

## PLANNING APPLICATIONS COMMITTEE

22 MARCH 2018

**APPLICATION NO.**

**DATE VALID**

17/P2878

02/08/2017

**Address/Site** Deacon House, 10 Atherton Drive, Wimbledon, SW19 5LB

**Ward** **Village**

**Proposal:** Erection of a new detached garage with basement car park and erection of a two storey side extension with basement games room.

**Drawing Nos** P01, P02, P04, P05, P06, P08, P09

**Contact Officer:** Richard Allen (8545 3621)

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## **RECOMMENDATION**

**GRANT Planning Permission subject to conditions**

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## **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 – 14
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

## 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**

- 2.1 The application site comprises a detached two storey dwelling house situated at the southern end of Atherton Drive, a cul-du-sac accessed from Burghley Road. There is an existing detached garage to the side of the property

adjacent to the rear boundary with 21 Calonne Road. The application property is situated within a large garden screened by mature tree and shrub planting. The application site is within the Merton (Wimbledon North) Conservation Area and is adjacent to a Grade II Listed Building.

### 3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the erection of a detached garage building with basement car parking below and erection of a two storey extension to the existing dwelling house with games room below at basement level.
- 3.3 The proposed detached garage building would be 6.5 metres in width and 8.5 metres in length. The garage would have an eaves height of between 2.5 and 3.2 metres and would have a hipped roof with an overall height of between 4.1 and 5.5 metres. The garage would contain a car lift which would provide access to a basement car park that could accommodate 8 cars.
- 3.4 The proposed two storey extension would be sited on the south elevation of the existing dwelling house and would be 9 metres in width (at ground floor level) and 14 metres in length. The extension would have a 'cat slide' roof that would slope upwards from the boundary with 19 Calonne Road, with first floor accommodation provided within the roof space. Two dormer windows would be provided to the garden elevation and a single dormer window (to a bathroom) provided to the side elevation facing towards the boundary with 19 Calonne Road. Beneath the side extension a basement would be formed to provide a games room.

### 4. **PLANNING HISTORY**

- 4.1 In July 1989 planning permission was granted for the erection of a first floor side extension (LBM Ref.89/P0804).
- 4.3 In November 1995 planning permission was granted for the erection of a part single, part two storey detached house with accommodation within the roof and integral garage fronting Calonne Road and erection of a part single/part two storey detached dwelling with integral swimming pool, detached double garage with accommodation above with access from Atherton Drive involving the demolition of 10 and 12 Atherton Drive (LBM Ref.95/P0762).

### 5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 18 objections have been received. The grounds of objection are set out below:-

-The construction of an underground garage would cause problems with the water table cause disruption to traffic and cause problems of access to other houses.

-The proposed garage could result in a commercial activity taking place in a residential area.

- The proposed basement may affect nearby trees and result in loss of greenery.
- The large garage will result in noise and pollution.
- the basement may increase risk of flooding and have an adverse impact upon ground water.
- The excavation to build the underground garage would cause noise and nuisance.
- The garage will result in the loss of an orchard and garden area.
- Keeping cars underground would be a fire hazard.
- The garage and extension to the house would constitute overdevelopment of the site.
- The proposed two storey extension would face onto 19 Calonne Road and the window in the side elevation would result in overlooking.

In addition, reports have been submitted by Eric Cooper of Hydrock and Bartlett Tree Report, both making specific representation on the applicants submitted Basement Construction Method Statement and Tree Report.

## 5.2 Parkside Residents Association

The Parkside residents Association state that the proposed basement car park is disproportionately large, inappropriate and unsuitable for a residential location. The proposal will allow for the garaging of 12 cars on the site. This is excessive for a residential location. There are no properties in the area which offer garaging on such a scale. Driving vehicles in and out of the basement would generate numerous traffic movements along a quiet cul-du-sac and create disturbance. There are no details of the car lift and it must be demonstrated that this equipment will not cause undue noise. The storage of cars underground could be a safety risk. The proposal will also result in the loss of trees and the flood risk assessment and basement construction method statement provides little information on the impact of the development upon neighbour amenity. The first floor window in the two storey side extension would result in overlooking and loss of privacy to 19 Calonne Road.

