

PLANNING APPLICATIONS COMMITTEE 13 FEBRUARY 2020

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P4084	18/11/2019
Address/Site	Third Floor, The Glass House, 177-187 Arthur Road, Wimbledon SW19 8AE
Ward	Wimbledon Park
Proposal:	Erection of a part third and part fourth floor extension to provide 1 x 1 bedroom and 1 x 2 bedroom flats
Drawing Nos	PA1005-MB-00-Site, PA1005-MB-04-101,102, 103 and Design and Access Statement and Planning Statement and Daylight and Sunlight Report
Contact Officer:	Richard Allen (020 8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to completion of a S.106 Agreement and conditions

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice: Yes
- Design Review Panel consulted: No
- Number neighbours consulted: 88
- External consultants: None
- Density: n/a
- Number of jobs created: Yes
- Archaeology Priority Zone: No
- Conservation Area: No

1. INTRODUCTION

- 1.1 This application has been brought to the Planning Applications Committee at the request of Councillor Moulton and due to the number of objections received.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a part three, part four storey building (known as the Glass House) situated on the north side of Arthur Road between Farquhar Road and Strathmore Road. Part of the site (173-175 Arthur Road) falls within a core shopping frontage. On the ground floor of the building is retail use with residential use above (the former offices being converted into residential use under prior approval). Vehicular access is from Strathmore Road and the application site within a Controlled Parking Zone (CPZ P1). The site is not within a conservation area

3. **CURRENT PROPOSAL**

- 3.1 The current application involves the erection of an additional floors of accommodation at third and part fourth floor level to provide 2 x self-contained flats (1x 1 bedroom and 1 x 2 bedroom units).
- 3.2 The proposed extension would increase the height of the building by 2.6 metres and would be 12.6 metres in width, with the extended building having an overall height of 16.5 metres. The extension would be erected across part of the existing flat roof at the Strathmore Road end of the building. The extension would be partly constructed on the main roof and partly on a lower section of roof facing towards 1 Strathmore Road.
- 3.3 Internally, the extension would provide two flats (1 x 1 bedroom and 1 x 2 bedroom units) a total of 134m² additional floor space. Internally, flat 1 would comprise a one bedroom (2 person) unit with a GFI of 52m² and flat 2 would be a two bedroom (4 person) unit with a GFI of 82m². In terms of amenity space flat 1 would have a balcony to the Strathmore Road frontage (11.3m²) and flat 2 would have a 'wrap around' balcony to the Arthur Road frontage (38m²).
- 3.4 The extension would be constructed in facing materials to match the existing elevations of the building.
- 3.5 The existing car parking arrangement at the rear of the building would be retained, but no additional car parking would be provided for the development.

4. **PLANNING HISTORY**

- 4.1 In June 2001 planning permission was granted under delegated powers for the installation of a generator flue to the rear elevation (LBM Ref.01/P0869).
- 4.2 In September 2003 planning permission was granted under delegated powers for alterations and extensions to the building to provide additional office space including an extension at third floor level and first and second floor level extensions to both sides of the building (LBM Ref.03/P1955).
- 4.3 In November 2006 planning permission was granted under delegated powers for the refurbishment and extension to increase the commercial (Class B1)

floor space and change of use of part ground floor to create retail (Class A1) use (LBM Ref.06/P2206).

- 4.4 In August 2007 planning permission was granted under delegated powers for the refurbishment and extension to increase the commercial (Class B1) Floor space and change use to create class A1 (Shops), class A2 (Financial and Professional Services), class A3 (Restaurant) and A5 (Take Away) use (Amendment to 06/P2206 approved 22/11/2006).
- 4.5 In August 201 a pre-application meeting was held in respect of the erection of a three storey side extension to allow for development of 4 x flats (LBM Ref.12/P2591/NEW).
- 4.6 In November 2014 planning permission was granted for the erection of a three storey side extension to allow for development of 4 x flats (LBM Ref.P0426).
- 4.7 In April 2015 Prior Approval for change of use of first floor office space to residential use (7 x flats) (LBM Ref.15/P0633).
- 4.8 In January 2016 Prior Approval for a change of use of second floor from offices to residential use (7 x flats) (LBM Ref.15/P3541).
- 4.9 In September 2016 Prior Approval for change of use from offices on third floor of building to residential use (LBM Ref.16/P2667).
- 4.10 In December 2016 planning permission was refused for the erection of an additional floor (4th floor) to provide 426m² of B1 Office floor space (LBM Ref.16/P3618). Planning permission was refused on the grounds that: -
- ‘The proposed fourth floor would, by virtue of its size, height and design result in an unacceptable increase in height of the building that would be detrimental to the Arthur Road street scene and would also be visually intrusive and detrimental to the amenities of occupiers of residential properties in Farquar Road and Strathmore road contrary to policy CS14 (Design) of the Adopted Merton Core Planning Strategy (2011) and policies DM D2 (Design Considerations in all Developments) and DM D3 (Alterations and Extensions to Existing Buildings) of the Adopted Merton sites and Polices Plan (2014)’.
- 4.11 In April 2017 planning permission was refused for the erection of an additional floor (4th floor) to create 2 x self-contained flats (LBM Ref.17/P0914). Planning permission was refused on the grounds that: -
- ‘The proposed fourth floor extension to provide 2 x two bedroom residential units would, by virtue of its size, height and design result in an unacceptable increase in height of the building that would be detrimental to the Arthur Road street scene and would also be visually intrusive and detrimental to the amenities of occupiers of residential properties in Farquar Road and Strathmore Road contrary to policy CS14 (Design) of the adopted Merton Core Planning Strategy (2011) and polices DM D2 (Design Considerations in

