



Planning Committee B

Report title:

21 Drakefell Road, London, SE14 5SL

Date: 12 April 2022

Key decision: No.

Class: Part 1

Ward(s) affected: Telegraph Hill

Contributors: Max Curson

Outline and recommendations

This report sets out the Officer's recommendation of approval for the above proposal. The report has been brought before Committee for a decision as the Telegraph Hill Society have objected to the proposal.

Application details

Application reference number(s): DC/21/124360

Application Date: 16 November 2021

Applicant: Aarvold McLean Architecture

Proposal: Construction of a single storey rear and side extension, construction of a rear roof dormer, insertion of two rooflights to the hipped roof slope and replacement of the existing windows at all elevations of 21 Drakefell Road, SE14.

Background Papers: (1) Submission drawings
(2) Submission technical reports and documents
(3) Statutory consultee responses

Designation: PTAL 3
Air Quality
Telegraph Hill Article 4(2) Direction
Telegraph Hill Conservation Area
Not a Listed Building

Screening: N/A

There was no site visit for the application due to travel restrictions related to the Covid-19 global pandemic. The site photos provided by the applicant, aerial and recent images available on Streetview and Google Earth are considered to be a sufficient basis to make an informed recommendation.

1 SITE AND CONTEXT

Site description and current use

- 1 The application site is a two storey mid-terrace single family dwellinghouse located on the northern side of Drakefell Road, between the junctions with Aspinall Road and Kitto Road. Permission to construct the property, along with the adjoining No.19, was granted in 1996. The properties are designed to be faithful replicas of those adjacent. It has two storey outrigger typical of those built during the Victorian period. It has a two storey bay window at the front elevation. The windows at all elevations are a timber sliding sash style finished white.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



Figure 1: Site location plan

Character of area

- 2 The surrounding area is predominantly residential in nature and characterised by two storey semi-detached Victorian dwellings.
- 3 The application site lies within the Telegraph Hill Conservation Area and is subject to an Article 4 Direction. It is not a listed building nor in the vicinity of one.

Surrounding area

- 4 Telegraph Hill Upper Park is located directly behind the application site. Haverdashers' Hatcham College (Pepys Road Site) is located 300m to the north-east of the application site. There are a number of shops, takeaways and public houses within a 500m radius.

Local environment

- 5 The site falls within Air Quality Management Area.

Transport

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 6 The site has a Public Transport Accessibility Level (PTAL) score of 3 on a scale of 1-6b, 1 being lowest and 6b the highest.
- 7 Nunhead Railway Station is located approximately 335m to the south-west of the application site.

2 RELEVANT PLANNING HISTORY

- 8 There is no recent relevant planning history for the application site.

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

- 9 Construction of a single storey rear and side extension, construction of a rear roof dormer, insertion or two rooflights to the hipped roof slope and replacement of the existing windows at all elevations of 21 Drakefell Road, SE14.



Figure 2: Proposed rear elevation

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

4 CONSULTATION

4.1 PRE-APPLICATION ENGAGEMENT

10 No pre-application advice was sought from the council regarding the proposal.

4.2 APPLICATION PUBLICITY

11 Site notices were displayed on 09 December 2021 and a press notice was published on 15 December 2021.

12 Letters were sent to residents and business in the surrounding area, the relevant ward Councillors and the Telegraph Hill Society on 06 December 2021.

13 One response was received from a neighbour giving support to the scheme. The response also noted queries around construction noise and party wall issues. Neither are material planning considerations and will not be considered in this report.

14 The Telegraph Hill Society objected to the proposal. Their objections are set out in the table below.

4.2.1 Comments in objection

Comment	Para where addressed
The proposed materials of the single storey rear extension are not typical of the conservation area.	
An objection in principle to the proposed dormer extension, as it would be visible from the public realm and set a precedent.	

15 The Society also commented on the proposed changes to the front boundary treatment. This aspect of the proposal has since been removed by the applicant.

4.3 INTERNAL CONSULTATION

16 The following internal consultees were notified on 06 December 2021:

17 Conservation: following constructive correspondence with the applicant, and subsequent amendments to the proposal, Conservation are satisfied with the proposal and have no objections. See paras 41 to 56 for further detail.

