

PLANNING APPLICATIONS COMMITTEE
13 February 2014

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	13/P3788	15/11/2013

Address/Site: **227 Coombe Lane Raynes Park SW20 0RG**

Ward: Raynes Park

Proposal: Retention of a roof extension, an enlarged window in the flank elevation of the side extension, timber detailing to front elevation of side extension and fenestration comprising amendments to the plans approved under planning permission 12/P2277 for demolition of existing garage and the erection of a two storey side and rear extension and the erection of a rear roof extension with rooflights to the front rear and side roof slopes.

Drawing No's: 1807/03 Revision K, 1807/04 Revision L & site location plan

Contact Officer: Joyce Ffrench (020 8545 3045)

Recommendation: **GRANT PLANNING PERMISSION**

CHECKLIST INFORMATION.

- S106: N/A
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted - No
- Press notice – Yes
- Site notice – Yes
- Design Review Panel consulted – No
- Number of neighbours consulted – 8
- External consultations – No
- Density – N/A
- Number of jobs created: N/A

1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration at the request of Councillor Scott

2. SITE AND SURROUNDINGS

- 2.1 The application site is a mock-tudor style semi-detached dwelling house with bay windows to the front. The front garden is paved for the purposes of off-street parking. To the rear is an original two-storey projection and (before the recent building works) a part width single storey extension with a pitched roof.
- 2.2 The property has been altered and extended following approval (on appeal) of planning application 12/P2277 entailing the removal of the attached garage and the erection of a two-storey side extension, erection of an additional part width single storey extension; the removal of the roof of the existing part width extension and a roof extension. The roof extension has not been built in accordance with the approved plans and is larger, a window in the flank elevation to the side extension has been installed that is also larger than approved and timber detailing has been added to the front elevation of the side extension at first floor level that was not shown on the approved plans.
- 2.4 The adjacent semi at No. 229 has been substantially extended to the side, front, rear & in the roof.
- 2.5 The property is adjacent to the Westcoombe Avenue Conservation Area

3. CURRENT PROPOSAL

- 3.1 The current proposal is for the retention of the extensions including alterations to the approved scheme reference 12/P2277 including raising the height of the dormer windows to the roof extension; enlargement of the roof extension; enlargement of a flank window in the side extension (approved height of window was 2metres; submitted plans illustrate a built height of 3.2metres), and the addition of 'tudor style' detailing to the approved side extension. Plans and elevations of the extensions as approved and as constructed are appended to this report.
- 3.2 The applicant/agent has been made aware that planning permission is required for the retention of decking over part of the new patio beyond the rear addition and which is slightly over 400mm above ground level. With adequate privacy being maintained for neighbours by reason of a boundary fence and in order to expedite the current application, a separate planning application is to be submitted in order that a full consultation can be undertaken.

4. PLANNING HISTORY.

- 4.1 13/P2896 – Refusal of an application under S96A for a determination as to whether changes to planning permission 12/P2277 (granted on appeal 08/02/2013) for the demolition of existing garage and erection of two storey side and rear extension and the erection of a rear roof extension with rooflights to the front, rear and side roof slopes, comprising principally the retention of enlarged roof extension could be treated as non-material amendments.
- 4.2 The decision letter noted that the shape and form of the roof extension had formed the basis of the Council’s reasons for refusal and that the Inspector in reaching his decision had given considerable attention to this detail of the scheme although found the design acceptable. Officers considered the alterations to the roof extension to be inferior to that which had been allowed on appeal and that the changes were not ‘non material’.
- 4.3 13/0290 - demolition of existing garage and erection of two storey side and rear extension and the erection of a rear roof extension with rooflights to the front, rear and side roof slopes – withdrawn by applicant
- 4.4 12/P2277 - demolition of existing garage and erection of two storey side and rear extension and the erection of a rear roof extension with rooflights to the front, rear and side roof slopes - refused – allowed on appeal

Reason for refusal:- The proposed roof extension, by reason of its size, design and bulk constitutes an overly dominant form of development which fails to complement the design and character of the original building and would appear visually intrusive and overbearing to the detriment of the visual amenities of neighbouring occupiers. The proposals would be contrary to policies BE.23 and BE.24 of the Merton Unitary Development Plan (2003) and policy CS.14 of the Core Planning Strategy (2011).

