

## PLANNING APPLICATIONS COMMITTEE

### 7 DECEMBER 2023

#### OFFICER REPORT

**APPLICATION NO.**      **DATE VALID**

23/P0747                      20/04/2023

**Site Address:**      Penthouse Flat, 3 Lansdowne Road, West Wimbledon, SW20  
8AP

**Ward:**                      Village

**Proposal:**              EXTENSION OF EXISTING PENTHOUSE TO ENLARGE  
FLOOR AREA AND ERECTION OF ROOF EXTENSION TO  
PROVIDE ADDITIONAL ACCOMMODATION AT ROOF LEVEL

**Drawing Nos:**      2464-00-DR-0105-P02; 2464-00-DR-0106-P02; 2464-00-DR-  
0107-P02; 2464-00-DR-0600-P02; 2464-00-DR-0601-P02;  
2464-00-DR-0602-P02; 2464-00-DR-0400-D01

**Contact Officer:**      Jivan Manku

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#### **RECOMMENDATION**

REFUSE Planning Permission

#### **CHECKLIST INFORMATION**

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	No
Site notice	No
Design Review Panel consulted	No
Number of neighbours consulted	45
External consultations	None
Internal consultations	Waste Services, Transport Planner, Highways Officer, Conservation Officer
Controlled Parking Zone	Yes - W7

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## **1. INTRODUCTION**

This application is being brought to the Planning Applications Committee for determination due to the likely interest from the Committee in the proposals impact on the character and appearance of the host building and surrounding area, and also in regard to the issue of building height.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application relates to the Penthouse Flat of 3 Lansdowne Road, West Wimbledon. The building consists of 5 floors with a built loft level which is the penthouse. The penthouse has three bedrooms, one with en suite, a separate bathroom and kitchen/living/dining area.
- 2.2 The site is not within a Conservation Area, but the Wimbledon West Conservation Area is located to the west, opposite the site.
- 2.3 The surrounding area is mixed in terms of character, with a number of other flatted blocks in the local vicinity which range in height from three to five storeys and also two storey dwellings. There are existing rooftop penthouse flats at the application site and also at Warwick Court which is located to the South of the site. There are more traditional dwellings located further north and south in Lansdowne Road.
- 2.4 The site is located within Controlled Parking Zone W7 and has a PTAL rating of 1a indicating the transport links within the area are poor.

## **3. CURRENT PROPOSAL**

- 3.1 The application is seeking planning permission for an extension to the existing penthouse to enlarge the floor area and the erection of a roof extension above the existing penthouse flat.
- 3.2 The proposed extension to the penthouse would involve a reduction to the overall width by 0.4 metres and an increase to the depth by 2.8 metres.
- 3.3 The penthouse would still be set in from the main building by 1.5 metres to the front and rear and 1.1 metres to the side maintaining the terrace.
- 3.4 The proposed extension above would be an oval shape with a width of 11.5 metres, depth of 6.2 metres and would be finished in aluminium powder coated framing with double glazed windows.

- 3.5 The extended area would create an enlarged bedroom with en suite bathroom and walk in wardrobe for the occupants of the penthouse.

#### 4. PLANNING HISTORY

##### 3 Lansdowne Road (Application site)

20/P1050 - DEMOLITION OF EXISTING LEAN TO CONSERVATORY AND ERECTION OF SIDE EXTENSION - Grant Permission subject to Conditions - 08/06/2020

21/P3475 - ERECTION OF ROOF EXTENSION - Refuse Permission - 15/11/2021

##### Both 2 and 3 Lansdowne Road

17/P2349 - DEMOLITION OF EXISTING ROOFTOP FLAT AND ERECTION OF ADDITIONAL TWO STORIES TO PROVIDE 4 X 2 BED FLATS ALONG WITH ERECTION OF CYCLE STORE & BIN ENCLOSURE - Refuse Permission - 20/09/2017

20/P2839 - APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED ERECTION OF 2 x ADDITIONAL STOREYS TO 2 & 3 LANSDOWNE ROAD TO PROVIDE 8 x NEW SELF-CONTAINED FLATS - Prior Approval Refused - 02/12/2020

##### 2 Lansdowne Road

17/P3976 - ERECTION OF 2 x 2 BED FLATS AT ROOFTOP LEVEL - Grant Permission Subject to Section 106 Obligation or any other enabling agreement - 25/01/2018

18/P4336 - APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) ATTACHED TO LBM PLANNING PERMISSION 17/P3976 RELATING TO THE ERECTION OF 2 x 2 BED FLATS AT ROOFTOP LEVEL - Grant Variation of Condition - 06/03/2019

19/P0148 - APPLICATION TO DISCHARGE CONDITIONS 5 (SCREENING) 7 (WORKING METHOD STATEMENT) 8 (SURFACE WATER DRAINAGE) & 11 (ARBORICULTURAL METHOD STATEMENT) ATTACHED TO APPLICATION 17/P3976 RELATING TO THE ATERECTION OF 2 x 2 BED FLATS AT ROOFTOP LEVEL - Discharge of Conditions Approved in full - 20/05/2019

23/P0854 - APPLICATION FOR DISCHARGE OF CONDITIONS 10, 12 & 13 ATTACHED TO LBM PLANNING PERMISSION 17/P3976 RELATING TO

THE ERECTION OF 2 x 2 BED FLATS AT ROOFTOP LEVEL - Discharge of Conditions Approved in full - 12/07/2023

## 5. CONSULTATION

5.1 45 neighbouring properties along with the Waste Officer, Highways Officer, Transport Planning Officer and Conservation Officer were notified of the development as part of the consultation process on 03/05/2023.

5.2 14 objections were received, including a letter from The Wimbledon Society. The main issues are broadly summarised below:

- The proposed 6<sup>th</sup> floor would be very prominent and highly visible from some considerable distance as it would be higher than any other building in the local area;
- The development would result in an impact to parking;
- There is no reason for an increase to the penthouse;
- Cause a significant loss of light and overshadowing;
- Result in privacy concerns.

5.3 The Wimbledon Society commented:

*There is no objection to the extension of the 5th floor to match the proposed 5th floor of the adjoining building 2 Lansdowne Road, for which there is planning permission. However, the proposed 6th floor would be very prominent, highly visible from some considerable distance, rising higher than any other building in the area, and accentuated by being oval in shape and surrounded by glass, including parts of its roof.*

*The proposed development would adversely affect the streetscape and the surrounding area, and the application should be rejected.*

## 6. POLICY CONTEXT

### National Planning Policy Framework 2023

- Chapter 2 Achieving sustainable development
- Chapter 6 Building a strong, competitive economy
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 15 Conserving and enhancing the natural environment

### London Plan 2021

- D4 Delivering good design

- D5 Inclusive design
- D6 Housing quality and standards
- D14 Noise
- H1 Increasing housing supply
- H10 Housing size mix
- HC1 Heritage
- G1 Green infrastructure
- G4 Open space
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

#### **Merton Core Strategy (July 2011)**

- CS6 - Wimbledon Sub Area
- CS11 - Infrastructure
- CS13 - Open space, nature conservation, leisure and culture
- CS14 - Design
- CS18 - Active Transport
- CS19 - Public Transport
- CS20 - Parking, Servicing and Delivery

#### **Merton Sites and Policies Plan (July 2014)**

- DM O2 - Nature conservation, trees, hedges and landscape features
- DM D1 - Urban Design and public realm
- DM D2 - Design considerations in all developments
- DM D3 - Extensions to existing buildings
- DM D4 - Managing Heritage Assets
- DM T1 - Support for sustainable transport and active travel
- DM T2 - Transport impacts of development
- DM T3 - Car parking and servicing standards

## **7. PLANNING CONSIDERATIONS**

### **7.1 Principle of development**

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 stated that when determining a planning application, the development plan must be regarded, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

7.1.2 The site is a brownfield site within a residential area and as such the principle of development which forms an extension and alterations to an existing property/building in this location is acceptable in land use terms, subject to assessment against the relevant policies of the Development Plan.

## **7.2 Character and Appearance**

7.2.1 Core Strategy policy CS 14, London Plan Policy D4, Merton SPP Policies DMD2 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. Policy DM D4 seeks to protect the Borough's heritage assets. In this case, the nearby Wimbledon West Conservation Area comprises a designated heritage asset.

7.2.2 Permission has already been granted for an additional floor to the building above the neighbouring property to the north (Nos 2 Lansdowne Road) to form x2 new self contained units. This addition is currently being implemented and will match the height of the existing penthouse at number 3 Lansdowne Road. The proposed extension to the penthouse would involve a reduction to the overall width by 0.4 metres and an increase to the depth by 2.8 metres. The penthouse would still be set in from the main building by 1.5 metres to the front and rear and 1.1 metres to the side maintaining the terrace. The extensions to the existing penthouse level would be similar in terms of resultant width and depth as per the new floor at number 2. Officers consider this aspect of the proposal would be acceptable as it would result in a similar appearance of the building as at number 2 and would therefore be in keeping with the prevailing building height and design.

7.2.3 The proposed extension above to form the 7<sup>th</sup> floor would be an oval shape with a width of 11.5 metres, depth of 6.2 metres and would be finished in aluminium powder coated framing with double glazed windows. It would be characterised by a flat roof with a height of 2.4 metres from the existing penthouse roof and 17.15 metres from ground floor level.

7.2.4 The area is varied in terms of building height, style and form. However, the application building is currently one of the tallest buildings in the immediate vicinity. A previous application (LBM Ref: 17/P2349) for two additional storeys to the existing building was refused and dismissed at appeal. The inspector noted although an application for one additional storey was approved, the Council concluded it would restore balance to the elevation. However, the impact of a two storey addition would be significantly greater.

7.2.5 Another application (LBM Ref: 21/P3475) for a roof extension to enlarge the floorspace of the penthouse flat to create a 7<sup>th</sup> floor was also refused due to the material harm it would cause to the character and appearance of the existing building, Wimbledon West Conservation Area and the wider street scene.

- 7.2.6 This current application would have a larger footprint and would be positioned centrally on the flat roof of the main building. As such, the addition would still be visually prominent in a way which would dominate the building to a further extent than the already approved sixth level. The proposal would be at odds with the existing building, creating a smaller taller section to the building upwards and with an oval shaped design and use of glazing throughout would create an addition to the building which would be visually out of keeping and thereby harmful.
- 7.2.7 Officers consider there would be wider views of the proposal from the surrounding roads, and from the Conservation Area opposite. The proposal would increase the height of the building and thus making it more prominent to the surrounding area. It is therefore considered the proposal would not be a visually minimalistic addition and would have a negative impact on the street scene and existing building, and cause harm to the setting of the adjacent Conservation Area.
- 7.2.8 The proposal is therefore considered to result in material harm to the character and appearance of the streetscene and Conservation Area and would fail to comply with Policies DM D2, DM D3 and DM D4 of the Sites and Policies Plan 2014, Policy CS14 of the Core strategy 2011 and Policies D4 and HC1 of the London Plan 2021 in terms of visual amenity.

