

Committee	PLANNING COMMITTEE A	
Report Title	12 HENGRAVE ROAD, LONDON, SE23 3NW	
Ward	FOREST HILL	
Contributors	JAMES BURTON	
Class	PART 1	18 February 2016

<u>Reg. Nos.</u>	DC/15/094897
<u>Application dated</u>	18/12/2015
<u>Applicant</u>	Mrs L Ceccolini
<u>Proposal</u>	Demolition of existing rear conservatory and balcony, proposed two storey rear extension, addition of pitched roof dormers to the side (east) and rear existing roof pitches, replacement of timber sash windows, installation of rooflights and modifications to existing fenestration on side and rear elevations at 12 Hengrave Road, SE23.
<u>Applicant's Plan Nos.</u>	095/02/01 Rev P01, 095/02/02 Rev P03, 095/02/22 Rev P02, 095/02/10 Rev P03, 095/02/20 Rev P02, 095/02/24 Rev P02, 095/02/26 Rev P02, 095/02/28 Rev P02, 095/02/11 Rev P04, 095/02/12 Rev P04, 095/02/13 Rev P04, 095/02/14 Rev P04, 095/02/21 Rev P04, 095/02/23 Rev P04, 095/02/25.1 Rev P04, 095/02/27 Rev P04, 095/02/29 Rev P03, Design & Access Statement (December 2015, Red Squirrel Architects Ltd), Lindum Sedum Plus Mat Technical Specifications.
<u>Background Papers</u>	(1) Case File LE/52/12/TP (2) Core Strategy (2011) (3) Development Management Local Plan (2014) (4) The London Plan (2015, as amended)
<u>Designation</u>	Not in a Conservation Area Not a Listed Building Unclassified
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application site is located on the southern side of Hengrave Road and comprises a four storey detached house adjoining the eastern boundary and a

dilapidated single storey garage building adjoining the western boundary. The property is afforded a generous rear garden to the rear (south) of the property.

- 1.2 The dwelling features a hipped and gabled roof, with paired chimney stacks on both its flanks. The dwelling is laid out with a part lower ground floor which provides access to the rear garden, ground floor which includes the primary access to the property and a conservatory to the rear, a first floor, as well as a second floor located within the roof. Save for the conservatory and external staircase to the rear, the property is substantially intact in its original form.
- 1.3 Due to the gradient of the application site, the property is sited substantially below the adjoining property to the West (number 10) and above the properties to the East (number 14) and South (on Bowmans Lea). Given the curvature of Hengrave Road, both the front (Northern) and Eastern side elevations are prominent when viewed from the public realm.
- 1.4 The site is not located within a Conservation Area, nor is it subject to an Article 4(2) Direction. The immediately surrounding area is residential in character and comprised of a mix of detached, semi-detached and terraced properties.

2.0 Planning History

- 2.1 DC/16/095250: Demolition of existing garage outbuilding and construction of new single storey outbuilding to side of No.12 Hengrave Road.
- 2.2 Pending consideration, received by Council on the 22nd of January 2016

3.0 Current Planning Application

The Proposal

- 3.1 This application as originally submitted was for the demolition of the existing rear conservatory and balcony, erection of a proposed two storey rear extension, addition of pitched roof dormers to the side (east) and rear existing roof pitches, replacement of timber sash windows and modifications to existing fenestration on side and rear elevations.
- 3.2 It was considered by officers that the development would benefit from minor amendments such as the design of window treatments, including the installation of obscure glazing to second floor windows on the western side and retention of circular windows on the eastern side.
- 3.3 The current proposal, including the revisions, is described in detail below.
- 3.4 At the rear of the property, the existing conservatory would be demolished, and be replaced by an extension at both lower ground and ground floor level. The extension would be formed of two parts, the smaller part which would be set in 0.6m from the Western flank of the existing building, and would have a depth of 5m and height of 5.8mm. The larger part of the extension, which would span 6.7m in width, would have a total height of 6.4m. The extension would generally be in keeping with line of the existing Eastern flank, save for a part cantilevered balcony and associated canopy. Both parts of the proposed two storey extension would have flat, stepped living roofs. The proposed extension would include additional

living spaces on the lower ground floor, as well a gallery, library and balcony at the (raised) ground floor level.

- 3.5 Works to the rear elevation also include the installation of a new timber framed window at first floor level, in keeping with the design of the existing windows at this level.
- 3.6 To the roof, two gabled roof dormers would be created, one to the rear of the property, and the other at the East of the property between the two existing chimney stacks. The proposed dormers would have slate tile gable roofs, render finish cheeks and feature timber framed windows.
- 3.7 Modifications to windows on the Eastern elevation include a small low level window providing light to the Sauna on the lower ground floor, and a new timber framed window for the dining room at ground floor level. The existing circular windows on this elevation are to remain. Alterations to the Western elevation are limited to replacement of timber sash windows on the second floor, which would include obscure glazing to the lower panels.
- 3.8 As part of the proposal works to the roof would include two additional roof lights in the rear elevation. It is noted that these roof lights have already been installed.

