

Committee	PLANNING COMMITTEE A	
Report Title	53 Bishopsthorpe Road, London, SE26	
Ward	Perry Vale	
Contributors	Rachel Stephenson	
Class	PART 1	7 January 2016

<u>Reg. Nos.</u>	DC/15/93186
<u>Application dated</u>	11 August 2015
<u>Applicant</u>	Mr and Mrs Koval
<u>Proposal</u>	The proposed demolition of two single storey rear projections and the construction of a replacement single storey extension to the rear of 53 Bishopsthorpe Road, SE6, together with the construction of a replacement timber fencing, the installation of replacement front, side and rear windows and the installation of replacement rooflights to the main roof slope.
<u>Applicant's Plan Nos.</u>	Photographs; Design Access and Heritage Statement Rev A received 9 October 2015; Email from Mick Haley dated 13 October 2015; Mumford and Wood Sash Window Sections; Mumford and Wood Casement Window Sections received 13 October 2015; AL(50)003 Rev C; AL(50)004 Rev C; AL(50)005 Rev B; Email from Mick Haley (dated 11 November 2015) received 11 th November 2015; AL(50)002 Rev D; EX(00)001 Rev C received 20 November 2015; AL(50)001 Rev C received 4 December 2015; AL(00)001 Rev N received on 15 December 2015.
<u>Background Papers</u>	(1) LE/175/53/TP (2) Development Management Local Plan (adopted November 2014) (3) Core Strategy (adopted June 2011) (4) London Plan (March 2015)
<u>Designation</u>	PTAL 3 Sydenham Thorpes Conservation Area Sydenham Thorpes Conservation Area Article 4 Direction Not a Listed Building Site of Nature Conservation Importance
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application relates to a two storey semi-detached property located on the northern side of Bishopsthorpe Road, near the junction with Dukesthorpe Road.
- 1.2 The property is one of eight properties of similar character. On the front elevation, they have unique projecting roofslope gables with double storey bow windows. Originally, the windows featured multi-pane timber casements with heavy framing and thick glazing bars on the first floor with similar framing to ground floor casements with one large pane and fanlight above.
- 1.3 The rear elevation features two original single storey rear projections. The rear projections are relatively small and vary in height and depth. The rear projection nearest property no. 55 Bishopsthorpe Road is 1.4m deep and has a pitched roof with 2.85m maximum height and a 2.1m eaves height. The rear projection adjoining property no. 51 Bishopsthorpe Road is 1.5m deep, has a 3.9m maximum height, and an eaves height of 3.1m and 2.8m. The adjoining properties both mirror the size and height of the application site's rear projections.
- 1.4 The property contains white UPVC top and side hung windows to the front, sides and the rear. The front and the side elevations are visible from the public footpath. Other properties on the street predominately have white, timber top hung and side hung windows in the front elevation.
- 1.5 The property also contains seven aluminium clad timber framed Velux roof lights on the front, side and rear roof slopes. They project approximately 120mm above the roof slope.
- 1.6 The rear garden extends approximately 15m from the existing rear projection and is 8.5m wide.
- 1.7 To the rear of the property there is a gated community group area within Mayow Park. They are called Grow Mayow Community Garden Project. However the ground floor is predominantly out of sight due to the vegetation at the rear. The views from the park area surrounding the Community project are screened well by mature trees and vegetation.
- 1.8 The property is within Sydenham Thorpes Conservation Area and is subject to an Article 4 direction, but not in the vicinity of a listed building.

2.0 Planning History

- 2.1 DC/15/92003 - Lawful Development Certificate (Proposed) in respect of the construction of a single storey rear extension, timber clad spa enclosure in rear garden and installation of replacement double glazed timber windows at 53 Bishopsthorpe Road SE26. Withdrawn August 2015.

3.0 Current Planning Applications

The Proposal

- 3.1 The subject application seeks approval for the demolition of two single storey rear projections and the construction of a replacement single storey extension to the rear of 53 Bishopsthorpe Road, SE6, together with the construction of a

replacement timber fencing, the installation of replacement front, side and rear windows and the installation of replacement rooflights to the main roof slope.

