

Planning Committee - Date: 25 April 2018

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

Ref: C2017/78018/FUL	WARD: C13 / CARSHALTON CENTRAL	Time Taken: 18 weeks, 2 days
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Site: 76A Westmead Road, Sutton, SM1 4JF

Proposal: Alteration, extension to front and excavation to create lower ground floor level in connection with the conversion of existing building to provide four one bedroom units and the provision of 4 car parking spaces.

Applicant: Sterling Rose Developments Ltd

Agent: Mr Matt Corcoran

**Recommendation:**

**GRANT PLANNING PERMISSION**

**Reason for report to Committee: The application is recommended for approval and there are 10 objections to the proposal. The application has also been de-delegated by Councillor Jill Whitehead.**

**Summary of why the proposal is acceptable:**

- The principle of the use of the building for residential purposes (including the loss of warehouse use) has already been established by the Prior Approval on the 18 September 2017 for the change of use of the application site from storage or distribution building (B8) to a residential use providing 4 no studio units which granted permitted development rights for the residential use. Therefore the applicant has a fall-back position of implementing the permitted development proposal of four studio flats of lower quality standards as granted under the Prior Approval permission.
- The introduction of a residential use in the area would not adversely affect any formally designated local storage, distribution or industrial servicer and the site does not make an important contribution to the functioning of the wider street block on the road frontage within the Westmead Road Local Centre. Moreover, having regard to local context and the suburban setting of the application site, it is considered that the development is of an appropriate density and would make efficient use of the land.
- For these reasons the proposal is considered acceptable and it is recommended that planning permission is granted.

## 1.0 BACKGROUND

### 1.1 Site and Surroundings

1.2 The application site comprises of a single storey warehouse building in use for the retail sale and distribution of electrical products, situated on the south side of Westmead Road. The building is set back from the public highway by approximately 24 metres. A vehicular access and parking area occupies the land in front of the building.

1.3 The surrounding area is of mixed commercial and residential character. The immediate sites to the east and south east are occupied by large warehouse buildings and to the north-east and north-west on either side of the access road to the site, the application site abuts two storey buildings with commercial on ground floor with residential above. To the south and south west of the site the application premises adjoins the rear gardens and residential buildings in Sutton Grove. The application site forms part of the wider Westmead Road Local Centre.

1.4 Since the submission of the application the applicant has altered the red line plan to encompass an additional area at the front of the site to facilitate the provision 4 no. car parking spaces which the applicant has confirmed is in their ownership.

### 1.5 Site Specific Designation

1.6 The site falls within the Westmead Road Local Centre and within an Archaeological Priority Area.

### 1.7 Relevant Planning History

1.8 There has been large number of planning applications dating from 1958 in relation to the application site and surrounding commercial and warehouse premises. The most recent and relevant is detailed below:

- C2017/77682 – Prior Approval for change of use from storage or distribution building (B8) to a residential use providing 4 no studio units was **GRANTED** on 15/09/2017.

## 2.0 APPLICATION PROPOSAL

2.1 The proposal is for the alteration, extension to the front of the building and excavation to create a lower ground floor level and the provision of 4 no. car parking spaces in connection with the conversion of the existing building to provide four one bedroom units for which prior approval has been granted.

2.2 The proposed external alterations involve the demolition of the existing entrance lobby and canopy at front of the building and the erection of chamfered projecting windows to front elevation. The development includes a basement excavation of 1.2 metres to facilitate an increase in the floor to ceiling height. Excavation is also

proposed to the front of the development to incorporate steps from ground level to the lowered front door. The proposal also provides 16 no. rooflights (sets of 4) to the existing rear sloping roof.

2.3 Four car parking spaces to the frontage of the site are proposed.

### 3.0 **PUBLICITY**

3.1 62 adjoining neighbours were notified by way of letter dated the 20 October 2017, and again by way of letters dated the 22 December 2017 and 29 March 2018. In addition, a site notice was displayed on the 15 November 2017 at the vicinity of the site in Westmead Road.

