

## Delegated Report

### Report of the Assistant Director of Environment, Housing and Regeneration Directorate

Ref: DM2018/01616	Ward: Sutton Central	Expiry Date: 9th November 2018
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Site	12 Lind Road Sutton SM1 4PJ
Proposal	Erection of two storey side extension with basement level and accommodation within the roof space to provide additional accommodation to the existing three self-contained flats.
Applicant	H and C Investments
Agent	Mr David Barnard

Recommendation	Application Granted subject to a S106 Agreement.
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#### BACKGROUND

##### Site and Surroundings:

The application site is located on the eastern side of Lind Road midway between the junctions with Carshalton Road and Vernon Road.

The application site consists of an end of terrace property set over lower ground, ground and first floor levels. The property incorporates three separate self-contained residential units.

The surrounding area is predominantly residential in character and also incorporates a variety of Local Centre uses.

##### Details of Proposal:

The application proposes the erection of a two storey flank extension incorporating lower ground level and roof level accommodation to provide additional accommodation to the existing three separate self-contained residential units.

##### Site Specific Designation:

- Archaeological Priority Area
- Area of Potential Intensification
- Newtown Area of Special Local Character
- Decentralised Energy Opportunity Area
- Lind Road Local Centre.

#### RELEVANT SITE HISTORY

- DM2018/01664 *'Erection of an additional floor to existing building to provide 4 self-contained flats and erection of a detached bungalow together with cycle and refuse stores'*. Pending Consideration.
- B2017.78259 *'Erection of two additional floors to existing building to provide six 1 bedroomed self contained flats together with cycle and refuse stores'*. Withdrawn 5th January 2017.
- B2017/77001 *'Prior Approval for Change of use from retail to a residential use'*. Granted 6th September 2017.
- B2017/76608 *'Erection of a two storey side/rear extension with basement and roof accommodation to provide a 4-bedroomed dwelling'*. Refused 6th June 2017 for the following reasons:
  - (1) *The proposed development by reason of its size and location would constitute an inappropriate form of development that would appear unsympathetic to the character of the existing neighbouring dwellings and would have an uncomfortable and negative relationship with the the character of the surrounding Newtown Area of Special Local Character. The proposal is therefore contrary to the National Planning Policy Framework 2012, the London Plan 2016, and Policies DM 1, DM3 and DM4 of the adopted Site Development Policies Development Plan Document, and the Council's adopted Supplementary Planning Document 14: Creating Locally Distinctive Places.*
  - (2) *Insufficient information has been provided to assess the impact of the proposed development on the existing tree adjacent to the site, in close proximity to the proposed structure. As such, the proposals would fail to demonstrate that harm to this tree can be avoided, and the proposal would fail to respect and retain existing landscape features in accordance with Policy DM1 of the adopted Site Development Policies Development Plan Document.*
  - (3) *Insufficient information has been provided to assess the proposed parking, and as such the proposal would fail to demonstrate compliance with Policy DM22 of the adopted Site Development Policies Development Plan Document, and Policy BP10 of the adopted Core Planning Strategy.*
- B2017/76232 *'Prior approval for change of use from retail to a residential use providing 4 no. self-contained flats'*. Refused 20th March 2017 for the following reason:
  - (1) *Planning permission is required by virtue of the Town & Country Planning (General Permitted Development) (England) Order 2015, (As amended), Schedule 2 Part 3 Class M as the proposed development will not comply with the criteria as set out at M.1 (c) and (d) of Class M. The reason being that the cumulative floor space of the existing building changing use exceeds 150 square metres, and the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M.*
- B2016/75458 *'Erection of a three storey rear extension, increase in roof height, provision of a dormer extension at rear and conversion of premises to provide 3 self*

*contained flats, comprising a studio flat, a 1-bedroomed flat and a 2-bedroomed maisonette*'. Granted 12th April 2017.

- B2016/74427 '*Change of use from retail to a residential use providing 3 self-contained flats*'. Granted 29th June 2016.
- N1996/40597 '*Retention of single storey building for storage purposes*'. Granted 24th April 1996.

## **PUBLICITY**

Letters were sent to 18 neighbouring occupiers and a site notice was posted in the vicinity of the site.

No letters of representation have been received.

## **CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
Environmental Health	No objection.
Highways	No objection.
Thames Water	No objection.
Waste Management	No comments received.

## **MATERIAL PLANNING POLICIES**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

- The London Plan
- The Sutton Local Plan 2018

Also a material consideration in determining planning applications are:

- National Planning Policy Framework 2018
- National Planning Policy Guidance
- Adopted London Borough of Sutton Supplementary Planning Guidance documents
- Human Rights Act 1998
- Equality Act 201
- Draft London Plan 2017

## **Public Sector Equality Duty (PSED) and Human Rights:**

Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the PSED. The application proposals are not considered to conflict with the Duty.

