

PLANNING COMMITTEE C

Date of Meeting: **THURSDAY, 21 MAY 2015 TIME 7.30 PM**

PLACE: **ROOM 1 & 2, CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU**

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**Paul Bell (Chair)
Olurotimi Ogunbadewa (Vice-Chair)
Brenda Dacres
Suzannah Clarke
Maja Hilton
Simon Hooks
Ami Ibitson
Helen Klier
John Paschoud
Jonathan Slater**

The public are welcome to attend our committee meetings, however, occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

**Barry Quirk
Chief Executive
Lewisham Town Hall
London SE6 4RU
Date: Tuesday, 12 May 2015**

**For further information please contact:
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Committee	PLANNING COMMITTEE (C)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 21 May 2015

Members are asked to declare any personal interest they have in any item on the agenda.

(1) Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (a) Disclosable pecuniary interests
- (b) Other registerable interests
- (c) Non-registerable interests

(2) Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain.
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or

- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council;
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party;
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on member's participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take not part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.

- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception);
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt;
- (d) Allowances, payment or indemnity for members;
- (e) Ceremonial honours for members;
- (f) Setting Council Tax or precept (subject to arrears exception).

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Committee	PLANNING COMMITTEE (C)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 21 May 2015

MINUTES

To approve the minutes of the meeting of Planning Committee (C) held on the 9 April 2015 and 26 March 2015 .

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Committee	PLANNING COMMITTEE A	
Report Title	246A Brownhill Road, SE6 1AU	
Ward	Catford	
Contributors	Nathan Keenan	
Class		21 May 2015

<u>Reg. Nos.</u>	DC/14/88055
<u>Application dated</u>	19 June 2014 [as revised on 3 February 2015]
<u>Applicant</u>	Edgewater (Brownhill) Limited
<u>Proposal</u>	The demolition of the existing buildings and the construction of 5 two-storey, three-bedroom mews style houses at 246A Brownhill Road, together with associated works, private amenity space including parking with access onto Brownhill Road.
<u>Applicant's Plan Nos.</u>	IF 14-03-01, IF 14-03-400, IF 14-03-401, IF 14-03-402, IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015, Design and Access Statement, Transport Statement, Internal & External Daylight & Sunlight Amenity Report. Energy & Sustainability Assessment, Wheelchair Statement & Contamination Report (part superseded by plans IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015).
<u>Background Papers</u>	(1) Case File LE/777/246/TP (2) Local Development Framework Documents (3) The London Plan

1.0 **Property/Site Description**

- 1.1 The application site is located on the south side of Brownhill Road, with the site entrance roughly equidistant between the junctions of Stainton Road (to the east) and Britton Close (to the west) on the north side of the Brownhill Road. Brownhill Road is part of the South Circular Road (A.205), which is a heavily trafficked A Classified Road.
- 1.2 There is a single-storey purpose-built vacant office building running along the southern boundary in the south-west corner of the site, backing onto the gardens

of the Arngask Road houses to the south. In addition, there are a few other small single-storey buildings on the application site, but they are mainly shed-type, garage or other storage structures, and most are in poor condition. There are a pair of heavy metal gates controlling access to the site, which are set back some way down the access road, over 20 metres back from the edge of pavement, and just behind the rear building line of 246 Brownhill Road.

- 1.3 On the street frontage immediately to the east of the site entrance are three pairs of semi-detached two-storey properties numbered 246-256 Brownhill Road. These have gardens measuring some 16 metres deep. No. 252 has a converted loft space, with rooms in the roof and a large rear dormer window. To the east of the site itself are the rear gardens of houses at 262 onwards Brownhill Road, which have longer gardens, measuring some 32 metres deep.
- 1.4 Adjoining to the west of the site entrance, on the Brownhill Road frontage, are a row of shops at 218-244 Brownhill Road. This is an elegant three-storey terrace, with commercial uses on the ground floor and residential on the two floors above. To the rear of these are a row of two-storey mews buildings, accessed via an alleyway under the front terrace at 230 Brownhill Road. These buildings have traditionally been in commercial use, but more recently, some residential elements have been permitted.
- 1.5 To the south of the application site are terraced residential properties in Arngask Road, which have gardens measuring 16 metres deep.
- 1.6 The land naturally slopes downwards away from Brownhill Road, such that the properties to the rear sit lower than the frontage buildings. The general land level also slopes downwards towards the west from the Torridon Road traffic lights towards central Catford, such that the application site slopes down to the west, whilst the properties on both Brownhill Road and Arngask Road generally step down this slope.
- 1.7 The site is not within a Conservation Area, there are no article 4(2) Directions, and there are no Listed Buildings within the immediate vicinity.

2.0 **Planning History**

- 2.1 An application was received in June 2003 for the change of use of K & D Chemical Services Ltd, 246a Brownhill Road, from industrial to dwelling house (C3 Use), to provide 6, two bedroom houses together with the provision of 6 car parking spaces and means of access onto Brownhill Road (DC/03/54210). Two objections were received, but the application was withdrawn in September 2003.
- 2.2 Pre-application discussions were held in mid-2013 about the possible residential development of this site. A letter was sent on 21st October 2013 outlining that the level of development proposed constituted over development and would be inappropriate in the context of the site. The applicant was advised that if an application was submitted in its current form then the application would likely be refused.
- 2.3 An application (DC/13/85925) was received in June 2014 to demolish the existing buildings onsite and construct 7 three-storey, four-bedroom mews style houses with roof terraces at 246A Brownhill Road SE6, together with associated works and private amenity space including parking with access onto Brownhill Road.

Four objections were received. This application was refused on 8 January 2014 due to the inappropriate scale and mass constituting an overdevelopment of the site and the impact that it would have on adjoining properties. In addition, impact in terms of privacy and amenity would have been unacceptable.

- 2.4 The current application (DC/14/88055) was received on 19 June 2014 to demolish the existing buildings onsite and construct 7 three-storey, four-bedroom mews style houses with roof terraces at 246A Brownhill Road SE6, together with associated works and private amenity space including parking with access onto Brownhill Road. The design had been slightly amended to that proposed by previous application (DC/13/85925). Six objections were received from adjoining properties. Following the receipt of these objections the applicant has amended the proposal to now propose 5 two storey, three bedroom mew style houses. The amended proposal is that which is being assessed within the current application.

3.0 **Current Planning Applications**

The Proposal

- 3.1 The application is for the demolition of the existing buildings and the construction of 5 two-storey, three-bedroom mews style houses at 246A Brownhill Road, together with associated works, private amenity space including parking with access onto Brownhill Road.
- 3.2 The new two-storey terrace of five houses would be aligned east-west across the site with parking located to the west of the terraced block. Entrances to the units will be via an entrance porch to the north of the units where refuse and cycle stores will also be located.
- 3.3 The ground floor of each house would have a single kitchen / living / dining room, plus WC. There would be three bedrooms and a bathroom on the first floor above.
- 3.4 In terms of the rear elevation, the ground floor would be stepped, such that the main living room window would be 6.6 metres from the site boundary of the Arngask Road houses, with the smaller window set a further 2.4 metres back, i.e. 9 metres from the rear boundary.
- 3.5 At first floor level, the building is effectively flat across the rear, with only a very small stepping to provide some vertical articulation while a stepped mono pitch roof is proposed across each of the five units.
- 3.6 The cladding materials will consist of predominantly London Stock Brick with elements of metal while the roof will be metal or similar. UPVC framed clear and obscure glass is also proposed.
- 3.7 Six car parking spaces are proposed to the west of the units while the provision of two cycle parks at the entrance of each of the units will be provided for.
- 3.8 Landscaping is proposed to the front and rear of the units in addition to two trees within the car parking area.