### **7.3 Neighbour Amenity**

- 7.3.1 SPP policy DM D2 states that proposals must be designed to ensure that they 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.
- 7.3.2 Many of the issues raised in the objections from the neighbouring properties related to how the proposed additional floor would be unsightly as it would be out of character with other buildings in the local area, cause a stress to parking and result in a loss of light to the neighbouring properties.
- 7.3.3 The appeal inspector for the previously refused application (LBM Ref: 17/P2349) for two storeys to the building mentioned the comments were taken into account from the neighbouring properties. It was concluded that given the height of the existing building, the arrangements of the openings and balconies, the generally accepted levels of overlooking, as well as outlook and access to light in the built up area, no significantly adverse impacts to their living conditions could be identified.
- 7.3.4 As such, as the proposal is for an additional floor which is substantially set back from each elevation, in addition to the extension to the depth of the existing floor maintaining a setback from the wall, the impact would be less than the previously refused two storey proposal which was deemed acceptable to

neighbouring amenity. Officers note that the previous refused proposal for the part additional floor under 21/P3475 was also not refused on impact on neighbouring amenity. Although the current proposal would result in an increase in the amount of glazing and outlook from the proposed top floor addition, owing to the distance to surrounding neighbouring properties, officers do not consider this would be harmful. Officers therefore consider there would be no material harm caused to neighbouring amenity arising from the proposal.

7.3.5 The proposal is considered to be compliant with SPP Policy DM D2 in respect of neighbouring amenity.

#### **7.4 Highway, Traffic and Parking**

7.4.1 Core Strategy Policy CS 18 promotes active means of transport and the gardens of the houses provide sufficient space for the storage of cycles without the need to clutter up the front of the development with further cycles.

7.4.2 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.

7.4.3 There are currently 28 parking spaces on site and 4 are currently available for the occupants of the sixth floor. The remaining 24 are available for the other flats within the building.

7.4.4 The proposed floorplans show the additional floor area would result in the relocation of bedroom 3 but would include an en suite bathroom and walk in wardrobe to the existing penthouse. As it is not proposed to be a separate unit, and in addition the number of bedrooms for the flat would remain at 3 bedrooms, additional parking would not need to be allocated and therefore the proposal would have no impact on the availability of parking and traffic around the site. Further, there is no requirement to consider the bin storage capacity as the proposal is an extension to an existing flat.

7.4.5 The proposal is therefore considered to be compliant with Policies CS 18 and CS 20 in respect of Highways, Traffic and Parking.

#### **8.0 Conclusion**

8.1.1 The proposed development, due to the visually prominent 7<sup>th</sup> floor addition proposed, is considered to dominate the building and would be out of keeping with the building's character. It would not be a minimal addition and as such would have a negative impact on the street scene, adjacent Conservation Area and existing building which would be non-compliant with the planning policies listed above.

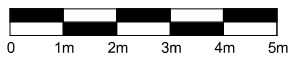
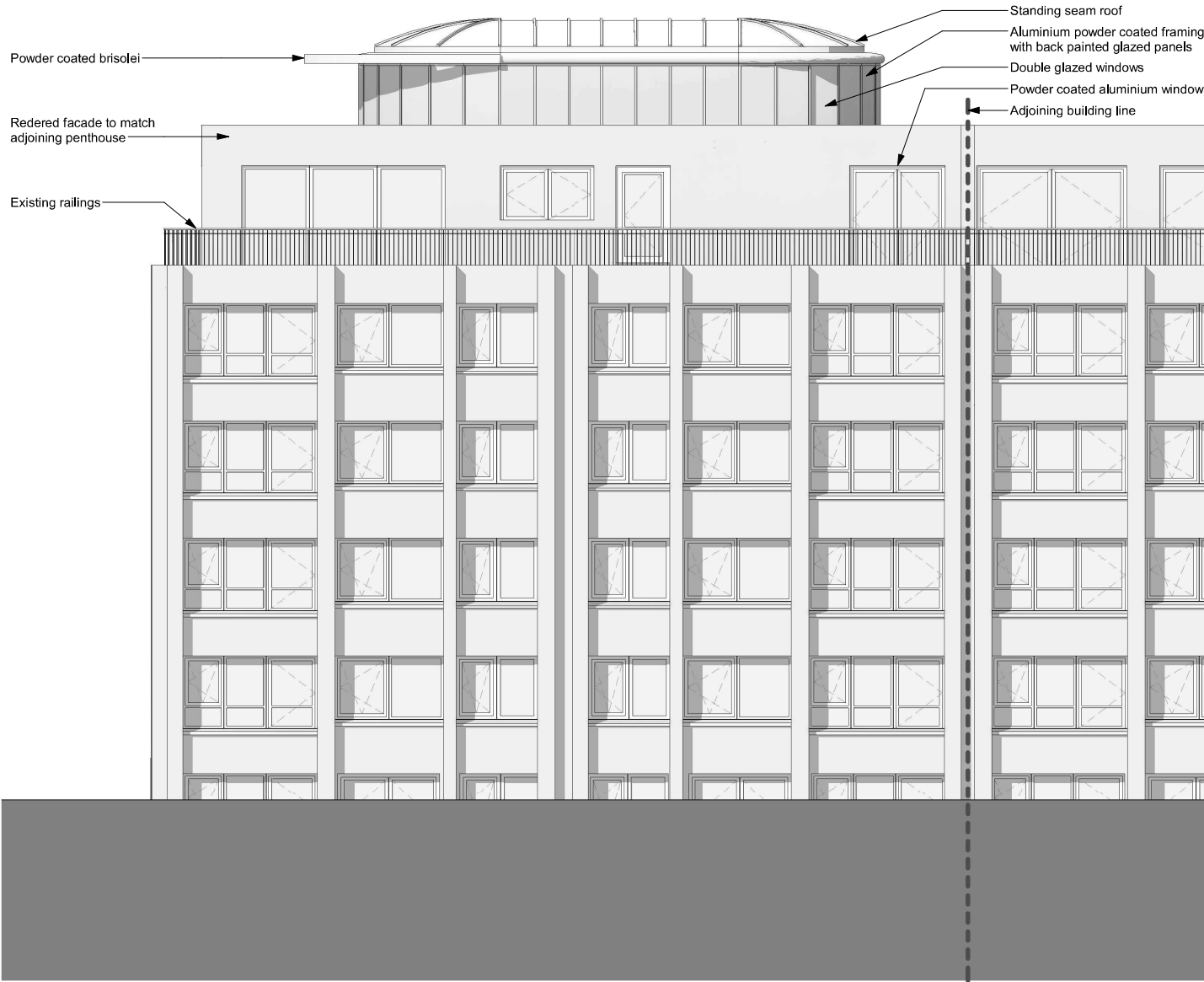
**Recommendation:**



It is recommended to REFUSE planning permission for the following reason:

**Reason:**

1. The proposed development, by reason of its height, elevated position and form, would result in material harm to the character and appearance of the existing building, the adjacent Wimbledon West Conservation Area and the wider street scene contrary to policy CS 14 of the Council's adopted Core Planning Strategy 2011, Policies DM D2, DM D3, and DM D4 of the Site and Policies Plan 2014 and Policies D4 and HC1 of the London Plan 2021.



Rev:P02 Date:20/04/23 Draw:RB Chk:LB  
Notes added

Client:  
Stephen Sexton

Project:  
3 Lansdowne Road Penthouse

Title:  
East Elevation

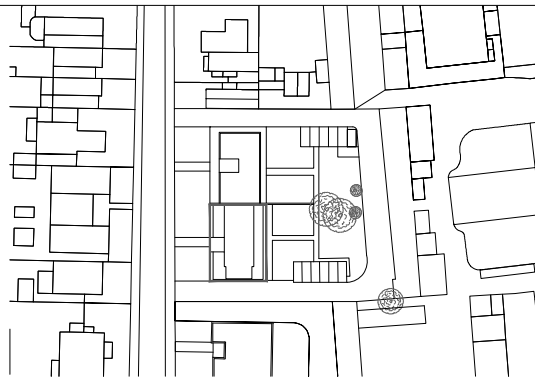
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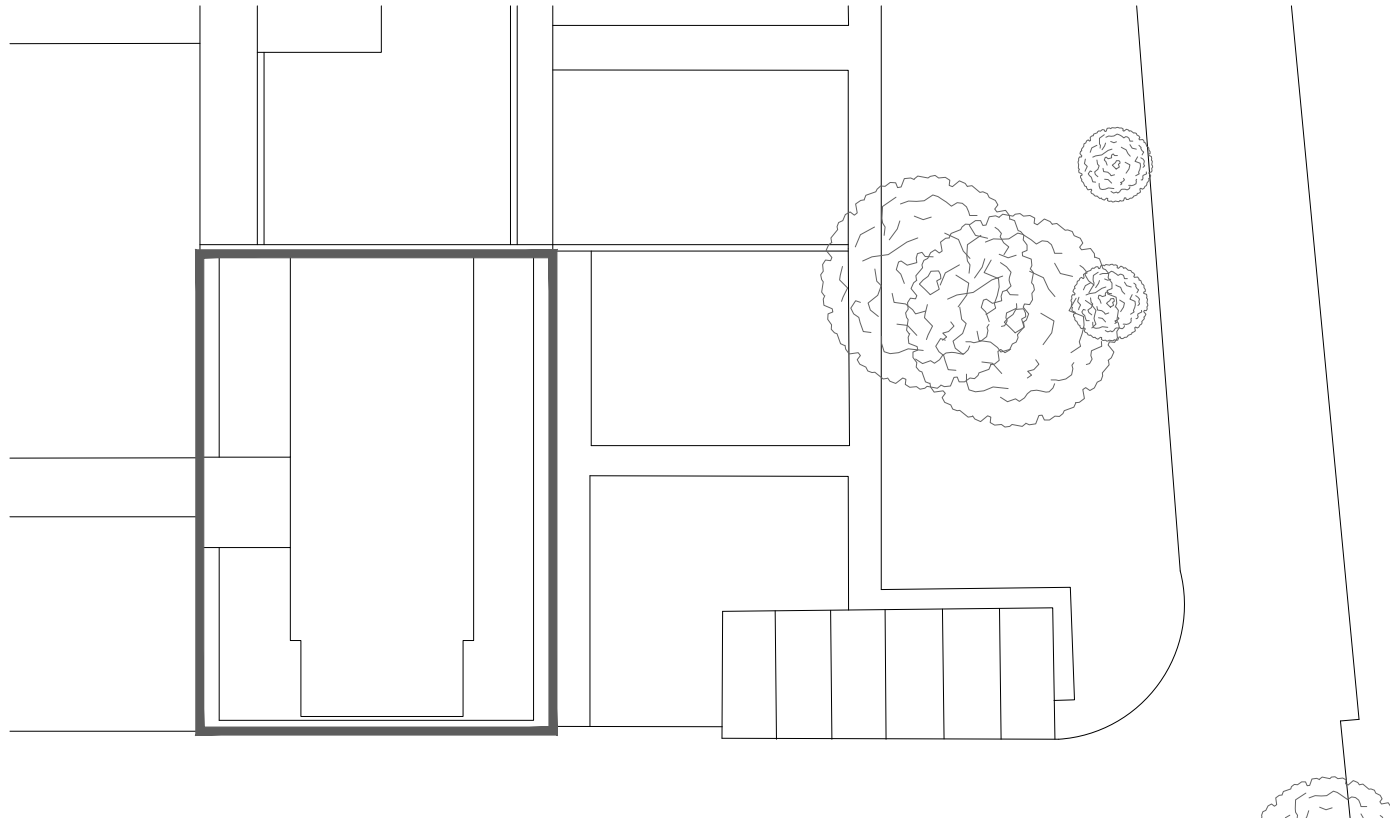
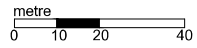
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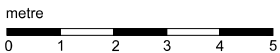
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Site Location Plan  
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Existing Site Plan  
 Scale: 1:200 @ A3

