

PLANNING APPLICATIONS COMMITTEE

20 April 2017

APPLICATION NO.

16/P1092

DATE VALID

11/03/2016

Address/Site: 17 Merton Hall Road, Wimbledon SW19 1BQ

Ward Dundonald

Proposal Retention of an outbuilding for use as a summerhouse

Drawing No's 1305/20, 1305.P2.01

Contact Officer Isaac Liu (020 8545 4805)

RECOMMENDATION

GRANT PLANNING PERMISSION subject to planning conditions.

CHECKLIST INFORMATION

- " Head of agreement: No
- " Is a screening opinion required: No
- " Is an Environmental Statement required: No
- " Has an Environmental Impact Assessment been submitted: No
- " Design Review Panel consulted - No
- " Number of neighbours consulted - 4
- " Press notice - No
- " Site notice - Yes
- " External consultations: Nil
- " Density - N/A
- " Number of jobs created N/A

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee at the request of Councillor David Dean.

- 1.2 The application was submitted as a result of a planning enforcement investigation regarding the erection of an outbuilding at the end of the rear garden at 17 Merton Hall Road, Wimbledon which is not in compliance with the given permission (11/P1412).
- 1.3 Planning permission had been granted in July 2011 for the outbuilding but it was erected with roof lights and positioned closer to the boundary shared between 96 Dundonald Road. The roof light was to improve the level of light into the building and the repositioning of the outbuilding was to improve the use of garden space at the property. Furthermore no green roof has been installed alongside stone capping details at the rear of the outbuilding.
- 1.4 The current outbuilding does not qualify under permitted development due to its height.

2 SITE AND SURROUNDINGS

- 2.1 The application building is a semi-detached two-storey dwellinghouse, which is located on the northeast side of Merton Hall Road, close to the junction with Dundonald Road. The rear garden of the property abuts the rear side boundary of No.96 Dundonald Road. The bottom of the garden abuts the boundary of No.96a Dundonald Road, a two storey yellow brick building hosting a Building Business. The property has been extended with a loft conversion and rear single storey extensions both with planning permission.
- 2.2 The application site is located within the Dundonald ward of the London Borough of Merton and the site is not in a conservation area.

3. CURRENT PROPOSAL

- 3.1 The current proposal is for the retention of an outbuilding for use as a summerhouse. The structure is 4.8 metres deep and 10 metres wide. The structure has a parapet wall height at 3.2 metres and roof lights at 3.6 metres in height. The structure covers less than 50% of the garden area and is located over 10 metres from the main house. The rear walls of the structure is built parallel to the boundaries of 96 Dundonald Road separated away from the boundary by a range of 0.62 to 0.67 metres. Three roof lights (0.4 in height) are installed protruding on top of the flat roof of the outbuilding. The roof is wrapped by a parapet wall.
- 3.2 The structure is currently used as a summerhouse incidental to enjoyment of the main house at 17 Merton Hall Road.

4. PLANNING HISTORY

- 4.1 99/P0746 - Application for the erection of a single storey rear extension was granted.

11/P1409 – Full application for the erection of a single storey rear extension and rear roof extension was refused permission on 15/7/11.

11/P1412 – Full application for the provision of a single storey summer house in the rear garden was granted permission on 15/7/11.

11/P2093 – Full application for the erection of a single storey rear extension and roof extension was granted permission on 27/09/11.

13/P0602 – Full application for single storey rear extension was granted permission on 18/04/13.

ENFORCEMENT HISTORY

The current application has resulted from an enforcement investigation following a neighbour complaint regarding the size, positioning and rooflights installation of the outbuilding as this appears to be different from the planning permission (11/P1412) originally approved.

5. CONSULTATION

- 5.1 The application was advertised by sending letters to adjoining neighbours in Merton Hall Road and Dundonald Road.

