

Committee	PLANNING COMMITTEE B	
Report Title	34 SUNDERLAND ROAD, SE23	
Ward	Perry Vale	
Contributors	Catriona Morgan	
Class	PART 1	15 November 2018

Reg. Nos. DC/18/106214

Application dated 07.03.2018

Applicant Nicholas Jamieson Architect on behalf of London Quakers Property Trust

Proposal The alteration and conversion of the existing 2 x No. residential units on the first floor at 34 Sunderland Road, SE23 to provide 1 x No. 1 bedroom unit and 2 x No. 2 bedroom units on the first and second floors together with the demolition of the existing external staircase and construction of a single storey front extension, construction of a rear dormer roof extension, installation of rooflights and alterations to the existing fenestration.

Applicant's Plan Nos. 2012 P01; EX01; EX02; EX03; EX04; EX05; EX06; EX07; EX08; EX09 received 7th March 2018.

Design & Access Statement (Nicholas Jamieson Architect, 6 March 2018) received 23rd March 2018.

PL02 Rev A; PL03 Rev A; PL04 Rev A; PL05 Rev A; PL06 Rev A; PL07 Rev A; PL08 Rev A; PL09 Rev A; PL10 Rev A; PL11 Rev A; PL12 Rev A received 18th July 2018.

PL01 Rev B received 9th August 2018.

Background Papers

- (1) Case File LE/420/34/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2016)
- (4) The NPPF (2018)

Designation Existing Ground Floor D1 Use; Existing Upper Floors C3 Use  
PTAL 2  
Not located in a Conservation Area  
No Article 4 Direction

## **1.0 Property/Site Description**

- 1.1 The application relates to a large two storey, detached Victorian building located on the western side of Sunderland Road. The ground floor of the application building has been converted into meeting rooms and associated areas, for use by Forest Hill Quaker Meeting and a variety of local community organisations. The upper floors are laid out as two self-contained residential units, comprising 1 x No. one-bedroom/studio unit, and 1 x No. three-bedroom flat.
- 1.2 The surrounding area is predominately residential in nature. The application building forms part of a group of five comparable buildings on the western side of Sunderland Road, which are detached and characterised by dominant two storey bay windows located to the left of the central entrance door. The buildings are largely constructed from London stock brick, however the front elevations of No.32 and No.40 have been rendered and painted light blue and cream respectively. The majority of the buildings have been split into flats.
- 1.3 There are a number of extensions to the application building, for which there is no planning history. These include an octagonal single storey rear extension; a single storey side extension to the north of the building, which adjoins the flank wall of No.32 Sunderland Road; and an external staircase leading from the north elevation first floor window to a walled stair from the roof of the side extension to ground level.
- 1.4 The site has a PTAL rating of 3, based on a scale of 0-6b with 6b having the highest degree of accessibility to public transport. The site is not subject to any other particular designations.

## **2.0 Planning History**

- 2.1 PRE/17/103969 – Pre-application advice sought concerning the demolition of the existing external staircase and construction of a two storey staircase extension to the north of the building, construction of a rear dormer roof extension, installation of rooflights and alterations to the existing fenestration, together with the conversion of the 2 x No. existing flats into 3 x No. flats.
- 2.2 PRE/11/001064 – Pre-application advice sought concerning various alterations in connection with the self-containment of the upper floor (former Warden's) residential accommodation, plus conversion of roofspace to create an additional flat.

## **3.0 Current Planning Applications**

### The Proposal

- 3.1 This application relates to the alteration and conversion of the existing 2 x No. residential units on the first floor at 34 Sunderland Road, SE23 to provide 1 x No. 1 bedroom unit and 2 x No. 2 bedroom units on the first and second floors together with the demolition of the existing external staircase and construction of a single storey front extension, construction of a rear dormer roof extension,

installation of rooflights and alterations to the existing fenestration. The application also proposes the installation of a ramp leading to the main entrance of the building.