Supporting Documents

- 3.9 The applicant has submitted a Design and Access Statement, Transport Statement, Internal & External Daylight & Sunlight Amenity Report. Energy & Sustainability Statement, Wheelchair Statement & Contamination Report in support of the application. These were prepared on the basis of the original proposal for 7 three-storey, four-bedroom mews style houses with roof terraces. However, their content remains relevant to the revised scheme albeit that the amended plans have partly superseded some details within the documents.

Design and Access Statement

- 3.10 This report sets out an overview on the design rationale for the proposed development and details and how it relates to the locality. In essence the statement concludes that through the design, materials, landscaping and provision of amenity areas; the development will provide a high quality contemporary but sympathetic development that relates well to its surroundings.

Energy and Sustainability Statement

- 3.11 This report sets out design parameters in order to achieve the energy and sustainability requirements within the borough. In summary the report concludes that a Code for Sustainable Homes Level 4 can be achieved.

Transport statement

- 3.12 This report details the potential impact that the development will have in terms of parking, access and congestion. Overall this report concludes that the site is suitable for residential development and that no material residual impact will result.

Internal & External Daylight & Sunlight Amenity report (as amended by the revised plans submitted)

- 3.13 This report provides an analysis on the availability of sunlight to the development and the potential impact that the development would result. In summary the report concludes that a good level of light is available therefore providing future occupiers with good sunlight amenity.

Wheelchair Statement

- 3.14 This report assesses the proposal against the London Plan Wheelchair requirements and concludes that given the design; they would be easily adaptable for potential wheelchair users.

Contamination report

- 3.15 This report details that given the past use of the site (dry-cleaning business/storage) there is a moderate risk of site contamination. Further investigations were recommended in order to determine the specific level of contamination and if remediation works were required. A condition on any planning permission was volunteered.

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 businesses in the surrounding area and the relevant ward Councillors. The Environment Agency was also consulted due to potential site contamination.
- 4.3 Six objections were received with regards to the original scheme. The matters raised related to a loss of privacy, overshadowing and being overbearing, noise, strain on sewage system, adequacy of car parking, turning space, and access, not consistent with underlying character, adversely affect visual amenity, traffic congestion and contrary to Core Strategy.
- 4.4 Following the receipt of these objections, the applicant amended the scheme in order to seek to resolve many of the matters raised. Re-consultation was subsequently undertaken from the 3 February 2015 to 23 April 2015 following the revision of the proposal. Five objection letters have been received with regards to the revised scheme.

Written Responses received from Local Residents and Organisations

- 4.5 Five letters of objection have been received raising the following issues:
- Overlooking of neighbouring properties/privacy effects
 - Density of development will deprive residents of privacy and spatial awareness
 - Contrary with the legacy and ideals of Archibald Corbett to create space for families to live healthy lives.
 - Contrary to Core Strategy Objective 10.
 - Access is small and narrow
 - Lack of consultation about revised proposal
 - What level will the obscured glass be?
 - Development will be claustrophobic and open aspect affected.
 - Effect on additional strain on sewage system.
 - Impact on trees
 - What kind of night lighting is proposed?
 - Height issue appears resolved with removal of extra floor however houses at close quarters is still invasive.
 - Development does not reflect the character of the Corbett Estate.
 - The buildings would adversely affect the visual appeal of the neighbourhood.
 - Reduction in open space between flank elevations of Arngask and Brownhill Road buildings.
 - Effect on views.
 - Ground level changes have the potential for subsidence. Who maintains the retaining wall?
 - Traffic effects.
 - Detrimental effect on light to neighbouring properties.
 - Block of units will appear as a continuous mass and dominate skyline and surrounding low rise housing.
 - Consideration of householder insurance.

- Article 1 of the Human Rights Act 1988 states that a person has a right to peaceful enjoyment of all their possessions, which includes the home and other land.
- Article 8 of the Human Rights Act 1988 states that a person has a substantive right to respect family life

Highways and Transportation

4.6 Unobjectionable in Principle

The Environment Agency

4.7 No response was received for either of the proposals consulted on.

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 2015)

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

The London Plan policies relevant to this application are:-

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.3 Sustainable design and construction
Policy 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity of the London

Plan

Policy 7.1 Lifetime Neighbourhoods
Policy 7.4 Local character
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG's relevant to this application are:

Housing (2012)
Sustainable Design and Construction (2006)

Core Strategy

- 5.8 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 1 Housing provision, mix and affordability
Core Strategy Policy 5 Other employment locations

Core Strategy Policy 8 Sustainable design and constructions and energy efficiency
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

5.9 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 policies from the Development Management Local Plan as they relate to this application:

The following policies are considered relevant to this application:

DM Policy 1 Presumption in favour of sustainable development
DM Policy 11 Other employment locations
DM Policy 22 Sustainable design and construction
DM Policy 28 Contaminated land
DM Policy 29 Car parking
DM Policy 30 Urban design and local character
DM Policy 32 Housing design, layout and space standards
DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas

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.

6.0 Planning Considerations

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

- a) Principle of Development
- b) Design/Layout and Massing
- c) Standard of Accommodation
- d) Car Parking/Access/Serviceing
- e) Refuse storage / collection
- f) Infrastructure
- g) Contamination
- h) Impact on Adjoining Properties

Principle of Development

- 6.2 The previous application relating to the site (DC/13/85925) detailed a Marketing Report by Goodsir Commercial, which set out attempts made to market the premises. This report concluded that the location of the site behind existing houses is not ideal for commercial use, particularly storage.
- 6.3 Although DC/13/85925 was refused, the report concluded that given, the provisions contained within the NPPF, a refusal reason based on loss of unemployment would be difficult to uphold on appeal, particularly given the point made by the applicant that; "*There is no specific loss of employment, as the site was mainly used for storage and no employees were permanently located on site.*" As there has been no material change in terms of loss of employment to the previous application it is considered that this point is relevant and accepted.
- 6.4 The application site is also a backland site and represents difficult opportunities to attract tenants to the site as demonstrated by the previous marketing report and current lack of employment within the site. As such, the impact in loss of employment opportunities within the site is considered to be acceptable.

Design / Layout and Massing

- 6.5 The facades of the proposed buildings are considered interesting and well balanced. The overall design is imaginative and relates positively to the design constraints of this restricted site through building location, architecture and provision of amenity space. Policy 32 of the Development Management Plan requires that all new residential development is to;
- (a) *be attractive and neighbourly*
 - (b) *provide a satisfactory level of privacy, outlook and natural lighting both its future residents and its neighbours and*
 - (c) *meet the functional requirements of future residents.*
- 6.6 The proposed scheme is considered to have a satisfactory relationship to neighbouring dwellings through setbacks, height and provision of amenity areas. These elements ensure that views/outlook of neighbours is not disrupted while the predominant south facing amenity areas and dual aspect position ensure that a satisfactory level of natural light for indoor/outdoor living is provided for.
- 6.7 The design of the buildings through the limitation of height and mono pitch roof design provides a sleek vibrant finish that is subservient in terms of height with neighbouring buildings therefore relates well to its surroundings. DM Policy 30 supports the use of building features and roofscape in order to achieve a local distinctiveness, which this proposal does. While creating a local distinctness, it also is in keeping with its surroundings through the incorporation of traditional materials such as London Stock Brick. Contrasting elements such as UPVC windows and metal cladding contribute to a further enhancement of the building which will result in a positive relationship between the old and the new. Conditions relating to the submission of materials prior to commencement of development would ensure that the amenity of the locality is maintained.
- 6.8 Core Strategy Objective 10 seeks to Protect and enhance Lewisham's character by;

