

PLANNING APPLICATIONS COMMITTEE 20th April 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
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16/P3735	23/09/2016
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Address/Site : 120 Windermere Road, Streatham, SW16 5HE

Ward Longthornton

Proposal Erection of an outbuilding in the rear garden to be used as a garage

Drawing No's Site location plan, proposed block plan and drawings marked 'Site plan' and proposed plans & elevations (amended 28.3.17).

Contact Officer Leigh Harrington (020 8545 3836)

RECOMMENDATION

GRANT PLANNING PERMISSION subject to conditions.

CHECKLIST INFORMATION

- Heads 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 - 2
- Press notice - No
- Site notice - Yes
- External consultations - No
- Density - N/A
- Number of jobs created N/A

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee due to the level of objection.

2. SITE AND SURROUNDINGS

2.1 The application site is a mid-terrace house located on the south west side of Windermere Road in Streatham. The rear garden leads out to a gated vehicle accessway which has its main entrance on Stanford Way. The vehicle accessway services the rear garages of a number of neighbouring properties.

2.2 The site is not within a conservation area

3. CURRENT PROPOSAL

3.1 The proposal is for the erection of an outbuilding in the rear garden to be used as a garage.

3.2 The design and scale of the garage has been revised and the height lowered from the originally submitted design and this has undergone a further re-consultation with neighbours. The garage would now have a larger footprint than originally submitted with a width across the garden, of 5.7m, compared to a 5.5m width and have a length of 8m compared to the original 7m. The height has been lowered such that the height above the door opening onto the vehicle accessway would now be 3m rising to a ridge height of 3.3m before dropping to a height at eaves level in the rear garden of 2.5m. the application initially proposed a ridge height of 3.99m and a eaves height along the site boundaries of 2.99m. A standard garage door would allow for a vehicle to access the garage from the rear vehicle accessway. The garden facing elevation would either be sliding doors or a standard door and window. The applicant has since amended the facing materials to painted render with a tiled roof.

3.3 The proposal follows a recently refused application for a 7.5m long garage with a 4m ridge height and 3.5m side eaves.

4. PLANNING HISTORY

4.1 15/E0224 Enforcement complaint regrading repairs and spraying of commercial vehicles. This complaint was closed after no evidence of a breach was found.

4.2 16/E0223 Enforcement complaint received regarding scrap cars in the front garden. No breach was found with two vehicles on the front drive and no evidence of vehicle spraying.

4.2 16/P0594 Planning permission refused for the erection of a single storey outbuilding at the rear of the garden. **Reason; The proposed outbuilding, by reason of size, siting and design would be both visually prominent and unduly dominant to the detriment of the visual amenities of and spoiling the enjoyment of the garden of neighbouring occupiers; contrary to policy DM D2 of the SPP and CS 14 of the CPS**

5. CONSULTATION

- 5.1 The application was advertised by means of neighbour notification letters and a site notice.
- 5.2 A petition signed by 25 local residents and 2 letters of objection have been received raising the following concerns:-
- This is a quiet residential area and the use is in direct conflict with the character and nature of the existing neighbourhood.
 - Increased vehicle traffic along the accessway would increase risk of burglary.
 - Most neighbouring garages are domestic and don't need planning permission.
 - Applicant runs a business from the site and his vehicles take up a lot of space on the streets, 6 different vans parked on the street, 3 on his front garden and 3 in his back garden.
 - This is a Limited Company (06946236), London Campers Ltd and not a hobby.
 - The company website offers deliveries from this site.
 - If the vehicles were privately owned they would be properly stored and not owned by a Ltd company which depreciates them.
 - Applicant previously ran the business from an address in Sherwood Avenue until he was forced to move following objections from neighbours to his business.
 - No other residents run businesses from their properties.
 - The use for car repairs would be a change of use to light industrial use.
 - Applicant repairs, changes the oil and sprays his vehicles in the rear garden causing toxic pollution.
 - The desire for a vehicle ramp to repair vehicles is meant to support the development of increased activities and proposing to expand the business.
 - The side door in the garage would compromise the privacy of the adjoining neighbour.
 - If permission is granted it should be conditioned to domestic use only.