- 3.2 The single storey front/side extension would measure approximately 1.8 metres in depth and approximately 1.56 metres in width. The extension would have a flat roof measuring approximately 3.81 metres in height. The walls of the extension would be constructed from bricks similar to the existing. There would be a white finished aluminium framed door in the front elevation and a white finished aluminium framed window in the side elevation of the extension. This entrance would serve the proposed flats on the first and second floors of the building.
- 3.3 The proposed rear dormer roof extension would measure approximately 7.72 metres in width and approximately 2.32 metres in height. The dormer is proposed to be clad with zinc sheet cladding.
- 3.4 The application proposes the installation of two rooflights in the rear roofslope, the installation of four rooflights in the front roofslope and the installation of two rooflights in the roof of the projecting bay window.
- 3.5 The application also proposes the replacement of a first floor window and the installation of two second floor windows on the southern elevation; the replacement of the existing first floor window and installation of two first floor windows and one second floor window on the northern elevation; and the replacement of the existing first floor windows on the rear elevation with five windows. These windows would be white finished aluminium framed units.
- 3.6 The proposed ramp would extend 1.48 metres from the front elevation of the application property and would have a maximum height of 0.52 metres at the entrance to the building. The ramp then descends down to the front car parking area.

### Revisions

- 3.7 The application initially proposed a second entrance to the Quaker Hall, adjacent to the proposed flat entrance. This has been removed from the proposal and replaced with a fixed window. The detailed design of the rear dormer and proportions of the proposed windows and velux windows have also been revised. Officers also requested that the internal kitchen/living/dining area of Flat 3 be increased. Revised drawings were submitted on 18<sup>th</sup> July 2018 to reflect these amendments.

## **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 met those required by the Council's adopted Statement of Community Involvement.
- 4.2 A site notice was displayed and letters were sent to fifteen residents in the surrounding area, as well as the relevant ward Councillors in Perry Vale. The Council's Highways department were also consulted.
- 4.3 Three neighbouring properties have raised objection to the proposal.

## Written Responses received from Local Residents

- 4.4 The planning concerns raised by neighbouring residents are summarised below:
- The dormer windows will overlook neighbouring properties and rear gardens, leading to a loss of privacy for occupants;
  - The scale of the proposed dormer will be visually overbearing and not in keeping with the original Victorian building;
  - A further extension will lead to the site being overdeveloped and add to noise nuisance;
  - The proposed windows on the northern elevation of the building will overlook neighbouring properties and rear gardens, leading to a loss of privacy for occupants.

## Written Responses received from Statutory Agencies

### Highways and Transportation

- 4.5 The Council's Highways Officer initially considered that insufficient information had been submitted with regards cycle parking, the access ramp and car parking. Additional information was sought in this regard.

#### *Cycle Parking*

Highways requested a plan showing where the proposed cycle parking will be located, including dimensions and type of store to be used. They requested that the cycle parking be covered, secure and fully enclosed, and at least 2m in length to fit bicycles comfortably.

The applicant submitted further information in this regard, and proposes 9 cycle parking spaces located in the forecourt, along the northern boundary of the application site. These spaces would be covered, secure and fully enclosed. Therefore, the cycle parking details are considered acceptable and the concerns raised by Highways have been resolved.

#### *Access Ramp*

Highways queried how the access ramp will be accessible should two cars be parked in the car parking spaces, and questioned how the access will be kept clear.

The applicant has submitted a revised proposed ground floor plan (PL01 Rev B) which details two cars in the proposed car parking spaces, the access ramp, and a low wall separating the car parking spaces from the access ramp. The low wall is set marginally above the height of the top of the ramp, and cars will not be able to encroach onto the ramp as the low wall will prevent them from doing so. Therefore, these details are considered to be acceptable and the concerns raised by Highways have been resolved.

#### *Crossovers*

Highways confirmed that the existing crossover is redundant, and noted that the applicant will have to pay for the removal of this redundant crossover and submit an application for a new proposed crossover, as currently there is not a crossover in this location.

The applicant confirms that they have submitted an application to Highways for a new crossover. Evidence that the new crossover has been installed can be conditioned.

