

Committee	PLANNING COMMITTEE A	
Report Title	38 Ommaney Road, SE14 5NT	
Ward	Telegraph Hill	
Contributors	Ronan Kelly & Karl Fetterplace	
Class	PART 1	Date: 19 November 2015

<u>Reg. Nos.</u>	DC/15/91590
<u>Application dated</u>	26/03/15
<u>Applicant</u>	Mino Architects on behalf of Cantel Investments Ltd
<u>Proposal</u>	The demolition of the existing property and the construction of a three storey terrace house plus attic comprising five bedrooms at 38 Ommaney Road, SE14.
<u>Applicant's Plan Nos.</u>	MA053-01 Rev B, MA053-02 Rev B, MA053-03 Rev B, MA053-04 Rev B, MA053-05 Rev B, MA053-09 Rev B - Heritage Statement (April 2015, Mino Architects), MA053-10 Rev B received 27th April 2015; MA053-11 Rev A, MA053-12 Rev A received 8th May 2015; MA053-13 Rev B, MA053-14 Rev B, MA053-15 Rev B, MA053-16 Rev B, MA053-17 Rev B, MA053-18 Rev B, Planning Statement – Final Issue (May 2015, Butterworth Planning) received 14th May 2015; MA053-06 Rev C, MA053-07 Rev C, MA053-08 Rev C - Design and Access Statement (July 2015, Mino Architects) received 13th July 2015.
<u>Background Papers</u>	(1) Core Strategy (2011) (2) Development Management Local Plan (2014) (3) The London Plan (2015)
<u>Designation</u>	PTAL 6a Telegraph Hill Article 4(2) Direction Telegraph Hill Conservation Area Not a Listed Building Unclassified Road
<u>Screening</u>	N/A

## **1.0 Property/Site Description**

- 1.1 No. 38 Ommaney Road is a mid terrace, three storey (basement, ground & first floor) plus attic space brick built property that consists of two flats (1 x 1 bed and 1 x 2 bed). This property is relatively modern, constructed of yellow brick, concrete roof tiles, uPVC windows & doors and has a concrete front garden. It sits awkwardly with its neighbours due to height differences between the properties and does not reflect the Victorian character of the surrounding buildings. The property has a height of 10.9m, with a depth of 7.7m and a width of 5.2m.
- 1.2 The property is located on the northern side of Ommaney Road, which is comprised predominantly of three storey plus attic space brick built terrace residential properties. The site is within the Telegraph Hill Conservation Area and is subject to the Telegraph Hill Article 4(2) Direction, but is not a listed building.

## **2.0 Planning History**

- 2.1 **DC/04/56481:** The construction of a three storey extension to the rear of 38 Ommaney Road SE14, to provide additional living accommodation. – Withdrawn 16/6/2004.
- 2.2 **DC/06/63091:** ‘The construction of a three storey extension to the rear of 38 Ommaney Road SE14, together with the installation of 2 rooflights in the rear roofslope to provide 2, two bedroom self contained flats and 1, three bedroom self contained maisonette.’ – Withdrawn 19/9/2006.
- 2.3 **DC/07/64829:** ‘The alteration and conversion of 38 Ommaney Road SE14, together with the construction of a three storey extension to the rear, alterations to the rear elevation and installation of two roof lights in the rear roof slope, to provide 2 one bedroom and 1 three bedroom, self-contained maisonettes.’ – Permission Granted 14/5/2007.
- 2.4 Note: an additional application to those above was also made (DC/04/56317) but withdrawn on 12/3/2004 and returned to the applicant.

## **3.0 Current Planning Applications**

### The Proposals

- 3.1 The application seeks the demolition of the existing property three storey plus attic space property and the construction of a three storey terrace house plus attic with three storey rear projection, single storey rear extension to infill the side return and a conservatory comprising five bedrooms at 38 Ommaney Road, SE14. This dwelling would aim to reflect the Victorian character of the surrounding buildings. The property would be used as a single family dwelling.
- 3.2 Access to the proposed property is from Ommaney Road. No on site parking provision has been applied for. Off street parking is available outside at street level. Access to the basement level would be provided by stairs from pavement level to a hardwood timber door located underneath the ground floor staircase.
- 3.3 The total depth of the dwelling is 22.6m, which includes the proposed front yard landscaping. The proposed width of the property would be 5.7m wide, with the

main component having a depth of 9.1m and a proposed height of 11.85m to the ridge of the pitched roof. Two velux roof lights are also proposed on the rear roof slope of the main component, measuring 0.9m x 0.9m.

