

Committee	PLANNING COMMITTEE	
Report Title	1 Tressillian Crescent, London, SE4 1QJ	
Ward	Brockley	
Contributors	Andrew Harris	
Class	PART 1	3 rd May 2016

Reg. Nos. (A) DC/15/93357

Application dated 03.09.15

Applicant Mr Gregory Berthier

Proposal Alterations to the existing boundary wall fronting the highway to form a driveway entrance with brick piers at 1 Tressillian Crescent SE4, together with the provision of a hard standing / driveway to the front and the insertion of railing fencing along the boundary wall.

Applicant's Plan Nos. Design and Access Statement, 14057 – SV – 02, 14057 – PL – 01 G, 14057 – PL – 01 rev I, 14057 – PL – 02 rev H

Background Papers (1) Case File DE/93/1/TP
(2) Local Development Framework Documents
(3) The London Plan

Designation Brockley Conservation Area

1.0 Property/Site Description

1.1 The application property comprises a detached three storey (plus basement) double fronted villa, located on the northern side of Tressillian Crescent, and which has been converted into two self-contained properties. The street is mainly comprised of three storey detached and semi-detached properties consisting of both single dwellinghouses and converted flats.

1.2 The property falls within the Brockley Conservation Area, is not listed although does fall within an area covered by an Article 4 direction. However following the conversion into two separate flats, the property no longer benefits from permitted development rights.

2.0 Planning History

2.1 DC/93/1/TP for the use of 1 Tressillian Crescent SE4 as a self-contained maisonette and separate basement flat is lawful – Approved (30.08.1994).

2.2 DC/14/88405 the formation of a vehicular crossover at 1 Tressillian Crescent SE4 – Approved (07.10.2014).

3.0 Current Planning Applications

The Proposals

- 3.1 The application seeks planning permission for alterations to the front boundary wall to 1 Tresscillian Crescent.
- 3.2 The application seeks the installation of new black steel railings, which would be set into the existing wall. Where necessary, the wall will be repaired with high quality brickwork to match existing. The total height of the boundary wall, incorporating those railings would be 1.5 metres high at its highest point. This has been revised from 1.8 metres, following comments from the Conservation Officer.
- 3.3 The application proposes a 2.65 metre wide opening within the boundary wall to enable the creation of a new driveway. The position of this opening, amended following the initial submission, is located to the far right side of the property to allow an area of landscaping and planting adjacent to the footpath entrance to the property. The drive will be in bonded gravel (permeable) and paving in brick paviors.
- 3.4 The applicant has removed a gate across the driveway from the proposals.

Supporting Documents

- 3.5 The application is accompanied by the following documents:
- Design and Access Statement

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.3 The Brockley Society objected to the proposal, stating that it would seriously detract from the appearance of the property and would be detrimental to the appearance of the conservation area in a prominent position. They also queried the necessity of the proposal, stating there is currently ample on-street parking in the immediate vicinity. They disputed the relevance of the properties cited as having off road parking, stating some of these occurred before the conservation area was established. The Society also stated that off-road parking for the property would be better positioned adjacent to the garage next to 1 Drake Road.
- 4.4 Objections to the scheme were received from two residents. These are summarised below:
- The installation of railings would result in an imprisoned feeling for the neighbouring front garden.

- There is currently plenty of on-street parking on Tressillian Crescent.
- A dropped kerb would mean no residents, other than the applicant, would be able to park outside the property.
- The insertion of a structure greater than currently present would destroy the open sight lines from the frontage of No. 3 Tressillian Crescent.

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 2016)

- 5.6 On 14 March 2016 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 7.4	Local character
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:

Spatial Policy 1	Lewisham Spatial Strategy
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 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

- 5.10 This document advises on the content of planning applications, and gives advice on external alterations to properties. It lays out advice on repairs and maintenance and specifically advises on windows, roof extensions, satellite dishes, chimneystacks, doors, porches, canopies, walls, front gardens, development in rear gardens, shop fronts and architectural and other details. It also sets out detailed guidance on the limited development that will be accepted within Brockley Mews - mainly within Harefield Mews.

6.0 Planning Considerations

- 6.1 The main planning considerations for the proposal are the on Design and Conservation impacts in relation to the Brockley Conservation Area, the street scene and the existing building, as well as the impact on Highways.