### *Car Parking*

Highways raised concern with how the car parking will be allocated such that one space is for the meeting house and one is for the flats. Additionally, they queried which bedroom unit will be allocated the car parking space.

The applicant submitted further information in this regard, and confirms that there is not enough space for more than two cars to be parked in the forecourt; a third car attempting to park on the site would prevent the first two cars from being able to drive in or out of the site. Further, the applicant employs a Lettings Administrator who is responsible for managing the use of the building, including the monitoring of the car parking. The applicants also propose notices in the forecourt stating that the car parking space to the north is to be used by the tenants of Flat 3 only. As such, the car parking details are considered to be acceptable and the concerns raised by Highways have been resolved.

## **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.

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 (NPPF) 2018

5.3 The NPPF, originally published in 2012, was revised on 24th July 2018 and is a material consideration in the determination of planning and related applications.

5.4 It contains at paragraph 11, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on its implementation. In summary, this

states in paragraph 213, 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 and in regard to existing local policies, that ‘...due weight should be given to them, 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)’.

- 5.5 Officers have reviewed the Core Strategy and Development Management Local Plan 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 213 of the NPPF.

#### Other National Guidance

- 5.6 The DCLG launched the National Planning Practice Guidance (NPPG) resource on the 6<sup>th</sup> March 2014. This replaced a number of planning practice guidance documents.

Technical housing standards – nationally described housing standard (DCLG, March 2015).

#### London Plan (March 2016)

- 5.7 The London Plan was updated on the 14 March 2016 to incorporate Housing Standards and Parking Standards Minor Alterations to the London Plan (2015). The new, draft London Plan was published by the Mayor of London for public consultation on 29 November 2017 (until 2 March 2018). The Mayor published proposed modifications to the Draft Plan in August 2018. The document is at an early stage in the process and has some limited weight as a material consideration when determining planning applications. The policies in the current adopted London Plan (2016) relevant to this application are:

Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 3.9 Mixed & Balanced Communities  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.4 Local character  
Policy 7.6 Architecture

The policies in the draft London Plan of relevance to this application are:

Policy GG1 Building strong and inclusive communities  
Policy GG4 Delivering the homes Londoners needs  
Policy D1 London’s form and characteristics  
Policy D2 Delivering good design  
Policy D4 Housing quality and standards  
Policy D6 Optimising density

Policy H1 Increasing housing supply  
Policy H2 Small sites and small housing developments  
Policy H12 Housing size mix  
Policy SI2 Minimising greenhouse gas emissions  
Policy T5 Cycling  
Policy T6 Car parking

#### London Plan Supplementary Planning Guidance (SPG)

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

- [Sustainable Design and Construction](#) (April 2014)
- [Housing](#) (March 2016)

#### Core Strategy (June 2011)

5.9 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 1 Housing provision, mix and affordability  
Core Strategy Policy 7 Climate change and adapting to the effects  
Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
Core Strategy Policy 13 Addressing Lewisham's waste management requirements  
Core Strategy Policy 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham

#### Development Management Local Plan (November 2014)

5.10 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:

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 2	Prevention of loss of existing housing
DM Policy 22	Sustainable design and construction
DM Policy 29	Car parking
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

Residential Standards Supplementary Planning Document (2006, updated 2012)

- 5.12 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.
- 5.13 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.
- 5.14 Paragraph 6.4 (Bulk and size) states that extensions should be smaller and less bulky than the original building and reflect its form and shape. It states that traditionally, extensions to buildings are subsidiary to the main structure and that over-dominant extensions may destroy the architectural integrity of existing buildings.
- 5.15 Paragraph 6.7 states that when considering applications for roof extensions they should be sensitively designed to retain the architectural integrity of the building. The following design principles should be used to achieve this:
- All roof alterations should be successfully integrated with and preserve the architectural character of the building, and be subordinate to the principal elevations.
  - The type and style of windows used should be similar to those used in the main elevations and reflect their alignment.
  - For Victorian and Edwardian buildings, particularly in Conservation Areas box dormers occupying a whole roof slope are unlikely to be permitted.
  - Roof extensions, including dormer windows, to the front and side elevations will be resisted in favour of roof lights set into the roof slope.
  - Rear roof extensions should be set back a minimum of one metre behind the lines of eaves and a minimum of 500mm from the gable, flank or party wall boundary.
  - Roof extensions will not be permitted where any part of the extension will be above the height of the ridge of the main roof.
  - Roof extensions should be set back into the roof slope and not be formed by building up external walls.
  - The materials used for roof extensions and dormers should be compatible with the existing roof material in order to be unobtrusive and blend into the roof slope. Preferred materials are natural or simulated slates, clay tiles, zinc, lead or copper as appropriate with fascia boards in painted timber or hardwood.