- 3.4 The three storey rear projection would have a depth of 6.8m, height of 10.1m and width of 3.6m. The proposed materials for the dwelling and original rear projection would be London Stock Brick to match the neighbouring dwellings, with timber sliding sash windows.
- 3.5 The single storey in part extension (acting as a side infill extension) to the rear of the property would have a depth of 6.8m, height of 3.2m and width 1.4m. Four roof lights have been proposed in the roof slope, measuring 1m x 1m. The proposed materials are not specified.
- 3.6 A single storey conservatory has also been proposed to the rear of what would form the original rear projection, which would have a proposed height of 3.185m, depth of 3.6m and width of 3.25m. The proposed materials for the conservatory are not specified, although it is assumed that if built in the traditional style this would be predominantly glass. To the rear of the dwelling would be paved with permeable block paving.
- 3.7 Regarding the front elevation, the front door is proposed to be painted hardwood timber, the roof grey slate tiles, the windows timber sliding sash and the walls London stock brick. The cornices would be painted white and window surrounds would be rendered and painted white.
- 3.8 The front garden area is proposed to have permeable block paving and spot up-lighting at basement level. It is assumed that this lighting would be flush or very near flush with ground level, as it's not shown on the section that it would project up from ground level. Storage is also proposed for two bicycles at lower level and refuse storage at pavement level, surrounded by a dwarf brick wall.
- 3.9 It is important to note that the applicant had previously proposed uPVC windows to be installed on the front and rear of the property. Concerns from officers were raised with the applicant, who subsequently agreed to amend plans to show timber sliding sash windows on the front and rear elevation. uPVC windows are still incorrectly indicated on the proposed Section A-A.
- 3.10 A Heritage Statement, Design and Access Statement, Sustainability Statement and Planning Statement have been submitted as supporting documents.

#### **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 thirty nine neighbouring properties including the Telegraph Hill Ward Councillors were consulted. One objection was raised by a local resident. The Telegraph Hill Society was also consulted and provided the comments outlined below.

4.3 The Councils Conservation, Ecological Regeneration and Environmental Health teams were consulted.

Written Responses received from Local Residents – 40 Ommaney Road

4.4 An objection was received from residents at 40 Ommaney Road, raising concerns relating to the boundary/party wall issues. They have noted that the properties at 36 and 40 sustained considerable damage from a wartime bomb.

Telegraph Hill Society

4.5 The Telegraph Hill Society have objected to the proposed development for the following reasons:

- The proposed installation of uPVC windows to the front elevation.
- The front appearance of the property in general – stating that insufficient detail has been submitted to ensure that the proposed dwelling would match the surrounding dwellings rather than act as a poor pastiche of them, with regard to the following:
  - Detailing of brickwork, including stringer courses (omitted on drawing)
  - Flemish bonding (bonding not specified on drawn)
  - Mouldings on window pilasters (none are shown, but an acanthus leaf design is required, and columns require detailing)
  - Window design (the glazing pattern is wrong, there are no horns on the sashes and no window handles)
  - Detailed design of boundary wall and railings
  - Roof tiling pattern (front bay should have fishtail slates)
  - Roof ornamentation (ridge tiles and ornaments needed).
  - Detailed proposals for front garden and path.
- The installation of rooflights in the rear “side infill extension” – these are too large and cause issues with light spill and overlooking. They should be reduced in size, obscure glazed and fitted with blinds.
- The rear doors should be more in keeping with Victorian design. The rear windows should be timber rather than uPVC.

These comments were submitted in relation to the superseded plans for the application and the Society responded on 4 August to state that they were satisfied with the replacement of uPVC windows with timber windows, however, no other amendments had been made and therefore the remainder of the objections stood.