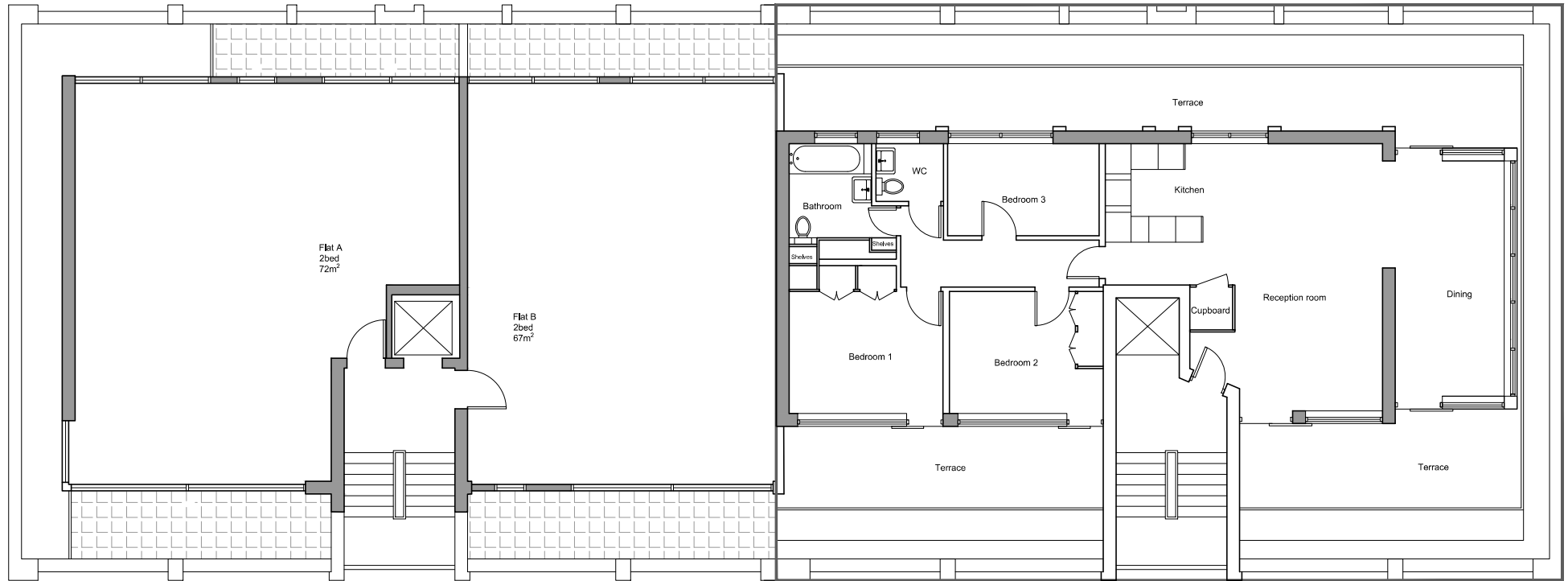


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Title: Existing Site Plan		
Client: Stephen Sexton		
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Date: 21.09.21	Drawn: CF	21016-A-02-00
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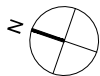
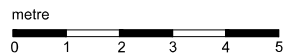
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Existing Floor Plan - Level 05  
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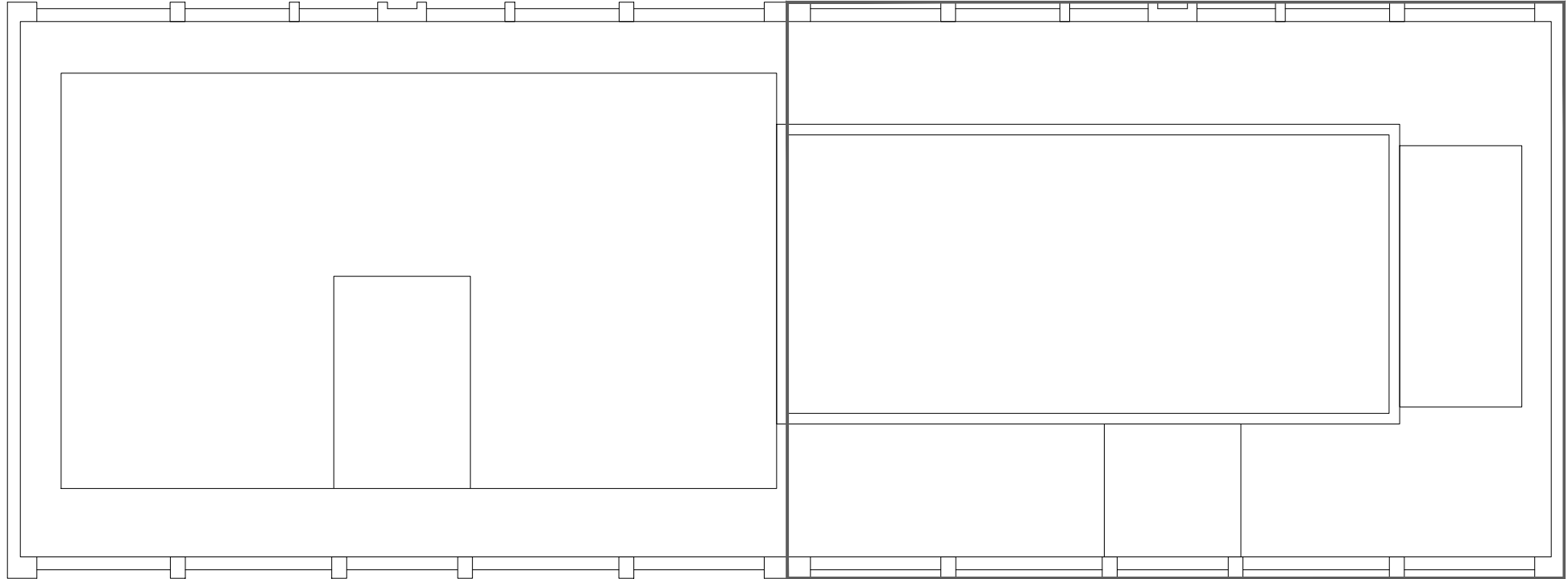
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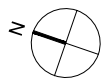
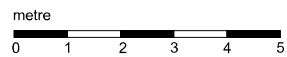
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Existing Roof Plan  
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Client: Stephen Sexton		
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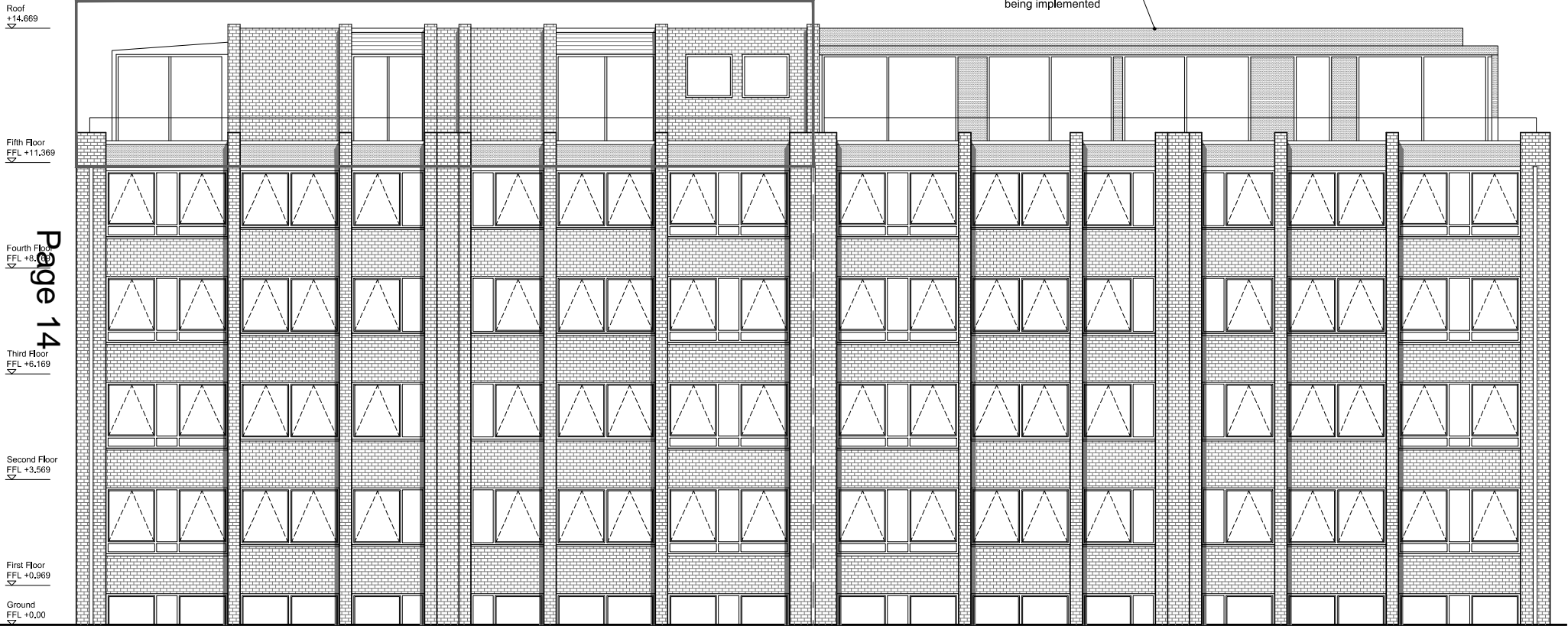
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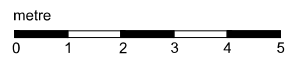
3 Lansdowne Road

2 Lansdowne Road

Consented scheme is being implemented



Existing West Elevation



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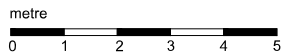
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3 Lansdowne Road

