

**PLANNING APPLICATIONS COMMITTEE  
17 MARCH 2016**

		<u>Item No:</u>
<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P4105	30/10/2015
 <b>Address/Site</b>	14 Lambourne Avenue, Wimbledon SW19 7DW	
 <b>(Ward)</b>	Wimbledon Park	
 <b>Proposal:</b>	Application for removal of condition 5 (Obscure Glazing) attached to LBM Planning permission Ref.12/P0125 (dated 06/03/2012) relating to the demolition of existing house and erection of a six bedroom house (with accommodation within the roofspace and at basement level)	
<b>Drawing Nos</b>	Site location plan Rev A	
<b>Contact Officer:</b>	Richard Allen (8545 3621)	

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**RECOMMENDATION**

**GRANT Removal of condition**

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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 - 9
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone:

## 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 dwelling house (currently under construction) situated on the west side of Lambourne Avenue, a cul-du-sac situated off Arthur Road. The application site slopes downhill towards Home Park Road. The application site is within the Merton (Wimbledon North) Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 The current application seeks the removal of condition 5 (Obscure Glazing) attached to LBM Planning Permission Ref.12/P0125 (Dated 06/03/2012) in respect of the demolition of the existing house and the erection of a six bedroom house with accommodation within the roof space and at basement level.

- 3.2 Condition 5 states:

*Before the development hereby permitted is first occupied, the glazed staircase tower shall be glazed with obscure/coloured glass and fixed shut and shall be permanently maintained as such thereafter.*

*Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE15 of the adopted Merton Unitary Development Plan.*

- 3.2 Construction works are well advanced and the glazing has been installed to the front 'staircase window' albeit that the obscure glazing film has not yet been installed. The applicant wishes to remove the requirement for obscure glazing to this window given the separation distance between the front elevation of the new house and the neighbouring property opposite at 9 Lambourne Avenue. Obscure glazing to the first floor windows in the south elevation would be installed as per the requirements of condition 6 of the planning permission.

## 4. **PLANNING HISTORY**

- 4.1 LBM Ref: 10/P0708

In July 2010, planning permission was granted for the erection of single storey rear extensions and second floor roof extension, reconfiguration of entrance allied to second floor extension with glass staircase enclosure, recladding of building envelope to enhance insulation and addition of solar roof panels and helical roof turbine, re-landscaping around house including grass/sedum roofs and dry stone walls, recladding of garage and new vehicle and pedestrian gates and hammerhead turning area with permeable paving. This permission was not implemented as it was decided to demolish the existing house and

undertake a 'new build' rather undertake the extensive works approved by this permission.

4.2 LBM Ref: 11/P3486 and 12/P0125

In March 2012 planning permission and conservation area consent was granted for the demolition of the existing house and the erection of a six bedroom house with accommodation within the roof space and at basement level, together with the provision of off-street car parking and associated landscaping.

4.3 LBM Ref: 13/P1868

Details submitted in relation to Conditions 3 (Site Surfacing), 4 (Boundary Treatment), 9 (Landscaping) and 12 ((Site Working Arrangements) attached to planning permission 10/P0708 for extensions to the existing building were approved in June 2013

4.3 LBM Ref: 14/P1727

In May 2014 an application for non-material amendments to planning permission LBM Ref.12/P0125 for the demolition of the existing house and the erection of a six bedroom house was approved. This included a variation to the design of the staircase tower, replacing part of the glazing with stone walling and changing the top of the tower from a sloping to a flat roofed form.

4.4 LBM Ref: 14/P1583

In July 2014 planning conditions attached to LBM planning permission 12/P0125 were discharged.

5. **CONSULTATION**

5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 6 letters of objection have been received, 4 from properties in Lambourne Avenue and 2 from properties in Home Park road at the rear of the site. The grounds of objection are set out below:-

- neighbours in Lambourne Avenue and Home Park Road did not receive a consultation letter for the original application for the construction of the new house, no plans were available on line to show what the design would look like, which looks like an office block, neighbours were not consulted on further applications resulting in changes to the design
- the design has changed dramatically from the original plans, the glass area has increased and is higher, will encroach on privacy if it is not obscure glazed
- large glass stairwell not in keeping with houses in Lambourne Avenue, amount of glazing is out of character with the Conservation Area.
- glass box above roof height should also be obscure glazed, and bedroom on left hand side of front elevation should be obscure glazed as they overlook no.9. The removal of the requirement for obscure glazing would result in direct overlooking of bedroom windows of 9 Lambourne Avenue. All windows on the front elevation should be obscure glazed that face no. 9

-The size of the house and the substantial amount of glass on the elevation facing onto the garden of 93 Home Park Road, has resulted in a loss of privacy to 93 Home Park Road. A high close boarded fence and additional planting to the north-west boundary would provide screening and maintain privacy.

## 6. **POLICY CONTEXT**

- 6.1 The relevant policy contained within the Adopted Merton Core Strategy (July 2011) is CS14 (Design).
- 6.2 The relevant policy within the Adopted Sites and Policies Plan (July 2014) is DM D2 (Design Considerations in all Developments).

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The main planning consideration concerns neighbour amenity and impact on privacy.
- 7.2 Neighbour Amenity Issues  
Condition 5 of planning permission LBM Ref.12/P0125 that the glazed staircase tower be glazed with obscure/coloured glass and be maintained as such thereafter. The condition was imposed on the original planning permission as it was unclear as to the internal levels of the staircase in relation to the staircase tower window. Construction works are well advanced and at present the staircase tower is glazed with clear glass. The applicant wishes to remove the requirement for obscure glazing on the grounds that there is adequate separation distance between the staircase tower and the nearest residential property, number 9 Lambourne Avenue.
- 7.3 From inside the staircase tower, the highest level affording a view is at first floor landing level – the glazed area above is beyond eye level. The separation distance between the glazing in the staircase tower and the front elevation of number 9 is 33.52 metres. This separation distance between the first floor level of the staircase tower window and the nearest first floor window in 9 Lambourne Avenue is considered to be sufficient to justify removal of the requirement that the staircase glazing be obscure. The proposal to retain clear glazing is therefore considered to be acceptable in terms of policy DM D2.
- 7.4 The concerns of the residents to the rear of the development in Home Park Road regarding the removal of the obscure glazing condition are noted. However condition 5 relates only the staircase tower glazing and no alterations are proposed to the rear elevation of the building that faces towards properties in Home Park Road.
- 7.5 The concerns raised by neighbours regarding the consultation process are noted. However, both the original planning application LBM Ref.10/P0708 and the subsequent application for a new house Ref.12/P0125 were subject to the

statutory consultation procedure with residents in Lambourne Avenue and Home Park Road being informed by letter. Consultation on applications for non-material amendments are not required and this was the case for LBM Ref.14/P1727, which proposed minor revisions consisting of a reduction in size of the basement and conservatory, removal of pitched roof over utility room, plant and study areas to western boundary, the addition of two small bay windows and amendments to the design of the staircase tower. The revisions to the design of the staircase tower included 'squaring off' the top level (removing the sloping roof) resulting in greater mass but with an increase in the proportion of solid to glazing. These changes were judged to be non-material and a further planning application was therefore not required.

10. **CONCLUSION**

It is considered that the separation distance between the staircase tower and the front elevation of 9 Lambourne Avenue is more than sufficient to protect neighbour amenity. Accordingly, it is recommended that condition 5 be removed from planning permission LBM Ref.12/P0125.

**RECOMMENDATION**

**GRANT REMOVAL OF CONDITION**

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