The application has also been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation below, is compatible with the Act.

### **London Plan Policies:**

- 3.3 Increasing Housing Supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing development (tables 3.2 & 3.3)
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 6.1 Strategic approach
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture

### **Sutton Local Plan 2018 Policies**

- 28 Character and Design
- 29 Protecting Amenity
- 31 Carbon and Energy
- 32 Flood Risk and Sustainable Drainage
- 33 Climate Change Adaptation
- 34 Environmental Protection
- 35 Transport Proposals
- 36 Transport Impact
- 37 Parking

### **Supplementary Planning Documents:**

- SPD14 Creating Locally Distinctive Places 'Urban Design'

## **PLANNING CONSIDERATIONS**

The principal considerations (including whether any material planning objections have been reasonably addressed) in relation to this application are:

- **Principle of Development**
- **Design Quality**
- **Impact on Neighbours**
- **Layout and Accessibility**
- **Trees and Landscaping**
- **Biodiversity**
- **Highways & Parking**
- **Sustainability**
- **Community Infrastructure Levy (CIL)**

### **Principle of Development:**

The application proposes a flank extension to the existing building to provide additional accommodation to the existing self-contained residential units at the site. The proposal would not create any additional residential units and would not alter the use of the site. As such, it is considered that the proposal would be acceptable in principle subject to compliance with all other material planning considerations and relevant policies, discussed below.

### **Design Quality:**

In accordance with policy 28 of the Sutton Local Plan 2018, the council will only grant permission for development providing it maintains and enhances local character and the appearance of the surrounding area.

The proposed flank extension would follow an integrated design approach, extending the ridge and eaves of the main roof and incorporating similar fenestration to the main building. It is considered that the proposed extension would not constitute an overly dominant addition and would not visually unbalance the terraced block. It is considered that the proposal would be acceptable in terms of its design quality and would not result in harm to the streetscene or to the character of the local area.

### **Impact on Neighbours:**

In accordance with policy 29 of the Sutton Local Plan 2018, the council will not grant planning permission for any development that adversely affects the privacy, outlook or daylight and sunlight of adjoining occupiers, or would unacceptably impact on the surrounding area.

The proposed flank extension would not extend beyond the front and rear building lines of the main building and would be set back from neighbouring residential occupiers.

The proposal would be built hard up to the shared boundary with the Church to the north of the site, however, this Church is set back from the the application site and it is considered that the proposed extension would not result in an adverse impact to this neighbouring occupier.

It is considered that the proposal would not result in harm to neighbouring occupiers in terms of increased noise and disturbance or loss of outlook, privacy and light.

The Environmental Health Officer has reviewed the application and has raised no objection to the proposal subject to a condition to limit construction hours.

The Waste Management Officer has reviewed the application and has raised no objection to the proposal.

Thames Water has been consulted on the application and has raised no objection to the proposal.

### **Trees and Landscaping:**

In accordance with policy 28 of the Sutton Local Plan 2018, new developments will be expected to respect and retain existing landforms and natural features of application sites, including trees of amenity value, hedges and other landscape features, and make suitable provision for high quality additional landscaping.

It is considered that the proposal would not result in harm to any nearby trees of amenity value.

### **Highways & Parking:**

In accordance with policies 35 and 36 of the Sutton Local Plan 2018, development proposals will be required to make appropriate provisions for sustainable transport modes and will be assessed for their impact on the existing and proposed transport infrastructure and services, and the local environment. Additionally, policy 37 of the Sutton Local Plan 2018 requires development proposals to provide the appropriate amount of car parking and secure cycle storage in accordance with the council's restraint-based maximum car and cycle parking standards and to ensure the safe and efficient operation of the transport network.

The council's Senior Highway Engineer has reviewed the application and has raised no objection to the proposal subject to a condition to secure a Construction Logistics Plan prior to commencement.

It is noted that the application was granted prior approval under application B2017/77001 for change of use from a retail to a residential use subject to a S106 agreement to prevent future occupiers of the site from obtaining parking permits. As such, it is considered that the creation of additional accommodation at the site for the existing residential units would not result in increased parking stress in the local area.

## **CONCLUSION AND RECOMMENDATION**

The proposal would be acceptable in principle and in terms of its design quality. The proposal would not result in harm to the amenity of neighbouring occupiers and would not result in harm to nearby trees of amenity value. Furthermore, the proposal would not result in a loss of parking availability or cause harm in terms of highway and pedestrian safety.

It is therefore recommended that planning permission be granted for the reasons set out above as the proposal is in accordance with the relevant policies.

Report Author: Rory Moores  
Background Papers: DM2018/01616