

APPENDIX TO ITEM 4

Committee	PLANNING COMMITTEE (B)	
Report Title	LAND TO REAR OF 97 HONOR OAK PARK SE23 3LB	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART	Date: 14 JULY 2011

<u>Reg. No.</u>	DC/08/68743 as revised
<u>Application dated</u>	19.4.08, completed 6.5.08, revised/consolidated 5.11.10
<u>Applicant</u>	Mr I Greig, Axial Design on behalf of Mr & Mrs Rzadkiewicz
<u>Proposal</u>	The construction of 2, two-storey, two bedroom houses at the rear of 97 Honor Oak Park, SE23, together with associated landscaping, provision for refuse and cycle storage and two car-parking spaces.
<u>Applicant's Plan Nos.</u>	P1249.21A, 120E, 122C, 123C, 124D, 125 & Design and Access Statement
<u>Background Papers</u>	(1) Case File - LE/340/97/TP (2) Lewisham Development Framework: Core Strategy (2011) (3) The London Plan (February 2008) Consolidated with Alterations since 2004 (4) PPS 1: Delivering Sustainable Development (5) PPS 3: Housing (6) Lifetime Homes Standards (7) Residential Development Standards: SPD adopted August 2006
<u>Zoning</u>	Adopted UDP – Housing/Existing Use

1.0 Property/Site Description

- 1.1 The application site is comprised of the garden of a large 2-storey plus roof-space detached dwelling located on the south side of Honor Oak Park. The garden measures 38 metres deep, comprising an initial grassed area, with a range of trees and planting to the lower end.
- 1.2 The surrounding area is mostly residential in character, comprised of two storey dwellings on Honor Oak Park and Devonshire Road, and 3-storey blocks of flatted accommodation to the south of the site on Boveney Road. To the immediate west of the site are large dwellings that have rear gardens equal in length to no.97. The rear gardens of five dwellings on Devonshire Road abut the application site, whilst at the rear is a parking area that serves the Boveney Road flats. Camberwell New Cemetery and allotment gardens lie opposite to the north of the site.

APPENDIX TO ITEM 4

- 1.3 The area is relatively well served by public transport, with bus routes operating locally, and Honor Oak Train Station located within a short walking distance. The PTAL for this area is 3.

2.0 Planning History

- 2.1 At the time of writing this report, a separate application relating to this site was being considered, proposing the conversion of the existing dwelling-house to provide 6 self contained flats.

3.0 Present Application

- 3.1 The application proposes the construction of two, 2-storey dwelling-houses located within the rear garden of the application property, each accommodating two bedrooms. Both houses would measure 9.3 metres length and a width of 5.2 metres, incorporating pitched roofs with small traditional style dormers. The dwellings would be arranged to face into a shared communal space, located approximately 19 metres from the rear wall of the existing building.
- 3.2 Facing materials to be used would include brickwork, slating to the roof, and timber windows and doors.
- 3.3 Extensive planting, including new trees around the perimeter of the garden would be undertaken to assist in screening the development from view, whilst a hedge spanning across the plot would provide a natural division between the existing and proposed buildings.
- 3.4 Access to the dwellings would be from the accessway located at the rear that leads through to Boveney Road. Two car-parking spaces would be provided adjacent to the rear boundary, together with secure cycle parking within the site.

4.0 Consultations and Replies

Neighbours & Local Amenity Societies etc;

- 4.1 Letters of consultation were sent to 66 properties in the surrounding area and Ward Councillors, together with the display of notices on site.
- 4.2 Subsequently, 8 letters were received from the occupiers of 93, 95, 101 & 101C Honor Oak Park, 253, 255, 259B & 263 Devonshire Road, 6 Gabriel Street and 10 Walters Way, objecting to the proposal on the following grounds:-
- (1) Parking concerns;
 - (2) Over-development;
 - (3) Overlooking;
 - (4) The proposal would set an undesirable precedence of backland development should permission be granted;
 - (5) Loss of mature trees;

APPENDIX TO ITEM 4

- (6) Contrary to Council policies;
- (7) Privacy and Security;
- (8) Access concerns.

