

PLANNING APPLICATIONS COMMITTEE 18 JULY 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P1772	01/05/2019
Address/Site	110 Gladstone Road, Wimbledon, London, SW19 1QW
Ward	Dundonald
Proposal:	Single storey flexible outbuilding, the garden outbuilding will replace the existing shed and be positioned to the rear of the garden facing back towards the principal dwelling. The outbuilding is to be used as a fitness room/ gym.
Drawing Nos	0047_21_01, 0047_21_10, 0047_21_11, 0047_21_20, 0047_21_30, 0047_21_31, 0047_21_32
Contact Officer:	Kirti Chovisia (020 8274 5165)

RECOMMENDATION

GRANT Planning Permission subject to conditions

CHECKLIST INFORMATION

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 6
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

1. INTRODUCTION

1.1 The application has been brought to the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

2.1 The application site comprises a two storey mid terrace house located in Gladstone Road, Wimbledon. The surrounding area is residential in character.

2.2 The application site is not located within a Conservation Area.

3. CURRENT PROPOSAL

3.1 Single storey flexible outbuilding, the garden outbuilding will replace the existing shed and be positioned to the rear of the garden facing back towards the principal dwelling. The outbuilding is to be used as a fitness room/ gym.

The proposal would have maximum dimensions of 5000mm deep x 5050mm wide x 3000mm to top of the pitched roof. The outbuilding would be constructed of timber, with glazing panels and a 'green' roof.

4. PLANNING HISTORY

- 4.1 99/P1892 - Application for a certificate of lawfulness for a proposed rear roof extension - Issue Certificate of Lawfulness; 30-11-1999
- 4.2 13/P4106 - Application for a lawful development certificate for a proposed erection of a single storey rear and infill extension - Issue Certificate of Lawfulness; 13-02-2014
- 4.3 14/P0904 - Erection of single storey rear & side infill extensions to Nos 108 & 110 and replacement and extension of rear roof extension and new outbuilding at no.108 - Grant Permission subject to Conditions; 16-04-2014
- 4.4 14/P3459 - Application for non-material amendments to lbn planning permission 14/p0904 (dated 16.04.2014) involving the increase in depth of approved rear infill extensions and alteration to roof pitch to 108 - Grant non-material amendment to planning permission; 07-10-2014
- 4.5 19/P0410 - Single storey flexible garden studio room. The garden studio will replace the existing shed and be positioned to the rear of the garden facing back towards the principal dwelling. The side and rear walls will be a traditional brick and blockwork construction, with a timber-framed front elevation. sliding/ bi-folding doors connect the space with the garden and associated landscaping; Withdrawn 27/03/2019

5. CONSULTATION

5.1 Public consultation was undertaken by letters sent to statutory neighbouring occupiers.

Five objections letters were received on the following grounds:

- design and impact on the neighbouring properties with respect to loss of privacy, undue impact on amenity space and overbearing, loss of light and overshadowing.
- Protrude above fence line;
- Overbearing and out of keeping with surrounding area;
- Land grabbing from previous owners;
- Overdevelopment;
- Takes up a lot of garden space;
- Overlooking from gym windows;
- Overshadowing;

- Light pollution and noise.

One letter of support was received.

Additional letters of support received from the applicants.

6. POLICY CONTEXT

- 6.1 London Plan policy March 2016:
 - 7.4 Local Character
 - 7.6 Architecture
- 6.2 Merton Sites and Policies Plan July 2014 policies:
 - DMD2 Design considerations in all developments
 - DMD3 Alterations and extensions to existing buildings
- 6.3 Merton Core Strategy 2011 policy:
 - CS 14 Design
- 6.4 NPPF 2019

