

**PLANNING APPLICATIONS COMMITTEE**  
**2<sup>nd</sup> July 2020**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

20/P0087

18/12/2019

**Address/Site:**

34 Langdale Avenue  
Mitcham  
CR4 4AF

**Ward:**

Figges Marsh

**Proposal:**

CREATION OF 5 x SELF-CONTAINED FLATS, INVOLVING THE ERECTION OF A 2 STOREY (PLUS ROOF) SIDE EXTENSION, A PART SINGLE, PART 2 STOREY REAR EXTENSION AND REAR ROOF EXTENSIONS. SUB-DIVISION OF REAR GARDEN AND THE CREATION OF NEW REFUSE AND CYCLE PARKING FACILITIES.

**Drawing No.s:**

C-PR01A; C-PR02A; C-PR03A; C-PR04B; C-PR05A; C-PR06A.

**Contact Officer:**

Catarina Cheung (020 8545 4747)

---

**RECOMMENDATION**

**Grant planning permission subject to S106 Obligation or any other enabling agreement and conditions.**

---

**CHECKLIST INFORMATION**

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 7
- External consultations: 0
- Controlled Parking Zone: Yes, MTC
- Archaeological Zone: Yes, Zone 2
- Conservation Area: No

**1. INTRODUCTION**

- 1.1 This application is being brought to Committee Members for determination on the request of Councillor Stanford and Councillor Akyigyina.

## 2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two storey end of terrace residential dwelling located on the western side of Langdale Avenue in Mitcham along with a double garage immediately to the south. The site lies on the inside curve of a bend in the street resulting in the terrace of houses being slightly cranked as they respond to the bend. Access to the pair of garages is enabled by a dropped kerb/footway crossing.
- 2.2 Langdale Avenue is characterised by a mixture of short terraces and some semi-detached dwellings arranged on ground and first floor. Census data shows Figges Marsh Ward as being characterised by a mix of housing types including semi-detached and terraced family houses, purposes built flats and conversions.
- 2.3 The site is not located in a Conservation Area nor is the building listed.
- 2.4 The site has a Public Transport Accessibility Level (PTAL) of 4 (measured on a scale of 0 to 6b, where 0 is considered the worst and 6B the best).
- 2.5 Langdale Avenue is located in a Controlled Parking Zone, Zone MTC.

## 3. CURRENT PROPOSAL

- 3.1 The proposal seeks planning permission for:
- Erection of a 2 storey side extension, with an extended roof level, in the appearance of an end of terrace dwellinghouse. Measuring maximum 6.19m wide toward the street elevation, 9.5m depth, 5.17m eaves height and 8.74m maximum height;
  - Part single part two storey rear extension - this would project at the rear of both the main dwellinghouse and new 'end of terrace' side extension:  
The ground floor element would have a depth of 5m (measured along the northern elevation), maximum width of 8.8m and flat roof with a height of 3m.  
The first floor element would project 1m from the rear of the main dwellinghouse (1.64m from the rear of the new side extension), have a maximum width of 6.2m, eaves height of 5m and maximum height of 6.7m.
  - 2 dormer roof extensions with a total of 5 rooflights on the front roof slopes:  
The dormer at the rear of the main dwellinghouse would measure 4m depth, 5.16m width and 3.26m height.  
The dormer at the rear of the new extension addition would measure 5m width, 3.3m height and 4m depth.
  - External alterations involving the replacement of the front door to the main dwellinghouse with a new window resembling the appearance of an entrance.
- 3.2 The proposed mix of units would be as follows:

	Type	Storeys	Proposed GIA (sqm)	Proposed amenity (sqm)
Unit 1	3b4p	1	75.2	26.8
Unit 2	2b3p	1	61.3	15.2
Unit 3	2b3p	1	61.1	Communal garden 59
Unit 4	1b1p	1	37.1	
Unit 5	1b2p	1	61.1	

- 3.3 Refuse bins provided in the front garden. Cycle storage provided within the rear garden.
- 3.4 The development would be car-free (except for Unit 1, further explained within Sections 5. and 7.).