all Developments) and DM D3 (Alterations and Extensions to Existing Buildings) of the Adopted Merton Sites and Policies Plan (2014).

- 4.12 The applicant subsequently Appealed against the Council's refusal of planning permission (Appeal Ref. APP/T5720/W/17/3186895) and the Appeal was dismissed on 22 February 2018. The Inspector considered that the increase in height of the building by the creation of an additional storey would dominate this section of Arthur Road and appear out of scale with surrounding buildings and cause harm to neighbouring amenity.
- 4.13 November 2018 planning permission was refused for the erection of third and fourth floor extensions to provide 1 additional three-bedroom apartment (LBM Ref.18/P3585). Planning permission was refused on the grounds that: -

'The proposed third and fourth floor extensions to provide a self-contained flat by virtue of its scale, form, design and proximity to the boundary, would result in material harm to the occupiers of the residential properties in Strathmore road and Farquhar Road in terms of loss of daylight, overbearing form and loss of privacy contrary to Policy CS14 of the Council's Adopted Core Planning Strategy 2011 and Policies DM D2 and DM d3 of the Council's Adopted Sites and Polices plan 2014

The proposed third and fourth floor extensions to provide a self-contained flat, by virtue of their height, scale form and design would result in an incongours form of development which would cause material harm to the character of the area and the appearance of the Arthur Road and Strathmore Road street scenes contrary to Policy CS14 of the Council's Adopted Core Planning Strategy 2011 and Polices DM D2 and DM D3 of the Council's Adopted Sites and Polices Plan 2014.

The proposed development would result in one additional residential unit, the site is located in a controlled parking zone has reasonable access to public transport and there is no legal agreement in place for the unit to be permit free., contrary to the requirements of policy CS20 of the Adopted Merton Core Planning Strategy 2001 and policy DM T2 of the Adopted Merton Sites and Polices plan 2014'.

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 12 letters of objection have been received. The grounds of objection are set out below: -

-The existing building is dramatically out of scale and the existing top floor overlooks gardens of properties in Strathmore Road. The current proposal would be even more intrusive.

-The existing building backs onto traditional terraced housing fronting onto both Farquhar road and Strathmore Road. The existing building is already imposing when viewed from gardens of these properties. The new proposal

would further increase the height of the building which would dominate rear gardens.

-If the current application were allowed further applications to increase the height of the building would follow.

-The scale and character of Arthur Road and Farquhar Road will be visually impaired.

-The design does not respect local character.

-Proposal similar to previously refused applications.

-Would result in increased parking problems in the area.

-Result in an increase in waste and refuse which is already a problem in the area.

5.2 The Wimbledon Society

The Wimbledon Society state that a number of previous applications (16/P3618, 17/P0914 and 18/P3585) have been made to extend this large building and have been refused on grounds of harm to the character and street scene of the area, and impact on residential in nearby roads. The society do not believe that these issues have been adequately addressed. This building already has an imposing presence, and the proposal would represent an intrusive and overbearing addition not in compliance with policy DM D2 (a) (i) which requires developments to relate positively and appropriately to the siting, rhythm, scale, density and massing of surrounding buildings. It would also be contrary to policy DM D3 (Alterations and Extensions to Existing Buildings) of the Adopted Merton Sites and Policies Plan. While the reduction in height at the rear of the building is an improvement on 18/P3585, the impact in Strathmore and Farquhar Roads is still very significant and should not be permitted.

5.3 Transport Planning

No objections subject to the additional residential units being designated 'permit free'.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (2011)

CS8 (Housing Choice), CS9 (Housing Provision), CS14 (Design), CS15 (Climate Change) and CS20 (Parking, Servicing and Deliveries).

