To consider the above application, which is reported to Community Council due to the number of objections that have been received.

Grant planning permission

The house is a 2-storey detached dwelling located on the corner of Townley and Beauval Roads. The house was constructed in 1924 within the grounds of the adjoining property at 10 Townley Road. When the property was formed within the former gardens of no. 10, a covenant was placed on the dwelling restricting further building on the site. No. 10 Townley Road has most of its windows facing the front, (towards Townley Road) and to the side fronting onto The Moorings and Beauval Road beyond.

The site falls within the Dulwich Village Conservation Area. Within this part of the conservation area, the properties are a mixture of Edwardian, Victorian and some more modern buildings. Townley Road is characterised by green open spaces, with the houses having long front gardens and, further along the road, having the open spaces of Alleyns school playing fields on either side of the road.

Permission is sought to extend the existing dwelling with a 2 storey side extension and to alter the roof slope of main house by increasing the overall height and pitch to accommodate a third floor. It is also proposed to construct a pitched roof on the flat roof of the existing 2 storey rear extension. The proposal is for a scheme which would be a hybrid of the last application (06-AP-1231) and the appeal scheme (05-AP-1406).

Planning permission was refused on 8/4/2006 for the construction of dormer extensions at first floor level and second floor level within the side roof slope (western elevation), together with a change in roof shape from hip to gable, and an increase in roof height. The provision of a timber fence and gates to the front garden,
and a rendered brick wall to the rear garden, together with a new vehicular access onto Beauval Road.

The application was refused for the following reasons
1. The proposed alterations, which are considered to be excessive in terms of their size and design, would significantly increase the bulk of the property resulting in a building that is unacceptably prominent and out of scale and character with neighbouring buildings. The proposal represents an overdevelopment of the site that will be harmful to the appearance of the building and to the character of streetscene of which it forms a part.
2. The proposed boundary fence, by reason of its height and materials, will be out of keeping and will detract from the open character of this part of Townley Road.
3. The alterations to the roof at the rear of the property would be likely to restrict light and outlook from the windows in the flank elevation of 10 Townley Road. This would be harmful to the amenity of the occupiers of this property.
4. The proposed new vehicular access to the parking area would result in vehicular movements to and from the site with inadequate visability splays which may cause harm to other pedestrian and vehicles using Beauval Road.

05-AP-1406 - Planning permission was refused on 1/12/2005 for alterations and extensions to the roof, side and rear of existing house. The application was refused for the following reasons;

1. The proposal would undermine the established traditional street layouts, by its uncharacteristic relationship between the street elevation walls and the roof and for these reasons it is considered that the proposal does not respect the established horizontal and vertical visual rhythms and does not demonstrate that a high priority has been given to the objective of positively preserving or enhancing the character or appearance of the conservation area.
2. The development does not achieve a high quality appropriate design solution, specific to the site's shape, size or location and the development does not preserve or enhance the historic character or appearance of buildings or areas of historical or architectural significance. For these reasons the proposal is considered to be inappropriate to the site within the Dulwich Village Conservation Area.

06-AP-1231 - Planning permission was refused on 21/8/2006 for the erection of a part single storey part two storey side extension; alterations to the existing roof and extension to form a pitched roof on the back section of the existing house and installation of a lantern light; replacement of boundary walls/fences and temporary garden shed to rear of garden. The application was refused for the following reasons

1. The alterations to the roof of the second floor rear extension would by reason of its increased height result in a loss of outlook to the first and second floor windows on the side elevation of no. 10 Townley Road.
2. Due to its location and proximity adjoining no. 10 Townley Road the proposed rear dormer window on the main roof slope would result in an unacceptable loss of privacy to the second floor side window at no. 10 Townley Road.
3. The proposed 2 storey side extension close to the boundary with the Beauval Road junction would be out of character with the building and with the general pattern of development in the area resulting in the loss of the gap between the side of the building and the fronts of the houses on Beauval Road. The proposal would therefore be harmful to the townscape character of this street and would fail to preserve or enhance the character and appearance of the Dulwich Village Conservation Area.
4. The proposed roof design, by reason of its height and bulk, is considered to be overly prominent on this house and in the streetscene and detrimental to visual amenity. It would also fail to preserve or enhance the character and appearance of the Dulwich Village Conservation Area.

