

Committee	PLANNING COMMITTEE C	
Report Title	58 ARRAN ROAD, LONDON, SE6 2NL	
Ward	CATFORD SOUTH	
Contributors	LUKE MANNIX	
Class	PART 1	03 NOVEMBER 2016

<u>Reg. Nos.</u>	DC/16/097155
<u>Application dated</u>	20.06.16
<u>Applicant</u>	Hemingstone Design [on behalf of Ms Roberts]
<u>Proposal</u>	The construction of a single storey rear extension to the ground floor flat at 58 Arran Road SE6.
<u>Applicant's Plan Nos.</u>	HD/SE6 2NL/EXT-ELEVATION; HD/SE6 2NL/EXT-GROUND; HD/SE6 2NL/EXT-ROOF; Site Location Plan; Design and Access Statement incorporating Heritage Statement (Received 20th June 2016); HD/SE6 2NL/PROP-ELEVATION; HD/SE6 2NL/PROP-GROUND; HD/SE6 2NL/PROP-ROOF; HD/SE6 2NL/SECTION; HD/SE6 2NL/SITE (Received 25th August 2016).
<u>Background Papers</u>	(1) Case File LE/705/58/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Culverley Green Conservation Area
<u>Screening</u>	N/A

## **1.0 Property/Site Description**

- 1.1 The application relates to a two storey semi-detached residential building located on the south side of Arran Road. The building was converted into two self-contained flats in 1959.
- 1.2 The building is finished in a mixture of pebbledash render and stock red brick with a pitched tiled roof. The front has a gable end with projecting bay windows, which are timber casement framed. The rear garden of the ground floor flat is 12m deep and the width of the building and the overall garden depth is 20m.
- 1.3 The building forms a handsome pair with the adjoining semi-detached building, which is typical of the character of the area. The site is located in Culverley Green Conservation Area but is not covered by an Article 4 direction.

## **2.0 Planning History**

- 2.1 24<sup>th</sup> August 1959 – Planning permission was granted for the alteration of 58 Arran Road to form two self contained flats.

## **3.0 Current Planning Applications**

- 3.1 Planning permission is sought for the construction of a single storey extension to the rear of the ground floor flat at 58 Arran Road.
- 3.2 The proposed extension would be 3.5m deep at the boundary with 60 Arran Road, but would step out to 4.3m deep from the western elevation. The roof would be pitched with a total height of 3.7m and an eave height of 2.4m. Part of the extension would have a flat roof.
- 3.3 The extension would have a tri-folding door leading to the garden as well as a side-opening casement window. The wall and roof material would match the existing building.
- 3.4 It should be noted that the originally submitted plans showed the extension a uniform 4.3m deep with a mono-pitched roof 3.7m high at the existing elevation and 2.5m high at the eaves. On the basis of officer advice, the extension was amended to the current proposal.

## **4.0 Consultation**

- 4.1 Site notices were displayed and letters were sent to adjoining residents. Ward Councillors were also notified. No responses were received.
- 4.2 The Culverley Green Resident's Association objected to the development due to the adverse impact on the amenities of 60 Arran Road due to the loss of light. Following changes to the scheme to reduce the height and depth at the boundary with 60 Arran Road, the association was re-notified however no withdrawal of the objection was received.

## **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 (2015 as amended)

5.6 On 14 March 2016 the London Plan 2015 (consolidated with further alterations since 2011) was adopted. The policies relevant to this application are:

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

#### Core Strategy

5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic

objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

#### Development Management Local Plan

5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

5.9 The following policies are considered to be relevant to this application:

DM Policy 31 Alterations/extensions to existing buildings

DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

#### Residential Standards Supplementary Planning Document (2006, updated 2012)

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 the design and the impact on adjoining properties.

#### Design

6.2 The Council, within Core Strategy Policies 15 and 16 expects all new development to be of the highest design standard, which is sensitive to its historical context.

6.3 Following this principle through, DM Policy 31 states that development proposals for alterations and extensions, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, and 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.