Consented scheme is being implemented



Existing East Elevation



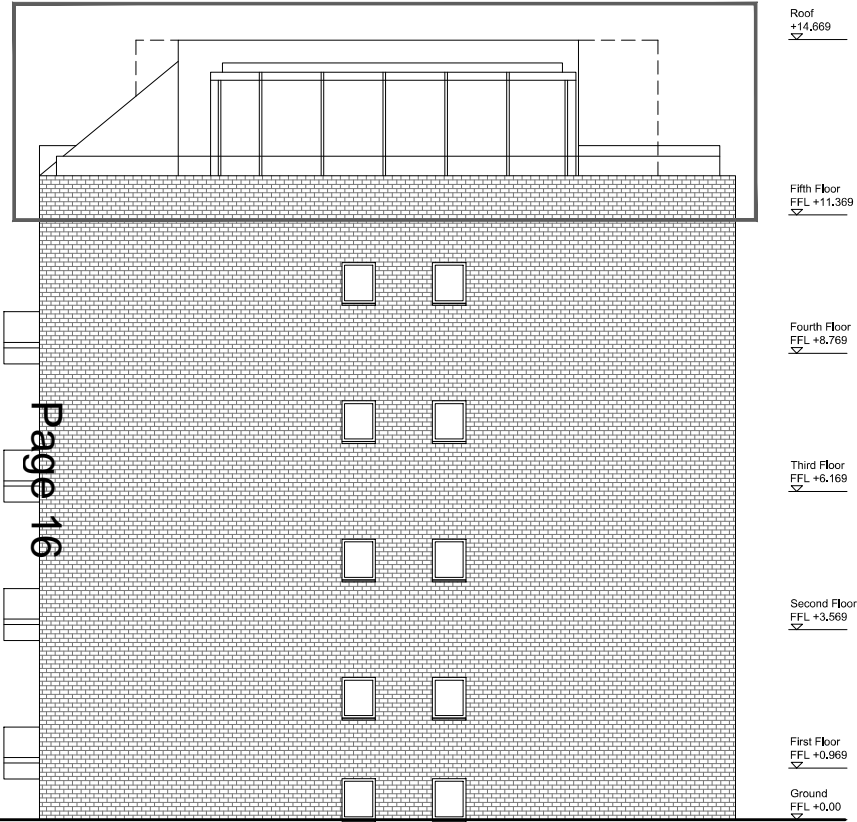
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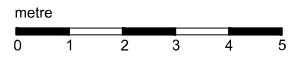
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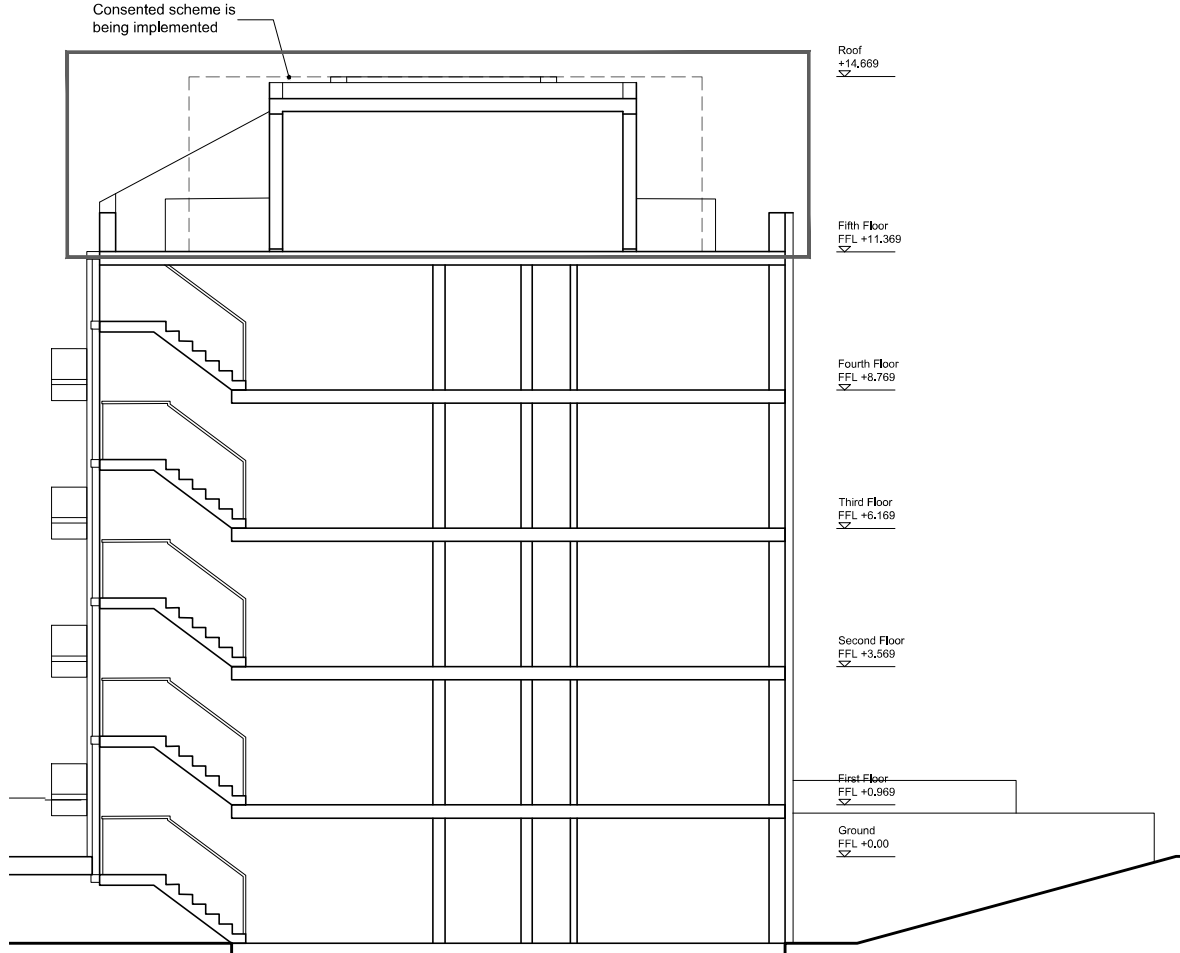
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Existing South Elevation



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Existing Section

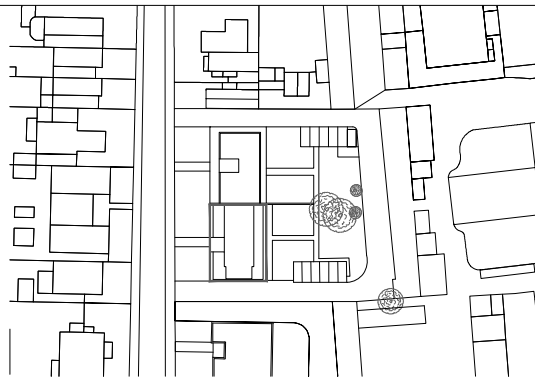
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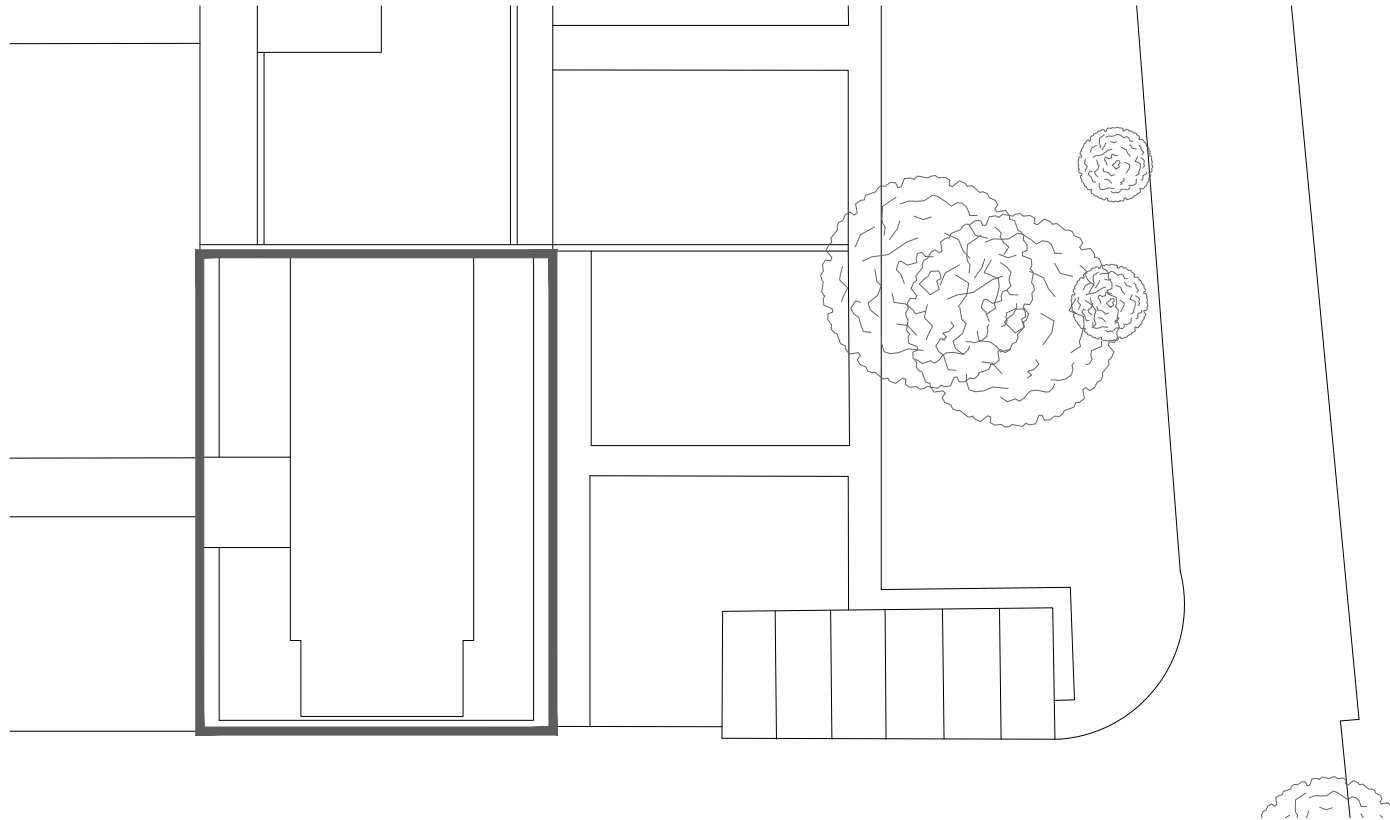
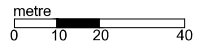


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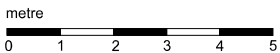
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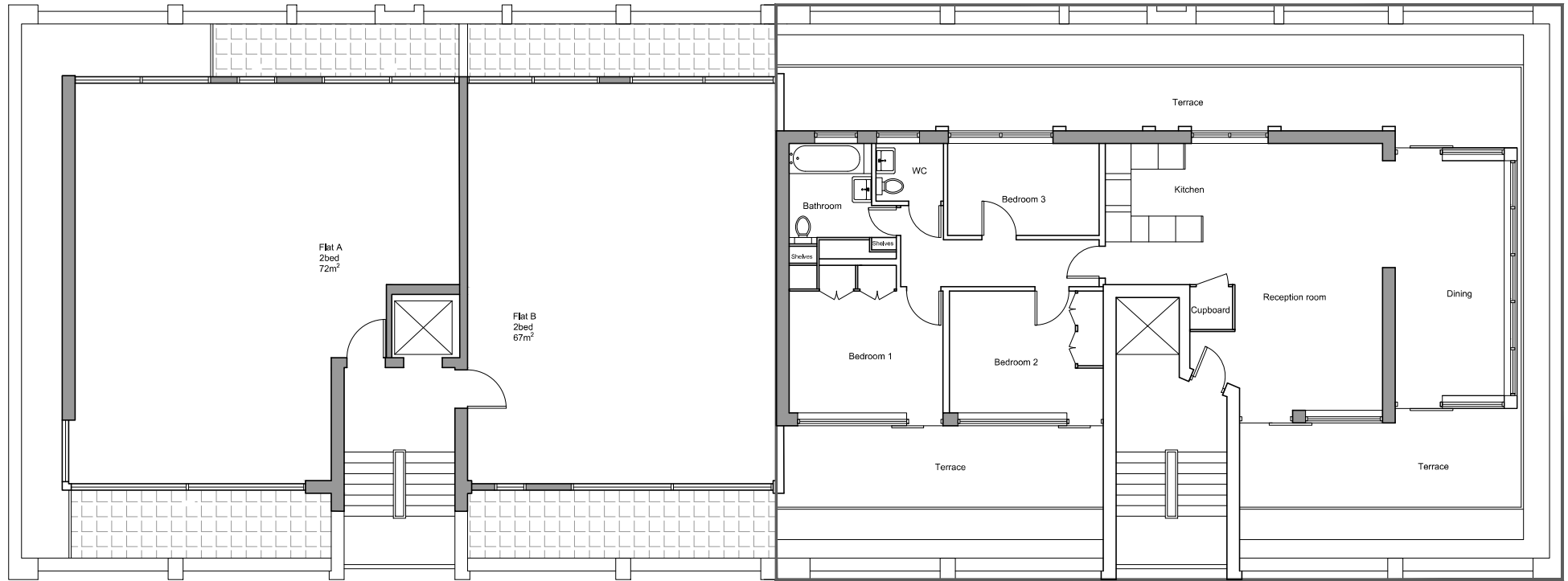
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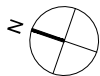
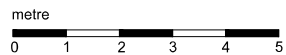
Project: 3 Lansdowne Road Penthouse		
Title: Existing Site Plan		
Client: Stephen Sexton		
Scale:	Rev: 0	Drawing No:
Date: 21.09.21	Drawn: CF	21016-A-02-00
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Disclaimer: Do not scale from this drawing. These drawings are indicative and not for construction, all dimensions should be checked on site before fabrication or setting out. The areas and drawings are indicative at this stage. Due allowance is required for:  
 1) A fully considered design and subsequent design development,  
 2) Local authority approvals & regulatory compliance,  
 3) Construction methods & building tolerances.  
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Rev:	Description:	Date:	Dwn:	Chk:	Iss:
0	Planning Application	21,09,21	CF	AJ	AJ



