

## PLANNING APPLICATIONS COMMITTEE 19 JUNE 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P1006	15/04/2019
<b>Address/Site</b>	13 – 24 Alwyne Mansions, Alwyne Road, Wimbledon SW19 7AD
<b>Ward</b>	<b>Hillside</b>
<b>Proposal:</b>	Variation of condition 2 (approved plans) attached to LBM Planning Permission 17/P2397 relating to the conversion of roofspace into 4 x self-contained flats, involving the erection of rear dormer roof extensions and front facing rooflights (Scheme 2)
<b>Drawing Nos</b>	SD01, SD02, SD03, PD100, PD200 and PD300
<b>Contact Officer:</b>	Joe Byrne (020 8274 5232)

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### RECOMMENDATION

**GRANT Variation of Condition 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- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 33
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No
- Controlled Parking Zone: W2
- PTAL Score: 6a and 6b

#### 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 13-24 Alwyne Mansions, a purpose built three-storey, residential flatted building located to the southeast side of Alwyne Road. There is a well maintained communal garden to the rear of the building. This building and the adjacent block are both near identical, with bay windows projecting from the front elevation with small gable roofs, set well down from the main ridgeline. There is a side alley to either side of the building, currently used for bin storage. The subject site is not located within a Conservation Area, nor is the building statutorily or locally listed, but exhibits some features of an Edwardian building and has some architectural merit, though there have been some alterations.

There is no off street parking on the site.

## 3. **CURRENT PROPOSAL**

- 3.1 This application seeks to vary condition 2 (approved plans) attached to Planning Permission 17/P2397 (Allowed on Appeal, Ref:APP/T5720/w18/3202797) relating to the conversion of roofspace into 4 x self-contained flats, involving the erection of rear dormer roof extensions and front facing rooflights (Scheme 2). This application proposes the following variation to the permission:
- Increase the depth of the proposed rear roof dormers by 0.51m.
- 3.2 Two similar applications (17/P2397 and 17/2396) were submitted and both considered and approved by the same Planning Inspectorate under one report dated 10th October 2018. The main differences with these two schemes are as follows:
- The size of the rear roof dormers and consequently the internal floor space of the third floor (Scheme 1 dormers have a greater depth);
  - The number of bedrooms (Scheme 1 is for one bedroom flats, Scheme 2 is for two bedroom flats); and
  - The height of the main roof ridge (Scheme 1 remains the same, Scheme 2 increased in height by 0.4m).
- 3.3 This application is to amend the approved plans associated to 17/P2397 (Scheme 2) and therefore the main consideration relates to the increased depth of the rear dormers by 0.51m.

## 4. **PLANNING HISTORY**

- 4.1 17/P2396: CONVERSION OF ROOFSPACE INTO 4 x SELF-CONTAINED FLATS, INVOLVING THE ERECTION OF REAR MANSARD ROOF EXTENSIONS AND FRONT FACING ROOFLIGHTS. (Scheme 1) - Application refused by Council, however Appeal Allowed 10/10/2018.
- 4.2 17/P2397: CONVERSION OF ROOFSPACE INTO 4 x SELF-CONTAINED FLATS, INVOLVING THE ERECTION OF REAR DORMER ROOF

EXTENSIONS AND FRONT FACING ROOFLIGHTS. (Scheme 2) – Application refused by Council, however Appeal was Allowed 101/10/2018.

- 4.3 18/P4494: APPLICATION FOR NON MATERIAL AMENDMENTS TO PLANNING PERMISSION 17/P2397 FOR AMENDMENTS TO ERECT A LINE OF 4 x SELF CONTAINED FLATS WITH REAR ROOF EXTENSIONS RELATING TO THE CONVERSION OF ROOFSpace INTO 4 x SELF-CONTAINED FLATS, INVOLVING THE ERECTION OF REAR DORMER ROOF EXTENSIONS AND FRONT FACING ROOFLIGHTS. (Scheme 2) – Refuse non-material amendment 7/01/2019.

## 5. **CONSULTATION**

- 5.1 Public consultation was undertaken by way of letters sent to neighbouring properties and a site notice displayed at the front of the property – 10 representations were received and the following concerns were raised:

- Inconsistencies and mistakes in the originally approved application 17/P2397 and the appeal documentation;
- Increase the loss of privacy;
- No provision for any environmental features;
- Demand for affordable housing and at least one property should be made available for this;
- Loss of light;
- Wrong information being provided to the public;
- Waste management;
- Parking;
- Big businesses being put before local residents;
- Unsightly and character impacts;
- Bulk and mass impacts;
- Sewerage;
- Lack of facilities for bikes and push chairs;
- Increase of residents a nuisance;
- Construction period a nuisance and a health and safety issue;
- Lack of security;
- Noise;
- Heritage impacts;
- Design and materials; and
- Overlooking.