An appeal on application 05-AP-1406 was granted approval by the Secretary of State on 14/11/2006. The decision is of relevance to the consideration of this scheme and any previous reasons for refusal.

Planning history of adjoining sites

None relevant.

FACTORS FOR CONSIDERATION

Main Issues

The main issues in this case are:

a] the principle of the development in terms of land use and conformity with strategic policies.

b] the impact of the proposed alterations and extensions on the conservation area and the neighbouring residential properties.

Planning Policy

At its meeting on 28th March 2007 the Council resolved to adopt the emerging Southwark Unitary Development Plan [Modifications version March 2007] subject to consultation on revised wording in respect of policies 4.1, 4.2 and 4.4 prior to formal adoption in June 2007. Whilst the 1995 Unitary Development Plan remains the statutory development plan until such time as the emerging plan is formally adopted, the Council will give predominant weight to the 2007 plan policies in determining pending applications unless material considerations indicate otherwise.

Southwark Plan 2007 [Modifications Version]
Policy 3.2 - Protection of Amenity
Policy 3.12 - Quality in Design.
Policy 3.13 - Urban Design
Policy 3.15 - Conservation of the Historic Environment
Policy 3.16 - Development in Conservation Areas

Southwark Unitary Development Plan 1995 [UDP]
Policy E.2.1 - Layout & Building Lines
Policy E.2.3 - Aesthetic Control
Policy E.3.1 - Protection of Amenity
Policies E.4.2 & E.4.3 - Proposals Affecting Conservation Areas
SPG5 Standards, Controls and Guidelines for residential development

Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
PPG 15

Consultations

Site Notice:
Press Notice:
7/6/07
15 Internal Consultees
n/a
Statutory and non-statutory consultees
n/a

16 Neighbour consultees
Charmouth, 9,10,12 Townley Road (incl flats within properties), 1, 1a, 2, 4, 6, 8, 10 and 12 Beauval Road (incl flats within properties).

Re-consultation
N/A

Consultation replies

17 Internal Consultees
n/a

Statutory and non-statutory consultees
n/a

18 Neighbour consultees
10 Townley Road - Objects to the proposal in particular the alterations proposed to the first floor flat roof at the rear, which will result in loss of light, outlook and privacy to their first floor and second floor bay windows. Also objects to the 2 storey element at the side which would obstruct vehicular visibility on the corner. Concern is also raised about the style of the building being out of character with the neighbouring properties and the conservation area.

7 Beauval Road - Objects to the 2 storey element on the pavement boundary and the windows along this elevation.

15 Beauval Road - Objects, does not think the proposed development is appropriate for the conservation area.

9 Townley Road - Raises no objections provided building is not pebble dashed.

The following residents have written in support of the scheme
1, 4, 11a, 11b, 11, 13, 14 and 21 Townley Road and 1a, 2 and 4 Beauval Road

Re-consultation
n/a

PLANNING CONSIDERATIONS

Principle of development
The principle of extending the property was established in the Inspector’s appeal decision from last year.

Impact of proposed development on amenity of adjoining occupiers and surrounding area
Loss of outlook and light - In the earlier scheme reviewed by the Inspector, the alterations to the main house were identical to that proposed in this scheme. In his assessment the Inspector found that whilst the roof would be raised and the pitch increased, there would be no change to the eaves level and the new roof would not come so close to the adjoining house as to cause any significant or undue loss of sunlight or daylight to its windows.
This application also includes an alteration to the existing flat roof of the two storey back addition. This was given as a reason for refusal in the earlier application (06-AP1231). The roof has been reduced in height, (by 30cm) so it would be approximately in line with the eaves level of no. 10 Townley Road. Further information has been provided in the form of a diagramatic elevation which shows the differences between the existing and proposed situation. Whilst there is an increase in height of 0.6 m, because the roof is pitched away from its neighbour there would be a reduction in bulk to the overall extension. In respect of the 2nd floor bedroom window of no 10 Townley Road, there would be no significant loss of outlook or daylight. In respect of the first floor window there is unlikely to be any appreciable change in circumstance, as the window has a limited outlook due to the existing extension, but, as a bay window, it does enjoy views to the side.