### 3.2 **Letters Received**

3.3 Letters of objection were received from 11 neighbouring occupiers as a result of public consultation.

### 3.4 **Summary of Material Representations:**

- It is family homes that are required in Sutton, not one bedroom flats.
- Will increase demand for on street car parking.
- Poor quality design and accommodation. The proposed windows would overlook neighbours.
- No refuse storage, amenity space and cycle parking provided.
- The original plan showing land ownership in red and adjoining land in blue was incorrect and misleading.
- The space allowance between the stairwell to the flats 1 and 2 and the fence to the rear of No. 76, only amounts to a distance of 500 to 600mm. This is not acceptable.
- There will be a problem with the parking when the developer submits an application for the additional development in the blue space either side of the access road.
- The existing warehouse and light industrial units in the area should be preserved.
- Overdevelopment of the site.
- The new front façade treatment is overbearing and dominant in the area.
- Overlooking and loss of privacy to neighbouring properties particular to the single storey unit at No. 75.
- There are existing traffic hazards in the vicinity of the site including a zebra crossing, bend in road, bus stop, tree trunks and narrowing of the road.
- The proposal to render the building is not possible as the existing building is already on the boundary line and applying render will constitute trespass and encroach on neighbouring land.
- The site is in an area with a high risk of flooding. There is a history of major flooding in the area from sewers.
- No garden space provided.
- What happens to the parcels of land on either side of the car access corridor?

- No landscaping scheme has been provided.

3.5 **Summary of Non-Material Representations:**

- Inadequate means of escape within the development.

3.6 **Internal Consultations:**

3.7 Principal Highways Engineer: No objection, subject to conditions.

3.8 Environmental Protection Officer: No objection, subject to conditions.

3.9 Waste Management: Waste Strategy required

3.10 Sustainability Officer: No objections.

3.11 **External Consultation**

3.12 None.

3.13 **Councillor Representations**

3.14 Councillor Jill Whitehead has written requesting that the application be delegated on the following grounds:

- It is stated that this area is one that regularly gets flooded during periods of wet weather every year, and this is recognised in the Borough's flooding plan, where Westmead Road is specifically mentioned. Basement flats make no sense at all.
- This is also an area with acute parking problems, and this development of four one bed units will add to those.
- Carshalton Central has a need for family housing (3 beds), and not any more one bed flats.

4.0 **MATERIAL PLANNING POLICES**

4.1 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 (as amended) 2016
- Sutton's Local Plan 2018

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

- The London Housing SPG
- Human Rights Act 1998
- Equalities Act 2010

#### 4.3 London Plan

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 6.9 Cycling
- 6.12 Road network capacity
- 6.13 Parking
- 7.5 Public realm
- 7.6 Architecture
- 8.3 Community infrastructure levy

#### 4.4 Sutton's Local Plan 2018

- 1 Sustainable Growth
- 7 Housing Density
- 9 Housing Sizes
- 13 Housing and Garden Land
- 14 Industrial Land
- 28 Character and Design
- 29 Protecting Amenity
- 31 Carbon and Energy
- 32 Flood Risk and Sustainable Drainage
- 33 Climate Change Adaptation
- 34 Environmental Protection
- 36 Transport Impact
- 37 Parking
- 38 Infrastructure Delivery

#### 4.5 Supplementary Planning Documents

- SPD14 Sutton's Urban Design Guide

#### 5.0 **PLANNING CONSIDERATIONS**

5.1 The principal planning considerations (including whether any material planning objections have been reasonably addressed) for this application are

- **Principle of Development**
- **Design Quality**
- **Trees and Landscaping**
- **Density**
- **Impact on Neighbours**
- **Internal and External Amenity Space**

- **Parking and Highway Safety**
- **Waste and Refuse Provision**
- **Sustainability**
- **Flood Risk**
- **Public Sector Equality Duty (PSED) and Human Rights**
- **Financial Contributions**

## 5.2 **Principle of Development**

- 5.3 The National Planning Policy Framework (NPPF) is a set of national guidelines from which the principles of modern planning are cascaded into local planning policy, and it requires the Council to make the most efficient use of land by maximising the re-use of previously developed land and the conversion of existing buildings, with the presumption in favour of sustainable residential development at its heart.
- 5.4 Policy 3.3 of the London Plan sets out that the Mayor will seek to ensure that identified housing need is met, particularly through provision consistent with at least an annual average of 42,000 net additional homes across London which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners. Policy 3.3 further sets out that boroughs should seek to enable additional development capacity to be brought forward to supplement the borough's housing target, and this additional capacity can come from a range of sources including intensification, redevelopment and the sensitive renewal of existing residential areas.
- 5.5 Policy 1 of Sutton's Local Plan 2018 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF and further states that the council will make provision for new homes to meet London's housing needs and local housing needs by aiming to deliver at least 6, 045 new homes over the plan period (2016-2031).
- 5.6 The principle of the use of the building for residential purposes (including the loss of warehouse use) has already been established by the Prior Approval on the 18th September 2017 for the change of use from storage or distribution building (B8) to a residential use providing four studio units which granted permitted development rights for the residential use (ref: C2017/77682). The introduction of a residential use in the area would not adversely affect any formally designated local storage, distribution or industrial servicer and the site does not make an important contribution to the functioning of the wider street block on the road frontage within the Westmead Road Local Centre.
- 5.7 The current application through its proposed alterations and extensions and provision of four parking spaces would improve the standard and quality of accommodation by providing the flats with larger living space. It should be noted that the applicant has a fall-back position of implementing the permitted development proposal of four studio flats of lower quality standards. Given this scenario officers do not consider the application can be reasonably refused planning permission.