#### **4. PLANNING HISTORY**

- 4.1 19/P3934: APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION WITH THE FOLLOWING DIMENSIONS:  
EXTENDS BEYOND THE REAR WALL OF THE ORIGINAL DWELLINGHOUSE BY 6 METRES  
THE MAXIMUM HEIGHT OF THE ENLARGED PART OF THE DWELLINGHOUSE WILL BE 3 METRES  
APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION WITH THE FOLLOWING DIMENSIONS:  
EXTENDS BEYOND THE REAR WALL OF THE ORIGINAL DWELLINGHOUSE BY 6 METRES  
THE MAXIMUM HEIGHT OF THE ENLARGED PART OF THE DWELLINGHOUSE WILL BE 3 METRES – Prior approval not required 12/12/2019
- 4.2 19/P3531: APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE IN RESPECT OF THE PROPOSED ERECTION OF A REAR ROOF EXTENSION WITH JULIETTE BALCONY AND INSERTION OF 3X ROOFLIGHTS ON FRONT ROOF SLOPE. – Certificate of lawfulness issued 25/11/2019
- 4.3 19/P3506: APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION WITH THE FOLLOWING DIMENSIONS:  
EXTENDS BEYOND THE REAR WALL OF THE ORIGINAL DWELLINGHOUSE BY 6 METRES  
THE MAXIMUM HEIGHT OF THE ENLARGED PART OF THE DWELLINGHOUSE WILL BE 3.6 METRES  
THE HEIGHT OF THE EAVES OF THE ENLARGED PART OF THE DWELLINGHOUSE WILL BE 3 METRES – Prior approved refused 11/11/2019  
Reason 1 - The proposed extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would result in a width greater than half the width of the main dwellinghouse. This would be contrary to Schedule 2, Part 1, Class A, A.1(j)(iii) of the GPDO 2015 (as amended). Planning permission is therefore required.  
Reason 2 - The proposed single storey rear extension, by reason of scale, bulk and massing, would be unduly dominant and visually intrusive, resulting in a loss of sunlight, daylight and outlook to 32 Langdale Avenue which would be materially harmful to the amenity of neighbouring occupiers. The proposal would be contrary to London Plan 2016 policies 7.4 & 7.6, policy CS.14 of the Merton LDF Core Planning Strategy (2011) and policy DM D2 and DM D3 of the Merton Sites and Policies Plan (2014).
- 4.4 MIT3606: GARDEN SHED AND GARAGE EXTENSION – Granted 21/05/1959
- 4.5 MIT2603: 2 GARAGE AND GARDEN SHED. – Granted 30/09/1955

## 5. CONSULTATION

### External

- 5.1 Public consultation was undertaken by way of letters sent to 7 neighbouring properties. 3 neighbouring representations were received, summary of their concerns as follows:
- Illogical to turn house into flats as the surrounding area are all family sized houses. The proposal seeks to maximise profit from over development;
  - Noise due to construction;
  - Limited parking spaces;
  - Impact toward neighbouring light, loss of views and overlooking;
  - Noise and nuisance arising from 5 flats, not sustainable for social cohesion in a well-established road of family dwellings;

Councillor Stanford and Councillor Akyigyina's concerns:

- 5 flats is too much, overdevelopment of the site;
- Parking issues;
- Quality of accommodation (i.e. room size, amenity space);
- Problems with services, like waste.

### Internal

- 5.2 Transport officer – The site is located in an area with a PTAL of 4 which is very good being well located to all the services and facilities afforded by the district centre. The local area forms part of Controlled Parking Zone (MTC). Restrictions are enforced from Mon to Sat between 8.30am to 11 pm.