Amenity Societies Panel

4.6 No comment or objection has been received from the Amenities Society Panel.

## **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.

### London Plan (March 2015)

- 5.5 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 3.14 Existing housing  
Policy 5.3 Sustainable design and construction  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 8.3 Community infrastructure levy

### London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)  
Sustainable Design and Construction (2006)

### 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 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:

Core Strategy Policy 1 Housing provision, mix and affordability  
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  
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

### Development Management Local Plan

- 5.8 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:

- 5.9 The following policies are considered to be relevant to this application:

DM Policy 1          Presumption in favour of sustainable development

DM Policy 2	Prevention of loss of existing housing
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
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
DM Policy 38	Demolition or substantial harm to designated and non-designated heritage assets

#### 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.

#### Telegraph Hill Conservation Area Appraisal and Supplementary Planning Document (2007)

- 5.11 This document sets out the history and spatial character of the area, identifying areas of distinct character, advises on the content of planning applications, and gives advice on external alterations to properties within the Telegraph Hill Conservation Area. The document provides advice on repairs and maintenance and specifically advises on windows, satellite dishes, chimney stacks, doors, porches, canopies, walls, front gardens, development in rear gardens, shop fronts and architectural and other details.

### **6.0 Planning Considerations**

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

- a) Principle of Development
- b) Design, scale and impact on the conservation area
- c) Standard of residential accommodation and amenity space
- d) Transport and servicing
- e) Impact on Adjoining Properties
- f) Sustainability and Energy

#### Principle of Development

- 6.2 Housing is a priority use for all London boroughs and the Core Strategy welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity

space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

- 6.3 The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay.
- 6.4 Policy 3.4 'Optimising housing potential' of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.
- 6.5 DM Policy 1 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 6.6 DM Policy 2 Prevention of loss of existing housing states that the reconversion of a former single dwelling house with multiple dwellings to a single dwelling may be acceptable in predominantly residential areas suitable for family occupation subject to amenity considerations and DM Policies 30, 31, 32 and 33.
- 6.7 DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets states that proposals for demolition or substantial harm to designated heritage assets will be refused unless it can be demonstrated that these are necessary to achieve substantial public benefits that outweigh the harm or loss, and that there is no practical way of realising the benefits without demolishing the building or causing substantial harm.
- 6.8 This building does not make a positive contribution to the conservation area and therefore its demolition is not objected to, particularly since it is proposed to be replaced with a new dwelling that reflects the design of the surrounding area. A condition is proposed that would require a Construction Management Plan, in order to ensure that the demolition of this building would be appropriately managed.
- 6.9 The area surrounding the subject site is a predominantly residential area that is suitable for accommodating a single family dwelling of the scale proposed, particularly since this building would replace the poorly designed existing dwelling. However, the principle of development is subject to the design and impact of the dwelling on the conservation area. As it is proposed that this dwelling be built in the traditional style to match the character of the surrounding dwellings and conservation area, it will need to be a well designed building, to ensure that this development adequately reflects the high quality detailing of surrounding properties. This is further discussed in the design, scale and impact on the conservation area section of this report.
- 6.10 The other aspects considered in relation to the principle of development are the standard of accommodation and impacts on neighbouring occupiers, which are discussed under the relevant headings in this report.

#### Design, scale and impact on the conservation area

- 6.11 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'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

- 6.12 London Plan Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. High quality design requires that the development, amongst other things, is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.
- 6.13 London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.14 Core Strategy Policy 15 states that 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.
- 6.15 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.16 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. The retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and a sense of place. Residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property.
- 6.17 DM Policy 32 states that development proposals for alterations and extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.18 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 states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where alterations and extensions to

existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.