- 5.8 It is noted that site does not fall within an “Area of Potential Intensification”. Technically outside Areas of Potential Intensification Local plan policy, would support retention and provision of family units. However the application site which does not involve the loss of any existing family housing is situated within largely a commercial road frontage where the pattern of development is one of ground floor commercial units with non-family flats above. It is considered that this site, set within the Westmead Road Local Centre and its proximity to large Warehouse units, the provision of family housing would not be acceptable and would not conform to the prevailing form of development.
- 5.9 The application proposal would support the principles of the NPPF which encourages the use of land by maximising the re-use of previously developed land and the conversion of existing buildings, with the presumption in favour of sustainable residential development at its heart.
- 5.10 It is therefore considered that the principle of development has largely been established for the site. As such, it is considered that the proposed development is acceptable in principle, subject to the matters discussed below.
- 5.11 **Design Quality**
- 5.12 Policy 28 of the Sutton’s Local Plan 2018 states that planning permission will be granted for new development, provided it is attractive and designed to the highest standard, respects the local context and responds to local character, is of a suitable scale, massing and height, makes a positive contribution to the public realm, and responds to natural features of the site.
- 5.13 In addition, Sutton’s Urban Design Guide ‘Creating Locally Distinctive Places’ SPD (SPD14) seeks to ensure that development respects the positive features that contribute to the character and appearance of an area, which includes, among other features, boundary treatments and materials. As such, development will be expected to respect the local character, by ensuring that the scale of development is appropriate and having regard to the existing characteristics of an area.
- 5.14 The application building due to its considerable set back does not form or contribute to the existing pattern of modestly scaled road frontage developments in Westmead Road. Instead the proposed development should be viewed in the context of the neighbouring warehouse/industrial scale uses. The proposed extension and external alterations to the building are of minor scale and relate primarily to the frontage of the building apart from the rooflights to the rear roof slope. Given the largely commercial outlook and functional design of the neighbouring properties it is considered that the proposed extensions and external alterations would be acceptable in the context of the site and surroundings and would not harm the character and appearance of the streetscene given the set back of the site from the street frontage.
- 5.15 It is further considered that the overall appearance of the proposed units is acceptable, recognising that the proposed dormers to the front and rear help to break

up the roofslope, providing visual relief which lessens the impact of the increase in built form in the area. Limited details have been provided on the use of materials, and these details would be secured by way of a condition requiring the submission of details prior to the commencement of works.

5.16 Taking all of the above into account, it is considered that the proposed scheme is acceptable in terms of its overall bulk, massing and detailed design, and the proposal would generally accord with Policy 28 of the Local Plan 2018 and Sutton's Urban Design Guide SPD, and it is considered that the proposal is therefore acceptable in this regard.

5.17 **Trees and Landscaping**

5.18 Policy 28 of Sutton's Local Plan 2018 states that new development, where appropriate, should make suitable provision for new planting, trees, and boundary treatments and incorporate well-designed soft and hard landscaping as an intrinsic feature of any proposal. It further sets out that where trees are present on site, a landscaping scheme should be submitted with the application which makes provision for the retention of existing trees, especially those which are significant within the local landscape.

5.19 The area within the red line site curtilage appears to offer limited scope for any detailed landscaping. However specific details would be required by planning condition to ensure outlook and aspect of the site on its frontage can be softened and improved from its existing rather stark hard landscaped situation.