### 5.2 Officer Response

A high proportion of the concerns raised were associated with inconsistencies and mistakes made within the Planning Inspectorate's appeal report regarding the original application. As noted previously within the report, Planning Applications 17/P2397 (Appeal B) and 17/2396 (Appeal A) were submitted and both considered and approved by the same Planning Inspectorate under one report dated 10<sup>th</sup> October 2018. The Inspectorate makes reference to one bedroom flats only when assessing both appeals (paragraph 7). This is an error as Appeal B was for 2 bedroom units. It is noted that the Inspectorate did also not consider the raised roof ridge of the building, which was proposed in Appeal

B (paragraph 12 of the Inspectors report outlines that there is no increase in ridge height). However, the inspectors report is a lawful planning permission for both appeals as the decision has not been quashed. Therefore, the main consideration for this application is associated to the increased depth of the rear roof dormers.

## 6. **POLICY CONTEXT**

### 6.1 Sites and Policies Plan and Policies Map (July 2014)

DM H2 (Housing mix), DM 02 (Nature Conservation, Trees, hedges and landscape features), DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development) and DM T3 (Car parking and servicing standards)

### 6.2 Adopted Merton Core Planning Strategy (July 2011)

CS6 (Wimbledon Sub-Area), CS8 (Housing Choice), CS9 (Housing Provision), CS11 (Infrastructure), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design), CS15 (Climate Change), CS16 (Flood Risk Management), CS17 (Waste Management), CS18 (Active Transport), CS19 (Public Transport) and CS20 (Parking, Servicing and Delivery)

### 6.3 London Plan (2015) policies (as amended by Minor Alterations to the London Plan March 2016)

3.3 (Increasing housing supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.8 (Housing choice), 3.9 (Mixed and balanced communities), 5.1 (Climate change mitigation), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.13 (Sustainable drainage), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13 (Parking), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.6 (Architecture), 7.14 (Improving air quality), 7.19 (Biodiversity and access to nature) and 7.21 (Trees and woodlands)

### 6.4 The National Planning Policy Framework 2019 (NPPF)

5. Delivering a sufficient supply of homes

9. Promoting sustainable transport

11. Making effective use of land

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding and coastal change

## 7. **PLANNING CONSIDERATIONS**

### 7.1 Principle of development

The principle of extensions and alterations to the building to form 4 flats has already been established under planning approval 17/P2397 (allowed on appeal). The principle of development has therefore already been established and officers need not re-visit the principle of the provision of 4 flats.

The key principle planning considerations relating to the Section 73 application relate to an assessment of the proposed changes and how these impact upon the original scheme under the original planning approval (17/P2397) and surroundings.

The main planning considerations therefore for the amendments to the previous planning permission relate to the impact of the proposed extensions on the character and appearance of the host building, along with the surrounding area and the impact upon neighbour amenity. The key consideration under the current proposal is the proposed changes to the original Planning Permission. This is the increase in depth of the rear facing dormer windows by 0.51m.

## 7.2 Impact on the Character and Appearance

The NPPF section 7, London Plan policies 7.4, 7.6 and 7.8 Core Strategy policy CS14 and SPP Policies DMD2, DMD3 and DMD4 require well designed proposals which would optimise the potential of sites, that are of the highest architectural quality and incorporate a visually attractive design that is appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings, thus enhancing the character of the wider area.

The proposed changes are limited to extending the depth of all the rear roof dormers by 0.51m. The original permission set the dormers at 1.0m back from the eaves. The current proposal would result in the dormer being setback by 0.48m from the eaves. Given the dormers are located at the rear of the property, they will not be widely visible from the front of the street. There is also significant tree coverage at the rear of the property that would conceal some views of the dormers from the alley. As noted previously within the report, Planning Application 17/P2396 was approved by the Planning Inspectorate on 10th October 2018. This application included a rear dormer setback 0.485m from the rear eave, identical to the proposed amendment. This was considered acceptable given the development is typical for an urban area, such as this. The proposed increase in dormer size will appropriately respond to the urban environment and is considered acceptable. The overall design and appearance of the dormer windows would be identical to that already granted permission and therefore officers are satisfied the proposal would be a visually acceptable development to the host building and surrounding area. The variation is considered to comply with London Plan policies 7.4, 7.6 and 7.8, Core Strategy Policy CS14 and SPP Policies DMD2, DMD3 and DMD4.

