

Committee	PLANNING COMMITTEE C	
Report Title	27 Mount Ash Road, SE26	
Ward	Forest Hill	
Contributors	James Burton	
Class	PART 1	19th May 2016

<u>Reg. Nos.</u>	(A) DC/15/094891
<u>Application dated</u>	14 th Decemeber 2015
<u>Applicant</u>	FDR Architects
<u>Proposal</u>	Two storey rear extension including modifications to the existing single storey rear extension and projection at 27 Mount Ash Road SE26.
<u>Applicant's Plan Nos.</u>	Heritage Statement, (FDR Architects, December 2015), Design and Access Statement (FDR Architects, December 2015) received 18 th December 2015. Site Location Plan received 14 th of January 2016 15017 – 110 Revision A, 111 Revision B, 112 Revision A, 113 Revision A, 114 received 4 th of April 2016
<u>Background Papers</u>	(1) Case File LE/91/27/TP (2) Core Strategy (2011) (3) Development Management Local Plan (2014) (4) The London Plan (2015, as amended)
<u>Designation</u>	Sydenham Hill Conservation Area Mount Ash Road Article 4 Direction PTAL 2 Not a Listed Building
<u>Screening</u>	NA

1.0 Property/Site Description

- 1.1 The application relates to a three-storey mid-terrace residential property which is situated on the western side of Mount Ash Road.
- 1.2 The property is located within the Sydenham/Kirkdale Conservation Area which contains a mix of 19th century buildings and a 20th century housing estate, all of distinctive form and style and good quality. There is an Article 4 Direction. The building is not listed.
- 1.3 Numbers 24 to 49, despite their height, have a relatively shallow footprint. As such, two storey rear extensions are not uncommon along this terrace. Many of the houses at the south west end of the terrace (from Number 31 onwards) have some kind of extension. These vary in date and quality and many pre-date the designation as a Conservation Area and the subsequent introduction of the Mount Ash Road Article 4 Direction, which removes permitted development rights for rear extensions in this street.
- 1.4 The existing property features a brick built ground floor rear extension with skylights which accommodates for the kitchen. The original outhouse projection has been modified and also features an obscure glazed skylight to its roof.
- 1.5 Rear gardens are short and steeply sloping to the north east. The rear of the houses are visible at first and second floor level from Mount Gardens, which is an adopted public highway.

2.0 Planning History

- 2.1 2006 – Planning permission was granted subject to conditions on the 1st of December 2006 for the construction of a single storey extension to the rear of the property to provide additional living space (DC/06/63652/FT). This permission was implemented.
- 2.2 An application for a Lawful Development Certificate (DC/06/63229/FT) for the works had previously been withdrawn, following officer advice that the works would not constitute permitted development, and that a full application would be required.

3.0 Current Planning Applications

The Proposals

- 3.1 The current application seeks to erect a two storey rear extension which adjoins the existing single storey extensions. The proposal would include the provision of a new timber framed rear access door with stairs to the garden from the ground floor, as well as include relocation of skylights in the existing ground floor extensions.
- 3.2 The two storey extension would be sited along the south-western boundary of the property which adjoins Number 26 Mount Ash Road and would be characterised by a single pitched roof which slopes up to a parapet wall which runs along it's south-western flank. The extension would have a total depth of 3.1m and a maximum

height of 5.2m at the parapet flank wall. Due to the stepped nature of the garden, the extension would have a height of 3.7m at its eaves, relative to garden level adjacent.

- 3.3 The new two storey extension is proposed to be finished in brick and with roof tiles to match the existing. The rear proposed rear facing window at first floor level will be in the style of the original windows, and align with the window above.
- 3.4 The development proposal would provide an additional bathroom at first floor level, and result in an additional 1.5sqm of internal floor space to the kitchen.
- 3.5 It was considered by officers that the plans would benefit from the addition of further details regarding external materials, to ensure that the extensions would be in keeping with the existing property. A number of minor discrepancies between the plans and elevations were also raised. The applicant agreed to supply the further details as requested and as such they form part of the current proposal. The discrepancies between plans and elevations were also suitably addressed.

Supporting Documents

- 3.6 The application is supported by a Heritage Statement and a Design & Access Statement both prepared by FDR Architects.

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.
- 4.3 Three objection letters were received from neighbouring residents. The Forest Hill Society and Sydenham Society have also objected to the proposed development.

Written Responses received from Local Residents

- 4.4 Objections were received from 3 local residents citing the following issues which are relevant to the assessment of the planning application:
 - That the extension would be overdevelopment, and would fail to enhance or preserve the conservation area.
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 - That the development would be harmful to the character of the rear of the building.
 - The proposed development does not respect the topography of the area.
 - That the development may cause highway safety issues.
 - Insufficient detail has been submitted with regards to materiality.
 - That the location plan does not show extensions on other properties.
 - Details have not been provided as to how the garden would be accessed from the extension.
 - Details have not been provided as to how the rear of the property would be accessed during construction stage.