5.20 **Impact on Neighbours**

5.21 Policy 29 of the Sutton's Local Plan 2018 states that the Council will grant permission for development unless it can be shown that the development would adversely affect the amenities of future occupiers, or those currently occupying adjoining or nearby properties, or has an unacceptable impact on the residents of the surrounding area. The loss of amenity can relate to a loss of privacy, a loss of outlook or the creation of a sense of enclosure, a loss of daylight or sunlight, an increase in noise and disturbance, an increase in odours, smokes and fumes, or the effect of traffic movement to, from and within the site and car parking areas.

5.22 The Design of Residential Extensions SPD (SPD4) sets out that separation distances between facing windows should be at least 20 metres, and in areas of low density, this can be increased to 35 metres.

5.23 The proposed development would be situated about 16 metres from the rear of existing properties to the north-west at No's 76 and 78 Westmead Road. The ground floors of these properties are in commercial use, with residential uses on the first floors. The main habitable room windows to the proposed units are angled away to the side; therefore there would not be any direct overlooking to the existing windows at first floor level of No's 76 and 78. However there would be direct overlooking between the first floor window to the stairwells of proposed units 1 and 2 to rear of

first floor windows at No. 76. Therefore a planning condition is proposed to ensure that the proposed first floor windows to the stairwell are fixed and obscure glazed. In relation to the impact on the first floor flat at No's 80 and 82 Westmead Road, given the angled design of the main habitable windows of the development any overlooking would be extremely oblique and it is not considered there would be any material overlooking to these neighbours. Due to the significant distance it is not considered that the development would result in any material loss of light and outlook to No's 76 to 82 Westmead Road

- 5.24 In relation to impact on 71-74 Westmead Road situated to the north-east and No. 745 a single storey unit set to the rear of No 74 which appears to be in residential use, no undue overlooking would occur due to the angled nature of the proposed habitable room windows of the development. No material loss of light and overlooking would occur to these properties.
- 5.25 In relation to impact on No's 60 – 64 Sutton Grove to the south and south west, the proposed rooflights to the development due to their orientation would not directly overlook any of these neighbouring properties. The proposal would not increase the scale and bulk of the development at the rear (south); therefore, there would not be any material loss of light and outlook to these neighbouring properties.
- 5.26 Any potential noise and disturbance as a result of the proposed use of the four dwellings, would be associated with residential uses, which is typically low impact, and would be less than the existing warehouse, the use of which is not controlled by any existing planning conditions, it is considered that this increase would be negligible in the context of existing circumstances and would not have a significant impact on the amenities of nearby residential properties.
- 5.27 It is therefore considered that the proposal is acceptable in terms of its impact on nearby residential amenity, and the proposal would generally accord with Policy 29 of Sutton's Local Plan 2018 and The Design of Residential Extensions SPD.
- 5.28 **Standard of Accommodation**
- 5.29 Dwelling sizes within proposals for new residential dwellings should conform to the minimum space standards set out in policy 3.5 of the London Plan. London Plan Table 3.3 and Housing SPG Baseline Standard 4.1.1 set out the minimum gross internal area for new dwellings. London Plan requires primary bedrooms to have a minimum of 12sq.m floor area. The London Plan standards are supported by Policy 9 of Sutton's Local Plan 2018. In addition, Standard 26 of the Mayor's London Housing SPG sets out that a minimum of 5 sqm of private outdoor open space should be provided for 1-2 person dwellings and an additional 1 sqm should be provided for each additional occupant.
- 5.30 The proposal is for four one-bedroom units, with a kitchen dining room on the ground floor front and the bedroom to the rear. A mezzanine floor would provide a living room on the first floor front part of the building. The development includes a basement excavation of 1.2 metres to facilitate increase in floor to ceiling height to

the kitchen / dining room, which would also be provided with angled windows to provide light. A similar window arrangement is proposed to the first floor living room. The rear bedroom would be lit by 4no. rooflights per unit set within the rear sloping roof.

