

Planning Committee - Date: 25 April 2018

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

Ref: DM2018/00233	Ward: C11 / Wandle Valley	Time Taken: 10 weeks, 1 day.
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Site: 36 Seymour Road, Mitcham Junction, Mitcham, CR4 4JX
 Proposal: Erection of a two storey side extension.
 Applicant: Mrs S Kelly
 Agent: N/A

Recommendation:

GRANT PLANNING PERMISSION

Reason for Report to Committee: The applicant is related to an employee of the council.

Summary:

- The proposal would be acceptable in terms of its appearance, its impact on neighbours and its impact on the highways network.

1. BACKGROUND

1.1 Site and Surroundings

1.2 The application site comprises an end of terrace property sited on the southern side of Seymour Road, adjacent to the junction with York Street. The host property is a two-storey house, with a gable end, and a two-storey rear projection which is an original feature, and a common element of the properties within this terrace.

1.3 The surrounding area is predominantly residential, comprised mostly of short rows of terraced properties, although there are examples of semi-detached and detached houses, and purpose built flatted-developments within the locality.

1.4 Site Specific Policy Designations

1.5 The application site lies within an Archaeological Priority Area, a Decentralised Energy Opportunity Area and Beddington Corner Area of Special Local Character (ASLC).

1.6 Relevant Planning History

1.7 None.

2.0 **APPLICATION PROPOSAL**

2.1 The proposal is to erect a two-storey side and rear extension, which would partly infill the space between the original rear projection and the site's western boundary adjacent to York Street. The proposed extension would have a depth at ground floor level of 0.5 metres and a depth of 1.2 metres at first floor level. The extension would increase the size of the ground floor dining room and one of the bedrooms at first floor level.

3.0 **PUBLICITY**

3.1 8 adjoining neighbours were notified by way of letter dated the 16th February 2018.

3.2 **Letters Received**

3.3 No letters were received as a result of public consultation.

3.4 **Internal Consultations**

3.5 None.

3.6 **External Consultation**

3.7 None.

3.8 **Councillor Representations**

3.9 None.

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

- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 8.3 Community infrastructure levy

4.4 Sutton's Local Plan 2018

- 1 Sustainable Growth
- 28 Character and Design
- 29 Protecting Amenity
- 30 Heritage
- 34 Environmental Protection
- 36 Transport Impact
- 37 Parking
- 38 Infrastructure Delivery

4.5 Supplementary Planning Documents

- SPD1 Designing Out Crime
- SPD4 The Design of Residential Extensions
- 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

- **Design Quality**
- **Impact on Neighbours**
- **Parking and Highway Safety**
- **Public Sector Equality Duty (PSED) and Human Rights**
- **Financial Contributions**

5.2 **Design Quality**

5.3 Policy 28 of Sutton's Local Plan states that council will grant planning permission for new development provided that it is attractive, designed to the highest standard and uses high quality materials. In addition, new development should respect the

local context and respond to local character, make a positive contribution to the streetscene, and responds to any natural and landscape features of the site.

- 5.4 Policy 30 of Sutton's Local Plan states that the Council will preserve and, where practicable, enhance the borough's historic environment. As such, development that has an impact on a heritage asset will be expected to conserve and enhance its significance and new development will be expected to integrate into the historic environment and be of a very high quality.
- 5.5 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.
- 5.6 The Design of Residential Extensions SPD (SPD4) sets out that extensions should appear subordinate to the original house, to ensure they harmonise with the surrounding built form and do not dominate the appearance of the streetscene. To achieve this, SPD4 recommends that two-storey rear extensions to terraced properties should generally be resisted, including infilling the void of Victorian terraced properties with existing rear projections.
- 5.7 Whilst SPD4 recommends that two-storey extensions be resisted, the host property is an end-of-terrace property, and the proposed extensions would be modest in the context of the existing house and the surrounding area. Moreover, recognising that the site lies within Beddington Corner ASLC, which is characterised by Victorian terraced and semi-detached properties, it is considered that the important features of the site and area, notably the existing two-storey rear projection, would remain as the prominent features of the site, and on this basis, it is considered that the character and appearance of the ASLC would not be adversely affected.
- 5.8 As such, it is considered that the proposal would accord with the principles of good design set out in Policy 28 of Sutton's Local Plan 2018 and SPD14, and would generally accord with the principles of SPD4, insofar as it seeks to ensure that extensions read as subordinate additions to existing houses.
- 5.9 **Impact on Neighbours**
- 5.10 Policy 29 of Sutton's Local Plan states that the council will not grant planning permission for development if it adversely affects 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. As such, in assessing the impact of a proposed development, the council will take into consideration a loss of privacy, a loss of sunlight or daylight, and increase in noise and disturbance, the creation of a sense of enclosure or the loss of outlook, effects on microclimate, and odours, smokes fumes and dust.

- 5.11 In addition, the Design of Residential Extensions SPD (SPD4) sets out that due consideration should be given to the siting of developments, especially in a tightly constrained plots, as unsympathetic developments can result in a significant loss of light and outlook to nearby residential properties, or can result in a loss of privacy to nearby residential properties.
- 5.12 The proposed extensions would partially infill the gap between the existing two-storey rear projection and the boundary facing York Street, and as a result of the extension, part of the rear wall of the host property would be extended southward by 0.5 metres and 1.2 metres at ground and first floor level respectively.
- 5.13 The proposed extension would not be visible from the adjoining gardens to the east, and the closest properties to the west are approximately 20 metres away. In addition, the closest properties to the west would face the extension, and noting the modest size and bulk of the proposal, it is considered that their outlook and light would not be affected. Furthermore, the property immediately to the south at No. 17 York Street has no side facing windows which would be affected, noting further that there is an existing tree in the garden of No. 36 Seymour Road which would provide some seasonal screening in any case.
- 5.14 Based on the above, it is considered that the proposed extension would not have a significant impact on the amenity of any adjoining property, and the proposal would accord with Policy 29 of Sutton's Local Plan and the guidance set out in SPD4.
- 5.15 **Parking and Highway Safety**
- 5.16 Policy 37 of Sutton's Local Plan states that new developments should provide the appropriate amount of car parking in accordance with the council's restraint based, maximum car parking standards, taking into account Public Transport Accessibility Levels (PTALs), 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.
- 5.17 The proposed development would not increase the number of bedrooms within the existing property, and would only marginally increase the internal floorspace. As such, there would be no additional parking requirements as a result of the proposal and it is considered that there would not be an impact on highway safety.
- 5.18 **Public Sector Equality Duty (PSED) and Human Rights**
- 5.19 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.

5.20 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, is compatible with the Act.

5.21 **Financial Contributions**

5.22 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).

5.23 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.

5.24 The proposal would not be CIL liable as no additional residential units are proposed and the increase in floorspace is significantly below the 100 sqm threshold.

6.0 **Conclusions and Recommendations**

6.1 The proposed extension would appear as a modest and subordinate addition to the original house, would not adversely affect the character and appearance of the ASLC and would not have a significant impact on the amenities of any adjoining property.

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

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DM2018/00233

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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

36 Seymour Road, Mitcham Junction, Mitcham, CR4 4JX

Erection of a two storey side extension

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) All external facing materials, treatments and finishes shall be similar to those of the original building and maintained and retained thereafter. This applies unless differences are shown on the drawings we have approved.

Reason: To ensure that the extension harmonises with the existing building and to ensure compliance with Policy 28 of the Sutton Local Plan 2018.

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