4.4 EXTERNAL CONSULTATION

18 No external consultees were notified given the nature of the application.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

5 POLICY CONTEXT

5.1 LEGISLATION

19 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

20 Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.

5.2 MATERIAL CONSIDERATIONS

21 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

22 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

23 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to aforementioned directions and the test of reasonableness.

5.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

5.4 DEVELOPMENT PLAN

24 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

25 Lewisham SPG/SPD:

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- Alterations and Extensions Supplementary Planning Document (April 2019)

5.6 OTHER MATERIAL DOCUMENTS

- Telegraph Hill Conservation Area Character Appraisal (2008)

6 PLANNING CONSIDERATIONS

26 The main issues are:

- Principle of Development
- Urban Design
- Impact on Adjoining Properties

6.1 PRINCIPLE OF DEVELOPMENT

General policy

27 The National Planning Policy Framework (NPPF) at paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

28 The London Plan (LP) sets out a sequential spatial approach to making the best use of land set out in LPP GG2 (Parts A to C) that should be followed.

6.1.1 Principle of development conclusions

29 The Development Plan is generally supportive of people extending or altering their homes. The principle of development is supported, subject to details.

6.2 URBAN DESIGN

General Policy

30 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

31 CSP 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.

32 DMLP 30 states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Core Strategy and DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 33 DMP 31 states that extensions will not be permitted where they would adversely affect the architectural integrity of a group of buildings as a whole or cause an incongruous element in terms of the important features of a character area.
- 34 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.
- 35 Paragraph 4.2.3 of Alterations and Extensions SPD (2019) sets out:
- 36 As a general rule, extensions extending up to 3m in length should be no more than 3m in height on the boundary. Extensions which exceed this length and exceed a height of 2.5m on the boundary are unlikely to be supported.
- 37 Paragraph 4.2.4 sets out the following guidance for single storey rear extensions in conservation areas:
- Alterations within conservation areas should be of the highest quality design using high quality materials. The rear building line, the size of the rear garden and the prevailing characteristics of adjoining properties should all be taken into account.*
- Rear extensions should:*
- *Remain clearly secondary to the host building in terms of location, form, scale and detailing.*
 - *Respect the original design and architectural features of the existing building.*
 - *On semi-detached properties extensions should not extend beyond the main side walls of the host building.*
 - *Have a ridge height visibly lower than the sill of the first floor windows (2 to 3 brick courses) and roof pitches to complement those of the main building.*
- 38 Paragraph 4.2.5 sets out that:
- A modern, high quality design can be successful in achieving a clear distinction between old and new. In some locations, a traditional approach can be a more sensitive response to a historic building, particularly where homogeneity of groups of buildings is part of their special character.*
- 39 Paragraph 5.8.2 of the Alterations and Extensions SPD sets out the design principles for rear roof extensions:
- *Set in from the party wall on each side by at least 0.3m, a minimum of 0.3m below the ridge line, 0.3m from the edge of any hip and at least 0.3m above the existing eaves line.*
 - *If neighbouring roofs have already extended their rear roof significantly, the proposed roof form should take this into consideration to ensure it does not contribute to a group of mismatched roof forms.*

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- *A modern, high quality design is generally more successful when considering a large rear roof extension. The contemporary design is more likely to contrast with the property and maintain the original integrity of the dwelling.*
- *Applications of a generic nature with tile cladding and UPVC windows will be resisted.*
- *The use of high quality materials is expected. Materials must be part of an architectural response and details of each material and sample should be submitted.*
- *The arrangement of windows within the rear of the extension should relate to the arrangement on lower floors.*
- *The rear roof extension should not be visible from the street frontage.*
- *The highest quality of design must be employed and pre-application advice should be sought through the formal planning advice service.*

Paragraph 5.8.3 sets out further design principles for rear roof extensions in conservation areas.