- 3.2 The proposed single storey extension would extend the full width of the existing rear elevation. It would extend 2.4m deep from the main section of the property. It would have pitched roof with a maximum height of 3.75m (excluding a 0.6m parapet) and an eaves height of 2.5m.
- 3.3 Six aluminium framed bi-folding doors would be inserted within the rear wall of the extension. It would incorporate an anthracite zinc roof. Six aluminium clad timber framed rooflights would project approximately 40mm above the roofslope.
- 3.4 The rear extension would accommodate a new dining room connecting to the existing kitchen and living room.
- 3.5 The proposed windows are:

Elevation	Floor Level	No.	Proposed Window Style
Front	Ground	W.01	Top hung casement - timber
	Ground	W.03	Top and side hung casement - timber
	1st floor	W.11	Top hung casement - timber
	1st floor	W.12	Top hung casement - timber
	1st floor	W.13	Top and side hung, six pane casement - timber
	Roof	W.21	Flush Conservation Rooflight - Aluminium
Rear	1st floor	W.16	Top hung, six pane casement – timber
	1st floor	W.17	Top hung, six pane casement – timber
	Roof	W.26	Flush Conservation Rooflight - Aluminium
	Roof	W.27	Flush Conservation Rooflight - Aluminium
Side (East)	Ground	W.04	Sliding sash – timber
	1st floor	W.14	Side hung, six pane casement - timber
	1st floor	W.15	Sliding sash - timber
	Roof	W.22	Flush Conservation Rooflight - Aluminium
	Roof	W.23	Flush Conservation Rooflight - Aluminium
	Roof	W.24	Flush Conservation Rooflight - Aluminium
	Roof	W.25	Flush Conservation Rooflight - Aluminium
Side (West)	Roof	W.21	Flush Conservation Rooflight - Aluminium

- 3.6 W.02, a side ground floor window, would not be replaced. All of the proposed replacement windows would be white timber double glazed windows which would replace the existing uPVC windows that are not original. The windows are mainly of casement type, with two sash window to the west side.
- 3.7 All of the proposed replacement rooflights on the main roof slope would be black, aluminium clad timber, flush fitting, conservation style rooflights.
- 3.8 The rear and sides fence would replace the existing timber fence on the north, east and west boundaries to the rear of the property. It would be a traditional timber close board fencing at 1.8m in height. On the western boundary this would be an increase of 200mm in height. The existing height would remain on the eastern boundary.

- 3.9 The scheme has been revised following initial concerns. The rear windows (W.16 and W.17) have been amended so that the frame dimensions of the casement and fixed windows are equal. Replacement main roof rooflights have been amended to be of conservation style. The existing plans have been amended to include the height of the existing fencing. The out-building to the rear has also been removed from the application.

Supporting Documents

- 3.10 The application is accompanied by a Design and Access and Heritage Statement.

4.0 Consultation

- 4.1 No pre-application advice was sought.
- 4.2 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.3 A public notice was displayed, letters were sent to adjoining residents and the application was advertised in the local newspaper for a period of three weeks. Grow Mayow Community Garden Project (located within Mayow Park), Local ward Councillors, and The Sydenham Society were consulted but no objections were received.

Written Responses received from Local Residents and Organisations

The Sydenham Society:

- 4.4 Number 53 Bishopsthorpe Road lies within the Sydenham Thorpes Conservation Area. There is a duty imposed by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision-makers to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. The cohesive nature of the area is a key characteristic. The Sydenham Society believes that the two proposals (a large extension plus a sizeable outbuilding) will greatly reduce the cohesive nature and strong group identity of this part of Bishopsthorpe Road. The Thorpes Estate is covered by an Article 4 Direction which seeks to protect both front and rear elevations in order to maintain a unity of built design in the area.

4.5 *Extension*

- The extension is too large. Given that number 53 Bishopsthorpe Road occupies a generous plot, on the northern side of Bishopsthorpe Road, the Society is of the view that the applicants should be asked to move the western flank wall away from the boundary fence with the adjoining property, 51 Bishopsthorpe Road. Number 51 has been sub-divided into two flats and it is possible that the residents of the flats share the back garden. The residents of the ground floor flat could find themselves feeling "hemmed in" and suffer from a loss of morning light (particularly from October to March) as the proposed extension is to be built on its eastern side.
- The outlook of the residents of the ground floor flat of number 51 would be adversely impacted by this scale of development in such close proximity to their

rear windows. The side wall of this extension would not be an attractive prospect for the immediate neighbours.

- An extension built so close to the neighbouring property will create problems with regard to access for maintenance and repairs. The adjoining householders will have to grant access to their garden for such works in the future.
- UDP Policy HSG12 seeks development which would, amongst other matters, not unduly impinge upon the amenities of neighbours. The Sydenham Society is of the view that this proposed development is not in accordance with this policy.
- There is an over-abundance of rooflights on the rear extension – the doors to the garden are full height and width so there should be enough illumination. Light will shine up in an unneighbourly fashion, unless there are blinds to these rooflights.

