

Committee	PLANNING COMMITTEE C	
Report Title	7 FIRS CLOSE, LONDON, SE23 1BB	
Ward	Crofton Park	
Contributors	Andrew Harris	
Q21	PART 1	27 th April 2017

<u>Reg. Nos.</u>	DC/16/098073
<u>Application dated</u>	31/08/2016
<u>Applicant</u>	Mr Selter (Agent) on behalf of Mr Narvilas (Applicant)
<u>Proposal</u>	The construction of an extension at first floor level to the rear of 7 Firs Close SE23.
<u>Applicant's Plan Nos.</u>	101; Block Plan; Site Plan; Design & Access Statement Received 24/08/16; 201 Received 15/09/16; Daylight and Sunlight Drawings Received on 02/11/16; Additional Daylight and Sunlight Drawings Received 04/01/17
<u>Background Papers</u>	(1) Case File LE/1055/7/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	N/A.
<u>Screening</u>	N/A.

1.0 Addendum

- 1.1 Committee members deferred the application which was put before Planning committee C on 16th March 2017 for the following reason:-

For provision of comparison drawings between existing and proposed to illustrate the scale of the proposed extension and enable an assessment of its impact on neighbouring amenity together with the provision of an overshadowing study showing the impact on 21st March.

2.0 Property Description

- 2.1 This is covered in the main report.

3.0 Planning History

- 3.1 This is covered in the main report

4.0 Further submitted details

- 4.1 The applicant submitted the following drawings:

4.2 Sunlight drawings on 21/03/2017 at 10am, 12pm, 2pm, 3pm and 4pm

4.3 3D Shadow drawings on 21/03/2017 at 2pm and 4pm

4.4 Rear elevation sunlight drawings

5.0 Objections

5.1 Further to the main report, new objections have been received from the occupiers of 5 Firs Close and Ewart Road Housing Co-operative Limited. The objections outlined the following concerns:

- Additional parking stress
- Health and safety hazards for the children going to Seedling Day Nursery School
- Assertions that the only test applicable at this stage would be a BRE daylight and sunlight test
- Request for the committee meeting to be delayed to allow the neighbouring property to carry out their own daylight and sunlight assessment
- Confirmation of the intention to take legal action if permission is granted by the Council and a breach is subsequently found

6.0 Policy Context

6.1 This is covered in the main report.

7.0 Planning Considerations

7.1 This addendum addresses the following issues:-

7.2 Scale of development

7.3 Impact on neighbouring amenity (specifically with regard to overshadowing of 5 Firs Close)

7.4 Scale of development

7.5 The applicant has provided additional drawings and 3D renders in order to better illustrate the scale of the development. The measurements of the proposal are as follows:-

7.6 Depth – 3.5m

7.7 Maximum height – 6.9m (to match existing ridge line)

7.8 Eaves height – 5.15m (to match existing eaves height)

7.9 The revised roof plan submitted by the applicant shows the proposed first floor rear extension as being 6m from the boundary with 5 Firs Close and 8.2m from the side elevation of No.5. It also shows the extension as being 4.5m from the shared boundary with 9 Firs Close. At the distances proposed, Officer consider the scale of the development acceptable, and would not result in any detrimental increase in sense of enclosure or overbearingness to any adjoining property.

7.10 Impact on neighbouring amenity

- 7.11 It was acknowledged in the main report that the proposed first floor extension would result in some additional overshadowing to the neighbouring property, 5 Firs Close. Officers did however assert that the additional overshadowing would occur only during the mid-late afternoon. The overshadowing drawings provided by the applicant confirm that the proposed extension would not result in any additional overshadowing to No.5 until after 3pm. Up until this point, any overshadowing to the neighbouring property would be as a result of the boundary existing fence, rather than the proposed extension.
- 7.12 It is also noted that the neighbouring property features quite substantial amounts of vegetation along the boundary fence, which in places adds up to an additional meter to the boundary height. Said vegetation is not included within the overshadowing study and would most certainly contribute to the amount of existing overshadowing to the neighbouring property.

8.0 Additional Objections

8.1 Parking stress

8.2 This is covered in the main report.

8.3 Health and safety hazard for the neighbouring nursery

8.4 The objection states that allowing the development will pose a health and safety hazard for the children who attend the neighbouring Seedling Day Nursery School at 9 Firs Close. Officers do not support the concern raised for the following reasons:-

8.5 The proposed extension would be located on the boundary opposite the nursery, approximately 4.6m away from the shared boundary with 9 Firs Close.

8.6 The applicant would be required to comply with building regulations.

8.7 The works would be substantially less significant than the scheme approved at the adjoining builder's yard at 5a Firs close (DC/16/098821). The adjacent site shares a much larger boundary with the nursery, with a large section of the development being constructed along this boundary. The works are therefore considered to present no more of a hazard with regard to health and safety than that which was approved at the neighbouring site.

8.8 Given the scale of the proposed development, Officers do not consider it appropriate to require a construction management plan.

8.9 Legal action in the in the instance of a breach

8.10 The application is recommended for conditional approval on the basis of the submitted scheme. Where planning permission is granted for a development, the scheme should be built in accordance with the approval having regard to any conditions attached. A failure to do so could render the applicant/owner liable to planning enforcement action through the service of an enforcement notice or a breach of condition notice.

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 Officers consider the proposed development to be of no significant harm to the character of the area or to residential amenity and is therefore considered acceptable.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which the 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:

101 (Existing Plans and Elevations); Block Plan; Site Plan; Design & Access Statement Received 24/08/16; 201 (Proposed Plans and Elevations) Received 15/09/16; Daylight and Sunlight Drawings Received on 02/11/16; Additional Daylight and Sunlight Drawings Received 04/01/17; 21 March Sunlight Drawings; Overshadowing Drawings; 101 (Existing Ground Floor Plan); 201; 202; 102; 203; 103; 206; 105; 204; 104; 205; 106; 207 Received 10/04/17

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.

INFORMATIVES

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.