Existing Floor Plan - Level 05  
 Scale: 1:100 @ A3



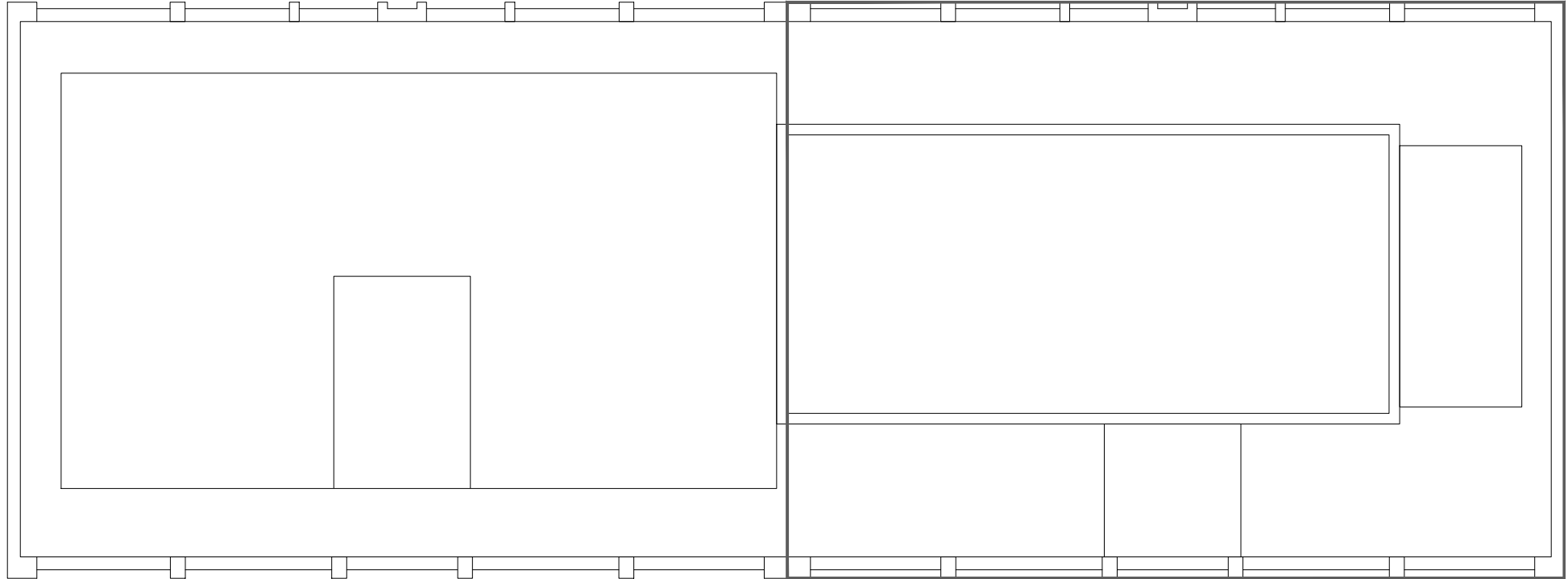
Project: 3 Lansdowne Road Penthouse		
Title: Existing Plan		
Client: Stephen Sexton		
Scale: 1:100 @ A3	Rev: 0	Drawing No: 21016-A-03-00
Date: 21,09,21	Drawn: CF	

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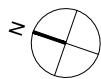
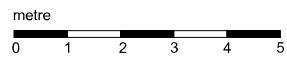
Disclaimer: Do not scale from this drawing. These drawings are indicative and not for construction, all dimensions should be checked on site before fabrication or setting out. The areas and drawings are indicative at this stage. Due allowance is required for:  
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Rev:	Description:	Date:	Dwn:	Chk:	Iss:
0	Planning Application	21.09.21	CF	AJ	AJ

Page 19



Existing Roof Plan  
 Scale: 1:100 @ A3



Project: 3 Lansdowne Road Penthouse		
Title: Existing Plan		
Client: Stephen Sexton		
Scale: 1:100 @ A3	Rev: 0	Drawing No: 21016-A-03-01
Date: 21.09.21	Drawn: CF	

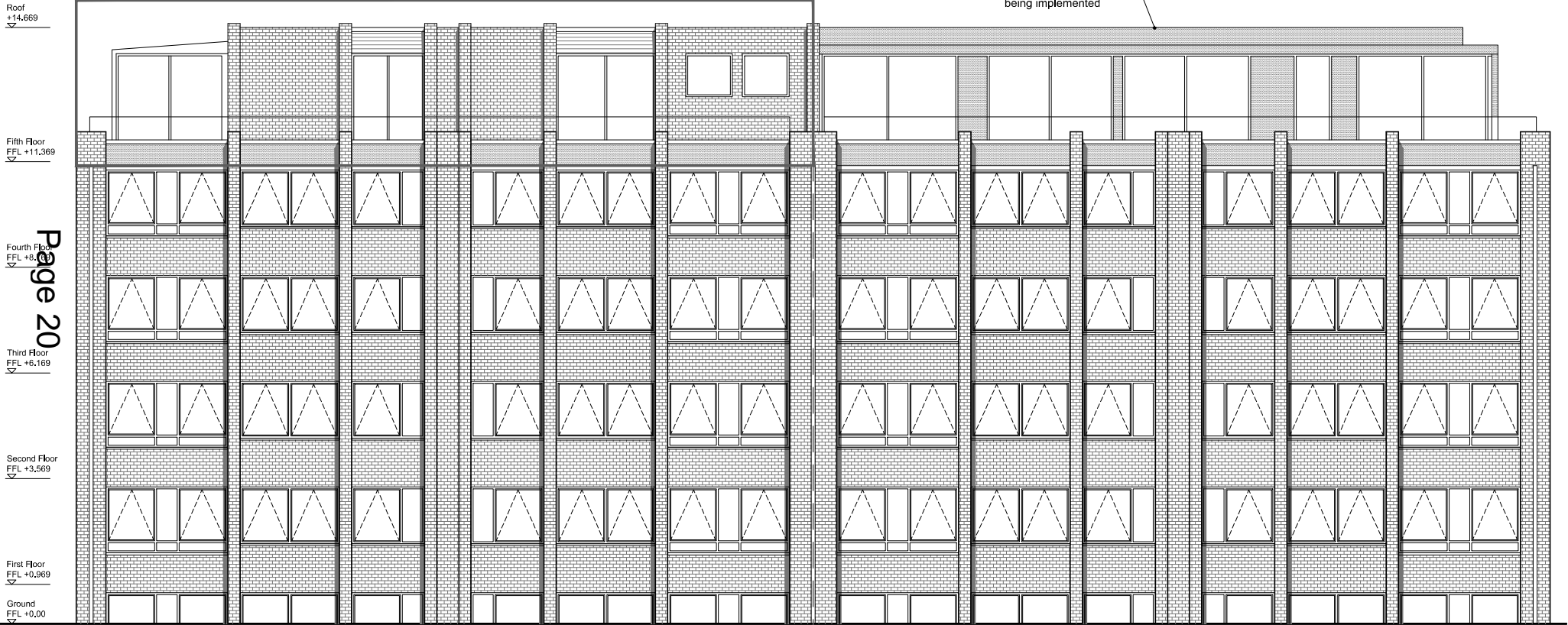
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 2) Local authority approvals & regulatory compliance.  
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Rev:	Description:	Date:	Dwn:	Chk:	Iss:
0	Planning Application	21.09.21	CF	AJ	AJ

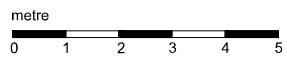
3 Lansdowne Road

2 Lansdowne Road



Page 20

Existing West Elevation



Project: 3 Lansdowne Road Penthouse		
Title: Existing Elevation		
Client: Stephen Sexton		
Scale: 1:100 @ A3	Rev: 0	Drawing No: 21016-A-05-00
Date: 21.09.21	Drawn: CF	

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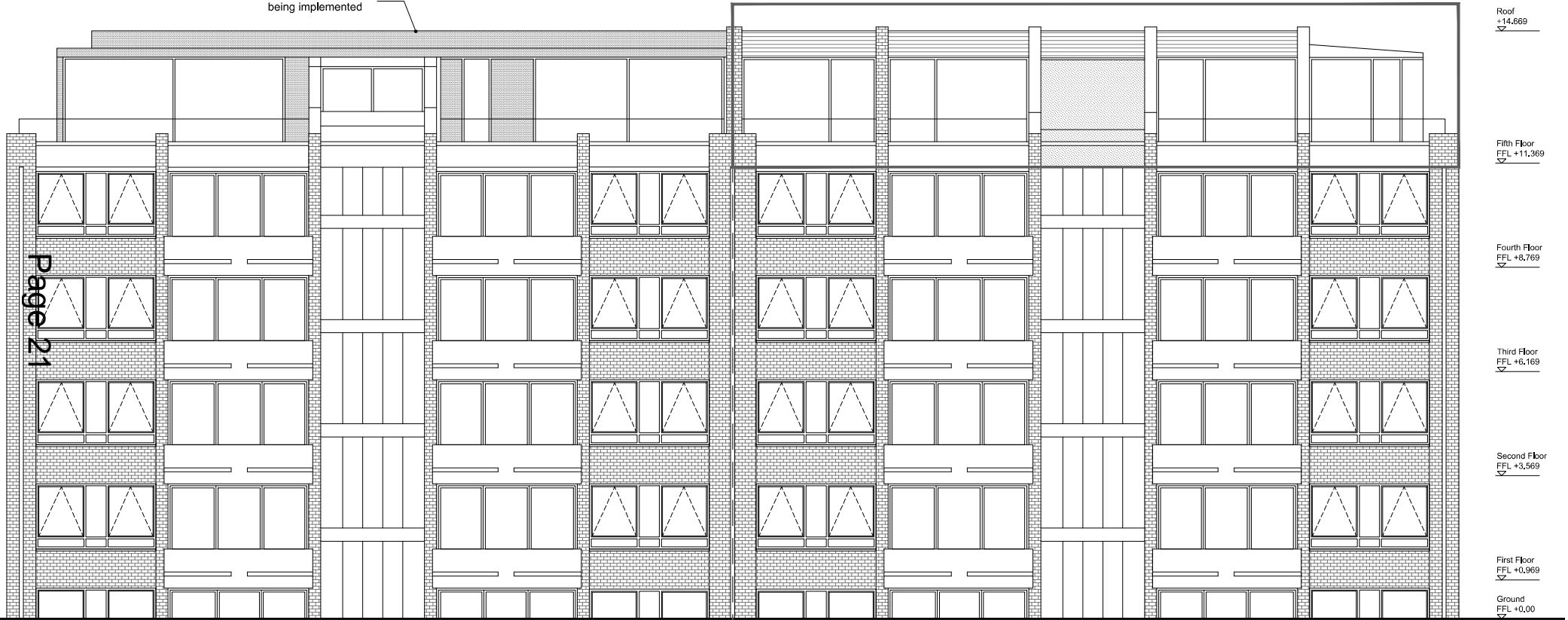
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 1) A fully considered design and subsequent design development,  
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Rev:	Description:	Date:	Dwn:	Chk:	Iss:
0	Planning Application	21.09.21	CF	AJ	AJ