### *Three storey building*

- 6.19 The proposed development of a three storey building would include the demolition of the existing building, which is out of context with the existing street, as previously discussed. The scale of the proposed development is considered to be in keeping with the existing properties within the area. The proposed three storey property would be a traditional design of a scale and with materials that would complement the existing streetscene and roofscape of the street and therefore represent an improvement on the current dwelling, subject to the provision of further detail on the proposed materials and design of the front elevation. The submitted plans are lacking in sufficient detail to ensure that the detailing of the building would be a faithful replica of neighbouring properties. Such detail would be integral to the acceptability of the proposed building in principle and would normally be sought as part of the submitted plans to ensure that the building would be of the necessary design quality. In this case, the applicant has requested that the details are secured by condition and has not been willing to provide the necessary detail upfront. The full architectural detailing of the building is therefore proposed to be conditioned in a full schedule of works, including any external guttering, downpipes and vents. Given how integral this is to the acceptability of the scheme in principle, this would be necessary prior to the commencement of any works on site.
- 6.20 The Telegraph Hill Society had objected to this proposal, with particular reference to the proposed uPVC windows on the front elevation, along with the general lack of details about the front appearance of the property in general. Officers consulted with the agent and made these concerns known. Amended plans were subsequently submitted, proposing timber sliding sash windows on all elevations. The proposed windows are now considered acceptable, subject to further detail that would be conditioned in a schedule of works.
- 6.21 The two velux rooflights that are proposed on the rear roof slope of the main component of the building would not be visible from the public realm and are considered acceptable.

### *Three storey rear projection*

- 6.22 The proposed development also includes a three storey extension to the rear elevation. This would be a traditional design of a scale and with materials that would complement the proposed main property and act as an original rear projection. This is a common design feature within Ommaney Road, with the vast majority of the houses on the street having a three storey rear extension, including nos.36 and 40. Further detail on the proposed materials is proposed to be conditioned in a schedule of works. The scale of this portion of the dwelling would be consistent with the existing properties in the area.
- 6.23 The Telegraph Hill Society has objected to the proposed design and appearance of the rear windows, however, the plans have since been amended to indicate that the proposed windows would be timber sliding sash. Additionally, the Society has stated that the rear doors should be more in keeping with Victorian design. Given that these doors are at basement/garden level and not visible from the public

realm, officers consider that it is not necessary that their design is altered. The change of the windows to timber sliding sash is welcomed, subject to the submission of further details that would be conditioned, and the overall design of the three storey rear extension is acceptable.

#### *Single storey "side infill" extension*

- 6.24 The proposed development also includes a single storey extension to what would form the original rear projection. It is evident that there are other similar dwelling components attached to the properties in the surrounding area and therefore this would not be out of character. However, no materials have been specified and therefore it is difficult for officers to fully assess the suitability of this component of the dwelling. Conditions are proposed to secure further details in this regard.
- 6.25 Whilst not an original feature of dwellings typical of this era, the installation of four rooflights in the rear "side infill extension" is considered acceptable in principle, particularly given that this component of the dwelling is designed to act more as a modern tradition and would therefore not be constructed completely of traditional materials like the majority of this dwelling. No plans have been submitted to indicate the extent to which these rooflights would extend from the roof of the dwelling and therefore this detail is proposed to be conditioned.
- 6.26 Having said this, the proposed single storey extension would not be seen from the public realm or from the conservation area and would therefore not detract from the appearance of the Telegraph Hill conservation area.

#### *Conservatory*

- 6.27 The proposed single storey conservatory to the rear of what would form the original rear projection is considered acceptable. The proposed materials for the conservatory are not specified and therefore it is difficult for officers to fully assess its suitability, although it is assumed that if built in the traditional style this would be predominantly glass. Having said this, conditions are proposed to seek further details in this regard. To the rear of the dwelling would be paved with permeable block paving.

#### *Front garden works*

- 6.28 The permeable block paving proposed in the front garden area and spot up-lighting at basement level is considered acceptable in principle. It is assumed that this lighting would be flush or very near flush with ground level, as it is not shown on the section that it would project up from ground level. Storage is also proposed for two bicycles at lower level and refuse storage at pavement level, surrounded by a dwarf brick wall. Several of the existing properties on Ommaney Road have lightwells installed with small open areas to the front, which are also used for refuse collection and therefore this is considered acceptable, however, further detail would need to be sought by condition regarding these details, as well as the proposed railings and stairs and any planting.
- 6.29 Given that there are a significant number of aspects of this development that lack detail, it is proposed to condition a schedule of works and then include informatives to advise the applicant of Council's preferences for all the different aspects addressed in the schedule of works. The aspects requiring further detail have been

outlined in this report. This has been aided by advice from Council's conservation team.