- That the elevations do not show the conditions of the adjoining properties, such to assist with the assessment of potential impact from overshadowing.
- Potential for subsidence and land slippage.

Written Response received from the Sydenham Society

4.5 An objection was received from the Sydenham Society citing the following issues which are relevant to the assessment of the planning application:

- The cumulative impact of first floor extensions to the appearance of the terrace and historic importance of the conservation area.
- The addition of impervious surfaces is impacting on local ecology.
- That the extension is out scale with the original building, and that it would be overbearing when viewed from the neighbouring property, resulting in a loss of outlook.
- Potential impact from the use of the Mount Gardens road way for construction vehicles
- Potential impact from the demolition of the existing rear wall on the structure of the terrace, and stability of neighbouring properties.
- That due to the terrain and topography there has been a history of slippage in this area, and that consideration should be given to as to how the proposals will affect the potentially unstable ground.

Written Response received from the Forest Hill Society

4.6 The Forest Hill Society provided written endorsement for the Sydenham Society's objection detailed above. No additional issues were raised.

Other matters

4.7 Through public consultation a further matter was raised which is not a relevant planning consideration with respect to the proposal. This was the statement that another planning permission was granted nearby, and a condition which requires the submission of a construction management and logistics plan was not discharged prior to commencement.

4.8 This matter relates to number 32 Mount Ash Road and is the subject of a pending enforcement case DC/16/0030).

Highways & Transportation

4.9 Council's Highways Officers have offered no objection to proposed development, however, the following comments were offered should the Council be minded to approve the planning application:

- That given the constrained nature of the access to the site that a condition should be placed on the decision notice which requires, prior to commencement, the submission of a construction management plan for approval.

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.

London Plan (March 2015) incorporating March 2016 Minor Alterations

- 5.5 The policies relevant to this application are:
- Policy 5.3 Sustainable design and construction
 - Policy 5.13 Sustainable drainage

Policy 5.18 Construction, excavation and demolition waste
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

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

The Housing SPG (GLA, March 2016)
Sustainable Design and Construction (GLA, April 2014)

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic

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 22	Sustainable design and construction
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
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)

- 5.10 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 & Impact on the Conservation Area
- c) Highways and Traffic Issues
- d) Impact on Adjoining Properties

Principle of Development

- 6.2 The application site is covered by an Article 4 direction which makes it necessary for planning permission to be obtained for enlargement, improvement or other alteration to the dwellinghouse, subject to limitations. While this direction makes it necessary for planning permission to be obtained for such works it does not preclude development. The direction rather enables the Council to assess each case on its merits.
- 6.3 Within national, regional and local policies there is an identified need to both meet the needs of the housing market, and to promote living accommodation of an adequate standard. The proposed development relates to an extension to a residential property within a residential area. As such the principle of the development is supported, subject to considerations such as the design and impact on the Conservation Area, impact on adjoining properties and highway and traffic issues.

Design & Impact on the Conservation Area

- 6.4 London Plan Policy 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design. London Plan Policy 7.8 Heritage assets and archaeology outlines that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate, and that development should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Locally, Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment repeats the necessity to achieve high quality design and requires new developments to conserve and protect heritage assets (including Conservation Areas). Development Management Policy 36, New development, changes of use and alterations affecting designated heritage assets and their setting advises that planning permission will not be granted for developments or alterations and extensions to existing buildings that is deemed incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.

- 6.5 The subject dwelling forms part of a lengthy terrace enclosing the north-western side Mount Ash Road, in the Sydenham Hill/Kirkdale conservation area. The proposal is for an extension at ground and first floor level which adjoins the existing single storey extensions. The extension would result in an additional site coverage of less than 2sqm, leaving a generous garden space to the rear. This additional site coverage would relate to an area which is currently paved and would not require excavation of the garden. Therefore the works would have no impact with regards to ecology, surface water run-off or the stability of Mount Gardens.
- 6.6 The extensions would have a single pitched roof which meets a parapet flank wall, and would be finished in external materials which match the existing building. As a result of the proposed extension, the “jig-saw” single storey extension which accommodates a water closet would be retained, and existing skylights on the single storey elements would be relocated. At first floor level, the rear facing window would be in the same character as the original rear facing windows. A new timber framed glazed door would be installed at ground floor level, but it would not be a highly visible element from the street. The proposed extension would be subordinate to the main dwelling, and similar in bulk and scale to extensions on neighbouring properties.
- 6.7 The new work is discretely confined to the rear of the dwelling and while visible from a minor lane to the northwest of the terrace, it is not visible from any significant view point in the designated area. The proposed element is similar in bulk and form to a number of neighbouring rear additions and its modest presence will make little difference to the existing character of the row of terrace backs.
- 6.8 The importance of sustaining the significance of heritage assets is emphasised throughout section 12 of the NPPF and para. 132 requires great weight to be given to their conservation. The present proposal allows carefully managed change to occur while causing no harm to the significance of the conservation area and there is no objection in terms of Policy DM36.
- 6.9 While officers are mindful of objections from neighbouring properties regarding the level of detail shown on submission documents, it is noted that the planning application met the necessary statutory requirements for validity and sufficient detail was provided to make a full assessment. The applicant has worked with officers throughout the process of the planning application to clarify proposed materials as well as provide additional detail for information purposes, such as the height of existing (to be retained) boundary fencing.
- 6.10 The proposed extension is considered to positively respond to that listed in DM Policy 36 through its consistency in design through materials, window type and subordination with the parent building. While the first floor extension will be visible from Mount Gardens; the design and scale is acceptable in form and will not give rise to any significant impact on the conservation area.

