

**PLANNING APPLICATIONS COMMITTEE**  
**7 November 2013**

Item No:

UPRN

APPLICATION NO.

DATE VALID

13/P1118

08/04/2013

**Address/Site** Rear of Aston Court, 18 Lansdowne Road, West Wimbledon  
SW20 8AW

**(Ward)** Raynes Park

**Proposal:** Demolition of existing garages at rear of Aston Court and  
erection of a single storey, one bedroom dwelling house.

**Drawing Nos** LRW JTA EXAL 001 P6, LRW JTA PR AL 010 P7, 100 P7, 110  
P7, 200 P4, 210 P4, 300 P5, 310 P5, 320 P5 and Design and  
Access Statement

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

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## RECOMMENDATION

**GRANT Planning Permission subject completion of a S.106 Agreement and  
conditions**

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## CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted: 29
- 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**

- 2.1 The application site comprises a group of eight garages situated at the rear of Aston Court, 18 Lansdowne Road. Aston Court comprises two blocks of flats situated on the west side of Lansdowne Road and the garages are accessed via an access way between the two blocks of flats. To the north and south of the site are large detached houses; whilst to the rear of the site are residential properties in Arterberry Road. There are a number of mature trees abutting the site boundaries. The application site is not within a conservation area. However, the application site abuts the boundary with the Merton (Wimbledon West) Conservation Area and Lansdowne Road is within a CPZ.

## 3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves demolition of six of the eight existing garages and the erection of a single storey, one bedroom dwelling house. The proposed house would be 15 m in length and 5.5 m in width and the building would be 2.8 metres in height. The proposed house would have a flat roof. The eastern part of the site would be 4.1 m from the corner elevation of the existing flats at Aston Court. The front elevation of the proposed house would be constructed on the building line of the existing garages.
- 3.2 Internally, the proposed house would comprise a double bedroom and bathroom and a combined living/kitchen/dining room arranged around a small central courtyard. To the east of the proposed house 46m<sup>2</sup> of amenity space would be provided.
- 3.3 The proposed house would be faced in reclaimed London stock brickwork, with a patinated zinc roof. It is also proposed to landscape the external surfaces with permeable surfacing and install additional landscaping to improve the outlook from Aston Court. It is proposed to construct the house to Code 4 level of the Code for sustainable Homes.
- 3.4 It is also proposed to refurbish the two retained garages within the northern corner of the site (including installation of new doors and replacement roofs) for ancillary storage purposes and resurface the northern corner of the site.

#### 4. **PLANNING HISTORY**

- 4.1 In 1962 an application was submitted for the erection of a three storey block of six flats (Ref.WIM6397). However, the application was withdrawn on 17/8/1962.
- 4.2 In September 1962 planning permission was refused for the erection of a three storey block of three flats (Ref.WIM6423).
- 4.3 In October 1962 planning permission was granted for the erection of a three storey block of three flats and five garages (Ref.WIM6480).
- 4.4 In June 1963 planning permission was refused for alterations to the existing house to form a flat at basement level and 7 bedsits in remaining rooms (Ref.WIM6829).
- 4.5 In July 1963 planning permission was refused for alterations to the existing house to form a flat at basement level and 7 bedsits in the remaining rooms, with hard standing for cars adjacent to the garages at the rear and four parking spaces in front of the garage (Ref.WIM6920).
- 4.6 In November 1963 planning permission was granted for alterations to the existing house to form four self-contained flats with car parking at the rear (Ref.WIM7143).
- 4.7 In April 1964 planning permission was granted for the erection of four lock up garages (Ref.WIM7394).
- 4.8 In August 1982 planning permission was granted for alterations and extensions to the property involving demolition of timber porch way, alterations to main staircase and installation of two dormer windows at second floor level (Ref.MER509/82).
- 4.9 In June 2007 planning permission was refused for the erection of a single storey detached dwelling (LBM Ref.07/P1149). Planning permission was refused on the grounds that:-

*'The proposed dwelling house, by reason of its position in relation to neighbouring properties would be visually intrusive and result in overlooking and an unacceptable loss of privacy, outlook and light to occupiers of neighbouring residential properties; particularly those on the lower floors of 18 Lansdowne Road; contrary to policy BE15 of the Adopted Merton UDP (October 2003) and*

*The proposal by reason of its siting, position and relation to the adjacent properties, would be a cramped form of over-development that would be detrimental to the quality of residential development for both existing neighbours and future occupiers in terms of outlook, privacy and daylight/sunlight; contrary to policy HS.1 of the Adopted Merton UDP (October*

2003) and the SPG on New Residential Development Plan (September 2003) and

*The proposed development, by reason of its proximity to the trunks and root systems of trees within the Wimbledon West Conservation Area, would result in the damage to, and possible loss of trees with significant amenity value that the Local Planning Authority would seek to protect; contrary to policy NE.11 of the Adopted Merton UDP (October 2003) and*

*The proposed development, by reason of the net loss of seven off-street parking spaces in a area with a low Public Transport Accessibility Level, would add to on-street parking pressures in the locality to the detriment of the existing traffic conditions of the surrounding area and the amenities of local residents contrary to policy PK.3 of the Adopted Merton UDP (October 2003)'.*

- 4.10 In April 2012 a planning application was submitted for the demolition of the existing garages and erection of a single storey, three bedroom dwelling house (LBM Ref.12/P1214). However, the application was withdrawn on 27/06/2012.
- 4.11 In January 2013 planning permission was refused for the demolition of existing garages and erection of a single storey two bedroom dwelling house (LBM Ref.12/P2434). Planning permission was refused on the grounds that:-

*'The proposed dwelling would, by reason of its height and siting have an unsatisfactory relationship with the existing flats at 4 – 11 Aston Court and would constitute a visually intrusive form of development that would be detrimental to the amenities of the occupiers of the flats, contrary to retained Policy BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise) of the Merton UDP (October 2003)'.*

## 5. **CONSULTATION**

- 5.1 Site notice procedure and letters of notification to occupiers of neighbouring properties. In response 16 representations have been received from occupiers of neighbouring properties and the South Ridgway Residents Association. The grounds of objection are set out below:-

- The design of the proposed house is out of keeping with the area.
- The building will cause overshadowing of Aston Court.
- Construction of the house may affect tree roots.
- The proposal will affect light to Aston Court.
- The development would be visually intrusive and would result in the loss of privacy.
- Construction of a building at the rear of Aston Court would cause noise and nuisance.

