

|              |                          |                     |
|--------------|--------------------------|---------------------|
| Committee    | PLANNING COMMITTEE A     |                     |
| Report Title | 204 DEVONSHIRE ROAD SE23 |                     |
| Ward         | Forest Hill              |                     |
| Contributors | Elizabeth Donnelly       |                     |
| Class        | PART 1                   | DATE: 19TH NOV 2015 |

|                              |  |
|------------------------------|--|
| <u>Reg. Nos.</u>             | DC/15/93122  |
| <u>Application dated</u>     | 28.07.2015   |
| <u>Applicant</u>             | Robinson Escott Planning   |
| <u>Proposal</u>              | The alteration and conversion of 204 Devonshire Road SE23, together with the construction of a single storey extension to the rear and an extension in the rear roof slope to provide 1, three bedroom self-contained flat, 2, two bedroom self-contained flats, together with privacy screen to the existing first floor balcony, the installation of Solar Panels, alterations to the front and rear elevations and the provision of secure cycle and bin storage areas. |
| <u>Applicant's Plan Nos.</u> | 2171-14-PL001 Rev P2; 2171-14-PL002 Rev P5; 2171-14-PL003 Rev P1; S15/4781/01; Planning, Design and Access Statement; Sustainability Statement   |
| <u>Background Papers</u>     | (1) Case File LE/33/204/TP<br>(2) Local Development Framework Documents<br>(3) The London Plan   |
| <u>Designation</u>           | PTAL 3   |
| <u>Screening</u>             | N/A  |

## **1.0 Property/Site Description**

- 1.1 This application relates to a semi-detached 6 bedroom single family dwellinghouse located on the south eastern side of Devonshire Road. To the rear, the application site adjoins railway land and is located approximately 90m from the railway line itself.
- 1.2 The house is two storey with additional living space at roof level. It has distinct architectural characteristics, including front facing pitched gables, sash windows and a bay window at ground floor with render surrounds. The house is constructed from London stock brick, with red brick detailing in the form of horizontal banding.

- 1.3 As existing, the house is in a state of disrepair both internally and externally and requires extensive refurbishment.
- 1.4 The host building has a kitchen, living room, dining room, bathroom and conservatory at ground floor level, with 3 bedrooms and a bathroom at first floor level and 3 bedrooms and a bathroom with compromised head height at second floor level (roof level). There is a private garden to the rear which is 98.2sqm in area.
- 1.5 The rear of the property is stepped with a flat roofed single storey projection which is 2.4m deep and 3.5m high. The roof of this structure is accessed via the doors from Bedroom 1 at first floor level.
- 1.6 The surrounding street presents a mix of housing types and sizes. The application property and it's pair are set apart from surrounding properties by their larger size.
- 1.7 The rear of the property is not visible from the street.
- 1.8 The application site is not located within a conservation area, nor is it subject to an Article 4 direction. It is not a listed building.

## **2.0 Planning History**

- 2.1 **2014:** The alteration and conversion of 204 Devonshire Road SE23, together with the construction of a single storey extension to the rear and an extension in the rear roof slope to provide 1, three bedroom self-contained flat, 2, two bedroom self-contained flats, together with privacy screen to the existing first floor balcony, the installation of Solar Panels and the provision of secure cycle and bin storage areas (DC/14/89081).

Following officer feedback regarding the unacceptability of the scheme in relation to DM Policy 3 'Conversion of a single family house to two or more dwellings', the applicant withdrew this application.

## **3.0 Current Planning Applications**

- 3.1 The alteration and conversion of 204 Devonshire Road SE23, together with the construction of a single storey extension to the rear and an extension in the rear roof slope to provide 1, three bedroom self-contained flat, 2, two bedroom self-contained flats, together with privacy screen to the existing first floor balcony, the installation of Solar Panels, alterations to the front and rear elevations and the provision of secure cycle and bin storage areas.

