

**PLANNING APPLICATIONS COMMITTEE**  
**19 July 2018**

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
18/P2076	15/05/2018
<b>Address/Site</b>	Flat 1, 237 Kingston Road, Wimbledon, SW19 3NW
<b>Ward</b>	Merton Park
<b>Proposal:</b>	Erection of single storey rear extension
<b>Drawing Nos</b>	201 Rev D, 202 Rev D, 203 Rev D, 204 Rev D and 205 Rev O
<b>Contact Officer:</b>	Stuart Adams

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**RECOMMENDATION**

**Grant 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 Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 17
- External consultations: No
- Controlled Parking Zone: Yes (5F)

1. **INTRODUCTION**

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

## 2. **SITE AND SURROUNDINGS**

- 2.1 The site comprises a 3.5 storey, detached building located to the northeast side of Wilberforce Way, which is sub-divided into flats.
- 2.2 The lower ground floor is partially subterranean.
- 2.3 The garden is at a higher level than the ground floor of the building, with a small area of patio to the immediate rear of the building and then a step up into the garden (the difference in levels between the ground floor and the garden is approximately 0.5-0.7m).
- 2.4 The neighbouring property, No.235, has an outbuilding to the rear of the garden and a small shed to the immediate rear of the dwelling (adjacent to the shared boundary with the application site).
- 2.5 The neighbouring property, No.239, has a hard surfaced external amenity space to the immediate rear of the building (approximately 2m in depth). This area is enclosed by close board fencing and beyond this is a parking area.
- 2.6 The area is suburban in character.
- 2.7 The site is within the Wilton Crescent Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 Planning permission is sought for the erection of a single storey extension to the rear elevation. The extension would have a flat roof design with a part-angled side elevation (east). The extension would have the following maximum dimensions: depth of 4.5 m, width of 6.2 m and height of 2.5 m.
- 3.2 The proposed extension would be set into the ground, and thereby providing an internal step down to the finished floor from the existing flat floor level.
- 3.3 Since the original submission, the application has been amended to further reduce the height of the extension.

## 4. **PLANNING HISTORY**

- 4.1 MER781/83 - Application for established use certificate. in respect of use of property as eight flats (235 & 237). Grant Established Use Certificate 04-11-1983.

- 4.2 17/P2879 - Erection of single storey rear extension - Refused on the 29/01/2018 for the following reasons:

The proposed single storey extension would, by virtue of its width, depth, height, proximity to the neighbouring property above and roof form, result in material harm to the amenities of the occupiers of the residential flat above the application site, Flat No.3, 237 Kingston Road, Wimbledon, SW19 3NW, by way of loss of outlook, contrary to Policies DMD2 and DMD3 of the Sites and Policies Plan 2014.

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The proposed single storey extension would, by virtue of its bulk, scale and width, result in a disproportionately large addition which would not be sympathetic to the form of the existing building contrary to Policy CS14 of the Core Planning Strategy 2011 and Policies DMD2 & DMD3 of the Sites and Policies Plan 2014.

- 4.3 18/P0626 - Erection of single storey extension within the rear garden – Refused on 11/04/2018 for the following reasons:

The proposed single storey extension would, by virtue of its width, depth, height, proximity to the neighbouring property above and roof form, result in material harm to the amenities of the occupiers of the residential flat above the application site, Flat No.3, 237 Kingston Road, Wimbledon, SW19 3NW, by way of loss of outlook, contrary to Policies DMD2 and DMD3 of the Sites and Policies Plan 2014.

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The proposed single storey extension would, by virtue of its bulk, scale and width, result in a disproportionately large addition which would not be sympathetic to the form of the existing building contrary to Policy CS14 of the Core Planning Strategy 2011 and Policies DMD2 & DMD3 of the Sites and Policies Plan 2014.

## 5. **CONSULTATION**

- 5.1 The application has been advertised by Conservation Area procedure and letters of notification to the occupiers of neighbouring properties.
- 5.2 In response to consultation, 7 letters of objection received. The letters raise the following points:
- Width, height, depth and scale would cut out light;
  - Effect the re-sale value of neighbouring property;

- Out of character;
- Visually overbearing;
- will be an eyesore from neighbouring properties;
- likely damage from building machinery;
- drainage issues;
- construction process would disrupt the lives of neighbouring properties;
- wider than the existing house;
- loss of a garden view from flat above;
- disproportionate addition.

## 6. **POLICY CONTEXT**

### 6.1 Merton Core Planning Strategy (July 2011)

CS13 Open space, nature conservation, leisure and culture  
 CS14 Design

### 6.2 Adopted Merton Sites and Policies Plan (July 2014)

DMD2 Design considerations in all developments  
 DM D3 Alterations and extensions to existing buildings  
 DMD4 Managing heritage assets

### 6.3 London Plan (2016)

7.4 Local character  
 7.6 Architecture  
 7.8 Heritage assets and archaeology

#### Other guidance:

The National Planning Policy Framework 2012

John Innes: Merton Park and Wilton Crescent Conservation Areas - Design Guide 1994.

## 7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations related to this application are the design/visual impact on the Conservation Area and the impact on neighbouring amenity, and also considering the planning history.

### 7.2 Planning History

7.2.1 A previous planning application (17/P2879) was taken to planning committee for decision on the 18th January 2018. Members of the

planning committee refused the single storey rear extension for the following reasons:

7.2.2 The proposed single storey extension would, by virtue of its width, depth, height, proximity to the neighbouring property above and roof form, result in material harm to the amenities of the occupiers of the residential flat above the application site, Flat No.3, 237 Kingston Road, Wimbledon, SW19 3NW, by way of loss of outlook, contrary to Policies DMD2 and DMD3 of the Sites and Policies Plan 2014.