No off street car parking is provided. Permit free option would be acceptable subject to the applicant entering into a Unilateral Undertaking which would restrict future occupiers of the units (except Flat 1) from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

The proposed plan shows cycle storage for 8 cycles. Details are required to show how the 8 cycle spaces can be accommodated within the confines of the store.

Waste collection points should be located within 20 metres of collection vehicles. Given there is an already established collection route along this road, it is not considered the proposal would have a detrimental impact on the waste collection services in the area.

No objection in principle to this form of development. The following conditions should apply to any planning approval:

- The applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units (except Flat 1) from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones, to be secured by via S106 legal agreement.
- Cycle parking to be shown in detail.

## 6. POLICY CONTEXT

### 6.1 **National Planning Policy Framework (2019)**

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

- 6.2 **London Plan (2016)**  
 3.3 Increasing housing supply  
 3.4 Optimising housing potential  
 3.5 Quality and design of housing developments  
 3.8 Housing choice.  
 3.9 Sustainable communities.  
 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  
 8.2 Planning Obligations  
 8.3 Community infrastructure levy
- 6.3 **Merton Local Development Framework Core Strategy (2011)**  
 CS 8 Housing choice  
 CS 9 Housing provision  
 CS 14 Design  
 CS 15 Climate change  
 CS 17 Waste management  
 CS 18 Transport  
 CS 20 Parking servicing and delivery
- 6.4 **Merton Sites and Policies Plan (2014)**  
 DM D2 Design considerations  
 DM D3 Alterations and extensions to existing buildings  
 DM H2 Housing Mix  
 DM T2 Transport impacts of development  
 DM T3 Car parking and servicing standards
- 6.5 **Supplementary planning considerations**  
 London Plan Housing SPG – 2016  
 DCLG Technical Housing Standards - nationally described space standards 2015  
 Strategic Housing Needs (Market) Assessment - London Borough of Merton - July 2019  
 Merton Annual Monitoring Report 2018-19
- 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
  - Developer contributions
  - Other matters

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 states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities. The National Planning Policy Framework requires local planning authorities to optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.
- 7.3 Housing targets for Merton are currently 411 dwellings per year but are likely to increase substantially in the event of the adoption of the draft revised London Plan (the target agreed between the GLA and the Council is 918 dwellings).
- 7.4 London Plan policy 3.4 requires local planning authorities to take into account local context and character, and public transport capacity, so as to ensure that development optimises housing output for different types of location. Development proposals which compromise this policy should be resisted.
- 7.5 The strategic objectives of London Plan policy 3.8 are that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.
- 7.6 Policy 3.9 of the London Plan has as its strategic objective, that communities mixed and balanced by tenure and household income should be promoted across London through incremental small scale as well as larger scale developments which foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods.
- 7.7 Merton Policy CS 14 states that schemes involving dwelling conversions that result in the loss of an existing family sized unit must incorporate the re-provision of at least one family sized unit – a family sized unit is one which has at least 3 bedrooms.
- 7.8 Officers note that further research on housing needs has been undertaken in connection with the work on the Council's replacement local plan. Merton's Strategic Housing Needs (Market) Assessment was published in July 2019 and provides an evidential base along with modelling of housing needs for the coming decades on which to review and configure housing policy.
- 7.9 Table 58 demonstrates that at the time of the last Census in the Mitcham area the largest percentage of units, irrespective of tenure, comprised 3 bedroom dwellings and that for each of the tenure types this percentage was significantly greater than the Borough average.