Honor Oak Park Residents' Association

4.3 The Association has objected to the proposal on grounds including:-

- (1) The backland development is contrary to Council policies;
- (2) Already a high density of housing within the area – additional strain upon existing services;
- (3) Loss of mature trees;
- (4) Sets an undesirable precedence;
- (5) Flooding and ecology concerns;
- (6) Additional car use.

4.4 In light of the number of objections, a local meeting was held at the Civic Suite on 11 April 2011. Nine residents attended the meeting, with a panel comprised of Cllr Feakes (Chair), Les Rzakiewicz (applicant), Ian Greig (agent) and Geoff Whittington (planning officer).

4.5 Neighbour concerns that were discussed during the meeting included the impact the proposed dwellings would have upon ecology within the immediate area, loss of existing trees upon the site, lack of off-street parking afforded to future occupiers and potential for increased parking to neighbouring streets, the density of the proposal, out of character with the surrounding area whilst setting an undesirable precedence, and drainage matters.

4.6 It was agreed during the meeting that as the application had originally been submitted in 2008, a re-consultation period would be undertaken to notify those who may have moved into the area during that time.

4.7 Subsequently, a further three letters were received from the occupiers of 95 Honor Oak Park, and 255 & 263 Devonshire Road, and The Honor Oak Park Residents' Association, who have all reiterated their concerns to the proposal.

(Letters are available to Members)

Highways and Transportation

4.8 Unobjectionable in principle.

Environmental Health

4.9 No objections raised.

Ecology Officer

- 4.10 The Ecology officer has requested the submission of a report to confirm whether stag beetles inhabit the existing garden, and how the applicant would propose to ensure their protection during construction works.

5.0 Policy Context

Local Development Framework - Core Strategy

- 5.1 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 saved policies of the Unitary Development 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:

- 5.2 The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application;

- Objective 2: Housing provision and distribution
- Objective 3: Local housing needs
- Objective 5: Climate change
- Objective 6: Flood risk reduction and water management
- Objective 9: Transport and accessibility
- Objective 10: Protect and enhance Lewisham's character
- Objective 11: Community well-being
- Policy 1: Housing provision, mix and affordability
- Policy 7: Climate change and adapting to the effects
- Policy 8: Sustainable design and construction and energy efficiency
- Policy 10: Managing and reducing the risk of flooding
- Policy 12: Open space and environmental assets
- Policy 15: High quality design for Lewisham

- 5.3 Relevant saved policies from the Unitary Development Plan include;

URB 3: Urban Design; HSG 4: Residential Amenity; HSG 5: Layout and Design of New Residential Development and HSG 8: Back-land and In-fill Development.

National Policy

- 5.4 Relevant national policy statements includes:

PPS 1: Delivering Sustainable Development (2005) and PPS 3: Housing (2010).

- 5.5 The London Plan (2008)

London Plan policies that are most relevant to the application includes:-

3A.1 Increasing London's Supply of Housing;
4B.3 Enhancing the Quality of the Public Realm;
4A.3: Sustainable Design and Construction;
4A.7 Renewable Energy.

6.0 Planning Considerations

6.1 The main issues to consider in this case include the nature of the site, principle of residential development, location, scale and appearance of the proposed dwelling, the level of impact upon the amenities of neighbouring occupiers and the streetscene generally, standard of accommodation, landscaping, access and parking issues.

Principle of Development

6.2 Central government issued a new PPS 3 "Housing" in June 2010, which includes a revised definition of "brownfield land", insofar as residential gardens have been removed from this classification. Previously, residential curtilage in its entirety constituted brownfield or Previously Developed Land.

6.3 The fact that 'brownfield land' now excludes residential garden land does not mean per se that the Council should refuse all developments affecting such land without considering their merits. As such, Officers consider that this application should be considered on its merits and not on principle.

