

PLANNING APPLICATIONS COMMITTEE 15 SEPTEMBER 2016

Item No:

UPRN

APPLICATION NO.

DATE VALID

16/P1905

09/05/2016

Address/Site 101 Arthur Road, Wimbledon SW19 7DR

(Ward) Village

Proposal: Demolition of existing dwelling house and erection of a new five bedroom dwelling house with accommodation at basement level, together with associated landscaping and parking

Drawing Nos L(-1) 100, 101, L(-2) 300, 301, 302, 303, 304, 305, 306, 308, L (3) 300 Section A-A, L(3) 301 Section B-B, L(-4) 300, 301, 302, 303, L(-5) 300, 301, 302, 303, 304, Design and Access Statement, Heritage Assessment, Construction Method Statement, Arboricultural Report, Structural report and Daylight and Sunlight Report

Contact Officer: Richard Allen (8545 3621)

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- Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 11
- External consultants: None
- Density: n/a

- Number of jobs created: n/a
- Archaeology Priority Zone: Yes

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

The application site comprises a two storey detached dwelling house situated on the west side of Arthur Road. To the north and south of the site are large Victorian dwellings (numbers 99 and 103 Arthur Road) and opposite the application site are large detached dwellings. The application site is within the Merton (Wimbledon North) Conservation Area (Sub-Area 3). The application site is also within a Controlled Parking Zone (Zone VOn).

3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the demolition of the existing dwelling house and the erection of a new detached dwelling house. The proposed house would be 16 metres in length and 5.7 metres in width. It would have an eaves height of 6.5 metres and a pitched roof with a ridge height of 8.8 metres. It would be set back from the site frontage by between 6.4 and 10 metres. Light wells would be provided to the front and side elevations of the building.
- 3.2 Internally, at basement a living room, TV room, guest bedroom, WC storage and plant rooms would be provided. Light and ventilation to the basement accommodation would be provided by front and side light wells. The living room is at part upper ground and ground floor level so is also lit from the rear. At ground floor level a dining room, kitchen, pantry WC and study would be provided. At first floor level a master bedroom, guest room/bathrooms would be provided with a further two bedrooms and lounge area formed at second floor level.
- 3.3 The proposed house would be of contemporary design with light grey facing brickwork, slate roof and timber framed windows. A central lightwell would provide light all the way down to basement level. Part of the existing garden would be lowered at the rear to match the rear extension level. Vehicular access would be from the existing access from Arthur Road.

4. **PLANNING HISTORY**

- 4.1 In April 1951 planning permission was granted for the conversion of the house and stables into three separate dwelling houses (Ref.WIM 867).
- 4.2 In March 1952 planning permission was granted for the conversion of the existing stable block and cottage into a dwelling house (Ref.WIM 1109).

- 4.3 In October 1986 planning permission was granted for the erection of a part single/part two storey extension to front of dwelling house (LBM Ref.86/P0899).
- 4.4 In February 2016 planning permission was refused for the demolition of the existing dwelling house and the erection of a new dwelling house arranged over three levels (with accommodation at basement level) and associated landscaping and car parking (LBM Ref.15/P3701). Planning permission was refused on the grounds that:-

'The design, height, bulk and siting of the proposed dwelling is considered to be unacceptable for this relatively narrow plot and would constitute an over development of the site with a building that does not relate well to neighbouring buildings and would be visually intrusive to the Arthur Road street scene and would fail to preserve or enhance the character and appearance of the of the Merton (Wimbledon North) Conservation Area contrary to policies CS14 (Design) of the Adopted Merton Sites and Policies Plan (July 2011) and policies DM D2 (Design Considerations in all Developments) and DM D4 (Managing Heritage Assets) of the Adopted Merton Sites and Policies Plan (July 2014) and

The proposal would result in the demolition of a building situated within a conservation area that is considered to have a good relationship with neighbouring buildings in terms of its size and siting and is subordinate to the larger locally listed dwelling house at 99 Arthur Road. The demolition of the building would therefore be detrimental to the setting of the locally listed building and the character and appearance of the Merton (Wimbledon North) Conservation Area contrary to policy DM D4 (Managing Heritage assets) of the Merton Sites and Policies plan (July 2014).'

5. **CONSULTATION**

- 5.1 The application has been advertised by conservation area site and press notice procedure. In response 7 letters of objection have been received from the occupiers of neighbouring properties and the Wimbledon Society. The grounds of objection are set out below:-
- The previous application (LBM Ref.15/P3701) was refused on the grounds of demolition of a building in a conservation area that was considered to have a good relationship with neighbouring buildings. The Council's refusal on demolition grounds has not been tested on appeal.
 - The modern design approach is out of keeping with the conservation area.
 - piling for the basement construction causes concern due to potential impact upon the water table and could lead to problems for 75 Home Park Road.
 - Basement construction would be on London clay and expert analysis of the effects of altering ground water should be sought.
 - The existing building should be conserved.
 - Number 99 Arthur Road is a locally listed building and basement construction may result in damage to number 99.

