

PLANNING APPLICATIONS COMMITTEE
18th March 2021

Item No:

UPRN

APPLICATION NO.

DATE VALID

20/P4018

08/12/2020

Address/Site:

10 St Mary's Road, Wimbledon, SW19 7BW

(Ward)

Village

Proposal:

Erection of swimming pool in rear garden, with plant room and associated works

Drawing Nos:

601/P14(C) & Site Location Plan

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to Conditions

CHECKLIST INFORMATION

- Heads of agreement: None
- 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: 5
- External consultations: None

1. INTRODUCTION

- 1.1 The application has been brought before the Planning Applications Committee due to the number and nature of representations received as a result of public consultation.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a recently erected detached residential dwelling on the north east side of St. Mary's Road in Wimbledon. The site is not located within a conservation area although it is close to the Merton (Wimbledon North)

conservation area. The surrounding area is predominantly residential and characterised by detached properties of a similar scale.

3. CURRENT PROPOSAL

- 3.1 The proposal is to provide a swimming pool in the rear garden with associated plant room. The swimming pool would be sited 90cm from the side boundary with No.12 and would have a length of 15m and width of 3m. The pool would have a depth of between 1.2m and 1.8m.
- 3.2 The plant room, which would be sited in the rear corner of the garden, would be timber clad with a sedum/green roof. The plant room would feature a flat roof and measure 2.5m in height.

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 17/P2937 - Demolition of existing garden shed and erection of office within rear garden. Granted - 09/01/2018
- 4.2 15/P3783 – Application for a s.73 variation of condition 2 (approved plans) in relation to LBM planning permission 13/P3848 (dated 13/03/2014) for the construction of a replacement house (revisions in respect of (i) siting of building 1.8 metres further into the rear garden and away from the front boundary – retrospective and (ii) incorporation of changes previously granted under 14/P3534 for increased size of master bedroom, 1.5 square metre increase in floor area and alteration of roof slope to 55 degree pitch. Granted 22/06/2016.
- 4.3 14/P3534 – Application for variation of condition 2 (approved plans) attached to planning permission LBM ref: 13/P3848 (dated 13/03/14) at 10 St Mary’s Road, Wimbledon. Granted 01/12/2014.
- 4.4 14/P3476 – Application for discharge of conditions 5 and 6 attached to LBM planning application 13/P3848 dated 13/03/2104 relating to the demolition of existing dwelling house and erection of a new detached dwelling house (with basement and accommodation in the roof) and associated parking and landscaping. Granted 20/10/2014.
- 4.5 14/P2702 – Application for discharge of conditions (materials), 4 (hard surfacing), 12 (landscaping), 15 (soil/hydrology report), 16 (construction method statement), 17 (working method statement), and 19 (code level 4) attached to LBM planning application 13/P3848 dated 13/03/2104 relating to the demolition of existing dwelling house and erection of a new detached Page 64 dwelling house (with basement and accommodation in the roof) and associated parking and landscaping. Granted 27/08/2014.
- 4.6 13/P3848 – Demolition of existing dwellinghouse and erection of a new detached four storey house (with basement and accommodation in the roof)

with associated hard and soft landscaping and boundary wall with entrance gate. Granted 13/03/2014.

Please note that condition No.7 from this planning includes the following restrictive condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

- 4.7 13/P1014 – Demolition of existing dwellinghouse and erection of a new detached four storey house (including basement level) with associated hard and soft landscaping and boundary wall with entrance gate. Refused 04/06/2013.

5. POLICY CONTEXT

- 5.1 The following policies from the Adopted Sites and Policies Plan and Policies Maps (July 2014):

DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM D3, (Alteration and extensions to buildings), DM D4 (Managing Heritage Assets), DM F1 (Support for Flood Risk Management), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure), DM O2 (Nature Conservation, Trees, hedges and landscape features)

- 5.2 Adopted Core Strategy (July 2011)
CS.13 (Open space, nature conservation, leisure and culture), CS.14 (Design)

- 5.3 London Plan (2021)
Policy D4 (Delivering good design)
Policy SI 13 (Sustainable drainage)