### Change of use and associated alterations

- 3.2 The proposal seeks to convert the existing 6 bedroom house into 3 self-contained flats. This would include a 3 bedroom unit and two 2 bedroom units. The 3 bedroom flat (Flat 1) would be located over the ground floor, with Flat 2 and Flat 3 at first and second floor level, respectively.
- 3.3 The units would have the following measurements:

| Unit | Unit Type             | GIA (sq m) | Bedroom sizes (sq m)                                     | Living/kitchen sizes (sq m)  | Amenity space (sq m)                            |
|------|-----------------------|------------|--|------------------------------|---|
| 1    | 3 bedroom<br>5 person | 92         | Bedroom 1 – 16.4<br>Bedroom 2 – 14.6<br>Bedroom 3 – 13.3 | Living/kitchen/dining – 30.9 | Shared garden (86)                              |
| 2    | 2 bedroom<br>3 person | 61         | Bedroom 1 – 13.8<br>Bedroom 2 – 14.1                     | Living/kitchen/dining – 21.7 | Shared garden (86)<br><br>Private terrace – 8.7 |
| 3    | 2 bedroom<br>3 person | 62.9       | Bedroom 1 – 14<br>Bedroom 2 – 15.4                       | Living/kitchen/dining – 21   | Shared garden (86)                              |

- 3.4 At ground floor level, the floor to ceiling height would be 3m. At first floor and second floor level, the floor to ceiling heights would be 2.7m and 2.35m respectively. At second floor level, 2.35m is a maximum, the ceiling is sloping and therefore the floor to ceiling height varies.
- 3.5 Each of the proposed units would have access to a shared garden which would have a total area of 86sqm. Flat 2 which would be located at first floor level would have access to the existing roof terrace which would provide private external amenity space and has an area of 8.7sqm.
- 3.6 The existing roof terrace which is located on the side of the house closest to No.206 Devonshire Road would be altered to include privacy screening and glass balustrade. To the side of the terrace, the privacy screening would include a brick wall for 1.4m from the rear wall of the main house and a further 1m of frosted glass privacy screen which would wrap around to the front of the terrace for a further 0.4m. The brick and glass privacy screening would be 1.5m in height. To the front of the terrace, there would be 0.9m high glass balustrade which would include brushed stainless steel posts.
- 3.7 The proposal includes cycle storage and refuse storage within the existing lean to which is located at the side elevation of the property closest to No. 202 Devonshire Road.
- 3.8 The proposal does not include any car parking provision.

#### External alterations/extensions

- 3.9 The proposed single storey extension would be located to the rear of the building. It would extend 2.5m in depth from the rear wall of the main house. The rear of this building is stepped, with an inset section towards the side of the building closest to 206 Devonshire Road. The extension would extend the width (7m) of the projecting part of the rear wall. It would have a flat roof which would be 3.2m high with 2 rooflights. As a result of the rooflights, the extension would have a maximum height of 3.3m. The extension would be constructed from London stock

brick and would have 2 sets of bifolding doors which would open onto the rear garden.

- 3.10 The proposal includes the construction of a dormer window to the rear roof slope. It would replace the existing rooflight with a structure that would be 2m in width, 2.1m in depth and 2.1m in height. This would result in an additional roof volume of 4.2 cubic metres and would be set back 0.2m from the eaves line. It would be constructed from aluminium clad that would be painted black.
- 3.11 The proposal also seeks to infill the inverted part of the rear gable at roof level. This would result in additional roof volume of 1 cubic metre.
- 3.12 At roof level, the proposal would introduce 17.8sq m of photovoltaic panels to the side roof slope.
- 3.13 To the rear elevation, on the the inset section of rear wall, the proposal would replace to the existing windows and door with a new 4 paned window.
- 3.14 To the front elevation, the existing front door would be repositioned and an additional front entrance door would be installed.

#### **4.0 Consultation**

- 4.1 This section outlines the consultation carried out by the applicant prior to submission and 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, the relevant ward Councillors and the Forest Hill Society were consulted. The Council's Highways and Environmental Sustainability teams were also consulted.
- 4.3 No consultation responses were received. Ward Councillor for Forest Hill, Councillor Upex, requested that the application was decided at 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, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. 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 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 DCLG launched the National Planning Practice Guidance (NPPG) resource on the 6<sup>th</sup> March 2014. This replaced a number of planning practice guidance documents.