**Table 58: Number of bedrooms by tenure and a range of areas – Merton sub-areas**

		Mitcham	Morden	Raynes Park	SW/CW	Wimble- don	Merton
Owner-occupied	1-bedroom	8%	3%	7%	13%	8%	8%
	2-bedrooms	20%	21%	22%	36%	24%	24%
	3-bedrooms	59%	57%	48%	32%	24%	45%
	4+-bedrooms	13%	18%	25%	19%	45%	23%
	Total	100%	100%	100%	100%	100%	100%
Social rented	1-bedroom	30%	23%	33%	38%	54%	32%
	2-bedrooms	29%	42%	33%	41%	29%	34%
	3-bedrooms	37%	32%	29%	19%	15%	30%
	4+-bedrooms	4%	4%	6%	2%	3%	4%
	Total	100%	100%	100%	100%	100%	100%
Private rented	1-bedroom	25%	14%	27%	36%	30%	28%
	2-bedrooms	30%	39%	39%	41%	41%	38%
	3-bedrooms	34%	34%	23%	14%	15%	23%
	4+-bedrooms	12%	13%	11%	8%	13%	12%
	Total	100%	100%	100%	100%	100%	100%

Source: Census 2011

- 7.10 The proposed development, which would provide a net increase of 4 dwellings, would fulfil the Council's adopted policy CS.14 by retaining a 3 bedroom family sized unit (Unit 1).
- 7.11 The proposals seeks to provide a further 4 residential units on site by increasing the density through the construction of a new extension and conversion of the existing dwellinghouse. The provision of additional homes and seeking opportunities through intensification of the site fulfils objectives of the National Planning Policy Framework, London Plan policy 3.4 and makes a contributions towards what are likely to be increasingly challenging housing targets.
- 7.12 Merton Sites and Policies Plan policy DM.H2 has as its objective; 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 clearly that the residential development proposals will be considered favourably where they contribute to meeting the needs of different households such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix. This mix is informed by a number of factors, including Merton's Strategic Housing Market Assessment (SHMA 2010).

Indicative proportions.

Number of bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

- 7.13 Further work is being undertaken as part of the preparation of a new local plan. Merton's Strategic Housing Needs (Market) Assessment was published in July 2019. A table of indicative percentages that would help shape emerging policy and is based on a borough wide assessment.

---

### Housing Mix (Size of Homes Needed): Key Messages

- There are a range of factors that will influence demand for different sizes of homes, including demographic changes; future growth in real earnings and households' ability to save; economic performance and housing affordability. The analysis linked to the demographic change in the period to 2035 concludes that the following represents an appropriate mix of affordable and market homes:

	1-bed	2-bed	3-bed	4+ bed
Market	5-10%	20-25%	45-50%	20-25%
Affordable home ownership	25-30%	30-35%	25-30%	10-15%
Affordable housing (rented)	25-30%	35-40%	25-30%	5-10%

- 7.13 The research commissioned by the Council however goes on to qualify its findings stating that while the mix identified above could inform strategic policies, in applying these (percentages) to individual development sites regard should be had to the nature of the development site and character of the area, as well as the existing mix and turnover of properties at the local level.
- 7.14 Officers acknowledge that the application of the current adopted “indicative” mix as set out in Policy DM.H2 can provide guidance in negotiation on larger housing schemes, however its application is not tailored to smaller infill developments.
- 7.15 The mix proposed by the development would be as follows:
- 3 bedroom units – 20%
  - 2 bedroom units - 40%
  - 1 bedroom units – 40%
- 7.16 Rigid adherence to the mix is not feasible in this instance. Deviation by 1 unit for the 3 bedroom flat types would produce comparable anomalies in terms of failing to meet the indicative mix and, given the impact of floorspace requirements, would be likely to diminish the number of units that would be delivered.
- 7.17 Officers consider that the mix would optimise the development potential of the site, help to deliver flats of a variety of sizes helps to meet the requirements of a range of households in a part of the Borough where the available evidence confirms a measurably greater concentration of 3 bedroom family housing than the Borough average thereby assisting in the promotion of objectives in both policy 3.8 and 3.9 of the London Plan and that it would be unjustifiable to refuse permission by pursuing a mechanistic adherence to what are only indicative housing mix percentages .
- 7.18 While the principle of the conversion is considered acceptable, the scheme is also subject to the following criteria being fulfilled and compliant with the relevant policies referred to below.