6. POLICY CONTEXT

- 6.1 The relevant policies in the Council's Adopted Sites and Policies Plan (July 2014) are:
DM D1 (Urban design)
DM D2 (Design considerations)
DM D3 (Alterations and Extensions to Buildings)
DM EP2 Reducing and mitigating noise
- 6.2 London Plan 2015
7.4 (Local character)
7.15 (Reducing and managing noise).
- 6.3 Merton Core Strategy 2011
CS 14 (Design)

7.0 PLANNING CONSIDERATIONS

- 7.1 The planning considerations in this case relate to the scale, design and use of the proposed garage outbuilding and the impact on neighbour amenity and the appearance of the area.
- 7.2 Scale and design.
SPP policy DM D2 and Core Strategy Policy CS 14 require well designed proposals to respect the siting, rhythm, scale, proportions, height, materials and massing of surrounding buildings. The proposal has been reduced in height from the previously refused scheme and whilst the depth is longer, the height would now be of a comparable size with other garages in the immediate vicinity of the site. The use of a tiled roof and white painted rendered walls would be considered appropriate and characteristic of garages in the locality.
- 7.3 Neighbour amenity
SPP policy DM D2 and DM EP2 and London Plan policy 7.15 require proposals not to impact on neighbour amenity in terms of loss of light, outlook, privacy, visual intrusion and protection from noise and disturbance. The garage would be located at the far end of the garden and therefore loss of light to habitable rooms is not considered an issue. With regards to visual intrusion the overall height and the height of the eaves on the garden elevation have been reduced and given the proximity of other similar structures the proposals are not considered to be any more visually intrusive than those other garages.
- 7.4 A number of the objections related to issues of noise, disturbance and possible pollution from the use of the garage for the repair of the applicants vehicles. The applicant does run a camper van company and owns a number of vehicles in apparent need of repair. While there is the potential for the existing garage to be used in a manner that might be harmful to the amenity of neighbours investigations have to date not revealed a breach of planning control or warranted further action.
- 7.5 The application is for a garage that will allow the applicant to store his own campervans. Neighbour concerns have been lodged because the applicant also runs a small business renting out campervans belonging to that company. By imposing conditions that restrict the use of the new garage to purposes ancillary to the dwelling officers consider that a reasonable level of control could be exercised over the use so as to ensure it was not harmful to the amenity of local residents.
- 7.6 SPP policy DM D2 also requires that developments provide layouts that are safe and secure and take account of crime prevention. Objections have suggested that the applicant's use of the garage would leave the alley gates unlocked and therefore increase the risk of burglary and theft for other residents. On an unannounced site visit officers found the gates locked and have no evidence to

support the assertion regarding the use being a source of increased risk to burglary or theft.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).

9 CONCLUSION

- 9.1 The use of the garage for the storage of the applicant's private vehicles is considered acceptable. The amended proposals are for a building that has been reduced in scale to reflect the garages at neighbouring properties within the area is considered acceptable. Suitably conditioned the development would provide the applicant with space to store his private vehicles without having a harmful impact on the amenity of neighbours. The proposals are recommended for approval.

RECOMMENDATION

Grant planning permission subject to conditions

Conditions

A1 - Commencement of Development

A7 - Construction in accordance with plans; Site location plan and drawings marked 'Site plan', 'Proposed plans & Elevations Amended 28.3.17

B1 - Materials to be approved

D9 - No external lighting

E4 – Ancillary residential use; The vehicular use of the garage hereby approved shall only be for the ancillary storage and maintenance of private motor vehicles belonging to the occupiers of 120 Windermere Road and does not include vehicle repairs, panel beating, paint spaying or the use of power tools and machinery. Reason; To protect the amenity of neighbouring residents in accordance with the following development plan policies for Merton; Policy DM D2 and DM EP2 of the Merton Sites and Policies Plan 2014

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