

Item No. 7.6	Classification: OPEN	Date: 11 June 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 13/AP/0521 for: Full Planning Permission Address: 32 AVONDALE RISE, LONDON, SE15 4AL Proposal: Single storey timber outbuilding (located half way into rear garden, on side adjacent to no.30 Avondale Rise).		
Ward(s) or groups affected:	The Lane		
From:	Head of Development Management		
Application Start Date 25/02/2013		Application Expiry Date 22/04/2013	
Earliest Decision Date 06/04/2013			

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 This item is brought before the sub-committee for decision at the request of Councillors and with the agreement of the Chair of Planning Committee.

Site location and description

- 3 This site refers to a two storey, mid-terrace single family dwelling house fronting onto Avondale Rise. This property is not listed nor is it situated within a conservation area. The site is bounded by two properties at No.s 30 and 34 Avondale Rise.
- 4 The site is located with the Nunhead and Peckham Action Area, the Urban Density Zone and an Air Quality Management Area.

Details of proposal

- 5 It is proposed to erect a single storey outbuilding in the rear garden measuring 2.44m in width, 4.28m in depth, 3.1m in height at the ridge and 2.35 in height at the eaves. The proposed location of the outbuilding is on the eastern boundary of the property adjacent to the boundary with No. 30 Avondale Rise located 0.45m from the boundary. The outbuilding is proposed to be constructed in green painted timber cladding with cream painted windows and doors, with brown roof tiles.

Planning history

- 6 There is no planning history on file.

Planning history of adjoining sites

- 7 There is no planning history on file.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 8 The main issues to be considered in respect of this application are:
- a) The impact on amenity of neighbouring residents and future occupiers.
 - b) The design and appearance of the proposed development.

Planning policy

National Planning Policy Framework (NPPF)

- 9 Section 7 - Requiring Good Design

London Plan 2011

- 10 None Relevant

Core Strategy 2011

- 11 Strategic Policy 12 – Design and conservation
Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

- 12 Policy 3.2 Protection of amenity
Policy 3.12 Quality in Design
Policy 3.13 Urban Design
Policy 3.11 Efficient Use of Land
- 13 Residential Design Standards SPD (2011)
Draft Peckham and Nunhead Area Action Plan

Principle of development

- 14 There is no objection to the principle of erecting an outbuilding in this residential area provided it is ancillary to the enjoyment of the dwelling house, would be designed to a high standard and respect the established character of the area and would not have an adverse effect on the amenity on neighbouring properties in accordance with Residential Design Standards SPD (2011), the relevant policies of the Core Strategy (2011) the relevant saved policies of The Southwark Plan (2007).

Environmental impact assessment

- 15 Not Required.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

- 16 Given the location and context of the proposed outbuilding it is not considered the proposed outbuilding will have a detrimental impact on the surrounding residential properties to warrant a refusal of the application.
- 17 The site is bounded to the east by No. 30 a single family dwelling house. This dwelling

has windows facing the rear of the site and an objector has raised an objection to the application on the basis of the impact on light obtained to these windows as well as the impact on outlook, both from these windows and from the garden. However, it is not considered there will be a detrimental impact on this property. The proposed outbuilding is set back 7m beyond the rear elevation of No. 32 and is 6.5 m at the closest distance to the rear elevation of No. 30 Avondale Rise. This is a sufficient distance from the rear windows of No. 30 Avondale Rise to overcome any concerns in relation to loss of daylight or outlook to these windows. While the outbuilding may cause overshadowing to a portion of the garden later in the day, this is not considered to be a sufficient reason for refusal in this instance, given that these type of outbuildings are a common feature in residential gardens. The limited scale and height of the outbuilding will limit the amount of overshadowing.

- 18 In relation to loss of outlook, as noted the outbuilding is set back 6.5m from the rear elevation. While it will be seen from the rear widows, there will be no loss of outlook. In relation to the impact when viewed from the rear garden, while it will be visible, the limited scale and height of the proposed outbuilding will not lead to the creation of a sense of enclosure.
- 19 In conclusion the proposal will not have a significant impact in terms of loss of light or outlook to justify the refusal of the application.

Design issues

- 20 The outbuilding is proposed to be constructed in green painted timber cladding with cream painted windows and doors, with brown roof tiles. This combination of materials is considered to be appropriate for such a structure. In terms of scale and mass, the proposed outbuilding is moderate in height, depth and width and is of a similar scale to garden sheds that are common in such properties. While it is noted that there is outbuildings already to the rear of this property, it is considered that the rear garden is large enough to accommodate another outbuilding without the rear garden being overdeveloped.