6.2 Sites and Policies Plan (2014)

DM H2 (Housing Mix), DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings), DM D3 (Alterations and Extensions to Existing Buildings), DM F2 (Sustainable Urban drainage systems (SuDS) and Wastewater and Water Infrastructure), DM T1 (Support for Sustainable and Active Travel), DM T2 (Transport Impacts of Development) and DM T3 (Car Parking and Servicing Standards).

6.3 The London Plan (2016)

3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 5.1 (Climate Change

Mitigation), 5.12 (Flood Risk management), 5.13 (Sustainable Drainage), 6.9 (Cycling), 6.13 (Parking), 7.4 (Local Character) and 7.6 (Architecture).

6.4 NPPF (2019)

6.5 Draft London Plan 2018.

6.6 Draft Local Plan 2020.

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design, visual impact, standard of accommodation, neighbour amenity, parking and sustainability issues.

7.2 Design

The extensions to the existing building have been reduced in scale since the refusal of application 17/P0914 which proposed an entire additional floor of accommodation. The previously refused scheme was of greater height and bulk than the current proposal for a more modest form of extension. Unlike the previous scheme, the current proposal limits the extension to the Arthur Road/Strathmore Road corner of the building and the extension would be 'set back' from the rear elevation of the building by 1.3 metres and a 1.8 metre high privacy screen would prevent overlooking of gardens of properties at the rear of the site in Strathmore Road. This more modest form of extension, that is set back from both the Arthur Road and Strathmore Road elevations is now considered to be an acceptable addition to the building and is of appropriate design and complies with policies CS14 (Design), DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings) and DM D4 (Managing Heritage Assets).

7.3 Standard of Accommodation

Details of the floor area of each of the new units and amenity space provision is set out below.

Flat 1 – 1 Bedroom/2-person unit – 52m² plus 11.3m² Amenity Space

Flat 2 – 2 Bedroom/4-person unit – 82m² plus 38m² Amenity Space

Both of the proposed flats exceed the minimum floor area requirements as set out in the London Plan.

7.4 Neighbour Amenity

Policy DM D2 (Design Considerations in all Developments) states that new development should achieve high quality design and protection of amenity. The current application proposes a more modest form of extension to that previously refused permission and dismissed on Appeal (LBM Ref.17/P0914). The extensions to part of the third and fourth floor levels have been set back from both the Arthur Road and Strathmore Road frontages and balcony screening, 1.8 metres in height provided to restrict potential overlooking and/or loss of privacy. The applicant has submitted a Daylight and Sunlight

Report which demonstrates that the proposed extension to the existing building would not affect daylight and/or sunlight to neighbouring residential properties. The proposal is therefore considered to be acceptable and would not cause harm to neighbour amenity and is considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7.5 Parking

The application site is within a Controlled Parking Zone (Zone P1) and has a PTAL rating of 3. Given that the application site is within a Controlled Parking Zone a 'permit free' designation secured through a S.106 Agreement is considered to be appropriate in this instance.

7.6 Sustainability

Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

7.7 Planning Policy 5.2 of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be Green: use renewable energy

7.8. The applicant has not submitted an energy statement. However, the development would be subject to approval under the building regulations and the Council would expect the development to exceed the requirements of Part L of the Building Regulations in terms of energy efficiency. A condition is recommended to secure this this instance.

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

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there is no requirement for an EIA submission.

9. **CONCLUSION**

9.1 The current proposal is of more modest proportions than the previously refused scheme (LBM Ref.17/P0914) which was subsequently dismissed on Appeal and (LBM Ref.18/P3585) which was also refused. The current proposal has reduced the height and bulk of the extension and reduced the visual impact of the proposal upon residential properties in Strathmore Road. It is considered that the current proposal has addressed the Planning Inspectors concerns and the proposal would not result in a harmful impact on neighbour amenity as to warrant refusal of the application. Accordingly, it is recommended that planning permission be granted subject to completion of a S.106 Agreement that the development be designated 'permit free' and appropriate planning conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to completion of a S.106 Agreement covering the following heads of terms: -

1. That the development be designated 'permit free'.
2. That the developer pay the Council's legal and professional costs in drafting, completing and monitoring the agreement.

And subject to the following conditions: -

1. A.1 (Commencement of Development)
2. A.7 (Approved Drawings)
3. B.1 (Approval of Facing Materials)
4. C.2 (No Permitted Development –Door and Windows)
5. C.4 (Obscure Glazing-Side Elevation as Shown on Drawing Number PA1005-MB-04-102)
6. C.8 (No Use of Flat Roof other than Authorised Balcony/Terrace Areas)
7. C.9 (Balcony/Terrace Screening)
8. D.11 (Hours of Construction)
9. Prior to commencement of development a Construction Method statement shall be submitted to and be approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
Reason for condition: In the interest of neighbour amenity and to comply with Policy DM D2 (Design Considerations in all Developments).
10. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day".
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

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