

**PLANNING APPLICATIONS COMMITTEE
5 SEPTEMBER 2013**

Item No: 09

UPRN	APPLICATION NO.	DATE VALID
	13/P2043	23/06/13
Address/Site	58 Kings Road, Wimbledon, SW19 8QW	
(Ward)	Trinity	

Proposal: Application for extension of time period for implementation of extant LBM planning permission 10/P0442 (dated 01/07/2010) relating to the erection of a single storey rear extension and creation of additional accommodation at basement level.

Drawing Nos: A010909/S03, A010909/DP7, A010909/DP8 A, and A010909/DP9

Contact Officer: Sabah Halli (0208 545 3297)

RECOMMENDATION

GRANT Planning Permission subject to conditions

CHECKLIST INFORMATION

- Heads of Agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: None
- Controlled Parking Zone: Yes (W3)

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a semi-detached house in a well established residential road. The property has existing two storey and single storey rear extensions and a rear mansard roof extension.

2.2 The site is located within the South Park Gardens Conservation Area and within a Controlled Parking Zone.

3. CURRENT PROPOSAL AND BACKGROUND

3.1 This application is for an extension of the time period for implementation of extant LBM planning permission 10/P0442 (dated 01/07/2010), approved at Planning Applications Committee on the 10th June 2010.

3.2 The application proposes a single storey rear extension which would have glazed walls and roof sitting on a low brick plinth. It would be positioned away from the boundary with the other half of the semi-detached pair, no.56, on the far side of the existing conservatory. At 3.1m, it would be the same depth as the existing rear conservatory and would be connected to it by a set of doors. It would be set in 4.5m from the boundary with 60 Kings Road. The extension would be finished with a 2.7m high flat roof and would be used to provide a garden room.

3.3 The proposed basement would sit under the footprint of the extended house with the exception of the front bay and would be lit by a proposed rear light well adjoining and partly underneath the proposed rear extension. The basement would be accessed internally and would be used for a bedroom, bathroom, hall, store, utility room and games room.

4. PLANNING HISTORY

10/P0442 - ERECTION OF A SINGLE STOREY GLASS REAR EXTENSION AND CREATION OF ADDITIONAL ACCOMMODATION AT BASEMENT LEVEL – Approved at Planning Applications Committee on 10th June 2010.

09/P2820 - ERECTION OF A PART SINGLE PART TWO STOREY REAR EXTENSION – Withdrawn

09/P2584 - ERECTION OF A SINGLE STOREY REAR EXTENSION AND CREATION OF ADDITIONAL ACCOMMODATION AT BASEMENT LEVEL – refused, and on the following grounds:

1. The proposed single storey rear extension by virtue of its bulk scale, design, height and siting would comprise an excessively large and overbearing addition to the property, to the detriment of the character of the original dwelling and conservation area, and the residential amenities of the occupiers of the adjoining property 60 Kings Road. As such, the proposed development is contrary to policies BE.1, BE.15, BE.16, and BE.23 of the London Borough of Merton UDP - 2003, and the Council's Residential Extensions and Alterations SPG.

2. The proposed basement, by virtue of the proposed front light well, would comprise a form of development out of character with the original dwelling and surrounding area and would set a negative precedent, to the detriment of the character of the conservation area and as such, is contrary to policy BE.2 of

the London Borough of Merton UDP - 2003.

97/P0849 - ERECTION OF A SINGLE STOREY CONSERVATORY AT REAR OF PROPERTY - Approved

MER1115/72 - ERECTION OF TWO STOREY EXTENSION – Approved

MER418/66 - USE OF EXISTING TWO STOREY HOUSE AS AN ELDERLY PERSONS HOME FOR SEVEN LADIES – Approved

5. **CONSULTATION**

The application has been advertised by press notice, site notice, and letters of notification to occupiers of neighbouring properties. There have been 12 objections received, on the following grounds:

- Structural impacts of the proposed works on adjoining properties
- The properties are built on clay and subsidence is known in the road. Flooding is an issue and any kind of basement would worsen these problems by displacing water/flood water
- Negative impact on of the light wells on the appearance of the conservation area
- The existing property has already been substantially extended and it would be out of character to extend this one further
- There is all ready a loss of privacy from existing extensions
- Large reduction in garden size as a result of the proposed extensions
- Light pollution from the glazing in the new extension
- The extensions would not be in keeping with the character of the conservation area in terms of their scale and design
- The scale of works would set a negative precedent if allowed
- Impact on parking/traffic from the additional rooms

Conservation Officer – No comments.

