

PLANNING APPLICATIONS COMMITTEE
13th August 2015

Item No:

UPRN

APPLICATION NO.

DATE VALID

15/P1729

26/05/2015

Address/Site:

46 Barham Road, West Wimbledon, SW20 0ET

(Ward)

Raynes Park

Proposal:

S.73 application for variation of condition 2 (approved plans) attached to LBM Ref: 13/P3187 relating to the demolition of the existing detached house , and erection of 2 x 4 bedroom dwellings with underground parking.

Drawing Nos:

RF40/03E, 04D, 05D, 06C, 07C, 08C, 09B, 10C, 11C, 12C, 13C, 14B, 15B, 16B, 17B, 18C, 19B, 20B, 67B

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

Grant s.73 variation of condition subject to legal agreement in respect of affordable housing contribution

CHECKLIST INFORMATION

- Heads of agreement: Affordable Housing, Education
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 2
- External consultations: None

1. INTRODUCTION

- 1.1 This application is being brought before the Planning Applications Committee for determination due to the number of representations received.

2. SITE AND SURROUNDINGS

- 2.1 The application site formerly comprised a detached house. This house has now been demolished and works have commenced on the two replacement houses granted approval under LBM Ref: 13/P3187 in February 2015. The site is located on the west side of Barham Road, West Wimbledon.
- 2.2 The application site has a wide frontage of approx. 23m and slopes downwards from the front to the rear, with Drax playing fields, which is Metropolitan Open Land (MOL) located behind the site.
- 2.3 The surrounding area is residential in character with Barham Road featuring detached houses along its entirety. The application site is not located within a conservation area.

3. CURRENT PROPOSAL

- 3.1 The current application is to vary condition 2 of LBM Ref: 13/P3187, which sets out the list of approved drawings. It is proposed to vary the approved drawings in order to make the following changes:
 - Addition of light wells to the front and side of each house;
 - Addition of two chimneys to each house on the flank wall;
 - The relocation of the part hipped/part gable side roof element comprising the staircase to the opposite flank of each house;
 - 7.7 square metre increase in footprint of lower ground floor to accommodate plant room
- 3.2 Originally, the application also proposed increasing the ridge height by 4cm and the eaves height by 19cm, but the plans have been amended to remove this element from the application. In addition, the proposed light wells to the front of the house have been amended to reduce their size.
- 3.3 The lower ground floor has been reconfigured with it now accommodating a bedroom, TV and Utility rooms, and gym. In comparison the houses as currently approved feature a home cinema room, gym, plant and utility room at lower ground floor level. The plant has now been moved to the side of the covered parking area at the rear.

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 87/P1268 - Erection of a two-storey three bedroom detached dwellinghouse with integral garage on land at side of property with a replacement parking space for existing dwelling. Allowed at appeal on 15/11/1988
- 4.2 93/P1372 - Erection of a two-storey three bedroomed detached dwellinghouse with integral garage on land at side of property with a replacement parking space for existing dwelling. (Renewal of previous permission 87/P1268 allowed on appeal on 15th November 1988). Granted, 06/01/1994

- 4.3 02/P1031 – Ground floor side and rear extension. Granted, 03/07/2002
- 4.4 13/P3187 - Demolition of existing 4 bedroom detached house, and erection of two x 4 bedroom dwellings with underground parking. Members resolved to approve the application in March 2014 subject to a legal agreement in respect of a contribution towards affordable housing. An education contribution was not required as this was replaced by Merton's Community Infrastructure Levy in April 2014. In November 2014, a Ministerial Statement and revised Planning Policy Guidance removed the requirement for financial contributions towards affordable housing on developments of less than 10 units with a maximum combined gross floorspace of no more than 1000sqm. The planning permission was subsequently issued without a legal agreement on 20/02/2015
- 4.5 15/P0223 - Application for non-material amendments to planning application 13/P3187 for internal layout changes, enlargement of basement to permit rooflights and light wells to front basement wall to provide windows for habitable rooms below ground. Eaves raised by 140mm and ridge raised by 40mm to increase attic floor space (pitched roof unchanged). Refused on the basis that the changes did not constitute non-material amendments on 01/05/2015
- 4.6 15/P1601 - Application for discharge of conditions 3, 4, 5, 9, 11, 12, 13 & 18 attached to LBM Ref: 13/P3187 (dated 20/02/2015) relating to demolition of existing 4 bedroom detached house, and erection of two x 4 bedroom dwellings with underground parking. Granted, 30/06/2015

5. POLICY CONTEXT

- 5.1 Adopted Sites and Policies Plan (July 2014):
Relevant policies are - DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings)
- 5.3 Adopted Core Strategy (July 2011):
Relevant policies are – CS.8 (Housing Choice), CS.13 (Open space, nature conservation, leisure and culture), CS.14 (Design), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (March 2015):
Relevant policies are - 3.3 (Increasing Housing Supply), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction), 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes)
- 5.4 The following Supplementary Planning Guidance (SPG) is also relevant:
New Residential Development (September 1999)

6. CONSULTATION

6.1 The application has been publicised by means of a site notice and letters to individual properties. In response, seven letters of objection have been received. The grounds of objection are as follows:

- Detrimental impact on feel and character of the road, houses visually prominent and out of scale, front light wells out of keeping and harmful to established rhythm and appearance of development in the street scene and would result in houses having a three-storey appearance
- Density too high, over development of plot;
- Height and width of houses out of keeping with other houses along road;
- Lack of adequate off-street parking provision;
- Loss of daylight/sunlight and overshadowing;
- Detrimental impact on side windows to habitable rooms at No.48;
- amendments to the approved scheme increase the size and bulk of the building and add bulk and mass along the boundary with No.48;
- Noise from basement plant;

7. PLANNING CONSIDERATIONS

The proposal is for amendments to a previously approved scheme already under construction, therefore the report will concentrate on the acceptability of the proposed changes as outlined in section 3.0 above.