The appeal decision is appended to this report. Permission was granted subject to conditions including Condition 2 which states; “The development hereby permitted shall be carried out in accordance with drawing Nos. 1807/03E and 04F and site plan”.

5. RELEVANT POLICIES.

National Planning Framework [March 2012]

- 5.1 The National Planning Framework was published on the 27 March 2012. This document is put forward as a key part of central government reforms

'...to make the planning system less complex and more accessible, and to promote sustainable growth'.

- 5.2 The document reiterates the plan led system stating that development which accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development. To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, local planning authorities need to approach development management decisions positively and look for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

Policies retained in Unitary Development Plan [2003]

- 5.3 The relevant policies in the UDP are Policy BE.3: Development adjacent to a conservation area, Policy BE.15: New buildings and extensions; daylight, sunlight, privacy, visual intrusion and noise. BE.16: Urban Design, BE.22: Design of New Development, Policy BE.23: Alterations and extensions to buildings & BE.24: Roof extensions and dormer windows.

Merton LDF Core Planning Strategy [2011]

- 5.4 The relevant policies within the Adopted Core Strategy [July 2011] is CS14 [Design];

Merton Supplementary Planning Guidance

- 5.5 The key supplementary planning guidance relevant to the proposals is:- Residential Extensions, Alterations and conversions.

6. CONSULTATION

- 6.1 The submitted planning application was publicised by means of a site notices erected by agents of LBM, a press notice in the local Guardian newspaper and individual consultation letters sent to 8 neighbouring properties. In response two letters of objection have been received raising concerns with regard to the alterations to the rear roof extension which were not part of the approved plans and were subsequently not considered to be non-material amendments by the LPA.

7. PLANNING CONSIDERATIONS

- 7.1 The key planning issues are considered to be whether the implemented alterations made to the approved plans render the built scheme unacceptable.

Design and impact on neighbouring conservation area.

- 7.2 UDP policy BE.3 requires that development adjacent to a Conservation Area will be expected to preserve or enhance its setting and not detract from views into or out of the area. BE.23 of the adopted Unitary Development Plan [October 2003] requires proposals for development to respect or complement the design and detailing of the original building and be sympathetic to the form, scale bulk and proportions of the original building while BE.24 requires roof extensions to with original roofs in the area.
- 7.3 The alterations to the rear roof extension, to that approved, add to its bulk, and may, if approved, be considered as consolidating a somewhat clumsy roof shape.
- 7.4 However, the appeal Inspector acknowledged that the 2012 proposals would have resulted in a large roof extension that would form a contrast with the general roofscape of the area and would be unlikely to be entirely hidden from private views. The Inspector went on to conclude that these observations could equally be made about the similar rear roof extension at 229. Given the resemblance of the proposal to the form and scale of the works at 229 which have a greater impact on the locality and having regard to fairness and consistency the Inspector concluded that the appeal application should be judged as complying with the Council's SPG in the light of local guidance and the planning permission for 229 Coombe Lane. Summing up the Inspector considered that the proposal would not harm the character and appearance of the area.
- 7.5 The alterations relating to the roof extension while bulkier than approved have a limited impact on the appearance of the house when seen from the public realm and given the Inspector's decision may on balance be judged as acceptable.
- 7.6 The Inspector in his decision letter noted that "although the 'mock tudor' detailing would not be continued across (the side extension) the use of render to match the existing building would ensure a complementary appearance".
- 7.7 The amendment to the plans to include the mock-tudor detailing to the front elevation is welcomed and enhances the appearance of the front elevation of the property.

- 7.8 The alterations to glazing for the side elevation and rear addition are considered acceptable and raise no issues in terms of impact on the wider visual amenities of the area.
- 7.9 The design and massing of other elements that make up the totality of the extensions were not the subject of concern by planning officers at the time of considering the earlier application and have been deemed acceptable following the appeal decision.

Neighbour Impact

- 7.10 Policy BE.15 of the adopted Unitary Development Plan [2003] requires that development does not result in visual intrusion to neighbouring occupiers.
- 7.11 Altered elements of the roof extension are positioned so as to effectively be out of view from rear facing windows in both the adjoining and neighbouring houses and while the changes can be seen from neighbours' gardens it is a matter of judgement as to whether the changes are so harmful as to warrant refusal.