- (a) *Ensuring that new development achieves high standards of urban design and residential quality and contributes to a sense of place and local distinctiveness informed by an understanding of the historic context.*
- (b) *Ensuring the new development and alterations to existing buildings are sensitive, appropriate to their context, and make a positive contribution to the urban environment.*
- (c) *Preserving or enhancing the condition and historic significance of the borough's heritage assets and their settings and the other identified elements of the historic environment.*

- 6.9 The proposed development has responded positively to the character of the vicinity by achieving a high standard of design while the block formation of five units is in keeping with the Archibald legacy of blocks of 4-5 houses. While the gardens/amenity areas are not of the size of adjoining properties; it is considered that given the existing use of the site (dilapidated laundry/storage buildings) and proximity to other commercial sites; the proposed layout will provide a positive transition from the heavily built up commercial area to the residential surrounding. Proposed amenity areas and building design furthermore contribute to creating a sense of place within the site and enhance the underlying character of the Corbett Estate. As such, it is considered that the proposal is consistent with the desired outcome by Core Strategy 10.
- 6.10 Landscaping proposed would assist in breaking up car parking areas while softening the built form to the north and south. A condition is recommended requiring a more detailed landscape plan to be submitted prior to works commencing to ensure that suitable plant species, grades and management of the approved landscaping is undertaken.
- 6.11 While the initial proposal represented an overdevelopment of the site (7 three storey dwellings); the revised proposal represents a 'slimmed down' version that relates well to its surroundings. Given the development's relationship to adjoining buildings and sensitivity towards amenity space/privacy surrounding it; the development in its current form is considered to provide a complimentary element that is in keeping with surrounding development and that envisioned by the London Plan, Core Strategy and Development Management Plan Policy.

Standard of Accommodation

- 6.12 The proposed scheme has been designed in line with the London Plan Housing Supplementary Planning Guidance – Quality and Design Standards. Each residential is proposed to have a floor area of 103m² which is greater than the minimum of 96m² required by the London Plan. In addition, the room sizes proposed (10m² and 12m² respectively) meet minimum requirements of 8m² and 12m² for single and double rooms. As such, it is considered that the proposal would provide adequate living space for future inhabitants.
- 6.13 Minimum requirements such as floor to ceiling height (2.5m), lifetime homes, and recommended outlook/glazing comply with London Plan requirements.
- 6.14 Outdoor amenity space to the rear of the units with a depth of 9 metres meets minimum dimension requirements while also providing adequate play areas for children. The London Plan Supplementary Planning Guidance 'Providing for Children and Young Peoples Plan and Informal Recreation' sets out a minimum

space requirement of 10m² per child for adequate play space. An amenity/play space of 50m² is proposed for each unit therefore providing more than enough outdoor living space. Given the depth of the proposed outdoor living area, it is considered that this space additionally will also act as an important landscape buffer between the proposed buildings and neighbouring property.

- 6.15 As the proposed development complies with the London Plan accommodation standards, it is considered that the proposal through layout, use of space and design, provides a high quality living environment.

Car Parking/Access/Servicing

- 6.16 The proposal includes the provision of 6 car parking spaces within the western portion of the site which is considered appropriate for the development proposed and meets London Plan requirements. Adequate manoeuvring/turning areas within the site are provided for through the building layout and hard surfacing provided. A condition is recommended that all parking and manoeuvring areas are formed prior to occupation of the units in order to mitigate any potential impact on the adjoining highway.
- 6.17 Two covered and secured cycle parks are located at the entrance of each unit which meets the London Plan requirements.
- 6.18 Council's Highways & Transportation Officer initially raised an objection regarding the number of parking spaces, narrow access and tight manoeuvrability within the site however these issues have been resolved through the amended scheme plan submitted. Notwithstanding that, concerns regarding access, parking and traffic safety were raised within the objection letters received.
- 6.19 Council Highways & Transportation Officer however has assessed the revised proposal and considers that an adequate level of access/parking is provided and does not object to the revised development as proposed. Based on this advice, it is considered that the proposal is consistent with relevant provisions within Core Strategy Policy 14 and Policy 29 of the Development Management Plan.

Refuse storage / collection

- 6.20 In terms of refuse provision, the submitted drawings show a refuse store for each unit within the site, which would be located to the north of each unit. As the width of the access is narrow, it is not possible for a refuse truck to access these units and turn around. A refuse management scheme can be conditional to secure an appropriate and workable management of refuse within the site. Highways have no objections with regards to refuse storage/collection.

Infrastructure

- 6.21 No objections have been received from the relevant service providers therefore it is considered that there is sufficient supply for the proposed development. One objection was received raising concerns about the impact that will result on the sewage system. As no objections have been received by the relevant service providers and these connections will be looked at by Building Control, it is considered that no negative impact is anticipated.

Contamination

- 6.22 A technical report by Sub Surface South East Limited was submitted with regards to potential site contamination. The report entailed a walk over survey and desk top study and concluded that there is a moderate risk of contamination in the soil resulting from past building and demolition works, spillage of chemicals and asbestos in building materials. Due to this risk, the report recommends that further investigation be undertaken in the form of a phased study including remediation if required. This advice is accepted. A suitable condition requiring a more detailed investigation is recommended in order to mitigate adverse effects in terms of contamination guided by DM policy 28.

Impact on Adjoining Properties

- 6.23 Following the receipt of six objections relating to the initial scheme plan; the applicant amended the plans to 'slim down' the development from 7 three-storey, four-bedroom mews style houses with roof terraces to a 5 two-storey, three-bedroom mews style house development. Neighbouring properties were then re-consulted with five objections being received. Four of these objections being from adjoining residents and one from the Archibald Corbett Society. The comments made are listed in section 5.5 of this report.
- 6.24 The revised proposal has been assessed and is considered to significantly reduce any potential impact on neighbouring properties through the decrease in built form such as the height and overall mass of the development. In addition, an increased setback distance and amenity space provision ensures that adverse effects in terms of noise and dominance have been mitigated.
- 6.25 The proposed buildings are to be setback so that the main living room window at ground level would be at a minimum 6.6 metres from the site boundary held with the Arngask Road dwellings, with the smaller window set a further minimum of 2.4 metres back (9 metres from the boundary). To the north of the units; the kitchen window is setback a minimum 3.8 metres while the entrance is setback a minimum 4.5 metres from the property boundary. This distance in addition to proposed landscaping is considered sufficient in order to provide an adequate separation distance between the built form proposed and that on adjoining allotments. For example on the Arngask Road elevation, a minimum separation of 24.5 metres between the proposed building form and that on neighbouring properties is maintained. A minimum separation distance of 20.01 metres would be maintained on the northern elevation. While an objector raised the dramatic reduction in open space that will result from what currently exists between flank walls (which is accepted), the provision of a separation of at least 20 metres will retain an acceptable level of amenity.
- 6.26 Separation distances are an effective mechanism of ensuring privacy is retained. Limiting the height of built form to two storey in addition to the proposed separation distance between rear elevations helps to ensure that impacts such as dominance, views and outlook or limitation of natural/daylight does not result. Notwithstanding this separation distance along the north and southern boundaries, the built form along the eastern elevation is to be constructed up to the boundary. No windows however look out in this direction therefore ensuring that no privacy effects result. In order to ensure that any potential future extensions/alterations undertaken through Permitted Development rights do not negatively impact on the amenity of adjoining properties; a condition removing these rights with regards windows and extensions is recommended.

