

**PLANNING APPLICATIONS COMMITTEE  
25 MAY 2017**

**APPLICATION NO.                      DATE VALID**

17/P0913                                      28/02/2017

**Address/Site**                      8 St Mary's Road, Wimbledon SW19 7BW

**Ward**                                      Village

**Proposal:**                      Application for variation of Conditions 2 (Approved Plans) and 14 (Landscaping) attached to LBM Planning Permission Ref.15/P3969 (Dated 25/02/2016) relating to the demolition of existing dwelling and erection of a new four storey dwelling house comprising a basement level and landscaping (Amendments to approved scheme comprising additional oval window to front elevation, revisions to design of dormer windows, removal of rear lantern light, revisions to fenestration, roof light to rear bedroom omitted and roof light facing 10 St Mary's Road omitted and roof light facing 6 St Mary's Road repositioned, together with revisions to landscaping scheme).

**Drawing Nos**                      598/P01 Rev H, 598/P02 Ref F, 610/P10 and Landscape Concept Plan (Rev A – 09/05/2017).

**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 – 5
- 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 new build two storey detached house (with accommodation at basement level and within the roof space) situated on the north-east side of St. Mary's Road at the junction with Church Hill. The adjacent site at 10 St Mary's Road is currently being redeveloped by the erection of a three storey detached dwelling house. To the south of the application site is 6 St Mary's Road, a large three storey detached dwelling. The application site is not within a conservation area but is close to the boundary with the Merton (Wimbledon North) Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 The current Application seeks a for variation of Condition 2 (Approved Plans) and 14 (Landscaping) attached to LBM Planning Permission Ref.15/P3969 (Dated 25/02/2016) relating to the demolition of existing dwelling and erection of a new four storey dwelling house comprising a basement level and landscaping (Amendments to approved scheme comprising additional oval window to front elevation, revisions to design of dormer windows, removal of rear lantern light, revisions to fenestration, roof light to rear bedroom omitted and roof light facing 10 St Mary's Road omitted and roof light facing 6 St Mary's Road repositioned, together with revisions to landscaping scheme). Full details of the revisions are set out below:-

### Front elevation

- New decorative (gauged header) oval window and stone band added.
- Roof to dormers changed to decorative lead roofs at front and flat lead to side elevations.

### Rear elevation

- Lantern light omitted.
- Sizes of windows altered some reduced one enlarged.
- The side elevations denote the change in the second floor plan (swapping side of previously approved roof light).
- The rear elevation itself remains unchanged.

### Side elevation viewed from number 10

- Lantern omitted
- Size of windows altered, one window omitted.
- Dormer roof changed to flat lead.
- Roof light omitted.

Side elevation viewed from number 6

- Lantern omitted
- Size of opening in dining area reduced.
- Two windows and side door omitted.
- Roof light moved.

The above changes are set out on drawing 598/P02 Rev F.

3.2 Revisions to landscaping

The previously submitted and approved landscaping plan (Drawing 598/EW 01) has been enhanced with a more detailed landscaping by Anthony Paul Landscaping Design (Rev A -09/05/2017). The plan introduces a timber decking area instead of paving to the terrace adjacent to number 10 and additional soft landscaping introduced on the frontage together with a sliding gate.

4. **PLANNING HISTORY**

- 4.1 The original house dates from 1955. A garage extension was approved in May 1969 (MER 291/69).
- 4.4 In June 1977 a single storey rear extension was approved (MER 328/77).
- 4.3 In June 1978 a dustbin store was approved (MER 163/78).
- 4.4 In March 2002 planning permission was granted for the erection of a part single/part two storey front extension (LBM Ref.01/P2125). July 2007 an application (07/P0369) was submitted to renew this permission. However, the application was withdrawn.
- 4.5 In August 2007 planning permission was granted for the erection of a new bathroom at first floor level and change of use of garage to sitting room at ground level and installation of new roof light to existing bathroom at first floor level (LBM Ref.07/P1853).
- 4.6 In May 2011 Planning permission was granted for the erection of an extension at first floor level and change of use of garage to sitting room at ground level, new roof light to existing bathroom at first floor level (Resubmission of previous lapsed permission 07/P1853) (LBM Ref.11/P0585).
- 4.7 In April 2015 a pre-application meeting was held to discuss the redevelopment of the site by the erection of a replacement dwelling house (LBM Ref.15/P1368).
- 4.8 In November 2015 planning permission was refused by the Planning Applications Committee for the demolition of the existing house and the erection of a new dwelling house (LBM Ref.15/P2556). Planning permission was refused on the grounds that:-

'The proposed dwelling would, by reason of its bulk, massing and siting constitute an overdevelopment of the site, that would be oppressive and overbearing and would have an unacceptable impact on the amenities of the occupiers of number 6 St Mary's Road, contrary to Policy DM D2 of the Merton Sites and Policies Plan (July 2014) and Policy CS14 of the Merton LDF Core Planning Strategy (July 2011).

- 4.9 In February 2016 planning permission was granted for the demolition of existing dwelling and erection of a new four storey dwelling house (including accommodation at basement level and within the roof space) together with associated landscaping and provision of parking (LBM Ref.15/P3969).
- 4.10 6 St Mary's Road  
Planning permission was granted in October 2001 for the redevelopment of the site by the erection of a detached dwelling house (LBM Ref.01/P1438).
- 4.11 10 St Mary's Road  
It should be noted that a similar redevelopment proposal has been undertaken at 10 St Mary's Road involving demolition of the existing dwelling house and erection of a new detached dwelling house (with basement and accommodation within the roof space) and associated parking and landscaping (LBM Ref.13/P3848 amended by LBM Ref.14/P2534).
- 4.12 In January 2017 a planning application was submitted for the construction of a detached single storey pool house building and open air swimming pool (15m x 2.5 m) part of the rear garden (including part of the former garden of 8 St. Mary's Road) (LBM Ref.17/P0276). This application is currently undetermined.