- 40 *In conservation areas rear roof extensions will only be considered where the applicant can demonstrate exceptional design quality, high quality materials and its location is set in significantly from the eaves, ridge and sides and where the dormer is no wider than two thirds of the original, unextended roof. In these cases the onus is on the applicant to demonstrate that the characteristics and integrity of the property is maintained and that the impact on neighbouring properties is not significant. A modern, high quality design is generally more successful when considering a large rear roof extension. The contemporary design is more likely to contrast with the property and maintain the original integrity of the dwelling.*

Discussion

- 41 The proposal is for the construction of a single storey rear and side extension, the construction of a rear roof dormer extension, the insertion of two rooflights to the hipped roof slope, and the replacement of the existing windows at all elevations.
- 42 The single storey rear and side extension would have a flat roof and be 9.275m along its eastern flank, 3.0m on its western flank, and extend a maximum of 3.75m from the rear lien of the property. The proposal used a steeped design, where the easternmost section of the extension extends 0.75m further than the western section. The extension would be 3.0m in height, and set in from the shared boundary at No.23 by 1.0m. Whilst the side element of the proposed extension, at 9.275m in depth and 3m in height is above the guidelines of the Alterations and Extensions SPD, it is considered subordinate to, and appropriate for, the large host building.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

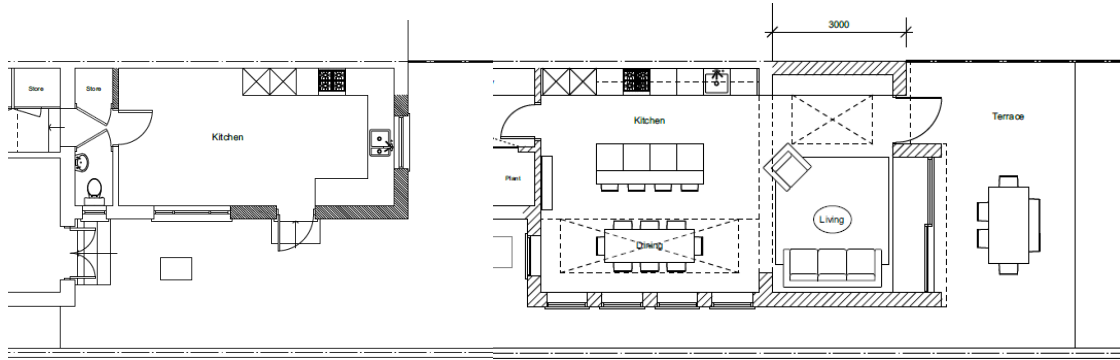


Figure 3: Existing (Left) and proposed (Right) floor plans

- 43 Officers note that the Telegraph Hill Society have objected to the proposal on the grounds that the materials proposed extension do not respect the host building. The extension would be finished in a pale grey textured brick, with the roof pane clad in vertical charred timber boards. Windows and a door would be inserted into the rear of the extension, with two rooflights inserted into the proposed green roof. Four casement windows would be inserted into the ground floor eastern side flank of the extension. The pale grey textured brick was chosen to provide a contrasting but complimentary aesthetic to the brickwork. The extension roof pane would be clad in vertical charred timber boards, in keeping with other approved timber clad extensions, most notably at No.25 Drakefell Road (ref DC/17/100883). The proposed extension would utilise high quality design features and materials. As such, the proposed extension is considered to be of high quality design that achieves a clear distinct between old and new in line with paragraph 4.2.5 of the Alterations and Extensions SPD. As such, the design of the proposed single storey ground floor extension is considered acceptable.
- 44 A small rear dormer extension is also proposed. The extension would have a pitched roof and be a maximum of 1.38m at the pitch, 1.03m at the eaves, with a width of 1.53m and a depth of 3.0m. The dormer would have white casement windows and be finished in grey standing seam zinc cladding. The proposed rear roof extension would be visible from Telegraph Hill Upper Park (shown at Figure 4 below). The Telegraph Society objected to the proposal, stating that as the proposed roof extension would be visible from the public realm, it would be an incongruous addition to the roofscape which intrudes onto the skyline. Since reception of the objection, the proposed roof dormer has been reduced in size.
- 45 Officers note that there are two recent permissions for roof dormer extensions on the northern side of Drakefell Road, which are visible from the park (No.51 – DC/18/105959 and No.23 DC/19/113549 and DC/20/119148). The eastern neighbour, No.23, has been granted two permissions in recent years for a roof dormer extension. The officer report for permission DC/19/113549 notes that Conservation Officers believed that the design would provide a useful design precedent that would enable loft conversions to the houses on the northern side of Drakefell Road. The present application is smaller in size than both of the permissions granted at No.23. Given the modest nature of the proposed dormer, and the suitable design and high quality materials, Officers consider the proposal to be compliant with the Alterations and Extensions SPD and acceptable.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



