

PLANNING APPLICATIONS COMMITTEE 16 MARCH 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P4060	12/10/2016
Address/Site	3 Tabor Grove, Wimbledon, London, SW19 4EB
Ward	Hillside
Proposal:	Erection of a part single storey, part two-storey rear extension.
Drawing Nos	Un-numbered site location plan, existing plan 1627 S1, existing elevation 1627 S2, proposed plan 1627 P1 and proposed elevation 1627 P2.
Contact Officer:	Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Refuse planning permission.

CHECKLIST INFORMATION

- Heads of Agreement: No
- 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
- Number of neighbours consulted: 37
- External consultations: No
- Controlled Parking Zone: Yes (W1)
- Flood Zone: Flood Zone 1 (Low risk)
- Conservation Area: No
- Listed Building: No
- Protected trees: No
- Public Transport Access Level: 6a

1. **INTRODUCTION**

- 1.1 The application has been brought before the Committee at the request of Councillor Holden.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises a three-storey, mid-terrace dwelling to the north-eastern side of Tabor Grove. There is an existing 4.1m deep two-storey part width extension to the rear elevation with a mono-pitched roof.
- 2.2 The adjoining property to the north-west at 1 Tabor Grove has a single storey part width projection to the same depth as the outrigger at no 3. The property is sub-divided into flats. The other adjoining neighbour at no 5 has a single storey element set away from the boundary with no 3 and has a window in the rear main wall adjacent to the boundary as well as a window in the flank of the single storey projection.
- 2.3 To the immediate rear of the site is a public footpath.
- 2.4 The surrounding area is made up of a variety of dwelling types including terraced dwellings, detached dwellings and flatted units and is suburban in character.
- 2.6 The site is not within a Conservation Area.

3. CURRENT PROPOSAL

- 3.1 Planning permission is sought for the erection of a part single, part two-storey extension to the rear elevation following demolition of the existing two-storey part width extension.
- 3.2 The proposed two storey extension would be 5.6m in depth, which is 1.5m deeper than the existing two storey extension. It would have an eaves height of 4.9m and a ridge height of 6.2m and would have a hipped roof. It would straddle the boundary with no 1 and would be recessed from the boundary with no 5 by 1.1m. It would sit 1m closer to the boundary with no 5 than the existing 2-storey projection.
- 3.3 The single storey element would infill the gap between the two storey extension and the boundary with no 5 and would also be 5.6m in depth. It would have a monopitch roof containing a large rooflight and would have an eaves height at the boundary of 2.65m.
- 3.4 The rainwater guttering on each side boundary would appear to overhang the site boundaries, which would require the consent of neighbouring properties. Otherwise a parapet detail would be needed.

- 3.5 Construction materials would match the existing.
- 3.6 It should be noted that the proposal had been amended in order to seek to address officers' concerns about impact on neighbours. However, the applicant has recently requested that the application be assessed on the basis of the originally submitted plans (as opposed to the revised plans which reduced the size of the two storey element).

4. **PLANNING HISTORY**

- 4.1 88/P0165 - ERECTION OF A TWO STOREY EXTENSION AT REAR OF DWELLINGHOUSE IN REPLACEMENT OF EXISTING SINGLE STOREY EXTENSION. Grant Permission (subject to conditions) 07-04-1988.
- 4.2 16/P2831 - ERECTION OF A TWO STOREY REAR INFILL EXTENSION. Refuse Permission 01-09-2016 on basis of impact on character and impact on residential amenities of no 5.

5. **CONSULTATION**

- 5.1 Site notice posted, neighbouring properties notified. Four letters of representation have been received from three addresses, objecting on the following grounds:
- The scale of the extension is excessive.
 - Loss of light to No.5.
 - A two-storey extension will reduce the impact of openness of the garden area.
 - Query whether a shadow diagram has been produced for the proposed development.
 - Query what the intention is for rain water runoff and guttering.
 - Query how gutters would be cleaned and the need for access to neighbouring gardens.
 - Query what the intention is for connection to drainage services.
 - Query whether the proposed extension would impede the ability of No.1 to extend in the future or to affect the value of No.1.

6. **POLICY CONTEXT**

- 6.1 Merton Adopted Core Planning Strategy (July 2011):
Policy CS14 (Design)

Merton Adopted Sites and Policies Plan (July 2014):
Policy DM D2 (Design considerations in all developments)
Policy DM D3 (Alterations and extension to existing buildings)

Other guidance:

Merton Adopted Residential Extensions, Alterations and Conversions SPG 2001.

National Planning Policy Framework (2012)

National Planning Policy Guidance (2014)