7.1 Visual Amenity

7.11 It is considered that the proposed addition of the flank chimneys and relocation of the hipped side gable detail accommodating the staircase at roof level to the flank walls adjacent to no.s 44 and 48 Barham Road do not have an unacceptable impact on the design and proportions of the proposed houses. It is also considered that these elements will have little impact on the gaps between the houses and neighbouring properties, or the scale and bulk of the houses themselves given their modest size and set back from the front elevations. In the wider context, chimneys and side facing dormers are a common feature along Barham Road and as such would respect the character of the local area.

7.12 The proposed front light wells are also considered to be acceptable in this instance. Although there are no other houses along Barham Road, which feature front light wells, it is not considered that this would warrant a refusal of the application. The proposed front light wells are set well back from the front boundary and the front boundary wall and proposed hedge planting immediately behind the front boundary wall as well as in front of the light wells would soften their visual impact. The side light wells are flush with the ground and would not be visible from within the public realm. The proposed amendments are therefore considered to accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan (July 2014).

7.2 Residential Amenity

- 7.21 Policy DM D2 of the Adopted Sites and Policies Plan (July 2014) states that development will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. It also states that new and existing development should be protected from visual intrusion and noise.
- 7.22 It is considered that the proposed amendments will have little impact on the amenity of occupiers of neighbouring properties. The proposed chimneys and part hip/part gable elements located on the side of each house so will only be visible from the side windows or amenity space of Nos. 44 and 48. Side windows are not afforded the same level of protection as rear or front facing windows, which will not be impacted by these amendments. In addition, given the gaps between the proposed houses and Nos. 44 and 48 coupled with the fact that the the chimneys and part hip/part gable elements will largely be viewed against the backdrop of the side roof slope of each house and are modest in size, it is considered that the addition of these elements would not have an unacceptable impact on daylight/sunlight levels or be visually intrusive.
- 7.23 There would also be no additional impact regarding privacy -condition 8 of the original planning permission requiring side windows at second floor level to be obscure glazed and fixed shut would continue to apply. A condition will also be added requiring that details of soundproofing of the plant equipment are submitted prior to its installation to protect neighbouring properties from any noise impact. Overall, it is considered that the proposed amendments will accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

7.3 Traffic and Parking

- 7.31 There are no alterations to the car parking arrangement with each car parking space being the same size and located in the same position as the approved scheme. The houses each comprise two covered car parking spaces at the rear, which is accessed via a shared ramp. There will be no parking within the front curtilage as in the approved scheme.

8.0 Affordable Housing

- 8.1 New policy introduced by the government in November 2014, which excluded small developments of up to 10 units and with a maximum combined gross floorspace of no more than 1000 sq. m from affordable housing levies, has been quashed by the High Court on 31st July 2015 and national Planning Policy Guidance was amended on 1st Aug 2015 to reflect this. Consequently, a s.106 agreement will be required in relation to the provision of a financial contribution towards affordable housing in line with policy CS.8 of the Core Planning Strategy (July 2011) and the Council's calculation formula subject to viability.

9.0 CONCLUSION

- 9.1 It is considered that the proposed amendments which include the addition of chimneys and a part hip/part gable elements to the side of each proposed house and the addition of front and side lightwells would not have an unacceptable impact on visual or residential amenity and as such will accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

RECOMMENDATION

GRANT variation of condition to change the approved drawing numbers subject to

(A) completion of a legal agreement in respect of affordable housing financial contribution

and

(B) the following conditions::

1. Condition 2 of 13/P3187 is varied as follows: The development hereby permitted shall be carried in accordance with the following approved plans: RF40/03E, 04D, 05D, 06C, 07C, 08C, 09B, 10C, 11C, 12C, 13C, 14B, 15B, 16B, 17B, 18C, 19B, 20B, 67B

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Remove condition 9 relating to submission of details of landscaping and planting is deleted (no longer required as details have been provided with this application).
3. Condition 10 is varied as follows: All hard and soft landscape works shall be carried out in accordance with the approved landscaping plan (drawing No. RF40/67B). The works shall be carried out prior to the occupation of any part of the development, whichever is the sooner, and any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased or are dying shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied.

Reason: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.

4. Add condition 21: No plant or machinery shall be installed unless or until details of sound insulation/attenuation measures have been submitted to and approved by the local planning authority which ensure that any noise from the plant and machinery (expressed as the equivalent continuous sound level) LAeq (10 minutes), from shall not exceed LA90-10dB at the boundary with the

closest residential property. The plant shall be installed in strict accordance with the approved sound insulation/attenuation measures prior to first occupation of any of the residential units hereby approved and shall thereafter be retained. No additional plant shall be installed without the prior written approval of the local planning authority.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

5. INFORMATIVE: Please note that all other conditions attached to the substantive Planning Permission 13/P3187 continue to apply.

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