### 5.2 South Ridgway Residents Association

The proposal would result in a dense, visually intrusive development that would detract from light enjoyed by Aston Court residents and damage trees.

### 5.3 Wimbledon Society

The application is the latest of a history of attempts to gain approval to develop a small courtyard area, previously use for parking/garages at the rear of Aston Court. To address overlooking issues a courtyard has been placed central to the proposed accommodation, together with continuous clerestory glazing on the rear boundaries of the property. The resulting internal lighting would have a deleterious effect when viewed from the neighbouring properties, in particular 38 Arterberry Road. The Society feel that the proposal has not addressed previous objections and would result in back land development with no consideration for occupiers of Aston Court.

### 5.4 Tree Officer

The tree officer has been consulted and has no objections to the proposal subject to appropriate tree protection conditions being imposed on any grant of planning permission

### 5.5 Parking

The new unit is in a controlled parking zone (CPZ) with good access to buses from Wimbledon. The development should therefore be designated 'car free' secured through a S.106 Agreement.

## 6. POLICY CONTEXT

6.1 The relevant policies contained within the Adopted Merton Core Strategy (July 2011) are CS8 (Housing Choice), CS9 (Housing Provision), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design) and CS20 (Parking).

6.2 The retained policies within the Merton UDP (October 2003) are NE.11 (Trees-Protection), HS.1 (Housing Layout and Amenity), BE.3 (Development Adjacent to a Conservation Area), BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.16 (Urban Design), BE.22 (Design of New Development) and BE.25 (Sustainable Development).

6.3 The relevant policies contained within the London Plan (July 2011) are 3.3 (Increasing London's Supply of Housing), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction), 7.4 (Local Character) and 7.6 (Architecture)

## 7. PLANNING CONSIDERATIONS

7.1 The main planning considerations concern the loss of the existing garages, the suitability of the site for housing, design and impact upon the adjacent

conservation area, the standard of accommodation, neighbour amenity, together with tree and parking issues.

#### 7.2 Loss of Existing Garages/Suitability of the site for Residential Use

The existing garages are accessed via a narrow (2.7m width) access way between the two blocks of flats. The garages can only accommodate the smallest of modern cars due to the size of the garages and the narrow access way. The garages are currently out of use and the spaces between the garages secured by close boarded fencing. Given the size of the garages and the narrow access there are no planning objections to the demolition of the existing garages. A residential development on part of the site would be an acceptable alternative use subject to design and neighbour amenity issues being resolved.

#### 7.3 Designs/Impact upon Adjacent Conservation Area

Unlike the previously refused schemes (LBM Ref.07/P1149 and 12/P2434) and the withdrawn scheme (LBM Ref.12/P1214) the current proposal involves the redevelopment of only six of the eight garages by the erection of a single storey dwelling house. The existing pair of garages in the northern corner of the site would be retained with the proposed building being sited south of the retained garages in order to keep the main section of the proposed house away from the rear light wells of the flats in 4-11 Aston Court. The building would be 2.8 m in height (only 400mm higher than the apex of the roof of the existing garages). The rear elevation of the building abutting the rear boundary with properties in Arterberry Road would be 2.9m in height. A contemporary design approach has been adopted for the proposed house and elevations would be faced in reclaimed stock brickwork and would have a flat zinc roof. The proposed building would be only marginally higher than the existing garages and the development would not intrude into the northern corner of the site. The proposed design is considered to be acceptable in terms of its scale and massing and would not affect the character or appearance of the adjacent conservation area. The proposal is therefore considered to be acceptable in terms of retained UDP policies BE.3.

#### 7.4 Standard of Accommodation

The current proposal involves the redevelopment of the site by the erection of a single storey, one bedroom dwelling house. The proposed house would be arranged around a central courtyard, with the bedroom and corridor and living/kitchen/dining room facing onto the internal courtyard. Windows would face onto the central courtyard and rear amenity space. Additional light would be provided by high level windows and a central roof light. The proposed internal layout is considered to be acceptable and the house would have a Gross Internal floor Area of 72m<sup>2</sup>, exceeding the 50 m<sup>2</sup> minimum requirement as set out in the London Plan for a one bedroom dwelling. The proposed house would provide a total of 46m<sup>2</sup> of amenity space albeit not in a single useable plot, the amenity space split between the central courtyard and the rear garden. The proposal is therefore considered to be acceptable in terms of retained UDP policy HS.1.

### 7.5 Neighbour Amenity

In terms of neighbour amenity, the current proposal involves redevelopment of a smaller part of the site than previous proposals, which were larger and involved the demolition of all of the garages. It is appreciated that the site is an unusual back land site and that the conversion of the original dwelling at 18 Lansdowne Road into flats in the 1960's, resulted in the provision of light wells to the rear elevation of the building facing the application site. The current proposal involves the construction of a house with a much smaller footprint than the previous proposals for the redevelopment of this site. The proposed house has now been moved away from the light wells at the rear of Aston Court and only the eastern corner of the proposed house would align with the rear corner of Aston Court. The architect has also undertaken a sunlight shadow study of the impact of the existing garages and the proposed house upon the flats at Aston Court. The shadow study shows that the proposal would have a minimal impact upon the light wells and windows of flats in Aston Court in terms of daylight and sunlight loss.

