

Committee	PLANNING COMMITTEE C	
Report Title	4 Leathwell Road, Deptford SE8 4JL	
Ward	Lewisham Central	
Contributors	Michael Forrester	
Class	PART 1	18 November 2014

Reg. Nos. DC/14/89216

Application dated 23.09.2014

Applicant Mr Waite

Proposal The construction of a mansard roof extension, incorporating two dormer windows to the front and dormer window and French doors with Juliette balcony to the rear roof slopes of 4 Leathwell Rd SE8

Applicant's Plan Nos. Site Plan, 1 of 8 rev A, 2 of 8 rev A, 3 of 8 rev A, 4 of 8 rev A, 5 of 8 rev A, 6 of 8 rev A.

Background Papers

- (1) Case File LE/14/4/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan

Designation [Core Strategy or Adopted UDP] - Existing Use

1.0 Property/Site Description

- 1.1 The application site, No. 4 Leathwell Road is a two storey terraced house located on the western side of Leathwell Road. The property features a butterfly roof with a low parapet. The properties on surrounding streets (Leathwell Road and Elverson Road) share the same building and roof design. No property in the street currently possesses a mansard roof extension.
- 1.2 The property features an original rear two-storey projection with pitched roof. The property is not located within a conservation area, and is not a listed building.

2.0 Planning History

- 2.1 DC/10/75059 – the construction of a single storey extension at the rear of 4 Leathwell Road SE8 together with alterations to the rear elevation – granted 22/09/2014.
- 2.2 There have been a number of similar mansard roof extensions proposed in Leathwell Road which are of relevance to this application. These are listed below:
- No. 13 Leathwell Road – refused 30/09/2014
 - No. 6 Leathwell Road – refused 24/09/2014
 - No. 13 Leathwell Road – refused 26/04/2012

3.0 Current Planning Applications

The Proposals

- 3.1 Permission is sought for the construction of a mansard roof extension. This would measure 1.3m above the existing parapet and is enclosed by two party walls measuring 1.4m high. The roof is to be clad in slate.
- 3.2 The chimney is to be relocated and raised up to a height of 9.2m above ground level, representing an increase of 0.8m.
- 3.3 The front elevation of the mansard incorporates two Upvc windows with the rear a single window and Juliette balcony serving the bedroom.
- 3.4 Internally, the roof extension would create two bedrooms and a bathroom, creating a five-bedroom property.

Supporting Documents

- 3.5 No supporting documents have been submitted.

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 and business in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.3 Neighbour notification letters were sent to surrounding properties and to local ward Councillors.
- 4.4 A letter of support has been received from the residents of No. 6 Leathwell Road raising the following points:
 - Extension blends in well;
 - Would encourage similar development of the terrace;
 - Extension makes little difference compared with large unattractive development in the area;
 - Recent increase in house prices and lack of family accommodation has made it difficult for couples to have families and remain in London.
- 4.5 Councillor Jeffrey has written in support of the proposal as follows:
 - Seems unfair to reject this and similar applications as permission for similar extensions has been granted in St John's Conservation Area, also in context of proximity of Thurston Road developments.
 - Opportunity for developing a new roofscape; additional advantage of producing more family sized homes which will encourage people to stay in the area developing a more stable community.

- Requested that this application be determined at planning committee.

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 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

5.5 The other relevant national guidance is:

Design

London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

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 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:

Core Strategy Policy 15 High quality design for Lewisham

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

HSG 4 Residential Amenity

HSG 12 Residential Extensions

Residential Standards Supplementary Planning Document (August 2006)

5.9 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

5.10 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.

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Development Management Local Plan

5.12 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 23rd 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 29th of April 2014. The Council expects to formally adopt the DMLP in autumn 2014.

5.13 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.

5.14 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

6.0 Planning Considerations

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

- Design
- Impact on Adjoining Properties
- Sustainability and Energy

Design

6.2 Policy URB 3 states that the Council will expect a high standard of design in extensions or alterations to existing buildings, whilst ensuring that schemes are compatible with, or complement the scale and character of, existing development and its setting. In assessing the urban design merits of a development, the Council will consider the preservation and creation of urban form which contributes to local distinctiveness such as building features and roofscape and the contribution of the development to energy and natural resource efficiency. This is enforced by Core Strategy Policy 15 and DM Policy 30 require a high standard of design. The Council raises no objections in principle to extensions to these dwellings, provided that they are of high design quality.