#### London Plan (March 2015)

5.6 On the 15<sup>th</sup> March 2015, the London Plan (consolidated with alterations since 2011) was adopted. The London Plan policies relevant to this application are:

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.8 Innovative energy technologies  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.4 Local character

#### London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

Sustainable Design and Construction (2006)

#### 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 Development Management Local Plan and the London 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 3 District Hubs

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

#### Development Management Local Plan

5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

5.10 The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 3 Conversion of a single family house to two or more dwellings

DM Policy 22 Sustainable design and construction

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

DM Policy 32 Housing design, layout and space standards

## Residential Standards Supplementary Planning Document (updated 2012)

- 5.11 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.

### **6.0 Planning Considerations**

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

- Principle of Development
- Design
- Housing
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy

#### Principle of Development

- 6.2 The proposed development seeks to convert the existing 6 bedroom house into 3 self-contained flats.
- 6.3 The acceptability of the principle of development will be assessed in relation to DM Policy 3 'Conversion of a single family house to two or more dwellings'. The aim of this policy is to appropriately manage the future subdivision of single family dwelling houses into self-contained flats.
- 6.4 The application submission suggests that due to the size of the property, it is possible to convert the building into 3 flats whilst retaining a generous size family dwelling at ground floor level. It is therefore felt by the applicant that this application presents a unique circumstance whereby the Council should support the proposal, even in light of DM Policy 3 and it's goal to protect family homes. The applicant states that "the conversion would not see a net loss in family homes occur given the provision of a ground floor family dwelling that is proposed". It should be noted that the Council's intention of DM Policy 3 is not only to protect single family dwellings of 3 bedrooms or more in order to meet the identified need for family housing, but to promote and retain housing choice.
- 6.5 This reflects London Plan Policy 3.8 which states that Londoners should have "a genuine choice of homes that they can afford and meet their requirements for different sizes and types of dwellings in the highest quality environments".
- 6.6 This also accords with the NPPF (para 50) which clearly highlights the importance of housing choice. It states:
- "To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the

community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes) and identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”.

### Context/ background to DM Policy 3

- 6.7 Unitary Development Plan Policy HSG 9 ‘Conversion of Residential Property’, which was superseded by the Development Management in 2014, did allow the conversion of single family dwelling houses into flats provided that the scheme provided an increase in suitable accommodation. This policy required the provision of at least one family unit to be provided in every conversion scheme unless the dwelling was considered to be unsuited for family occupation because of its location or character.
- 6.8 When preparing the Development Management Local Plan, the Council used the Lewisham Strategic Housing Market Assessment (LSHMA) as an evidence base. The study identified a future need for the retention and creation of larger family dwellings; this was considered crucial in the retention of families within the Borough and ensuring the long-term sustainability of local communities. In addition to this, the Housing Conversion study (para 6.160) also demonstrated that over the last 4 years, family sized dwellings have represented the minority of new dwellings coming forward, with 3 to 6 bedroom dwellings representing an average of approximately 11% of the new supply in Lewisham between 2008-2011. Furthermore, the monitoring report written in relation to the year 2013-14 provides some more recent data and shows that just 3% of new dwellings delivered across the entire borough had more than 3 bedrooms in that year.
- 6.9 As well as further reiterating the need for family housing in the borough, the above findings highlight the importance of not only 3 bedroom houses, but houses with up to 6 bedrooms.
- 6.10 As a result, the Council made a conscious decision to move away from policy HSG 9 which allowed the conversion of single family dwellings where a unit suitable for family occupation would be provided (i.e. a 3 bedroom unit). It was estimated by the Lewisham Conversion Study that DM Policy 3 (a policy option at the time) would ensure the retention of up to 7,300 unconverted family dwellings in comparison to what could potentially be granted planning permission by retaining UDP Policy HSG 9. The retention of this type of accommodation through the provisions of DM Policy 3 was considered to be integral to the delivery of suitable family housing in line with housing need in Lewisham as identified in the Lewisham SHMA.
- 6.11 During the preparation of the Development Management Local Plan, the retention and taking forward of the thresholds set out in UDP policy HSG 9 was considered. It was found that this option would not reduce the loss of larger family sized units and would reduce housing choice across significant areas of the Borough.
- 6.12 The sustainability appraisal explored DM Policy 3 as a policy option and showed beneficial impacts on population, human health and material assets; outlining that “the policy option will have positive effects on the population and human health through the promotion of sufficient housing with appropriate mix, promotion of



social inclusion and addressing inequalities through the opportunity to live in a decent home”.