- 6.27 Objections were received from neighbours to the west on the original scheme plan with concerns being expressed about effects on privacy, daylight and dominance. In order to mitigate these effects, the built form of the development has now been moved back from that boundary with a setback of 11.3 metres from the flank wall of the proposed western unit to that building on the adjoining property. This separation is in line with the Lewisham Residential Supplementary Planning Documents standard of 9 metres. This distance is considered to lessen the impact on the neighbouring property and ensure that privacy, daylight and the amenity currently enjoyed by neighbours is retained.
- 6.28 Potential issues with land subsidence was identified within the objections with regards to the levels of gardens/need for retaining etc. A requirement for a landscape plan to be submitted and approved prior to construction will enable detailed drawings to be assessed so that these matters may be resolved. Through the imposition of this condition, land subsidence may be mitigated.
- 6.29 Due to development being proposed in close proximity to residential development, there is the potential for light spill to result. This has been raised with the objection letters received. To avoid significant light spill occurring, a condition is recommended that detailed design plans be submitted prior to occupation of the building.
- 6.30 Overall, it is considered that the provision of setbacks, amenity areas, and the two-storey height mitigates the impact on neighbouring properties to an acceptable level. As such, it is considered that the proposal in its current form is appropriate in its context and would successfully integrate with its surroundings.

Sustainability and Energy

- 6.31 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses the sustainability issues. This applicant states that it is likely the development will include living roofs(where possible), solar panels and water harvesting. These elements in combination with the developments dual aspect well ventilated design is considered to satisfactory address sustainability issues. A condition is recommended that prior to construction, details of the proposed methods are submitted to Council for approval in order to ensure that the elements do not adversely affect the character/amenity of the locality.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), 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).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

7.3 The Councils and Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

8.0 **Community Infrastructure Levy**

8.1 The above development is CIL liable.

9.0 **Conclusion**

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.

9.2 The principal of the loss of employment land is considered acceptable given the marketability of the site, backland location and proximity to neighbouring properties. The proposed development in terms of layout and design has taken into account the sensitivities of the site constraints by ensuring that adverse effects on neighbouring properties are avoided, remedied or mitigated while at the same time ensuring high quality design. As such, it is considered that the development ensures consistency with the London Plan, Core Strategy and Development Management Local Plan therefore is appropriate subject to conditions.

10.0 **RECOMMENDATION**

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

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

IF 14-03-01, IF 14-03-400, IF 14-03-401, IF 14-03-402, IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015, Design and Access Statement, Transport Statement, Internal & External Daylight & Sunlight Amenity Report. Energy & Sustainability Assessment, Wheelchair Statement & Contamination Report (part superseded by plans IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015).

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 development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
- (a) Dust mitigation measures.
 - (a) The location and operation of plant and wheel washing facilities
 - (b) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
 - (c) Details of construction traffic movements including cumulative impacts which shall demonstrate the following
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
 - (d) Security Management (to minimise risks to unauthorised personnel).
 - (e) The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

- (4) (a) Prior to any works commencing, full details of any living roofs proposed shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a 1:20 scale plan of the living roof(s) that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- (b) The development shall be carried out strictly in accordance with the details so approved under (a) and shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority. Evidence that the roof has been installed in accordance with (a) & (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015) , Policy 10 managing and

reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

- (5) No development shall commence on site until a detailed schedule and specification of all external materials and finishes to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (6) (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
 - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
 - (iii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out

(including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

- (7) (a) The buildings hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.
- (b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2015).

- (8) (a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

- (9) A scheme of soft landscaping (including details of any change in levels, retaining, trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits,) and details of the

management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy 12 Open space and environmental assets, and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (10) All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy 12 Open space and environmental assets, and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (11) The whole of the car parking/manoeuvring area shown on drawing nos. 14-03-02 Rev hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (July 2011).

- (12) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority. Once approved, all external shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

- (13) Prior to occupation of the residential units, details of refuse management/collection shall be submitted and approved in writing by the

local planning authority. Once approved, the management practices shall be complied with in perpetuity.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- (14) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in the elevations of the building other than those expressly authorised by this permission.

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (15) No extensions or alterations to the buildings hereby approved, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

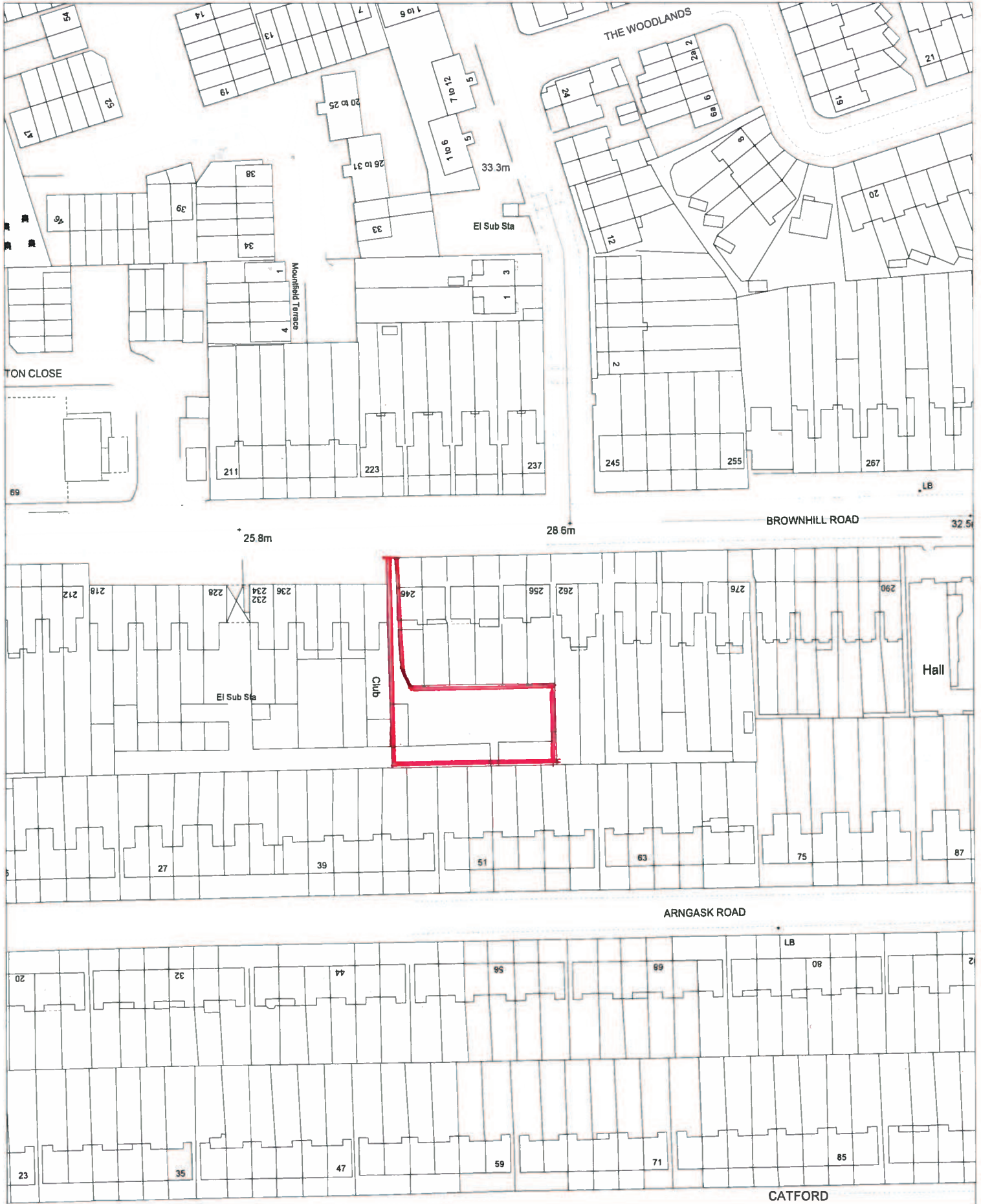
Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

INFORMATIVES

- (A) 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.
- (B) The applicant is advised that conditions 3, 4, 5 and 6 require details to be submitted prior to the commencement of works as they seek to manage the impact of the construction works and mitigate land contamination and secure design details, including of materials which are needed before works commence.

