

Committee	PLANNING COMMITTEE A	
Report Title	Basement Flat 8 Granville Park, London, SE13 7EA	
Ward	Blackheath	
Contributors	Alfie Williams	
Class	PART 1	16 January 2018

Reg. Nos. DC/17/103717

Application dated 20 September 2017

Applicant Mr Chapman

Proposal The construction of a single storey extension to the rear of Basement Flat 8 Granville Park SE13, together with the installation of a window in the side elevation.

Applicant's Plan Nos. 158_P_02_002; 158_P_02_003; 158_P_02_006; 158_P_02_008 received 21 September 2017; 158_P_02_007 rev A; 158_P_02_009 rev A; 158_P_02_010 rev A; 158_P_02_014 rev A; 158_P_02_015; 158_P_02_016 received 30 November 2017; 158_P_02_005 rev A; 158_P_02_011 rev B; Design & Access & Heritage Statement received 5 December 2017; 158_P_02_004 rev B received 7 December 2017.

Background Papers

- (1) This is Background Papers List
- (2) Case File LE/127/8/TP
- (3) Local Development Framework Documents
- (4) The London Plan

Designation Blackheath Conservation Area

1.0 Property/Site Description

- 1.1 The application site is a large four storey Victorian semi-detached property divided into four self-contained flats. This application relates to the basement flat only. The property is located on the western side of Granville Park in an area that is predominately residential in character.
- 1.2 Granville Park is situated within the Blackheath Conservation Area and forms part of character area 6. The road is characterised by pairs of Victorian villas with two storey projecting bays and is noted for the cohesive architectural character of the villas. 8 Granville Park is good example of the characteristic Victorian villas and makes a positive contribution to the character of the road.
- 1.3 The rear elevation of the property is notable for a three storey projecting box bay. The basement flat benefits from use of the 23m deep back garden. The garden is somewhat overgrown with six significant trees along the southern boundary of the site predominately located towards the rear. The rear of the property cannot be seen from the public realm.
- 1.4 The property is not listed not is it subject to an Article 4 Direction. The property is not situated within the setting of any listed buildings

2.0 Planning History

- 2.1 An application for a single storey rear extension and summerhouse was withdrawn following discussions with the case officer. Reference DC/17/102505.

3.0 Current Planning Applications

The Proposals

- 3.1 The proposal is to construct a full width single storey extension to the rear elevation of the basement flat. The extension would measure 5m in depth from the rear elevation with a width of 8.5m and height of 3m from the proposed ground level.
- 3.2 The proposed extension would abut the boundary with 6 Granville Park. A parapet wall on northern boundary with 6 Granville Park would be 2.65m above the ground level at 6 Granville Park. The proposed extension would be 1.3m from the boundary with 10 Granville Park.
- 3.3 The extension would have a glazed rear elevation with slim aluminium frames. The northern side elevation is to be constructed from brick and rendered. The southern side elevation would be timber with two glazed panels. The glazed panels would be frosted to 1.7m above ground level. The extension would have a flat roof with a zinc covering and four rooflights.
- 3.4 The proposal also includes the installation of a window in the existing side elevation facing 10 Granville Park, and would measure 1.47m x 0.85m and would be obscure glazed and fixed shut.
- 3.5 It is noted that a proposed summerhouse and replacement front door were removed from the proposal following discussions with officers.

Supporting Documents

- 3.6 158_P_02_002; 158_P_02_003; 158_P_02_006; 158_P_02_008 received 21 September 2017; 158_P_02_007 rev A; 158_P_02_009 rev A; 158_P_02_010 rev A; 158_P_02_014 rev A; 158_P_02_015; 158_P_02_016 received 30 November 2017; 158_P_02_005 rev A; 158_P_02_011 rev B; Design & Access & Heritage Statement received 5 December 2017; 158_P_02_004 rev B received 7 December 2017.

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.
- 4.3 Seven letters of objection were received from residents at numbers 6, flats within no 8 and 10 and 12 Granville Park.

The grounds of objection are summarised as follows:

- Contemporary design of the extension not in keeping with the character of the building

- Light spillage from the glazed panels in the roof and the reflective materials of the extension.
- Damage to foundations and sewage infrastructure from the excavation of the garden.
- Loss of privacy caused by the proposed windows in the side of the extension and the side elevation of the existing building.
- The extension could potentially mean it would not be possible to maintain the upper floors of the rear elevation.
- The extension compromises future development on the rear elevation at the ground floor flat.
- Detrimental impact on the wildlife due to development in the garden and the rear extension.
- The proposed revised internal layout of the basement flat would result in the relocation of a bedroom to below a lounge potentially leading to noise complaints to the flat above.

4.4 Officers note that several of the concerns raised within the objections relate to the summerhouse that was withdrawn from the application. These concerns will be not be considered in this report. It is also noted that the impact of the works on foundations and sewage will be dealt with under building regulations and are not a material planning consideration for this application.

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 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 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

Residential Standards Supplementary Planning Document (August 2006)

5.10 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.

5.11 Blackheath Conservation Area Character Appraisal (March 2017)

6.0 Planning Considerations

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

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

Design & Conservation

6.2 DM Policy 30 states that 'materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context'.

6.3 DM Policy 36 (New development, changes of use and alterations affecting designated heritage assets and their setting...) requires all planning applications for proposals affecting heritage assets to provide a statement setting out the impact to the significance of that asset and any harm or loss to that asset should be robustly justified. In particular, the policy continues to advise that planning permission would not be granted for developments or alterations and extensions to existing buildings that is deemed incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.

