

Committee	PLANNING COMMITTEE C	
Report Title	79 CULVERLEY ROAD SE6 2LD	
Ward	Catford South	
Contributors	Elizabeth Donnelly	
Class	PART 1	09 OCTOBER 2014

<u>Reg. Nos.</u>	DC/14/87984
<u>Application dated</u>	09.06.14 [as revised 12.08.14 & 18.09.2014]
<u>Applicant</u>	Graham Associates on behalf of Ms P Clarke
<u>Proposal</u>	The construction of three dormer windows to the rear roof slope, the installation of one conservation roof light to the side roofslope together with a new window to the front facing gable end.
<u>Applicant's Plan Nos.</u>	6217/9.6.14/01A; Site Location Plan (Received 17 June 2014); 6217/12.8.14/03B; 6217/12.8.14/04B; 6217/12.8.14/05C (Received 12 August 2014); 6217/9.6.14/02A (Received 18 September 2014)
<u>Background Papers</u>	(1) Case File LE/752/79/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	(1) Area of Archaeological Priority - Thames and Ravensbourne Terrace Gravels (Catford) (2) PTAL 4 (3) Culverley Green Residents Association (4) Culverley Green Article 4 Direction (5) Local Open Space Deficiency
<u>Screening</u>	N/A

## 1.0 Property/Site Description

- 1.1 This application relates to a two storey, semi-detached, Edwardian single family dwelling. It is located on the northern side of Culverley Road. The property is located within the Culverley Green Conservation Area and is subject to an Article 4 direction. It is not a listed building, nor in the vicinity of a listed building. The road is unclassified.
- 1.2 The existing windows in the front elevation are white UPVC casements. The existing windows in both the side and rear elevations are white painted timber sash windows. Surrounding properties uphold a mix between original timber sash windows and UPVC casements. The property benefits from an original double storey projection with an additional single storey extension to the rear.

- 1.3 The property is located in a residential street which consists mainly of single family dwellings and flat conversions. There is also a primary school in the street. The building style in the street is of the Edwardian era; the Culverley Green Conservation Area is mainly a residential Edwardian suburb. It is the building detail that gives the area its special interest and includes carved and moulded capitals and window surrounds, terracotta window dressings, sash windows, solid timber doors and stained glass.
- 1.4 There are a number of properties in the street and surrounding conservation area that have undertaken loft conversions and have the addition of roof lights to their roof slopes. There are also a number of properties that have inserted a rectangular timber sash window into the front facing gable end.

## **2.0 Planning History**

- 2.1 No relevant planning history.

## **3.0 Current Planning Applications**

### The Proposals

- 3.1 The original application related to the construction of three dormer windows to the rear roof slope, the installation of conservation roof lights to the side and front roof slopes together with the installation of a new window into the front facing gable end at 79 Culverley Road SE6.
- 3.2 The proposed dormer windows to the rear roof slope would consist of double glazed UPVC sliding sash windows. The proposed dormer would be constructed from hung tiles to match the existing roof with a flat warm deck felt roof to dormer.
- 3.3 The original proposal included conservation roof lights located on the side and front roof slopes. However, the proposal was amended to remove two of the proposed roof lights. The revised plans include one conservation roof light that would be located on the side roof slope behind the chimney stack that is positioned towards the front of the property.
- 3.4 The proposal includes the installation of a window into the front facing gable end. It would be rectangular in shape and measure 890mm x 1426mm. It would be located centrally on the wall of the gable end. The original proposal showed that this window would be constructed from UPVC. The plans were revised to show a timber sliding sash window opposed to the UPVC originally proposed.

### Supporting Documents

- 3.5 Design and Access Statement and Design and Heritage Statement; Photos.

## **4.0 Consultation**

- 4.1 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 A site notice was displayed and six neighbouring properties were consulted by letter. The Councillors for Catford South and the Culverley Green Residents Society were also consulted.
- 4.3 The Amenity Societies' Panel and the Councils Conservations team were consulted.