### Design and impact upon the character and appearance of the area

- 7.19 On the subject of design the NPPF requires amongst other criteria that planning authorities ensure that developments:
- are visually attractive as a result of good architecture
  - are sympathetic to local character and history, including the surrounding built environment



- where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 7.20 The strategic objective of London Plan policy 7.4 is that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings
- 7.21 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. SPP Policy DMD3 in particular states that roof alterations and extensions should ensure the use of sympathetic materials, be of a size and design that respects the character and proportions of the original building and surrounding context, does not dominate the existing roof profile and are sited away from prominent roof pitches, unless they are a specific feature of the area.
- Two storey side extension and front entrance alteration**
- 7.22 The extension to the side would be in the appearance of an end of terrace addition, so toward the streetscene would appear as a continuation of the existing terrace row. Whilst the width of the new extension would be marginally slimmer than the width of the existing properties, 6.1m instead of 6.5m, overall, this would blend in seamlessly into the streetscene and would not be visually harmful nor would it result in an unacceptably disproportionate appearance when viewed from the streetscene.
- 7.23 Furthermore, to ensure the appearance as 2 dwellinghouses is retained toward the front elevation, the door of number 34 would be replaced with a window resembling that of a front entrance. This is considered an appropriate design detail to ensure the terrace rhythm is retained, displaying the appearance as 'two' dwellings, albeit internally 5 flats.
- Part single part two storey rear extension**
- 7.24 A 6m extension was previously permitted under prior approval at the rear of the main dwellinghouse, 19/P3934. Within this proposal, the depth and height of the extension permitted under prior approval would remain the same, but enlarged to extend over to the rear of the new side extension.
- 7.25 The first floor extension has been amended to significantly reduce its width. Following this, it is considered that its massing is much more appropriate and less overbearing, with a better differentiation and set back introduced between the ground and first floor extensions. The design of a hipped roof over this element is considered appropriate and assimilates with the main roof form.
- 7.26 The extensions toward the rear of the main dwellinghouse are essentially a mirror to that at the rear of the new 'end of terrace' (two storey side) extension. So overall, the extensions are considered to be well-conceived to ensure the extensions compliment and are sympathetic to the property.
- Rear dormers and rooflights**
- 7.27 It is noted a certificate of lawfulness was previously issued for a dormer at the rear of the main dwellinghouse. Within this scheme, the dormer is marginally narrower in width, but overall its form and design remain the design. Therefore, no further issues are raised in relation to this element.

- 7.28 As with the rear extensions described above, the dormer to the rear of the new side extension also intends to appear as a mirror to that at the main dwellinghouse. So, the dormer extension would not appear out of character, and is considered an appropriately subordinate addition on the rear roof slope.
- 7.29 Rooflights inserted in the front roofslope are not considered detrimental in terms of appearance toward the main dwellinghouse or side extension.

#### Neighbouring Amenity

- 7.30 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.

#### **32 Langdale Avenue**

- 7.31 As mentioned above, a 6m extension was previously permitted under prior approval at the rear of the main dwellinghouse (19/P3934, where no objections were raised). The setback, depth and height of this addition remains the same toward number 32 in this proposal. Therefore, in terms of impact toward neighbouring amenity no further issues are raised.
- 7.32 The width of the first floor extension has been reduced, increasing the set back from the boundary to 2.4m, instead of 1.45m. Toward number 32, the first floor extension would display a depth of 1m. Overall, this is not considered to result in an unduly dominant profile which would have a harmful impact toward neighbouring light or outlook.
- 7.33 The rear dormer addition was previously permitted under a lawful development certificate. There are also no further issues raised in relation to its impact toward neighbouring amenity.
- 7.34 The two storey 'end of terrace' extension would be toward the southern elevation of the main dwellinghouse and would project no deeper than its existing rear building line, this element would unlikely be visible from the rear/front views of number 32.