Loss of privacy - The rear dormer window was given as a second reason for refusal in the earlier schemes. This aspect of the scheme was considered by the Planning Inspector and he judged that whilst there was some potential loss of privacy, the proposed changes would not make the situation any worse. He states:

’No new windows are proposed in side walls at upper floor levels; and the proposed rear window on the second floor is orientated southwards, obliquely to the west-facing windows in the adjacent house. Any overlooking here would be no different in degree to that possible between existing windows, or to that found frequently in urban residential areas, and in my judgement it would be within acceptable bounds.’

Impact of adjoining and nearby uses on occupiers and users of proposed development

The proposal would retain a single family dwelling house which would not conflict with the residential use in the area.

Traffic issues

There are no traffic issues arising as a consequence of this application.

Design issues

In respect of raising the ridge height and stepping the roof down the Inspector considered that; ‘this would greatly improve the proportions of the house and better reflect the bulk and vertical emphasis of the older properties.’ The building in the approved scheme extended to the pavement with Beauval Road, although this application would follow the same footprint it would maintain two storeys rather than with a chalet style roof with dormers along the length of the roof. The previous reason for refusal in respect of the impact of the building being located close to the pavement of Beauval Road would, in the light of the appeal decision, not be a sustainable reason for refusal.

Impact on character and setting of a listed building and/or conservation area

Taking into account the overall design and materials proposed of render and timber the Inspector considered that the design would ‘reflect and reinterpret the character of surrounding buildings in a way that would accord with national guidance on safeguarding the qualities of conservation areas. It would in my view meet the requirements of the planning policies set out above relating to design quality and respect for street layout, the visual rhythms of buildings and local character generally’.

In the light of the inspectors opinion on the design of the appeal scheme there are no real design issues that could be reasonable used to justify a refusal of the current scheme.

Other matters
Highway safety - The neighbours have raised the issue of highway safety as a reason for refusal, given the setback of the dwelling from the junction of Townley and Beauval Roads (21 metres) it is unlikely that the proposed extensions would result in any highway hazard.

Covenants with the property - The neighbours have advised the Council that there are restrictions to the development of the adjoining house. This is not a matter for consideration under planning law and cannot be taken into account in the assessment of the planning application, however planning can not override any other legal requirements that may need to be met and this is included on information included within the decision notice.

Conclusion

The existing house has been subject to a number of planning decisions culminating in a favourable appeal decision last year. Whilst the scheme under consideration does not completely follow the design of the approved scheme, in giving due weight to the content of the Inspectors appeal decision and the assessment of the key issues such as the impact on the neighbours and the impact of the alterations of the building on the conservation area there are no new issues arising which would reasonably justify the refusal of the scheme.

COMMUNITY IMPACT STATEMENT

In line with the Council’s Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

The quality of the existing building is very poor. The proposal seeks to improve the lifespan of the building for continued family occupation.

LEAD OFFICER
Sonia Watson
Team Leader Development Control [tel. 020 7525 5434]

REPORT AUTHOR
Sonia Watson
Team Leader Development Control [tel. 020 7525 5434]

CASE FILE
TP/2300-F

Papers held at:
Regeneration Department, Council Offices, Chiltern, Portland Street
SE17 2ES [tel. 020 7525 5403]
RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below. This document is not a decision notice for this application.

Applicant: Mr D & A Frean
Application Type: Full Planning Permission
Recommendation: Grant
Reg. Number: 07-AP-0709
Case Number: TP/2300-F

Draft of Decision Notice

Planning Permission was GRANTED for the following development:
Erection of part single, part 2 storey side extension including alterations to the existing roof structure and rear extension, replacement of boundary wall to front garden area.

At: THE MOORINGS, TOWNLEY ROAD, LONDON, SE22 8SW

In accordance with application received on 20/03/2007

and Applicant's Drawing Nos. 637-403-AA, 637-402 A, design and access statement

Subject to the following conditions:

1. The development hereby permitted shall be begun before the end of three years from the date of this permission.
   Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended

2. No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the alterations and extensions hereby permitted have been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.
   Reason: In order that the Local Planning Authority may be satisfied as to the details of the proposed extensions in the interest of the appearance of the building in accordance with Policy 3.12 Quality of Design and 3.13 Urban Design of the Southwark Plan Modifications Version March 2007 and Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995.

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:


b) Policies E.2.1, E.2.3, E.3.1 and E.4.3 of The Southwark Unitary Development Plan 1995

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.