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.
- 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 site notice was displayed and letters were sent to residents in the surrounding area and to the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

The following representations were received from local residents;

4.3.1 9 Bowman's Lea

Grounds for objection:

- That the proposed extension will adversely impact on the privacy of the properties to the rear from overlooking.
- That the proposed extension is overly bulky.

4.3.2 10 Hengrave Road

Grounds for objection:

- That the proposed extension would result in a loss of outlook, and create a sense of enclosure from the rear of the property at 10 Hengrave Road.
- That the proposed extension would harmfully effect the availability of natural light to the rear of the property at 10 Hengrave Road.
- That the extension would reduce the privacy of the rear of the property at 10 Hengrave Road.

4.3.3 10 Bowmans Lea

Grounds for objection:

- That the proposed rear dormer and two storey extension will adversely impact on the privacy of the 10 Bowmans Lea.
- That the proposed extension is overly bulky.

4.3.4 8 Bowmans Lea

Ground for objection:

- That the design of the proposed extension is out of character with the host property and its surrounds.
- That the proposed extension is larger than the existing conservatory extension.
- That the proposed extension will adversely impact on the privacy of the rear of 8 Bowmans Lea.
- That the proposed extension, by virtue of its materiality may result in increased potential for reflected sunlight to the property at 8 Bowmans Lea.

4.3.5 14 Hengrave Road

Comment:

- While not specifically objection to the proposed development residents have raised concerns that should the existing garage be removed and not replaced by an alternative structure which provides a screen, that the proposed extension may harmfully impact on the privacy of 14 Hengrave Road from overlooking.
- Similarly, it was noted difficulty in assessing the degree of impact from the proposed plans, but are concerned about possible overlooking from windows in the Eastern side elevation (including within the proposed dormer extension).

Note: Although the Council is in receipt of an application for works to the garage building on the site, these works are not part of this application and are not considered by this report.

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 any determination under the planning acts must be made in accordance with the development 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 that (paragraph 211), 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

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)

5.5 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 7.5 Public Realm
Policy 7.6 Architecture

Core Strategy

5.6 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together 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

Development Management Plan

- 5.7 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 Core Strategy and the London Plan is the borough's statutory development plan. The following policies are relevant to this application:-

DM Policy 1 Presumption in favour of sustainable development

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

Residential Standards Supplementary Planning Document (August 2006, updated 2012)

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

6.0 Planning Considerations

- 6.1 The relevant planning considerations are the impact on the design and appearance of the existing building and whether the amenity of neighbouring properties is affected.

Design & Appearance

- 6.2 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.
- 6.3 Core Strategy Policy 8 states that the Council supports and encourages the retrofitting of energy saving and other sustainable design measures in existing housing and other development.
- 6.4 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.

- 6.5 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.
- 6.6 DM Policy 31 states that the Council will expect alterations and extensions to be of a high, site specific, and sensitive design quality and respect and/or complement the form, setting, period, architectural characteristics and detailing of the original building. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.7 Chapter 6 of the Residential Standards Supplementary Planning Document (August 2006) sets out Council's expectations for the design of householder extensions. Rear extensions should reflect and enhance the appearance of the house and be smaller and lower than the original building. Roof extensions should be sensitively designed to retain the architectural integrity of the building and be subordinate to the principal elevations. While the use of traditional building materials is encouraged, modern materials are supported in appropriate circumstances.
- 6.8 The proposed modifications to windows (including roof lights) are not considered to have any impact on the appearance of the building when viewed from the street. The applicant has taken on board the advice of the Council in retaining circular windows to the Eastern side elevation, and altering the design of windows on the rear and both side elevations to be more sympathetic to the host dwelling. It is also acknowledged that as the site is not located within a conservation area or subject to an Article 4(2) direction the proposed modifications to windows could be undertaken as permitted development.
- 6.9 As the existing conservatory at the rear of the property is considered to be a modern addition of little architectural value officers have no objection to its demolition and removal.
- 6.10 The conservatory would be replaced at the rear of the property by a two storey modern extension. The proposed extension would have render finished walls and feature exposed steel as part of the design of the balcony and awning. It would also feature elements of structural glazing as well as sliding timber screens on the rear elevation. The stepped roofs of the extension would have a living roof which incorporates various species of Sedum. The proposed extension is considered by officers to be of high quality architectural design.
- 6.11 The proposed extension, while significant in terms of its scale and proportions, is considered to remain subordinate the original dwelling. The modern architectural detailing of the extension contrasts to the Victorian character of the existing dwelling. The interface between the old and new is appropriately softened by the use of a structurally glazed linkage. Overall the proposed rear extension is considered to be appropriate in scale, massing and design.
- 6.12 Of the two proposed dormer extensions, only the one on the eastern side will be visible from the public realm. Given its proportions, setback and siting between two existing chimney stacks, it is considered its impact on the street scene would be minimal. The proposed dormers would have slate tile gabled ended roofs with

feature timber framed windows. Although these dormer extensions were originally designed to have render finished cheeks, the applicant has at the request of officers, agreed to a planning condition which will require that the cheeks be instead clad with traditional lead flashing. Through the implementation of this condition the dormers would respect the architectural integrity of the roof, materiality of the host building and represent high quality design as required by policy.