### 7.6 Trees

Although there are no trees within the application site, there are several mature trees within the garden of 17 Lansdowne Road, 36 and 38 Arterberry Road. The Council's tree officer has examined the proposal and is satisfied that the proposed development of a single storey dwelling would not impact upon the trees subject to tree protection conditions being imposed on any grant of planning permission.

### 7.7 Parking

The proposed development would not provide any off-street parking. However, the application site is within a controlled parking zone (CPZ) with good access to buses to Wimbledon. The development should therefore be designated 'permit free' secured through a S.106 Agreement.

### 7.8 Section 106 Obligations

Core Strategy policy CS 8 requires that all sites capable of providing between 1-9 units (net) will be required to make provision for affordable housing as an off-site financial contribution. In this instance there will be a net gain of one new unit on the site and so a financial contribution will be required towards affordable housing (subject to financial viability) and the cost of designating the development 'permit free' together with the Councils legal and professional costs of drafting and monitoring the legal agreement.

### 7.8 Local Financial Considerations

The proposed development is 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.

## **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 current application proposes a building with a smaller footprint than the previously refused scheme for the redevelopment of the site and the proposed house has now been moved away from light wells and windows at the rear of Aston Court. The design and layout of the proposed house is also now considered to be acceptable. The concerns of neighbours are however noted and it is recommended that appropriate conditions be imposed on any grant of planning permission in respect of hours of demolition and construction and removal of permitted development rights in order to protect neighbour amenity. It is therefore recommended that planning permission be granted subject to a S.106 Agreement in respect of affordable housing and the development being designated 'permit free'.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to completion of a S.106 Agreement covering the following heads of terms:-

1. A financial contribution towards affordable housing in the borough.
2. The development being designated 'permit free'.
3. The developer paying the Council's legal and professional costs in drafting and monitoring the legal agreement.

and subject to the following conditions:-

1. A.1 Commencement of Development
2. B.1 External Materials to be Approved
3. B.4 Details of Site/Surface Treatment
4. C.1 No Permitted Development (Extensions)
5. C.2 No Permitted Development (Windows and Doors)
6. C.6 Refuse and Recycling (Details to Be Submitted)



7. C.7 Refuse and Recycling (Implementation)
8. C.8 No Use of Flat Roof
9. D.10 External Lighting
10. D.11 Hours of Construction
11. F5P Tree Protection
12. F6P Design of Foundations
13. F.8 Site Supervision (Trees)
14. H.9 Construction Vehicles
15. J.1 Lifetime Homes
16. L2P Code for Sustainable Homes (Pre-Commencement)
17. L.3 Code for Sustainable Homes (Pre-Occupation)
18. INF1 Party Wall Act

19. Reason for Approval

The proposal is considered to be acceptable in design terms and would not affect neighbour amenity. The internal layout and room sizes are also considered to be acceptable. The proposal accords with the Councils Adopted Core Strategy, Retained UDP and London Plan policies. The policies listed below were relevant to the determination of the application.

Adopted Merton Core Strategy (July 2011)

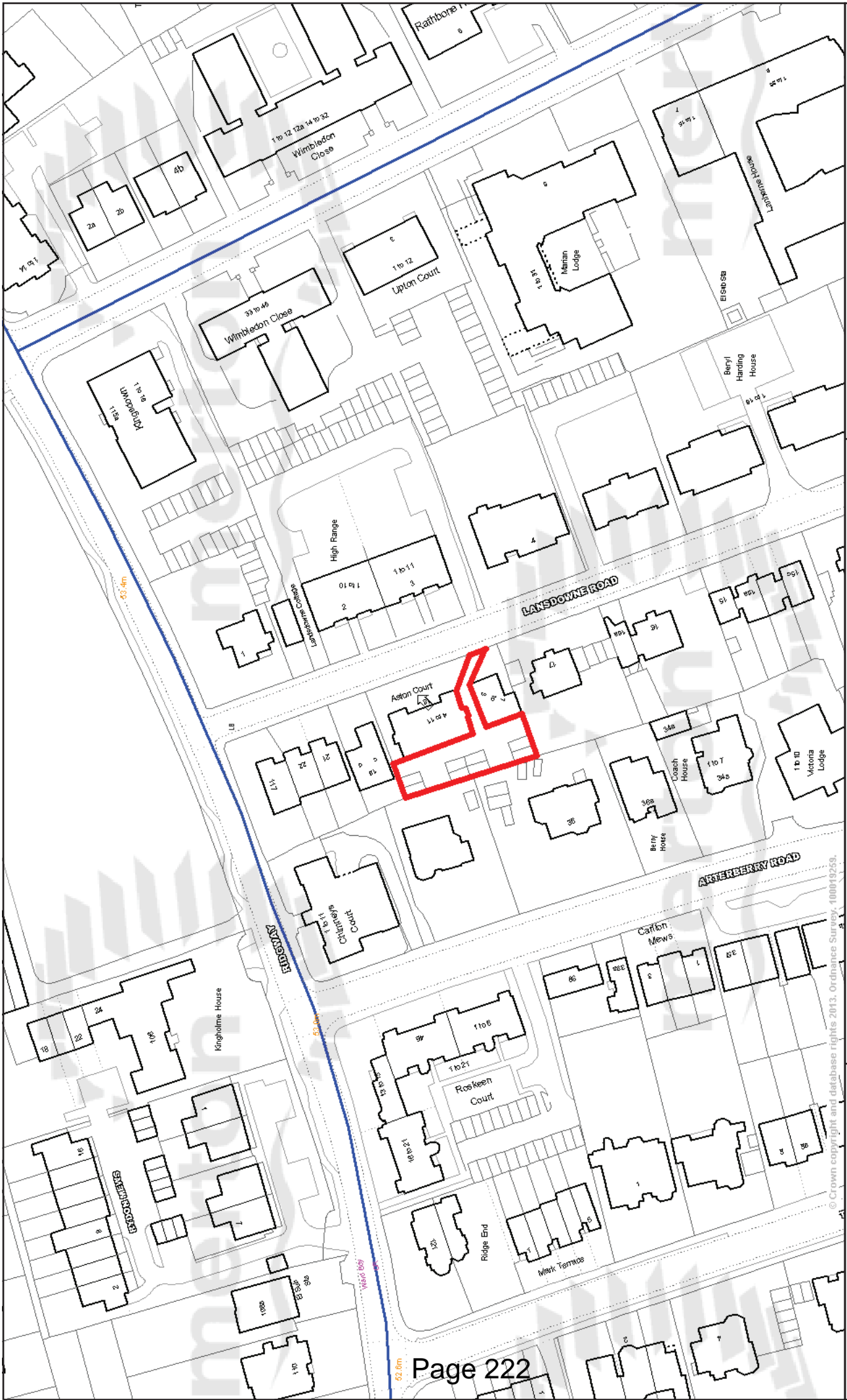
CS8 (Housing Choice), CS9 (Housing Provision), CS14 (Design) and CS20 (Parking).

