

Committee	PLANNING COMMITTEE A	
Report Title	1B The Parade, Wells Park Road, London, SE26 6JD	
Ward	Forest Hill	
Contributors	Samuel James	
Class	PART 1	14 September 2017

Reg. Nos. DC/17/100260

Application dated 20.02.2017

Applicant Mr Biss

Proposal The external alteration of 1B The Parade, Wells Park Road, SE26, including the replacement of roof tiles, the replacement of two first floor windows to the side and one to the rear elevation, the installation of a window and Juliet balcony to the rear elevation, and the installation of 2 rooflights to the side roof slope.

Applicant's Plan Nos. 067 000; 067 001 Floor Plan; 067 001 Roof Plan; 067 002 Sections A B; 067 002 Section C; 067 005; 067 201 rev PA; 067 202 rev PA; 067 203; 067 204 rev PA; 067 205 rev PA; 067 206 rev PA; Design and Access Statement; Construction Method Statement

Background Papers (1) Case File LE/73/1B/TP
(2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

Designation PTAL 3
Not located in a conservation area.
No Article 4(2) Direction

1.0 Property/Site Description

- 1.1 The application relates to a top floor studio flat contained within the original 2 storey rear projection of No.1 The Parade, Wells Park Road. The host building is a 2 storey, mid-terraced property which is finished in white painted render at the rear, and facing red London stock brick at the front. It would have originally been a single dwellinghouse, but has since been subdivided into separate properties 1a and 1b and 1c. Entrance to the property is through a shared front door and off a communal staircase at first floor level.
- 1.2 Wells Park Road is predominantly residential in nature, with Kirkdale shopping parade located approximately 45m east of the site. The Wells Park Medical Practice is located opposite the host property.
- 1.3 The property does not lie within a conservation area itself, but it is adjacent to the Jews Walk Conservation Area, which is located across the road, and the Halifax Street

Conservation Area is located to the north and the west, approximately 40m from the property. The Sydenham Park Conservation Area is located approximately 120m east of the property.

2.0 Planning History

2.1 No relevant planning history

3.0 Current Planning Applications

The Proposals

3.1 The refurbishment of 1B The Parade, Wells Park Road, SE26, including the replacement of the roof tiles, the replacement of two windows to the first floor side elevation and one to the rear elevation, the insertion of a window and a Juliet balcony to the rear elevation, and the installation of 2 rooflights to the side roof slope.

3.2 Works to the roof

The entire roof structure is to be replaced, including rafters, new insulation and tiles. 2 Velux rooflights are to be incorporated into the new roof. The rooflights would have approximate dimensions of 780mm x 980mm. New roof tiles would be to match the existing roof and the form of the roof would not be altered.

3.3 Works to the exterior

At the side elevation, the 2 timber sash windows are to be replaced with double glazed uPVC casement windows of the same dimensions.

At the rear elevation the existing aluminium casement window is to be replaced with a double glazed uPVC casement window of the same dimensions. A new opening would be created for the insertion of a 400mm diameter uPVC porthole window.

3.4 The Juliet Balcony

The existing timber sash window to the rear elevation is to be removed and the opening elongated so that the bottom would be 0.25m above floor level, and a uPVC door, and an iron balustrade installed to create a Juliet balcony.

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 A site notice was displayed and letters were sent to 9 residents in the surrounding area as well as the ward Councillors for Forest Hill.

4.3 3 Neighbouring residents (2 from the same address) have raised objection to the proposal. The planning concerns raised are summarised below:

- The neighbours have expressed support for the general refurbishment of the flat.
- Concern has been raised that the installation of the Juliet balcony would increase overlooking opportunities into their rear garden area, which would detrimentally impact on their privacy whilst enjoying their garden.

- Concern has been raised that the insertion of the Juliette balcony would be out of character with the rear of the row of terraces along The Parade.
- Concern was raised over the possible impacts caused by light spillage from the proposed rooflights.

4.4 Some of the concerns raised which are not planning considerations relevant to the proposal include:

- There was a slight delay in putting up the site notice, however it was displayed for 6 weeks prior to the statutory expiry date, which exceeds the statutory requirement of 21 days.
- Error in the design and access statement, stating there are 2 flats at the property when in fact there are 3.
- Application form states that mezzanine would be for storage, but the construction method statement states it would be for 'additional habitable space'.
- Concerns raised over parking arrangements during the works.
- Concerns raised over means of emergency access out of the flat.
- Concerns raised over the lack of detail regarding the agent who drew up the plans and supporting information.

5.0 **Policy Context**

5.1 **Introduction**

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.

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, Development Plan Document (DPD) (adopted in June 2011), the Development Management Local Plan (adopted November 2014) and policies in the London Plan (March 2015). The NPPF does not change the legal status of the development plan.

5.2 **National Planning Policy Framework**

The NPPF was published on 27th 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)'.

5.3 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.

5.4 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.

