

DELEGATED REPORT

REF No: 18/14968/HOU

SITE: 60 Portland Avenue, New Malden,
KT3 6BA

WARD: St James

PROPOSAL:

Conversion of garage into habitable room

Plan Type: Householder

Expiry Date: 24/12/2018

APPLICANT'S PLAN NOS:

AD/18500/01/1	Existing Ground Floor Plan	Received	12/10/2018
AD/18500/02/1	Existing First Floor Plan	Received	12/10/2018
AD/18500/03/1	Existing Roof Plan	Received	12/10/2018
AD/18500/05/1	Existing Front Elevation	Received	12/10/2018
AD/18500/06/1	Existing Rear Elevation	Received	12/10/2018
AD/18500/07/1	Existing Side Elevation	Received	12/10/2018
AD/18500/10/1	Existing Section A-A	Received	12/10/2018
AD/18500/15/1	Existing View From Neighbouring Property	Received	12/10/2018
AD/18500/16/1	Existing View From Neighbouring Property	Received	12/10/2018
AD/18500/21/1	Proposed Ground Floor Plan	Received	12/10/2018
AD/18500/22/1	Proposed First Floor Plan	Received	12/10/2018
AD/18500/23/1	Proposed Roof Plan	Received	12/10/2018
AD/18500/25/1	Proposed Front Elevation	Received	12/10/2018
AD/18500/26/1	Proposed Rear Elevation	Received	12/10/2018
AD/18500/27/1	Proposed Side Elevation	Received	12/10/2018
AD/18500/30/1	Proposed Section A-A	Received	12/10/2018

AD/18500/35/1 Proposed View From Neighbouring Property	Received	12/10/2018
AD/18500/36/1 Proposed View From Neighbouring Property	Received	12/10/2018
AD/18500/AA/1 Site Location Plan	Received	12/10/2018
AD/18500/BB/1 Block Plan	Received	12/10/2018
Design & Access Statement	Received	12/10/2018

PLANNING POLICY GUIDANCE/PLANNING POLICY STATEMENTS

DEVELOPMENT PLAN:

Mayor for London
 London Plan March 2016 (consolidated with alterations since 2011)
 LDF Core Strategy Adopted April 2012
 Kingston Town Centre AAP 2008

POLICIES

	LONDON PLAN MARCH 2016 (consolidated with alterations since 2011)
LP 6.13	Parking
LP 7.4	Local character
LP 7.6	Architecture
	LDF CORE STRATEGY CORE POLICIES
CS 08	Character, Heritage and Design
	LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
DM10	Design Requirements for New Developments

CONSULTATIONS

1. 5 surrounding owner/occupiers were notified of the proposals. No responses have been received.

SITE AND SURROUNDINGS

2. The application site is located on the south western side of **Portland Avenue** and comprises a 2 storey, semi-detached dwelling. The immediate surrounding area is predominantly residential in character. However, the site backs onto Manor Park Local Open Space.
3. The buildings on the site are not listed or locally listed and the site does not fall within a Conservation Area. Neither are there any Tree Preservation Orders (TPOs) on site or within the immediate vicinity. The site falls within a flood risk zone 1 (low probability).

PROPOSAL

4. The proposal relates to the conversion of a garage into a habitable room.

ASSESSMENT

5. The main issues to consider when assessing this application relate to character and appearance, residential amenity and highways and transportation.

Principle of Development

6. The principle of converting a garage into a habitable room within a predominantly residential area is acceptable subject to compliance with Development Plan policies.

Character and Appearance

7. Together the **NPPF**, 2018 and the London Plan, 2016 (consolidated with changes since 2011) operate to secure development of a high quality and where applicable replace poor design with better design.
8. In accordance with the national and regional position, Core Strategy policies **CS8** and **DM10** require that proposals should relate well to their surroundings and be of a high standard to achieve a more attractive, sustainable and accessible environment.
9. The proposal would involve the conversion of the existing garage into a habitable room, the removal of the garage door, the insertion of a 3 paned window and the addition of a short, shallow roof on the front elevation. It would not involve any extension to the building's footprint. In terms of design the style and positioning of the proposed window would be in keeping with those of the existing dwelling.
10. The proposed materials for the walls would be brick, the roof would be tiles, and the window frames would be UPVC to match existing which is considered acceptable.
11. Overall, the proposal is considered to be respectful of and in keeping with the character of the main dwelling and its surrounding context, thereby complying with policies **CS8** and **DM10** of the **LDF** Core Strategy, 2012 and the guidance set out within the Residential Design **SPD**, 2013. Officers note that neighbouring property, Number 58 have made similar alterations to their property.

