

**PLANNING APPLICATIONS COMMITTEE**  
**27<sup>th</sup> March 2014**

**Item No:**

<b><u>UPRN</u></b>	<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
	13/P4127	23/12/2013
<b>Address/Site:</b>	44 Kenilworth Avenue, Wimbledon, London, SW19 7LW	
<b>(Ward)</b>	Wimbledon Park	
<b>Proposal:</b>	Excavation of new basement including the insertion of front and rear lightwells, and erection of rear dormer roof extension.	
<b>Drawing Nos:</b>	2282 12 00(B), 01(C), 02(C), 03(C), 04(C), 05(C), 06(C), 07(C), 08(C) & OS(B)	
<b>Contact Officer:</b>	David Gardener (0208 545 3115)	

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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 Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: No
- Number of jobs created: N/A

**1. INTRODUCTION**

- 1.1 This application is being brought before the Planning Applications Committee for determination due to the number of representations received.

**2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two-storey house, which is located on the northwest side of Kenilworth Avenue, Wimbledon. The property is not located within a conservation area.
- 2.2 The house features existing basement and roof space accommodation, and has been previously extended at the rear at ground floor level through the erection of a conservatory. A street tree is located outside the front of the house.

### **3. CURRENT PROPOSAL**

- 3.1 The applicant seeks planning permission for front lightwells in connection with the extension of the existing basement and erection of a rear dormer roof extension.
- 3.2 The plans have been amended since the application was originally submitted with the basement reduced considerably in size so that it is now located under the front part of the house only rather than the whole of the house, which means the rear lightwell has also been removed. The wrought iron railings, which were proposed to enclose the front lightwells have also been omitted and replaced with flush metal grills.

### **4. PLANNING HISTORY**

- 4.1 No planning history.

### **5. POLICY CONTEXT**

- 5.1 The relevant policies in the Adopted Unitary Development Plan (October 2003) are:  
BE.15 (New Buildings and Extensions; Daylight; Sunlight; Privacy; Visual Intrusions and Noise), BE.23 (Alterations and Extensions to Buildings), BE.24 (Roof Extensions and Dormer Windows), NE.11 (Trees; Protection)
- 5.3 The following Supplementary Planning Guidance (SPG) is also relevant:  
Residential Extensions, Alterations and Conversions (November 2001).

### **6. CONSULTATION**

- 6.1 Standard 21-day site notice procedure and individual letters to neighbouring occupiers. In response 18 letters of objection and a petition with 27 signatures was received (please note that 16 signatures of the petition reside at addresses, which have also objected). The grounds of objection are as follows:
  - Lightwells at front would be out of keeping with existing character of road and would establish a worrying precedent
  - Impact on group value of houses which currently form a cohesive architectural group

- Detrimental impact the formation of a basement would have on the stability of adjoining houses
- Impact on existing watercourses, which could increase instances of flooding
- Noise and disruption caused by building works
- Impact on street tree outside No.44 caused by building works
- Loss of privacy
- Light pollution

## **7. PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design of the proposed front lightwells and rear dormer and the impact the lightwells would have on the Kenilworth Avenue streetscene. Impact on neighbour amenity will also be considered.

### **7.2 Visual Amenity**

7.2.1 It should be noted that No.44 is not located within the Merton (Kenilworth Avenue) Conservation Area, which is located southwest of the property. The Kenilworth Avenue Boundary Assessment (2005) states that the properties within the Conservation Area which lie in Kenilworth Ave, Waldemar Rd and Landgrove Rd possess a strong feeling of coherence and unity. The boundary assessment also states that to the north-east of the existing Conservation Area boundary, where No.44 is located, the houses in Kenilworth Avenue are far less cohesive in their architectural character than is the case with those within the Conservation Area. Some of these houses do share some common design detailing (for example on window sills and lintels etc at nos. 38 and 40 Kenilworth Ave) with the houses within the Conservation Area, but the overall architectural design is much more disparate.

7.2.2 Given the house is located outside the Merton (Kenilworth Avenue) Conservation Area, where the design of properties is far more individual, it is considered that there is more scope to make changes to the front of the property without having a detrimental impact on the overall character of the road. The proposed front lightwells are modest in size and set back from the street, leaving room for soft landscaping as well as the screening provided by the front boundary wall and railing to minimise their visibility in the street scene. The originally proposed railings enclosing the lightwells have been replaced by flush metal grilles to further reduce their visual impact. A number of the front curtilages of properties along Kenilworth Avenue outside the conservation area are largely hard surfaced, and as such it is considered that the erection of two modest sized lightwells with soft planting and a front boundary wall would have a minimal impact on the overall character of the street. Although there are no other front lightwells on Kenilworth Avenue, it is considered that this would not warrant a refusal of the application in this instance in light of the above.