5.5 The London Plan 2016

On 10 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

5.6 Core Strategy

The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and 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 15 High quality design for Lewisham

5.7 Development Management Local Plan

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:

The following policies are considered relevant to this application:

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

5.8 Residential Standards Supplementary Planning Document (Updated 2012)

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, Planning Considerations

6.0 Planning Considerations

6.1 The relevant planning considerations for the proposal are the impact on the character and appearance of the host building, together with any impacts upon neighbouring properties' amenity including on privacy.

Design

- 6.2 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.3 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. In addition to this, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 6.4 In relation to Lewisham, Core Strategy Policy 15 outlines how 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 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 6.6 DM Policy 31 requires development proposals for alterations to be of a high, site specific and sensitive design quality and to respect and/or compliment the form, setting period, architectural characteristics and detailing of the original building, including external features such as chimneys and porches. High quality matching or complimentary materials should be usedm appropriately and sensitively in relation to context.

6.7 Works to the roof

The proposed replacement of the entire roof, in tiles to match the existing roof is considered to be necessary works that would have no impact on the appearance of the host building. No objections are raised by officers to the proposed installation of rooflights as they would be located on the rear projection and would serve to improve the quality of the living accommodation and are considered to be of limited visual impact.

6.8 Works to the exterior

The 2 windows to the side elevation are to be replaced from timber to double glazed uPVC, and the 1 to the rear from aluminium to double glazed uPVC which is considered acceptable in non-conservation areas and at the rear of dwellings. The windows would be white, in keeping with the existing windows. No objections are raised to the installation of a new 'porthole' window at the rear which would be of limited visual impact.

6.9 Installation of Juliet balcony at the rear

The installation of a Juliet balcony in the place of an existing timber sash window would have some impact on the appearance of the rear of the host property and wider terrace. However, it is not considered that the impact would be significantly negative to warrant a reason for refusal on design grounds. Moreover, the Juliet balcony would be contained to the rear and would not be visible from the public realm. It is noted that any dwellinghouses could make this alteration under permitted development rights.

Neighbouring Residential Amenity

- 6.10 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential alterations should result in no significant loss of privacy and amenity to adjoining houses and their back gardens. It must therefore be demonstrated that proposed alterations are neighbourly and that significant harm will not arise with respect to overbearing impact, overshadowing, and loss of light, loss of outlook or general noise and disturbance. Regard must also be given to any impacts on privacy.
- 6.11 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity including loss of sunlight and daylight to adjoining properties and their back gardens.
- 6.12 The proposed refurbishment works to the roof would have no significant impact upon neighbouring amenity, as the proportions of the building will remain the same and the refurbishment will be finished in materials to match the existing finish.
- 6.13 The proposed Juliet balcony would be installed at the same maximum height, and for the same width as the existing sash window. The opening would be elongated towards floor level, to incorporate a door situated 0.25m above floor level. It is acknowledged that the vertical enlargement of the window opening and the additional glazing that this would afford could lead to greater levels of perceived and realised overlooking from, as well as into, the host property. However, it is considered that this slightly increased opportunity for overlooking into the neighbouring gardens would not be significantly greater than the existing situation. Internally, the kitchen sink and worktops are against the wall so that the occupier would be looking away from the glazed door when using them. It is possible that the occupier could stand at the door opening or lean against the balustrade and look out directly onto neighbouring gardens, however, this same level of overlooking could be achieved by standing at or leaning against an open window. Notwithstanding the above, this level of overlooking is not uncommon within an urban setting of terraced houses.
- 6.14 Moreover, there are no windows of neighbouring properties facing the Juliet balcony which are within a close enough distance to be overlooked. In light of this it is considered that the impact of the Juliet balcony on the privacy of neighbouring occupiers whilst using their garden would not be significant enough to warrant refusal.
- 6.15 The proposed rooflights would not permit overlooking into any neighbouring properties, so there are no privacy concerns raised by these. An objector has raised concern that there may be light-spillage from the proposed rooflights to the neighbouring properties (not the objector's property). Rooflights at second floor level, would not usually be expected to cause a significant impact in terms of light spillage, especially when within a domestic property. It is acknowledged that the flats opposite are three stories and that the rooflights would be at roof level of a 2 storey building but the levels of internal lighting would not be expected to be so intense so as to have an impact on the second floor properties facing the rooflights. Moreover the separation distance from these properties is approximately 13m, which is sufficient to alleviate the impacts.
- 6.16 In light of the above discussion, the proposed development is considered to be acceptable with regards to impact upon neighbouring amenity.

7.0 Conclusion

- 7.1 The application's proposal have been considered 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).

7.2 The proposed development is considered to be acceptable with regards to its design and and would not cause harm to the character and appearance of the host dwelling, adjoining conservation areas (Sydenham Park, Jews Walk and Halifax Street) or neighbouring amenity.

8.0 **RECOMMENDATION: Grant Planning Permission subject to the following conditions:**

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 retained strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

067 000; 067 001 Floor Plan; 067 001 Roof Plan; 067 002 Sections A B; 067 002 Section C; 067 005; 067 201 rev PA; 067 202 rev PA; 067 203; 067 204 rev PA; 067 205 rev PA; 067 206 rev PA; Design and Access Statement; Construction Method Statement

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3 No 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

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.