

7.25 In accordance with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan, it states that there should be 5sqm of external space provided for private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

7.26 In the previous proposal (13/P1479), the minimum private amenity area required for flats was 10sqm per habitable room as set out in Merton's UDP Policy HS1 (2003). Merton's UDP was superseded and replaced in 2014 by the Sites and Policies Plan.

7.27 The proposed unit would have access to 2 external balconies which would provide a total area of 8.3sqm of external amenity. This would be compliant with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan. Furthermore, the site directly overlooks Mitcham Common which is in walking distance from the site and offers plentiful access to open green space for future occupiers.

### Transport, parking and cycle storage

7.28 Core Strategy Policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management. Cycle storage is required for all new development in accordance with London Plan Policy 6.9 and Core Strategy Policy CS18. It should be secure, sheltered and adequately lit and Table 6.3 under Policy 6.13 of the London Plan stipulates that 1 cycle parking space should be provided for a studio/1 bedroom unit and 2 spaces for all other dwellings.

7.29 The site has a PTAL of 3 which is considered moderate, and is not located within a Controlled Parking Zone. The additional unit would not be provided with an on-site car parking space. The Transport officer has been consulted and has raised no objection to this arrangement, considering it unlikely the addition of one unit would have a significant impact on the surrounding highway network.

7.30 The drawings have indicated a space in the forecourt for the provision of cycle storage which is considered a suitable location for convenient access. A condition will be attached requiring further details of this cycle provision to be provided to the LPA.

### Refuse

- 7.31 An appropriate location for refuse storage has been indicated on the plans in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy. A condition will be attached ensuring that the refuse provision is provided as indicated on the plans prior to occupation of the development.

### Sustainability

- 7.32 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 5 of the London Plan (2016). As a minor development proposal, the development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.
- 7.33 In the absence of carbon emissions and water efficiency information being submitted, it is considered acceptable in this instance to secure the above requirements through the use of an appropriate pre-occupation condition.

### Other matters

- 7.34 Representations received have raised issues concerning the management of construction, including impact on the existing highways, parking arrangement and storage of materials. A condition will be attached requiring a Construction Logistics Plan and Construction Management Plan to be submitted prior to the commencement of development.
- 7.35 Overall, the proposed works are not considered to have an unacceptable impact toward neighbouring amenity and is considered to comply with Policies DMD2 and DMD3.

## **8. CONCLUSION**

- 8.1 The scale, form, design, positioning and materials of the proposed roof extension with associated facilities for the additional self-contained unit are not considered to have an undue detrimental impact upon the character or appearance of the surrounding Conservation area, the host building or on neighbouring amenity. Therefore, the proposal complies with the principles of policies referred to in Section 6 and it is recommended to grant planning permission subject to conditions.

## **9. RECOMMENDATION**

Grant planning permission  
Subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B1 External Materials to be approved
4. C02 No Permitted Windows
5. C03 Obscure Glazing – before the development is first occupied, windows on the side (north and south) elevations shall be obscure glazed and fixed shut to a height of 1.7m above internal finished floor level and shall be

- permanently maintained as such thereafter.
6. C06 Refuse & Recycling – implementation
  7. C08 No Use of Flat Roof – no access to the flat roof on the second floor level other than the two terraces proposed on the front (eastern) elevation
  8. D11 Construction hours
  9. H06 Cycle Parking – details to be submitted
  10. H13 Construction Logistics Plan to be submitted – which to include a Construction Management Plan
  11. Non-standard condition – pre-occupation condition for sustainability
  12. INF Party Walls Act
  13. Note to Applicant – approved schemes
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