

## PLANNING APPLICATIONS COMMITTEE 22 AUGUST 2019

**APPLICATION NO.**                      **DATE VALID**  
19/P2384                                      17/06/2019

**Address/Site**                      24 The Grange, Wimbledon, SW19 4PS

**Ward**                                      **Village**

**Proposal:**                      Application to Vary Condition 2 (Approved Plans) attached to LBM Planning Permission Ref.19/P0155 (Dated 21/02/2019) relating to the erection of a single storey link to the existing Coach House at 24 The Grange, excavation of basement and erection of a single storey rear extension (Amendment involves revisions to the footprint of approved basement).

**Drawing Nos**                      P\_02A Rev A, P\_10 Rev D, P11 Rev F, Addendum to Basement Impact Assessment prepared by Chelmer Ltd (Dated June 2019, Tree Report by ATS (Dated May 2019) and Planning Basement Construction Statement (June 2019).

**Contact Officer:**                      Richard Allen (020 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 – 7
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

#### 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 substantial detached Edwardian dwelling house situated on the west side of The Grange. There is an existing motor house/coach house to the north east of the site with residential accommodation at first floor level and to the rear of the garage. There is also a recently constructed garage to the south east of the dwelling and two outbuildings within the rear garden. The majority of other houses in The Grange are substantial detached houses with the exception of number 25 The Grange which shares a boundary with the motor house and dates from the 1930's. The application site is within the Merton (Wimbledon West) Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 The application seeks to Vary Condition 2 (Approved Plans) attached to LBM Planning Permission Ref.19/P0155 (Dated 21/02/2019) relating to the erection of a single storey link to the existing Coach House at 24 The Grange, excavation of basement and erection of a single storey rear extension (Amendment involves revisions to the footprint of approved basement).
- 3.2 Planning permission LBM Ref.19/P0155 (Dated 21/02/2019) approved a basement of 199m<sup>2</sup> in area. The proposal is to extend the foot print of the approved basement 110m<sup>2</sup> to form a basement in total of 309m<sup>2</sup> in area. The extension to the basement would go partly under the rear garden with an increase in depth of 5.4 m and a width of 14 m. All other aspects of previously approved scheme LBM Ref.19/P0155 remain the same.
- 3.3 Off-street parking would be maintained within the front curtilage and a new boundary wall and fencing would be constructed, together with associated landscaping works.

## 4. **PLANNING HISTORY**

- 4.1 In May 1969 planning permission was granted for the conversion of the double garage with two rooms above into single garages, self-contained maisonette and erection of car port (Ref.MER318/69).
- 4.2 In March 1971 revisions to planning permission MER318/69 was approved (Ref.MER65/71).
- 4.3 In December 1971 planning permission was granted for the conversion of the garages into a single garage and self-contained maisonette with porch and car port (Ref.MER1031/71).
- 4.4 In April 1991 planning permission and conservation area consent was granted for the demolition of existing conservatory and car port and erection of a new single garage, link wall to existing house and erection of car port (LBM Refs.91/P0129 and 91/P0134).

4.5 In April 2018 Planning Permission was refused by the Planning Applications Committee for the erection of a single storey extension to the east elevation, a two storey extension to the west elevation, excavation of basement and reconfiguration of second floor and erection of new dormer windows (LBM Ref.17/P3581 (Dated 23/04/2018). Planning permission was refused on the following grounds: -

‘The proposed extensions would by virtue of their bulk and massing result in unsympathetic additions to the existing dwelling house and would erode the existing gap between the main house and the Coach House and be detrimental to the character and appearance of the Merton (Wimbledon West) Conservation Area and The Grange Street scene, contrary to policy CS14 (Design) of the Adopted Merton Core Planning Strategy (2011) and policies DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Buildings) and DM D4 (Managing Heritage Assets of the Adopted Merton Sites and Policies Plan (2014)).’

4.6 The applicant subsequently Appealed against the Council’s refusal of Planning Permission (Appeal Ref. App/T5720/D/18/3206271). The Planning Inspector Dismissing the Appeal on 12 October 2018. The Inspector considered that the proposed rear and side extensions would be far from modest and a very regrettable outcome would be the loss of the Coach House as an intriguing and charming entity in its own right.

4.7 In February 2018 Planning Permission was granted under delegated powers for the erection of a single storey link to the existing Coach House at 24 The Grange, excavation of Basement and erection of a single storey rear extension (LBM Ref.19/P0155).

## 5. **CONSULTATION**

5.1 The application has been advertised by Conservation Area site and press notice procedure and letters of notification to occupiers of neighbouring properties. In response 12 letters of objection have been received. The grounds of objection are set out below: -

-The latest application dramatically exceeds the original application and goes further by increasing the basement size on the false premise of the permission already granted.