## **6.0 Planning Considerations**

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

- Principle of Development
- Design
- Standard of Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy

### Principle of Development

- 6.2 The London Plan outlines through Policy 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment.
- 6.3 Locally, Core Strategy Policy 1 Housing provision, mix and affordability sets out that housing developments will be expected to provide an appropriate mix of dwellings having regard to criteria such as the physical character of the building and site and location of schools, shops, open space and other infrastructure requirements (such as transport links).
- 6.4 DM Policy 2 seeks to prevent the loss of housing stating that a core principle of the planning system is the delivery of homes to meet housing need. The loss of housing arising from redevelopment is not consistent with the NPPF, in general conformity with the London Plan or in accordance with the Core Strategy.
- 6.5 The upper floors of the application site currently comprise 1 x No. one-bedroom/studio flat, and 1 x No. three-bedroom flat. However, there is no planning history pertaining to the lawful use of the upper floors.
- 6.6 During the application process the applicants submitted four tenancy agreements for the one-bedroom/studio flat (known as No.34 Sunderland Road), dating from 1<sup>st</sup> September 1999 – 14<sup>th</sup> September 2001; from 10<sup>th</sup> April 2005 – 10<sup>th</sup> August 2005; and from 15<sup>th</sup> February 2008 – 14<sup>th</sup> February 2009. The applicant submitted two un-dated photos which they state were taken on 5<sup>th</sup> April 2017, showing that the three-bedroom flat (known as No.34A Sunderland Road) was occupied at that time.
- 6.7 Officers have checked the Valuation Office website and spoken with colleagues from the Council Tax department. Council Tax confirmed that No.34 Sunderland Road has been registered on their system from 2000 and has been empty since 2017; it also states that this is a wardens flat. Council Tax confirmed that No.34A Sunderland Road has been registered on their system from 2000 and council tax is still being paid for this flat.
- 6.8 Officers acknowledge that the evidence gathered and outlined above does not demonstrate that the first floor of the building has been in use as 1 x No. one-bedroom/studio and 1 x No. three-bedroom flat continually for a period of four years. As such, it cannot be established that their use is lawful and would meet the

requirements of Section 171B of the Town and Country Planning Act 1990. Notwithstanding, Officers consider that the evidence gathered and outlined above does indicate that the existing flats have been there for a considerable period.

- 6.9 The proposed scheme would provide 1 x No. one-bedroom unit and 2 x No. two-bedroom units. The one-bedroom unit is assumed to be for one person, due to the size of the proposed unit. The two-bedroom units are assumed to be for four people each, due to the size of the proposed units.
- 6.10 DM Policy 32 sets out how to achieve high quality design and internal layouts in new development. Specifically, part 4(e) of this policy states that, "Single person dwellings will not be supported other than in exceptional circumstances. Developments will be required to have an exceptional design quality and be in highly accessible locations". Officers acknowledge that the application site has a PTAL rating of 3 (average), and the proposed unit would not be of an exceptional design quality. Notwithstanding, Officers consider that the provision of a single person unit at the application site would be acceptable, given that there is an existing studio/one-bedroom unit that has been there for a considerable period of time. Furthermore, the proposed one-bedroom unit would be a significant improvement on the existing standard of accommodation of the studio flat. The existing studio flat has a floor area of approximately 21.35m<sup>2</sup>, whilst the proposed one-bedroom unit would have a floor area of 41m<sup>2</sup>; almost doubling the internal floorspace for the potential occupant. The proposed one-bedroom unit would also provide a better outlook for a potential occupant, with more windows provided than in the existing studio flat.
- 6.11 The proposal would result in an additional residential unit and an overall improved quality of accommodation at the application site.
- 6.12 In light of the above, the proposed scheme is considered to be acceptable in principle subject to design, neighbouring amenity, provision of a good standard of accommodation for occupants and the impacts on highways.