2 Lansdowne Road

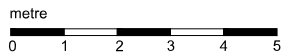
3 Lansdowne Road

Consented scheme is being implemented



Page 21

Existing East Elevation



Project: 3 Lansdowne Road Penthouse		
Title: Existing Elevation		
Client: Stephen Sexton		
Scale: 1:100 @ A3	Rev: 0	Drawing No: 21016-A-05-01
Date: 21.09.21	Drawn: CF	

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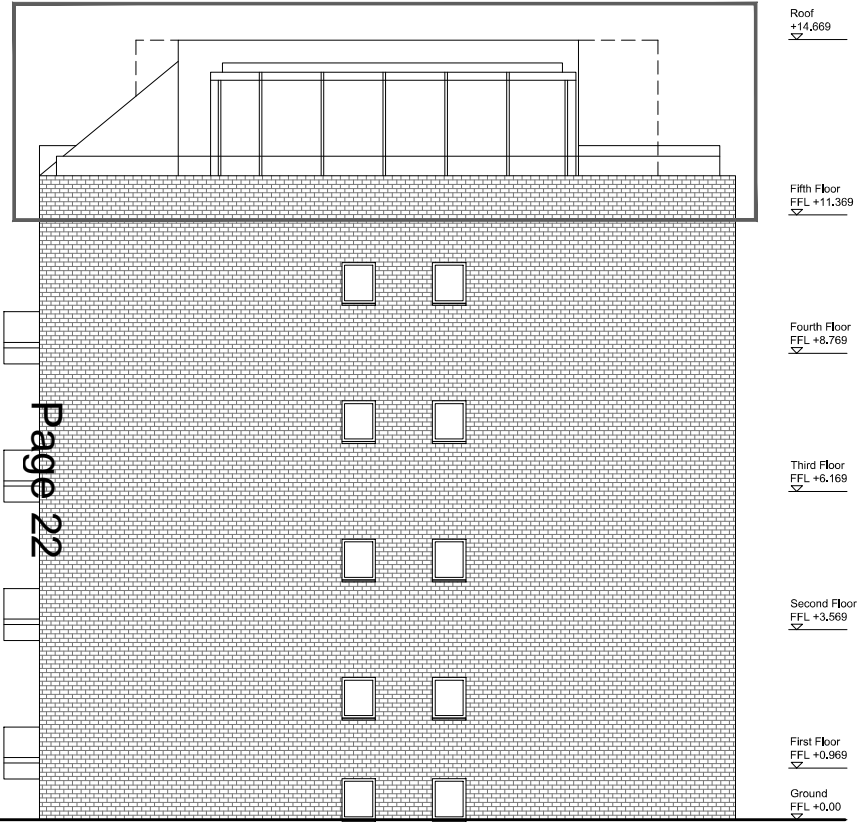
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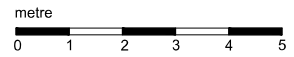
- 1) A fully considered design and subsequent design development.
- 2) Local authority approvals & regulatory compliance.
- 3) Construction methods & building tolerances.

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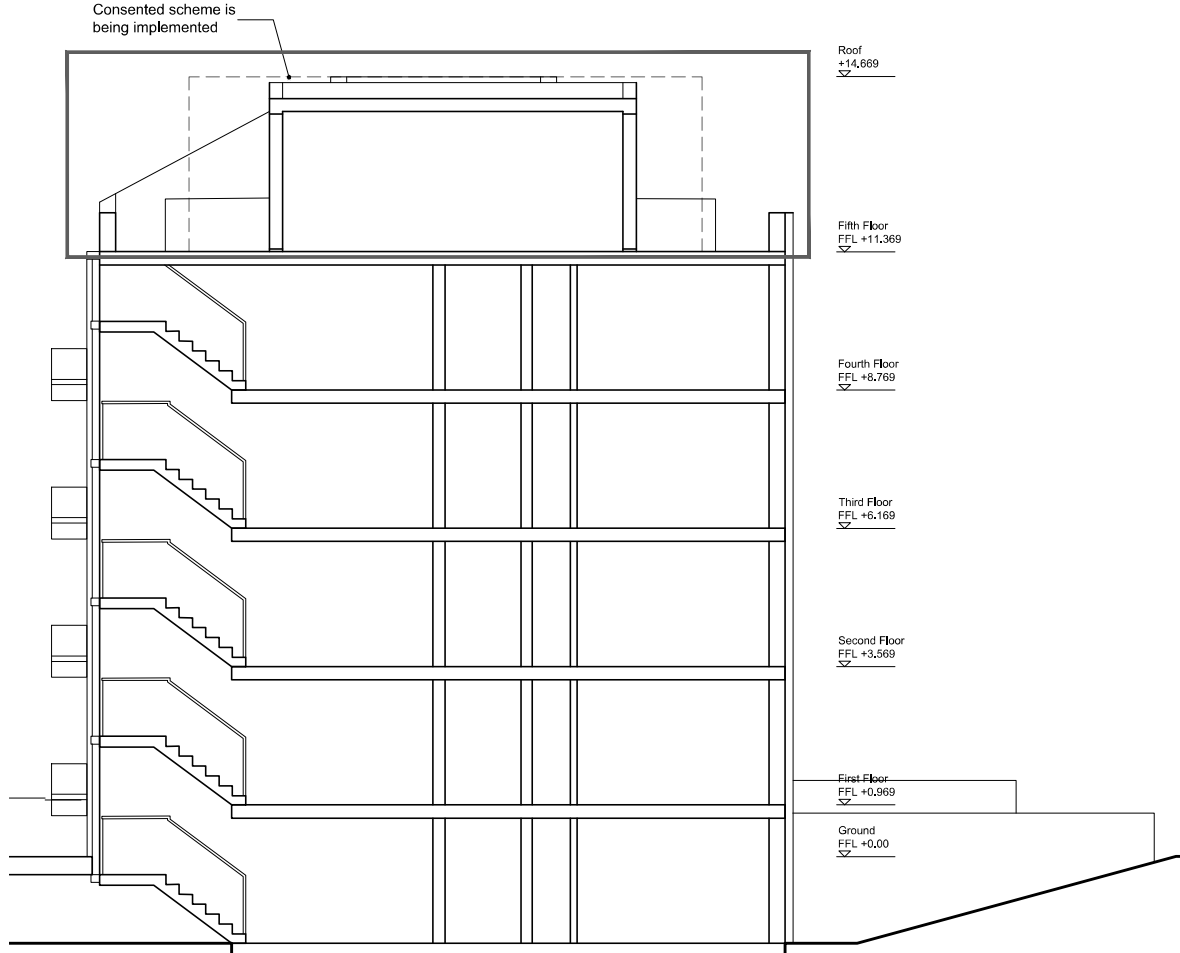
Rev:	Description:	Date:	Dwn:	Chk:	Iss:
0	Planning Application	21.09.21	CF	AJ	AJ