- 6.30 Overall, officers consider that a benefit is gained by replacing a building that detracts from the significance of the conservation area with a well designed building that complements the streetscene and therefore the principle of development is supported in relation to design and impact on the conservation area. However, as previously discussed, the plans are lacking in detail and consequently, a detailed Schedule of Works would be required to ensure that the detail of this design is of the necessary high quality. A scheme that fails to faithfully replicate the neighbouring properties will not be acceptable and such a scheme cannot be guaranteed without the provision of significantly more detail.

#### Standard of residential accommodation and amenity space

- 6.31 Policy 3.5 Quality and design of housing developments of the London Plan states that housing developments should be of the highest quality internally, externally and in relation to their context and states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.
- 6.32 DM Policy 32 states that the standards in the London Plan and the London Plan Housing Supplementary Planning Guidance (2012) will be used to assess whether new housing development including conversions provides an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. The standards and criteria in this policy, including those of the London Plan and the London Plan Housing Supplementary Guidance, will ensure a reasonable level of residential amenity and quality of accommodation, and that there is sufficient space, privacy and storage facilities in development to ensure the long term sustainability and usability of the homes.
- 6.33 This dwelling would provide approximately 250sqm of floorspace, which comfortably meets the largest of the minimum space standards for a 3 storey house, this being 113sqm for a 4b6p dwelling. Whilst the proposed dwelling would technically be a 5b10p house based on the bedrooms provided, it is considered that there is still adequate space provided, as the floorspace would be more than double that of the largest house requirement. Following on from this, adequate daylight and sunlight would be available to the necessary rooms of the dwelling.
- 6.34 The applicant has sought to demonstrate compliance with lifetime homes criteria where possible. The proposal is considered acceptable in this regard.

#### Transport and servicing

- 6.35 This site has a PTAL rating of part 6A, therefore the residents of the proposed dwelling would have excellent public transport access and the non-provision of car parking with this application is considered appropriate and in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan.
- 6.36 Storage is proposed for two bicycles at lower ground level. This is considered consistent with the London Plan Policy 6.3 and Core Strategy Policy 14 Sustainable movement and transport.

- 6.37 Residential Development Standards SPD (amended 2012) seeks to ensure that all new developments have adequate facilities for refuse and recycling. A refuse storage area is proposed at the front of the building at pavement level, surrounded by a dwarf brick wall, that could comfortably accommodate three wheelie bins. This arrangement is considered acceptable in principle, but further details are proposed to be sought via condition.

Impact on Adjoining Properties

- 6.38 For areas of stability and managed change, Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.
- 6.39 DM Policy 30 states that residential development should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.40 The development would reduce neighbouring properties access to sunlight or daylight to an extent when compared to the existing scenario, given that there is no original rear projection on the existing building. However, the enlargement of the building footprint in this fashion is a typical feature of many London properties and its impact is not considered to be unreasonable. The conservatory and side infill extension would be built to the boundary of the adjoining properties, but it is noted that their proposed heights of 3.185m and 3.2 respectively would not have an unreasonably adverse impact on neighbouring amenity.
- 6.41 With regard to overlooking, it is considered that obscure glazing should be applied to the shower room and toilet windows on the ground floor (effectively one level above ground level at the rear of the dwelling) and bathroom window on the first floor, for the privacy of the residents of the dwelling but also to limit the impact of overlooking on neighbouring occupiers. This will be secured via condition. Is it not considered that the windows facing into the rear garden from the main component of the dwelling or what would form the original rear projection require obscure glazing.
- 6.42 Objection has been raised by the Telegraph Hill Society to the four rooflights in the infill side extension, who has stated that the lights should be reduced in size, obscure glazed and fitted with blinds. It is acknowledged that there would be light spill from the four rooflights above the basement level, however this would not be considered to have an unreasonably adverse impact on neighbouring properties, particularly given that they are located at ground level, and therefore they are considered acceptable.
- 6.43 With regard to the objection received from the neighbouring resident, all construction must be undertaken in accordance with the Building Regulations and Party Wall Act. The Building Regulations would ensure that the design and construction of the dwelling is satisfactory in terms of structural design, noise separation, fire safety, ventilation etc. and the Party Wall Act would protect the interests of the adjoining neighbours. It is acknowledged that some noise and some disruption is inevitable, however it is not envisaged that this would have an unreasonably adverse impact. Having said this, due to the scale of the demolition and construction proposed by this application and the proximity to neighbouring properties because this is a mid-terrace house, it is proposed to include a