8. CONCLUSION

- 8.1 The principle of substantial rear, side and roof extensions has recently been allowed on appeal. Notwithstanding officer concerns expressed at the time of the application for non-material amendments, the alterations relating to the roof extension while bulkier than approved have a limited impact on the appearance of the house when seen from the public realm. Furthermore, the altered elements of the roof extension are positioned so as to effectively be out of view from rear facing windows in both the adjoining and neighbouring houses and while the changes can be seen from neighbours' gardens it is a matter of judgement as to whether the changes are so harmful as to warrant refusal. Other changes have either a positive or little impact on the appearance of the extensions. In light of the Inspector's decision it may appear unreasonable to withhold permission and officers concede that the extensions may be retained as built.

RECOMMENDATION

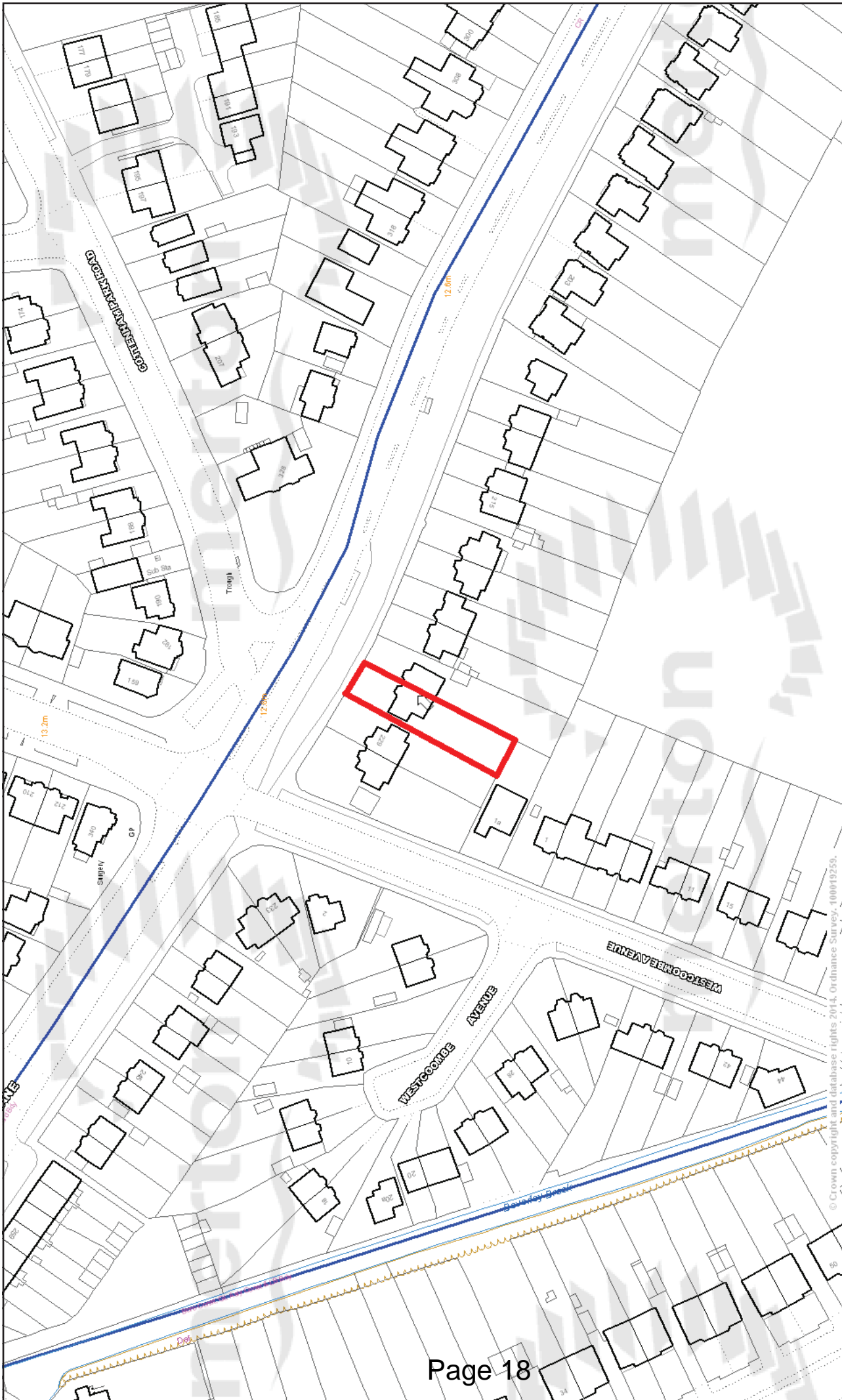
Grant planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1807/03 Revision K, 1807/04 Revision L & site location plan. Reason for condition: For the avoidance of doubt and in the interests of proper planning.