Six objections were received all from the same property and address as a result of the consultation. The main concerns were;

- Materials
- Inappropriate Closeness of outbuilding to boundary
- Overlooking
- The loss of light
- The design (stone capping details at rear)
- Overbearing cause by height
- Loss of foliage (Green Roof)

6. POLICY CONTEXT

- 6.1 The relevant policies are:

Sites and Policies Plans 2014

DM D2:- Design considerations in all developments

DM D3:- Alterations and extensions to existing buildings

- 6.2 Merton Core Strategy 2011 policy
CS 14 Design

7.0 PLANNING CONSIDERATIONS

- 7.1 The principal planning consideration in relation to this application is the effect of the retention of the structure as an outbuilding and its impact upon visual and residential amenity of the adjoining neighbours.
- 7.2 The principle of the development has been considered acceptable with the grant of permission for an outbuilding of a similar structure at the location. The structure has a flat roof at 3.2 metres and roof lights at 3.6 metres in height. The structure is a standard garden outbuilding design constructed with bricks matching that of the main house.
- 7.3 SPP policy DM D2 and CS 14 require well designed proposals to respect the siting, rhythm, scale, proportions, height, materials and massing of surrounding buildings. The height and bulk are considered to be relatively modest. The roof lights located at the rear of the outbuilding do not cover the entire roof and therefore the ridge height should be considered as peak height. The main consideration therefore is the potential harm caused by the additional 0.725 metres in ridge height. Indeed, were the roof to be lowered by a 0.725 metres the structure would be allowable under permitted development. It is considered that the slight increase in height of the structure and installation of additional of rear roof lights does not obstruct views, is not visually intrusive and does not cause sufficient harm to neighbour amenity to warrant a refusal of planning permission.
- 7.4 SPP policy DM D2 and DMEP2 require proposals not to impact on neighbour amenity in terms of loss of light, outlook, privacy, visual intrusion. It is considered that the design of the outbuilding is appropriate in terms of form and scale and would not detract from the character of the existing dwelling or the area. Given the size, siting and distance between neighbouring properties it is considered that there would be no adverse impact upon neighbouring amenity. This is a single storey structure and there are no external windows at the side and rear to allow overlooking. The distance of the boundary shared between 96 Dundonald Road to the outbuilding varies between 0.62m to 0.67 metres, which are well over half a metre. It should be noted the property at 96 Dundonald Road has a large garden.
- 7.5 The approved outbuilding in application ref 11/P1412 would be located approximately 6m from the nearest facing windows at No.96. The current outbuilding positioned closer to the boundary away from the windows of No. 96 by around 5 metres. The main property and any garden structures

at 96 Dundonald Road are located some distance from the shared boundary with 17 Merton Hall Road.

- 7.6 Concerns from consultees relating to the close location of the outbuilding to the boundary, the appropriateness fencing materials and the potential for overlooking and loss of light have been considered. The location is considered to be acceptable as this is almost similar to the previously approved scheme. There is no rear or a side window to allow overlooking and the height is not too high to adversely affect light to the adjoining properties. Further concerns state as the outbuilding is closer by to the boundary, foliage cannot grow. However green foliage can be found provided from the garden of 96 Dundonald Road. Unlike application ref 11/P1412 with rear stone capping details and foliage on the roof, these are not included in this application and cannot be the reasons to refuse the application.
- 7.7 A Consultee has given a number of applications and reasons for refusals in support for the refusal of this application. Each development is considered under their own merits including its height, depth, location and use. It should be noted in each of the application the height of the structures are different, with two applications ref 15/P3175 and 16/P0594 having a taller height of 4 metres, 0.4 metres taller the height of the current application at 3.6 metres to the roof lights or 0.8 metres to the roof ridge. In one application 15/P1007 the structure covered close to the whole depth of the garden compared to 17 Merton Hall Road where the structure is located at the bottom of the garden. One application ref 15/P3175 quoted was located in Streatham rather than Wimbledon where the application structure is located. Different areas have different characteristics. The garden in this application is much smaller than 17 Merton Hall Road. In another application ref 15/P4307 located in Morden, the structure was refused to prevent the future use of it as a self-contained flat. Floorplans indicate the structure having components of a self-contained flat, unlike floorplans for 17 Merton Hall Road which does not indicate this. To prevent the future use of the structure as a self-contained accommodation the application will be protected with a condition. The applications listed are different in terms of dimensions, location and use than the current application at 17 Merton Hall Road and cannot be the reason to refuse the application.
- 7.8 The outbuilding is built with brick materials similar to the main house. The same material were approved in ref 11/P1412. The use of brick material is therefore considered to be in keeping with the area and does not cause visual intrusion.

8. CONCLUSION

8.1.1 The proposed retention of the garden outbuilding as a summerhouse will not result in harm to the amenities of neighbouring residents, as it will not cause overshadowing, loss of light or outlook.

8.1.2 The application is recommended for approval.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to planning condition

1. A7 According to plans drawing 1305/20 dated 6th July 2016.
2. E06 Ancillary Residential Accommodation - The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 17 Merton Hall Road SW19 3PP.

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