Retained Policies within the Merton UDP (October 2003)

HS.1 (Housing Layout and Amenity), BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.23 (Alterations and Extensions to Buildings), BE.24 (Roof Extensions and Dormer Windows) and CS14 (Design).

The London Plan (2011)

3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice) and 3.10 (Affordable Housing).



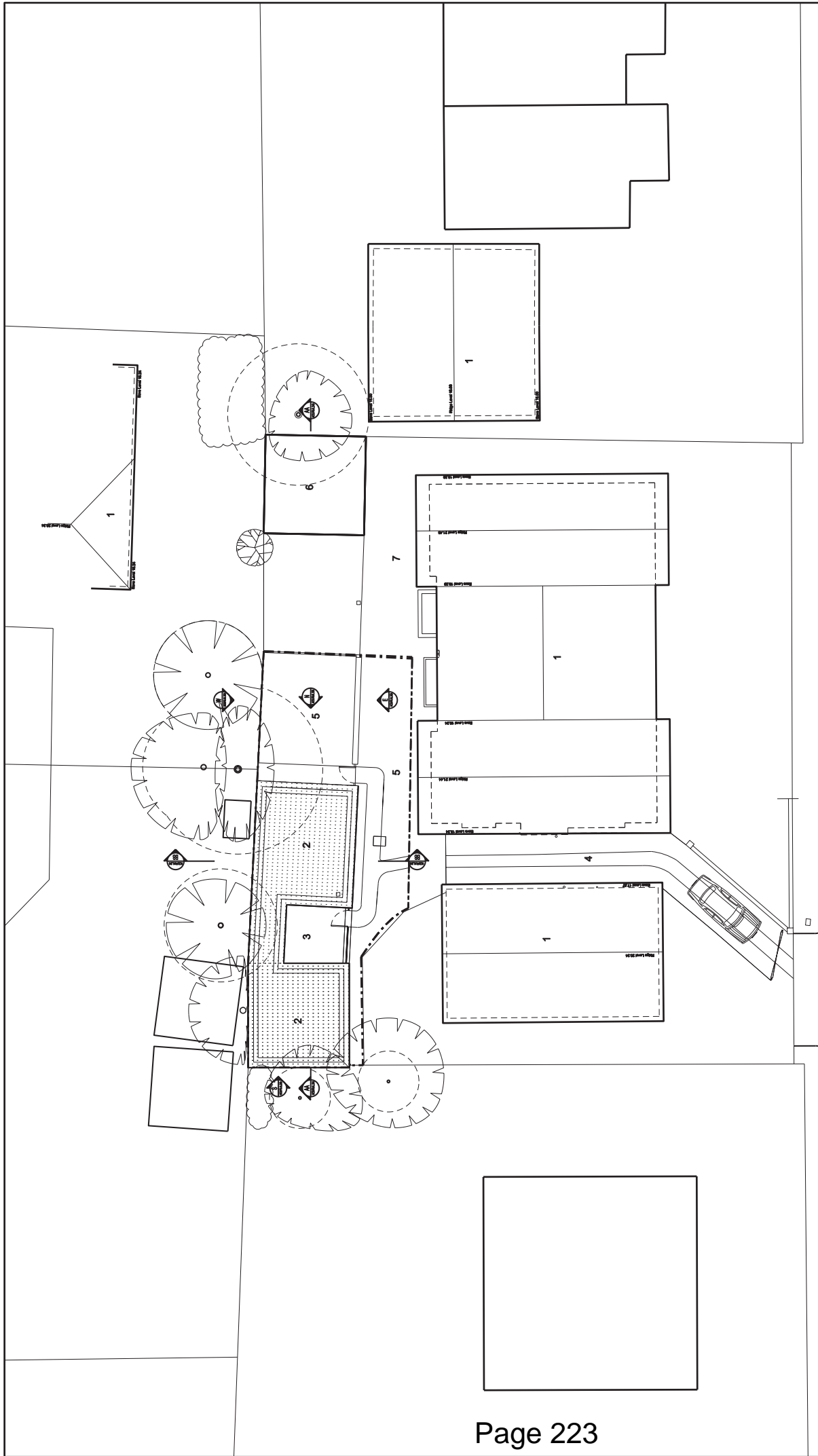
London Borough of Merton  
 100 London Road  
 Morden  
 Surrey  
 SM4 5DX