2. The flat roof area of the rear extension shall not be used as a balcony, roof garden, terrace, patio or similar amenity area. Reason for condition. To safeguard the amenities of neighbouring occupiers.
3. No window or other opening shall be formed in the flank walls of the first floor rear extension. Reason for condition. To safeguard the amenities of neighbouring occupiers.

Informatives.

1. The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the applicant has been afforded the opportunity to make representations to the Council's Planning Application's in support of their proposals.



London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

Scale 1/1250

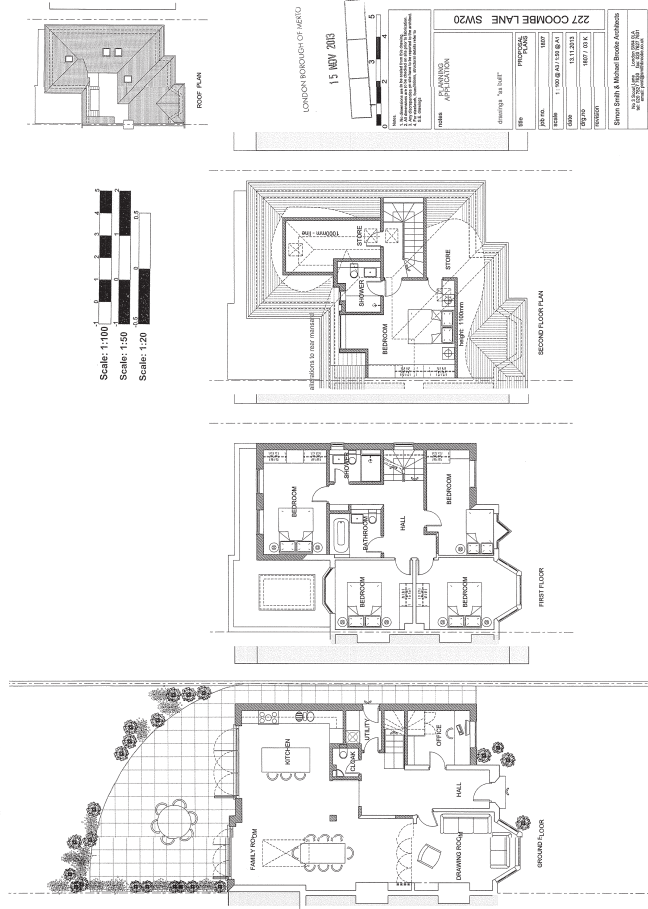
Date 28/1/2014

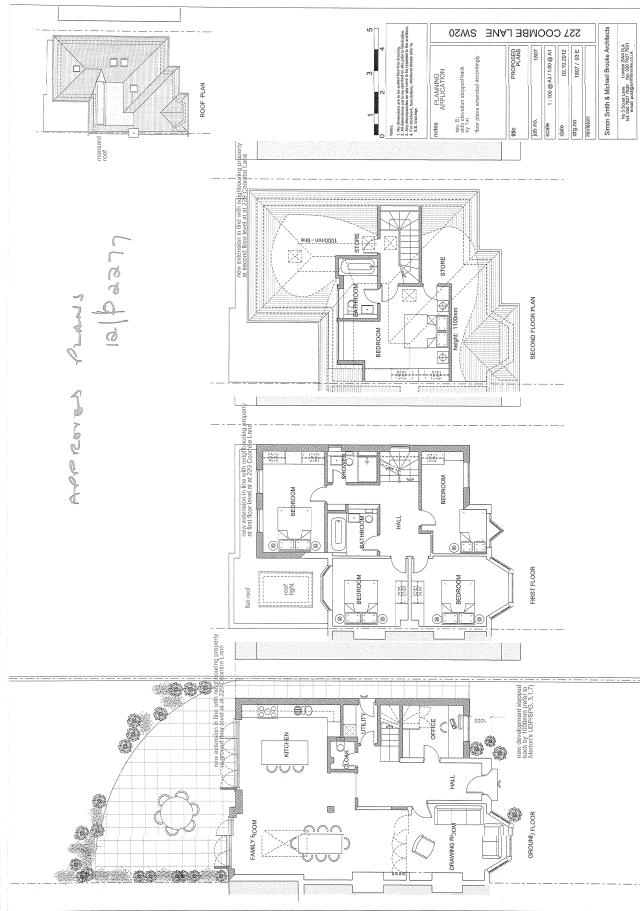
227 Coombe Lane

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DEVELOPMENT CONTROL

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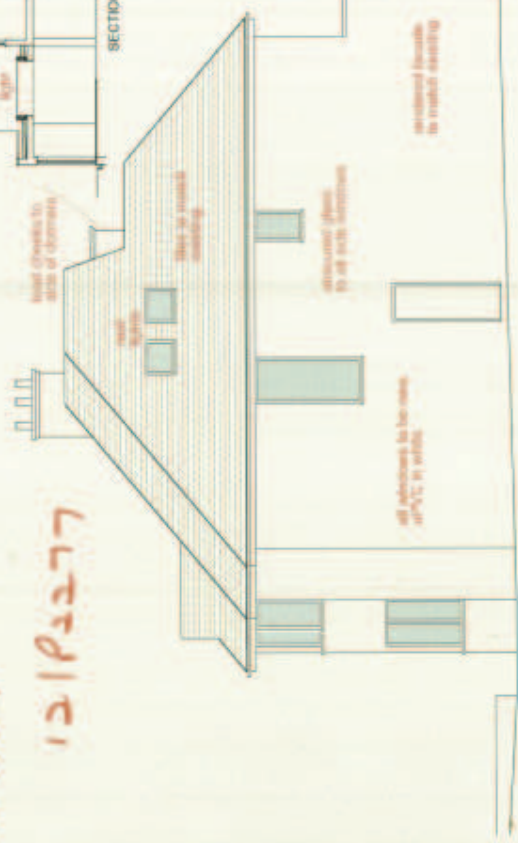
APPROVED
Plans
12/18/27



proposed roof line at no. 227 to match existing roof line at no. 225

FRONT ELEVATION

all additions to be done in accordance with existing building



lead (down) to side of chimney

flat to match existing

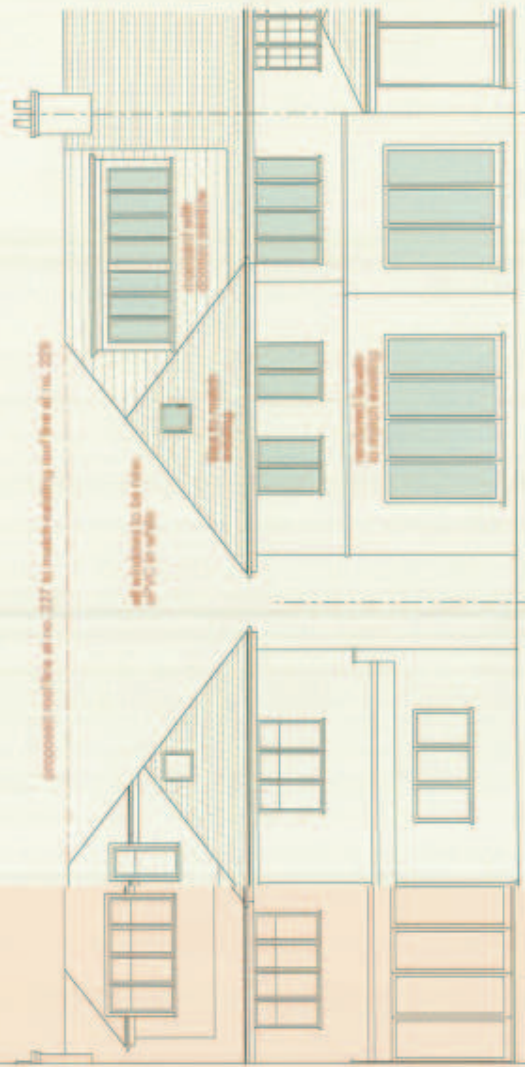
structural steel to be added to roof structure

