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| Committee    | PLANNING COMMITTEE A              |                               |
| Report Title | 18 GLENTON ROAD, LONDON, SE13 5RS |                               |
| Ward         | BLACKHEATH                        |                               |
| Contributors | Russell Brown                     |                               |
| Class        | PART 1                            | 1 <sup>st</sup> December 2016 |

|                              |   |
|------------------------------|---|
| <u>Reg. Nos.</u>             | DC/16/098361  |
| <u>Application dated</u>     | 09.10.2016  |
| <u>Applicant</u>             | Mr A & Mrs M Shannon  |
| <u>Proposal</u>              | The construction of a single storey extension with a balcony to the rear of 18 Glenton Road, SE13, together with alterations to the side elevation in connection with the re-conversion of the property into a single family dwellinghouse. |
| <u>Applicant's Plan Nos.</u> | 1610.01; 1610.02; 1610.03; 1610.04; 1610.05; 1610.82; Site Location Plan; Heritage, Design & Access Statement Received 10th October 2016<br><br>1610.111; 1610.113; 1610.114; 1610.115; 1610.116 Received 9th November 2016                 |
| <u>Background Papers</u>     | (1) Case File LE/742/18/TP<br>(2) Core Strategy (June 2011)<br>(3) Development Management Local Plan (November 2014)<br>(4) London Plan (March 2016)  |
| <u>Designation</u>           | Blackheath Conservation Area  |
| <u>Screening</u>             | N/A   |

## **1.0 Property/Site Description**

- 1.1 The application site is on the south side of Glenton Road, which is a curved street linking Brandram Road to the east with Lee High Road (A2142) to the south. It also shares junctions with Callaghan Close to the south west of the application site and Celestial Gardens to the west, which is a gated community.
- 1.2 The property itself is a three storey plus lower ground floor semi-detached property split into two flats, of which the applicants currently live in the upper. It features a front lightwell, a low, multi-pitched slate roof, a slightly recessed front door with fanlight surrounded by decorative stucco and heavily stuccoed upper ground floor windows, which are timber sashes like on the rest of the front elevation. It was built in yellow London stock brick with three stone steps up to the front door, a hard paved driveway with space for one vehicle and timber boundary fences. The property also benefits from a dropped curb and a large rear sloping garden, currently split into two, accessed via the side gate.

- 1.3 Most of the upper ground floor to the rear of the property is visible from the east side of Brandram Road near the post box. The rear elevation features a non-original railings and a shallow balcony with french doors leading out onto it.
- 1.4 The site is within Blackheath Conservation Area, not subject to an Article 4 direction, nor is it a listed building. The Grade II listed Merchant Taylor' Almshouses are in the vicinity of the site. The site has a PTAL rating of 3.

## **2.0 Relevant Planning History**

- 2.1 DC/16/097368: The construction of a single storey extension with a balcony to the rear of 18 Glenton Road, SE13 in connection with the re-conversion of the property into a single family dwellinghouse. **Withdrawn on the advice of Officers.**

## **3.0 Current Planning Application**

- 3.1 Planning permission is sought for the construction of a single storey extension to the rear (south) of the site as well as the installation of a new window and the partial infilling of a door opening to form a window, both at upper ground floor level to the side elevation. These changes would help facilitate the conversion of the two flats into a single family dwellinghouse.
- 3.2 The proposed extension would form the boundary with no. 16, but would be 2.25m from the boundary with no. 20. It is to measure 6.3m wide by 3m deep by 2.8m high with a flat roof. The railings above would remain as existing.
- 3.3 The extension would feature two rear doors with high level windows above, which would lead onto a raised area finished in paving or decking, and there would be a full height glazed panel to the side (east) elevation in addition to walk-on glass to replace the concrete balcony.
- 3.4 The materials proposed are yellow London stock brick to match for the external walls and timber frames for the windows and slim line conservation type doors.
- 3.5 The application also proposes a raised area finished in paving or decking, but this is not more than 300m and therefore does not require planning permission.

## **4.0 Consultation**

- 4.1 No pre-application advice was sought.
- 4.2 The Council's consultation met the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.3 Site and public notices were displayed and letters were sent to seven adjoining residents, Blackheath Ward Councillors, the Blackheath Society and the Council's Conservation Officer.

### Written Responses received from Local Residents and Organisations

4.4 Three objections were received raising the following concerns:

- The use of large aluminium windows, which are not in keeping with the rear elevations of the rest of Glenton Road, the use of glass balustrade given all the other houses have cast / wrought iron railings and the size of the extension.
- Modernising the balcony would ruin the cohesive rear elevations of these historic 'Pagoda Villas' houses and the proposed development is out of scale and out of keeping with the other houses in this Conservation Area.
- The proposed extension is functionally unnecessary.
- A structural survey has not been carried out despite an acknowledged history of subsidence at nos. 16 and 18. This should be done and the risks assessed before designing the extension and applying for planning permission.
- The risk of burglary and trespass at nos. 16 and 18 is increased by the flat roof to the extension, which would provide access to the upper ground and first floors.
- The 3m deep by 2.8m high extension would overshadow the lower ground floor and patio of no. 16 for most of the mornings for half of the year.
- There is no provision for extraction from the proposed kitchen area, and if this were sited on the boundary, then it would inflict noise and nuisance.
- The proposed design of the extension roof allows for its potential use as a roof terrace, especially given the easy egress via the existing french doors.
- If permitted, this extension could set a precedent for similar development, which could destroy rear views of Pagoda Villas and exacerbate social tensions through noise, disruption and overlooking.

