

Committee	PLANNING COMMITTEE C	
Report Title	First Floor Flat, 71 Kitto Road, SE14 5TN	
Ward	Telegraph Hill	
Contributors	Helen Milner	
Class	PART 1	17 JULY 2014

<u>Reg. Nos.</u>	DC/14/86513
<u>Application dated</u>	28.04.2014 [as revised on 23.06.2014]
<u>Applicant</u>	Mr Stephen Brooker of Graysbrook Design on behalf of Mr Jack Buckle
<u>Proposal</u>	The construction of 2 dormer windows to the rear roof slope of First Floor Flat 71 Kitto Road SE14, together with the installation of 1 roof light to the front roof slope.
<u>Applicant's Plan Nos.</u>	2013/264/A 1of7, 2of7, 3of7, 4of7, 5of7, 6of7, 7of7, Site Location Plan and Heritage Statement
<u>Background Papers</u>	(1) Case File DE/42/71/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	Telegraph Hill Conservation Area
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application relates to the first floor flat of a three storey mid-terrace property on the north side of Kitto Road. The application property occupies the first floor, with the ground floor and basement in separate ownership.
- 1.2 To the front elevation of the property there is a bay window over three floors, with a pitched roof feature.
- 1.3 To the rear of the property there is an original two storey projection, which occupies the west side of the property. There are currently no dormers or roof lights on the property, although the adjoining property to the west in the terrace has both.
- 1.4 The property lies within the Telegraph Hill Conservation Area, but is not adjacent to any listed buildings.

2.0 Planning History

- 2.1 There are several applications for works to trees in a conservation area, but no planning applications relating to this property.

3.0 Current Planning Applications

The Proposals

- 3.1 This application is for the construction of 2 dormer windows to the rear roof slope, together with the installation of 1 roof light to the front slope to facilitate the conversion of the loft space for use as an additional bedroom with bathroom.
- 3.2 The dormer windows will be set each side of the roof, 2.2m apart and both measure 1.24m wide and 1.9m high. Both dormer windows will sit just below the ridgeline and be set up from the eaves by approximately 1m. The dormers will have timber framed windows and the roofs and cheeks would be clad in lead.
- 3.3 The rooflight on the front roofslope will measure 0.8m wide and 1.1m long, projecting from the roofslope by approximately 10mm.

Supporting Documents

- 3.4 The application is accompanied by a Heritage Statement, this provides a brief overview of the area context, the proposal and impact on the heritage asset, which it concludes is minimal.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

The Telegraph Hill Society

- 4.3 Object to this application on the basis that it compromises the appearance of the property within the context of the Conservation Area and the integrity of the Conservation Area, failing to enhance or preserve the area's character.
- 4.4 With reference to the rear dormers they are considered to be too large and prominent, being clearly visible from Erlanger Road. The other visible dormers in the area were permitted prior to Conservation Area designation and allowing dormers which are visible from the public realm sets an unsatisfactory precedent. Additionally the proposed dormers are contrary to planning policy as the flat roofed dormer design is not suitable for Victorian property.
- 4.5 In respect of the front rooflight the Society object to principle of rooflights, stating that they severely affect the symmetry/uniformity of properties across Conservation Area. Also that rooflights are not consistent with the Conservation Area Appraisal for Telegraph Hill, as they erode the character of area and Kitto Road has very few.

The Amenity Societies Panel

- 4.6 Object to the use of roof lights on front roof slopes which fail to preserve or enhance the character of the Conservation Area. The provision of two dormer windows to the rear roof slope of a two storey property when visible from a side street is also objectionable for the same reason.

Neighbour Consultation

- 4.7 One letter of support was received from a local resident who thought the proposal would allow reasonable alterations to living space.
- 4.8 No further comments received.

5.0 **Policy Context**

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to

relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

- 5.4 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

London Plan (July 2011)

- 5.5 The London Plan policies relevant to this application are:

Policy 3.4 Optimising housing potential
Policy 5.3 Sustainable design and construction
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

- 5.6 The London Plan SPG's relevant to this application are:

Sustainable Design and Construction (2006)
Housing (2012)

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment.

Unitary Development Plan (2004)

- 5.8 The saved policies of the UDP relevant to this application are:

URB 3 Urban Design
URB 6 Alterations and Extensions
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas
HSG 4 Residential Amenity
HSG 12 Residential Extensions

Emerging Plans

5.9 According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

5.10 The following emerging plans are relevant to this application.

Development Management Plan

5.11 The Development Management Local Plan – Post Examination Modifications April 2014 Public Consultation Copy, is a material planning consideration and is growing in weight. The plan was submitted to the Planning Inspectorate on 15 November 2013 and an Examination in Public hearing took place in late February 2014. The Inspector's report is awaited and it is likely that the Plan will be adopted in autumn 2014.

5.12 Following this examination policies were either unchanged, had additional modifications or main modifications. The unchanged and additional modification policies will not be reconsulted on or revised prior to adoption but the proposed main modification policies may alter following reconsultation. Therefore, in accordance with the NPPF, the weight decision makers should accord the Submission Version should reflect the advice in the NPPF paragraph 216.

5.13 The following policies are considered to be relevant to this application and are unchanged:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 26	Noise and vibration
DM Policy 31	Alterations and extensions to existing buildings including residential extensions

5.14 The Inspector has requested main modifications to the following policies relevant to this application;

DM Policy 29	Car parking
DM Policy 30	Urban design and local character
Dm Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are:

- a) Principle of Development
- b) Design and Conservation
- c) Highways and Traffic Issues
- d) Impact on Adjoining Properties

Principle of Development

6.2 Policy HSG 12 Residential Extensions of the UDP states that the council will only permit residential extensions which:

1. Retain a readily accessible, secure, private and useable external space for recreational and domestic purposes;
2. Do not result in an appreciable loss of privacy and amenity (including sunlight and daylight) for adjoining houses and their back gardens;
3. Comply with the urban design and conservation policies of the development plan.

