

Committee	PLANNING COMMITTEE C	
Report Title	34 Southbrook Road, London, SE12 8LL	
Ward	Lee Green	
Contributors	Alfie Williams	
Class	PART 1	22 FEBRUARY 2018

<u>Reg. Nos.</u>	(A) DC/17/104697
<u>Application dated</u>	22 November 2017
<u>Applicant</u>	Julie Morrison
<u>Proposal</u>	The construction of a two storey infill extension to the rear of 34 Southbrook Road SE12
<u>Applicant's Plan Nos.</u>	244_P2_001; 244_P2_002; 244_P2_003; 244_P2_004; 244_P2_100; 244_P2_101; 244_P2_102; 244_P2_103; 244_P2_104; 244_P2_105; 244_P2_106; Site Location Plan & Heritage Statement
<u>Background Papers</u>	(1) This is Background Papers List (2) Case File LE/400/34/TP (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	[Core Strategy, Site Allocations Local Plan] - Existing Use

## **2.0 Property/Site Description**

- 2.1 The application site is a two storey detached Victorian dwelling house. The property is located on the northern side of Southbrook Road in a predominantly residential area. The building is constructed from London stock bricks with timber windows and a slate roof. To the rear, the property has an existing conservatory infilling the side return and a small rear projection.
- 2.2 The property is located within the Lee Manor Conservation Area and was built in the late Victorian era. Southbrook Road is characterised by similar buildings to the application site with large double fronted building with a pair of canted bay windows on the front elevation and wide deep front gardens.
- 2.3 The property is subject to an Article 4 Direction but is not listed.

## **3.0 Planning History**

- 3.1 DC/06/62665 - Lawful Development Certificate issued in respect of the construction of a conservatory to the rear of the property.

- 3.2 DC/08/69603 – Planning permission granted for the replacement of the existing roof tiles to two bay windows to the front elevation of 34 Southbrook Road SE12, together with a reduction in the gradient.
- 3.3 DC/17/103029 – Planning permission granted for the construction of a single storey extension to the rear of 34 Southbrook Road SE12, together with the construction of a chimney and the installation of a replacement double glazed Crittal window in the side elevation.
- 3.4 Applications for similar developments on Southbrook Road are also of relevance to this application. In 2011, planning permission (DC/11/76925) was granted for the construction of an extension at first floor level to the rear of 29 Southbrook Road. In 2017, planning permission (DC/17/99901) was granted for the construction of an infill double storey extension to the rear of 25 Southbrook Road.

#### **4.0 Current Planning Applications**

##### The Proposals

- 4.1 The construction of a two storey infill extension to the rear elevation. The ground floor element of the extension would be built on the footprint of the existing conservatory and would measure 5.46m in depth with a width of 4.36m. Officers note that the ground floor infill extension was granted permission as part of application DC/17/103029.
- 4.2 The first floor extension would be set back slightly from the ground floor extension measuring 4.87m in depth with a width of 3.86m. The extension would have a monopitched roof with a projecting gable to the rear. The roof would have a maximum height of 6.21m from ground level sloping to eaves 5.15m above the ground.
- 4.3 The extension would be constructed from London stock bricks to match the existing property with an Eternit artificial slate roof covering. At ground floor level the extension would accommodate a Crittal door. One timber sash window would be installed in the first floor gable.

##### Supporting Documents

- 4.4 244\_P2\_001; 244\_P2\_002; 244\_P2\_003; 244\_P2\_004; 244\_P2\_100; 244\_P2\_101; 244\_P2\_102; 244\_P2\_103; 244\_P2\_104; 244\_P2\_105; 244\_P2\_106; Site Location Plan & Heritage Statement

#### **5.0 Consultation**

- 5.1 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 meet the requirements of the Council's adopted Statement of Community Involvement.
- 5.2 Site notices were displayed, a press notice issued and letters were sent to residents in the surrounding area and the relevant ward Councillors. The Lee Manor Society were also consulted.

- 5.3 One neighbouring resident responded to state that they had no objection to the application.
- 5.4 The Lee Manor Society objected to the first floor extension, noting that historically council planners have opposed first floor extensions to houses in the conservation area on the grounds they represented an excessive development of the original house and frequently impacted negatively on neighbours. We believe this approach should be maintained and therefore object to this proposal

## **6.0 Policy Context**

### Introduction

- 6.1 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)
- 6.2 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

- 6.3 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)'.

- 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.