- 5.31 The proposed units would be 1 bed 2 person units, and would be provided with approximately 76sq.m of internal floorspace per unit including floor space within the mezzanine floor. This would meet and exceed the London Plan requirements of 58 sq.m for 1 bed 2 person units set on two floors.
- 5.32 Table 3.3 of the London Plan (March 2016) goes on to say that to address the unique heat island effects of London and the distinct density a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The proposed units would meet these requirements and sufficient headroom and lighting would be provided.
- 5.33 The Mayor's Housing SPG Baseline Standards 4.10.1, 4.10.2 and 4.10.3 relate to private amenity space. The standard is quantified as 5sqm for 1-2 person dwellings and says that an extra 1sqm should be provided for each additional occupant. The proposal would not provide any external amenity space for the flats.
- 5.34 However on balance, officers do not consider that the non-provision of amenity space would be a justifiable reason for refusal of planning application. Officers note that the applicant has a fall-back position of implementing the permitted development proposal of four studio flats of lower quality standards (granted under ref: C2017/77682). The current application through its alterations and extension including provision of additional floorspace, headroom and windows and parking spaces has in fact improved the standard and quality of accommodation. Therefore given this scenario officers do not consider the application can be reasonably refused planning permission. It is also noted that the Public Open Space at Benhill Recreation Ground is situated within easy walking distance to the north-west of the site.
- 5.35 **Parking and Highway Safety**
- 5.36 Policy 37 of Sutton's Local Plan 2018 states that new developments will be expected to provide car parking in accordance with the council's restraint-based, maximum car parking standards taking into account public transport accessibility levels, existing publicly available parking provision and usage in the vicinity of the site, and the need to deter unnecessary car use while avoiding overspill parking problems. New developments will also be required to provide cycle parking in accordance with the council's cycle parking standards.
- 5.37 The proposal includes four parking spaces, with one allocated to each of the four units set outside the frontage of the building. The application since submission has been revised to increase the number of car parking spaces from originally proposed two to four, and further revised to ensure that sufficient manoeuvring space is

provided for the vehicles using these parking spaces. The parking spaces would be acceptable and the Council's Principal Highways Engineer having assessed the revised parking arrangements have not raised any objections subject to condition on the submission of a Construction Logistics Plan/Construction Management Plan to be submitted for approval prior to construction.

5.38 No indication of the provision of cycle spaces has been provided, and this would be secured by way of a condition to ensure the development encourages sustainable modes of transport.

5.39 It is therefore considered that the proposal accords with Policy 37 of Sutton's Local Plan, would provide an adequate amount of on-site parking and would be accessed in a safe and convenient manner. As such, the proposal is considered acceptable in this regard.

5.40 **Waste and Refuse Provision**

5.41 The London Housing SPG states that storage facilities for new developments should be provided in accordance with local authority requirements and should meet British standard codes of practice. Communal refuse and recycling areas and enclosures should be easily accessible to all residents including wheelchair users, and located on a hard, level surface.

5.42 No details of waste and refuse storage have been submitted with the application. However space for storage is available within the frontage of the site. As such, the exact arrangement of these matters is secured in perpetuity by way of a condition requiring the submission of details prior to the first occupation of any of the proposed units.

5.43 **Sustainability**

5.44 No details of energy efficiency measures or renewable technologies have been provided to enable the carbon/ energy performance of the proposed development to be evaluated against the requirements of Policy 31 of Sutton's Local Plan 2018 and London Plan Policy 5.2. There is therefore a need for an Energy Statement to be submitted to show how each of the dwellings will: minimise CO<sub>2</sub> emissions through application of the Mayor's energy hierarchy to achieve a minimum 19% reduction in regulated CO<sub>2</sub> emissions below the target emission rate (TER) based on Part L1A of the 2013 Building Regulations; and achieve at least a 10% reduction in total CO<sub>2</sub> emissions (regulated and unregulated) through on-site renewable energy generation. This is secured by way of a condition.

5.45 **Flood Risk**

5.46 Policy 32 of Sutton's Local Plan 2018, London Plan Policy 5.13 and the Mayor's Sustainable Design and Construction SPG require all proposed developments to use SuDS unless there are practical reasons for not doing so and aim to achieve greenfield run-off rates by managing run-off as close to source as possible in line

with the Mayor's drainage hierarchy to ensure that the runoff rate in the 1 in 100 year rainfall event (plus 30% for climate change) is no more than three times the calculated greenfield rate for the same event.