4.6 *Plans*

- No application form is shown online; there is difficulty in viewing the plans as they are positioned on a few sheets. It is hard to read the dimensions; there are few details of the proposed materials. There is no separate detailed description; photographs on the large panel are shown at different orientations and are not numbered or labelled.

4.7 *Windows*

- All the windows should be timber framed. The two windows W12 (at the corner of first floor) should have glazing bars dividing each into 6 panes, as in W13, in order to match those seen on most of the other neighbouring properties of this design. (Check window W1 [ground floor] and W11 for type, and glazing bars if needed.)

4.8 *Fencing*

- New fencing – is this higher than the original, especially at the side of the shed? There is the possibility that the long view across the gardens could be lost.

4.9 *Outbuilding*

- Is the pool in the outbuilding resting on the ground, or is it partially sunk? Presumably it will need plumbing and electricity connections. Could it be visible from the public realm (Mayow Park) in the winter months? There is a lack of detail about this building.

4.10 Paragraph S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires preservation of the character or appearance of a conservation area. In the Society's view the proposed development would be in conflict with this policy and should therefore be refused planning consent.

Sydenham Ward Councillor:

4.11 I would like to support the Sydenham Society with the comments – I agree that the extension is too large.

4.12 Since the Sydenham Society's objection, the applicant has removed the outbuilding from the proposed development. Further details have been submitted in regards to the original fencing. A 1.8m high fence would be installed. The height

would be consistent the existing fence on the eastern boundary, and would increase by 200mm on the western boundary.

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 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

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

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

Core Strategy

- 5.7 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 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

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:

DM Policy 30 Urban design and local character
DM Policy 31 Alterations/extensions to existing buildings
DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

Residential Standards Supplementary Planning Document (amended 2012)

- 6.0 Paragraph 6.7 (Rear Extensions) states that when considering applications for extensions the Council will look at these main issues:

- How the extension relates to the house;
- The effect on the character of the area - the street scene and the wider area;

- The physical impact on the host building, and the amenity of occupiers of neighbouring properties;
- A suitably sized garden should be maintained.

6.1 Paragraph 7.4 (Replacement windows) states that when considering applications for window replacements in houses covered by an Article 4 Directions the Council will look at these main issues:

- Replacement windows will be required to be compatible with the character of the Conservation Area in order to obtain planning permission.
- Windows should be the appropriate type for the style and age of building.
- For example the windows of a traditional building should be replaced with traditionally constructed timber sliding sash windows, including glazing patterns and horns, the pattern either found on the windows being replaced or on similar windows in the same street.

7.0 Planning Considerations

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

- a) Design and Conservation
- b) Impact on Adjoining Properties

Design and Conservation

7.2 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.

7.3 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.

7.4 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.

7.5 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. Furthermore, building

materials used should be of high quality and either match or complement the existing development.

- 7.6 DM Policy 31 Alterations and extensions to existing buildings including residential 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.
- 7.7 DM Policy 31 also states that residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property, and retain 50% of the garden area.
- 7.8 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.
- 7.9 The Residential Standards SPD states in section 6.4 that extensions should be smaller and less bulky than the original building and reflect its form and shape. It states that traditionally, extensions to buildings are subsidiary to the main structure and that over-dominant extensions may destroy the architectural integrity of existing buildings.

Rear Extension

- 7.10 The proposed single storey, pitched roof extension is to be constructed of brick and rendered white to match the existing and would replace the original rear projections. It is proposed to measure the full 7.6m width of the dwellinghouse, with a 2.4m depth. Access to the garden will be through new aluminium framed bi-folding doors. An anthracite zinc roof would cover the rear extension with 6 aluminium clad timber framed openable rooflights inserted.
- 7.11 Concern was raised in public submissions that the extension would be too large and would greatly reduce the cohesive nature and strong group identity of this part of Bishopsthorpe Road. This is also discussed in the Sydenham Thorpes Conservation Area Character Appraisal.
- 7.12 The Sydenham Thorpes Conservation Area Character Appraisal identifies 51-65 Bishopsthorpe Road as a principle villa style in the area and details specific design features of the front elevation. The Appraisal states that “the front gardens in general have low boundaries and are highly visible from the street – consequently they make a strong contribution to the character of the area. Although they are more hidden away, glimpsed views of the rear gardens of the houses and in particular of the trees within them are also very important to the calm, suburban atmosphere of the estate.” This highlights that the protection of rear garden viewpoints is an important feature within the area

