

**PLANNING APPLICATIONS COMMITTEE  
13 OCTOBER 2016**

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	16/P3039	13/07/2016
<b>Address/Site:</b>	91 Oakleigh Way, CR4 1AW	
<b>Ward:</b>	Longthornton	
<b>Proposal:</b>	Erection of a single storey rear extension, rear roof extension and hip to gable roof extension, 2 x rooflights to the front roof slope. New roof over existing front porch and bay window, and erection of ancillary outbuilding in the rear garden.	
<b>Drawing No.'s:</b>	15 Rev 01; 16 Rev 01; 11 Rev 01; 10 Rev 01; 08 Rev 01; 14 Rev 01; 09 Rev 01; 12 Rev 01; 13 Rev 01.	
<b>Contact Officer:</b>	Luke Place (020 8545 4370)	

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## RECOMMENDATION

**Grant planning permission subject to conditions.**

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## CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Conservation area: No
- Number of neighbours consulted: 5
- External consultations: 0
- Controlled Parking Zone: No

### **1. INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination as it has been called in by Cllr Marsie Skeete and Cllr Linda Kirby.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site, a two storey end of terrace dwelling, is located on the southern side of Oakleigh Way at its junction with Limetree Place.
- 2.2 The area is predominately characterised by two storey terraced dwellings.
- 2.3 The site is not located within a conservation area and does not contain any listed buildings. There are no other specific planning restrictions associated with this site.

## **3. CURRENT PROPOSAL**

- 3.1 The application seeks planning permission for the following:
- Single storey rear extension 3.5 metres long, 6.6 metres wide and 3.7 metres high with an eaves height of 2.6 metres.
  - Rear roof extension measuring 6.7 metres wide, 3.5 metres deep and 2.4 metres high. This dormer would have two rear facing windows.
  - Hip to gable roof extension.
  - Two rooflights to the front roof slope.
  - New roof over existing front porch and bay window.
  - Ancillary outbuilding in the rear garden 7 metres wide and 5 metres long. It would have a dual pitched roof with a ridge height of 2.9 metres and an eaves height of 2.3 metres. This outbuilding is indicated as containing a bathroom and two other rooms.

## **4. PLANNING HISTORY**

- 4.1 None.

## **5. CONSULTATION**

- 5.1 The application was advertised by means of neighbour notification letters and a site notice.
- 5.2 One objection has been received in regard to this application. This objection has been summarised below:
- The final use of the dwelling is not clear in the description.
  - The resulting arrangement of the dwelling is not suitable for a family home.
  - The property may be turned into flats without permission.
  - The plans do not describe the use of each room.
  - A top floor flat would not have access to the amenity area.
  - The resulting spaces do not meet the necessary space requirements.
  - The proposed outbuilding may be used as a separate dwelling.
  - A new house in the back garden is unacceptable.

## **6. POLICY CONTEXT**

6.1 NPPF - National Planning Policy Framework (2012):  
Part 7 Requiring Good Design

6.2 London Plan (2015)  
The relevant policies in the London Plan (2015) are:  
7.4 Local character  
7.6 Architecture

6.3 Merton Sites and Policies Plan (2014)  
The relevant policies in the Merton Sites and Policies Plan (2014) are:  
DM D2 Design considerations in all developments  
DM D3 Alterations and extensions to existing buildings

6.4 Merton Core Strategy (2011)  
The relevant policies in the Merton LDF Core Strategy (2011) are:  
CS 14 Design

6.5 Supplementary Planning Guidance:  
Merton Council Supplementary Planning Guidance – Residential Extensions,  
Alterations and Conversions (2001).

## **7. PLANNING CONSIDERATIONS**

7.1 The main issues for consideration in this case are: whether harm would be caused to the character and appearance of the host building the street scene or the wider area; and whether harm would be caused to neighbour amenity.