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246a Brownhill Road



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Committee	PLANNING COMMITTEE C	
Report Title	FLATS A, B, C + D 43 LIMES GROVE, LONDON SE13 6DD	
Ward	Lewisham Central	
Contributors	Rachel Stephenson	
Class	PART 1	21 May 2015

<u>Reg. Nos.</u>	DC/15/90588
<u>Application dated</u>	12.02.15
<u>Applicant</u>	Duncan Woodburn RIBA on behalf of Lou Investments
<u>Proposal</u>	The erection of an external metal staircase at the rear of Flats A, B, C + D 43 Limes Grove, London, SE13, together with the replacement of an existing window opening in the rear elevation at first floor level to provide a door.
<u>Applicant's Plan Nos.</u>	05; 06; Design and Access Statement received 27th February; 01; 02; 03; 04; 07; 08 received 29th April 2015
<u>Background Papers</u>	(1) Case File LE/801/43/TP (2) Local Development Framework Documents (3) The London Plan (4) The NPPF
<u>Designation</u>	No designations
<u>Screening</u>	Not EIA development

1.0 Property/Site Description

- 1.1 The application relates to a three-storey and basement, semi-detached Victorian house located on the northern side of Limes Grove. The property has an original three storey rear projection. The land at the rear of the site slopes upwards towards the rear boundary. The neighbouring property no. 41 is stepped 0.8m lower than the application site level. The property comprises 4 no. flats, rented privately.
- 1.2 The rear garden of the application site measures 22.5 metres deep from the rear projection, and 3.8m wide. The garden has been divided into two sections. The first is a fenced area located near the rear of the property and accessed directly from the basement flat rear doors. The remainder of the rear garden provides communal amenity space for the remaining three flats; high brambles currently cover this garden space and it looks unused. This area is accessed by a gated path located to the side of the property. The house is separated into flats and rented out.
- 1.3 The surrounding area is residential in nature, characterised by terraced and semi-detached properties.

- 1.4 The adjoining property no.45 Limes Grove has recently had an application (DC/14/88685) granted for the erection of an external metal staircase and landing from first floor level to the rear garden together with the enlargement of a first floor window in the rear elevation to accommodate wooden double doors to provide direct access to the rear garden for the first floor flat.
- 1.5 The application property is not within a Conservation Area, and does not lie near any listed buildings.

2.0 Planning History

- 2.1 In 1975, permission was granted for the use of the basement at 43 Limes Grove, S.E.13 for a General Medical Practice. Permission was granted on the condition that it shall be personal to Dr. G Heredith and Dr. B R Jacobs and shall not enure for the benefit of the land. In addition, no part of the Medical Practice shall extend to the residential upper part of the building.
- 2.2 In 1987, permission was granted for the alteration and conversion of the semi-detached house at 43 Limes Grove SE13 to provide 1, two-roomed self contained flat and 1, six-roomed maisonette.
- 2.3 In 1988, permission was granted (405C) for the alteration and conversion of 43 Limes Grove SE13 to provide 2, one bedroomed and 2, two bedroomed self contained flats.
- 2.4 In 2013, outline planning permission (DC/13/83284) was refused for the construction of a single-storey, single person wheelchair accessible flat to the rear. The reason for refusal was:
 - 1) the proposal would result in the development of an existing rear garden, constituting a cramped and inappropriate form of development, harmful to the character of the area.

3.0 Current Planning Applications

The Proposals

- 3.1 The application seeks full planning permission for the erection of an external metal staircase and landing from first floor level to the rear garden together with the replacement of a first floor window in the rear elevation to accommodate uPVC double doors to provide direct access to the rear garden for the upper floor flats. The doors would be uPVC with white frames.
- 3.2 A black metal staircase is proposed which would have a landing width of 1.93m and depth of 0.92m. The staircase would be 4.4m high to the semi-basement area and 3.45m high to the garden, which is at a higher level. The staircase would extend 3.39m from the rear wall. The existing fencing, surrounding the basement flat, would be relocated to allow access to the rear section of the garden. The area of private amenity space for the basement flat would be reduced from 58.4m² to 38.6m².
- 3.3 The distance from the landing to the rear of the garden, adjoining property no. 19 and no.20 Bonfield Road, would measure 23m. The distance from the landing to the western side boundary, adjoining property no. 41, would be 5.2m, and to the eastern side boundary, adjoining property no. 45, would be 0.1m.

4.0 Consultation

Neighbours and Local Amenity Societies

- 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 residents in the surrounding area and the relevant ward Councillors.

Written responses received from Local Residents

- 4.3 Four letters were received from the occupiers or owners of no. 41 Limes Grove, 19 & 20 Bonfield Road objecting on the following grounds:
- Privacy and overlooking issues;
 - It would create a dumping ground for rubbish;
 - It would cause an increased amount of light and noise pollution;
 - In the long term it could become a main entry point.

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 2015)

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 7.4 Local character
Policy 7.6 Architecture

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

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

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.

6.0 Planning Considerations

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

- a) Design
- b) Impact on Adjoining Properties

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 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design, whilst the Development Management Local Plan, most specifically DM Policy 30 and 31, seeks to apply these principles. The Council's Residential standards SPD provides officers with further detailed guidance to apply to such residential proposals.

6.4 DM Policy 30 supports Core Strategy Policy 15 as it sets out detailed principles to support good urban design in the borough, the Council will require alterations to existing buildings to attain a high standard of design. The policy also addresses detailed design issues and states that planning applications must demonstrate the creation of a positive relationship to the existing townscape to preserve an urban form which contributes to local distinctiveness, such as building features. Furthermore, building materials used should be of high quality and either match or complement the existing development.

6.5 DM Policy 31 sets out more specifically how to achieve good quality alterations to existing buildings and states that proposals for alterations 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, including external features.

6.6 The erection of the staircase and the replacement of the existing first floor rear window with a door would give the occupiers of the upper floor flats direct access from their properties into the garden.

- 6.7 The host property is a three-storey plus basement semi-detached property which has been constructed of stock brick. The windows at the rear of the property are white casement UPVC top hung double glazed windows. It is proposed that one existing white UPVC, double glazed, top hung window at first floor level will be replaced with a glazed white UPVC framed door within an enlarged opening. It would be elongated by 0.55m, and the width of the opening would not be altered. The enlarged opening would follow the existing alignment of windows in the rear elevation.
- 6.8 Officers consider that the larger opening would not have a significant impact on the character of the property as the changes are in keeping with the existing arrangement of openings. In addition, the changes are to be made to the rear of the property and therefore it would not be visible from the public realm.
- 6.9 The replacement of a window with a door would not adversely affect the character and appearance of the host property or surrounding area, as the design of the door is considered to be compatible with the character of the property.
- 6.10 The staircase is to be constructed from metal and would be painted black. It would have a small landing area, with a straight flight of steps to the rear garden. The design and colour of the staircase would not be significantly at odds with the existing property and would not stand out such that it would be an incongruous feature.
- 6.11 It is considered that the design of the black metal staircase would not have an adverse impact on the character of the property and would have the benefit of enabling more direct access to the rear amenity space for the occupiers of the upper floor flats.