Scale 1/1250  
 Date 4/6/2013

R O 18 Lansdowne Road

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DEVELOPMENT CONTROL



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P1	25.04.12	LP	PLANNING ISSUE		
P2	07.06.12	LP	BOUNDARY LINE AMENDED		
P3	13.06.12	LP	BOUNDARY LINE AMENDED		
P4	02.08.12	AW	REVISED PLANNING ISSUE		
P5	22.08.12	AW	REVISED PLANNING ISSUE		
P6	05.04.13	AW	REVISED PLANNING ISSUE		
P7	10.06.13	AW	REVISED PLANNING ISSUE		

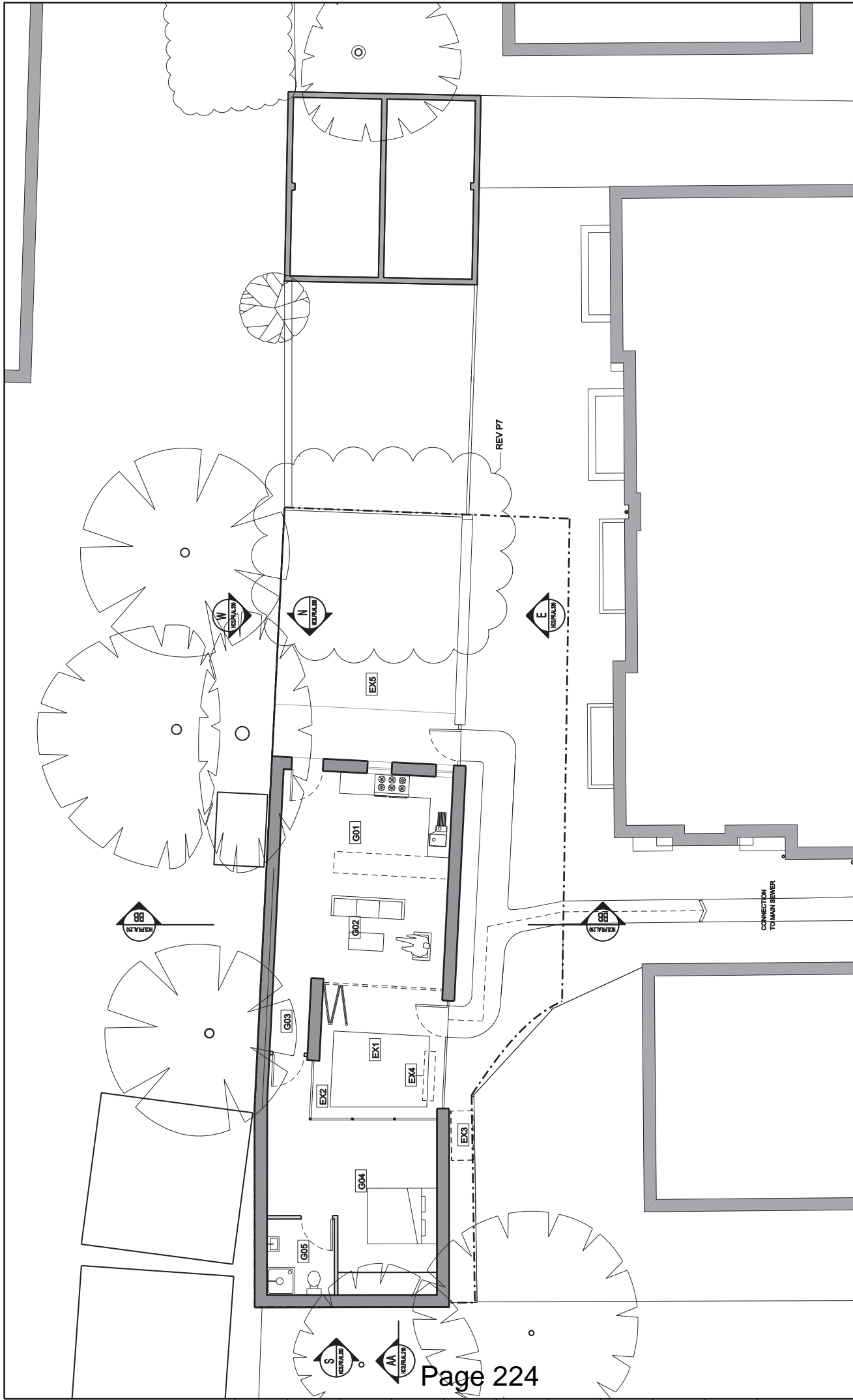
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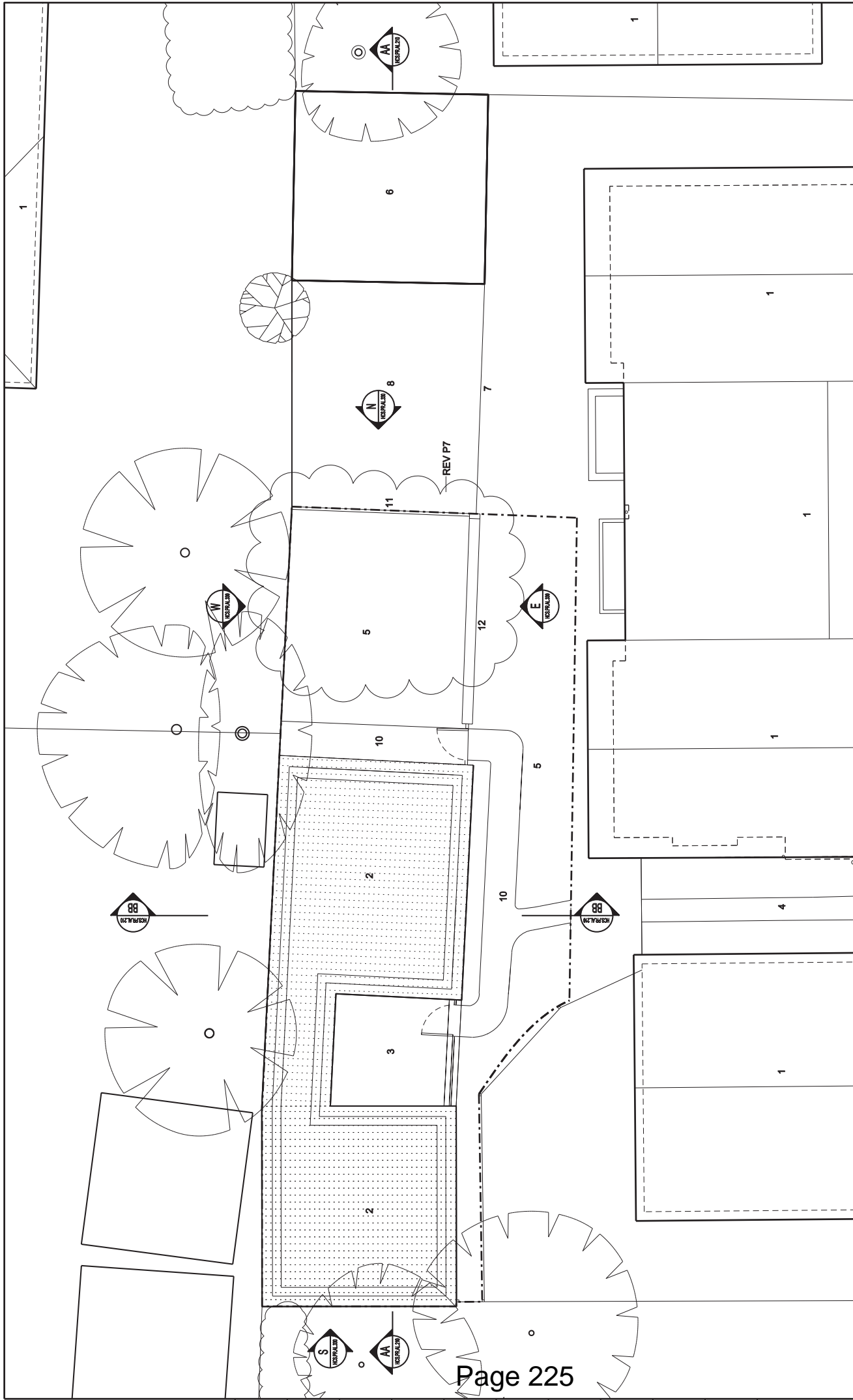
Architect / Originator: <b>Jerry Tata Architects</b> 18 Lansdowne Road, London, SW20 8AW Email: kt@jerrytata.com	Client: <b>Karen Humphreys</b> 18 Lansdowne Road, London, SW20 8AW Email: k.humphreys@gmc.com	Date of Origin: <b>10.02.12</b>	Drawn By: <b>LP</b>
Project: <b>18 Lansdowne Road, London, SW20 8AW</b>		Scale: 1:200	Drawing Title: <b>PROPOSED SITE PLAN</b>