6.3 The application proposes a single rooflight on the front roof slope and two dormer windows in the rear roof slope to enable the loft space to provide additional habitable accommodation. Matters of amenity, design and impact on the conservation area are dealt with below and provided that the scheme is found to be acceptable in these respects, the principle of the proposed works is considered to be acceptable.

Design

6.4 The Council's adopted UDP policies URB 3 Urban Design and URB 6 Alterations and Extensions requires extensions to be of a high quality design which should complement the scale and character of the existing development and setting, and which should respect the architectural characteristics of the original building. Emerging Development Management policy DM 31, also states that extension and alterations will be required to be of a high, site specific, and sensitive design quality.

6.5 The proposed roof light will be placed off centre on the front roof slope, measuring 0.8m by 1.1m. This will ensure that the rooflight does not appear to be overly dominant within the roofslope and is of an appropriate scale therefore complementing the environment in which the property is set.

6.6 The proposed extension to the roof has been designed as two single, separate dormer windows rather than a single large dormer. Whilst the dormers are not of a design associated with the period of the existing house, given the context of the site, they are considered appropriate. With only the dormer to the west side visible from the public realm, this has been designed to match the style, albeit on a smaller scale, of the adjacent dormer window at number 69 Kitto Road. The flat roof design continues the roofline of the adjacent dormer and the design will not contrast or make the dormers any more pronounced or distracting in relation to the character of the wider conservation area.

- 6.7 The dormer to the east, although not visible from the public realm has been designed to match the dormer on the west side to ensure a consistent design approach. It is proposed to clad the dormers in lead work and install timber sash windows to complement the historic character of the property, providing a high quality appearance. Overall the design approach of the scheme is supported by the Council, as the scale and design features are considered appropriate for the host property and surrounding properties.

Conservation Area

- 6.8 The Council's adopted UDP policy URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas stipulates that extensions to buildings will not be permitted where the proposal is incompatible with the special characteristics of the area, including the area's buildings, scale, form and materials.
- 6.9 Having assessed the development and impact on the character of the conservation area, Officers consider there will be a minimal impact. The rooflight to the front does not punctuate an uninterrupted roofscape and is of a small scale set above the pitched roof of the bay window. This helps to reduce the impact and slightly obscure the view. Whilst the Amenity Societies Panel and the Telegraph Hill Society both object to the principle of front roof lights, each case must be viewed in context and the impact assessed accordingly.
- 6.10 The Telegraph Hill Conservation Area Appraisal notes that small changes to the external appearances of individual houses are beginning to erode the special interest of the area, with particular reference to obtrusive rooflights. The application originally proposed two front rooflights, which has now been reduced following Officers advice. The remaining rooflight will be visible from the public realm, but not in long views along the road, due to the parapets between the roofs and the topography of the area. Therefore due to the scale and topography of the site, the proposed roof light is not considered to be obtrusive or have a detrimental on the conservation area in this location.
- 6.11 The dormer windows to the rear will not be visible from Kitto Road and whilst it is accepted that there will be limited visibility from Erlanger Road, this is not considered to harm or erode the character of the conservation area. The dormer to the east side of the roof will not be visible as the view of the roof here is obscured by the two-storey rear projection at number 73 Kitto Road.
- 6.12 The dormer to the west side will be visible, however this will be adjacent to the existing significantly larger box dormer at number 69 Kitto Road. The Telegraph Hill Society requested that the style of the dormer be altered to remove the flat roof. However in this location the flat roof is considered to make it less intrusive and will not significantly alter the view along the rear of the properties from Erlanger Road where the existing box dormers at 69 and 65 Kitto Road are visible. Furthermore the proposal is to clad the dormers in lead with timber sash windows, this will help complement the character of the property.
- 6.13 Therefore it is considered that the proposal will have a limited impact on the conservation area, preserving the character for which the area was designated.

Highways and Traffic Issues

- 6.14 The proposed development is for an extension to an existing dwelling and therefore it is not considered to have a significant impact on congestion or car parking pressures in the area.
- 6.15 Impact on Adjoining Properties
- 6.16 The Council's UDP policies HSG 4 Residential Amenity and HSG 12 Residential Extensions states that development should safeguard the residential amenities of the local area, that extensions should be neighbourly, and should not result in an appreciable loss of privacy and amenity for adjoining houses and their back gardens. The policies also state that proposals should retain external garden space for the host building.
- 6.17 Emerging Development Management Policy DM31 states that residential extensions, should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. Residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property, and retain 50% of the garden.
- 6.18 The proposal is for a rooflight and two dormer windows and it is considered that neither proposal will cause any unacceptable increase in overlooking, loss of lighting or overshadowing to adjoining properties over and above that currently experienced by neighbouring properties. As such the proposal is considered to be compliant with planning policy in relation to residential amenity.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - (b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

8.0 Equalities Considerations

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics under the Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

8.4 In this matter there is considered to be no impact on equality

9.0 Conclusion

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.

9.2 Officers consider that the proposed alterations to the roof to provide a single rooflight to the front and two dormer window extensions to the rear is acceptable in matters of amenity, design and highways, with only a minor impact on the conservation area and the scheme is considered to be acceptable.

10.0 RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.
- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

2013/264/A 1of7, 2of7, 3of7, 4of7, 5of7, 6of7, 7of7, Site Location Plan and Heritage Statement.

Reasons

- (1) As required by Section 91 of the Town and Country Planning Act 1990.
- (2) To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

INFORMATIVES

- (1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council’s website. On this particular application, positive discussions took place which resulted in further information being submitted.