Impact on Adjoining Properties

- 6.12 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 properties. It must therefore be demonstrated that proposed alterations are neighbourly and that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light or general noise and disturbance.
- 6.13 The main impact would be from overlooking from the landing and staircase. The neighbouring rear gardens are already overlooked to some extent from existing windows, however the degree of overlooking could be greater from an external balcony or platform and therefore must be considered. There would be some impact from the proposed staircase in terms of loss of privacy to the adjoining property at 45 Limes Grove. The landing of the staircase would be 3.45 metres above the level of the garden and users would be able to look into the rear gardens of numbers 41 Limes Grove, 45 Limes Grove, 19 Bonfield Road and 20 Bonfield Road.
- 6.14 The main impact would be in relation to 45 Limes Grove, as the landing would be adjacent to the property boundary. There would also be an impact in relation to 41 Limes Grove, as the property is located at a lower gradient to the site. The proposed landing at 1.93 metres wide and 0.92m deep would not facilitate 'sitting out' that would lead to significant loss of privacy or potential noise impacts on neighbouring occupiers. It is unlikely that users would dwell on the landing or stairs. In addition, there are tall trees located along the side boundary adjoining 41 Limes Grove that would obscure direct views to the rear part of the garden. Nonetheless, to mitigate

the potential overlooking, it is considered that a screen to both sides of the landing would be appropriate to prevent users having a view into the adjacent gardens of both properties and to restrict the angle of view to the rear gardens.

- 6.15 There would be a distance of 23m between the landing and the rear of the garden, adjoining properties no. 19 and no. 20 Bonfield Road. The rear gardens of no. 19 and no.20 measure approximately 16m in depth. In light of this the proposal is not considered to cause a significant overlooking impact to these properties.
- 6.16 The area of private amenity space for the basement flat would be reduced from 58.4m² (9.9m x 5.9m) to 38.6m² (9.9m x 3.9m). The remaining usable garden space provides 77.6m² for the three upper flats altogether. In light of this, the garden for the basement flat is considered a generous proportion of the total amenity space and has benefit of being private. It is felt that the new garden size would be acceptable for this one-bedroomed flat.
- 6.17 The location of the proposed staircase, beside the basement flat garden, could cause potential overlooking. It is felt that the rear windows located on the flats above already overlook this amenity space and therefore the introduction of a staircase would not cause a significant increase in loss of privacy. In addition, it is felt that it is unlikely that anyone would pause on the landing or stairs.
- 6.18 On balance, it is considered that the development is acceptable in relation to the level of impact on residential amenity.

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.
- 8.4 It is considered that the proposed alterations to the property would have no adverse impact on equality.

9.0 Conclusion

- 9.1 The erection of an external metal staircase with landing and the replacement of a first floor window in the rear elevation to provide a door is considered acceptable, in accordance with adopted Council, London-wide and national planning policies, subject to the proposed conditions, requiring details of a screen to be approved and the screens to be erected prior to first use of the stair and maintained in perpetuity, to seek to mitigate the potential overlooking impact. It is therefore recommended that permission be granted.

10.0 RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.
- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

05; 06; Design and Access Statement received 27th February; 01; 02; 03; 04; 07; 08 received 29th April 2015.
- (3) Notwithstanding the information submitted, no development shall commence until details of two screens 1.8m in height for both sides of the first floor landing, facing property boundaries No. 41 and No. 45 Limes Grove, have been submitted to and approved in writing by the local planning authority. The screen shall be installed before the staircase is brought into use and shall be retained in full accordance with the approved details in perpetuity.

Reasons

- (1) As required by Section 91 of the Town and Country Planning Act 1990.
- (2) 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) 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 and DM Policy 32 Housing design, layout and space standards in the Development Management Local Plan 2014.

INFORMATIVES

- (1) **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.

- (2) The applicant is advised that condition 3 requires details to be submitted prior to the commencement of works in order to ensure that the required mitigation is installed prior to first use of the stairs.

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43 Limes Grove



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Committee	PLANNING COMMITTEE C	
Report Title	88 Drakefell Road, SE14 5SJ	
Ward	Telegraph Hill	
Contributors	Kate Hayler	
Class	PART 1	21 May 2015

<u>Reg. Nos.</u>	DC/14/90279
<u>Application dated</u>	17/12/2014 [as revised on 30/03/2015]
<u>Applicant</u>	Gruff Ltd on behalf of Mr and Mrs Elbourne
<u>Proposal</u>	The construction of a single-storey extension to the rear of 88 Drakefell Road SE14, together with the installation of replacement double glazed timber sash windows to the front.
<u>Applicant's Plan Nos.</u>	G106-100, G106-101, G106-120, G106-121, G106-122, G106-130, G106-140, G106-141, G106-142 (Existing front elevation), Design & Access Statement & Heritage Statement (Received 18/12/2014) and G106-200 RevA, G106-201 RevA, G106-202 RevA, G106-300 RevA, G106-301 RevA, G106-400 RevA, G106-401 RevA, G106-402 RevA, G106-900 RevA, G106-950 RevA, sk-014 RevA and Revised Design Statement (Received 31/03/2015).
<u>Background Papers</u>	(1) Case File DE/46/88/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	PTAL 3 Telegraph Hill Article 4(2) Direction Telegraph Hill Conservation Area Not a Listed Building Unclassified

1.0 Property/Site Description

- 1.1 The application property is a semi-detached Victorian dwellinghouse on the south side of Drakefell Road. The ground level to the rear slopes down to the railway line and as a result of this the property is two stories fronting Drakefell Road but has a 3 storey original extension to the rear and a semi-basement utility space beneath the house. A single storey lean-to extension has recently been constructed to the rear of the property.
- 1.2 The application site is in the Telegraph Hill Conservation Area but is not in the vicinity of any listed buildings.

2.0 Planning History

- 2.1 2014 – Planning permission was granted for the construction of a single-storey extension to the rear of 88 Drakefell Road SE14, together with the installation of replacement double glazed timber sash windows to the front.

3.0 Current Planning Applications

The Proposals

- 3.1 The current planning application seeks the demolition of the existing rear extension and the removal of the existing side bay window and its replacement with a single storey wrap around extension that would create an open plan living room/kitchen/dining area.
- 3.2 The proposed extension would infill the existing side return to match the width of the existing dwelling and would then be stepped in as the site boundary angles in to maintain a side access along the side of the property with a minimum width of 900mm. It would therefore measure 1.9m wide and step in to measure 1.3m wide towards the rear of the house. The rear extension would measure 2.6m deep by 5.0m wide. The extension would be constructed in London Stock brick and feature Flemish bonding so that it matched the existing brickwork of the host property. The roof would feature an apex arrangement with two pitched rooflights. The roof would be finished in artificial slate and would feature a third rooflight over the rear extension. The applicant has confirmed that the windows and doors would be aluminium framed and the glazed units would match the dimensions of the windows on the floors above.
- 3.3 Following concerns raised by the Telegraph Hill Society, the applicant has confirmed that the bonding of the brickwork will be Flemish bond. In addition, the proposals have been amended so that the rear windows and doors match the alignment and proportions of the windows on the floors above; the size of the proposed rooflights has been reduced and the applicant has confirmed that the rooflights above the kitchen will be of obscure glazed glass and have blinds fitted to reduce light spillage; the details of the new timber sash windows to the front have been amended so that the horns match exactly those on the existing property and the glazing has been amended to match the illustrations in the Telegraph Hill Conservation Area Character Appraisal with 2-2 glazing to the upper floors and 1-1 glazing to the lower bay.

