

Committee	PLANNING COMMITTEE B	
Report Title	39 HAREFIELD ROAD, LONDON SE4 1LW	
Ward	BROCKLEY	
Contributors	JOSHUA OGUNLEYE	
Class	PART 1	02 MARCH 2017

<u>Reg. Nos.</u>	DC/16/99061
<u>Application dated</u>	09.11.2016
<u>Applicant</u>	Absolute Lofts SW London Ltd (on behalf of Ms Tambini)
<u>Proposal</u>	The construction of dormer extensions to the rear roof slope of 39 Harefield Road SE4, together with the installation of rooflight in the front roof slope.
<u>Applicant's Plan Nos.</u>	Site Plan; Heritage Statement (Received 09 November 2017) ALA_SEP16_39 HAR_001 Rev H2 (Received 20 February 2017)
<u>Background Papers</u>	(1) Case File LE/801/112/TP (2) Development Management Local Plan (November 2014) (3) London Plan (March 2015)
<u>Designation</u>	Brockley Conservation Area Article 4 Direction
<u>Screening</u>	N/A

2.0 Property/Site Description

- 2.1 The application relates to a two storey, mid-terrace Victorian dwellinghouse on the north side of Harefield Road. The property was constructed using London stock bricks with a pitched roof. The property's front elevation houses a canted bay windows at ground floor, and timber sash windows with no glazing bar. This is in keeping with the character of neighbouring properties, which have timber sash windows.
- 2.2 The property sits on a west sloping hill, which has resulted in variation in ground level on the property's rear. The property has an original two-storey rear projection a feature shared with other properties on the terrace.
- 2.3 The area is predominately mixed use on the boundary of Brockley's commercial hub, comprised of a mix of property types. The property is within the Brockley conservation area and subject to the Brockley Article 4 Direction.

3.0 Relevant Planning History

- 3.1 No relevant planning history to consider.

4.0 Current Planning Application

- 4.1 The construction of dormer extensions to the rear roof slope of 39 Harefield Road SE4, together with the installation of rooflights in the front roof slope
- 4.2 The proposal seeks to construct two dormer windows on the rear roof slope each measuring 1.7(w) x 3m (d) x 2.3m(h). The proposed dormer would be constructed of slate tiles matching existing and incorporate two timber windows each measuring 1.3m(w) x 1.65m(h).
- 4.3 The development seeks to install one conservation styled rooflight on the front roofslope measuring 0.8m(w) x 0.8m(h) and flushed within the roofslope.

5.0 Consultation

- 5.1 28 Local neighbours – raised no objection
- 5.2 Brockley Ward Councillors – raised no objection.
- 5.3 Brockley Society - objected to the provision of rooflights on the front roof slope.
- 5.4 Conservation Officer – requested alteration to the rear extension's bulk.

6.0 Policy Context

6.1 Introduction

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), the Development Management Local Plan (adopted November 2014) and policies in the London Plan (March 2015). The NPPF does not change the legal status of the development plan.

6.2 National Planning Policy Framework

The NPPF was published on 27th March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'

- 6.3 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.
- 6.4 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.
- 6.5 Other National Guidance
On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.
- 6.6 The 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
- 6.7 Core Strategy
The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:
Core Strategy Policy 15 High quality design for Lewisham
- 6.8 Development Management Local Plan
The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:
- The following policies are considered relevant to this application:
DM Policy 30 Urban design and local character
DM Policy 31 Alterations/extensions to existing buildings
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.
- 6.9 Residential Standards Supplementary Planning Document (Updated 2012)
This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self-containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.
- 6.10 Paragraph 6.3 (Materials) states that bricks and roofing material used to construct an extension should match those in the original building. However, the use of modern materials is supported where appropriate.

- 6.11 Paragraph 6.7 (Roof extensions) states that when considering applications for roof extensions the Council will look at these main issues:
- All roof alterations should be successfully integrated with and preserve the architectural character of the building, and be subordinate to the principal elevations.
 - Planning permission is always required for roof additions in Conservation Areas.
 - The type and style of windows used should be similar to those used in the main elevations and reflect their alignment.
 - The relevant planning considerations for the proposal are the impact on the character and appearance of the roofscape in terms of scale, design, and size of the proposed rooflights and dormer and the impact this would have on character of the conservation area together with the impact on neighbour amenities.

7.0 Brockley Conservation Area Character Appraisal Planning Document (August 2006)

Rooflights add visual clutter to plain roofslopes which were not historically pierced with openings. They introduce unsympathetic modern materials such as coated aluminium and double-glazing into traditional settings. The design of rooflights is often unsympathetic as they stand proud of the roofslope and have wide, bulky frames. When open their appearance is even more intrusive. Of houses in the conservation area, 9% have one or more rooflights on their front roofslopes. Hilly Fields Crescent and Crescent Way have the highest percentages (32% and 33%) and in Geoffrey Road, Cranfield Road and Montague Avenue, between 19–23% of houses have rooflights

8.0 Planning Considerations

The relevant planning considerations for the proposal are the impact on the character and appearance of the host property and the conservation area, in terms of scale, massing, and design of the proposed rooflight and dormers. Furthermore, consideration is given to the impact this development would have on neighbour amenities.