The Blackheath Society also objected, raising the additional comments below:

- The design of the proposed extension seems to be quite out of keeping with the existing property given the excessive glazing and flat roof. There is also a lack of detail about the brickwork on the side elevations.
- It appears that the balcony would be at a different height to those on adjoining properties, which would considerably damage the integrity of this pair of buildings together with the above.
- Not being visible from the street is not justification for granting permission for an unsuitable structure.

Copies of letters are available for Members to view.

## **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 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, Development Plan Document (DPD) (adopted in June 2011), DMLP (adopted in November 2014) and policies in the London Plan (March 2016). 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

- 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 7.6 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 the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 5 Areas of Stability and Managed Change  
Core Strategy Policy 15 High quality design for Lewisham  
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

### Development Management 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 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  
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 (updated May 2012)

- 5.9 Paragraph 6.2 (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.
- 5.10 Paragraph 6.4 (bulk and size) advises that extensions should be smaller and less bulky than the original building and reflect its form and shape. Traditionally, extensions to buildings are subsidiary to the main structure. Over-dominant extensions may destroy the architectural integrity of existing buildings and may be out of character with adjacent buildings.

### Blackheath Conservation Area Character Appraisal and SPD (March 2007)

- 5.11 The Blackheath Conservation Area is one of the most important in the borough and is also part of the Buffer Zone for the UNESCO World Heritage Site of Maritime Greenwich. The settlement dates from at least the 12th century, many of the standing buildings date from the 1790s onwards. The significance of the area lies in the critical mass of well preserved historic housing and the intimate relationship with the famous open space.
- 5.12 The application site is located in Character Area 13: Quentin Road, Belmont Park, Dacre Park, Eton Grove, Kingswood Place, St Margaret's Passage, Brandram Road and Glenton Road. It states that the building makes a positive contribution.

## **6.0 Planning Considerations**

- 6.1 The relevant planning considerations are principle of development, the impact of the proposal on the character and appearance of the existing building, on the Blackheath Conservation Area and on the amenities of neighbouring occupiers.

### *Principle of development*

- 6.2 Housing is a priority use for all London boroughs with the need for family-sized dwellings being particularly acute in Lewisham.
- 6.3 As such, the re-conversion of this property back into a single family dwellinghouse is supported by Officers and outweighs the loss of a two bed, four person unit. However, this is subject to design, impact on the Conservation Area and neighbouring amenity issues, which will all be assessed later in the report.

### *Design and conservation*

- 6.4 NPPF Section 7 Requiring good design states that the Government attaches great importance to the design of the built environment.
- 6.5 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.
- 6.6 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.
- 6.7 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 Historic England best practice.
- 6.8 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. DM Policy 31 Alterations and extensions to existing buildings including residential extensions 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. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.9 DM Policy 36 states that the Council will require a statement that describes the significance of the asset and its setting and an assessment of the impact on that significance for development proposals affecting heritage assets. Also required is clear and convincing justification if the significance of an asset may be harmed or lost through physical alteration or destruction, or development within its setting. The Council will not grant planning permission where:

- a. alterations to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials; or
- b. development, which in isolation would lead to less than substantial harm to the building or area, but cumulatively would adversely affect the character and appearance of the Conservation Area.

- 6.10 Officers had informal discussions with the agent and applicant leading to the withdrawal of the previous application. Since then, and also within this application, the following changes have been made: the depth of the extension has been reduced by 50cm, the railings to the balcony have been retained, the balcony would not increase in depth, the glazing pattern of the fenestration has been changed and the amount of glazing has been reduced, thereby improving the solid-to-void ratio.
- 6.11 In terms of the extension itself, its dimensions are considered to be relatively modest, and within the limits for permitted development were the property able to benefit from those rights. As such, and given the property is four storeys at the rear, the extension is considered to be subordinate to it.
- 6.12 The options for the roof form of the rear extension are somewhat limited by the height of the existing balcony and railings, the latter of which would remain as existing, 2.7m off ground floor level. As such, it is considered that the flat roof is the most appropriate option and a multi-pitched roof in an attempt to mimic that of the host property would not be appropriate and result in a bulkier appearance.
- 6.13 It is recognised that the design of the rear extension is contemporary, which is supported by Council policies. A 'pastiche' approach would not be encouraged; rather an extension that draws certain elements from the main building and re-interprets them in a modern style would be acceptable in principle.
- 6.14 The use of yellow London brick would closely match the host building and the design of the rear doors relates well to the critical style horizontal and vertical glazing bars of the upper floor windows with fanlights to match. They are wider than the french doors above, but would allow for natural light into the new space without the need for rooflights, although there is walk-on glass in the roof of the extension closest to the rear elevation of the main property. Its design is therefore considered to complement the form of the host building and would have an acceptable relationship with it.
- 6.15 The new windows to the flank elevation are to be timber framed, which is a traditional material widely seen in Conservation Areas and therefore appropriate in this sensitive context. A material has not been specified for the roof, but the agent has agreed for this to be finished in lead and it shall be secured by condition. As such, it is considered that the materials proposed respect and compliment the form, period, architectural characteristics and detailing of the original building. Following the revisions to the application, the Council's Conservation Officer does not now raise an objection to the proposals.
- 6.16 The proposal would result in the rear garden being made smaller, although it would still leave a reasonably sized garden of at least 15m deep in line with paragraph 3.10 of the Residential Standards SPD that states that residential gardens should be 9m deep.