Existing South Elevation

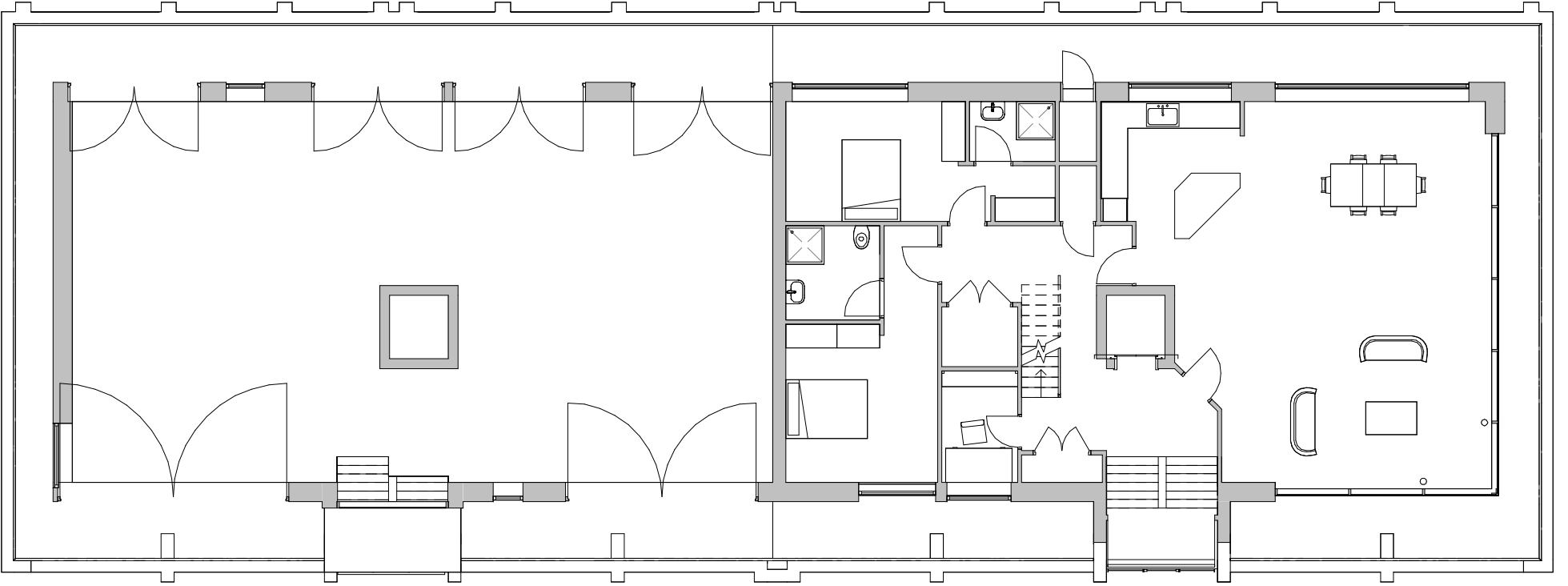


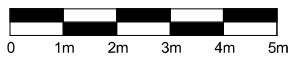
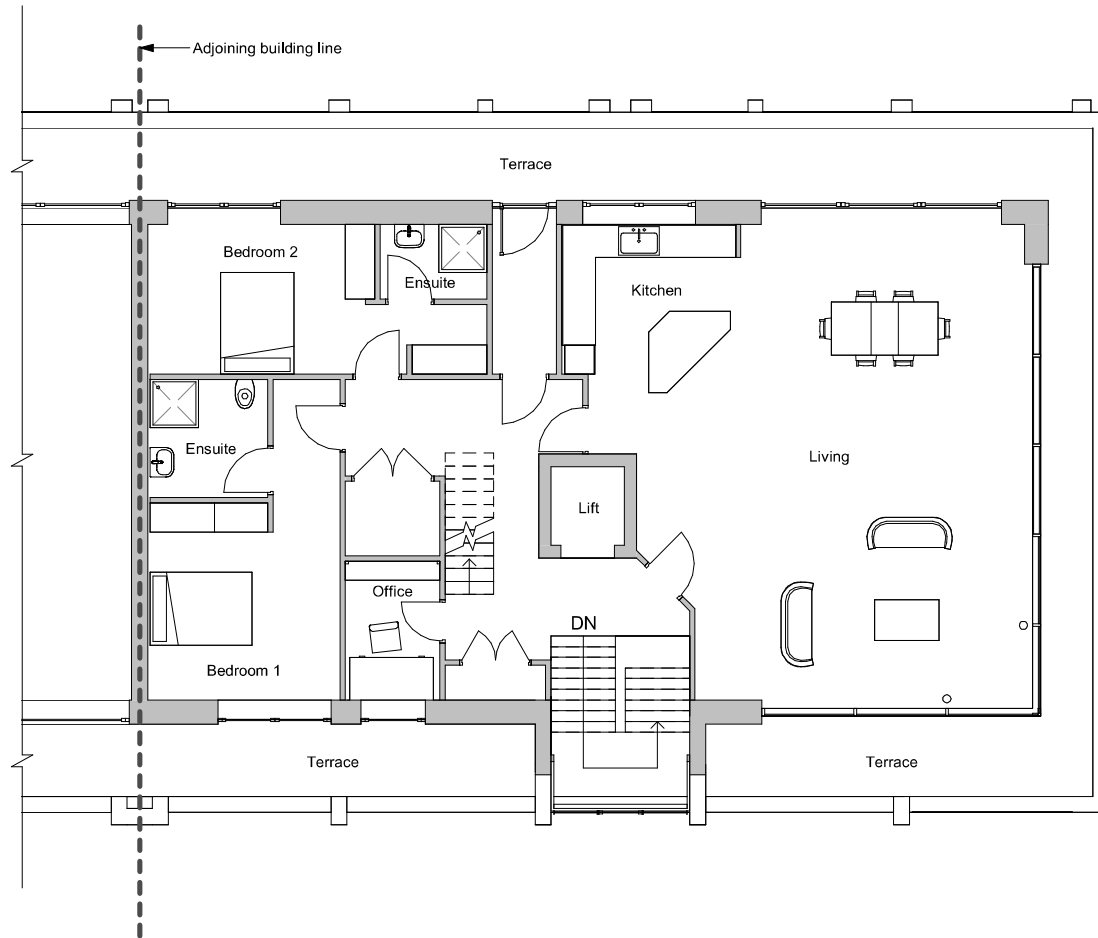
Page 22



Existing Section

Project: 3 Lansdowne Road Penthouse		
Title: Existing Elevation		
Client: Stephen Sexton		
Scale: 1:100 @ A3	Rev: 0	Drawing No: 21016-A-05-02
Date: 21.09.21	Drawn: CF	
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Rev:P02 Date:20/04/23 Draw:RB Chk:LB  
Notes added

Client:  
Stephen Sexton

Project:  
3 Lansdowne Road Penthouse

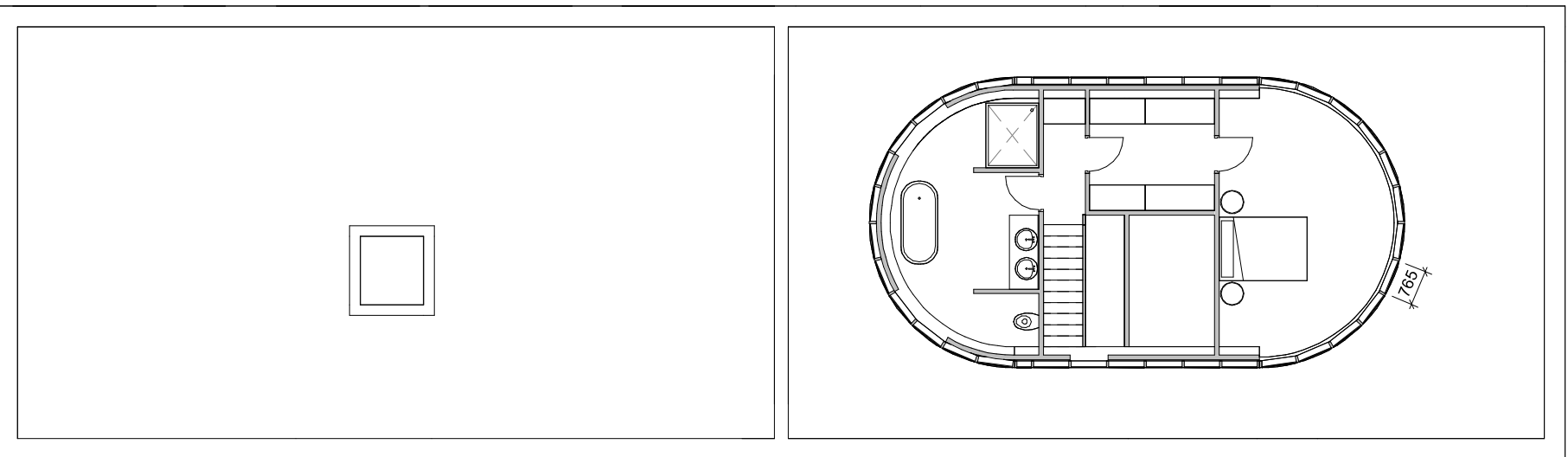
Title:  
Proposed Plan - Level 05

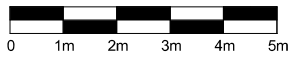
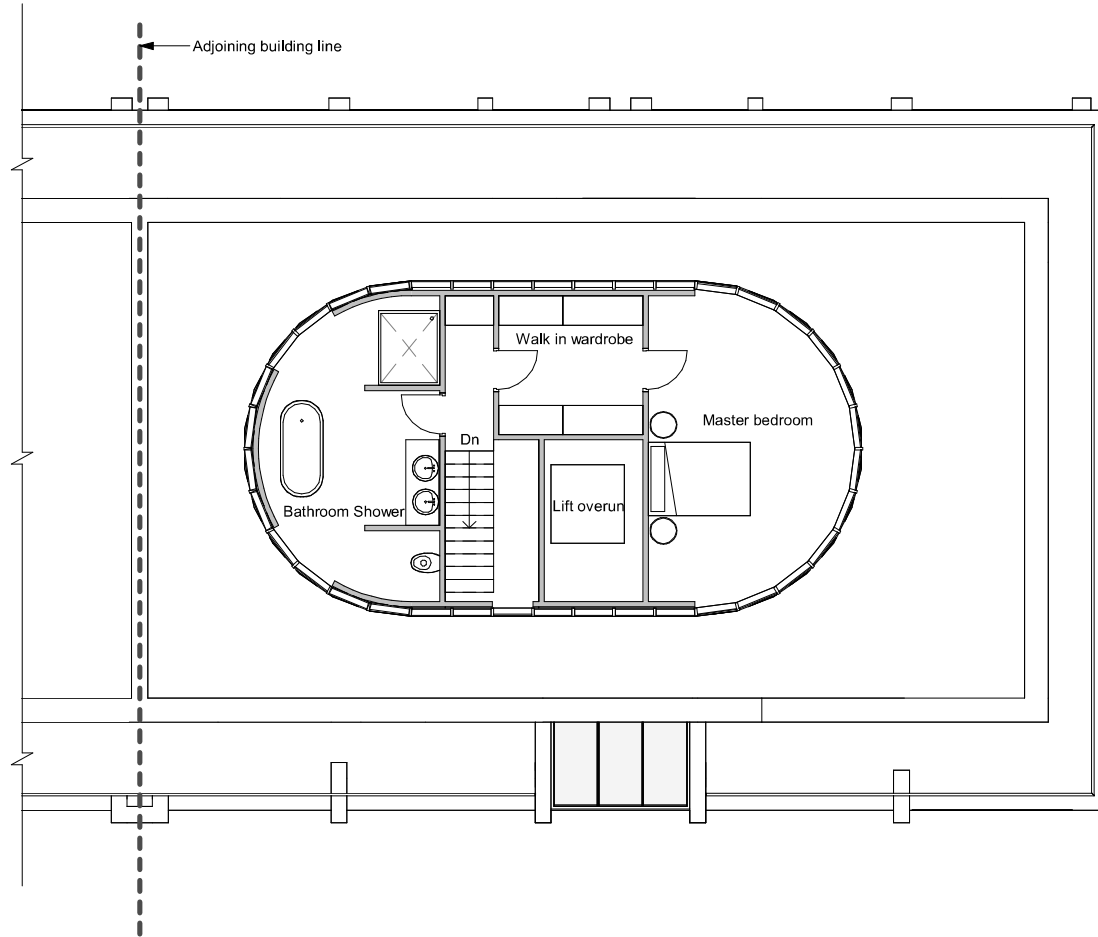
Drawing status:  
Planning

Scale @ A3  
1 : 100

Drawing No: 2464-00-DR-0105 P02 Rev:  
Sheet File Name:  
File Name







Rev:P02 Date:20/04/23 Draw:RB Chk:LB  
Notes added

Client:  
Stephen Sexton

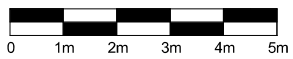
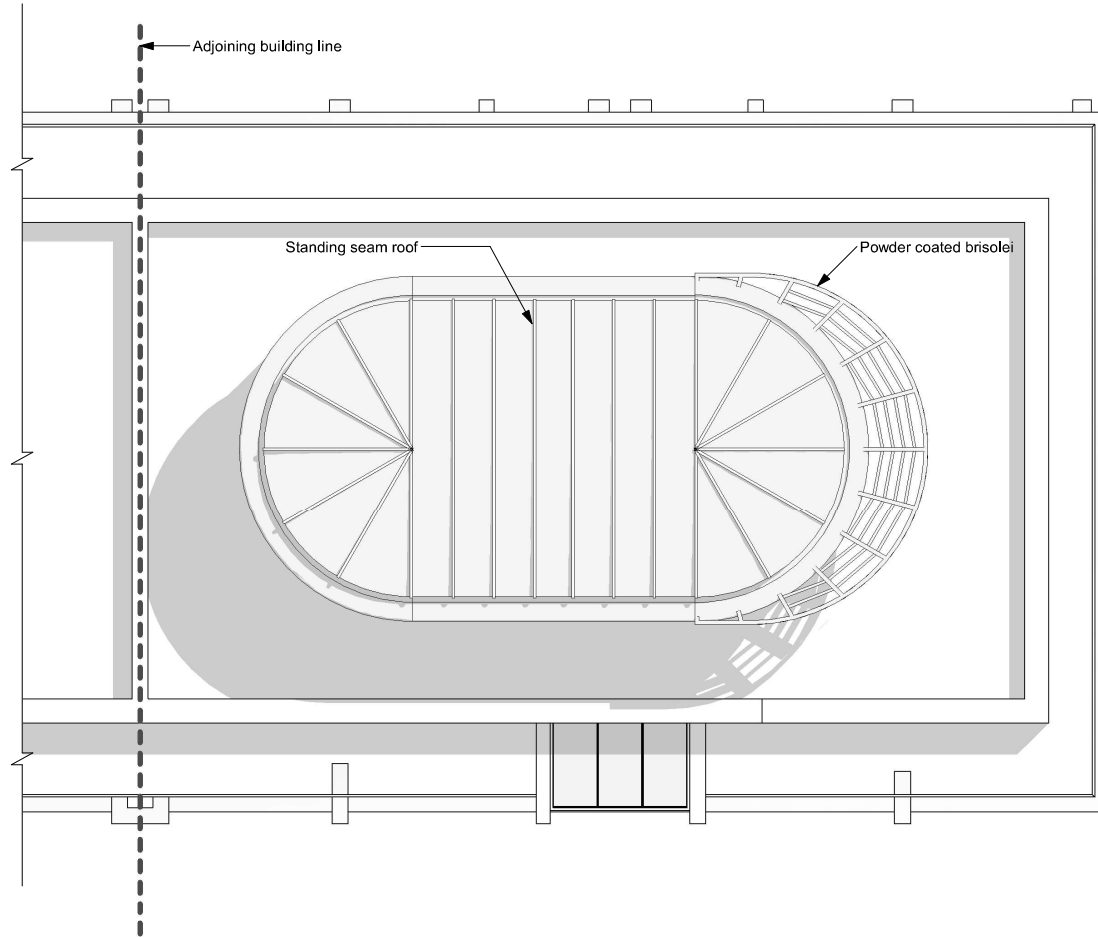
Project:  
3 Lansdowne Road Penthouse

