

PLANNING APPLICATIONS COMMITTEE

14 MARCH 2024

CASE OFFICER REPORT

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
23/P3164	13/11/2023
Site Address:	Flat 18, Sovereign House, Wimbledon SW19 7PG
Ward:	Hillside
Proposal:	Front extension; rear extension and terrace; replacement of balustrade; installation of photovoltaic panels
Drawing Nos:	See condition 2
Contact Officer:	Stephen Hill

RECOMMENDATION

GRANT Planning permission subject to conditions

CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	Yes
Site notice	Yes
Design Review Panel consulted	No
Number of neighbours consulted	110
External consultations	By letter and site notice
Internal consultations	As described in report

INTRODUCTION

The application has been brought to the Development and Planning Applications Committee due to the number of objections received.

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises Flat 18, a fourth (top) floor apartment within Sovereign House, a detached five storey block of flats situated on the east side of Draxmont in Wimbledon and constructed in the late 1970s.
- 1.2 The application site is not within a Conservation Area and the building is not locally or nationally listed. The site is close to the boundary of the Wimbledon West and Hillside Conservation Areas and Grade II Listed Building (100-102 Wimbledon Hill Road).

2. CURRENT PROPOSAL

- 2.1 The current proposal involves two extensions to the flat at the front and rear respectively, utilising space on the flat roof of the block of flats. The front extension will provide an enlarged kitchen area. The rear extension will incorporate an orangery and an extended master bedroom suite. The orangery will include glazed doors and windows to connect the indoor and outdoor elements.
- 2.2 A terrace; replacement of balustrade; and installation of photovoltaic panels are also included in the proposal.
- 2.3 Prior to the submission of this planning application, pre-application advice was provided in June 2023. Officers indicated that further extension of the roof as proposed in terms of mass, bulk, height, and materials, would be acceptable in principle. It was also acknowledged that other blocks of flats in the local area had undergone roof extensions and that the proposed extensions, although not identical to those of No. 17 Sovereign House, would enhance the symmetry of the building in terms of mass, bulk, height, and materials. This would contribute to a more balanced and visually pleasing appearance.

Amended Plans

- 2.4 Amended drawings were submitted on 28 February 2024 reflecting minor changes designed to respond to comments made by the Conservation Officer, and to clarify the proposed materials.
- 2.5 The changes include:-
 - the removal of a panel on the front elevation;
 - changed material finish to the flat roof and eaves to be more sympathetic to the rendered facades and provide a stronger reference to the balcony canopies on the existing property;
 - glazing bar to the bedroom window to provide better proportion to the adjacent windows;
 - lowered window heights to incorporate blinds over windows heads and to further align with the existing windows and datums on the existing property; and
 - illustration of the existing glass balustrade to Flat no. 17 to the front and side, (not previously illustrated) to highlight symmetry

3. PLANNING HISTORY

Neighbouring flat

- 3.1 In July 1989, planning permission was granted for the erection of a conservatory to fourth floor level flat (LBM Ref .891P0764) now Flat 17
- 3.2 In January 1998 planning permission was granted for the erection of a conservatory to the fourth floor terrace (LBM Ref.97/P1 184) now Flat 17

- 3.3 In 2019, planning permission was granted for removal of existing conservatories and erection of front and rear extensions LBM ref: 19/P1593) now Flat 17.

Subject property

- 3.4 No relevant history except tree works for the building.

4. CONSULTATION

- 4.1 110 letters of notification were sent to occupiers of neighbouring flats and houses in the immediate area. Eleven objections were received from occupiers of flats in Sovereign House covering the following issues:-

- 4.2 Summary of grounds for objection from occupiers of Sovereign House:-

- Impact on daylight and sunlight to Flat 17 and sense of enclosure.
- Out of character with the existing building and damaging visually
- Concerns about building's structural problems due to load of new extension and its weight, and previous water ingress from this flat.
- The flat is already big enough for two people
- Works will be disruptive and take a long time
- Works will cause disturbance for elderly residents
- Flat owners 'troublesome'
- No 'community benefit' as no new units constructed
- Insufficient details of materials
- Primary affected window serves a living room not a bedroom
- Proposal more extensive than extensions at Flat 17
- The wall between the flats tapers downwards towards the edge of the building

- 4.3 The Conservation Officer was not consulted but became aware of the application following an approach from a member of the public. Her initial comments on 15 February, emailed to the Case Officer shortly before the committee hearing, included the following:-

"This property is adjacent to the conservation area and being on the slope of Wimbledon Hill any changes will be prominent viewed both above and below, I think.

There are a couple of design issues on my part. It looks like they are putting in a blind window and I think it should be a proper window. The expanse of glazing on the orangery is incongruous and not sympathetic to the rest of the building. Maybe if it was set back, it might be better and less obvious or broken up. I have reservations about the projecting roofs."

- 4.4 On 27 February she acknowledged that her comments "relate more to good design and the impact on the building itself than the adjacent conservation areas".

4.5 Councillor Daniel Holden submitted comments on 25 February expressing his opinion that the proposal had a negative impact on Flat 17 Sovereign House.