6.4 In any case, the adopted Core Strategy Document and saved policies within the Unitary Development Plan can be used to refuse inappropriate backland and infill developments should the proposal be considered to cause demonstrable harm to neighbours or other 'interests of the acknowledged importance'.

6.5 Saved Policy HSG 8: Backland and Infill Development of the Unitary Development Plan states backland and in-fill development will be permitted provided:

- (a) sufficient garden depth and area shall be retained by existing dwellings;
- (b) the scheme must respect the character of the area;
- (c) the scheme must be particularly sensitively designed;
- (d) proper means of access;
- (e) no appreciable loss of privacy and amenity for adjoining houses.

6.6 There are no examples of similar forms of backland development within the immediate area, but having assessed the location of the plot, its relationship with existing dwellings and access into the site, it is considered that the proposal accords with HSG 8 guidelines. Officers are therefore satisfied that the principle of residential development is acceptable, which this report will seek to demonstrate.

Design and Impact Upon Amenities

6.7 Saved UDP policy URB 3 Urban Design states the Council will expect a high standard of design in new development, whilst ensuring that schemes are compatible with or complement the scale and character of the existing development and its setting.

6.8 Policy HSG 4 Residential Amenity expresses the desire to improve and safeguard the character and amenities of residential areas in a number of ways. These include

APPENDIX TO ITEM 4

the siting of new dwellings appropriately seeking higher standards of design and landscaping in all new development in residential areas.

- 6.9 The proposed new dwellings would be located to the rear garden of the existing detached house, which measures 38 metres long and 24 metres wide. Whilst it can often prove difficult with backland development to propose both an appropriate design and minimal impact upon neighbouring occupiers, it is considered in this case that both objectives have been achieved.
- 6.10 The proposed 2-storey buildings would measure a maximum height of 6.5 metres, sited 19 metres away from the existing dwelling (97 Honor Oak Park). The external appearance of the building would be Yellow Stock brickwork, clay roof tiles, and timber windows and doors.
- 6.11 Officers are satisfied that the scale of the proposed development is acceptable, appropriately sized for a site of this nature. The design of the building is simple and traditional, and would not appear over-dominant or obtrusive, aided by the first floor being sited within the roofspace, thereby keeping the overall height to a minimum.
- 6.12 Officers are satisfied that the proposed siting of the building would not result in significant visual impact upon the amenities of neighbouring occupiers. The location of the new builds would be a sufficient distance from Honor Oak Park and Devonshire Road dwellings, whilst the proposed single-storey with roof-space - as opposed to a conventional 2-storey with roof-space dwelling - would assist in avoiding any overshadowing or sense of enclosure.
- 6.13 The northern-most proposed dwelling would be positioned 4.6 metres from the shared boundary with 99 Honor Oak Park, and 17 metres from the dwelling which occupies that site.
- 6.14 The other new build would lie 4.2 metres from the eastern boundary, and approximately 18 metres to the nearest Devonshire Road dwelling. Coupled with existing and proposed trees close to the side boundaries, officers consider the proposed dwellings to be suitably positioned, with an acknowledgement of the proximity and visual amenities of neighbouring occupiers.
- 6.15 Both dwellings would be positioned so not to compromise the privacy of neighbouring residents. Ground floor windows would mostly look into the site, the exception being a living room opening to the proposed southern dwelling, however planting and existing fencing along the eastern boundary would mitigate overlooking. The proposed dormers would also be positioned so not to directly overlook neighbouring occupiers.
- 6.16 The proposed dwellings would be sited a sufficient distance away from the existing dwelling (no.97), which despite the reduction in garden depth, would retain a 16.5 metre deep space. Should the house be retained as a dwelling, or indeed converted into flatted accommodation (as proposed in outstanding application DC/08/68730), the remaining garden would be of a sufficient size. The visual amenities of the existing dwelling would not be impacted upon by the proposed development.
- 6.17 To prevent future extensions being built to the properties without planning permission, a condition is suggested as part of the recommendation that would remove normal permitted development rights. This would ensure that extensions,

APPENDIX TO ITEM 4

which may otherwise impact detrimentally upon neighbouring residents could not be built without the benefit of planning permission and a formal assessment by planning officers.