## 5.4 Tree Officer

The tree officer has confirmed that the applicant has provided sufficient information to the proposed development in response to earlier concerns and the tree officer is now satisfied that the development can be implemented in a satisfactory manner subject to tree protection conditions being imposed on any grant of planning permission. The tree officer raises no objection to the trees proposed to be removed.

## 5.5 Flood Risk Management Engineer

No objection, subject to condition.

## 6. **POLICY CONTEXT**

### 6.1 Adopted Merton Core Strategy (July 2011)

CS14 (Design) and CS20 (Parking).

### 6.2 Sites and Policies Plan (July 2014)

D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings), DM D4 (Managing Heritage Assets) and DM T3 (Car Parking).

6.3 The London Plan (March 2016)

The relevant policies within the London Plan are 6.13 (Parking), 7.4 (Local Character) and 7.4 (Local Character).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the impact on visual amenity, design and Conservation Area, setting of Listed Building, basement construction, neighbour amenity, trees and parking issues.

7.2 Design/Conservation Issues

The site lies within the Merton (Wimbledon North) Conservation Area (designated heritage asset). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, Policy DM D4 outlines that development should preserve or enhance the significance of the heritage asset.

7.3 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.4 According to Paragraph 129 of the NPPF, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

7.5 The site lies within the 'Wimbledon House' sub-area of the Conservation Area which is recognised for its former part of the Old Park, which was largely occupied by Wimbledon House and its grounds. The area is recognised for its harmonious designs and spacious plots, controlled over time through restrictive covenants.

- 7.6 The proposal involves the erection of a two storey extension to the existing house and the erection of a detached double garage building that would provide lift access to an underground car parking area. The proposed extension to the dwelling house has been designed to complement the design of the existing house and would incorporate a hipped roof and rendered wall. The detached garage building has also been designed to complement the design of the existing house. Once constructed, the basement parking area and games room would not be visible and would have no impact upon the character of the conservation area. The site is set in a backland position and therefore the new hardstanding leading up to the new garage would not have a wider visual impact on the surrounding area.
- 7.7 A number of trees are proposed to be removed to accommodate the proposed development. These are to be in the area where the proposed new hard surfacing and garage would be sited. The trees to be removed have been assessed with due regard to the guidelines contained in BS 5837:2012. The majority of the trees to be removed are in a condition where their long term retention would be called into question whether the proposed development was to proceed or not. The majority of the trees are in the lower section of the garden where the garage is proposed and the majority of the trees are substandard and offer little to the visual amenities of the area. The removal of trees would not adversely affect the character or appearance of the conservation area and it is proposed to undertake a comprehensive landscaping and tree planting scheme to enhance the setting of Deacon House which would also enhance the wider conservation area.
- 7.8 Overall the proposed garage and extension to the existing dwelling house have been sympathetically designed to complement the existing dwelling house and the proposal would not have a harmful impact upon the character or appearance of the Merton (Wimbledon North) Conservation area and its significance would be preserved. The proposal is therefore acceptable in terms of policies CS14, DM D2 and DM D4.
- 7.9 Setting of Listed Building
- 7.10 The statutory test for the assessment of proposals affecting listed buildings and their settings is contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.11 To the south of the site lies number 21 Calonne Road, a Grade II Listed Building. The listing description outlines:

Detached house. Dated 1909. Designed by R Baillie Scott. Brick, with some timber framing with plaster infill to central bay; steeply pitched tiled roof to eaves. 2 storeys plus roof storey. Irregular composition in Arts and Crafts manner. Garden front of 3 main bays, the outer bays projecting beneath gabled roofs with further hipped projections over paved terrace to right and

left; 3- light windows to right hand gabled wing and 4-light windows to left; timber mullions. Central bay recessed with exposed timber framing and 5-light windows to ground and first floors, the centre 3 lights of the latter breaking upwards to form a flat topped half dormer. 5-light corniced dormer window to centre. Tall chimneys to right and left. Interior remains largely intact with open well staircase, dado panelling to ground floor, wrought iron door and window fittings etc.

