

**PLANNING APPLICATIONS COMMITTEE**  
**23<sup>rd</sup> November 2022**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

20/P0603

01/06/2020

**Address/Site:** 57 Kenilworth Avenue, Wimbledon, London, SW19 7LP

**(Ward)** Wimbledon Park

**Proposal:** Excavation of new basement including the insertion of front and rear lightwells

**Drawing Nos:** 101, 201A, 202A, 203A, 204A, 205A, 206A, 210

**Contact Officer:** 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: 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: 3
- External consultations: None

**1. INTRODUCTION**

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

**2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two-storey semi-detached dwelling which is located on the south side of Kenilworth Avenue, Wimbledon Park. The dwelling is not located in a conservation area.

- 2.2 The dwelling has been previously extended at ground floor and roof levels.
- 2.3 The application site lies within Flood Zone 1 and is identified as being low risk for surface water flooding.

### **3. CURRENT PROPOSAL**

- 3.1 The applicant seeks planning permission for excavation of new basement including the insertion of front and rear lightwells.
- 3.2 The basement would project approx. 4.3m beyond the current ground floor rear elevation of the dwelling, with the rear lightwell/lower patio extending a further approx. 2m. To accommodate the basement extension to the rear the rear patio would be raised by approx. 30cm. The rear wall of the basement would be rendered.
- 3.3 The proposed front lightwell would extend approx. 1m beyond the ground floor front bay window and would feature a flush metal grill.

### **4. PLANNING HISTORY**

- 4.1 04/P0952 - Certificate of lawfulness for a proposed loft conversion with extensions to the side and rear of the roof. Issued - 01/07/2004
- 4.2 08/P2060 – Single storey rear extension. Granted - 18/09/2008

### **5. POLICY CONTEXT**

- 5.1 The relevant policies in the Adopted Sites and Policies Plan and Policies Maps (July 2014) are:
  - 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)
- 5.2 The relevant policies in the Adopted Core Planning Strategy (July 2011) are:
  - CS.14 (Design)
  - CS.16 (Flood Risk Management)
- 5.3 The relevant policies in the London Plan (March 2021) are:
  - SI 12 (Flood Risk Management)
  - SI 13 (Sustainable Drainage)
- 5.4 National Planning Policy Framework 2021

### **6. CONSULTATION**

- 6.1 Standard 21-day site notice procedure and individual letters to neighbouring occupiers. In response 8 letters of objection were received. The grounds of objection are as follows:

- Flood risk
- Environmental damage such as carbon emissions from lorry trips due to excavation
- Light pollution / Air quality
- Front lightwells would set a poor precedent / out of character with surrounding area
- Traffic and parking impact
- Impact on flora and fauna
- Potential for subsidence of adjoining properties
- Basement Impact Assessment is generic and doesn't include site specific ground investigation / Construction Method Statement not acceptable
- Excessive size of basement / out of proportion with property
- Noise and vibration impact during construction and use
- Potential impact on street tree
- Loss of amenity / Disruption during build process / road being blocked during deliveries / health and safety impact / Covid
- Incomplete plans/ construction method statement, including lack of measurements

6.2 Council's Structural Engineer

Has reviewed the submitted Construction Method Statement and Basement Impact Assessment. It demonstrates that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway, it is recommended that a condition is attached requiring further details (e.g. detailed construction method statement, ground movement analysis, and detailed design calculations) are submitted once a contractor is appointed.

6.3 Council's Flood Risk Officer

No objections subject to prior commencement conditions requiring further details on how drainage and groundwater will be managed and mitigated during and post construction.

6.4 Council's Highways Officer

No objections subject to conditions relating to details on construction traffic (size amount and how they are delivered and stored).

**7. PLANNING CONSIDERATIONS**

**7.1 Principle of Development**

- 7.11 It is considered that the proposed basement would comply with the requirement set out in policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is acceptable in terms of visual amenity. The basement would not exceed 50% of the front, rear or side garden of the property, and would not cause the loss of or damage to trees with townscape or amenity value.