-The proposal increases the size of the basement by more than a third. This exceeds the footprint of the house and impacts significantly on neighbouring properties.

-The proposal will cause disruption during construction from increased traffic and noise over a lengthy period.

-The basement construction would be environmentally damaging.

-The proposal is overdevelopment of the site.

-Basements should be within the footprint of the existing house.

-The proposal is an extremely large development which will cause massive disruption, damage, noise and pollution to residents in the area, plus with a

large area of excavation there is a significant chance of settlement problems that will affect the immediate surrounding properties.

-If approved the proposal would enlarge the basement by another 1/3 of the approved volume extending right up to the rear walls and beyond the footprint of the existing house. Although there is not statutory definition of what constitutes a 'minor material amendment', the proposed basement would require a fundamental alteration to the approved plans, as the right and rear walls of the house would have to be removed at foundation level and supported at ground level.

-The proposal would constitute overdevelopment of the site.

-Whilst each applicant may obtain a supportive hydrology report on their individual scheme, the aggregate effect is a complete unknown as so many barriers are being introduced below ground level, except to say that the many water courses known to the present in this area will have to go somewhere eventually, leaving residents foundations either saturated or desiccated with adverse consequences.

5.3 Conservation Officer

The Conservation Officer has no objections to the proposal.

5.4 Tree Officer

The tree officer has no objections to the proposed development subject to the existing trees on and off site being protected during the development.

5.5 Flood Risk Manager

No comments received – to be updated for the meeting.

5.6 The Councils Structural Engineer

No comments received – to be updated for the meeting.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS14 (Design), CS15 (Climate Change) and CS20 (Parking).

6.2 Sites and Policies Plan (July 2014)

D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings) and DM D4 (Managing Heritage Assets).

6.3 The London Plan (2016)

The relevant policies within the London Plan are 7.4 (Local Character) and 7.8 (Heritage Assets and Archaeology).

6.4 NPPF (2019)

## 7. PLANNING CONSIDERATIONS

7.1 The main planning considerations concern the Principle of Development, Design/Conservation Area, Locally Listed Building, Basement Construction, Neighbour Amenity, Trees and parking Issues.

### 7.2 Principle of Development

The principal of extensions and alterations to the host building has already been established under planning approval 19/P0155. This permission is extant and therefore the matters already agreed under this permission which are not subject of change under the current proposal need not be reassessed. The principle planning considerations relating to the Section 73 application relate to an assessment of the proposed changes having regard to the previous approved scheme.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and un-amended.

National Planning Policy Guidance 2014 provides guidance on Section 73 applications, which outlines that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

### 7.3 Design/Conservation Issues

The site lies within the Merton (Wimbledon West) Conservation Area (designated heritage asset). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, Policy DM D4 outlines that development should preserve or enhance the significance of the heritage asset.

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

The site lies within the sub-area known as The Grange within the Conservation Area. The road is described as containing some of the most substantial, distinguished and individual houses in the conservation area, many of which are either statutorily or locally listed (Council's Character Assessment).

Planning permission has previously been approved under LBM Planning Permission Ref.19/P0155 (Dated 21/02/2019) for the erection of a single storey link to the existing Coach house, excavation of basement and erection of a single storey rear extension. The current proposal seeks to increase the foot print of the previously approved basement by 110m<sup>2</sup> to provide a basement 309m<sup>2</sup> in area. The extended basement would be partly beneath the rear garden and partly to the side of property. However, the extended basement would be set away from the side and rear boundaries. The edge of the basement would be 5.5 metres away from the boundary with 25 The Grange. The existing Coach House would remain between the extended basement and 25 The Grange. The previously approved light well to the side elevation would be the only external feature of the basement. Therefore, the basement would not be visible from the frontage once constructed and would not cause harm to the character or appearance of the Merton (Wimbledon West) Conservation area. The proposal is therefore acceptable in terms of policies CS14 and DM D2, DM D3 and DM D4.

#### 7.4 Impact on Locally Listed Building

The extensions and alterations previously approved have been sympathetically designed to reflect the character of the original building. The current proposal to increase the size of the basement would extend the footprint of the building. However, this would be at basement level where its visual impact upon the host building would be limited once constructed. The Council's Conservation Officer has raised no objections to the basement and its size. The proposal to increase the size of the basement is therefore considered to be acceptable in terms of policy DM D4 and would not be a harmful addition to the Locally Listed Building.

#### 7.5 Basement Construction

The current proposal involves the enlargement of the basement previously approved by LBM Planning Permission Ref,19/P0155 (Dated (21/02/2019) Policy DM D2 (Design Considerations in all Developments) of the Adopted Merton Sites and Policies Plan (2014) includes guidance on Basements and Subterranean Developments.