## 7.3 Neighbouring Amenity

SPP policy DM D2 states that proposals must be designed to ensure that it would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

The proposed increased size of the dormers will not unduly impact the amenity of any neighbouring properties. Most of the proposed dormers will face the roofs of neighbouring properties to the east and west for their entire depths. The end dormers are well setback from sensitive interfaces and will not result in an unreasonable loss of light or enclosing neighbouring properties. As noted above, the approved Planning Application 17/P2396 proposed dormers of the same height and depth as what is proposed with this application. Further, the size and position of the glazing is identical to those already granted permission. The Planning Inspectorate stated in their decision that the proposal would benefit from a good level of screening and the overall distance would be in excess of 21 metres which, in addition to the natural screening provided, would not result in a level of overlooking or a loss of privacy that would have a significantly harmful impact on the occupiers of those properties along Crompton Road, with particular regard to those occupying Nos 21-31. Given the windows will be in the exact position as the approved decision, additional overlooking impacts would not exist over those already considered at Appeal on the previous Schemes.

Given the scale, form and positioning of the proposed extensions along with the previous decision, it is not considered the proposal would unduly impact upon the amenity of neighbouring properties, and is considered to be consistent with London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3.

#### 7.4 Other matters

- The increased height of the ridge has already gained permission and officers need not to revisit this.
- The mix of unit (4x2 bed units) already gained permission and officers need not to re-visit this.
- This variation is tied to the already accepted Section 106 Agreement and therefore the flats would be car parking - permit free.
- All original conditions will be re-imposed for this Variation of Condition application.

### 8. CONCLUSION

- 8.1 The proposed amendments are considered to constitute 'minor material amendments'. The amendments are not considered to unduly impact upon the character or appearance of the original scheme or the host building, nor are they considered to unduly impact upon neighbouring amenity. It is therefore recommended to vary condition 2 of planning permission 17/P2397 to amend the approved plans. All other conditions of planning permission 17/P2397 remain unchanged and are applicable to this amended scheme.

### RECOMMENDATION

#### GRANT VARIATION OF CONDITION

Subject to the following conditions:-

1. The development hereby permitted shall begin not later than the expiration of 3 years from the date of planning permission 17P2397.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: EXTG GF - 2F & ROOF PLANS/ BLOCK & LOCATION PLANS SD01, EXISTING STREET & REAR ELEVATIONS SD02, EXISTING SECTION & SIDE ELEVATIONS SD03, PROPOSED PLANS - 3RD & ROOF PD100, PROPOSED STREET & REAR ELEVATIONS PD200, PROPOSED SIDE ELEVATIONS & SECTIONS PD300, COMPARATIVE SHADOW PLANS PD04(2), 3D VIEWS - EXISTING & PROPOSED PD05(2), PROPOSED BIN AND CYCLE STORES PD06(1&2), VERIFIED CGI 3D - EXTG & PROPOSED TO NORTH EAST PD06(2), VERIFIED CGI 3D - EXTG & PROPOSED TO SOUTH WEST PD07(2), DESIGN AND ACCESS STATEMENT, PLANNING STATEMENT and ENERGY STATEMENT.

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

3. Within 21 days of commencement of development details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted shall be submitted to for approval in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. No dwelling shall be occupied until space has been laid out within the site for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

5. No dwelling shall be occupied until space has been laid out within the site for the storage of refuse bins and that space shall thereafter be kept available for the storage of refuse bins.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

6. Prior to commencement of development a working method statement shall be submitted to and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) wheel washing facilities;
  - v) measures to control the emission of dust and dirt during construction;
  - vi) measures to control surface water run-off.
- The approved working method statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area, and to comply with the following Development Plan policies for Merton: policies 6.3, 6.14 & 7.15 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2 & DM EP2 of Merton's Sites and Policies Plan 2014.

7. Demolition or construction works shall take place only between 08:00 and 18:00 on Mondays to Fridays inclusive, 08:00 to 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

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 policy DM EP2 of Merton's Sites and Policies Plan 2014.

#### INFORMATIVE

##### INF 01 Party Walls Act

The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link:  
<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

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[Click here](#) for full plans and documents related to this application.

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