## **7.2 Visual Amenity**

- 7.21 Planning policy DM D2 (Design considerations in all developments) seeks to achieve high quality design and protection of amenity within the Borough. Proposals for all development will be expected to relate 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 It should be noted that No.57 is not located in the Merton (Kenilworth Avenue) Conservation Area. The Kenilworth Avenue Boundary Assessment (2005) states that the properties within the Conservation Area, which lie in Kenilworth Ave, Waldemar Road and Landgrove Road 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.57 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.
- 7.23 Given the dwelling is located outside the Merton (Kenilworth Avenue) Conservation Area, it is considered that there is more scope to make more significant alterations to the front of the property without having a detrimental impact on the overall character of the road. Nevertheless, it is considered that the proposed front lightwell is sympathetically designed. The lightwell is modest in terms of size and would be enclosed by a metal grill meaning its visual impact when viewed from the street would be very limited.
- 7.24 It is considered that the rear basement extension is also acceptable in terms of design and appearance, with the only part of this element visible being the rear wall, which would be rendered to match the facing materials of the existing dwelling.
- 7.25 Overall, it is considered that the proposal would accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is acceptable in terms of visual amenity.

## **7.3 Residential Amenity**

- 7.31 Policy DM D2 from the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that new development will be expected to ensure for provision of appropriate levels of sunlight/daylight, quality of living conditions, privacy and 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 proposal would not be visually intrusive, overbearing or result in an unacceptable loss of daylight/sunlight levels given the works are almost entirely below ground floor level. The rear patio would be raised by approx. 30cm to accommodate the rear extension of the basement, however this would have a minimal impact on privacy given it is only a small increase in height. Given the proposal is for a basement excavation, a condition will be imposed restricting construction hours/days.

- 7.33 It is therefore considered that the proposal would accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is accordingly considered acceptable with regards to neighboring amenity.

#### **7.4 Flood risk and Construction of Basement**

- 7.41 The site lies within Flood Zone 1 wherein principle new development (including basement development) is acceptable.
- 7.42 The applicant submitted a Construction Method Statement and Basement Impact Assessment, which includes results of on-site ground investigation demonstrating how the stability of ground conditions will be maintained in relation to adjoining properties. The Council's Flood Risk Officer and Structural Engineer have assessed the proposal and are satisfied with the details submitted subject to the imposition of suitable conditions on any planning approval requiring further details in relation to groundwater and drainage. In addition, a condition will be attached requiring the submission of ground movement analysis and detailed construction method statement from the appointed contractor. It is therefore considered that the proposal would accord with policies DM D2 and DM F2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

#### **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 basement extension would not have a detrimental impact on the character and appearance of the Kenilworth Avenue street scene. It is also considered that the proposal would have an acceptable impact on neighbour amenity, whilst the the Council's Flood Risk Officer and Structural Engineer are satisfied that the basement can be constructed without having an unacceptable impact on groundwater, drainage and structural stability of the public highway and adjoining buildings. The proposal would therefore accord with relevant planning policies and planning permission should be granted.

#### **RECOMMENDATION**

#### **GRANT PLANNING PERMISSION**

Subject to the following conditions:

1. A.1 (Commencement of Development for full application)

2. B.3 (External Materials as specified)
3. Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure, waterproofing and drainage.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

4. Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) based on the 100yr plus 40% climate change event, in accordance with drainage hierarchy contained within the London Plan Policy (SI 13 and SPG) and the advice contained within the National SuDS Standards

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

5. Prior to commencement of development the following information shall be submitted and approved by the Local Planning Authority:

a) Ground Movement Analysis (Vertical and Horizontal) including any heave or settlement analysis, and Damage Category Assessment with detailed calculations.

b) Detailed Construction Method Statement produced by the respective Contractors responsible for the underpinning, excavation and construction of the basement retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.

c) Detail design calculations of the permanent retaining wall retaining the highway has to be submitted. The calculations shall be carried out in accordance with Eurocodes. We recommend assuming full hydrostatic pressure to ground level and using a highway surcharge of 10 KN/m<sup>2</sup> for the design of the retaining wall supporting the highway.

d) Temporary works drawings and sections of the basement retaining walls.

e) Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement

monitoring, frequency of monitoring, trigger levels, and the actions required for different trigger alarms.

Reason: In the interests of protecting and preserving the structural integrity of the building and the public highway, in accordance with Merton's policy DMD2 of the Sites and Policies Plan (2014).

6. The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

7. No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank 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: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

8. INFORMATIVE: The developer must contact the highways section (minimum 6 weeks) prior to any works being carried out to ensure all relevant licenses are in place.

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