#### **38 Langdale Avenue**

- 7.35 The depth of the two storey side extension/ 'end of terrace' addition, would project around 0.6m beyond the rear building line of number 38, but with a separation gap of 2.8m retained between the buildings. Visually, the addition would sit comfortably in line with the neighbouring property, and coupled with an appropriate separation gap would not be considered unduly dominant at a 0.6m projection.
- 7.36 The ground floor addition would be set back around 4m from number 38's rear building line, and there is a two storey outrigger at the rear of number 38, the rear extension would be set back around 7m from this. Overall, these are considered reasonable setbacks and would not raise significant concerns in terms of impact toward neighbouring outlook. And, given the southern orientation of the adjacent property, the extension would unlikely have a harmful impact toward neighbouring light.
- 7.37 The first floor addition would have a projection of 1.64m, but be set back from the boundary by 3.9m, or 6m from number 38's rear building line. Therefore, impact in terms of light or outlook would not be considered materially impacted.

- 7.38 The dormer extension at the rear of the end of terrace side extension would not project beyond the eaves of the rear building line, and given its positioning on the upper roof level would unlikely have a significantly detrimental impact toward number 38's outlook or light.

**Albert Road**

- 7.39 The separation distance between the properties along Albert Road and the rear of the proposed first floor addition would be at least around 25m. The extensions are considered sufficiently set back so as not to negatively impact the amenity of properties along Albert Road.

Standard of accommodation

**Internal**

- 7.40 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.

	Type	Storeys	ProposedGIA (sqm)	Required GIA (sqm)	Compliant
Unit 1	3b4p	1	75.2	74	Yes
Unit 2	2b3p	1	61.3	61	Yes
Unit 3	2b3p	1	61.1	61	Yes
Unit 4	1b1p	1	37.1	37	Yes
Unit 5	1b2p	1	61.1	61	Yes

- 7.41 As demonstrated by the table above, all the units would comply with the minimum space standards. Bedrooms and living room areas would all have windows providing access to light and ventilation. Refusal on the basis of the standard of internal accommodation would therefore be both unreasonable and not be justifiable vis a vis adopted standards.

**External**

- 7.42 The London Housing SPG requires a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

	Type	Proposed amenity (sqm)	Required amenity (sqm)	Compliant
Unit 1	3b4p	26.8	7	Yes
Unit 2	2b3p	15.2	6	Yes
Unit 3	2b3p	Communal garden 59	6	Yes
Unit 4	1b1p	Communal garden 59	5	Yes
Unit 5	1b2p	Communal garden 59	5	Yes

- 7.43 The ground floor flats would have access to private gardens. The 3 upper units would have access to a communal garden at the rear of the property, this area providing 59sqm and would be compliant with the standards set out in the London Housing SPG. Refusal on the basis of the availability of external amenity space would therefore not be reasonable nor justifiable vis a vis adopted standards.

#### Transport, parking and cycle storage

- 7.44 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.
- 7.45 The site has a PTAL of 4 which is considered very good, and is located in a Controlled Parking Zone, MTC.
- 7.46 Merton's Transport officer has been consulted and considers that a permit free development is appropriate in this location subject to the applicant offering up a S106 planning undertaking which would restrict future occupiers from obtaining an on-street residential parking permit, except for Flat 1, the 3b family unit – the existing dwellinghouse retains their parking permit. The applicant has agreed and a S106 agreement is being currently being drafted. Given no new dwelling would be eligible for parking permits it is considered that it would be unreasonable to withhold permission on grounds of impact on kerbside parking.
- 7.47 The proposed plan shows cycle storage for 8 cycles in the rear garden, this level of provision is considered acceptable. The Transport officer requires further details of how the 8 cycle spaces can be accommodated within the confines of the store, this requirement would form part of the conditions should the application be minded for approval.

#### Refuse and recycling

- 7.48 The London Plan Policy 5.17 and Merton Core Strategy Policy CS17 require new developments to show capacity to provide waste and recycling storage facilities.
- 7.49 The proposed front garden plan indicates the provision for refuse bin storage. This is considered an appropriate location for convenient access and collection. Therefore, the proposal is considered to accord with Policy 5.17 of the London Plan and Policy CS 17 of the Core Strategy.