7. PLANNING CONSIDERATIONS

- 7.1 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.
- 7.2 The main planning considerations of the proposal are the impact that the proposed development would have on the character of the area and on the amenities of occupiers of neighbouring residential properties.
- 7.3 The current application was submitted following the refusal of application 16/P2831 in Sept 2016, which was refused under delegated powers for the following reasons:
1. The proposed two-storey extension would, by virtue of its form, design and appearance, result in material harm to the character of the existing building and the character of the area, contrary to Policies DMD2 and DMD3 of the Council's adopted Sites and Policies Plan 2014 and the Council's adopted SPG: Residential Extensions, Alterations and Conversions 2001.
 2. The proposed two-storey extension would, by virtue of its proximity to the boundary, height and depth, result in material harm to the residential amenities of the occupiers of No.5 Tabor Grove, by way of loss of light, loss of outlook and overbearing form, contrary to Policies DMD2 and DMD3 of the Council's adopted Sites and Policies Plan 2014 and the Council's adopted SPG: Residential Extensions, Alterations and Conversions 2001.
- 7.4 The key differences between the previously refused application and the current proposal are:
- The previous scheme proposed a flat roof two-storey extension which would have spanned the whole rear elevation at ground floor and first floor level. The flat roof was 6m in height and was the same height as the ridge of the existing two storey extension. The current scheme is set in from one boundary at first floor by 1.1m at first floor level and has a hipped roof which is higher at the ridge but

slopes down lower towards the boundaries. A single storey extension fills the gap between the two storey element and the boundary with no 5.

- The previous proposal showed an extension of 5.2m depth, whereas the current proposal is deeper, at 5.6m.

7.5 For the proposal to be acceptable, it must overcome the previous reasons for refusal and be acceptable in its own right.

7.6 Impact on the character of the area

7.7 Policies DMD2 and DMD3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these policies.

7.8 There are existing pitched roof two storey outriggers in the row of terraces. The application site has an existing mono-pitch two storey extension which is not attached to a matching extension at the neighbouring property. Therefore, the removal of the existing outrigger would not result in a visually unbalancing effect to the terrace. The pitched roof extension is considered to be visually in keeping with the area and would not appear so out of context as to warrant a refusal of planning permission.

7.9 The form of the current proposal is significantly different to that of the previously refused scheme and it is considered that the proposal has overcome the previous reason for refusal in relation to design.

7.10 The proposal is considered to comply with Policies DM D2 and DM D3 in regards to visual amenity and design.

7.11 Residential Amenity

7.12 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.13 Impact on No.1:

7.14 The existing two-storey extension directly abuts the boundary with No.1 and has a depth of 4.1m. The proposed extension would have a depth of 5.6m.

7.15 The proposed extension would be 1.5m deeper than the existing two-storey outrigger and would project beyond the main rear building line of

No.1 by 5.6m and beyond the single storey building line of No.1 by approximately 2m.

7.16 It is acknowledged that the site is to the southeast of No.1 and therefore the existing two storey extension has the potential to block sunlight currently. However, the proposed extension would be 1.5m deeper than existing and would result in severe overshadowing, loss of outlook and unreasonable sense of enclosure to the garden area and a loss of outlook and sunlight to the first floor rear facing window.

7.17 Therefore, the impact on No.1 is considered to be unacceptable.

7.18 Impact on No.5:

7.19 The proposed single storey extension, adjacent to the boundary with No.5 would have an eaves height of 2.65m and a depth of 5.7m. Beyond this single storey element would be the two-storey part of the extension. The two-storey part of the extension would be 1m closer to the boundary than the existing and 1.5m deeper than the existing. The part single storey, part two-storey extension, due to its combined depth, height and relationship to the boundary line, is considered to be unacceptably oppressive and would result in a loss of outlook, a loss of ambient daylight and an unreasonable sense of enclosure to the garden area and a loss of outlook and ambient daylight to the rear facing ground floor window (serving a dining room). The ground level at the rear of No.5 is approximately 35cm lower than that of the application site. Therefore, the proposed extension would appear 35cm higher when viewed from the rear of No.5. This change in ground levels would exacerbate the harmful impact of the extension.

7.20 Whilst No.5 is to the southeast of the site, it is noted that the existing arrangement would pass the Council's sunlight test, whereas the proposed extension, due to its excessive depth, height and proximity to the boundary, would fail the Council's sunlight test. This adds to the concerns identified above.

7.21 The impact on No.5 is considered to be unacceptable.

7.22 The proposal is considered to conflict with Policy DM D2 in terms of residential amenity.

8. CONCLUSION

8.1 Whilst the current proposal is considered to be acceptable in visual terms, the impact on both the neighbouring properties at 1 and 5 is still considered to be unacceptable in terms of impact on outlook and light and would be unacceptably oppressive from within the gardens and inside the

properties. This is due to the combination of increased depth, height and proximity to the site boundaries. It is therefore considered that planning permission should be refused.

RECOMMENDATION

REFUSE PLANNING PERMISSION for the following reason:

1. The proposed part single storey, part two-storey extension would, by virtue of its proximity to the boundary, height and depth, result in material harm to the residential amenities of the occupiers of No.1 Tabor Grove by way of overshadowing, loss of outlook and unreasonable sense of enclosure and would result in material harm to the residential amenities of the occupiers of No.5 Tabor Grove by way of loss of outlook, loss of ambient daylight and unreasonable sense of enclosure, contrary to Policies DM D2 and DM D3 of the Council's adopted Sites and Policies Plan 2014 and the Council's adopted SPG: Residential Extensions, Alterations and Conversions 2001.

1. **INFORMATIVE**

The drawings relevant to this decision are: Un-numbered site location plan, 1627 P1 and 1627 P2.

2. **INFORMATIVE**

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

- Offering a pre-application advice and duty desk service.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The applicant/agent was informed of any issues arising during consideration of the application and how these could potentially be overcome. The application was at one stage amended but the applicant has subsequently requested that it be determined based on the originally submitted plans, which they had already been advised were unacceptable.

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

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