7.2.3 The proposed rear dormer is also considered to be acceptable in terms of its size and design. The dormer is not overly large and would be set back 70cm

from the rear wall and set in between 1m and 1.9m from the hip tiles. The dormer would be tile hung to match the existing roof materials, whilst the dormer is located at the rear of the property, which means it is not visible from the public domain. Overall, it is considered that the proposal would accord with policies BE.23 and BE.24 of the UDP and is acceptable in terms of visual amenity.

### **7.3 Residential Amenity**

- 7.3.1 Policy BE.15 of the UDP requires extensions to existing buildings to provide for levels of sunlight and daylight to adjoining buildings and land, protect amenities from visual intrusion, and ensure good levels of privacy for occupiers of adjoining properties.
- 7.3.2 The original submission proposed a basement extending under the whole footprint of the house with lightwells at front and rear. The size of the proposed basement has been drastically reduced since the application was first submitted, only sitting under the front portion of the houses and it should be noted that it only requires planning permission at all because of the two lightwells at the front. In addition, it should be noted that the existing house has an elevated stepped entrance up to the front door with a cellar area under one corner, reducing the amount of excavation required. Given the nature of the development it is not considered that the basement extension would have an unacceptable impact on neighbour amenity, with only the lightwells visible above ground
- 7.3.3 The concerns raised by neighbours regarding the stability of adjoining houses and impact on underground water courses regarding the extension of the basement are noted and conditions are attached requiring a site investigation into soil and hydrology conditions is carried out, and a detailed site specific Construction Method Statement, demonstrating how the stability of ground conditions will be maintained in relation to adjoining properties and details of a drainage strategy in relation to surface water and ground water flows is submitted and approved by the Local Planning Authority. In addition, a further condition will be attached requiring the submission and approval of a working method statement detailing the management of loading and unloading of plant and materials, control of dust, and the protection of the street tree, which is located on the pavement in front of the application site
- 7.3.4 It is considered that the dormers size and position within the roof in relation to adjoining properties, in addition to being located at least 25m from any facing windows means that it would not have an unacceptable impact upon the levels of daylight/sunlight or privacy currently enjoyed by the neighbouring properties. It is therefore considered that the proposal would accord with policy BE.15 and is accordingly considered acceptable with regards to neighboring amenity.

## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

## **9. CONCLUSION**

- 9.1 It is considered that the proposed rear dormer roof extension and front lightwells with associated basement are acceptable in terms of their design and would not have a detrimental impact on the character and appearance of the Kenilworth Avenue street scene. In addition, it is considered that given the nature of the proposal that it would not have an unacceptable impact on neighbour amenity. The proposal would therefore accord with policies BE.15, BE.23 and BE.24 of the UDP.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to the following conditions:

1. A.1 (Commencement of Development for full application)
2. B.2 (Matching Materials)
3. No development shall commence on site until a site investigation into soil and hydrology conditions has been carried out and the details have been submitted to and approved by the local planning authority, the findings of which shall inform the drainage details and detailed Construction Method Statement required by Condition 4.

Reason: In order to ensure that sufficient information is available to inform the proposed drainage strategy and construction method.

4. Prior to commencement of development, a detailed site specific Construction Method Statement, demonstrating how the stability of ground conditions will be maintained in relation to adjoining properties and details of a drainage strategy in relation to surface water and ground water flows, both informed by the site investigation required by Condition 3, shall be submitted to and approved by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason: To safeguard the special architectural or historic interest of the site and adjoining area and to comply with policies BE.1 of the Adopted Merton Unitary Development Plan 2003.

5. Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:
  - (i) management of loading and unloading of plant and materials;

(ii) Control of dust;  
(iii) the protection of the street tree, which is located on the pavement in front of the application site

6. Notwithstanding the details shown on the approved plans, details of hard and soft landscaping within the front curtilage shall be submitted to and approved by the lpa prior to commencement of works on site and shall be provided in accordance with such details prior to first use of the basement area hereby approved.
7. In accordance with paragraphs 186 and 187 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 by:
  - Offering a pre-application advice and duty desk service.
  - Where possible, suggesting solutions to secure a successful outcome.
  - As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.