### Outbuilding

7.2 The applicant could construct an outbuilding on the site under Class E of the GPDO. However, the outbuilding requires planning permission as it would breach (e)(ii) of Class E exceeding the 2.5m height restriction for outbuildings within 2m of a site boundary being 2.95m to the ridge of its roof.

7.3 The proposed outbuilding would rise to a height of 2.95m at the boundary with 1 Limetree Place and be approximately 2.9m from the nearest principle elevation window. The height of the building at the boundary with 89 Oakleigh Way to the east would be 2.3m and approximately 14m from this neighbouring dwelling. The height, overall bulk, and siting of the outbuilding would not result in a loss of light and, being only slightly higher than could otherwise be erected as permitted development, officers consider that the proposal would not detract from the outlook of neighbouring occupiers.

7.4 This application does not seek permission for the creation of any additional self-contained accommodation units. Officers have recommended a condition which would restrict the use of the outbuilding to activities incidental to the main dwelling. Change of use to provide a separate dwelling would require planning permission.

### Roof extensions

- 7.7 Class B of the GPDO would allow the applicant to undertake very similar roof extensions to those sought under this application without the need to apply for planning permission. However, the subject extensions require planning permission in this instance as they breach the 40 m<sup>3</sup> addition limit under (d)(i) of Class B by 6.4 m<sup>3</sup>.
- 7.8 In regard to this matter it is noted that the dwelling to the west at 93 Oakleigh Way received a lawful development certificate (reference 15/P4644) for a hip to gable and rear roof extensions of a similar scale and appearance, albeit slightly smaller, to those proposed in the current application. A number of other large rear roof extensions are also present in the wider area and therefore, the development would not result in the introduction of an alien type of built form and would appear unreasonable to withhold permission on the grounds of visual impact.
- 7.9 The proposed dormer would have two rear facing windows which would have a similar outlook to the existing windows at first floor level. No terrace or balcony features are proposed that would cause overlooking or a loss of privacy.

### Single storey rear extension

- 7.12 Class A of the GPDO would allow the applicant to construct a single storey rear extension. However, the extension requires planning permission as it would breach the 3 metre maximum length under (f)(i) of Class A by 0.5 metres. The size of the extension would not harm the character of the host dwelling or wider area. The extension would have a roof form which compliments the host dwelling.
- 7.13 It should be noted that the host dwelling and neighbouring dwelling at 89 Oakleigh Way currently have single storey projections located on their respective side boundaries which extend approximately 6.6 metres beyond their rear elevations. Therefore it is not considered that the rear extension would harm neighbouring amenity.

### Rooflights

- 7.14 The proposed front rooflights could be constructed as permitted development under the GPDO.

### Porch

- 7.15 It is not considered that the proposed roof above the existing front porch and bay window would harm the character or appearance of the host dwelling or the street scene. This feature is modest in scale and integrates well with the subject dwelling.

### Other matters

- 7.16 Notwithstanding concerns that have been raised regarding the future use of the property, the application does not seek permission for the creation of an

HMO or any additional units within the host dwelling or via the construction of the outbuilding. While a change to a small HMO (Use Class C4 - a shared house occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom) could take place under permitted development, planning permission would be required for use as an HMO for a greater number of persons. In the event that the Council were to receive a complaint regarding the use of the house once extended then the matter may be formally investigated to determine whether there had been a breach of planning control and to determine an appropriate course of action.

## **8. CONCLUSION**

- 8.1 Having taken all material matters into account it is considered that, subject to compliance with the attached conditions, the proposed works would not have a harmful impact on the character and appearance of the application site, the street scene and the wider locality. The development is also not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval subject to conditions.

### **RECOMMENDATION Grant planning permission subject to conditions.**

#### Conditions:

- 1) A1 Commencement of works
- 2) A7 Built according to plans
- 3) B3 External Materials to match
- 4) E06 Incidental Residential Accommodation
- 5) NPPF Informative

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[Click here](#) for full plans and documents related to this application.

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