

PLANNING APPLICATIONS COMMITTEE
20th August 2020

| <u>UPRN</u> | <u>APPLICATION NO.</u> | <u>Item No:</u> <u>DATE VALID</u> |
|-------------------------|--|--------------------------------------|
| | 20/P1732 | 01/06/2020 |
| Address/Site: | 50 Tybenham Road Merton Park SW19 3LA | |
| Ward: | Merton Park | |
| Proposal: | DEMOLITION OF EXISTING OUTBUILDING IN REAR GARDEN AND ERECTION OF A REPLACEMENT OUTBUILDING FOR USE AS GARAGE, GYM AND WORKSHOP. | |
| Drawing No.s: | Sheet numbers 1/8, 2/8, 3/8, 4/8, 5/8, 6/8, 7/8, 8/8. | |
| Contact Officer: | Catarina Cheung (020 8545 4747) | |

RECOMMENDATION

Grant planning permission subject to conditions

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 3
- External consultations: 0
- Archaeological Zone: No
- Conservation Area: No

1. INTRODUCTION

- 1.1 This application is being brought to Committee Members for determination due to the number and scope of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two storey end of terrace residential dwelling located on the southern side of Tybenham Road in Merton Park.

2.2 The site is not located in a Conservation Area nor is the building listed.

3. CURRENT PROPOSAL

3.1 The proposal seeks planning permission for the demolition of the existing outbuilding in the rear garden and erection of a replacement outbuilding for use as a garage, gym and workshop.

3.2 The outbuilding would have the following dimensions:

- 7.1m width;
- 8.5m depth;
- 3.623m maximum height;
- 2.5m eaves height.

3.3 The outbuilding seeks full planning permission rather than a certificate of lawfulness as the structure would be within 2m of the boundary of the curtilage of the dwellinghouse, and would exceed 2.5m in its total height.

4. PLANNING HISTORY

4.1 11/P0219: DEMOLITION OF EXISTING CONSERVATORY, AND THE ERECTION OF A REPLACEMENT SINGLE STOREY REAR EXTENSION A HIP TO GABLE AND REAR ROOF EXTENSION WITH FRONT ROOF LIGHTS – Granted 18/03/2011

5. CONSULTATION

External

5.1 Public consultation was undertaken by way of letters sent to 3 neighbouring properties. 7 neighbouring representations were received, summary of their concerns as follows:

- Size and height of the proposed new structure would be dominant and not in keeping with the local area;
- Increase in roof height is far greater than any other garden building in the area and will be an imposing sight;
- Proposed depth of building would substantially impact on the green space of the garden;
- Building would have the potential to be used as a dwelling;
- Would involve the destruction of an attractive tree and loss of wildlife;
- Worrying precedent for similar oversized structures which could seriously damage the appeal of the neighbourhood;
- Existing garage door is substantially above the surface of adjoining driveway. Plans do not show alteration to the level of the door opening which suggests that the garage may not be usable;
- Both existing and proposed garage doors are relatively small, while they could be wide enough to accommodate a small car, the width of the service road is such that it may be difficult to turn a vehicle;
- No soil drainage in the rear service road. Feared any new connecting drainage would not have a sufficient fall;
- Questions whether existing main dwellinghouse is an HMO. If it is, the addition of the gym and workshop would represent an intensification of use.

6. POLICY CONTEXT

6.1 **National Planning Policy Framework (2019)**

Section 12 – Achieving well-designed places

6.2 **London Plan (2016)**

7.4 Local character

7.6 Architecture

6.3 **Merton Local Development Framework Core Strategy (2011)**

CS 14 Design

6.4 **Merton Sites and Policies Plan (2014)**

DM D2 Design considerations

DM D3 Alterations and extensions to existing buildings

7. **PLANNING CONSIDERATIONS**

Material considerations

- 7.1 The planning considerations for the proposed works relate to its impact on the character and appearance of the host dwelling and the surrounding area, and impact upon neighbour amenity.