- 7.13 In regards to modern extensions, the Appraisal raises the point that “the principle source of concern in this respect is the enclosing of recessed porches, which is frequently undertaken in a visually intrusive manner, detracting from the original design of the buildings involved.” This would imply that despite having rear extensions, these buildings continue to make a positive contribution to the special character of the conservation area. An aerial view of side of Bishopsthorpe Road reveals that several of the properties already feature single storey rear extensions, including No.39, 47 and 65. Due to the vegetation which is located to the rear of the site and the mature trees that surround the Grow Mayow Community Garden Project the rear extension would be ‘tucked away’ from public view and would not be readily visible from Mayow Park. The Council’s Conservation Officer has not objected to the proposal on the basis that the ground floor of the rear of the building is not overly visible from the public realm. It would therefore not be reasonable to refuse planning permission on the basis of the loss of this feature
- 7.14 In addition to the above, a suitably sized rear garden (over 50% of the existing) would be retained at the property and all materials used to construct the proposed extension have been chosen to compliment, match or improve the quality of the existing property (e.g. matching render, replacement of UPVC with aluminium framed doors).
- 7.15 Whilst the roof form of the rear extension is contemporary, it is considered to be one that pays homage to the traditional pitched roof form and cleverly seeks to reduce its impact on the host property in terms of its bulk. The maximum height would sit just beneath the first floor window sill. This height would be 50mm lower than the adjoining rear projection at neighbouring property No. 51 Bishopsthorpe Road and one of the site's original rear projections. The height would therefore be considerate to the form present on the application site and of the neighbouring property.
- 7.16 When considering the design of the existing rear projections and the rear garden to be retained (approximately 14m deep), Council officer’s are satisfied that the proposed 2.4m deep rear extension is considered to be of a modest size that is of an appropriate scale and proportion when compared to the existing property. Council officer’s recognise that the proposed extension would have some impact on the appearance of the host dwelling, however the extension is entirely contained to the rear of the property and subordinate to the main dwellinghouse. The impact is not considered to be significant enough to warrant refusal of the application.
- 7.17 Given the above, it is concluded that the proposed extension would not result in any adverse design impact to the subject building and will not adversely impact the character and appearance of the Conservation Area.

Windows

- 7.18 The proposal seeks to replace the existing uPVC windows with white, timber framed, double glazed windows, inserting the proposed windows into the existing openings. All glazing bars, when proposed on a window, would go through the glazing.
- 7.19 On the front elevation the replacement windows (W.13) on the first floor bow would be side hung, six pane windows. The proposed change would include reinstating

the original feature of six pane timber windows where currently there are clear pane UPVC windows. On the ground floor bow (W.03) there would be top and side hung clear windows, which are consistent with the style of the original and neighbouring properties.

- 7.20 Concern was raised in public submissions regarding the design of the windows not matching the group of similar neighbouring properties.
- 7.21 The windows (W.1, W.11 and W.12) on the front elevation would be replaced with top hung clear windows. Due to clear panes on the existing windows and within the group of neighbouring properties, it would not be a feature that detracts from the character of the streetscape. Officers note that the applicant has followed the window design present on the detailed drawing of a property of similar architecture in the Sydenham Thorpes Conservation Area Character Appraisal, p.22. Officers would therefore not object to clear panes on these windows.
- 7.22 At the side, the windows are partially visible from public viewpoints. On this elevation there would be two replacement white timber, top hung sash windows, with a central glazing bar. There would also be one white timber, six pane window. These windows would reinstate the original style and material existing on neighbouring properties.
- 7.23 On the rear, the replacement first floor windows would include top/side hung and fixed, six pane windows. The windows have been amended so that the frame dimensions of the casement and fixed windows would be equal.
- 7.24 Sections have been provided to show the window details. The width of the proposed glazing bars are slim and similar to existing windows in the street.
- 7.25 The windows would be inserted within the existing openings and would replicate the original timber windows in terms of their design, style and colour. The proposed windows are therefore considered to be acceptable in this regard.

Fencing

- 7.26 The rear and side fencing would replace the existing timber fence on the north, east and west boundaries to the rear of the property. It would be a traditional timber close board fencing at 1.8m in height. On the western boundary this would be an increase of 200mm in height. The height would remain on the eastern boundary. The existing side gate would hide the replacement boundary treatment from public viewpoint.
- 7.27 Due to the replacement timber fencing not significantly varying in height and material, the proposal would be considered acceptable. The cohesive nature of the Sydenham Thorpes Conservation Area would therefore retain.