#### Other National Guidance

- 6.5 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)

- 6.6 On 14 March 2016 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

#### Core Strategy

- 6.7 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

- 6.8 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:

- 6.9 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
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

6.10 Lee Manor Conservation Area Character Appraisal (2008)

**7.0 Planning Considerations**

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

- a) Principle of Development
- b) Design & Conservation
- c) Impact on Adjoining Properties

Principle of Development

7.2 The objection from the Lee Manor Society states that the council have historically resisted first floor extensions in conservation areas. However, as noted above, the council have previously granted two storey extensions on Southbrook Road, most recently at 25 Southbrook Road in 2017. Officers do not have an in principle objection to a residential extension, however the merits of the scheme with regards to scale, design and impact on the locality will be assessed in order for Officers to determine if such a proposal can be supported.

Design & Conservation

7.3 DM Policy 36 requires all extensions to be compatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials. Southbrook Road is located within Character Area 1 of the Lee Manor Conservation Area as identified within the Character Appraisal. The character appraisal highlights the combination of standardised symmetrical form and double frontages together with the highly varied architectural detailing as the defining feature of the road.

7.4 The proposed extension is confined to the rear and would not have an impact on the architecturally significant frontage of the property. The extension is considered to be proportionally subservient to the host property and neighbouring properties by virtue of its size and scale within the context of large double fronted buildings and the large rear garden.

7.5 As previously noted two-storey rear extensions have been granted planning permission on Southbrook Road. Most recently, planning permission was granted at committee for the construction of a two-storey extension to the rear of 25 Southbrook Road. The extension infilled the rear side return at ground and first floor levels. Officers consider the scale and siting of the proposed extension to be similar to the extension granted approval no.25 and note that both properties share a similar architectural form. 25 Southbrook Road was also granted planning permission for the construction of a single storey rear extension (reference DC/17/100203) similar to the extension granted permission at the application site in 2017.

7.6 DM Policy 30 states that materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials

should be clearly justified in relation to the existing built context. At ground floor the extension is proposed to be constricted from stock bricks with crittal patio doors. At first floor the walls will again be London stock bricks with a timber sash window in the gable elevation and eternite slate roof tiles. It is therefore considered that the choice of proposed materials are appropriate for the domestic nature of the extension, sensitive to character of the property, whilst also providing an individual design element with the use of Crittal.

- 7.7 The proposed extension is considered to accord with the principles of DM Policy 36 by virtue of the combination of historically appropriate and high quality complementary materials and proportionate scale.

#### Impact on Adjoining Properties

- 7.8 DM Policy 31 states that residential extensions should not result in a significant loss of amenity or privacy to adjoining houses and gardens. The proposed development should therefore demonstrate that significant harm will not arise with respect to overbearing impact, loss of light, loss of outlook or general noise and disturbance.
- 7.9 The proposed development is contained to the western side of the rear elevation and as such the impact is limited to the western boundary with 36 Southbrook Road. No.36 benefits from a single storey garage located on the boundary with the application site. The garage measures 3m in width and separates the two properties. At first floor level, no.36 has a bedroom window in the side elevation that currently looks out over the garage and the existing conservatory at the application site.
- 7.10 Drawing 244\_P2\_102 demonstrates the relationship between the window and the proposed extension. The drawing shows that the rear of the extension would be approximately 45° from the edge of the window at a distance of approximately 3m. Officers are satisfied that the combination of the 3m distance and pitched roof design of the extension would prevent a sense of enclosure at the window and allow an acceptable level of outlook.
- 7.11 The proposed extension would introduce an additional opening that would overlook the rear gardens of neighbouring properties to the side and rear. However, these views are already in place and is not unreasonable for there be a level of overlooking in an urban environment such as this.

#### **8.0 Local Finance Considerations**

- 8.1 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).
- 8.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

8.3 The Mayor of London's CIL is therefore a material consideration. CIL is not applicable on this application.

## **9.0 Community Infrastructure Levy**

9.1 The above development is not CIL liable.

## **10.0 Equalities Considerations**

10.1 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.

10.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.3 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. In this matter there is no impact on equality

## **11.0 Conclusion**

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

11.2 The proposed extension would preserve the character of the Lee Manor Conservation Area and would have an acceptable impact on residential amenity in accordance with DM Policies 30, 31 and 36. The scheme is therefore considered acceptable and planning permission should be approved.

## **12.0 RECOMMENDATION**

12.1 Grant permission subject to the following conditions:

### **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:

244\_P2\_001; 244\_P2\_002; 244\_P2\_003; 244\_P2\_004; 244\_P2\_100;  
244\_P2\_101; 244\_P2\_102; 244\_P2\_103; 244\_P2\_104; 244\_P2\_105;  
244\_P2\_106; Site Location Plan;

**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**

- 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 and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.