- 5.47 Council's Sustainability officer has stated that the site is at 'medium risk' of surface water flood according to the Environment Agency's (EA) updated flood map for surface water. Medium risk means that the annual chance of surface water flooding is between 1% and 3.3%, broadly equivalent to EA Flood Zones 2 and 3a according to the British Geological Survey 'Susceptibility to Groundwater Flooding' map included in Appendix A to the SFRA Level 1 Report, the site is located at the boundary of areas with 'potential for groundwater flooding of property situated below ground level' and areas with 'potential for groundwater flooding to occur at surface' respectively. Connected to this is the fact that the site is located in close proximity to the Sutton spring line; the development site is located quite close to a historical sewer flooding event at the Westmead Road/ Sutton Road junction.
- 5.48 At the request of the Council's Sustainability Officer the applicant has submitted a site specific flood risk assessment (FRA), site drainage (SuDS) strategy which assess all sources of flood risk both to and from the development and identify suitable flood risk management measures to ensure that "future occupants and adjacent land uses remain safe through the lifetime of the development. In addition since submission of the application a Basement Impact Assessments (BIA) has also been submitted to assess groundwater level/flow, land and structural stability.
- 5.49 The Sustainability officer has considered the FRA and the BIA submitted and considers these documents to be acceptable and raises no objections to the proposal. A planning condition is proposed to ensure that the submitted details are implemented prior to occupation of the dwellings.
- 5.50 **Land Contamination**
- 5.51 Council's Pollution Control team has stated that they are aware of former and current potentially contaminative land uses in the wider area, and that planning records suggest that the site was formerly used for the repair and painting of vehicles. Therefore a suitable contaminated land assessment(s) would be required by way of a planning condition and a further condition would require details of a remedial strategy should any remedial works are required. These would be pre-commencement conditions.
- 5.52 **Public Sector Equality Duty (PSED) and Human Rights**
- 5.53 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.

5.54 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.

5.55 **Financial Contributions**

5.56 The London Borough of Sutton introduced its Community Infrastructure Levy (CIL) charging schedule in April 2014. Any new build, that is a new building or an extension, is only liable for the levy if it has 100 square metres, or more, of gross internal floor space or creates an additional residential unit and is charged at a rate of £100 per sqm. This is in addition to the Mayor's CIL charged at £20 per sqm. CIL is charged on the total net additional floorspace created (measured as Gross Internal Area).

5.57 All Local Authorities are required to index the CIL charges to take account of price increases between the time when charging schedules setting out an authority's rate come into force, and the time at which planning permission is granted. In this instance the London Borough of Sutton's CIL has been indexed from its adoption in April 2014 and the Mayoral CIL indexed from its adoption in April 2012.

5.58 The proposed development scheme would create four units, and would relate to 361.22 sqm of residential floorspace, and is therefore CIL liable. As such, the proposed scheme would be liable to pay £51,940.26, with £42,772.08 and £9,168.18 payable as Sutton's CIL and the Mayor's CIL respectively.

6.0 **Conclusions and Recommendations**

6.1 The proposal is considered to be acceptable in principle, having regard to local context and the mixed commercial/ residential character of the area. In addition, it is considered that the design of the proposed units is acceptable, and would not readily visible from the streetscene.

6.2 In addition, it is considered that the proposed development would not have a significant impact on nearby residential amenity, by reason the location of the proposed units and the long separation distances which would be maintained.

6.3 Furthermore, it is considered that there would be adequate off-street parking provision, and the units would provide a good standard of living for future occupiers.

6.4 For these reasons the proposal is considered acceptable and it is recommended that planning permission is granted.

**G**

Mr Matt Corcoran  
First Floor  
Argyle House  
Joel Street  
Northwood Hills  
HA6 1NW

C2017/78018

**DRAFT**

**WARNING:** It is in your interests to ensure you obtain the approval of the Local Planning Authority, where the conditions require that to occur. Failure to comply with the following conditions may lead to enforcement action to secure compliance.

## FIRST SCHEDULE

76A Westmead Road), Sutton, SM1 4JF

Alteration, extension to front and excavation to create lower ground floor level in connection with the conversion of existing building to provide four one bedroom units and the provision of 4 car parking spaces.

## SECOND SCHEDULE

(1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

(2) Prior to commencement of development works, a contaminated land assessment shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent harm to human health and pollution of the environment in accordance with Policy 34 of Sutton's Local Plan 2018.

(3) Should remedial works be required, the remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of the development works and remedial works. On completion of the agreed remedial works, a closure report and certificate of compliance endorsed by the interested party/parties, shall be submitted to and agreed in writing by the Local Planning Authority, prior to the occupation of the site by end users.

Reason: To prevent harm to human health and pollution of the environment in accordance with Policy 34 of Sutton's Local Plan 2018.