Residential Amenity

12. Policy **DM10** of the **LDF** Core Strategy, 2012 seeks to safeguard residential amenity with regards to privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbance.
13. Nos. 58 and 62 Portland Avenue are the principal properties that must be considered with regards to residential amenity. However, it is not considered that there would be any adverse impact upon any of the aforementioned properties due to the fact that there would be no extension to the built form and no windows are proposed in the north western elevation. The **s**iting and positioning of the window in the front elevation would not afford any loss of privacy or visual intrusion and the proposed habitable room would not cause undue noise and disturbance to neighbouring properties.
14. As such, the proposal is considered to comply with policies **CS8** and

DM10 of the LDF Core Strategy, 2012 and the guidance set out within the Residential Design SPD, 2013.

Highways and Transportation

15. Table 6.2 of the London Plan, 2016 sets out residential car parking standards. In this case, a maximum provision of up to 2 car parking spaces would be required. The property has a total of 3 existing off-street car parking spaces, 1 within the garage and 2 to the front of the property on an area of **hardstanding**. The current level of provision is compliant with and exceeds these standards.
16. Policy **DM9** states that new development must comply with local car parking standards in order that it does not contribute to congestion or compromise pedestrian and or highway safety. Policy **DM10** supports this stance.
17. Despite the loss of the garage, it is considered that the **hardstanding** to the front of the dwelling remains of an adequate size to accommodate 2 off street car parking spaces, thereby complying with policies the London Plan, 2016, policies **DM9** and **DM10** of the **LDF** Core Strategy and Appendix 5 of the Sustainable Transport **SPD**, 2013.

Conclusion

18. In conclusion the proposed conversion and alterations are considered to be in keeping with the host dwelling and the prevailing character of Portland Avenue and would not have an adverse impact upon highway safety or contribute to congestion in accordance with London Plan Policies 7.4 and 7.6, Policies CS8 and **DM10** of the **LDF** Core Strategy, 2012, the Residential Design SPD, 2013 and the Sustainable Transport **SPD**, 2013.

RECOMMENDATION

Approve subject to the following condition(s):

- 1 The development hereby permitted shall be commenced within 3 years from the date of this decision.

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

AD/18500/AA/1 Site Location Plan	12/10/2018
AD/18500/BB/1 Block Plan	12/10/2018
AD/18500/01/1 Existing Ground Floor Plan	12/10/2018
AD/18500/02/1 Existing First Floor Plan	12/10/2018
AD/18500/03/1 Existing Roof Plan	12/10/2018
AD/18500/05/1 Existing Front Elevation	12/10/2018

AD/18500/06/1 Existing Rear Elevation	12/10/2018
AD/18500/07/1 Existing Side Elevation	12/10/2018
AD/18500/10/1 Existing Section A-A	12/10/2018
AD/18500/15/1 Existing View From Neighbouring Property	12/10/2018
AD/18500/16/1 Existing View From Neighbouring Property	12/10/2018
AD/18500/21/1 Proposed Ground Floor Plan	12/10/2018
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AD/18500/25/1 Proposed Front Elevation	12/10/2018
AD/18500/26/1 Proposed Rear Elevation	12/10/2018
AD/18500/27/1 Proposed Side Elevation	12/10/2018
AD/18500/30/1 Proposed Section A-A	12/10/2018
AD/18500/35/1 Proposed View From Neighbouring Property	12/10/2018
AD/18500/36/1 Proposed View From Neighbouring Property	12/10/2018
Design & Access Statement	12/10/2018

Reason: For avoidance of doubt and in the interests of proper planning.

- 3 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing building, or such other materials as shall have been approved in writing by the Local Planning Authority and shall thereafter be retained as such.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no windows or other openings (other than those hereby approved) shall be formed in the south eastern wall of the converted garage hereby approved without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

INFORMATIVE(S)

- 1 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

- 2 When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

- 3 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundwork's within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

- 4 Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

- 5 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning

Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

Signature of Case Officer: Alex Rosser-Trokas

Date: 18/12/18

Signature of Lead Officer: Toby Feltham

Date : 18/12/18

To be initialled by the Chair of Neighbourhood Committee or other authorised Councillor in all cases involving unresolved material planning representations.

1. I endorse the recommendation of the Service Director(Planning and Transportation) to GRANT planning permission

Signature : _____

Date : _____

or

2. I wish this application to be referred to the Committee for determination.

Signature : _____

Date : _____

Signature of Authorising Officer :

Date :