SECTION B-B

all additions to be done in accordance with existing building

SIDE ELEVATION

proposed side extension to match existing building



proposed roof line at no. 227 to match existing roof line at no. 225

all additions to be done in accordance with existing building

match it with existing

flat to match existing

structural steel to be added to roof structure

REAR ELEVATION

existing chimney to be removed and replaced with new chimney



Notes:
1. No dimensions are to be taken from this drawing.
2. All dimensions are to be taken to the center of the member.
3. All dimensions are to be taken to the center of the member.
4. For columns, beams, and walls, structural steel is to be used.
5. Elevation

notes	PROPOSED ELEVATIONS SECTIONS
see job book and plan elevation schedule for list of notes and other information	title
conditions specified	job no.
	scale
	date
	proj. no.
	revision

227 COOMBE LANE SW20

Simon Smith & Michael Brooke Architects
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Appeal Decision

Site visit made on 5 February 2013

by **David Smith BA(Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 February 2013

Appeal Ref: **APP/T5720/D/12/2188379**

227 Coombe Lane, Raynes Park, London, SW20 0RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Wilson & Mr Dobson against the decision of London Borough of Merton.
 - The application Ref 12/P2277 was refused by notice dated 8 October 2012.
 - The development proposed is a 2 storey rear and side extension, construction of rear mansard with dormer window, insertion of velux roof lights to front, side and rear slope of roofs and associated internal alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for a 2 storey rear and side extension, construction of rear mansard with dormer window, insertion of velux roof lights to front, side and rear slope of roofs and associated internal alterations at 227 Coombe Lane, Raynes Park, London, SW20 0RG in accordance with the terms of the application, Ref 12/P2277, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 1807/03E and 04F and site plan.
 - 3) The external materials to be used in the construction of the development hereby permitted shall match those used in the existing dwelling.
 - 4) The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden, terrace, patio or similar amenity area.

Main issues

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The proposed side extension would be set back from the front wall of this semi-detached property and away from the shared boundary. As such, it would be slightly subordinate to the main house and also reflect the development undertaken at 229 Coombe Lane. Although the 'mock tudor' detailing would not be continued across it the use of render to match the existing building would ensure a complementary appearance.

4. The rear roof extension would occupy the majority of the roof slope incorporating steep pitches and a vertical dormer but would not be a true mansard. Policy BE.24 of the Unitary Development Plan (UDP) nevertheless indicates that its size and design should be compatible with original roofs in the area, appropriate to the roofscape and sited away from prominent roof pitches. The appeal site is located in a suburban area where, although there are many examples of dormer windows, the prevailing roof form is of pitches and hips.
5. The Council's Supplementary Planning Guidance (SPG) on *Residential Extensions, Alterations & Conversions* indicates that extensions using mansard roofs on the rear roof slope may be acceptable where they would be substantially concealed from neighbouring properties by projecting rear wings. In this case the proposed 2-storey rear extension would largely obscure views from Westcoombe Avenue. The flat top would be apparent but would form a minor element in the overall street scene. It is, however, likely that the proposal would be visible from within the rear gardens of surrounding houses notwithstanding the existing vegetation and levels.
6. Therefore the rear roof extension would be large, would form a contrast with the general roofscape of the area and would be unlikely to be entirely hidden from private views. However, it is not ruled out by the SPG. Furthermore, although not built in accordance with the plans these observations could equally be made about the similar rear roof extension at No 229. This was permitted in 2005 when both the SPG and the UDP were in force. Indeed, the roof addition is publicly visible from Westcoombe Avenue. That development was found to be acceptable under the policies that currently exist and, in interpreting the SPG, it is right for the same standards to be applied.
7. Given the resemblance of the proposal to the form and scale of the works at No 229 which have a greater impact on the locality and having regard to fairness and consistency it should therefore be judged as complying with the SPG. So in the light of local guidance and the planning permission for 229 Coombe Lane the proposal would not harm the character and appearance of the area. As such, there would be no conflict with the aims of Policy BE.24 or the wider design objectives of UDP Policy BE.23 and Policy CS14 of the Core Strategy.
8. A condition to ensure matching materials is necessary in the interests of the appearance of the locality. Given the location of the flat roof to the single storey extension close to the boundary possible future use as a sitting out area should be controlled. However, it is not apparent that exceptional circumstances exist to warrant removing permitted development rights for further windows or dormers. To facilitate any necessary minor material amendments a condition listing the approved plans should also be imposed. Subject to these and for the reasons given the appeal should succeed.

David Smith

INSPECTOR