Title:  
Proposed Plan - Level 06

Drawing status:  
Planning

Scale @ A3  
1 : 100

Drawing No: 2464-00-DR-0106 P02 Rev:  
Sheet File Name:  
File Name



Rev:P02 Date:20/04/23 Draw:RB Chk:LB  
Notes added

Client:  
Stephen Sexton

Project:  
3 Lansdowne Road Penthouse

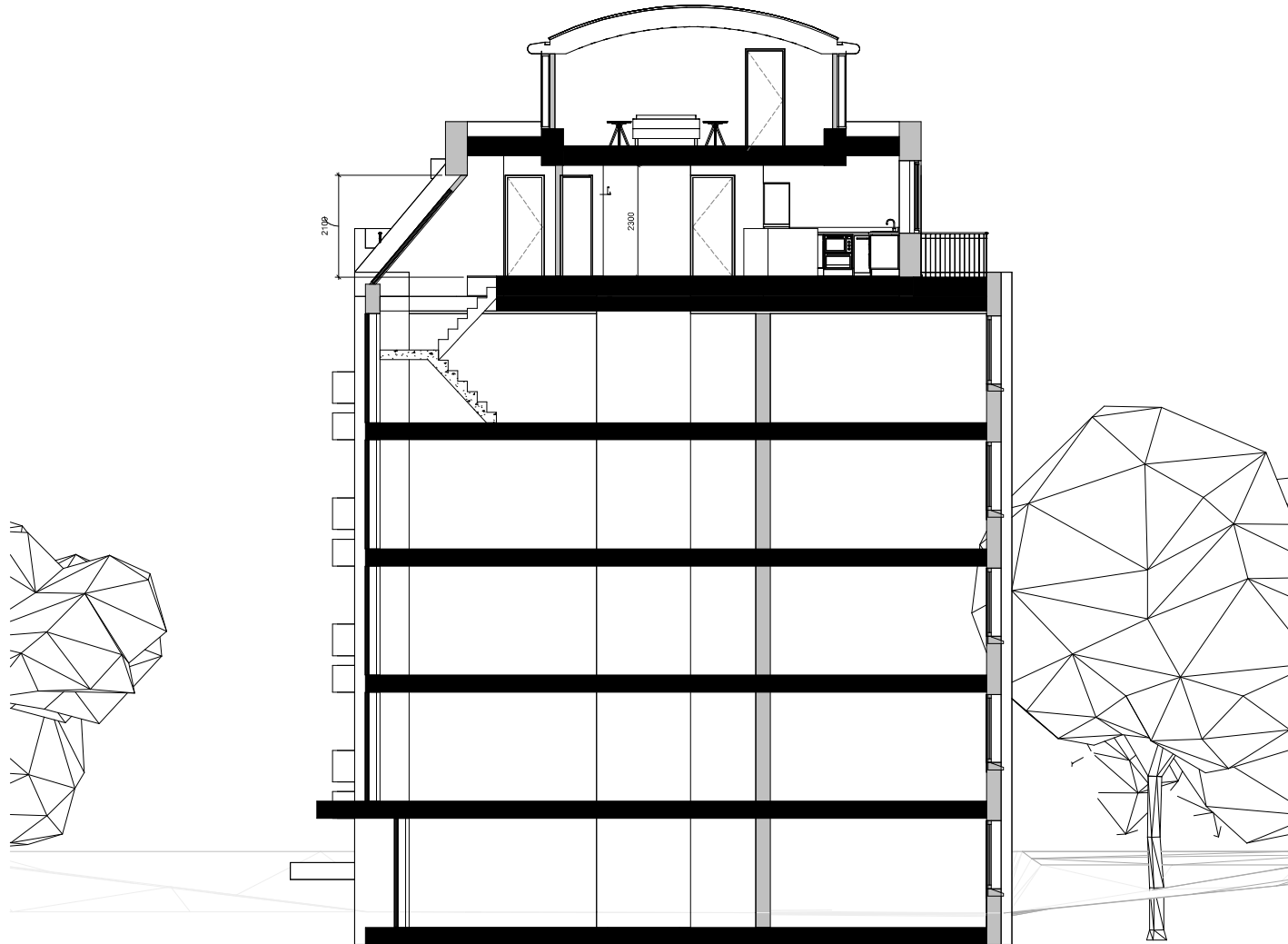
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Proposed Plan - Roof Level

Drawing status:  
Planning

Scale @ A3  
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Drawing No: 2464-00-DR-0107 P02 Rev:

Sheet File Name:  
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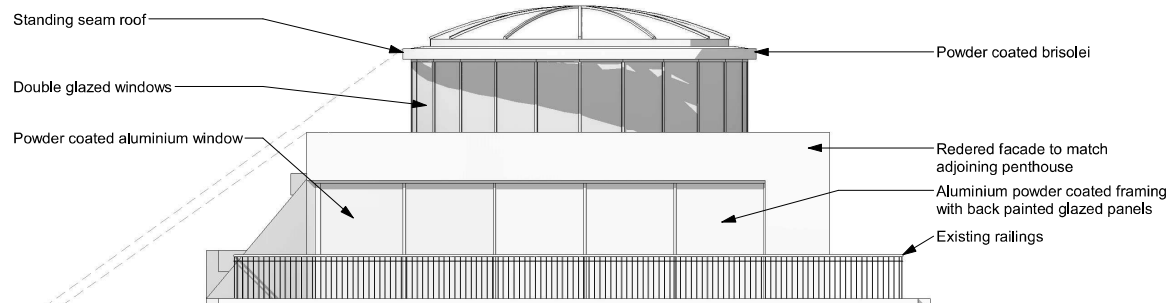
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Report all errors and omissions to the Architect  
Dimensions to be checked on site  
PIU date: 08/03/2013 to 19/13

Client:  
Enter Owner's Name Here

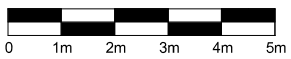
Project:  
Enter Project's Name Here

Title:  
Section 1

Drawing status:



Sight line from adjacent pavement



Rev:P02 Date:20/04/23 Draw:RB Chk:LB  
Notes added

Client:  
Stephen Sexton

Project:  
3 Lansdowne Road Penthouse

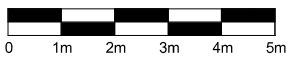
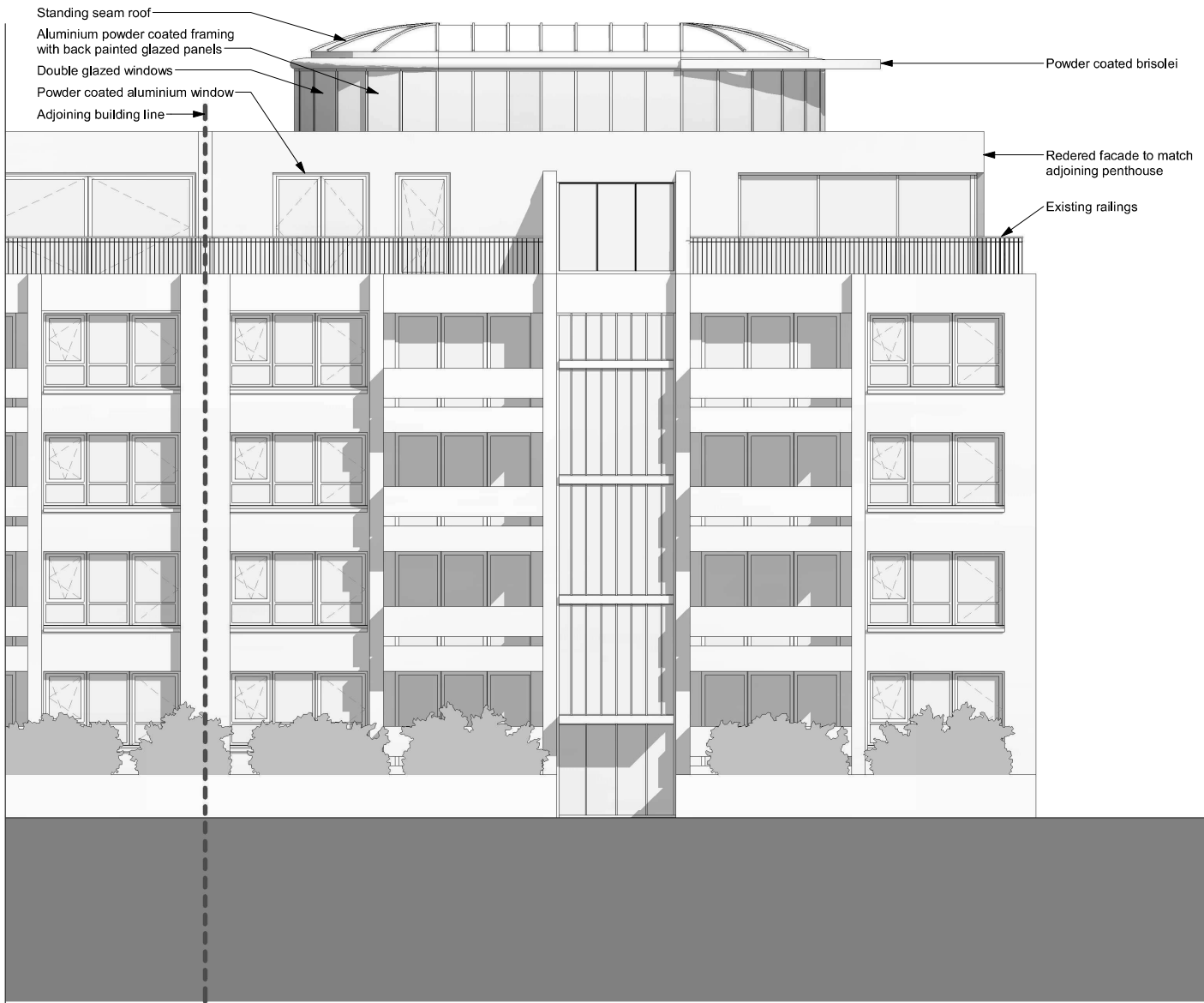
Title:  
South Elevation

Drawing status:  
Planning

Scale @ A3  
1 : 100

Drawing No: 2464-00-DR-0602 P02 Rev:

Sheet File Name:  
File Name



Rev:P02 Date:20/04/23 Draw:RB Chk:LB  
Notes added

Client:  
Stephen Sexton

Project:  
3 Lansdowne Road Penthouse

Title:  
West Elevation

Drawing status:  
Planning

Scale @ A3  
1 : 100

Drawing No: 2464-00-DR-0600 P02 Rev:  
Sheet File Name:  
File Name