- 5.2 The Wimbledon Society
The Wimbledon Society considers that the Council should reconfirm the decision that it took only four months ago and therefore urges the Council to refuse this further application to demolish the existing building at 101 Arthur Road. This would preserve the setting of the locally listed building at 99 Arthur Road and the appearance of the conservation area.
- 5.3 Future Merton-Flood Risk/Structural Engineer
The Council's Flood risk/structural engineer has no objections to the proposal subject to conditions being imposed on any grant of planning permission in respect of basement construction and sustainable drainage.
- 5.4 Conservation Officer
The current application is for a building significantly different in form to the previously refused application, and it is considered to preserve the setting of the adjoining locally listed building and the setting of the Conservation Area.
6. **POLICY CONTEXT**
- 6.1 Adopted Merton Core Strategy (July 2011)
CS8 (Housing Choice), CS9 (Housing Provision), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design), CS15 (Climate Change) and CS20 (Parking)
- 6.2 Sites and Policies Plan (July 2014)
DM H2 (Housing Mix), DM H4 (Demolition and Redevelopment of a Single Dwelling House), DM O2 (Nature Conservation, Trees, Hedges and Landscape features), DM D1 (Urban Design and the Public Realm), DM F2 (Sustainable Drainage Systems SUDS), DM D2 (Design Considerations in all Developments), DM D4 (Managing Heritage Assets) and DM T3 (Car parking and Servicing Standards).
- 6.3 The London Plan (March 2015)
3.3 (Increasing London's Housing Supply), 3.4 (Optimising Sites Potential), 3.5 (Quality and Design of Housing Developments), 7.4 (Local Character) and 7.6 (Architecture).
7. **PLANNING CONSIDERATIONS**
- 7.1 The main planning considerations concern the principle of demolition, design and conservation issues, provision of basement accommodation, impact of the proposal upon neighbour amenity, together with parking, tree and sustainability issues.
- 7.2 Principle of Demolition

One of the grounds for the refusal of planning application LBM Ref.15/P3701 on 15 February 2016 was that the proposal involved the demolition of a building within a conservation area that was considered to have a good relationship with neighbouring buildings, in terms of its size and siting and being subordinate to the larger locally listed building at 99 Arthur Road. Planning application 15/P3701 proposed demolition of the existing building and the erection of a replacement house of contemporary design, in the form of a large 'box like' building that projected forward of the existing building. The building would have had a flat roof and would have had an unsatisfactory relationship with neighbouring properties. The design of the building was therefore considered to be unsatisfactory and would have been an intrusive feature in the street scene. Policy DM D4 (Managing Heritage Assets) is the policy relating to developments within conservation areas, with the aim of the policy to conserve and where possible enhance Merton's heritage assets and distinctive character. Paragraph (b) states that all development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, with a Heritage Statement how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting. Paragraph (c) of the policy states that proposals that will lead to substantial harm to the significance of, or the total loss of a heritage asset will only be granted in exceptional circumstances where substantial public benefits outweigh the harm or loss in accordance with the NPPF or that all of the following apply: (i) the nature of the heritage asset prevents all reasonable uses of the site and (ii) no viable use of the heritage asset itself can be found that will enable its conservation and (iii) conservation by grant funding or public ownership is not possible and (iv) the harm or loss is substantially outweighed by the benefit of bringing the site back into use and in paragraph (D) the loss of a heritage asset that makes a positive contribution to a conservation area or heritage site should also be treated as substantial harm to a heritage asset.

- 7.3 In this case the proposal involves the demolition of an unlisted building within the Merton (Wimbledon North) Conservation Area. The Character Assessment for (Sub-Area 3) makes no specific reference to 1010 Arthur Road and is therefore considered to have a neutral impact upon the character and appearance of the conservation area. In relation to the reasons for refusal of application LBM Ref.15/P3701 on 15 February 2016, the current application is for a completely new proposal. The current application involves demolition of the existing building and erection of a replacement building on a similar footprint to the existing building and would have the same eaves height and would have a pitched roof with the same ridge height as the existing building albeit with a gabled roof rather than a hipped roof. Thus the proposed replacement building would maintain the scale and massing of the existing building and would remain subordinate to its neighbours, thus addressing two of the key reasons for refusing the previous application. The current proposal is considered to be of high enough quality to justify the demolition of the existing building which is in a very poor state of repair and has no more than a neutral impact upon the character and appearance of the Conservation Area and that demolition of the existing building can therefore be justified in this instance.

7.4 Design and Conservation Issues

The previous application (LBM Ref.15/P3701) was refused permission on the grounds of design, bulk and massing and demolition of an unlisted building within a conservation area. Unlike the previous application that proposed a flat roofed 'box like' structure with timber and metal clad elevations, a more conventional design has been adopted albeit using modern materials. The proposed house would have a similar footprint to the existing house and would have a pitched roof with a ridge height the same as the existing house. The design of the proposed house is very thoughtful and creates a very modern house whilst employing a traditional roof form and massing that is considered to be acceptable and would not have any adverse impact on the setting of the locally listed building or the streetscene. The proposal is therefore considered to be acceptable in terms of policy DM D4 (Managing Heritage Assets).