- 6.18 Officers maintain that the development would appear as acceptable additions to the surroundings, whilst proposed boundary treatment would assist in reducing visual impact upon the residential amenities of neighbouring occupiers.
- 6.19 It is considered that the siting of the proposed buildings are acceptable in principle and respectful of its surroundings, aided principally by the size of the existing garden allowing for such a development to be possible.

Standard of Accommodation

- 6.20 The layout and circulation of the proposed dwellings are considered to be acceptable and would provide a good standard of accommodation for future occupants, in accordance with the minimum standards set out within the Residential Development Standards SPD. Each habitable room would be afforded sufficient outlook and natural light intake.
- 6.21 The two dwellings would share a centrally placed communal garden space, with additional private external areas to the side and rear of each dwelling. It is considered that the garden setting would provide a suitable environment for future occupiers.

Access and Parking

- 6.22 London Plan Policies 3C.21 Improving Conditions for Walking, 3C.22 Improving Conditions for Cycling and 3C.23 Parking Strategy in the London Plan seek to develop walking and cycling in London while keeping car parking to a minimum. UDP Policy TRN 1 Location of Development requires that development proposals that generate a large volume of traffic or person movement must be located close to good public transport facilities.
- 6.23 Two off-street parking spaces would be provided to the western corner of the site, accessed via a service road off Boveney Road that leads through to a car-parking area adjacent to the application site. The road is gated at one end, with key-holders being occupiers within the flatted accommodation fronting Boveney Road. The applicant has, however confirmed he has a right of access, and the issue of key-holders and access for future occupiers of the proposed development will be addressed at a later stage.
- 6.24 There are some on-street parking opportunities within the immediate area, whilst secure cycle racks are shown within the rear garden. Highways officers have raised no objections to the proposal.
- 6.25 The area is particularly well served by public transport links, with Honor Oak Train Station located within a short walking distance, together with bus routes operating along Honor Oak and Brockley Road.

APPENDIX TO ITEM 4

Landscaping

- 6.26 The applicant has confirmed the following landscaping measures within the rear garden:-
- Two established Pear trees would be retained;
 - Seek to minimise loss of existing trees, with the felling of an Oak tree and two smaller trees;
 - The formation of a new hedge across the site, comprised of holly, beech, hornbeam, dog wood, copper beech, rugeroua and whitebeam;
 - Retain the existing Sycamore, Fir and Cherry trees, and infill with new Victorian Plum and Holly trees;
 - To the southern boundary where existing sheds will be removed, infill with new Holly, Horse Chestnut and Ash trees;
 - Rebuild existing brick wall to eastern boundary, and plant and train a Wisteria against it;
 - Permeable treatment to accessway and car-parking bays.
- 6.27 It is considered highly important to this scheme that substantial tree screening is retained/ provided close to the boundaries of the site to protect neighbour amenity and visual amenities of the area. Saved Policy URB 13: Trees seeks the protection of trees which are of high amenity value and good health.
- 6.28 The Council's Tree officer has been involved in a series of discussions with the applicant in respect of the felling, retention and planting of trees upon the site. This has involved the two dwellings having to be repositioned to ensure the retention of some trees, whilst allowing for a sufficient area for new trees and plants to grow. The Tree officer is satisfied the proposed development would seek to enhance the natural environment of the garden, rather than result in any significant harm.

Ecology

- 6.29 The Council's backland policy, HSG 8, states that there should be no appreciable loss of wildlife habitat. PPS9 contains similar requirements to protect local species diversity. Although this site is not specifically designated as a site of nature conservation importance, the extent of natural foliage upon the site is sufficient to address ecology matters.
- 6.30 The Council's Ecology Officer has discussed this matter with the applicant, and he has confirmed a planning condition should be included that seeks the submission of details regarding stag beetles, and how they would be protected during works, should they inhabit the site. The applicant has declared informally there are no stag beetles or bats roosting on the site, however they acknowledge the need to undertake measures to mitigate the impact of the development.
- 6.31 The applicants have proposed to implement biodiversity measures including the provision of log piles, which over time will rot and may encourage species to habitat on the site, such as stag beetles and other insects.