Highways and Traffic Issues

- 6.11 Paragraph 32 of the NPPF states that plans and decisions should take account of whether safe and secure access to [and we can infer from] the site can be achieved for all people. London Plan Policy 6.3 Assessing effects of development on transport capacity sets out that planning decisions should ensure that impacts on transport capacity and the transport network are fully assessed, and that

developments should not adversely affect safety on the transport network. Lewisham Core Strategy Policy 14 states that the access and safety of pedestrians and cyclists throughout the borough will be promoted and prioritised.

- 6.12 Mount Gardens is an adopted highway and borders the site to the rear. Given the narrow width of the road, there is a recognised potential for conflict to arise during the construction phase from heavy vehicle movements, and stress on road way from unloading of deliveries to the site, as well as from storage and removal of waste. To mitigate any potential conflict it is recommended that a condition be imposed on any consent requiring a construction management plan be submitted and approved prior to the commencement of construction. This plan is to detail specifically how construction traffic will be managed and methods to be taken to mitigate adverse effects of construction activities on neighbouring properties and to ensure best practice in terms of highway safety.
- 6.13 Historic land slippage issues on Mount Ash Gardens were identified within the objection letters received. Accordingly, and in consultation with Council's Highways department, officers have considered the potential for the proposed works to cause harm to the structure of the highway. As the proposed works do not involve any excavation within the garden, Highways Officers are satisfied that there is no risk to Mound Gardens and mitigation is not required.
- 6.14 The Highways Officer has suggested the imposition of a condition requiring a construction management plan, which would include a requirement for the applicant to provide notice to users of Mount Gardens of any deliveries which may block access for a time. Through the imposition of this condition, it is considered that access and road safety issues which may arise from the development can be appropriately mitigated.
- 6.15 As such, the development is considered to be acceptable with regards to Highways and Transport considerations.

Impacts on Adjoining Properties

- 6.16 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including in relation to sunlight and daylight) to adjoining houses and their back gardens.
- 6.17 The proposed extension would result in the addition of a single window which is rear facing and as such would not be considered to give rise to any harmful impacts from overlooking. Additionally, given that the proposed extension would have a lower height than the primary roofs of the terrace, and would have a depth of 3.1m it is not considered to have a significant impact on the neighbouring dwelling in terms of a reduction in daylight. In consideration of form and bulk of the extension and its relationship with matching extensions along this terrace, the addition would not have an overbearing or incongruous effect when viewed from adjoining properties.
- 6.18 Adverse impacts through the construction phase including highway safety issues are recommended to be addressed through conditions and as such, these impacts on neighbouring properties are able to be appropriately mitigated and controlled.
- 6.19 Officers are mindful of objections from neighbouring properties regarding the potential structural damage that could occur to other parts of terrace as a result of

the partial demolition of the first floor rear wall to accommodate for the proposed extension. As the structural implications of the undertaking of building work are controlled and mitigated through the building control process, officers would not consider it necessary or appropriate to refuse the application on these grounds, nor place any additional burden on the applicant by way of a planning condition.

- 6.20 Due to the proposal being of a scale that does not adversely affect neighbouring properties and conditions recommended mitigate construction related effects; it is considered that an acceptable level of impact would result on adjoining properties.

7.0 Conclusion

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

7.2 The proposed development is considered to acceptable and of no significant harm to residential amenity or the character of the wider area.

8.0 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:

15017; 112 Rev A, 113 Rev A, 114 received 4th of April 2016

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

- (3) No development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include but not limited to the following:-

(a) Full details of the number, type and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.

(b) Measures to deal with safe pedestrian and vehicular movement

(c) Measures to mitigate effects on neighbours

(d) Dust mitigation measures

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 to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and 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) No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (5) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension/flat roof on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 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.