- 6.4 With respect to development in conservation areas, DM Policy 36 states that the Council, having paid special attention to the special interest of its conservation areas, and the desirability of preserving or enhancing their character or appearance, will not grant planning permission where new development or alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.5 The proposed extension is to the rear of the property and whilst there are spaces between the semi-detached buildings these are relatively narrow. Subsequently, officers consider that the visibility of the proposed extension from the public realm to be negligible.
- 6.6 Whilst officers note that the extension would result in the removal of the small bay protrusion on the ground floor of the rear elevation, it is considered that due to the low visibility the impact on the special character of the conservation area would be minimal. It should also be noted that, whilst the flat does not benefit from permitted development rights (and the proposal would fall outside of this criteria in any sense), the removal of these features would be allowed on other dwellings in the area as the site is not under an Article 4 direction.
- 6.7 The proposed extension would incorporate a pitched roof design, which would closely resemble that of the existing development. Furthermore, officers consider that matching materials would be compatible with the host dwelling. This can be secured through condition.
- 6.8 It is acknowledged that the opening styles of the proposed extension would not be similar to the existing first floor windows or the windows of adjoining properties. Whilst this is not considered sympathetic, officers deem that due to the low visibility the harm to the special character of the area would be negligible.
- 6.9 Finally, it is noted that the rear garden of the ground floor flat would be reduced from 12m in depth to 7.7m at its smallest. Bearing in mind that the unit would only be two bedrooms in size, this is not considered to significantly reduce the area of external amenity for residents.
- 6.10 Overall, officers consider that the design of the proposed development would not result in significant adverse harm to the special character of the Culverley Green Conservation Area.

#### Impact on Adjoining Properties

- 6.11 Providing good quality of amenities for future and existing residents is listed as a core planning principle of the NPPF.
- 6.12 Subsequently, DM Policy 31 states residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.13 The proposed extension (as amended) would be constructed 150mm from the side boundary of 60 Arran Road, which has a projecting bay 400mm from the boundary with openings facing towards the subject site and towards the rear garden. The height would be 2.4m at the eaves and the depth at this elevation would be 3.5m.

- 6.14 The extension has been designed to keep the height at the eaves to a minimum at 2.4m. The relationship of the eaves, in terms of its height is considered a significant factor in assessing the impact of a single storey extension on adjoining properties. In this respect, it is noted the government sets the maximum eaves level of a single storey extension at 3 metres irrespective of whether a standard extension under permitted development or a larger extension under prior approval (up to 6 metres). The height of the eaves is well below 3 metres to the extent that it is officer's view there would not be a sense of overbearingness, loss of light nor outlook adjacent to number 60.
- 6.15 The form and nature of the rear of the adjoining property at number 60 further mitigates against any significant adverse impacts. In this case, a large bay window comprised of four full height windows serves the potentially affected habitable room to the rear of the adjoining property. Due to the splayed nature of the bay, three of the bay windows would not be affected by the height and scale of the proposed extension due to their orientation away from the extension. The result is that the proposal would not result in a significant loss of light to the neighbouring habitable room nor would the occupants of that property be subject to an overbearing sense of enclosure.
- 6.16 Notwithstanding this assessment, officers note that the subject site is to the west of the site. As such, the adjoining openings would retain a large amount of sunlight during the morning and early afternoon hours. Furthermore, with the amendments made to the scheme, including the reduction in depth and height through a pitched roof, the development is not considered to significantly reduce daylight into the adjoining properties.
- 6.17 Overall, the impact on 60 Arran Road in terms of daylight/sunlight is considered acceptable.
- 6.18 Officers note that there is a space of 2.5m from the extension to the side elevation of 56 Arran Road. Furthermore, there is a noticeable distance from the side elevation to the nearest opening of the adjoining property. Therefore, whilst the depth of 4.3m would otherwise be harmful to amenities, considering the distance to the nearest sensitive opening and the modest height at the eaves, this would not result in adverse impacts of the amenities of these occupiers in terms of daylight/sunlight, outlook or visual amenities.
- 6.19 Lastly, the proposed development would not overlook any adjoining property, including any land of the upper floor flat. Therefore, it is considered that there would be no adverse loss of privacy to adjoining properties.
- 6.20 In summary, officers consider that the proposed development would not have a significant impact on the amenities of neighbouring properties.

## **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 In this matter there is no impact on equality.

## **9.0 Conclusion**

9.1 The proposed extension, whilst being located within the Culverley Green Conservation Area, is not considered to have a negligible impact to the special character of the area.

9.2 The proposed development is considered to have an acceptable impact on the amenities of nearby residential properties, including 60 Arran Road adjoining to the east.

9.3 Therefore, officers consider that the scheme is acceptable.

## **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:

HD/SE6 2NL/EXT-ELEVATION; HD/SE6 2NL/EXT-GROUND; HD/SE6 2NL/EXT-ROOF; Site Location Plan; Design and Access Statement incorporating Heritage Statement (Received 20th June 2016); HD/SE6 2NL/PROP-ELEVATION; HD/SE6 2NL/PROP-GROUND; HD/SE6 2NL/PROP-ROOF; HD/SE6 2NL/SECTION; HD/SE6 2NL/SITE (Received 25th August 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 new external finishes, including works of making good, shall be carried out other than in materials to match the existing.

**Reason:** To ensure that the high design quality demonstrated in the plans and submission is delivered so that local planning authority may be satisfied as to the external appearance of the extension and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (4) The use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

### **INFORMATIVES**

- (A) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place, which resulted in further information being submitted.