#### Sustainability

- 7.50 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.
- 7.51 The application is accompanied with a Design and Access statement which includes a section on Sustainability confirming that the development will achieve CO2 reductions of not less than a 19% improvement on Part L Regulations 2013 and internal water usage rates of not less than 105 litres per person per day. In this instance, it is considered acceptable in order to secure the above policy requirements, that a pre-occupation condition be attached to the proposal if it were minded for approval.

#### Developer contributions

- 7.52 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

Other matters.

Noise and impact on neighbours.

- 7.53 Officers acknowledge that development of the site is likely to increase occupancy and the comings and goings of people to the site. The proposals would have the potential to provide 13 bedspaces across the 5 flats. The existing dwelling has the potential to offer 5 bedspaces. With a roof extension under permitted to development this could readily be increased to 6. The location of the proposed side extension is capable of accommodating a single family dwelling, which with a rear roof dormer could also provide 6/7 bedspaces giving at least 12/13 across the plot. Different development permutations, including that of a single dwelling or small HMO, therefore have the potential to have occupancy levels comparable to that proposed.
- 7.54 Officers have no evidence to suggest that the mix of units proposed would be likely to have a harmful impact on noise and disturbance to neighbours, and, given other reasonable development scenarios for the site, consider it would be reasonable to withhold permission on the grounds of noise and disturbance

Noise from construction.

- 7.55 Common with all forms of development, the proposals have the potential to be a source of noise and disturbance during the course of construction. Such matters are routinely regulated by the application of suitable planning conditions. Notwithstanding current government encouragement to local authorities to permit construction activity to take place longer than the normal working day, officers consider it important that each case is considered on its merits. Given the compact and built up suburban character of the area a restriction on hours of construction is considered justifiable in this instance.

Profitability of development.

- 7.56 Other than cases where the viability of a major housing development requires scrutiny to determine affordable housing contributions and where off site carbon offset contributions are required to be calculated, whether a development delivers a profit to the applicant is not a planning matter.

**8. CONCLUSION**

- 8.1 The proposals would contribute to the Council's housing targets.  
The proposals would provide a mix of dwelling types and diversify the available housing stock consistent with the general thrust of housing policy in an area characterised by family housing.  
The proposals would retain a family sized unit in accordance with Council policy and all units would meet both internal and external space standards.  
The scale form and design of extension is considered acceptable and would blend in with the streetscene and would not impact harmfully on neighbour amenity.  
Via the use of a S106 undertaking the proposals would not increase parking pressure on the highway.  
Potential occupancy is not considered likely to be a source of noise and disturbance.  
Short term impact from noise may be managed by condition.  
Adequate arrangements are made for the location of waste storage.
- 8.2 The proposal is considered to comply with the principles of the National Planning Policy Framework and the policies referred to under Section 6, nationally adopted space standards, local and metropolitan external space standards and local refuse requirements. It is recommended to grant planning permission subject to a section 106 legal undertaking.

## **RECOMMENDATION**

**Grant planning permission subject to the completion of a S106 agreement/submission of a S106 unilateral undertaking to restrict parking permits and the following conditions:**

1. A1 Commencement of Development
2. A7 Approved Plans
3. B3 External materials as specified
4. B.5 Boundary treatment in accordance with approved plans.
5. C06 Refuse & Recycling (Details to be submitted)
6. C08 No Use of Flat Roof – Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
7. D11 Construction hours – No demolition or construction 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.
8. H06 Cycle Parking – Details to be submitted
9. A Non-standard condition (Sustainability) – No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.
1. H.03 - Reinstatement of footwayedundant crossovers.

### Informatives

1. INF 01 Party Walls Act
2. INF 20 Street naming and numbering
3. Non-standard INF for Sustainability
3. Note to Applicant – approved schemes