4.6 Councillor Susie Hicks submitted comments on 26 February summarised as follows:-

- Negative impact of rear extension on enjoyment of neighbouring terrace at Flat 17
- Impact on overall style of block
- Flat will get too hot in summer and too cold in winter due to glazing
- Legal issues for the freeholder
- Risk of water ingress
- Difficult to maintain in the future without scaffolding

5. POLICY CONTEXT

London Plan 2021

- D1 London's form, character and capacity for growth
- D4 Delivering good design
- D11 Safety, security and resilience to emergency
- HC1 Heritage conservation and growth

Merton Sites and Policies Plan July 2014 policies:

- DM D1 - Urban Design and public realm
- DM D2 Design considerations in all developments
- DMD3 Alterations and extensions to existing buildings
- DMD4 Managing heritage assets

Merton Core Strategy 2011 policy

CS 14 Design

6. PLANNING CONSIDERATIONS

6.1 The main planning considerations are (a) design and heritage: and (b) neighbouring amenity.

Design, heritage and visual impact

6.2 The proposal involves a front extension; rear extension and terrace; replacement of balustrade; and installation of photovoltaic panels.

6.3 The late 1970s building itself is unremarkable and makes a neutral contribution to the streetscape. The building is not detrimental to the streetscene, but it is not regarded as a heritage asset and is not designated as such.

6.4 The existing relationship with the other penthouse apartment, Flat 17, is unbalanced as this flat has benefited from extensions, and the balustrades at the subject property are simple iron railings which contrast negatively with the contemporary balustrades at Flat 17 (See Fig 1).



Fig 1 – the existing building with subject flat in foreground.



Fig 2 – The existing building from the rear.

- 6.5 The proposed extensions are of a contemporary character.
- 6.6 The rear extension is in an 'orangery' style with glazing that will benefit the accommodation in terms of light, and presents an interesting visual element to the building (see Fig 4)
- 6.7 The architectural approach seeks to complement the existing building through the introduction of a contrasting style. This is a very orthodox and commonly used design approach. Examples of contrasting extensions and additions are commonly seen in the borough and the wider London area, both within and outside Conservation Areas. It is an approach to extensions and additions which is commonly favoured because it (a) offers an opportunity to introduce contemporary architecture to the urban environment; (b) provides visual interest; and (c) distinguishing between old and new fabric. This proposal is considered to be a good example of a contemporary addition, providing an interesting and relatively lightweight complement to the existing building and exhibiting a high architectural standard.
- 6.8 The proposed arrangement of the additional massing and the choice of glazing make an interesting contrast to the building and complement its current appearance. The choice of roof style works well with the existing extensions and visually enhances the fourth floor. The replacement of the balustrade with glass is acceptable and is appropriate for the contemporary extensions. See Fig 3.
- 6.9 The master bedroom extension would be set back from the building edge and set in from the side boundary with rendered walls and large glazed panels. The height of this extension would match that of the orangery extension and would remain a visually suitable addition to the building.
- 6.10 The proposal would result in a visual change to the fourth floor of the building but the changes are not considered harmful and indeed would enhance the appearance of the building. The other flat on the top floor (Flat 17) has extensions and roof terrace with modern balustrades, and visually the proposal would balance and be consistent with these extensions and outdoor amenity areas that benefit Flat 17.
- 6.11 The solar panels have no negative visual impact and have an obvious benefit in terms of sustainable energy and climate change.
- 6.12 The brickwork would match existing and a condition would be attached to the permission requiring samples of all materials.
- 6.13 The front extension would be visible from the edge of the Wimbledon West Conservation Area and this small extension is not considered to cause any harm to the Character of Appearance of that Conservation Area. The blind window has been removed from the drawings since the February committee meeting, to match the approach at Flat 17.



Fig 3 – CGI of the proposed front extension (subject to minor amendments including removal of blind window)



Fig 4 – CGI of the proposed rear extension (subject to minor amendments)



Fig 5 CGI of proposed front of the property to illustrate the inset terrace and massing (subject to minor amendments including removal of blind window)



Fig 6 CGI of the proposal at rear including inset terrace, pergola and massing either end of the terrace (subject to minor amendments)

6.14 The rear extension and 'orangery' would be visible at an oblique angle from some of the rear first floor windows of 100-102 Wimbledon Hill Road which is a listed building housing a nursery on the edge of the Wimbledon Hill Conservation Area. It is not visible from the substantive part of the

Conservation Area which is on the other side of Wimbledon Hill Road. The rear extension would be outside the Conservation Area and barely visible from within it. It is in any event a contemporary extension of high architectural standard. It is therefore not considered by Officers, including the Conservation Officer, to affect the character or appearance of the Conservation Area and therefore does it no harm.

- 6.15 The proposal would not be visible from any other Conservation Areas and does not affect any heritage assets.