7.5 Provision of Basement Accommodation

Paragraphs 6.26-6.36 of policy DM D2 of the Sites and Policies Plan specifically refer to basement construction. The policy requires that all developments that involve the construction of basements are accompanied with a basement construction method statement. The architect has submitted a Basement Construction Method Statement produced by Barton Engineers Ltd which includes details of site soil/ground condition survey and details of basement construction methodology. The Council's flood Engineer is happy with the submitted details subject to the imposition of suitable conditions in respect of surface water and groundwater drainage and the development is considered to accord with the requirements of policy DM D2 (Design Considerations in all Developments).

7.6 Neighbour Amenity Issues

The proposed house would be constructed on a similar foot print to the existing house, set slightly further back on the plot as the proposed house would be in line with the front elevation of the existing house and not the single storey garage projection. The proposed house would have a pitched roof with a ridge height of 8.8 metres, the same height as the existing house. The existing house has a hipped roof to the front elevation and the proposed house would have a gabled roof. However, the increase in bulk to the roof form resulting from a gable roof to the front elevation would not have any impact upon neighbour amenity. Main windows would be to front and rear elevations. Although there would be windows within the south side elevation at first floor level these windows would be to bathrooms and would be obscure glazed. There would also be a small side balcony to the north elevation at first floor level which would be screened by a timber slatted screen. The applicant has submitted a daylight/ sunlight report that demonstrates that the impact on all windows and roof lights in 99 and 103 Arthur Road would comfortably meet the BRE guidelines for loss of daylight and sunlight. The impact on the conservatory at the rear of 103 Arthur Road would also meet the BRE guidelines.

7.7 The concerns of local residents regarding possible damage to neighbouring properties due to basement construction works are also noted. However, the

applicant has submitted a construction method statement by Barton Engineers Ltd and planning conditions requiring a full Basement Construction Method Statement and details of sustainable drainage measures which the Council's engineers are happy with. A construction management scheme and control over working hours would mitigate construction impact as far as possible. The proposal is therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7.8 Parking

The proposal would incorporate two off-street car parking spaces within the front garden accessed by a single vehicular crossover from Arthur Road. The proposed access and parking arrangements are considered to be acceptable and accord with policy CS20.

7.9 Trees

It is proposed to remove two trees located on the side boundary to the Arthur Road frontage. All other trees on the site would be retained and the two trees to be removed would be replaced with two new trees within the rear garden. The proposal is therefore acceptable in terms of policy DM O2 (Nature Conservation, Trees, Hedges and Landscape features).

7.10 Sustainability Issues

The Government removed the requirement for compliance with the Code for Sustainable Homes on 26 March 2015, as part of the Deregulation Act 2015. Following these changes, the Council will now require confirmation that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4 only.

The architect has advised that using passive means for achieving energy efficiency will be the starting point with low U values for the external fabric of the building, improved air tightness, reduced thermal bridging and making effective use of resources and materials, minimizing water and CO2 emissions.

8.0 CONCLUSION

- 8.1 The previous application was resisted on the basis that the form, design and massing was inappropriate and discordant within the streetscene, detracting from the setting of the neighbouring locally listed building as well as adversely affecting neighbours and the streetscene. The current proposal is a thoughtful re-design which mimics the massing and form of the existing house but with a use of more contemporary detailing and a well thought out internal layout. The current proposal is considered to be acceptable in terms of neighbor amenity subject to appropriate planning conditions concerning working hours and basement construction details. The design of the proposed house is considered to be high quality and would preserve and enhance the character and appearance of the Merton (Wimbledon North) Conservation Area. Accordingly, it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

subject to the following conditions:-

1. A.1 Commencement of Development
2. A.7 Approved Plans
3. B.1 (Approval of Facing Materials)
4. B.4 (Site Surface Treatment)
5. B.5 (Boundary Treatment)
6. C.2 (No Permitted Development Doors/Windows)
7. C.4 (Obscure Glazing)
8. C.7 (Refuse and Recycling-Implementation)
9. D.9 (External Lighting)
10. D.11 (Construction Times)
11. F.1 (Landscaping Scheme)
12. F.2 (Landscaping Implementation)
13. H.7 (Cycle Parking Implementation)
14. H.9 (Construction Vehicles)
15. Prior to commencement of development, a detailed Basement Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority and the basement construction undertaken in accordance with the approved details.

Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2.
16. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS

Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuation provision of no less than 15m³ of storage) and control the rate of surface water discharged from the site to no greater than 5l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation;
- iii. include a CCTV survey of the existing surface water outfall and site wide drainage network to establish its condition is appropriate.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

17. No development approved by this permission shall be commenced until a scheme to reduce the potential impact of water ingress both to and from the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction, as highlighted in the submitted Basement Impact Assessment and Construction Method Statement. This will be informed by site specific ground investigation, baseline and ongoing monitoring of ground water levels after completion of works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the risk of ground water ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies DM D2 and DM F2 of Merton's Sites and Policies Plan 2014.

18. It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
19. No p.d. extensions
20. INF.1 Party Wall Act

- 21. INF.8 Construction of Vehicular Access
 - 22. INF.12 Works Affecting the Public Highway
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Please [click here](#) for full plans and documents related to this application.

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