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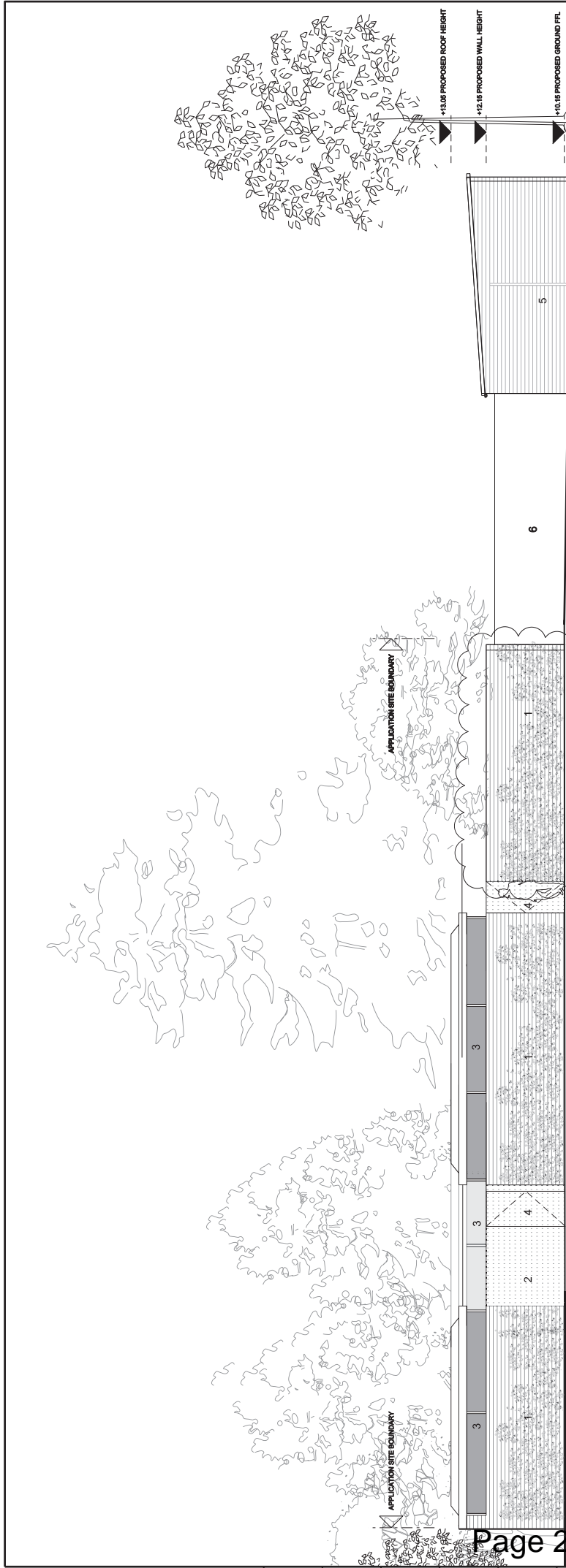