- 6.13 The above helps to set out the Council’s intention for DM Policy 3 and the rationale for the move away from HSG 9 which did allow the conversion of single family dwellings as long as a unit suitable for family occupation is provided. It is in this light that the Council rejects the notion that the provision of 3 bedroom unit makes the conversion acceptable.

DM Policy 3 – principle of loss of 6 bedroom family house

- 6.14 It is acknowledged that the proposal includes a 3 bedroom ground floor flat with access to a shared garden which may be considered to provide a residential unit suitable for family occupation. However, when considered in relation to DM Policy 3 and the evidence base discussed above, the proposal would give rise to the loss of existing valuable family housing, which in this case comprises a 6 bedroom house.
- 6.15 In line with DM Policy 3, the Council would only permit the loss of such a dwelling where environmental conditions mean that the single family house is not suitable for family accommodation due to any factor listed below:
- a. adjacent to noise generating or other environmentally unfriendly uses
  - b. lack of external amenity space suitable for family use
- 6.16 In relation to the above, the applicant has requested that the Council consider the noise caused by traffic on Devonshire Road and the adjacent railway line. The applicant considers these to represent heavy noise generating uses which supports the case for the proposed conversion. These are not considered to be significant noise generating uses, nor environmentally unfriendly uses.
- 6.17 With regards to part (b) which refers to external amenity space, the existing house provides 98.2sqm of private garden space. This is considered to provide external amenity space suitable for family use.
- 6.18 The principle of development is therefore unacceptable with regards to DM Policy 3 as the proposal gives rise to the loss of a single family dwelling house that contributes to housing choice throughout the Borough. It is also considered to be contrary to the aims of London Plan Policy 3.8 and the NPPF.
- 6.19 The Council make decisions in accordance with the Development Plan and any other material considerations. Personal circumstances can constitute material considerations, however, varying weight is given to personal circumstances dependent upon their nature and context.
- 6.20 Whilst it does not form part of the planning application, the applicant has informed officers of the drive behind the current application. The applicant’s father has owned the property for 26 years; he has not acquired the property purely for the purposes of conversion. The property is now too big and the plan is for him to live within one of the proposed 2 bedroom flats.

- 6.21 Officers appreciate that the house is a 6 bedroom property which is larger than the average family house in the Borough and generally too large for one person to live in.
- 6.22 Nevertheless, the house is not considered to comprise an unusually oversized family home. At ground floor level, there is a kitchen, dining room, lounge and conservatory. There are 3 good sized bedrooms and a bathroom at first floor level, with 3 bedrooms with compromised head height and a bathroom at second floor level. It is felt that it would provide a larger family with a good quality family home.
- 6.23 Further to this, Devonshire Road has a mix of house size and types, with the host building just one of two houses of this larger size in the immediate surrounding area. It is recognised that there may be financial challenges associated with a house of this size compared to a smaller house, however, given the points outlined above, it is not considered to be unreasonable or unsustainable to seek to retain this property. The house is considered to make a valuable contribution to the housing choice within the street, the Forest Hill ward and the Borough.
- 6.24 Whilst taking the personal circumstance of the applicant into account, officers stress that DM Policy 3 is part of a wider strategy for the Borough and central to the building of a sustainable community.
- 6.25 Officers do not envisage that sites that come forward for future development, for example, those appropriate for infill or backland development, will be likely to deliver 6 bedroom houses, at least not of the quality and character of the application property.
- 6.26 It is therefore felt that if this 6 bedroom house is lost, it would not be replaced in the future by new development. There are families within the Borough that are suited to houses of this size and Devonshire Road, that presents a mix of housing size, are the type of streets that encourages mixed, balanced and sustainable communities which is a focus in Council's vision for Lewisham.
- 6.27 Further to this, it is noted that the proposal includes alterations and extensions to the exterior to make the building larger in order to facilitate the proposed conversion.
- 6.28 The proposal seeks to deliver 3 units that just meet the minimum requirements as set out by the London Plan with regards to the room sizes. The existing building offers generous sized rooms and the opportunity for flexible and adaptable living in the context of changing family needs that the proposed units would not provide.
- 6.29 Therefore, whilst the specific personal circumstances of the applicant are acknowledged, officers do not consider this to outweigh the wider strategic objective to retain larger family houses that contribute to the addressing of local housing needs, the delivery of housing choice and contribute the building of sustainable communities borough wide. Furthermore, those circumstances are not in themselves considered to be unique and many older residents live in or own larger houses that are no longer suitable for their needs. To enable this circumstance to justify an exception to DM 3 is considered to set an unwelcome precedent that would undermine the policy position and lead to a loss of family units.