6. **POLICY CONTEXT**

The relevant policies contained within the Adopted Merton Unitary Development Plan (October 2003) are BE.1 (Conservation Areas, New Development, Change of Use, Alterations and Extensions), BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.23 (Alterations and Extensions to Buildings), and NE.11 (Trees-Protection)

Core Strategy (2011) C 13 (Open Space, Nature Conservation, Leisure and Culture), CS 14 (Design), CS 20 (Parking, Servicing, and Delivery)

Residential Extensions, Alterations, and Conversions SPG

National Planning Policy Framework (2012)

7. PLANNING CONSIDERATIONS

7.1 The same proposal has previously been judged to be acceptable by PAC when it was approved in 2010 and this is an application for extension of the period of time for implementation. Central Government advice is that local planning authorities should, in making decisions on these types of applications, focus attention on national and development plan policies, and any other material considerations which may have changed significantly since the original grant of permission. Since the previous application was approved, the Council's Core Planning Strategy has been adopted and this is a material planning consideration. In addition, the Council has become more and more alive to the issues raised by the construction of extensive basements and is developing a specific policy as part of its suite of development plan documents, although this has not yet been adopted.

7.2 Design

7.3 It is considered that the proposed single storey rear extension is still acceptable in terms of its bulk, scale, design, and materials. It would not project out any further to the rear and would be smaller in height than the existing rear conservatory and would sit behind it relative to no.56. It would be set well away from the side boundary with no.60 (4.5m). The extension is lightweight in appearance, being almost completely glazed and this is considered to be acceptable.

7.4 The proposed basement only requires planning permission in this instance because it would extend beyond the side elevation of the original dwellinghouse and would extend more than 4m beyond the rear elevation of the original dwellinghouse. The basement would not be visible from the front or sides of the property or readily visible from the back due to neighbouring boundary treatments and its limited size and discreet siting. The rear light well would also only extend less than 3m from the existing rear wall.

7.5 It is considered that the proposed works would still preserve the character and appearance of the site property and wider conservation area.

7.6 Neighbour Amenity Issues

7.7 It is not considered that there would be a detrimental loss of outlook, daylight/sunlight, or privacy for the occupiers of the adjoining properties as a result of the proposed single storey rear extension. Its rear projection is the same as that of the existing rear conservatory and its height is less than that of the conservatory. The extension would also be set 4.5m from the boundary with 60. In terms of concerns raised about light pollution, its impact would be no greater than that of any small glazed conservatory, mitigated further by the fact that it is set behind an existing structure in relation to 56 and set well away from the boundary with 60, which is demarcated by a 2m high solid boundary wall.

- 7.8 It is not considered that there would be any loss of outlook, daylight/sunlight, or privacy as a result of the proposed basement as the only part of it that would be visible is the flush rear light well.
- 7.9 In light of the above, the proposals would not result in a detrimental impact on the amenity to the occupiers of neighbouring properties and the proposal accords with policy BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise).

7.10 Impact of the Basement

The basement only requires planning permission because of the depth of the rear light well beyond the original rear wall and the positioning of the plant room. It nonetheless requires consideration as part of the proposal since permission is required. Since the original application was approved in 2010, there has been a marked increase in the number of applications including extensive basements and it has become routine, given the concerns that arise in relation to stability and impact on groundwater and surface water conditions, to require a construction method statement and drainage/flood risk assessment in advance of consideration of the application, with suitable conditions attached to the grant of permission. Although they were not required when the original permission was granted, officers consider it reasonable to require them as part of the extension of time for implementation application and the applicant has commissioned their preparation. An update will be provided in the Modifications sheet.

7.11 **Trees/Landscaping**

- 7.12 No trees or hedgerows would be removed as part of the proposed works.

7.13 **Local Financial Considerations**

- 7.14 The proposed development may be liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay CIL.

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 This application seeks to extend the time limit for implementation of planning permission 10/P0442. Government advice is that Councils should focus attention on national and development plan policies, and any other material considerations which may have changed significantly since the original grant of permission. The proposed single storey rear extension is small in size and the basement and rear light well would not be readily visible to the occupiers

of the adjoining properties. It is considered that the extensions would preserve and enhance the character of the conservation area, and would not result in any impact on the amenities of the occupiers of the adjoining properties sufficient to warrant refusal. The only material change has been the information now routinely required as part of the assessment of applications with large basements where permission is required. The impact of the construction of the basement can be controlled through the imposition of suitable conditions. Accordingly, it is recommended that planning permission be granted to extend the period of time for implementation through the issuing of a fresh planning permission.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the following conditions:-

1. A.1 Commencement of Development (Full Application)
2. A.7 Approved Plans
3. B.1 Approval of Facing Materials
4. B.3 Materials as per form
5. E.6 Ancillary Residential Accommodation
6. D.11 Hours of Construction
7. Construction in accordance with Construction Method Statement
8. H9 Construction vehicles

Informative:

In accordance with paragraphs 186 and 187 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

- Offering a pre-application advice and duty desk service.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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