Summary

6.16 Officers, including the Conservation Officer, have considered the impact on the neighbouring Conservation Areas and the proposal causes no harm to views in or out of the Conservation Areas or to their setting. Further, officers do not consider that the proposal would cause any harm to the setting of the neighbouring Grade II Listed Building on Wimbledon Hill Road (100-102 Wimbledon Hill Road) due to the distance between the site and this neighbouring building.

6.17 The design of the extensions is considered to be of a high architectural standard which complies with policies CSI4 (Design) and DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings) and DM D4 (Managing heritage assets).

Neighbour Amenity

Overlooking

6.18 The proposals are on the fourth floor which already overlooks neighbouring buildings. The new outside space has potential to introduce opportunities for overlooking in a more intrusive way, but the orientation of the terrace is not towards any buildings which are high or close enough to be affected.

Daylight and sunlight

6.19 The Applicant has produced a Daylight and Sunlight Assessment from Anstey Horne dated 2 June 2023 which concludes that the layout of the proposed extensions follows the BRE guidelines and is unlikely to result in a noticeable reduction in daylight or sunlight to surrounding properties.

6.20 The only property which could suffer any significant impact is the neighbouring Flat 17, which has itself extended on this floor and benefits from a terrace.

6.21 The element of the proposal that would affect Flat 17 would be the rear extension and the additional massing to accommodate the master bedroom.

6.22 There are two relevant windows at the rear of Flat 17 which could be affected by the proposals in addition to a roof terrace.

6.23 There is already a wall separating the two terraces on the rear elevation and the proposed new massing would sit behind it, albeit it would be slightly higher than the wall. The proposed extension is also not full depth and is set back

from the dividing wall. Therefore, it is very difficult to see how the light to the neighbouring penthouse apartment would be obstructed by the proposals in any way that would render the experience of light within that property noticeably worse. The Applicant has submitted a letter from the Daylight and Sunlight consultants, Foot Anstey, dated 13 February 2024 which clarifies and expands on the impact to the neighbouring unit. In summary, 17 Sovereign House will experience some very small reductions in daylight and sunlight as a result of the proposed development, but reductions will be well within the BRE's guideline values. The reductions are considered marginal by officers and well within the bounds of acceptability.

- 6.24 The overall height from the terrace level of the extension would be 2.8m and a depth of 3.2m to indent section and then full depth of 4.0 m. These measurements are akin to common single storey rear extensions carried out on the rear of houses.
- 6.25 Flat 17 inevitably benefits from abundant daylight, and sunlight on the south side, given it is the penthouse and is not overshadowed.
- 6.26 The proposed extension is therefore considered to be acceptable in terms of its relationship to the adjacent windows at Flat 17 and would not be harmful.

Sense of enclosure

- 6.27 The only property which could suffer any sense of enclosure is the neighbouring Flat 17 due to the rear extension. Whilst the proposed extension would be visible from Flat 17, it does not enclose the internal or the external areas of Flat 17 in any significant or unacceptable way. The extension will be located behind the wall which currently divides the two flats and is indented and set back from it, and therefore any view of the extension itself would be limited. Arranging the massing in this way is sensible as it further divides the two terraces ensuring their privacy. This is considered a respectful relationship which enables the continued enjoyment of the terrace at Flat 17. The occupant has referred to 'loss of scenery' which is not a material planning consideration.
- 6.28 Overall, the proposal would not result in harm to neighbour amenity and is acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7. CONCLUSION

- 7.1 The contemporary design of the proposed extensions and alterations is considered to be acceptable and would enhance the appearance of the existing building.
- 7.2 There is no impact on nearby Conservation Areas and this is confirmed by the Conservation Officer.
- 7.3 The proposal would cause no appreciable harm to neighbours' amenity with Flat 17 continuing to enjoy abundant daylight and sunlight and a considerable sense of openness.

7.4 Accordingly, it is recommended that planning permission be granted.

GRANT Planning permission subject to conditions

Conditions

1	A1 Commencement of development (full application)	Commencement of development (Full Permission) - The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
	1	Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2	A7 Approved Plans	Approved Plans - The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan P04 P05 R01
	1	Reason: For the avoidance of doubt and in the interests of proper planning
3	B3 External Materials to be approved	Materials to be Approved - No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
	1	Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
4	C08 No Use of Flat Roof	No Use of Flat Roof - Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

	1	Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
5	C09 Balcony/Terrace (Screening)	Screening - The screening or enclosure to the balcony as shown on the approved plans shall be implemented before the development is first occupied and retained permanently thereafter.
	1	Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
6	D11 Construction Times	Construction Times - 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.
	1	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.
7	H09 Construction Vehicles	Construction Vehicles - 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.
	1	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.
8	Note To Applicant - Approved Schemes	INFORMATIVE In accordance with paragraph 38 of the NPPF, The London Borough of Merton (LBM) takes a positive and

	<p>proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:</p> <ul style="list-style-type: none">i) Offering a pre-application advice and duty desk service.ii) Where possible, suggesting solutions to secure a successful outcome.iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application. <p>In this instance:</p> <ul style="list-style-type: none">i) The applicant/agent was provided with pre-application advice.ii) The application was acceptable as submitted and no further assistance was required.iii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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