- 6.30 To conclude in relation to the principle of the development proposed, officers have considered Council's policy and material considerations. The conversion of the existing 6 bedroom house would be contrary to the aims of DM Policy 3, London Plan policy 3.8 and paragraph 50 of the NPPF. It is therefore recommended that planning permission is refused.
- 6.31 Nevertheless, in order to provide a full assessment of the scheme, officers will have regard to design, standard of accommodation, impact on neighbours, sustainability and highways/transport.

### Design

- 6.32 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.33 Paragraph 63 of the NPPF states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. In addition to this, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 6.34 In relation to Lewisham, Core Strategy Policy 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.35 DM Policy 32 of the Development Management Local Plan seeks to apply the above design principles more specifically to individual proposals. It seeks to ensure that the siting and layout of all new-building housing responds positively to the site specific constraints and opportunities as well as to the existing and emerging context of the site and surrounding area.
- 6.36 Further to this, DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 6.37 The proposed development includes some alterations and extensions to the existing building. These would include alterations to the front entrance door, the replacement of the existing rooflight in the rear roof slope with a dormer window, a single storey extension at ground floor level and PV's to the side roof slope.
- 6.38 The proposed single storey extension would be 2.5m deep and 3.2m height. It would be constructed from yellow London Stock brick to match the existing house. The scale of the proposed extension is considered to be in proportion with the main house so that it would appear a subservient addition. The proposed

materials would match the existing and therefore respect the character and appearance of the original house. It would not be visible from the street, so would not impact upon the streetscene.

- 6.39 The proposed dormer window is also considered to be subservient to the rear roof slope and would not be visible from the street. The dormer window would be constructed from black painted aluminium clad, providing a contrast to the existing house. It is considered to be acceptable.
- 6.40 The proposed PVs would cover the majority of the surface area of the side roof slope. Whilst they would be visible from the street, the building has a front parapet wall which would ensure that the panels would not be visible when the house is viewed from most angles. For this reason, it is not felt that the PVs would give rise to a negative relationship between the host building and the streetscene. Nevertheless, given that their impact upon the streetscene is relatively minor, the wider sustainability benefits of the introduction of the PVs is considered to outweigh the design issues in this case.
- 6.41 The proposal includes the replacement of the existing windows and door to the rear of the existing single storey projection with new windows. This is considered to be acceptable.
- 6.42 The plans also show that there would be changes to the front entrance of the building. At present, the front entrance comprises a single front door which allows access to the house. The proposal includes the addition of a door within the front entrance which would allow access to the stairs up to Flats 2 and 3. As the entrance is inset within an open porch area, this would not be considered to negatively impact upon the streetscene.
- 6.43 In light of the above, it is not felt that the proposal would give rise to a detrimental impact upon the character and appearance of the host building or the existing streetscene. The proposed development is therefore considered to be acceptable with regards to design.