Design and Conservation

- 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 contributions to local character and distinctiveness.
- 6.3 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.
- 6.4 Local Plan DM Policy 31 states that 'planning permission will not be granted unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape, and is sensitive to the setting of heritage assets'.
- 6.5 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. Therefore there would be no objection in principle to alterations to the front garden or boundary treatment, provided they preserve the character and quality of the Conservation Area.
- 6.6 The scheme has been amended since its initial submission, following feedback received from the Council's Conservation Officer. This has resulted in the width of the driveway opening and associated hard standing being reduced from 3.05m to 2.65m, as it was felt this would provide adequate room for the ingress and egress of a modern car, in addition to lessening the impact of the hard standing.

- 6.7 The positioning of the proposed opening and hard standing was also altered, being relocated to a more central position within the southern front garden plot. This has allowed for soft landscaping on both sides of the hard standing, again lessening overall the impact of the hard standing on the application property and street scene. This supports the aims of DM Policy 31.
- 6.8 The proposed railing have been amended following concerns from both the conservation officer and local residents in regard to height, with the typical height of said railings now being confirmed at 1.5m by the applicant. In addition, a previously proposed gate for the driveway has been removed in order to break up the appearance of the principle elevation.
- 6.9 At present, the existing boundary wall and piers are in poor condition, with part of the wall having fallen away and the original railings having been lost. Following amendments made, the Conservation Officer noted that the proposal sympathetically rehabilitates the walls and piers and reinstates railings of a historically authentic form due to the railing being set into the existing wall and formed in black painted steel. As such the aesthetic quality of this part of the designated area is enhanced as a result and there is no objection in terms of Policy DM36.
- 6.10 Paragraph 134 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should weighed against the public benefits, including securing its optimum viable use. Therefore the harm of the proposed railings and works to the wall would be minor when taken together with the restoration and improvements to be made to the boundary wall as a whole.
- 6.11 Multiple other properties located within Tressillian Crescent have dropped kerbs, including No. 3 directly adjacent. Therefore in terms of a Design and Conservation perspective, the incorporation of a dropped kerb to the application property is acceptable.
- 6.12 DM Policy 31 seeks to protect residential amenity where alterations are proposed. The proposed development would result in no significant harm in respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy and general noise/disturbance for neighbouring properties.
- 6.13 It should also be noted that the application site already benefits from approval of permission for a similar scheme in relation to the formation of a vehicle crossover (DC/14/88405). This scheme was approved on 28/08/15. Although not assessed in the previous iteration, the proposed area of hard standing has been significantly reduced within the new proposal, with the total proposed coverage now being approximately 18m² where previously it was approximately 35m². The previous application received no objections from either the Brockley Society or any neighbouring properties, all of whom were notified. Therefore the principle of the dropped kerb has already been determined to be acceptable.

Highways and Traffic Issues

- 6.14 Core Strategy Policy 14 and Policy DM29 states that a managed and restrained approach to car parking provision will be adopted to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities.

- 6.15 The proposal includes the provision of one off-street parking space, which will compensate for the loss of an on-street space. It is noted that the objections raised by both the Brockley Society and neighbouring parties indicate there is a large amount of available on-street parking. Therefore impact of the loss of one space can be seen as minimal at best in relation to parking pressure for the street.
- 6.16 The proposed driveway/hard standing and related crossover would benefit from good visibility onto the nearby junctions onto Drake Road and Tressillian Road. The property is not located on a red route.
- 6.17 Highways officers have found that the principle of a vehicle crossover to be unobjectionable, subject to details of Sustainable Urban Drainage Systems (SUDs) in the front garden to ensure water doesn't run onto the Public Highway. The applicant has confirmed that the material of the new driveway/hard standing itself would be in permeable bonded gravel and in brick paviors. This is supported.
- 6.18 Multiple other properties within the street have dropped kerbs. It is therefore considered that the insertion of a dropped kerb is acceptable and would result in no highways or traffic safety issues.

7.0 Conclusion

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 7.2 It is considered that the works to the boundary wall would preserve the character and appearance of the conservation area and are acceptable. Therefore, it is recommended that the planning permission be granted for the proposals as amended, subject to the conditions listed below.

RECOMMENDATION - GRANT PERMISSION subject to the following conditions:

1. Full Planning Permission Time Limit

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 granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2. Develop in Accordance with Approved Plan

The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

14057 – PL – 01 rev I, 14057 – PL – 02 rev H

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. Materials/Design Quality

No new external finishes, including works of making good, shall be carried out other than in materials to match the existing.

Reason: To ensure that the high design quality demonstrated in the plans and submission is delivered so that 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.

Informatives

The following informative(s) should be added to the decision notice:

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.