6.3 DM Policy 31 states that ‘rear extensions will generally not be permitted where any part is higher than the height of the ridge of the main roof, or where the extension is not set back into the roof slope. Roof extensions on the street frontage of a building, particularly in a residential street will be resisted in favour of extensions to the rear of the building’.

- 6.4 In this instance, No. 4 Leathwell Road is a mid terrace property with unaltered roof. Leathwell Road retains a consistent roofline of distinctive London 'butterfly' roofs. These roofs are hidden behind a parapet when viewed from the front, giving the impression of flat roofs. The V shaped roofs are visible from the rear and particularly on street corners when viewed from the railway line and DLR. Leathwell Road has a consistent character and distinctive roofscape and most dwellings retain their decorative cornice at roof level which create a strong, legible character. There are no mansard roofs in this street.
- 6.5 Proposals for mansard roofs have been refused at Nos. 6 (DC/14/88560) and 13 (DC/12/79594 and DC/14/88677). The grounds of refusal relate to the introduction of the roof extension as being out of character with the consistent rhythm of the prevailing roofscape in surrounding streets and would represent a visually intrusive addition to the streetscene.
- 6.6 The proposals for a mansard roof in effect would create a second storey, replacing the V shaped butterfly roof, set behind the parapet. It is considered that the additional storey would appear bulky and incongruous, dominating the streetscene, rising high up above the parapet. The raised party walls would be highly prominent from surrounding viewpoints and the raised chimney would stand much taller than any other in the street. This would only serve to emphasize the prominence of the roof extension. It is further considered that the detailing of the extension is poor, especially in relation to the lack of detailing regarding the ridge of the extension, Juliette balcony and its balustrade and the proposed Upvc windows.
- 6.7 It is noted that there are a number of mansard roof extensions in the adjacent streets which form the Brookmill Road Conservation Area, these are regrettable and are considered to be damaging to character and appearance of the conservation area. These mansard extensions in the conservation area however, are limited primarily to Albyn Road. The Council continues to assess mansard roof extensions on the merits of the individual case and they are generally resisted due to their obtrusive appearance.
- 6.8 Their introduction in this street, although not located in a conservation area, would be damaging to the terrace which is locally distinctive. To introduce a mansard style roof that would effectively result in an additional storey here would be damaging to the local character.
- 6.9 Whilst it is acknowledged that the extension would extend the existing three-bedroom property to a five-bedroom property, and therefore enable the creation of a large family dwelling, the massing and design of the extension is considered to be poor quality and damaging in architectural terms to the host property and streetscene. The size of the bedrooms (7.5 sq.m. each) is also very small and would therefore not be of a suitable size for a double bedroom as shown on the plans.
- 6.10 As the V shaped butterfly roof is characteristic of parts of the north part of the borough, should permission be granted, it would be more difficult to resist this type of alteration in other locations.

Impact on Adjoining Properties

- 6.11 Policy HSG 12 of the UDP states that extensions should not result in an appreciable loss of privacy and amenity (including sunlight and daylight) for adjoining houses and their back gardens.
- 6.12 The rear windows would overlook the garden although this is considered not to cause significant harm in terms of loss of privacy. No objection is raised to the Juliette balcony from an amenity perspective. Although it is considered to be visually incongruous.
- 6.13 It is noted that no objections have been received from neighbouring occupiers.

Sustainability and Energy

- 6.14 The proposal complies with the principle of extending an existing building and maximises the use of a site. All habitable rooms would benefit from good levels of natural light and ventilation. For a development of this scale it is not considered appropriate or necessary to insist upon the inclusion of renewable energy provisions.

7.0 Community Infrastructure Levy

- 7.1 The above development is not CIL liable.

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. In this matter there is minimal/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 The introduction of a mansard roof extension would read as a second storey to this property in a road characterised by traditional London butterfly roofs. The extension is considered to be of poor design quality, appearing bulky and intrusive on the elevation. It is recommended that Members refuse planning permission.

10.0 RECOMMENDATION

To refuse planning permission for the following reason:

The proposed roof extension, by reason of its scale, massing and design, would be out of character with the consistent rhythm of the prevailing roofscape within the surrounding streets and would represent a visually intrusive addition harmful to the character and appearance of the area. As such, the proposal would be contrary to Policy 15 in the adopted Core Strategy (June 2011), policies URB 3, URB6 in the adopted Unitary Development Plan (July 2004), DM Policy 30 and DM Policy 31 in the Development Management Local Plan (for adoption November 2014).

INFORMATIVES

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, no pre-application advice was sought before the application was submitted. The proposals submitted are identical to the refused scheme at no 6 Leathwell Road as the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.