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 businesses in the surrounding area and the relevant ward Councillors were also consulted.

Written Responses received from Local Residents and Organisations

- 4.3 One letter of objection was received from the Telegraph Hill Society. The following matters were raised:

- Rear extension would be visible to pedestrians crossing the railway bridge;
- Concerned by number of large side/rear extensions which destroy large amounts of original fabric, particularly where visible from the public realm;
- The TH Conservation Area Appraisal highlights that the rear of properties in the conservation area are largely as uniform as the front. There is concern that this is being further eroded;
- DM Policy 36.4b states that development in the conservation area should be refused which in isolation would lead to less than substantial harm to the building or area but cumulatively would affect the character and appearance of the conservation area;
- There is significant loss of original fabric which would result in substantial harm to the building;
- Compromises the integrity of the building by removing side bay and wall;
- Windows at the rear and side are of an uncompromising modern design and destroy the articulation of the rear elements of the building;
- Form of roof does not respect or complement original building;
- Rear extension presents blank walls free of any detailing and will have an adverse effect on neighbouring amenity;
- No details of bonding provided;
- Proposed roof lights would result in light spillage;
- Proposed windows show wrong type of window horn;
- Proposed glazing pattern for the windows is incorrect

Thames Water:

No objection subject to informatives

ASP:

The extension is overlarge and out of keeping with the character and appearance of the building and the Conservation Area. The proposal involves the loss of a bay window to the side elevation of the back addition which is a characteristic and attractive feature of this particular house type. The large area of roof lights would also give rise to light spillage as would the large glazed window and doors which were of a totally inappropriate design for a Victorian house in a Conservation Area.

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 2015)

On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

The London Plan SPG's relevant to this application are:

Housing (2012)

Core Strategy

- 5.6 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 8 Sustainable design and construction and energy efficiency
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

- 5.7 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the 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:

- 5.8 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
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)

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

6.0 Planning Considerations

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

- a) Design and Conservation
- b) Impact on Adjoining Properties
- c) Sustainability and Energy

Design and Conservation

6.2 Development Management Local Plan DM Policy 31 'Alterations and extensions to existing buildings including residential extensions' states that "*alterations and extensions, including roof extensions will be required to be of high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.*"

6.3 DM Policy 36 states that the Council will not grant planning permission where development would be incompatible with the special characteristics of the area, its buildings, spaces, settings, form and materials.

6.4 The proposals comprise changes to the windows at the front of the property and the construction of a single storey wrap around extension that would replace the existing single storey rear extension.

6.5 Initially, the glazing pattern for the proposed front timber sash windows were shown to match the existing windows in the property. Following objections raised by the Telegraph Hill Society, the windows have been altered so that the first floor windows have a vertical glazing bar and the ground floor windows do not. This matches the illustrations in the Telegraph Hill Conservation Area Character Appraisal and the Council's Conservation Officer has raised no objections to this approach. The Telegraph Hill Society also objected to the type of window horn proposed. The details of the window horn have been amended to match the horns on the existing property and the Council's Conservation Officer has confirmed that this is an acceptable approach. The proposed replacement windows are therefore considered to be acceptable.

6.6 In terms of the proposed single storey extensions, the proposed materials (brick, high quality artificial slate and aluminium framed window and doors) and brick bonding (Flemish) will match or complement the materials of the host property. Whilst the roof form of the side extension is contemporary, it is considered to be one that pays homage to the traditional pitched roof form and cleverly seeks to reduce its impact on the host property in terms of its bulk. It is therefore

considered to complement the form of the host building. Following objections to the design of the windows and doors, the applicant has made amendments which ensure that the door is in line with the windows of the floors above and that the proportion of the glazing bars matches the proportions of the windows on the floors above. This is considered to be in accordance with the guidance contained in the Residential Standards SPD.

- 6.7 The Telegraph Hill Society have suggested that the proposed windows and door are of 'large uncompromising modern design and destroy the articulation of the rear elements of the building'. There is no policy requirement that prevents the introduction of contemporary elements provided that they complement the host building and given that these openings reflect the alignment and proportion of other openings, these elements are considered to be acceptable from a design perspective.
- 6.8 It is considered that the design of the proposals would have an acceptable relationship with the host property.
- 6.9 The Telegraph Hill Conservation Area Character Appraisal identifies 88 Drakefell Road as a building that makes a positive contribution to the conservation area. The Appraisal states that "being in good condition and relatively unaltered externally, all of the 19th century buildings make a positive contribution to the special character and appearance of the conservation area". This is despite the fact that a large number of these properties on Drakefell Road include single storey rear extensions. This would imply that despite having rear extensions, these buildings continue to make a positive contribution to the special character of the conservation area.
- 6.10 The character appraisal goes on to discuss the condition of the conservation area (which is described as good) and list the type of small changes to the external appearance of individual houses which are beginning to erode the special interest of the area. These include the replacement of timber sash windows with uPVC or windows in a different style, enclosure of recessed front porches, obtrusive rooflights located in the front roofslope, unauthorised satellite dishes, replacement of slate with concrete tiles or poor quality artificial slate, incorrect bonding of new brickwork, rendering/ pebble-dashing of original brickwork, removal of small architectural details such as tiled front paths, finials, ridge tiles and clay chimney pots. The list does not include additions to the rear of the property.
- 6.11 The Telegraph Hill Society have objected to the loss of the existing bay window to the side of the property and the side wall and state that this would be detrimental to the integrity of the building and, when considered cumulatively with changes to the rear of buildings in the conservation area, would result in harm to the character and appearance of the conservation area.
- 6.12 The Society state that the Conservation Area Appraisal makes reference to the rear of properties being as uniform as the front. However, on further examination, the Appraisal states that "there are good views of the backs of houses, as uniform in design as the fronts". The appraisal refers to the original design of the buildings and remains silent on whether the properties are generally unaltered to the rear. An aerial view of this part of Drakefell Road reveals that many of the properties feature rear extensions. The Society's objection states that inappropriate development has eroded this feature. However, the Appraisal does not list

changes to the rear of properties in the types of small changes to the external appearances of individual houses that are beginning to erode the special interest of the area (Section 5, Condition of the Conservation Area). This objection to the application is therefore recommending changes to the way that the Council makes decisions on rear extensions based on the Society's opinion that rear extensions are 'eroding the character of the area'. Any changes to the SPD to include rear extensions in the list in Section 5 would need to be supported by appropriate evidence being gathered and public consultation being undertaken. This process has not occurred and it would not be appropriate for the Council to start making decisions on this basis.

- 6.13 The rear of the properties on this part of Drakefell Road have been extensively altered with a number of single storey rear and side extensions and conservatories, including a large and very modern wrap around extension at number 82. The Council's Conservation Officer has not objected to the proposal on the basis that the lower ground floor of the rear of the building is not overly visible from the public realm, including the railway bridge that links the two sides of Aspinall Road (where views are impeded by the mesh over the bridge, the trees on the embankment and the angle at which the rear elevations are visible). The side bay is not overly visible from the public realm. It would therefore not be reasonable to refuse planning permission on the basis of the loss of this feature, especially given that planning permission has recently been granted at 82 Drakefell Road for a similar wrap around extension (DC/13/84319) that resulted in the removal of the bay.
- 6.14 The host building is not a listed building nor a locally listed building. The guidance contained in the NPPF states that the more important the asset, the greater the weight should be given to the asset's conservation. If the Council were to require the retention of the bay, it would preclude any form of development to the side of the property (despite the fact that it is not overly visible from the public realm) which is considered to unjustifiably fetter the development potential of the property. It is considered that preventing the removal of the bay would be seeking to afford the building with a level of protection that is inappropriate to its status and has no policy justification.
- 6.15 There are a number of extensions to the rear of the buildings on this part of Drakefell Road but these extensions are not overly visible from the public realm and therefore it is not accepted that they can be said to have an unacceptable impact either singly or cumulatively on the appearance of the conservation area. The removal of the existing single storey extension and its replacement with a wrap around single storey extension is therefore considered to have an acceptable impact on the conservation area.