- 6.13 Overall, the proposed works to the dwelling reflect the character of the dwelling and introduce a complimentary modern aspect thereby resulting in a sympathetic and high quality modification to the dwelling.

Impact on Adjoining Properties

- 6.14 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.
- 6.15 DM Policy 30 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.
- 6.16 Paragraph 2.13 of the Residential Standards Supplementary Planning Document advises there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. The SPG also states that the minimum distance between habitable rooms on the main rear elevation and the rear boundary, or flank wall of adjoining development, should normally be 9 metres or more.
- 6.17 The proposed development is not considered by officers to have any harmful impact on the privacy of neighbouring properties.
- 6.18 Regarding the rear, the extension, and its outer balcony is at its closest point sited 18.5 meters from the boundary of properties on Bowmans Lea. Additionally the extension would be greater than 35 meters from rear facing windows on adjacent properties. The rear facing dormer window is set within the existing roof, and therefore at an even greater distance from the properties than those described above. These dimensions exceed the expectations of the Residential Standards SPG, and even given due consideration of the sites topography the development is not considered to have harmful privacy impacts to the rear.
- 6.19 To the east of the application site, the modifications to windows do not introduce any harmful sightlines into the adjoining property. Given the curvature of Hengrave Road, the addition of a dormer in the eastern roof slope would have views primarily of the public realm. To the west, no new sightlines would be created into adjoining properties. The applicant has, at the request of officers, agreed that the replacement windows on the western side be fitted with obscure glazing to the lower panels of the windows. This would create a material increase in the privacy of the adjoining properties to the west, and still allow sufficient light for habitable rooms within the roof. Should this application be approved, it is recommended that a condition require this obscure glazing to be installed as per the submission drawings, and remain in perpetuity.

- 6.20 In order to protect neighbouring amenity, officers recommend a condition be placed on any planning permission that stipulates that flat green roof areas shall not be used as amenity living spaces and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- 6.21 Given the location of the proposed extension within the site, impacts of loss of natural light and from loss of outlook would be felt only from the adjoining property to the West, number 10 Hengrave Road. By virtue of the design of the extension, as well as the site context, it is not considered that the impacts would cause considerable harm such as to constitute a reason for refusal. The proposed extension has been set in and stepped down from the adjoining property, which as it exists, is higher than the application site. This means that potential overshadowing has been minimised.
- 6.22 Further, it is noted that number 10 Hengrave Road benefits from its own modern extension with a depth of approximately 3.5 meters. Officers are in receipt of a plan prepared by the applicant which clearly illustrates that the loss of outlook would be marginal.
- 6.23 Further to the above, it is noted that the impacts on number 10 Hengrave Road, both from overshadowing and loss of outlook are diminished by the existence of two semi-mature trees which, particularly in warmer months, would screen the extension from view, and provide shading to the rear garden setting.
- 6.24 The proposed extension is not considered likely to cause any significant refracting or glare of light to disturb neighbouring amenity. Although the rear elevation features glass sliding doors and windows these are partially shielded by sliding timber screens, and protected from direct sunlight by the overhanging awning (ground floor) and balcony (lower ground floor).
- 6.25 As described above, and through the use of appropriate planning conditions, the proposal would not be expected to have a significant adverse impact on the amenity of neighbouring residents and therefore the proposed works are consistent with Core Strategy Policy 15 and DM Policy 30.

7.0 Equalities Considerations

- 7.1 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.
- 7.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.3 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.
- 7.4 It is considered that the proposed change of use of 51 Bargery Road would assist in providing equality of opportunity in terms of childcare in the Borough, and there is therefore no adverse impact on equality issues.

8.0 Conclusion

- 8.1 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).
- 8.2 In summary, the proposed works are considered to be appropriate in its scale, form and materials and to preserve the character and appearance of the dwelling in accordance with DM policies 1, 30 & 31 and Core Strategy Policies 8 & 15

8.0 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:

095/02/01 Rev P01, 095/02/02 Rev P03, 095/02/22 Rev P02, 095/02/10 Rev P03, 095/02/20 Rev P02, 095/02/24 Rev P02, 095/02/26 Rev P02, 095/02/28 Rev P02, 095/02/11 Rev P04, 095/02/12 Rev P04, 095/02/13 Rev P04, 095/02/14 Rev P04, 095/02/21 Rev P04, 095/02/23 Rev P04, 095/02/25.1 Rev P04, 095/02/27 Rev P04, 095/02/29 Rev P03, Design & Access Statement (December 2015, Red Squirrel Architects Ltd), Lindum Sedum Plus Mat Technical Specifications.

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) Notwithstanding the plans, drawings and documents detailed in Condition 2, all proposed dormer cheeks shall be externally finished with lead flashing.

No development shall commence on site until a detailed schedule and sample of the proposed lead flashing to be used on the dormer cheeks 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.

- 4) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

Reason: To protect neighbouring amenity in accordance with Core Strategy Policy 15.

- 5) Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the Western elevation of the building hereby approved shall be fitted as obscure glazed in accordance with Drawing No 095/02/27 Rev P04 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 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014)

INFORMATIVES

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.