Figure 4: View of rear of property from Telegraph Hill Upper Park

- 46 The existing windows at all elevations would be replaced as part of the proposal. The features of the proposed replacement double glazed windows would match the existing in terms of style, materials and proportions and would be inserted into the existing window openings. There would be no changes to the opening style. The meeting rail height, at 34mm is suitable for Conservation Areas, as is the 14mm glazing width. The windows would be finished white to match the existing. The horn would be an 'ogee' style in keeping with the Telegraph Hill Conservation Area. The proposed replacement timber windows would be of sufficient quality and as such are considered acceptable.
- 47 Two rooflights would be inserted into the side hipped roof slope. The proposed rooflights would be a conservation style and sit flush within the roof slope. Officers note that rear rooflights are fairly common on Drakefell Road, with examples at Nos.7, 42 and 44 on the surrounding properties, and permission for rooflights has recently been granted at no.23. Given the modest size and sensitive placement the rooflights are considered acceptable.

6.2.1 Impact on Heritage Assets

Policy

- 48 Heritage assets may be designated—including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains—or non-designated.
- 49 Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 50 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 51 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 52 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.
- 53 Further guidance is given in the Telegraph Hill Conservation Area Character Appraisal (2008).

Discussion

- 54 The application site was constructed in 1996 and designed to be a faithful replica of the Victorian dwellings that characterise Drakefell Road. As such, there will be no loss of any historical fabric as part of the proposal. Therefore, the only issue is the impact of the proposal on the character and appearance of the Telegraph Hill Conservation Area.
- 55 As set out in the Urban Design section, the proposal complies with the guidelines of the SPD, being of suitable design and utilising high quality materials. The dormer is visible from the public realm, however, it is modest in scale, and smaller than that approved at No.23. The replacement windows are suitable for the conservation area. As such, Officers consider that the current proposal would lead to no harm to the Telegraph Hill Conservation Area

Summary

- 56 Officers, having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, are satisfied the proposal would preserve the character and appearance of the Telegraph Hill Conservation Area.

6.2.2 Urban design conclusion

- 57 In summary, the proposal, due to its design and use of high-quality materials, would preserve the character and appearance of the host dwelling. The other alterations to replace the windows and to insert new rooflights are also acceptable and would preserve the character and appearance of the Conservation Area.
- 58 Officers conclude that the proposal responds sensitively to its context and the character of the surrounding area and therefore is acceptable in terms of design.

6.3 LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 59 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 185 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 60 This is reflected in relevant policies of the London Plan (D3), the Core Strategy (CP15), the Local Plan (DMP 31) and associated guidance (Alterations and Extensions SPD 2019).
- 61 The Council has published the Alterations and Extensions SPD (2019) which establishes generally acceptable standards relating to these matters (see below), although site context will mean these standards could be tightened or relaxed accordingly.
- 62 Daylight and sunlight are generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context

Discussion

- 63 The proposed extension would be 3.0m in height and 9.275m in depth on its eastern flank. It would be set in by 1.06m from the shared boundary with No.23. The 1.06m set in is considered sufficient to prevent impact to the amenity of No.23 through loss of daylight/sunlight, outlook or overbearing enclosure.
- 64 The proposed extension would be 3m in depth, and 3m in height on the shared boundary with No.19. No.19 benefits from a typical sized garden. The dimensions of the proposed extension are within the guidelines of the alterations and Extensions SPD, and, accounting for the size of the garden, is considered sufficiently modest to prevent any impact to the amenity at No.19 through loss of outlook or increased enclosure.
- 65 Officers note that there is a ground floor window in the rear elevation that could be impacted by the proposed extension. Whilst it is expected that the proposed extension may have a minor impact upon the level of daylight or sunlight available to the ground floor rear window, on balance, this is considered acceptable given that the window is located at ground level, and there is a window and two glazed doors located in the western and rear elevation at No.19, which provide light to the rear of the ground floor of the property.
- 66 The proposed dormer extension is modest in scale, and set well back from the eaves and boundaries of the roof. As such, the proposed dormer extension would have no impact on the neighbours through the loss of daylight/sunlight, outlook or overbearing enclosure.
- 67 The four windows to be inserted into the flank of the ground floor rear extension would not introduce any new liens of sight not already available from the existing windows or garden. The proposed dormer extension would not face onto a residential property and would not introduce any new lines of site not already available from the existing first floor windows. As such, the proposal would not impact the privacy of the neighbours.
- 68 The application site will remain a single family dwellinghouse. No increase in noise or disturbance is expected.