7. PLANNING CONSIDERATIONS

- 7.1 Material Considerations
- 7.2 The planning considerations for the erection of an outbuilding in the garden of an existing residential dwelling relate to the impact of the proposed outbuilding on the character and appearance of the area and the impact upon neighbour amenity.
- 7.3 Character and Appearance
- 7.4 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings. The proposal should be of a size, type and form such that they do not dominate the roof and respect the prevailing characteristics of the area.
- 7.5 The proposed single storey flexible outbuilding will span the whole width and will be located at the end of rear garden. There are other outbuildings in the neighbouring plots. Although the proposed outbuilding will be larger than the adjacent one at number 108, it will only be 0.5 m higher and would make use of a shallow pitched roof. The outbuildings depth would be greater than the outbuilding at 108 by 2.0 m, which is not considered to be significant. As such, the proposed outbuilding at the rear of the property is not considered to cause harm to the character of the surrounding area. It is acknowledged that there is an existing shed at the rear, which would be replaced by the new proposal. The scale and height of the proposal is considered to be visually acceptable.
- 7.6 It is considered that the design of the outbuilding is appropriate in terms of form, materials and scale. The design of the outbuilding would have a wooden frame with glazing and a green roof. These materials are considered suitable to a domestic outbuilding.

- 7.7 The proposed outbuilding would not be visually prominent from public vantage points and due to the relatively modest height, the proposal is not considered to result in undue visual intrusion. It is considered that the proposed outbuilding would respect the scale of the property and the general pattern of development in the area.
- 7.8 There are four trees in the rear garden. The trees are not protected by way of being within a Conservation Area or by a Tree Preservation Order and therefore could be lawfully removed at any time.
- 7.9 The proposal is considered to comply with Policy DM D2 in regards to the impact on the character of the area.
- 7.10 Neighbouring Amenity
- 7.11 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an adverse impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.
- 7.12 There is an outbuilding in the neighbouring garden at No.108 Gladstone Road, which provides some mitigation for the impact of the proposed outbuilding. The proposed outbuilding would be 2.0 m deeper than this neighbouring outbuilding, which would thereby result in part of the side elevation being adjacent to the garden of this neighbouring property. Although this will result in a slight sense of enclosure to the garden of 108, this is not considered to be materially harmful given the depth of the garden that serves 108. Further, this is at the end part of the garden where an existing outbuilding at 108 is present.
- 7.13 Given the positioning and the scale of the proposed building, it is not considered it would unduly affect neighbouring amenity at 108 in terms of loss of light, loss of privacy or visual intrusion. The outbuilding is single storey only and would not cause any overlooking issues. The scale, form and massing of the outbuilding would not be intrusive to the local surrounding area. The presence of the outbuilding for the 2.0 m depth where it is adjacent to the garden of 108 would not cause a materially harmful loss of sunlight or daylight to this neighbouring outdoor amenity space.
- 7.14 Number 112 lies to the south and does not contain an outbuilding. The proposal would be visible from this neighbouring garden above the existing fence line. As the outbuilding is sited at the end of the site, it would lie adjacent to the end part of the garden of 112. Due to the southerly position of the garden at 112, the outbuilding would not cause a harmful impact on sunlight. Further, due to the depth of the garden, it would not cause a harmful sense of enclosure or be overbearing.
- 7.15 The use of the outbuilding would be for a gym, incidental to the host dwelling house. The gym would therefore be used in this manner and its use is therefore considered appropriate in this back garden location. A condition is recommended by officers to ensure that the building is used as such.
- 7.16 As such, the proposed building is considered to comply with Policy DMD2 in terms of neighbouring amenity.

8. CONCLUSION

- 8.1 The scale, form, design, positioning and materials of the proposed single storey flexible outbuilding are not considered to have an undue detrimental effect on the character of the area, the host building or on neighbouring amenity. The proposal is reduced in height in comparison to the previously withdrawn proposal. Therefore, the proposal complies with the principles of policies DMD2 and DMD3 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and 7.4 and 7.6 of the London Plan 2016.
- 8.2 It is therefore recommended to grant permission subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 0047_21_01, 0047_21_10, 0047_21_11, 0047_21_20, 0047_21_30, 0047_21_31, 0047_21_32

Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
- 4 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 110 Gladstone Road, Wimbledon, London, SW19 1QW.

Reason: To safeguard the amenities of neighbouring residents, to prevent the unauthorised introduction of an independent use and to ensure compliance with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

Informatives

In accordance with paragraph 38 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:

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

In this instance:

- i) The application was acceptable as submitted and no further assistance was required.
- ii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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