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7.2.3 The proposed single storey extension would, by virtue of its bulk, scale and width, result in a disproportionately large addition which would not be sympathetic to the form of the existing building contrary to Policy CS14 of the Core Planning Strategy 2011 and Policies DMD2 & DMD3 of the Sites and Policies Plan 2014.

7.2.4 The formal minutes of the committee meeting state that members of the planning committee had concerns with the following:

" The property is in a Conservation Area and this extension impacts on the frontage and unbalances the house.

" The building currently remains in its original proportions, this proposal would impact negatively on the original building, and is against policies DMD2 and DMD3

" That the amenity of the first floor residents would be affected, where they now see a drop outside their window the development would replace this with a roof.

" They also commented that the proposal was a very unsympathetic extension that was disproportionate and out of balance with the original building.

7.2.5 Further to the above, application 18/P0626 was refused under delegated powers for a similar form of development.

7.2.6 In comparison to the previous refused schemes, the applicant has pushed part of the extension away from the main building. This has created a light well area and a new link in the middle of the extension providing access between the main building and the proposed extension. The new link section would have a reduced height and the width of the extension has been reduced by 1.2 m. the depth of the extension has also been reduced by 0.5 m. Further, the overall height has been reduced due to the lowering of the finished ground floor level into the ground.

7.2.7 The planning history is a material consideration in this case and the key test is whether the current proposal has overcome the previous reasons for refusal and is acceptable in its own right.

### 7.3 Visual impact/design and Conservation Area

7.3.1 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. The regional planning policy advice in relation to design is found in the London Plan (2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

7.3.2 Policy DM D2 seeks 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 ensure that development within Conservation Areas either preserves or enhances the Conservation Area. Local Development Framework Policy CS14 supports these SPP Policies.

7.3.3 The John Innes: Merton Park and Wilton Crescent Conservation Areas - Design Guide 1994 sets out advice in relation to development on rear gardens, which generally is concerned about the ecological value of back gardens:

"Rear gardens contribute significantly to the nature conservation/ecological value of the area. The erosion of smaller gardens through extensions to houses and the provision of off-street parking for cars can have a significant impact on the immediate vicinity".

7.3.4 The document also addresses flat *roof* extensions:

"Flat-roofed extensions should be avoided; pitched roofs, integrating with existing roofs are more suitable visually and also less likely to give long term maintenance problems. All new extensions should respect the original design of the house in terms of window style, proportions, building materials and details".

7.3.5 The proposed extension would be single storey and at the rear of the building, where wider views are limited. The proposal would extend beyond the side building line, but only by 0.8 m. Any views from the road

- toward the extension would be at a reasonable distance and the proposal is not considered to cause material harm to the streetscene or character of the area. The previous refused schemes projected up to the western boundary edge beyond the side elevation. The current proposal is considered to have overcome this issue.
- 7.3.6 The proposed materials would be painted brickwork, which would be in keeping with the hoist building and would not be visually harmful. The rear glazed doors would be at ground floor and would be of an appropriate scale which would not be visually harmful. The angle of the east side elevation would be a feature different to the remainder of the extension, however this is limited size and scale and would not cause visual harm.
- 7.3.7 An artificial grass cover would be on the flat roof element of the proposal. This is not considered to cause visual harm and would be acceptable.
- 7.3.8 Overall, the proposal is considered to be of a suitable design and scale that would not cause any harm to the Conservation Area or streetscene and is compliant with Policies DM D2, DM D3 and DM D4 of the Local Plan 2014.
- 7.4 Impact on neighbouring amenity
- 7.4.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.
- 7.4.2 The proposed extension would be set down in height in comparison to the previously refused schemes, resulting in the finished floor level being set below the existing flat finished floor level. As per the assessment of the previous applications, the proposal is single storey with flat roof and would not cause material harm to the amenities of either neighbouring occupiers at 235 and 239.
- 7.4.3 Both previous applications were refused due to the impact on the amenities of the flat above the application flat (Flat 3). The current proposal would lower the roof height to being 0.4 m below the external cill height. Taking into account the reduced width and depth of the proposal, reduced height and stepped design of the proposal, officers consider that it would not cause an unacceptable impact on the outlook or amenities of the flat above. It is acknowledged that the flat roof of the extension would be visible from the bay window in the flat above, however, it would not be so significant as to warrant a refusal of the application on these grounds. It is therefore considered that the proposal has overcome the previous reason for refusal in respect of the impact on neighbouring amenities at Flat 3 above.

7.4.4 Therefore, for the reasons set out above the proposal is considered to be acceptable in terms of residential amenity and would comply with Policy DM D2 in this regard.

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

8.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.

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

## 9. **CONCLUSION**

9.1 The proposal is considered to have overcome the previous reasons for refusal under the previous applications and would not result in a harmful impact on the Conservation Area or neighbouring amenity. Officers therefore recommend permission be granted, subject to conditions.

## **RECOMMENDATION**

Grant Permission Subject to Conditions

1. A.1 Time Limit
2. A.7 Approved Plans
3. Materials as specified
4. No use of flat roof
5. Hours of construction/working
6. H.9 Construction Vehicles
7. No new windows – flank elevations only.

## **INFORMATIVE:**

1. Party Wall Act.

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[Click here](#) for full plans and documents related to this application.

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