APPENDIX TO ITEM 4

7.0 Consultations

- 7.1 With regard to procedural matters, neighbour notifications have been carried out in accordance with the Council's usual procedures. As addressed earlier in the report, the application was originally submitted in 2008, therefore it was considered appropriate to undertake a second consultation period.
- 7.2 Officers are satisfied that all statutory Council procedures have been followed.

8.0 Conclusion

- 8.1 It is considered that the design and massing of the proposed buildings are acceptable, and would respect the general character of the area, whilst the level of impact upon the visual amenities of neighbouring occupiers would not be significant.
- 8.2 Parking provision upon the site meets with Council policy, whilst the standard of proposed accommodation is acceptable. It is, therefore, recommended that permission be granted.

9.0 Summary of Reasons for the Grant of Planning Permission

- 9.1 On balance, it is considered that the proposal satisfies the Council's Land Use and environmental criteria and is in accordance with saved UDP policies URB 3 Urban Design and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004), and Policy 15 High Quality Design for Lewisham of the Local Development Framework: Core Document (2011).
- 9.2 It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the surrounding area, or the amenities of neighbouring occupiers. The proposal is thereby, in accordance with saved UDP Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and Infill Development, HSG 7 Gardens, and Policies 15 High Quality Design for Lewisham of the Local Development Framework: Core Document (2011).

10.0 RECOMMENDATION **GRANT PERMISSION subject to the following conditions:-**

- (1) B01 Facing Materials - New Buildings
- (2) B06 Reveals (1) - New Buildings
- (3) H09 Parking – Residential
- (4) L01 Planting, Paving, Walls Etc
- (5) N13 External Lighting - Residential
- (6) RF1 Refuse Storage
- (7) Details shall be submitted to and approved in writing by the local planning authority prior to the commencement of building work on site confirming the permitted building would be in compliance with Lifetimes Home Standards.

APPENDIX TO ITEM 4

- (8) No extensions or alterations to the permitted buildings, whether or not permitted under Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2008 or any subsequent re-enactment thereof, shall be carried out without the prior written permission of the local planning authority.
- (9) The whole of the cycle parking accommodation shown on the drawings shall be provided and retained permanently and the dwellings hereby permitted shall not be occupied until such parking accommodation has been provided. Details of cycle stands shall be submitted to and approved in writing by the local planning authority and shall be provided prior to first occupation of the dwellings hereby approved and shall thereafter be maintained.
- (10) N13 External Lighting - Residential
- (11) L08 Trees – Protection During Works
- (12) Before the development hereby approved commences a report detailing methods for recognition, management and translocation of stag beetles and their larvae shall be submitted to and approved in writing by the local planning authority. Construction on site and translocation measures shall be undertaken in accordance with the approved details of the report

Reasons

- (7) To ensure that the development meets the Lifetime Home Standards and to ensure compliance with London Plan Policy 3A.5 Housing choice.
- (8) In order that the local planning authority may have the opportunity of assessing the impact of any further development.
- (9) H12R Provision For Cyclists
- (12) To ensure that the development enhances biodiversity and complies with Policy 3D.14 Biodiversity and Nature Conservation in the London Plan (February 2008 Consolidated with Alterations since 2004).

Informative

Construction Sites Code of Practice or any other such codes applicable at the time of construction.

APPENDIX TO ITEM 4

MINUTES

Councillor Muldoon moved a Motion to defer consideration of the item until the next available Planning Committee meeting, following a further 21 day re-consultation of local residents, which was seconded by Councillor Clarke. Members voted unanimously in favour of the motion.

RESOLVED that consideration of Application No. DC/08/68743 be deferred in order for re-consultation of residents to be carried out.