### Written Responses received from Local Residents and Organisations:

Two letters of objection were received. The Amenity Societies Panel also objected to the proposal. The objections raised the following concerns:

#### Culverley Green Residents Association

- The design and access statement is inaccurate with regards to the location of the property.
- Concerns centre around the proposal to include a window in the front facing gable, rooflight in the front facing roof slope and the proposed rooflights on the side roof slope.
- Aware that there has been a number of unfortunate alterations to properties in the street in the past, including windows in the gable, rooflights and even dormers in the front roofslopes but this should not be allowed to set a precedent for the further erosion of the architectural integrity of the buildings in the street which the Article 4 direction is intended to prevent.
- We would therefore argue that the Council should resist the proposed window in the front gable as well as the rooflight in the front rooflight in the front roofslope and should consider the set back of the rooflights in the side roofslope to behind the chimney.
- In our view, the proposals as they stand serve neither to preserve nor enhance the Conservation Area and would serve to a further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate.
- If, despite objection, the Council does proceed to agree this proposal then it should ensure that the window in the gable is a timber sliding sash, that the rooflights are definitely conservation type and that no waste/soil pipes from the proposed first floor bathroom are allowed to intrude onto the front elevation of the building.

#### Neighbouring Occupiers at no. 121 Inchmery Road

- The positioning of dormer windows on the roofline of the property, albeit the rear roofline, would seem to go against the priorities of the conservation area which include preserving the architectural integrity of the buildings here.
- Allowing such development is the thin end of the wedge.

(Letters are available to Members).

#### Amenity Societies' Panel

- The Panel objected to the proposed window in the front gable and rooflight on front roofslope. Side rooflight should be set behind the chimney. Only two dormer windows were considered appropriate at the rear with the dormer nearest the side elevation omitted.

#### Pre-Application Consultation

- 4.4 Pre-application advice was not sought in this instance.

## **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 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the 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 Unitary Development Plan (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 in paragraph 211, that 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 With regards to Heritage assets, the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 5.5 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.

Other National Guidance

- 5.6 The other relevant national guidance is:

Conserving and enhancing the historic environment  
Design

London Plan (July 2011)

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

Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, 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:

Spatial Policy 1 Lewisham Spatial Strategy  
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)

- 5.9 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

Residential Standards Supplementary Planning Document (August 2006)

- 5.10 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

## Emerging Plans

- 5.11 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). The following emerging plans are relevant to this application.

- 5.12 The following emerging plans are relevant to this application.

## Development Management

- 5.13 The Council submitted the Development Management Local Plan (DMLP) for examination in November 2013. The Examination in Public has now concluded, and the Inspector has issued his report on the 23<sup>rd</sup> of July 2014 finding the Plan sound subject to 16 main modifications. The 16 main modifications had previously been published by the Council for public consultation on the 29<sup>th</sup> of April 2014.
- 5.14 The Council expects to formally adopt the DMLP in autumn 2014.
- 5.15 As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process. The DMLP as amended by the 16 main modifications has undergone all stages of the plan making process aside from formal adoption, and therefore holds very significant weight at this stage.
- 5.16 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
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**

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

- a) Principle of Development
- b) Design and impact on the Conservation Area
- c) Impact on Adjoining Properties

## Principle of Development

- 6.1 The proposed external alterations provide for a loft conversion which would add an additional two bedrooms to the existing dwelling. The Council supports the principle of such applications provided that the proposal does not detract from the character and appearance of the host dwelling or surrounding area or harm the amenities of neighbouring properties.

## Design and Impact on the Conservation Area

- 6.2 Policies URB 3 and URB 6 of the UDP, Core Strategy Policy 15 and DM Policy 30 and 31 seek to ensure that a high standard of design is upheld; proposals must compliment the existing development, townscape and character. Policy URB 16 of the UDP, Core Strategy Policy 16 and DM Policy 36 seek to preserve and enhance the special architectural, historical character of conservation areas, in this case, the Culverley Green Conservation Area.
- 6.3 The proposed alterations originally incorporated the addition of three rooflights. Following discussions with Conservation Officers, the proposal was amended to remove two of the three proposed rooflights. The rooflights located on the front roofslope and the first rooflight on the side roofslope were considered to be unacceptable. They would have been highly visible from the public highway and surrounding conservation area, creating an incongruous addition to the original roof slope. The level of visual harm that they would have caused cannot be justified for the following reasons. One of these rooflights would have served the proposed bedroom to the front of the property which would also benefit from the remaining rooflight and the window in the gable end. The other would have served the bathroom where it is considered acceptable not to have an external window.
- 6.4 The remaining proposed rooflight would be located behind the chimney on the side roofslope is considered to be acceptable as it would be heritage style and obscured from public view by the chimney. Whilst the Culverley Green Residents Society and neighbouring occupiers at no.121 Inchmery Road raise objection to the principle of the addition of rooflights in general, Officers feel that because of the positioning of this rooflight to the side and behind the chimney, it would not give rise to a significant level of harm to the Conservation Area.
- 6.5 The proposal includes a rectangular window that would be located in the centre of the gable end of the front facing roofslopes. It would measure 890mm x 1421mm. The original submission proposed a UPVC sliding sash. Taking into the consideration the special characteristics of the conservation area, Officers requested that the plans were revised to incorporate a timber sliding sash.
- 6.6 The Culverley Green Residents Association raise strong objections to the addition of a window in the gable end, stating that it would give rise to the further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate. The Amenity Societies' Panel also objected to this proposed window.
- 6.7 Whilst Officers accept that a window of this kind is not an original feature of this building, there are historic precedents (pre-1947) of windows within the forward facing gables on this street. Therefore, it is not felt that the introduction of a timber sash window would threaten the architectural integrity of the building in the way that rooflights in the front roofslope would. From a conservation point of view,