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Client: <b>Karen Humpreys</b>	Client: <b>Karen Humpreys</b>
Project: <b>18 Lansdowne Road, London, SW20 8AW</b>	Project: <b>18 Lansdowne Road, London, SW20 8AW</b>
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Revision: <b>PLANNING</b>	Revision: <b>PLANNING</b>

Notes: APPLICATION SITE BOUNDARY	
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Revisions	Rev Date	By	Description	Checked	Approved
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Project: **18 Lansdowne Road, London, SW20 8AW**

Date of Origin: 10.02.12  
 Drawn By: LP

Drawing Title: **PROPOSED EAST ELEVATION**  
 Scale: 1:100

Drawing Number: **LRW\_UJA\_PR\_AL\_300\_P5**  
 Drawing Status: **PLANNING**

Notes:

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 BOUNDARY

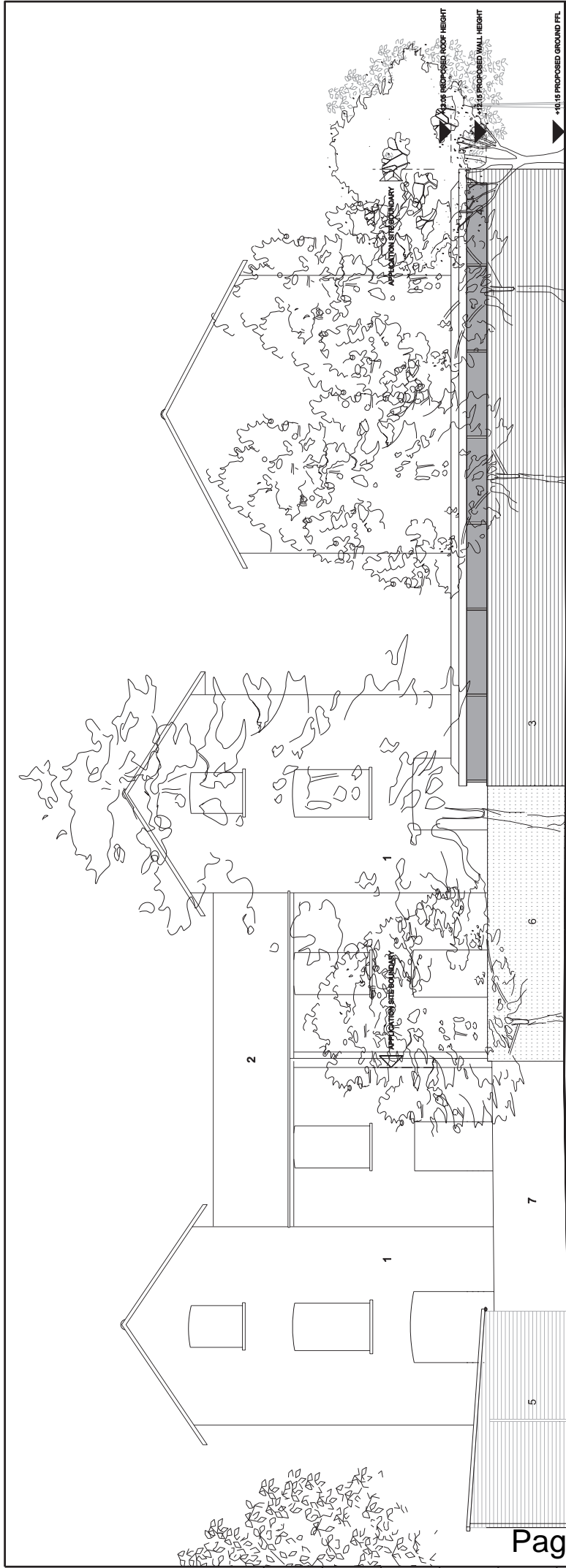
MATERIAL KEY

- 1 RECLAIMED LONDON STOCK BRICKS WITH PLANTING
- 2 PROPOSED TIMBER CLADDING / FENCE
- 3 PROPOSED GATE, TIMBER CLAD
- 4 EXISTING GARAGES, NOT PART OF APPLICATION
- 5 EXISTING TIMBER FENCE NOT PART OF APPLICATION

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	Rev Date	By	Description
	P1 25.04.12	LP	PLANNING ISSUE
	P2 13.08.12	AW	REVISED PLANNING ISSUE
	P3 22.08.12	AW	REVISED PLANNING ISSUE
P4 05.04.13	AW	REVISED PLANNING ISSUE	
P5 10.06.13	AW	REVISED PLANNING ISSUE	
<b>MATERIAL KEY</b>			
1 EXISTING BRICK 2 EXISTING TILE ROOF 3 PROPOSED STOCK BRICK 4 PROPOSED CLAYBURY GLAZING 5 EXISTING GARAGE, NOT PART OF APPLICATION 6 TIMBER FENCE 7 EXISTING TIMBER FENCE NOT PART OF APPLICATION			
Notes: APPLICATION SITE BOUNDARY		Architect / Originator: <b>Jerry Tata Architects</b> Heloise, 274 Richmond Road, London E8 3JW Tel: +44(0)20 7261 7481 Email: j.tata@jerrytataarchitects.com	
Client: <b>Karen Humphreys</b> 18 Lansdowne Road, London, SW20 8AW Email: k.humphreys@gmx.com		Date of Origin: <b>10.02.12</b> Scale: 1:100	
Drawing Title: <b>PROPOSED WEST ELEVATION</b>		Drawing Number: <b>LRW_UJA_PR_AL_320_P5</b>	
Client Sign Off		Drawing Status: <b>PLANNING</b>	