### Design

- 6.13 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 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.
- 6.14 In relation to Lewisham, Core Strategy Policy 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.15 DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.

- 6.16 DM Policy 31 requires development proposals for alterations to be of a high, site specific and sensitive design quality and to respect and/or complement the form, setting period, architectural characteristics and detailing of the original building, including external features such as chimneys and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to context.

*Single Storey Front Extension*

- 6.17 The application proposes the demolition of the existing external staircase, which is accessed from a door along the northern boundary of the application site and extends up to the first floor window in the flank elevation of the building. Officers raise no objection to the demolition of the staircase.
- 6.18 The proposed single storey front/side extension would be set back from the front elevation of the application building by approximately 1.6 metres, and would be set back from the shared boundary with No.32 Sunderland Road by approximately 2.08 metres. The height and depth of the proposed development is considered to be subservient to the host dwelling and the walls of the extension would be constructed from yellow London stock brick, similar to the existing. As such, the proposal is considered to be a subordinate addition to the host building and would not have a detrimental impact upon the streetscene or surrounding area.

*Rear Dormer Roof Extension*

- 6.19 When viewing the rear roofslopes of the application site and neighbouring properties from the rear garden, it is noted that the surrounding roofslopes remain unaltered apart from a small rear dormer roof extension at No.32 Sunderland Road, which was approved in 2007 (ref. 07/065194/X).
- 6.20 The proposed rear dormer roof extension would be set in from the southern gable-end by approximately 1.3 metres and would be set in from the northern gable-end by approximately 2.72 metres. The dormer would be set down from the ridge line of the roof by approximately 1.4 metres and would be set up from the eaves by approximately 0.7 metres.
- 6.21 The proposed dormer would be appropriately set in from the eaves and gable-ends, and would sit substantially below the ridge line of the roof. The proposal is considered to be subordinate within the rear roofslope and would be in accordance with the principles of the Residential Standards SPD.
- 6.22 With regards the detailed design of the dormer, the original proposal comprised four sets of double-pane windows separated by white painted wood linings. Officers considered the original design was unnecessarily chunky, and this was emphasised as the proposed materials would match the existing roofslope.
- 6.23 Following the submission of revised plans, the detailed design of the dormer has been simplified. The current proposal comprises two sets of triple-pane windows separated by white finished aluminium lining. The dormer is also proposed to be clad in zinc sheet cladding. Officers consider the revised design of the dormer is of a high quality and would not have an adverse unacceptable impact upon the host property and surrounding area. Furthermore the proposed dormer is not considered to result in any loss of visual amenity from neighbouring properties,

given its high quality design and setback of at least 25 metres from the rear boundary of the application site.

- 6.24 No details have been submitted with regards the type and specification of zinc cladding to be used on the rear dormer extension, however these details can be secured by condition.

#### *Rooflights*

- 6.25 The application proposes the installation of two rooflights in the rear roofslope, the installation of four rooflights in the front roofslope and the installation of two rooflights in the roof of the projecting bay window. The rooflights are considered to be acceptable and not out of character with the appearance of the existing property.

#### *Alterations to Fenestration*

- 6.26 The application also proposes the replacement of a first floor window and installation of two second floor windows on the southern elevation; the replacement of the existing first floor window and installation of two first floor windows and one second floor window on the northern elevation; and the replacement of the existing first floor windows on the rear elevation with five windows. These windows would be white finished aluminium framed units.
- 6.27 The original proposed windows on the rear and side elevations appeared quite long and narrow, and were not in keeping with the proportions of the existing windows at the application property.
- 6.28 Following the submission of revised plans the size and proportions of the windows have been significantly reduced, so that they are more sympathetic and in keeping with the original window proportions of the building. Therefore, the revised window proportions are considered to be acceptable. The proposed windows on the rear and side elevations would not be out of character with the appearance of the existing property.