6.4 The extension would be contained entirely to the rear, not visible from the public realm and Officers consider the contemporary materials of the proposed extension to be of high quality that would complement the historical character and design features of the host building. The use of glazing with slim frames and a zinc roof gives the appearance of a contemporary conservatory to be read as a modern addition to the building rather than pastiche of the existing architecture. The extension is set forward of the bay therefore respecting the significant architectural feature on the rear elevation.

6.5 The proposed extension would be proportionally subservient to the host property and neighbouring properties by virtue of its size and scale within the context of four storey buildings and the large rear garden.

6.6 DM Policy 36 states that developments should preserve or enhance the character and appearance of conservation areas. It should therefore be noted that the proposed extension is confined to the rear elevation and as such would not be perceptible from viewpoints within the Blackheath Conservation Area nor the general public realm. Furthermore, the proposed extension is considered to accord with the principles of DM Policy 36 by virtue of the proposed high quality complementary materials and proportionate scale.

- 6.7 No objection is raised to the installation of a window in the existing side elevation facing 10 Granville park. The window would be located behind the existing fence and door to the side of Granville Park and therefore would not have a significant impact on the appearance of the Blackheath Conservation Area.

Impact on Adjoining Properties

- 6.8 DM Policy 31 states that residential extensions should not result in a significant loss of amenity or privacy to adjoining houses and gardens. The proposed development should therefore demonstrate that significant harm will not arise with respect to overbearing impact, loss of light, loss of outlook or general noise and disturbance
- 6.9 The proposed rear extension would have a height of 2.65m at the boundary with 6 Granville Park with a depth of 5m from the rear elevation. At the proposed scale, the extension is not considered to be overbearing or result in a sense of enclosure or significant loss of light given the width of the property and the neighbouring large back gardens.
- 6.10 The property is set in 1.3m from the boundary with 10 Granville Park and as such is not considered have a significant impact on amenity for the occupiers of that property in terms of overbearing impact or loss of light. The proposed side windows in the extension and new window in the existing side elevation would face no.10 Granville Park. The drawings show that the windows would be obscure glazed up to 1.7m above floor level. Officers consider the obscure glazing sufficient to guard against a loss of privacy at no.10 Granville Park given the ground floor location of the extension and dividing boundary treatment and is it recommended that a condition be imposed to secure this specification.
- 6.11 The issue of light spillage from the proposed extension was identified as a concern by a number of objectors both in regard to light from within the extension and reflected from the external walls and roof. Officers are satisfied that the position and size of the rooflights would not result in a significant increase in light spillage and note that an element of light spill from windows is typical within a developed urban residential setting such as this. The external materials proposed are typical materials used for extensions and are not considered to be overly reflective.
- 6.12 Officers are also satisfied that repair work to the rear elevation could continue with an extension in place. Maintenance could be carried out with scaffolding for example, and officers consider there no reasonable ground to refuse permission on this basis.

Ecology

- 6.13 The proposed rear extension would result in the loss of an area of approximately 42.5m² of the rear garden leaving approximately 187m² remaining. The consultation section of the report details residents' concerns regarding the impact of the development on wildlife within the garden. At present, the garden is untidy and overgrown and accommodates a pond in the northwest corner.
- 6.14 The removal of the proposed summer house from the application both reduces the cumulative footprint of the development and ensures that works are restricted to the area immediately adjacent to the property. The proposed extension is therefore not anticipated to have a significant impact on biodiversity within the garden. Officers also note that minor alterations to the garden do not require planning permission and consequently it is not possible to ensure that the garden is retained in its present state. It is not considered reasonable grounds exist to warrant refusal for this reason.

7.0 Community Infrastructure Levy

7.1 The above development is not CIL liable.

8.0 Equalities Considerations

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

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

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

8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality. In this matter there is minimal/no impact on equality.

9.0 Prevention of crime and disorder

9.1 S.17 of the Crime and Disorder Act 1998 provides that it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment).

9.2 Officers are of the view that the proposals would not have any crime and disorder implications.

10.0 Human Rights Act

10.1 Officers have considered the Human Rights Act 1998 and are of the view that the application for a single storey rear extension with alterations to the elevations do not have any Human Rights Act implications.

11.0 Removal of permitted development rights

11.1 Officers recommend that if this application is approved that conditions are imposed to remove certain permitted development rights in respect of the site. Paragraph 017 of that part of the Planning Practice Guidance that is concerned with the use of planning conditions states that ‘conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances’. Officers in this case consider that exceptional circumstances exist to justify the limited removal of certain permitted development rights as set out in the draft conditions.

12.0 Conclusion

- 12.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 12.2 The proposed single storey extension would preserve the character of the Blackheath Conservation Area and would have an acceptable impact on residential amenity in accordance with DM Policies 30, 31 and 36. The scheme is therefore considered acceptable and planning permission should be approved.

13.0 RECOMMENDATION

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

158_P_02_002; 158_P_02_003; 158_P_02_006; 158_P_02_008 received 21 September 2017; 158_P_02_007 rev A; 158_P_02_009 rev A; 158_P_02_010 rev A; 158_P_02_014 rev A; 158_P_02_015; 158_P_02_016 received 30 November 2017; 158_P_02_005 rev A; 158_P_02_011 rev B received 5 December 2017. 158_P_02_004 rev B received 7 December 2017.

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 Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the side elevations of the single storey extension and existing building hereby approved shall be fitted as obscure glazed up to 1.7m as shown on drawing number 158_P_02_009 Rev A 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).

4. 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 shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area 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

- 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.