- 6.17 The installation of a new window and reduction of an existing door opening to facilitate the installation of another is considered acceptable as long as they are both timber framed sashes. This shall be secured by an appropriate condition.
- 6.18 The proposed scale, form, design and materials proposed for the rear extension are considered by Officers to be of a high quality and appropriate for the building and the Blackheath Conservation Area. As such, the proposal complies with Core Strategy Policies 15 and 16, DM Policies 30, 31 and 36, paragraphs 6.2 and 6.4 of the Residential Standards SPD and the Blackheath Conservation Area Character Appraisal and SPD.

*Impact on the amenity of neighbouring occupiers*

- 6.19 Core Strategy Policy 15 for Areas of Stability and Managed Change states that any adverse impact from small household extensions on neighbouring amenity will need to be addressed.
- 6.20 DM Policy 31 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.
- 6.21 The extension is not considered to have any significant impact on the amenities of the property to the east, no. 20, given that the rear extension would be 2.8m high at 2.25m off the boundary. The proposed strip of 2.35m high vertical glazing would be fixed and whilst the upper 80cm of it would be visible over the boundary fence, it is not considered to be significantly worse given the existing situation.
- 6.22 With regard to the impact upon No. 16, the proposals would not have any significant impact on noise, or privacy as the flank elevation does not comprise any openings, but the proposals but be assessed in terms of the impact on daylight, overshadowing and outlook.
- 6.23 It is recognised that the extension would be visible looking eastwards from the lower ground floor of no. 16, but given that these properties benefit from large, wide and deep gardens and that outlook would not be affected from the upper three storeys, it is not considered that this effect would be significant enough to warrant refusal of this application.
- 6.24 The extension would be located on the boundary with no. 16 at a height of 2.8m, although given the modest depth of 3m, the impacts upon daylighting are not considered to be adverse as to warrant the refusal of planning permission especially as these gardens face south.
- 6.25 The provision of two new windows in the side (east) elevation of the extension would not add to overlooking given the existing situation of overlooking from the existing windows (two at lower ground, one at first and three at second floor level), which are 4m away from the flank elevation of no. 20.
- 6.26 Therefore, the proposal is considered to have an acceptable impact on neighbouring amenity.



### *Issues resulting from consultation*

- 6.27 Issues regarding structural integrity and subsidence are not relevant planning considerations, but that the applicant would need to enter into a Party Wall Agreement with neighbouring properties. Extraction from a domestic kitchen is also not a planning issue.
- 6.28 Designing out crime is a consideration for planning, but Officers are of the opinion that the provision of a flat roof to the proposed extension would not necessarily lead to an increased level or risk of crime.

### **Equalities Considerations**

- 6.29 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.30 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - (c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 6.31 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 6.32 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 6.33 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty

6.34 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:  
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

6.35 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

### **Conclusion**

7.0 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 2016) and the National Planning Policy Framework (2012).

8.0 It is considered that the proposal is appropriate in terms of its scale, form, design and materials and therefore would not result in harm to the appearance or character of the dwellinghouse, the Conservation Area or the amenities of neighbouring occupiers.

**9.0 RECOMMENDATION: GRANT PLANNING 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:

1610.01; 1610.02; 1610.03; 1610.04; 1610.05; 1610.82; Site Location Plan  
Received 10th October 2016

1610.111; 1610.113; 1610.114; 1610.115; 1610.116 Received 9th November 2016

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) The flat roof of the proposed single storey extension shall be constructed in lead.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic

environment of the Core Strategy (June 2011) and DM Policies 30 Urban design and local character and 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 of the Development Management Local Plan (November 2014).

- 4) The proposed new upper ground floor windows in the side elevation shall be timber double-hung sash windows with 90mm deep external reveals.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policies 30 Urban design and local character and 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 of the Development Management Local Plan (November 2014).

- 5) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved, other than the balcony as shown on plan no. 1610.111 shall be as set out in the application and the roof area shall not be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011) and 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.