an additional window to the front elevation of the building - where the presence of window openings is wholly established – would not appear out of place nor detrimental to the appearance of the host building and the surrounding conservation area.

- 6.8 This view has been taken on various applications of the same nature within the Culverley Green Residents Association and is considered to be a preferred option to using rooflights in the visible roofslopes. This includes applications at 54 Inchmery Road (DC/14/83822), Flat 5 83 Bargery Road (DC/14/86728), 54 Culverley Road (DC/12/81037) and 134 Bargery Road (DC/14/86321).
- 6.9 The proposal also includes three dormer windows to the rear roof slope. Given that the rear of this property is not visible from the public realm, Officers are satisfied that they would not harm the appearance of the conservation area. Officers also feel that design and size of the dormers respects the character and appearance of the host dwelling and would appear a subservient addition to the original roof slope. They are therefore considered to be acceptable.
- 6.10 In conclusion, the revised proposal is considered to be in accordance with Council policy that seeks to ensure good design and protect the special characteristics of the Culverley Green Conservation Area.

#### Impact on Adjoining Properties

- 6.11 Policy HSG 4 and DM Policy 31 seeks to protect residential amenity, whilst HSG 12 seeks to ensure that residential extensions are neighbourly. When seeking permission for extensions/alterations to existing buildings it must be demonstrated that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss or privacy or general noise and disturbance.
- 6.12 The proposal involves the addition of various window openings to the upper level front elevation and side and rear roof slopes. Given the positioning of the proposed rooflight and dormer windows, they would not be expected to give rise to an increased impact with regards to overlooking or loss of privacy. Further to this, the proposed sash window would not be considered to give rise to a level of overlooking over and beyond what is already established by the existing windows.
- 6.13 The Culverley Green Residents Society also raised concern to the inaccuracy of the Design and Access Statement, especially with regards to the location of the property. Officers ensured that the Design and Access Statement was amended to rectify such inaccuracies. A revised version can now be seen on the Council's website.
- 6.14 For the above reasons, Officers are satisfied that significant harm would not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy or general noise and disturbance. The proposal is therefore considered to be acceptable with regards to policy HSG 4, 12 and DM Policy 31.

#### **7.0 Conclusion**

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

- 7.2 The proposed development is considered to be acceptable with regards to design. It is in accordance with saved policies URB 3 and URB 6 of the UDP (2004), Core Strategy Policy 15 (2011) and DM Policy 30 and 31 of the Local Plan (2014).
- 7.3 The proposal is also considered to respect the special characteristics of the surrounding Culverley Green Conservation Area and is therefore considered to be in accordance with saved policy URB 16 of the UDP (2004), Core Strategy Policy 16 and DM Policy 36 of the Local Plan (2014).
- 7.4 With regards to impact on adjoining properties, the proposal is considered to be acceptable and in line with saved policies HSG 4 and HSG 12 of the UDP (2004) and DM Policy 31 of the Local Plan (2014).
- 7.5 For the above reasons, it is recommended that the proposed development is granted planning permission.

7.6 **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.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

6217/9.6.14/01A; Site Location Plan (Received 17 June 2014);  
6217/12.8.14/03B; 6217/12.8.14/04B; 6217/12.8.14/05C (Received 12 August 2014); 6217/9.6.14/02A (Received 18 September 2014)

**Reason:** 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.

**INFORMATIVE**

- (1) **Positive and Proactive Statement:** 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.