Rooflights

- 7.28 All of the proposed replacement rooflights on the main roof slope would be black, aluminium clad timber, flush fitting, conservation style rooflights.
- 7.29 The Appraisal states that “common alterations include rooflights and roof extensions, which can all detract from the character and appearance of the area.” Whilst officers do encourage the removal of some of the existing rooflights, the

material and flush detail of the replacements would be an improvement of the already existing. A mix of side rooflights are present on the neighbouring properties, including conservation style on No.55 Bishopsthorpe Road. The proposed rooflights would match the adjoining property.

- 7.30 It is considered that the replacement rooflights would enhance the existing property and streetscene within the conservation area and therefore would be acceptable.

Impact on the Amenity Adjoining Properties

- 7.31 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.

- 7.32 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. This was an issue of concern raised in public submissions.

Rear extension

- 7.33 The existing rear projection at the nearest property no. 55 Bishopsthorpe Road is 1.4m deep and has a pitched roof with 2.85m maximum height and a 2.1m eaves height. The rear projection adjoining property no. 51A + 51B Bishopsthorpe Road is 1.5m deep, has a 3.9m maximum height, and an eaves height of 3.1m and 2.8m.

- 7.34 The proposed single storey extension would extend the full 7.1m width of the existing rear elevation. Currently there is a space in between both rear projections, and so the new extension would add an additional 1.7m width. It would extend 2.4m deep from the main section of the property. It would have a maximum height of 3.75m and an eaves height of 2.5m.

- 7.35 The proposal would create an approximate 1m increase in depth on the side neighbouring property No. 55 Bishopsthorpe. In terms of light and overbearing impact, it is felt that the extension would have an impact on neighbouring property No. 55. However, as there would be a 1m distance from the boundary and 1m from the side elevation of No.55, it is considered that there would not be a significant impact to the amenity. There may be some overshadowing, but not an amount significant enough to justify refusal of planning permission.

- 7.36 Concern was raised in public submissions that the close proximity and scale of the proposed ground floor rear extension would cause loss of light, loss of outlook and a sense of enclosure to adjoining property, 51 Bishopsthorpe. Access for maintenance and repairs are not planning considerations and shall therefore not be discussed.

- 7.37 As the proposed depth would protrude 1m and have a 200mm reduced height from adjoining No. 51A + 51B's single storey rear projection, Officers are satisfied that the proposed extension would be a modest size and would not give rise to a significant loss of amenity, in terms of outlook, sense of enclosure or overbearing impact to these adjoining occupiers. It is acknowledged that the extension would result in some loss of daylight. However, the level of change would not be a considerable loss given the orientation of the host dwelling.

7.38 There are no new windows proposed on the side or flank elevations. Officers therefore consider there to be no material impact on privacy.

Windows and Rooflights

7.39 The proposed alterations to the property do not include the creation of any additional or enlarged openings, therefore, there would be no increase in overlooking or loss of privacy.

Fencing

7.40 The height of the proposed fencing would be 1.8m high. Since the height and design would not significantly change, the proposed alterations are considered neighbourly and harm will not arise with respect to amenity impacts.

7.40 In light of the above, the proposed development is considered to be acceptable with regards to neighbouring amenity.

8.0 Equalities Considerations

8.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

8.4 In this matter there is no impact on equality.

9.0 Conclusion

9.1 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) London Plan (March 2015) and the National Planning Policy Framework (2012).

9.2 It is considered that this particular proposal represents an acceptable development as its scale, design and materials are appropriate to the main property and would preserve this part of the Conservation Area and would not have an unacceptable impact on the amenities of the neighbouring occupiers.

9.3 As such, the proposal is recommended for approval, subject to conditions.

10.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:

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

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:

Photographs; Design Access and Heritage Statement Rev A received 9 October 2015; Email from Mick Haley dated 13 October 2015; Mumford and Wood Sash Window Sections; Mumford and Wood Casement Window Sections received 13 October 2015; AL(50)003 Rev C; AL(50)004 Rev C; AL(50)005 Rev B; Email from Mick Haley (dated 11 November 2015) received 11 November 2015; AL(50)002 Rev D; EX(00)001 Rev C received 20th November 2015; AL(50)001 Rev C received 4 December 2015; AL(00)001 Rev N received on 15 December 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.

Informatives

- A. **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.
- B. **Waste Comments:**
There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage

should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments:

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

- C. For the avoidance of doubt, the proposed garden room and guttering referred to in the Design Access and Heritage Statement has not been included within the assessment of this application.