#### *Ramp*

- 6.29 The proposed ramp at the front of the application building is considered to be a subordinate addition to the host building and would not have a detrimental impact upon the streetscene or surrounding area.
- 6.30 In light of the above the proposed single storey front extension, rear dormer roof extension and rooflights, alterations to the fenestration and access ramp are considered to be appropriate for the application site and would have a limited impact on the surrounding area, and therefore the proposal is considered to be in accordance with Core Strategy Policy 15, DM Policy 30 and DM Policy 31.

#### Standard of Accommodation

- 6.31 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing

provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor’s view that “providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods”.

6.32 London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. However, in 2015, the ‘Technical housing standards – nationally described space standards’ were introduced. The alterations to the London Housing SPG adopted these standards. The technical housing standards is therefore applicable..

6.33 With regards to unit type and size, the development seeks to deliver 1 x No. one-bedroom, one person unit and 2 x No. two-bedroom, four person units. An assessment of the proposal against required space standards is considered below.

<b>Unit Type</b>	<b>Room</b>	<b>Size</b>	<b>Required</b>	<b>Compliance</b>
<b>Flat 1</b>	Unit Size	41m <sup>2</sup>	37m <sup>2</sup>	Y
	Floor-Ceiling Height	Approx. 2.9m	2.3m for at least 75%	Y
	Bedroom 1	Approx. 8.91m <sup>2</sup>	7.5m <sup>2</sup>	Y
<b>Flat 2</b>	Unit Size	70m <sup>2</sup>	70m <sup>2</sup>	Y
	Floor-Ceiling Height	Approx. 2.9m	2.3m for at least 75%	Y
	Bedroom 1	Approx. 11.75m <sup>2</sup>	11.5m <sup>2</sup>	Y
	Bedroom 2	Approx. 12.96m <sup>2</sup>	11.5m <sup>2</sup>	Y
<b>Flat 3</b>	Unit Size	75m <sup>2</sup>	70m <sup>2</sup>	Y
	Floor-Ceiling Height	At least 2.3m	2.3m for at least 75%	Y
	Bedroom 1	Approx. 13.1m <sup>2</sup>	11.5m <sup>2</sup>	Y
	Bedroom 2	Approx. 13m <sup>2</sup>	11.5m <sup>2</sup>	Y

6.34 The technical housing standards state that the minimum floor to ceiling height of proposed units should be 2.3m for at least 75% of the Gross Internal Area. The Residential Design SPD states that attic rooms including loft conversions need to be provided with sufficient head clearance and floor space. Floor space calculations should be based on parts of the rooms with a headspace of more than 1.5m. All three units would meet a minimum floor to ceiling height of 2.3m for at least 75% of the Gross Internal Area.

6.35 The proposal fails to provide any private amenity space for the proposed units. However, given the existing flats do not have any amenity space available, it would be unreasonable to refuse the application on this basis. Furthermore, the

Horniman Museum and Gardens are only a 10 minute bus journey or 20 minute walk away; and the Garthorne Road Nature Reserve is only a 10 minute walk from the application site.

- 6.36 Officers have not assessed the standard of accommodation for the current flats. However all three proposed units would meet the technical housing standards, would be dual-aspect and are considered to be acceptable with regards to standard of accommodation for future occupants.

#### Highways and Traffic Issues

- 6.37 Core Strategy Policy 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.
- 6.38 The application site has a PTAL rating of 3 (average).

#### *Car Parking*

- 6.39 There are two existing off-street car parking spaces at the application site, located in the forecourt. The application proposes that one of these car parking spaces would be for the Quaker Hall and the other parking space would be for the tenants of Flat 3.
- 6.40 The applicants propose notices in the forecourt stating that the car parking space to the north of the site is to be used by the tenants of Flat 3 only.
- 6.41 The London Plan requires that proposals for residential development with 1-2 bedrooms per unit should provide less than 1 car parking space per unit. Given that there would be an increase of one unit on the site, officers consider that the proposed car parking would be acceptable and their retention can be conditioned.