condition to require a Construction Management Plan, in order to ensure, amongst other things, that there are no adverse impacts on neighbouring properties with regard to noise and vibration, dust and traffic. Further to this, a condition would be included to regulate the hours of delivery trucks during construction so that any impacts are kept to a minimum.

- 6.44 The rear garden faces north and it is not expected that this development would have some overshadowing impacts, but that these would not be unreasonably adverse.
- 6.45 This proposal is therefore considered to have an acceptable impact on neighbouring amenity.

#### Sustainability and Energy

- 6.46 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- 1 Be Lean: use less energy
  - 2 Be clean: supply energy efficiently
  - 3 Be green: use renewable energy
- 6.47 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy.
- 6.48 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.49 Core Strategy Policy 8 Sustainable design and construction and energy efficiency states that the Council is committed to prioritising the reduction of the environmental impact of all new developments, with a focus on minimising the overall carbon dioxide emissions of the development while improving sustainability aspects through sustainable design and construction, to meet the highest feasible environmental standards during design, construction and occupation. The Policy requires all new residential development (including mixed use) will be required to achieve a minimum of Level 4 standards in the Code for Sustainable Homes from 1 April 2011.
- 6.50 Since this application was prepared, the government has announced the intention to cease using the Code for Sustainable Homes policy. At the current time, for schemes of this scale, it is only possible to secure building regulation equivalent standards for water saving and energy efficiency. A Sustainability Statement has been provided, which is adequate for the purposes of this proposal as it demonstrates that the proposal can achieve Level 4 of the Code for Sustainable Homes. The proposed materials are durable and can be maintained and repaired. Further compliance will need to be achieved in this regard under the Building Regulations.

## **7.0 Local Finance Considerations**

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## **8.0 Community Infrastructure Levy**

- 8.1 The above development is CIL liable and the applicant has completed the relevant form.

## **9.0 Equalities Considerations**

- 9.1 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.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 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.
- 9.4 In this matter there is no impact on equality.

## **10.0 Conclusion**

- 10.1 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) The London Plan (2015, as amended) and the National Planning Policy Framework (2012).
- 10.2 The area surrounding the subject site is predominantly residential area that is suitable for family occupation and therefore the proposed development is acceptable in this regard. It is acceptable from a design, scale and conservation perspective as it would be a well designed dwelling (subject to more detail on a

number of aspects that would be required to be conditioned via a schedule of works) that reflects the character of the surrounding conservation area and accords with the scale of the surrounding buildings, whilst also meaning that the poorly designed existing dwelling would be removed. The standard of accommodation is considered adequate and it is not expected that there would be any unreasonably adverse impacts on neighbouring occupiers.

## 11.0 **RECOMMENDATION**

**GRANT PERMISSION** subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

**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:

MA053-01 Rev B, MA053-02 Rev B, MA053-03 Rev B, MA053-04 Rev B, MA053-05 Rev B, MA053-09 Rev B - Heritage Statement (April 2015, Mino Architects), MA053-10 Rev B received 27th April 2015; MA053-11 Rev A, MA053-12 Rev A received 8th May 2015; MA053-13 Rev B, MA053-14 Rev B, MA053-15 Rev B, MA053-16 Rev B, MA053-17 Rev B, MA053-18 Rev B, Planning Statement – Final Issue (May 2015, Butterworth Planning) received 14th May 2015; MA053-06 Rev C, MA053-07 Rev C, MA053-08 Rev C - Design and Access Statement (July 2015, Mino Architects) received 13th July 2015.

**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.

- (3) No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
  - (a) Dust mitigation measures.
  - (b) The location and operation of plant and wheel washing facilities
  - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
    - (i) Rationalise travel and traffic routes to and from the site.