Impact on Adjoining Properties

- 6.16 DM Policy 31 states that residential extensions should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. The policy also states that residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property, and retain 50% of the garden area.
- 6.17 The property has a large rear garden and the proposal would result in well in excess of 50% of the existing garden area being retained. Concerns have been

raised that the proposal would have a negative impact on the amenity of neighbouring occupiers as a result of the proposed side wall which is largely blank but features a large window. It is worth noting that neighbouring occupiers have not objected to the proposal.

- 6.18 The existing relationship with the property at 90 Drakefell Road is that both properties are semi-detached and are separated by a path to the side of each dwelling that provides side access. There is an existing door and set of stairs from the ground floor of 88 Drakefell Road that provides opportunity for overlooking into the neighbouring property. The impact of any other facing windows is limited by the existence of a timber fence.
- 6.19 The proposal would result in the removal of the door and stairs from ground floor level and their replacement with a window. This is considered to have a positive impact on the privacy of neighbouring occupiers. The wrap around extension will be closer to the neighbouring property than the existing side wall and a smaller separation distance will be created by the path providing side access. The extension will be closer to the side windows at number 90 Drakefell Road, but it is considered that the apex design of the roof will go some way to mitigating any increased sense of enclosure by creating interest and reducing the bulk of the extension (in comparison to the flat roof recently approved at 82 Drakefell Road). The existing timber fence will continue to provide screening between facing windows which will be offset by the proposed design rather than aligned. The proposed side wall does not feature any significant detailing but given the extent of the wall that will be visible above the fence, this is not considered to have an unacceptable impact on neighbouring amenity.
- 6.20 Concern has been raised about light spillage from the proposed rooflights. The size of the rooflights has been amended and the applicant has confirmed that the rooflights above the kitchen will be of obscure glazed glass and have blinds fitted to reduce light spillage. It is recommended that this is secured by condition.
- 6.21 On balance, it is considered that the proposal would have an acceptable impact on neighbouring amenity.

Sustainability and Energy

- 6.22 The proposal complies with the principle of extending an existing building and maximises the use of a site. For a development of this scale it is not considered appropriate or necessary to insist upon the inclusion of renewable energy facilities.

7.0 Community Infrastructure Levy

- 7.1 The above development is not CIL liable.

8.0 Conclusion

- 8.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 8.2 Officers consider that the proposed wrap around extension is of an acceptable design and would have an acceptable impact on neighbouring amenity. The replacement windows and extension would not adversely impact the character

and appearance of the conservation area. The scheme is therefore considered acceptable.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

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

G106-100, G106-101, G106-120, G106-121, G106-122, G106-130, G106-140, G106-141, G106-142 (Existing front elevation), Design & Access Statement & Heritage Statement (Received 18/12/2014) and G106-200 RevA, G106-201 RevA, G106-202 RevA, G106-300 RevA, G106-301 RevA, G106-400 RevA, G106-401 RevA, G106-402 RevA, G106-900 RevA, G106-950 RevA, sk-014 RevA and Revised Design Statement (Received 31/03/2015).

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 rooflights installed above the kitchen in the extension hereby approved shall be fitted as obscure glazed and with blinds and retained in perpetuity.

Reason: To avoid any loss of amenity and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

Informatives:

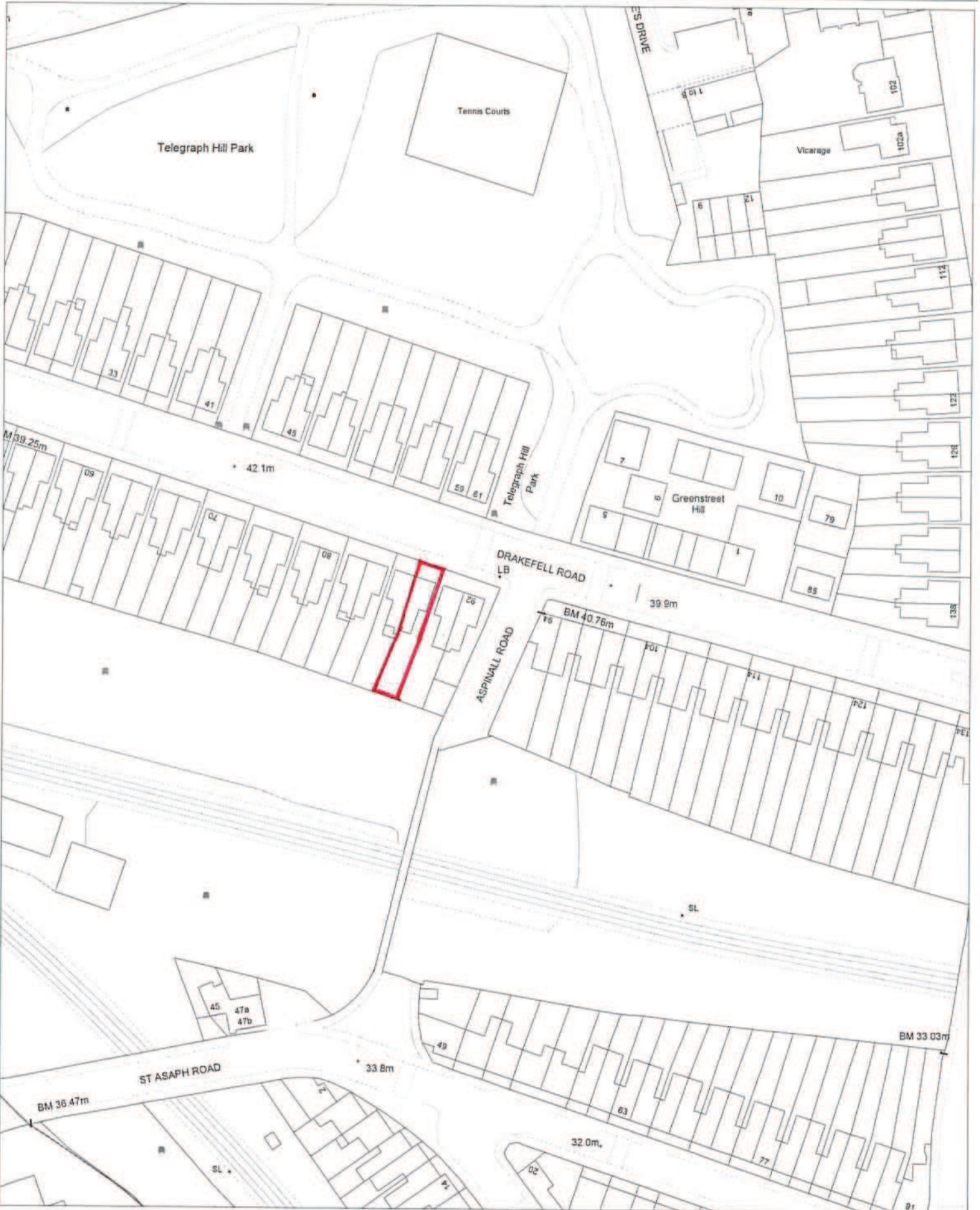
- a. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- b. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The

applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

- c. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

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88 Drakefell Road



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