Character and appearance

- 7.2 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.
- 7.3 Considered on its own, the proposed outbuilding might be viewed as quite a large structure. However, given the scale of development at the rear of the properties along Tybenham Road, when the proposed outbuilding is viewed in relation to the wider surrounding context and neighbour's rear structures, it is not considered the proposed development would be out of character in the area.
- 7.4 Furthermore, the erection of the new outbuilding would maintain ample garden area for the enjoyment of the occupiers as well as an appropriate separation distance from the main dwellinghouse.
- 7.5 Therefore, having regard to its local context, being a suitable benchmark against which to assess such proposals, officers consider the proposed outbuilding to be acceptable in terms of its scale, form and appearance.
- ### Neighbouring Amenity
- 7.6 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.
- ### **48 Tybenham Road**
- 7.7 At the rear garden of 48 Tybenham Road, there are 2 single storey outbuilding/shed structures. The larger outbuilding (facing the main garden), displays a depth of 4.4m, width of around 5m, eaves height of 2m and maximum height of 2.7m. The shed at the rear of this, set back 0.2m, has a depth of 1.8m, eaves height of 1.8m and maximum height of 2.5m. The structures total a depth of 6.4m at the rear of the garden.
- 7.8 The proposed outbuilding would be 0.9m taller than the neighbouring structure and

project 2.3m forward of the neighbouring outbuilding's front building line. So, from within the neighbour's outbuilding/standing at the front of this, only partial views would be visible of the proposed new outbuilding's sloped roof, around 3m maximum height and 2.5m at the eaves. Overall, this is not considered to be materially harmful in terms of outlook or light.

- 7.9 The separation distance between the proposed outbuilding and the rear building line of number 48's main dwellinghouse would be around 20m (or if measured from the rear extension, around 17m separation). This is considered sufficiently set back.

52 Tybenham Road

- 7.10 At the rear garden of 52 Tybenham Road, there is an existing single storey outbuilding which displays a depth of 6.6m, width of 5.2m, maximum height of 2.5m and an eaves height of 2.2m. The outbuilding is set back from the boundary by around 1m.
- 7.11 Whilst the proposed outbuilding would have a maximum height of 1.1m taller than the neighbouring structure, this addition would project only 2m forward of the neighbouring outbuilding's front building line. Again, if considering the outlook when stood within the neighbour's outbuilding/ stood in front of this, views would show part of the proposed enlarged sloped roof at a maximum height of 3m and eaves height of 2.5m which is not considered to be unduly dominant.
- 7.12 Similarly, the separation distance between the proposed outbuilding and the rear building line of number 54's main dwellinghouse would be around 20m (or measured from the rear extension around 17m). This is considered sufficiently set back.

Other considerations

- 7.13 Concerns have been raised in representations relating to the use of the outbuilding as a separate dwellinghouse. To ensure restriction of this, a suitably worded condition will be attached to ensure the new outbuilding would be for ancillary use to the main dwellinghouse. Any intention to use the outbuilding as independent residential accommodation would require planning permission.
- 7.14 Issues relating to the drainage details are not within the remit of planning, and will be reviewed at the Building Regulations stage should the proposal be approved.
- 7.15 There is an existing tree at the rear of the garden which would need to be removed to allow the construction of the larger outbuilding. The site is not within a Conservation area nor is there a Tree Preservation order attached to this tree, therefore, there are no restrictions against removal of this.

8. CONCLUSION

- 8.1 The scale, form, design, positioning and materials of the proposed outbuilding are not considered to have an undue detrimental impact toward the character or appearance of the host dwelling, streetscene or on neighbouring amenity.
- 8.2 The proposal is considered to comply with the principles of policies referred to under Section 6 and it is recommended to grant planning permission subject to conditions.

RECOMMENDATION

Grant planning permission subject to conditions. The following conditions are recommended:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B3 External materials as Specified
4. 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 50 Tybenham Road, Merton Park, SW19 3LA.
5. Informative – party wall
6. NPPF note to applicant on approved schemes

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