7.12 The listed building is adjoined by neighbouring detached residential plots to the east and west, and the site to the north. The setting of the listed building has already been affected by the built form on either side of this plot and the existing garage on the application site. The proposed garage and basement car park would be sited north-east of this building and due to the distance, it would not cause harm to the setting of the listed building. The proposed extension to the dwelling would extend west on site. This would add built form to the north of the boundary of the listed building. The design of the extension with a low eaves and roof structure to match the host dwelling ensures that the design would be in keeping with the existing dwelling. Although this would create additional built form beyond the north boundary of the listed building, it would not cause harm to the setting of the listed building due to its distance and scale.

7.13 Overall, the proposal would not cause harm to the setting of the listed building and is compliant with Policy DM D4 and the NPPF.

7.14 Basement Construction

7.15 A number of representations have been received concerning the impact of the proposed basement construction on trees and ground water. However, the applicant has provided a basement construction method statement prepared by a qualified structural engineer and the report concludes that based on the survey information the basements can be constructed in a safe and effective method without significant impact upon neighbouring properties. Further, the application has been accompanied with a Flood Risk Assessment which concludes that the risk of flooding is low and that the appropriate drainage strategy should be to utilise a sub-surface positive drainage system to the public sewer, as per the existing dwelling. The Council's Drainage Officer has no objections to the proposal subject to submission of surface water and foul water drainage scheme being imposed on any grant of planning permission. Officers have considered the reports by Eric Cooper of Hydrock, however, the technical information submitted with the application has been reviewed by the Council's Flood Risk Management Engineer who has recommended a prior to commencement of development condition. The proposed basement is therefore considered to be acceptable in term of policy DM D2.

7.16 Neighbour Amenity

7.17 The resident's concerns regarding the scale of the underground parking area are noted. However, the applicant collects classic cars and there are no objections to the construction of an underground parking area in principle as

once constructed the access would be via a conventional detached double garage. (A similar development was also recently approved at 28 Linfield Road LBM Ref.16/P0272). The underground garage can be conditioned to ensure that the parking of vehicles remains ancillary to the existing use of the site, which is a single residential dwelling. The proposed two storey side extension to the existing house (incorporating a basement games room) would be sited adjacent to the rear boundary with 19 Calonne Road. However, although two storey, the first floor would be within the roof space, with the hipped roof sloping away from the boundary with 19 Calonne Road. Although a side dormer window is proposed facing onto 19 Calonne Road, the window would be to a bathroom and would be obscure glazed, which can be controlled via condition. The proposed garage would be sited within the eastern corner of the large garden. The side elevation of the garage would be a minimum of 2 metres away from the side garden boundary with 25 Calonne Road and the rear elevation of the garage would be 4 metres from the rear boundary with number 25. The side elevation of the garage would be a minimum of 1 metre away from the side boundary of the garden of 8 Atherton Drive and the garage would have a hipped roof sloping away from each side boundary. Therefore the siting of the garage adjacent to neighbouring gardens would not have a harmful impact upon neighbour amenity and is therefore acceptable in terms of policy DM D2.

7.18 Trees

- 7.19 The Council's tree officer has been consulted on the proposals and is satisfied with the information contained within the amended Arboricultural Report which demonstrates that the trees on the site identified for retention are not at risk from the development. Although there are trees in garden of 19 Calonne Road, which are nearest the proposed basement, only 2 metres of the root protection area of these trees is within the application site, and the proposed basement is outside this distance. The tree officer has, however, recommended that appropriate planning conditions be imposed on any grant of planning permission to protect retained trees during construction works. The proposal is therefore considered to be acceptable in terms of policy DM DO2.

7.20 Parking

- 7.21 The existing access arrangements to the site are unaffected by the proposed development and the proposal would involve the provision of additional parking spaces at basement level for the owners' collection of classic cars. Therefore there are no planning objections to the proposed development.

8. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. **CONCLUSION**

- 9.1 The proposed two storey side extension to the existing dwelling house and the erection of the detached garage building are considered to be acceptable in design terms. Although the proposal involves the provision of basement car parking area accessed via a car lift and provision of a small basement beneath the two storey side extension, the applicant has provided a basement construction method statement demonstrating that the basements can be constructed in a safe manner. The proposal is considered to be acceptable in terms of neighbour amenity would not cause a harmful effect on the character or appearance of the (Wimbledon North) Conservation Area. Accordingly it is recommended that planning permission be granted subject to conditions.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to the following conditions:-

1. A.1 (Commencement of Development)
2. A.7 (Approved Drawings)
3. B.1 (Approval of Facing Materials)
4. B.4 (Site Surface Treatment)
5. C.2 (No Permitted Development –Door and Windows)
6. C.4 (Obscure Glazing-Side Dormer Window to Bathroom)
7. D.11 (Hours of Construction)
8. F1 (Landscaping)
9. F2 (Landscaping-Implementation)
10. F5 (Tree Protection)
11. The details of measures for the protection of existing trees as specified in the approved document BS 5873:2012 Arboricultural Report Impact Assessment, Arboricultural Method Statement and Tree Protection Plan dated August 2017 including drawing titled Tree Protection Plan dated 03/11/2017 shall be fully complies with. The methods for the protection of the existing trees shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report. The details of the measures as approved shall be retained and maintained until the completion of site works.

Reason for condition: to protect and safeguard the existing retained trees and those trees located in neighbouring amenity space in accordance with the following development Plan policies for Merton: Policy 7.21 of the London



Plan 2015, Policy CS13 of Merton's Core Planning Strategy 2011, and Policies DM D2 and DM O2 of the Adopted Merton Sites and Policies Plan 2015.

12. F.8 (Site Supervision – Trees)
13. F.6 (Design of Foundations insert 'within 11 metres of retained trees')
14. The existing ground levels within the root protection area of the existing retained Beech tree (referred to as T20) shall not be raised or lowered and shall remain as existing.

Reason for condition: To protect and safeguard the existing retained Beech tree in accordance with the following development Plan Policies for Merton: Policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011, and Policies DM D2 and DM O2 of the Adopted Merton Sites and Policies Plan 2015.

15. The new footpath shown on the approved drawing number P07 Rev A beneath the canopy of the Beech tree (referred to as T20) shall be constructed using no-dig construction as detailed in Arboricultural Practice note 12.

Reason for condition: To protect and safeguard the existing retained Beech tree in accordance with the following development Plan Policies for Merton: Policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011, and Policies DM D2 and DM O2 of the Adopted Merton Sites and Policies Plan 2015.

16. F.1 (Landscaping Scheme)
17. Condition: Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:
  - i. Provide information about the design storm period and intensity, attenuation (no less than 27.4m<sup>3</sup>) and control the rate of surface water discharged from the site to no more than 5l/s;
  - ii. Include a timetable for its implementation;
  - iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme is carried out in full. Those facilities and measures shall be retained for use at all times thereafter.

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

18. Prior to commencement of development a fully detailed Basement Construction Method Statement (including hydrogeology report) shall be submitted to and agreed in writing by the Local Planning Authority. The basement works shall be undertaken in accordance with the approved details.

Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2 of the Adopted Merton Sites and Policies Plan (2014).

19. The garage and basement parking area shall be used for the parking of motor vehicles ancillary to the domestic use of Deacon House, 10 Atherton Drive SW19 5LB and for no other purpose without prior approval in writing from the Local Planning Authority.

Reason for condition: In the interest of neighbour amenity and to comply with policy DMD2 of the Adopted Merton Sites and Policies Plan (2014).

20. Prior to first use of the garage hereby permitted, details of the internal car lift structure and operating mechanism shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and thereafter retained.

Reason for condition: In the interest of neighbour amenity and to comply with policy DMD2 of the Adopted Merton Sites and Policies Plan (2014).

21. INF 1 (Party Wall Act)

22. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. 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).

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