#### Housing

- 6.44 DM Policy 32 and Policy 3.5 of the London Plan set out the requirements with regards to housing design, seeking to ensure that new residential units are designed to a high quality, ensuring the long term sustainability of the new housing provision.
- 6.45 The Mayors Housing SPG provides guidance on how to implement the housing policies in the 2015 London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods". It is informed by the Government's NPPF and by its Housing Strategy for England. The document sets out a number of Baseline and Good Practice quality standards in terms of internal layouts, amenity space, car and cycle parking.
- 6.46 As DM Policy 3 resists the conversion of single family houses to two or more flats, the proposed unit mix is considered to be unacceptable in principle.

- 6.47 With regards to the unit sizes proposed, the proposed 3 bedroom 5 person flat (Unit 1) at ground floor level would be 92sqm and would therefore comply with the minimum space standards for this unit type (96sqm) as set out in DM Policy 32 and the London Plan. Each of the proposed bedrooms within this unit would exceed the minimum requirement for a double room. The living space would constitute a shared living/kitchen/dining area that would be 30.9sqm, meeting the London Housing SPG guidance for these combined spaces. However, it is questionable as to whether an open plan living space would meet the needs of family occupiers. Had other aspects of the scheme been acceptable, officers would have sought further discussions about this layout.
- 6.48 Although the proposed units at first floor and second floor level would both have two bedrooms that exceed the requirements for double bedrooms, their overall floor areas reflect the floor area for 2 bedroom 3 person units. They will therefore be assessed on this basis.
- 6.49 Each of the 2 bedroom units would have combined living/kitchen/dining areas which would be 21.7sqm (Unit 2) and 21 sqm (Unit 3) in floor area.
- 6.50 The combined living spaces are not considered to meet the Good Practice Guidance design standards for 3 person units which is outlined at 25sqm.
- 6.51 Whilst this alone would not constitute a reason for refusal, it serves to further demonstrate the unsuitability of this building for conversion into flats. The marginal compliance of the units demonstrates the better use of this building as a single family house where bedrooms would typically be located at first floor level with generous living space located at ground floor.
- 6.52 The floor to ceiling heights vary throughout the property. At ground floor, the floor to ceiling height would be 3m and at first floor it would be 2.7m. Whilst both ground floor and first floor comply with the policy requirement, Unit 2 which is located at second floor would have varying floor to ceiling heights which would be 2.35m high at its maximum. Officers have calculated approximately 10sqm of the proposed unit to be under 2.3m in floor to ceiling height.
- 6.53 DM Policy 32 states that habitable rooms, kitchens and bathrooms are required to have a minimum floor to ceiling height of 2.5m between finished floor level and finished ceiling level.
- 6.54 However, on 21 August 2015 the Mayor of London published Minor Alterations to the London Plan 2015 which states that 'considering the nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling' it is proposed to change London Plan requirements to reflect the proposed national standards. It is however noted that 2.5m would be a recommended floor to ceiling height in order to address the unique heat island effect of London and to ensure that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.55 Even in the context of the recent policy changes, the proposed two bedroom flat would fall below the minimum space standards as set out in DM Policy 32 when the floor to ceiling heights are taken into account, as just 53sq m of the unit would achieve a floor to ceiling height of 2.3m.

- 6.56 Nevertheless, the London Housing Standards SPG outlines that rooms with sloping or stepped ceilings should achieve the minimum ceiling heights in at least 60% of the area of the room. It is also recognised that when dealing with the conversion of an existing building, a pragmatic approach should be taken to the application numerical standards including minimum internal floor to ceiling heights.
- 6.57 Whilst the proposed unit may be acceptable in light of the guidance, the low floor to ceiling heights further support the argument made above which considers the host building to be more suitable and capable in providing a good quality standard of accommodation as a single family unit.

#### Outlook, privacy and natural lighting

- 6.58 The existing house has windows in the front and rear elevations. As a result, the proposed units would each have windows to the front and rear elevations. The single storey extension to the ground floor unit would also have rooflights in its roof which would increase the amount of light coming into the living space of Unit 1.
- 6.59 In light of this, the proposed units would be provided with decent outlook and good natural lighting levels.
- 6.60 There would be no additional windows inserted as a result of the proposal, therefore, the proposed development would not compromise the privacy of occupiers or neighbours. However, the proposal does seek to formalise the use of the existing roof terrace which has the potential to give rise to privacy issues for neighbouring occupiers. This is addressed and discussed in greater depth in the residential amenity part of this report.