#### *Cycle Parking*

- 6.42 Policy 6.9 of the London Plan maintains that development should provide secure, integrated and accessible cycle parking facilities. The London Plan requires that a one-bedroom flat should provide 1 cycle parking space, and 2 cycle parking spaces should be provided per all other dwellings.
- 6.43 The application proposes 9 cycle parking spaces for the residential units, which would be located within the forecourt of the application site. These spaces would be covered, secure and fully enclosed. As such the proposed cycle parking is considered acceptable.

#### *Refuse*

- 6.44 The applicant has submitted a plan detailing that refuse would be stored within the forecourt of the application site. This is considered acceptable. Further details can be conditioned.

#### *Access Ramp*

- 6.45 The applicant has submitted a revised proposed ground floor plan (PL01 Rev B) which details two cars in the proposed car parking spaces, the access ramp, and a low wall separating the car parking spaces from the access ramp. The low wall is set marginally above the height of the top of the ramp, and cars will not be able to encroach onto the ramp as the low wall will prevent them from doing so. This is considered to be acceptable.

#### *Crossover*

- 6.46 The applicant confirms that they have submitted an application to Highways for a new crossover. Evidence that the new crossover has been installed can be conditioned.

#### Impact on Adjoining Properties

- 6.47 Core Strategy Policy 15 states that new development should be designed in a way that is 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.

- 6.48 The main properties to consider in an assessment of the impacts of the proposal upon residential amenities are No.32 and No.36 Sunderland Road, and No.9 – No.11 Church Rise.

#### *Single Storey Front Extension*

- 6.49 The proposed single storey front extension would be set back from the shared boundary with No.32 Sunderland Road by approximately 2.08 metres. The extension would not project beyond the front elevation of No.32. There are no ground floor windows on the side elevation of No.32. As such, the proposal is not considered to cause any unacceptable impacts in terms of loss of daylight/sunlight or outlook, or result in a loss of privacy to No.32.

#### *Rear Dormer Roof Extension*

- 6.50 The rear dormer roof extension would be located entirely within the original roofslope of the host building, meaning it would not unreasonably impact the occupants of neighbouring properties by way of loss of light or visual intrusion.

- 6.51 The rear dormer would be located approximately 25 metres from the rear boundary of the application site, and would be set back approximately 48 metres from the rear elevations of No.9 and No.11 Church Rise. The Council's Residential Standards SPD recommends that there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. Given the significant distance between the rear dormer and the rear elevations of No.9 and No.11 Church Rise, Officers do not consider that the proposal would result in a material loss of privacy to neighbouring residents.

#### *Rooflights*

- 6.52 Concerns were raised by neighbouring residents that the proposed velux window in the flank roofslope serving bedroom 2 of Flat 3 would overlook the existing rooflight in the flank roofslope of No.32 Sunderland Road. The rooflight at No.32 serves a bathroom, which is not a habitable room and in any event, the proposed rooflight would be located approximately 14 metres from the existing rooflight. As such, Officers do not consider that the proposed rooflight facing the flank roofslope of No.32 would result in a loss of privacy or increased overlooking to the neighbouring property.
- 6.53 The other proposed rooflights are not considered to result in a loss of privacy or increased overlooking for neighbouring occupants.
- 6.54 *Alterations to Fenestration*
- 6.55 The application proposes the replacement of a first floor window and installation of two second floor windows on the southern elevation of the host building. There are no windows in the flank elevation of No.36 and therefore, the proposed windows are not considered to result in a loss of privacy to the neighbouring property.
- 6.56 The application proposes the replacement of the existing first floor window and installation of two first floor windows and one second floor window on the northern elevation of the host building. There are two first floor windows and a ground floor window in the flank elevation of No.32, which are all obscurely glazed and serve a bathroom and toilet room respectively. Bathrooms and toilets are not considered to be habitable rooms and in any event, the windows on the flank elevation of No.32 are obscurely glazed. As such, the proposed windows are not considered to result in a loss of privacy to the windows at No.32.
- 6.57 Concerns were raised by neighbouring residents that two of the first floor windows on the northern elevation could overlook the rear patio of No.32B Sunderland Road. One of the proposed first floor windows serves a staircase, sits approximately 3.4 metres above ground level and directly faces the flank elevation of No.32. Given the position of this window within the flank elevation of the host building and the height of the boundary wall with No.32, Officers do not consider that this window would overlook or result in a loss of privacy to the patio of No.32. The other window serves the kitchen/dining/living room of Flat 1, sits approximately 3.8 metres above ground level and faces into the patio area of No.32B. In order to ensure that there would not be any overlooking or loss of privacy to the patio at No.32B, a condition is recommended requiring that the proposed first floor window serving the kitchen/dining/living area of Flat 1, in the flank elevation of the development, be obscurely glazed and fixed shut 1.7 metres below the relevant floor level.
- 6.58 The application proposes the replacement of the existing first floor windows on the rear elevation with five windows. These windows would be set back at least 20 metres from the rear boundary of the application site. As such, Officers do not consider that the proposed replacement windows would result in a loss of privacy or increased overlooking to neighbouring residents.