- (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
  - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

- (4) No development shall commence on site until a detailed schedule of works including drawings, specifications and/or samples (where specified in the informatives) of all external materials and finishes, windows, eaves, roof coverings, railings, boundary and retaining walls, guttering, downpipes and vents on the front elevation, the stairs to the main entrance and any planting have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (5) All sash windows shall be set in a reveal half a brick deep with sash boxes set behind the facing brick, matching the window openings of the historic houses in the street.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (6) No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

**Reason:** In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

- (7) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the shower room and toilet windows on the ground floor and bathroom window on the first floor side elevation of the rear projection of the building hereby approved shall be fitted as obscure glazed and retained in perpetuity.

**Reason:** To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (8) No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

## **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, positive discussions took place which resulted in further information being submitted.
- (2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- (3) **Schedule of Works**

The applicant is advised that in order to satisfy condition 4 (regarding the schedule of works), the following details are required to be submitted to and approved in writing by the local authority prior to the commencement of any works. Detailed advice regarding the contents of the Schedule of Works can be sought via the Council's paid pre-application service. Further information regarding this is available at the link below:

<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Get-planning-advice.aspx>

Samples of the proposed brick should be presented on site.

The facing brick should match in type, size, colour and finish the brick of the historic houses in the street. This is likely to be an Imperial sized brick.

A 1 metre x 1 metre brick panel showing the proposed brick, type of bonding, and pointing method for both front elevation and proposed boundary wall should be erected for approval on site.

Details of the mortar mix should be submitted for approval prior to the erection of any walls.

The facing brick to the front wall should be constructed and pointed with a traditional lime based mortar containing a suitable mix of sand, lime and aggregates that matches that of the historic building.

Front elevation only: details of the proposed front windows including elevation and section drawings of a scale no less than 1:10 and joinery details, including details of horn and glazing bars, of a scale no less than 1:2 should be submitted for approval.

At basement level the two windows to the sides flanking the central sash window should also be vertical sliding sash windows.

Front elevation only: vertical and horizontal section drawings of the front elevation of both the entrance bay to the left and the full-height canted bay to the right should be submitted for approval, for all levels, i.e. basement, upper ground floor and first floor level, to a scale no less than 1:20.

Front elevation only: Notwithstanding the details shown on Drawing MA053-17B 'Proposed Window Details', an elevation drawing and horizontal and vertical section drawing of the canted bay for the two upper levels (including the sash-windows) should be submitted for approval to a scale no less than 1:10.

A section drawing of the eaves detail of a scale no less than 1:5 should be submitted.

Section drawings of the proposed stairs to the main entrance to a scale no less than 1:10 should be submitted for approval.

The proposed front stairs should be traditionally detailed with tread and

riser in stone or cast stone, and the tread be provided with a traditional nosing.

A sample of the proposed Grey Slate Tiles and ridge tiles should be submitted for approval.

For the front elevation natural slates should be used of either Welsh, Canadian or Spanish provenance. Rivendale Eternit is acceptable for the rear elevation.

Front elevation only: a section drawing of the proposed front garden specifying levels, retaining / boundary walls, lighting and any railings to a scale no less than 1:20 should be submitted for approval.

Front elevation only: A landscaping plan for both 'Basement Floor Garden' and 'Ground Floor Front Garden' specifying any materials for hardstanding, lighting and any planting.

The area for the bin storage should be at a lower level so as to reduce the visual impact of the wheelie bins. The landscaping should include soft planting to the front, e.g. a hedge behind the boundary wall.

Details for any of the proposed railings to the front of the building should be submitted for approval.

Details of the proposed paint and colour for all render detailing should be submitted for approval.

Front elevation only: an elevation drawing showing any external guttering, downpipes and vents should be submitted for approval to a scale no less than 1:50.

Any gutters and downpipes to the front should be in black painted cast aluminium; any external extractor vents should be set behind brick vents.

Details of materials for the rear side infill extension, including the rooflights and the extent to which these would project from the roof, should be submitted for approval.

Details of materials for the conservatory should be submitted for approval.