#### Amenity space

- 6.61 DM Policy 32 requires new housing development to provide readily accessible, secure, private and usable external space and include space suitable for children's play. Further to this, the London Plan Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.
- 6.62 The proposal includes the provision of private amenity space for Unit 2 in the form of the roof terrace which is 8.7sqm in floor area. However, Units 1 and 3 would only have access to the rear garden which would constitute a shared garden for all 3 units. The proposed development therefore fails to provide each of the units with private amenity space as required by policy.
- 6.63 It is acknowledged that the proposal is working within the constraints of an existing building and that a shared garden is a solution to providing each unit with access to amenity space. However, it is argued within the application documents that the ground floor unit is suitable for family accommodation; a garden shared with the occupants of two further units is not considered to provide a family with good quality access to amenity space that is also suitable for children's play.
- 6.64 Again, whilst this would not be a reason to refuse the application, the proposed amenity space provision illustrates the compromises necessary to provide 3 residential units which officers consider to not be of the necessary quality overall.

### Functional requirements of future residents

- 6.65 Where appropriate, the Council would seek the provision of new homes designed, or capable of adaptation, to housing for long term needs. London Plan Policy 3.8 and Core Strategy Policy 1 require all new homes to be built to Joseph Rowntree Foundation's Lifetime Homes Standards. The practical application of the Lifetime Homes Standard is to apply the criteria where relevant as many sites would not lend themselves to all of the criteria and some flexibility in their application is required particularly when dealing with conversions.
- 6.66 New residential development is no longer required to meet the Lifetimes Homes Criteria at planning stage, however this remains a matter to consider. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life.
- 6.67 The applicant has advised that all of the proposed units would have entrance door ways and internal door way widths that would be adequate for a wheelchair user.
- 6.68 This is considered to be acceptable.

### Highways and Traffic Issues

- 6.69 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site. Safe and suitable access to the site should be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.70 Core Strategy Policy 14 'Sustainable movement and transport' supports this policy approach and promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans. Core Strategy Policy 7 'Climate change and adapting to the effects' and Core Strategy Policy 9 'Improving local air quality' further promote sustainable transport.
- 6.71 The application site has a PTAL rating of 3 throughout the site. The site is considered to be generally accessible by public transport with bus links on Honor Oak Park within approximately 400m of the site.

#### a) Car parking

- 6.72 With regards to car parking, the proposed development does not seek to provide any car parking. In comparison to the existing 6 bedroom house, the proposed development may generate further car parking in the area given the increase in self-contained units. Nevertheless, due to the scale of the development, this increase would not be considered to be significant.

#### b) Cycle parking

- 6.73 Policy 6.9 'Cycling' of the London Plan states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3. Table 6.3 outlines that all new dwellings greater than 45sqm in floor area should provide 2 cycle parking spaces each.
- 6.74 The application submission outlines that cycle parking would be provided for the proposed units and that it would be located within the existing side extension. The proposed plans show two cycle parking spaces. It is a London Plan requirement that 2 cycle spaces are provided for each of the proposed units given their sizes.
- 6.75 If an otherwise acceptable scheme, a condition would be proposed to secure 2 policy compliant cycle spaces per unit, 6 in total.

#### c) Refuse

- 6.76 It is also proposed that there would be refuse storage located in the existing side extension. This is considered to be an acceptable solution to refuse storage.
- 6.77 In light of the above, subject to details required by condition, the proposed development is considered to be acceptable in highways terms.