(4) Prior to the commencement of the development (including groundworks and site clearance works), a revised Construction Management Plan, to include details of: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials (d) programme of works (including measures for traffic management) (e) provision of boundary hoarding, behind any visibility zones (f) construction traffic routing. (g) hours of operation (h) means to control dust (i) means to control noise (j) means to prevent deposition of mud on the highway shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be constructed in accordance with the approved statement.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance. In preparing the Construction Method Plan, the applicant should refer to the GLA's Supplementary Planning Guidance on The Control of Dust and Emissions During Construction and Demolition to identify best practice.

(5) Before the development hereby permitted is commenced, an acoustic report shall be submitted to and agreed in writing by the Local Planning Authority. It must include a scheme for protecting the proposed dwellings from commercial noise. Any works which form part of the scheme shall be completed before any of the dwellings are occupied.

Reason: To protect the amenity of the future occupants from noise ingress in line with Sutton's Development Policy DM12

(6) Prior to first occupation, written confirmation that the approved measures to manage all sources of flood risk, including from surface water run-off and groundwater, have been implemented as part of the development as-built in accordance with the submitted 'Phase 1 Flood Risk Assessment 3740 /3741' (Ambiental, 6 March 2018) and the 'Basement Impact Assessment 2018-002-032-002' (Stephen Buss, 7 March 2018) must be submitted to the Local Planning Authority and approved in writing.

Where different from the approved details, further calculations carried out by an appropriately qualified professional must be provided to show that the measures implemented will avoid or minimise all sources of flood risk to and from the development for all events up to and including the i in 100 year storm event including climate change.

Reason: To comply with London Plan Policy 5.13 and Local Plan Policy 32.

(7) No works shall take place until the type and treatment of the materials, including samples, to be used on the exterior of the building(s) has been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the construction of the development hereby approved, completed prior to its occupation/use and retained thereafter.

Reason: To safeguard the visual amenities of the area and to ensure compliance with Policy 28 of Sutton's Local Plan 2018.

(8) Prior to above ground works on site, an Energy Statement incorporating 'as-designed' Building Regulations Part L outputs prepared under the Standard Assessment Procedure (SAP) must be submitted to the Local Planning Authority and approved in writing which demonstrates how each of the dwellings will apply the Mayor's energy hierarchy (use less energy, supply energy efficiently and use renewable energy) to secure at least a 19% reduction in CO2 emissions below the target emission rate (TER) based on Part L1A of the 2013 Building Regulations and achieve at least a 10% reduction in total emissions (regulated and unregulated) through on-site renewable energy generation.

Reason: To comply with Policy 31 of Sutton's Local Plan 2018.

(9) Prior to the first occupation of any of the dwellings, 'as-built' Building Regulations Part L outputs prepared under the Standard Assessment Procedure (SAP) shall be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved details.

If the development is unable to meet the required reduction in CO2 emissions through the approved energy strategy, then any shortfall shall be made up through the application of further sustainability measures unless otherwise approved by the Local Planning Authority in writing.

Reason: To comply with Policy 31 of Sutton's Local Plan 2018.

(10) Prior to the first occupation of any of the dwellings hereby approved, a completed Water Efficiency Calculator for New Dwellings must be submitted to the Local Planning Authority and approved in writing to show that internal potable water consumption for each of the dwellings will be limited to 110 litres per person per day (l/p/d) based on the Government's national calculation method for water efficiency for the purpose of Part G of the Building Regulations. The Water Efficiency Calculator shall be accompanied by details of the location and type of all appliances or fittings that use water, the capacity or flow rate of any equipment and any rainwater or greywater collection systems incorporated as part of the development.

Reason: To comply with Policy 33 of Sutton's Local Plan 2018.

(11) Prior to the first occupation of any of the dwellings hereby approved, full details of the secure cycle storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority which shall show their positioning within the site, and the size and materials of the enclosure. The approved details shall be implemented on site prior to the first occupation of the development hereby approved and thereafter permanently retained in accordance with the approved details.

Reason: To ensure the development provides an adequate level of cycle parking facilities and to encourage sustainable modes of transport.

(12) Prior to the first occupation of the development hereby approved, a scheme of landscaping and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority, and the approved details shall thereafter be permanently retained. The submissions shall include details of all hard and soft landscaping. All landscaping shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

Reason: To ensure the provision, establishment, and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy 28 of Sutton's Local Plan 2018.

(13) Prior to the first occupation of any of the dwellings hereby approved, full details of the waste and refuse and recycling storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority which shall show their positioning within the site, and the size and materials of the enclosure. The approved details shall be implemented on site prior to the first occupation of the development

hereby approved and thereafter permanently retained in accordance with the approved details.