Rear Dormer

- 8.1 The proposed rear dormer windows would be of an acceptable scale in relation to the host property's roof structure as such they would remain subservient to the host property and neighbouring properties. The proposed rear dormers' design, positioning and alignment on the host property is considered to result in a proposal that would be proportionate and complementary of the features and character of the host building.
- 8.2 The proposed dormers, being located to the rear of the property and not visible from the public realm of the conservation area, are considered to have a limited impact on the character of the conservation area. Although visible from rear gardens of properties along Harefield Road, given that the design and scale of the dormers, it is considered that they are not incongruous or detrimental to the character of the property.
- 8.3 The proposed rear dormer would be constructed using zinc cladding and incorporate grey uPVC sash windows. The proposed use of contemporary materials is supported, as they are considered to be of high quality and would provide a development that uses a traditional design with contemporary materials, respecting both the heritage setting and modern nature of this development. Overall the proposed dormers are considered to be of an appropriate design, which would be a sympathetic addition to the host building.

Rooflight Installation

- 8.4 Officers note that Harefield Road's sloping topology greatly affects the visibility of the roofscapes from street level by breaking up the visual flow of the roofscape. The presence of roof parapets between properties on the terrace further contributes to breaking up the view of a continuous roofscapes by introducing oblique angles were

sections of the roof are not visible from street level. The proposed flushed rooflight would be positioned close to the parapet wall, reducing its visibility from the public realm. Officers consider the proposed rooflight fitted flush within the front roofslope would have an acceptable impact on the visual character and appearance of the conservation area and would not contribute to visual clutter of the roofscape.

8.5 The conservation styled rooflight on the front roof slope would have a suitable design and be made up of aluminium deemed acceptable within the context of the conservation area. The proposed front rooflight is not considered to result in unacceptable levels of harm to the host property or the surrounding area. The scale and positioning of the rooflight within the roofslope would not appear overly dominant and by being flush with the existing roofslope would not result in visual clutter, a key concern of the rooflights within the conservation area appraisal. The proposal is considered to preserve the character of the conservation, with much of the original front roof untouched, the proposal is not considered to appear incongruous.

8.6 Overall Officers consider that the proposed front rooflight will not harmfully impact on the roofscape of Harefield Road and due to the proposed scale and positioning of the rooflight it will not harm the character of the host property or the wider conservation area.

Conclusion

8.7 The proposed rear dormer windows and front rooflight are considered to be of an appropriate design and scale and would not be harmful to the character of the host property or character of the Brockley conservation area.

9.0 Residential Amenity

9.1 Core Strategy Policy 15 states that new developments should be designed in a way that are sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential alterations should result in no significant loss of privacy and amenity to adjoining houses and their back gardens. It must therefore be demonstrated that proposed alterations are neighbourly and that significant harm will not arise with respect to overbearing impact, overshadowing, and loss of light, loss of outlook or general noise and disturbance.

9.2 The proposed rear dormer windows and front rooflight do not permit any new views of overlooking into neighbouring properties as such there are no amenities consideration.

9.3 In light of the above, the proposed development is considered to be acceptable with regards to neighbouring amenity.

Equalities Considerations

9.4 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.5 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- (b) advance equality of opportunity between people who share a protected characteristic and those who do not;

(c) Foster good relations between people who share a protected characteristic and persons who do not share it.

9.6 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

9.7 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

9.8 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

9.9 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9.10 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

10.0 **Conclusion**

10.1 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) London Plan (March 2015) and the National Planning Policy Framework (2012).

10.2 The proposed development is considered to be acceptable with regards to scale, massing, design and neighbouring amenity.

11.0 **RECOMMENDATION: GRANT PLANNING 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:

Site Plan; Heritage Statement (Received 09 November 2017)

ALA_SEP16_39 HAR_001 Rev H2 (Received 20 February 2017)

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

- 3 (a) The development shall be constructed in those materials as submitted namely Grey Zinc cladding for the proposed dormers and Grey uPVC for the proposed dormer windows and in full accordance with ALA_SEP16_39 HAR_001 Rev H.
- (b) The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 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 and 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.

4. The proposed rooflight to be installed in the front roofslope of the host building hereby approved shall be conservation styled and fitted flushed in accordance with ALA_SEP16_39 HAR_001 Rev H2.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions and 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 of the Development Management Local Plan (November 2014).

Informatives

- **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.