The current proposal has been accompanied with updated Basement Impact Assessment Report and Basement Construction Statement, and although the proposal seeks to increase the size of the basement, its resultant size would remain well within the 50% uptake of the garden space with the basement taking up 16% of the garden with 84% remaining unaffected by the proposed works.

The Basement Construction Statement concludes that the basement can be constructed in a safe manner and that the provision of accommodation at basement level would not increase flood risk. The proposal is therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

#### 7.6 Neighbour Amenity

The concerns of neighbours regarding the provision of an enlarged basement are noted. However, once constructed the only part of the basement that would be visible would be the light well to the side elevation of the house. Although basement construction works can sometime cause noise and disturbance, the Approved Planning Permission (LBM Ref.19/P0155) includes Planning Conditions controlling hours of construction. The previous conditions will remain applicable to the current application. Overall, the originally approved scheme would remain the same, with the exception to the enlarged basement which would not cause any material harm. The proposal is therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

#### 7.7 Trees

The Council's Tree officer has no objections to the proposed development subject to tree protection conditions being imposed on any grant of planning permission. The mature trees on site are to the front. The proposed increase in size of the basement would not lead to harmful impact on any trees on or off site.

#### 7.8 Parking

The existing vehicle access onto The Grange would be maintained and an off-street parking maintained within the front curtilage. The proposal is therefore considered to be acceptable in terms of policy CS20.

### 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 The proposed increase in size of the basement would not be visible once constructed and would therefore not have any impact upon the character and appearance of the Conservation Area. Although basement construction can result in noise and disturbance during construction works, the Planning Condition attached to (LBM Planning Permission Ref.19/P0155) would control hours of construction and the works would also be subject to Building Regulations approval, to ensure that the basement is constructed in a satisfactory manner. Therefore, the proposed increase in size of the

previously approved basement is considered to be acceptable in design terms and the proposal would preserve the character and appearance of the Merton (Wimbledon West) Conservation Area. The proposal would not cause harm to neighbour amenity and tree protection conditions would protect the retained mature trees. Accordingly, it is recommended that Condition 2 (Approved Plans) of Planning Permission LBM Ref.19/P0155 (Dated 21/02/2019) be Varied.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to conditions:

1. A.1 (Commencement of Development)
  
2. The development shall be carried out in accordance with the following drawing numbers: P\_02ARev A, P\_10 Rev D, P11 Rev F, Addendum to Basement Impact Assessment prepared by Chelmer Ltd (Dated June 2019, Tree Report by ATS (Dated May 2019) and Planning Basement Construction Statement (June 2019).

Reason for condition: For the avoidance of doubt and in the interest of proper planning.

3. B.1 (External Materials to be Approved)
4. B.4 (Details of Surface Treatment)
5. B.5 (Details of Boundary Treatment)
6. C.2 (No Permitted Development –Doors and Windows)
7. D.11 (Hours of Construction)
  
8. The details and measures for the protection of the existing retained trees as specified in the approved document 'BS 5837:2012 Tree Survey, Arbouricultural Impact Assessment, Arbouricultural Method Statement and Tree Protection Plan' dated May 2019 including drawing titled 'Tree Protection Plan shall be fully complied with. The methods for the protection of the existing retained trees shall fully accord with all measures specified in the report. The details and measures as approved shall be retained and maintained until the completion of site works.

Reason for condition: To protect and safeguard the existing and retained trees in accordance with the following Development Plan Polices for Merton: policy 7.21 of the London plan (2015), policy CS13 of Merton's Core Planning Strategy (2011) and polices DM D2 and DM O2 of the Merton Sites and Polices Plan (2014).



9. F.01 (Landscaping Scheme)
10. F.08 (Site Supervision-Trees)
11. Prior to commencement of development a Basement Construction Method Statement and Hydrology Report shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2 of the Adopted Merton Sites and Policies Plan (2014).

13. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:
  - i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii. include a timetable for its implementation; and
  - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by a public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2016, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

14. The development shall be constructed in accordance with the details set out in the approved Basement Impact Assessment produced by Chelmar Global dated June 2019 and Planning Basement Construction Method Statement dated 17<sup>th</sup> June 2019.

Reason for condition: To ensure that the basement is constructed to a satisfactory standard in accordance with Policy DM D2 (Design Considerations in all Developments) of the Adopted Merton Sites and Policies Plan (2014).

15. INFORMATIVE

In accordance with paragraph 38 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. In this instance the application was acceptable as submitted and no further assistance was required.

16. INFORMATIVE

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