Reason: To avoid harm to the character and appearance of the streetscene and local area in accordance with Policy 28 of the Sutton Local Plan 2018 and to ensure adequate provision of refuse and recycling facilities in the interests of amenity for future and neighbouring occupiers in accordance with Policy 5.17 of the London Plan and Policy 29 of the Local Plan.

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no part of the building shall be used as a house in multiple occupation without planning permission from the local planning authority.

Reason: In order that the Local Planning Authority may exercise further control of potential impacts from a house of multiple occupation and in the interests of highway safety, the amenities of occupiers of nearby properties and the amenities of the future occupiers of the building and to comply with Policy 28 of Sutton's Local Plan 2018.

(15) The first floor windows to the staircase on the front (north) elevations of the residential units hereby approved shall be glazed with obscure glass and fixed shut to a height of 1.7 metres above the finished floor level of the room in which the window is installed in a manner that they cannot be opened and so maintained.

Reason: To safeguard the current level of privacy enjoyed by the occupants of adjoining properties in accordance with and to ensure compliance with Policy 29 of Sutton's Local Plan 2018.

(16) No windows shall be provided in the side elevations of the development hereby approved.

Reason: To protect the amenities of adjoining occupiers and to ensure compliance with Policy 29 of the Sutton's Local Plan 2018.

(17) The site and building works required to implement the development shall be only carried out between the hours of 08.00 and 18.00 Mondays to Fridays and between 08.00 and 13.00 on Saturdays and not at all on Bank Holidays and Sundays.

Reason: To protect the amenity of nearby residential properties during the build process.

(18) Prior to the first occupation of the development hereby approved, space for the parking of four cars and space for the manoeuvring of vehicles, as shown on Drawing No. P9/006 Rev B shall be provided, with one space allocated to each of the proposed dwellings, and these space shall be permanently retained for this use only.

Reason: To ensure the proposed development does not lead to an increase in on-street parking and in accordance with Policy 37 of Sutton's Local Plan 2018.

## INFORMATIVES

(1) Any assessment must be completed in line with CLR 11: The Model Procedures for the Management of Land Contamination, BS 10175:2011+A1:2013 Investigation of potentially contaminated sites. Code of practice, and any other relevant guidance and code of practices.

(2) The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

The closure report shall include details of the proposed remedial works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean up criteria shall be included in the closure report together with the necessary "Duty of Care" documentation detailing what waste material have been removed from the site.

All work should be in accordance with the HSE document "Protection of workers & the general public during the development of Contaminated Land".

(3) The Environmental Health Service advises that sound insulation should be provided to ensure that the noise level of 35 dBLAeq,16 hour in living rooms and bedrooms during the daytime (0700 to 2300 hours) and 30 dBLAeq,8 hour and 45 dBLAFmax during the night time (2300 to 0700 hours) in bedrooms in accordance with BS8233:2014 and World Health Organisation, Guidelines of Community Noise shall not be exceeded.

Where these levels cannot be meet with windows open appropriate acoustic ventilation should be provided so that the room can be sufficiently ventilated. The acoustic performance of any passive vent, variable speed mechanical air supply unit or whole house ventilation must be sufficient to ensure that the noise level standards given above are not compromised.

(4) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 5000 before proceeding with the work.

(5) This application has been assessed against the relevant policies of the London Plan 2016, Sutton's Local Plan 2018. The proposal is generally in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

(6) The Council consider that this permission is liable for a contribution under the Community Infrastructure Levy (CIL). Before work commences you must complete an Assumption of Liability Notice (Form 1) and return this to

developmentmanagement@sutton.gov.uk. This form can be found online at - [https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructu re\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructu_re_levy/5). Further details of what to submit and timescales in relation to the Community Infrastructure Levy can be found online at - <https://www.gov.uk/guidance/community-infrastructure-levy>. Please note that penalty surcharges will be added to any contributions should the above guidance not be followed.

(7) NAMING AND NUMBERING. This permission creates one or more new units which will require a correct postal address. Contact the Street Naming & Numbering Section at 24 Denmark Road, Carshalton, Surrey SM5 2JG, telephone 020 8770 6369 or e-mail [street.naming@sutton.gov.uk](mailto:street.naming@sutton.gov.uk).

(8) The permission hereby granted confers no rights on the applicant to encroach upon, extend over or otherwise enter upon property not in his ownership for any purposes connected with the implementation of this planning permission.