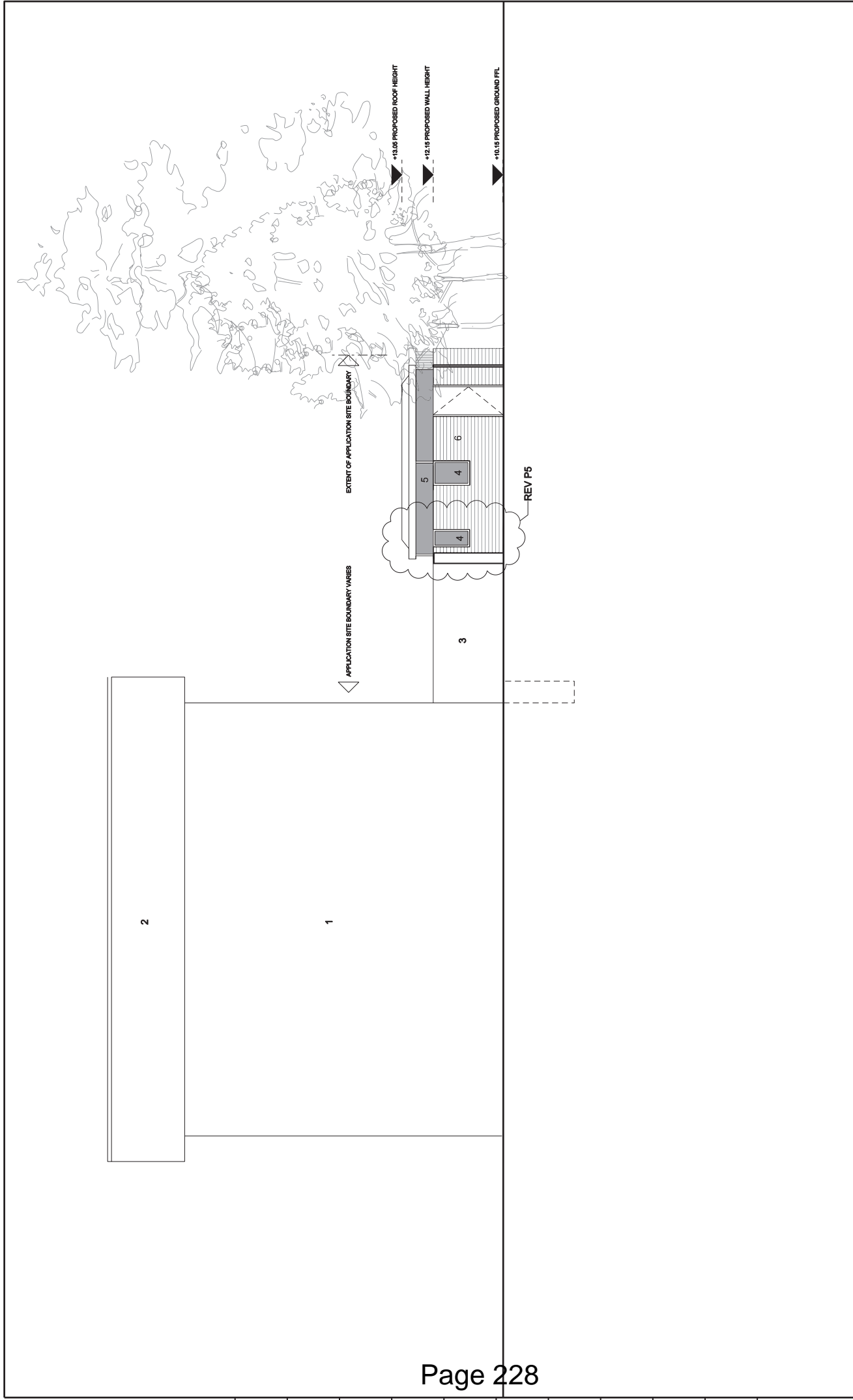
Do not scale. All dimensions to be checked on site. This drawing is copyright.

Drawn By:  
**LP**

Scale: 1:100

Drawing Number:  
**LRW\_UJA\_PR\_AL\_320\_P5**

Drawing Status:  
**PLANNING**



Paper size: <b>A3</b>	<b>Revisions</b>				Approved
	Rev	Date	By	Description	
	P1	25.04.12	LP	PLANNING ISSUE	
	P2	13.08.12	AW	REVISED PLANNING ISSUE	
	P3	22.08.12	AW	REVISED PLANNING ISSUE	
P4	27.03.13	AW	REVISED PLANNING ISSUE		
P5	10.06.13	AW	REVISED PLANNING ISSUE		
MATERIAL KEY					
1 EXISTING BRICK 2 EXISTING TILE ROOF 3 EXISTING ROOF 4 PROPOSED TIMBER FRAMED GLAZING 5 PROPOSED CLERESTORY GLAZING 6 RECLAIMED LONDON STOCK BRICKS					
Notes: APPLICATION SITE BOUNDARY VARIES EXTENT OF APPLICATION SITE BOUNDARY					
Architect / Originator: <b>Jerry Tata Architects</b> Heloise, 274 Richmond Road, London E8 3QW Tel: +44(0)20 7241 7481 Email: info@jerrytataarchitects.com					
Client: <b>Karen Humpreys</b> 18 Lansdowne Road, London, SW20 8AW Email: khumpreys@gmx.com					
Project: <b>18 Lansdowne Road, London, SW20 8AW</b>					
Drawing Title: <b>PROPOSED NORTH ELEVATION</b>					
Date of Origin: 10.02.12 Drawn By: LP Scale: 1:100					
Drawing Number: <b>LRW/JTA/PR/AL/310/P5</b> Drawing Status: <b>PLANNING</b>					