#### Impact on Adjoining Properties

- 6.78 Core Strategy Policy 15 'High quality design for Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed developments to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers. Development Management Policy 33 'Development of infill sites, backland sites, back gardens and amenity areas' therefore seeks to ensure that infill development would result in no significant overshadowing or overlooking, and no loss of security or amenity. Further to this, Development Management Policy 31 'Alterations and extensions to existing buildings including residential extensions' states that residential extensions should result in no significant loss of sunlight and daylight to adjoining properties.
- 6.79 The proposal includes a single storey extension to the rear elevation. It would be 2.5m deep and 3.2m high. It would be located 1.6m from the boundary with No. 206 and 4m from the boundary with No. 202.
- 6.80 These distances from the boundaries are considered to offset any impacts that an extension of this height could have upon the amenities of neighbouring occupiers.
- 6.81 The proposed dormer would replace the existing rooflight. It would not be considered to give rise to overlooking beyond what is already established by the openings on the rear elevation of the existing building.
- 6.82 The proposal includes alterations to the existing roof terrace which comprises associated privacy screening.
- 6.83 A roof terrace is shown on the plans as existing. The existing roof terrace does not appear to be a formal provision, with doors from bedroom 1 providing access to the roof of the existing flat roofed single storey projection.



- 6.84 Therefore, by proposing privacy screening and balustrades, the proposal essentially seeks to formalise the roof terrace. It is considered that this would give rise to an intensification of the use of the roof terrace in comparison to the existing situation.
- 6.85 Officers do not generally support the principle of roof terraces on residential properties due to the overlooking, privacy and noise issues that they give rise to. However, due to the existing roof terrace and the proposed screening, officers do not object to the principle of the terrace in this instance.
- 6.86 In light of this, if an otherwise acceptable scheme, officers would seek to ensure that the proposed privacy screening and balustrade is positioned so that occupiers cannot utilise the full extent of the roof area at this level. It is considered that this would minimise the impact on privacy that the roof terrace would give rise to.
- 6.87 For the reasons outlined above, the proposed development would be acceptable with regards to neighbouring amenity.

#### Sustainability and Energy

- 6.88 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards. In determining planning applications, Local Planning Authorities should expect new development to comply with adopted policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.89 Core Strategy Policies 7 and 8 support the London Plan principles and also require all new residential development to meet a minimum of Level 4 standards in the Code for Sustainable Homes and non-residential development to meet a minimum of BREEAM 'Excellent'.
- 6.90 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.
- 6.91 The applicant has provided a Sustainability Statement. The statement outlines measures that would be put in place to ensure the sustainability of the development. These include energy saving, water saving and reference to aspects such as the use of sustainable building materials.
- 6.92 The proposed plans include Photovoltaic panels to the side roof slope. The Sustainability Statement does not appear to address the installation of PVs. However, if an acceptable scheme, officers would require further detail of the proposed PVs by condition in addition to proposing that the energy and water saving measures identified are secured by condition.

## **7.0 Conclusion**

- 7.1 This application has been considered in light of the policies set out in the development plan and other material considerations. It is considered that the proposed conversion of the existing 6 bedroom single family dwellinghouse is contrary to Council policy and unacceptable in principle.
- 7.2 It would give rise to the loss of a valuable housing resource that is considered to contribute to the delivery of housing choice across the Borough in specific relation to the provision of larger family homes.
- 7.3 The borderline acceptability of the standard of residential accommodation proposed is considered to further demonstrate the unsuitability of the host building as self-contained flats opposed to the existing good quality larger family home. The existing house is considered to provide the opportunity for flexible and adaptable living in the context of changing family needs.
- 7.4 In light of the above, it is recommended that planning permission is refused on the basis that the proposal is unacceptable in principle and directly contrary to DM Policy 3, London Plan policy 3.8 and paragraph 50 of the NPPF which seek to ensure the delivery of housing choice and that proposed development responds to identified local housing need in Lewisham.

## **8.0 RECOMMENDATION**

**REFUSE PERMISSION** for the following reason:

1. The proposed conversion of the existing 6 bedroom single family dwellinghouse into 3 self-contained flats is unacceptable in principle as it would give rise to the loss of a valuable housing resource that is considered to contribute to the delivery of housing choice in Lewisham, specifically in relation to the provision of larger family homes, which is directly contrary to the Council's aim to build mixed, balanced and sustainable communities and DM Policy 3 of the Development Management Local Plan (2014), Policy 1 of the Core Strategy (2011), Policy 3.8 of the London Plan (2015) and paragraph 50 of the National Planning Policy Framework (2012).

## **INFORMATIVES**

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, no pre-application advice was sought before the application was submitted. 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.