6.3.1 Impact on neighbours conclusion

- 69 The proposed development would not introduce any unacceptably harmful impacts to the living conditions of any of the neighbouring properties and therefore would be compliant with LPP D3, CSP 15 and DMP 31 and the provisions of the 2019 SPD.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

7 LOCAL FINANCE CONSIDERATIONS

70 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- 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
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

71 The weight to be attached to a local finance consideration remains a matter for the decision maker.

72 The CIL is therefore a material consideration.

73 This application does not attract CIL.

8 EQUALITIES CONSIDERATIONS

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

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

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

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

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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 78 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty
 - Equality objectives and the equality duty
 - Equality information and the equality duty
- 79 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 80 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 HUMAN RIGHTS IMPLICATIONS

- 81 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:
- Article 8: Respect for your private and family life, home and correspondence
 - Protocol 1, Article 1: Right to peaceful enjoyment of your property
- 82 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.
- 83 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above 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.
- 84 This application has the legitimate aim of providing an extension to an existing residential property. The rights potentially engaged by this application, including Article 8 and Protocol 1 are not considered to be unlawfully interfered with by this proposal.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

10 CONCLUSION

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

86 In reaching this recommendation, Officers have given weight to the comments and objections that were received regarding this application and consider the proposed development would preserve the host building and Telegraph Hill Conservation Area in terms of design. No unacceptable harm would arise to the living conditions of neighbours, therefore Officers recommend that planning permission should be granted subject to the imposition of suitable planning conditions.

11 RECOMMENDATION

87 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

11.1 CONDITIONS

1) FULL PLANNING PERMISSION TIME LIMIT

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) DEVELOP IN ACCORDANCE WITH THE APPROVED PLAN

The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

21DR-PL-001; 21DR-PL-002; 2ATR-GA-100; 2ATR-GA-101; 2ATR-GA-102; 2ATR-GA-103; 2ATR-GA-200; 2ATR-GA-201; 2ATR-GA-202; 2ATR-GA-203; 2ATR-GA-204; 2ATR-GA-205. **Received 17 November 2021.**

2ATR-GA-300 (Rev B); 2ATR-GA-301 (Rev B); 2ATR-GA-302 (Rev B); 2ATR-GA-303 (Rev B); 2ATR-GA-400 (Rev B); 2ATR-GA-401 (Rev B); 2ATR-GA-402 (Rev B); 2ATR-GA-403 (Rev B); 2ATR-GA-404 (Rev B); 2ATR-GA-405 (Rev B); 21DR-DD-800L; 21DR-DD-801; Window Elevations. **Received 09 February 2022.**

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) MATERIALS

(a) The development shall be constructed in those materials as submitted namely: pale grey bricks, charred timber cladding and aluminium windows at the single storey rear extension, grey standing seam zinc cladding and

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

white finished casement windows at the roof dormer extension, and replacement timber sash windows at all elevations, and in full accordance with the relevant plans.

- (b) The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

4) USE OF FLAT ROOF

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and 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).

11.2 INFORMATIVES

- 1) **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.

12 BACKGROUND PAPERS

- 88 (1) Submission drawings
(2) Submission technical reports and documents
(3) Statutory consultee responses

13 REPORT AUTHOR AND CONTACT

- 89 Report author: Max Curson (Planning Officer)

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Email: max.curson@lewisham.gov.uk

Telephone: 020 8314 7219

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>