## 5. **CONSULTATION**

- 5.1 The application has been advertised as 'affecting adjacent Conservation Area'. In response 9 letters of objection has been received from local residents. The grounds of objection are set out below:-

-What appear to be small variations to an existing planning permission can have unforeseen consequences to a plan that was carefully considered by the Local planning Authority.

-The proposed new windows will overlook the garden of number 6 St Mary's Road.

-The swimming pool proposed for the garden of 10 St Mary's Road (using part of the former garden of 8 St Mary's Road) will affect trees.

-The site is already fully developed and the shortend garden constitute further over development.

-Planning permission for changes should not be given unless occupiers of properties both sides of the application site agree to the changes.

-The oval window is out of character.

-The roof light adjacent to 6 St Mary's Road and 1 Church Hill will cause overlooking.

- The repositioned dormer window would overlook 6 St. Mary's Road and 1 Church Hill.
- The application will result in a reduction in the size of the garden.
- There is an on-going boundary dispute between the owners of 4 St Aubyn's Avenue and the application site and no decision should be made until the dispute is resolved as the construction of the new brick wall cannot be undertaken until the boundary dispute is settled.

## 5.2 Tree Officer

The Tree Officer has been consulted and states that it is proposed to erect a 1.8 metre boundary wall at the rear of the property. As this construction shall take place within the root protection area (rpa) of the protected Oak tree located in the neighbouring garden, the tree officer would have expected to have seen an Arboricultural Method Statement and Tree Protection plan submitted with the planning documents. In response to the tree officers concerns the 1.8 metre high brick boundary wall originally proposed has been replaced with a 1.8 metre high close boarded fence to avoid the need for any deep excavation within the root protection zone of the trees.

## 6. **POLICY CONTEXT**

### 6.2 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)

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

DM H2 (Housing Mix), DM H4 (Demolition and Redevelopment of a Single Dwelling house), DM 02 (Nature Conservation, Trees, Hedges and Landscape Features), DM D2 (Design Considerations in all Developments), DM D4 (Managing Heritage Assets), DM F2 (Sustainable Urban Drainage Systems) and DM T4 (Car Parking and Servicing Standards).

### 6.4 London Plan (March 2015)

3.8 (Housing Choice), 5.1 (Climate Change Mitigation), 5.3 (Sustainable Design and Construction), 7.6 (Architecture),

## 7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design of the proposed revisions to the approved scheme and their impact upon the adjacent conservation area together with neighbour amenity and tree issues.

### 7.2 Design Issues

The repositioning of the roof light, revisions to the design of the dormer windows and fenestration are considered to be acceptable in design terms and the proposal complies with the aims of policies CS14, DM D2 and DM D3.

### 7.3 Impact upon Conservation Area

The application site is close to the boundary with the Merton (Wimbledon North) Conservation Area (the CA boundary is opposite the site). The revisions to the approved scheme are of a relatively minor nature. The proposal would not therefore, affect the character or appearance of the adjacent conservation area and is acceptable in terms of policy DM D4.

7.4 Neighbour Amenity Issues

The concerns of the neighbours are noted. However, the proposal would result in the removal of a roof light facing 10 St Mary's Road and repositioning a roof light from behind the chimney to the rear recessed section of the roof facing 6 St Mary's Road. The repositioned roof light would face onto the roof of 6 St Mary's Road and the internal height of the roof light would prevent any overlooking. The revisions to the design of the dormer windows and fenestration would also not affect neighbour amenity. The proposal is therefore considered to be acceptable in terms of policy DM D2.

7.5 Trees

Although there are no existing trees on the site that are protected by tree preservation order (TPO), the application originally proposed a 1.8 m high brick boundary wall at the rear of the garden that would be within the roof protection area of the Oak tree (protected by a TPO) situated within the rear garden of number 10 St Aubyn's Avenue. However, in order to protect the Oak tree the brick wall originally proposed has been replaced with a 1.8 metre high close boarded fence.

**SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

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

10. **CONCLUSION**

10.1 The concerns of the neighbours have been noted. However, the proposed amendments are of a minor nature and are considered to be acceptable in terms of neighbour amenity and the proposed revisions would preserve the character and appearance of the adjacent Merton (Wimbledon North) Conservation Area. Accordingly, it is recommended that a variation of Condition 2 (Approved Plans) be granted.

**RECOMMENDATION**

**GRANT VARIATION OF CONDITION**

1. Condition 2 of LBM Planning permission Ref.15/P3969 (Dated 25/2/2016) be varied as follows:-

'The development is undertaken in accordance with the following approved plans 598/P01 Rev H, 598/P02 Ref F, 610/P10 and Landscape Concept Plan (Rev A – 09/05/2017).

Reason: In the interest of proper planning'.

and that:-

2. Condition 14 (Landscaping Scheme) be varied as follows:-

The landscaping scheme shall be undertaken in accordance with the details set out on unnumbered Landscape concept Plan (Dated 14 February 2017) produced by Anthony Paul Landscape Design unless otherwise agreed in writing by the Local Planning Authority and the landscaping works shall be implemented in accordance with the approved details.

Reason for condition: To ensure a satisfactory appearance to the completed development and to comply with policy DM O2.

### 3. INFORMATIVE

The applicant is hereby informed that planning conditions attached to LBM Planning permission Ref. 15/P3969 (dated 25/2/2016) continue to apply.

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