#### Sustainability and Energy

- 6.59 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be

consistent with the Government's zero carbon buildings policy and adopt nationally described standards.

- 6.60 London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.61 For schemes of this scale, sustainability requirements have been absorbed into Building Regulations meaning the applicant does not have to comply with any particular sustainability requirements at this stage of the development process.

## **7.0 Local Finance Considerations**

- 7.1 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).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## **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 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.
- 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 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.

## **9.0 Human Rights Implications**

9.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:-

- Right to a fair trial
- Respect for your private and family life, home and correspondence
- Peaceful enjoyment of one's property

9.2 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

9.3 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Convention rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

9.4 This application has the legitimate aim of providing new residential accommodation. The rights potentially engaged by this application, including respect for private and family life, home and correspondence and peaceful enjoyment of one's property are not considered to be unlawfully interfered with by this proposal.

## **10.0 CONCLUSION**

10.1 This application has been considered in the light of policies set out in the development plan and other material considerations, and it is considered that the application complies with all such policies.

10.2 Officers consider the proposed development to be acceptable in principle, of no significant harm to the character of the application site or surrounding area, or to residential amenity. The scheme is therefore considered acceptable.

**11.0 RECOMMENDATION: 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:

2012 P01; EX01; EX02; EX03; EX04; EX05; EX06; EX07; EX08; EX09 received 7th March 2018.

Design & Access Statement (Nicholas Jamieson Architect, 6 March 2018) received 23rd March 2018.

PL02 Rev A; PL03 Rev A; PL04 Rev A; PL05 Rev A; PL06 Rev A; PL07 Rev A; PL08 Rev A; PL09 Rev A; PL10 Rev A; PL11 Rev A; PL12 Rev A received 18th July 2018.

PL01 Rev B received 9th August 2018.

**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 (with the exception of demolition) shall commence on site until a detailed schedule and specification/samples of all external materials and finishes to be used on the extensions hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 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.

4. (a) No development (with the exception of demolition) shall commence on site until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.  
  
(b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

**Reason:** In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

5. The development hereby approved shall not be occupied until the existing access has been closed, the highway reinstated and the new access has been constructed in accordance with the permitted plans.

**Reason:** To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general

safety along the neighbouring highway and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

6. All cycle parking spaces shall be provided prior to occupation of the development and thereafter retained as shown on drawing no. **PL01 Rev B**.

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

7. The whole of the car parking accommodation shown on drawing no. **PL01 Rev B** hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

**Reason:** To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the building(s) does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (July 2011).

8. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new window to be installed in the **northern elevation at first floor, serving the kitchen/dining/living room of Flat 1** of the development hereby approved shall be fitted as obscure glazed and fixed shut and retained in perpetuity.

**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 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

9. 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 180 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).

### **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.

- B. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- C. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- D. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.