- 5.3 National Planning Policy Framework (2019)

6. CONSULTATION

- 6.1 The application has been publicised by means of a site notice procedure with individual letters also sent to occupiers of neighbouring properties. In response, 6 letters of objection were received including a letter of objection from the Belvedere Estate Residents Association, and 4 letters of support have been received. The letters of objection are on the following grounds:

- Out of date hydrology Assessment
- Excessive size of swimming pool/out of proportion with surrounding context
- Loss of soft landscaping/trees, impact on surrounding trees, and impact on drainage/flooding
- No drainage or construction management plan
- Noise and odour nuisance
- Does not comply with policy
- Impact on climate change

The letters of support are on the following grounds:

- Owners have a young family who would enjoy this outside space.
- It will not have any material negative bearing on the neighbourhood
- General support for the proposal

6.2 Belvedere Estate Residents Association

Object due to the impact on groundwater flows and flooding. The submitted hydrology assessment is out of date because a number of developments including basements have taken place since the boreholes were carried out. There are also concerns regarding overdevelopment, and the impact that the removal of a Eucalyptus tree prior to submission of the application has had on the character of the area, water content in the ground, and climate change.

7. PLANNING CONSIDERATIONS

The main planning considerations concern the principle of development, design and appearance of the proposal, impact on residential amenity and flooding.

7.1 Principle of Development

- 7.11 A swimming pool in the rear garden would not normally require planning permission as it could be built under permitted development rights. The only reason this proposal requires planning permission is because there is a restrictive condition attached to the original planning permission for the dwelling (LBM Ref: 13/P3848), requiring planning permission for the erection of an extension, enlargement or other alteration of the dwellinghouse.

7.2 Visual Amenity

- 7.21 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policies DM D2 and DM D3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

7.22 The swimming pool with a footprint of 3m x 15m is not considered to be overly large given its context. Given the nature of this type of development i.e. not located above ground level other than the plant room, it would also have very limited visual impact on the main house and the surrounding area. The plant room, is also considered to be sympathetically designed given it would be timber clad with a green/sedum roof. The plant room would also have a height of only 2.5m, which means it is not excessive in terms of size. It is therefore considered that the development is acceptable in terms of its design and appearance. Overall, the proposal is considered to be visually acceptable and complies with policy.

7.3 Residential Amenity

7.31 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.

7.32 It is considered that the proposed development would have an acceptable impact on neighbour amenity. The swimming pool would generate some noise whilst in use however, is unlikely to cause planning harm given its domestic use. The swimming pool is located in a rear garden so some noise would normally be expected from occupiers enjoying the use of this space. The applicant also proposes to plant a row of pleached trees between the pool and boundary with No.12, which should help mitigate any noise. The proposed plant room would have a maximum height of only 2.5m and would be located at the rear of the garden limiting any impact. An appropriate condition can be imposed seeking to secure final details of the in-house plant/machinery required for the pool. It is considered that the proposal complies with relevant planning policy on neighbour amenity.

7.4 Flood Risk

7.41 It is considered that the impact on both surface and groundwater flows would be acceptable. The applicant has submitted a Hydrology Report which considers that the construction of the swimming pool will have a negligible effect on the long term groundwater levels, and will not significantly impair the natural groundwater flow. The report outlines that the deepest parts of the construction are unlikely to be below the groundwater table and any groundwater would flow readily around the structure and not be impounded. Nevertheless, a condition will be attached requiring submission of details on drainage.

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 The proposed development is considered to be acceptable in terms of visual and residential amenity and flooding impact, and accordingly, it is recommended that planning permission is granted.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. A.1 (Commencement of Development)
2. B.3 (External Materials as Specified)
3. Prior to commencement of development hereby permitted, details of drainage shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to first use of the swimming pool and shall be permanently retained thereafter.

Reason for condition: To ensure satisfactory means of drainage, to reduce the risk of flooding, and to comply with the following development plan policies for Merton: policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F1 of Merton's Sites and Policies Plan 2014.

4. C.10 (Hours of Construction)
5. F.2 (Landscaping (Implementation))
6. Details of plant/machinery