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

- 21 The site is not listed, nor is it situated within a conservation area.

Impact on trees

- 22 The application form states that no trees will be impacted by this proposal. However it is noted that there are trees on the site. It is considered that a condition should be imposed requiring protection of the trees on site as they add to the amenity of the property and to the area as whole.

Planning obligations (S.106 undertaking or agreement)

- 23 Not required.

Sustainable development implications

- 24 None.

Other matters

- 25 Given the size of the development, it is not considered to be CIL liable.

Conclusion on planning issues

- 26 On balance, given the context of the site, it is not considered the proposed outbuilding will have a detrimental impact on the surrounding residential properties in terms of amenity given the location and context of the site. The bulk and scale of the proposed outbuilding and proposed materials are also considered acceptable. Concerns in relation to the use can be controlled by condition. Therefore it is recommended that planning permission be granted.

Community impact statement

- 27 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.
- 28 a) The impact on local people is set out above.

Consultations

- 29 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

- 30 Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

- 31 3 letters of objection have been received in relation to this application. The main planning issues raised are as follows:
- 32 30 Avondale Rise
Proposed outbuilding would be extremely large in relation to the footprint of the house
It would not be in scale or harmony with the surrounding house or gardens
Would dominate the outlook from each room to the rear of the house
Would be overpowering from the garden
Would dominate the outlook from several of the neighbours houses
Would be an alien and incongruous feature
Would be better located at the far end of the garden
Applicant has stated that the outbuilding may be used for sleeping purposes.
Potential to modify proposal to accommodate lodgers. Would then be an independent dwelling not incidental to the house
Would impact on light received to the greenhouse
Would impact on light received to the garden
Proximity of the shed to the fence would make it difficult to maintain the fence and to maintain the outbuilding
Potential for the outbuilding to be used as a business use
Would not object to the proposal if the outbuilding was located at the far end of the garden, was for non-residential, non-business use and if the colours were appropriate.
[A letter from the GP of the objector's mother, who lives at the property, was attached to the objection email]
- 33 26 Avondale Rise
Is not in favour of the proposed siting of the outbuilding due to the fact it is a large

structure with a very high roofline over 3m.
 Garden fences are only about a metre in height on average
 The cabin should be placed at the far end of the garden with better light and sun.
 The fence at this location is over 2 m high.

- 34 28 Avondale Rise
 Proposed position of the building would be a hindrance blocking light and view from the kitchen and garden
 Outbuilding should replace existing shed

Human rights implications

- 35 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 36 This application has the legitimate aim of providing an outbuilding for use ancillary to the main property. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2521-222 Application file: 13/AP/0521 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5560 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour Consultee List for Application Reg. No. 13/AP/0521
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Ronan O'Connor, Senior Planning Officer	
Version	Final	
Dated	28 May 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 May 2013	

Consultation undertaken

Site notice date: 14/03/13

Press notice date: n/a

Case officer site visit date: 14/03/13

Neighbour consultation letters sent: 14/03/13

Internal services consulted: None

Statutory and non-statutory organisations consulted: None

Neighbours and local groups consulted:

As per Appendix 3

Re-consultation:

None

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

3 letters of objection have been received in relation to this application. The main planning issues raised are as follows:

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It would not be in scale or harmony with the surrounding house or gardens

Would dominate the outlook from each room to the rear of the house

Would be overpowering from the garden

Would dominate the outlook from several of the neighbours houses

Would be an alien and incongruous feature

Would be better located at the far end of the garden

Applicant has stated that the outbuilding may be used for sleeping purposes.

Potential to modify proposal to accommodate lodgers. Would then be an independent dwelling not incidental to the house

Would impact on light received to the greenhouse

Would impact on light received to the garden

Proximity of the shed to the fence would make it difficult to maintain the fence and to maintain the outbuilding

Potential for the outbuilding to be used as a business use

Would not object to the proposal if the outbuilding was located at the far end of the garden, was for non-residential, non-business use and if the colours were appropriate.

[A letter from the GP of the objector's mother, who lives at the property, was attached to the objection email]

26 Avondale Rise

Is not in favour of the proposed siting of the outbuilding due to the fact it is a large structure with a very high roofline over 3m.

Garden fences are only about a metre in height on average

The cabin should be placed at the far end of the garden with better light and sun.

The fence at this location is over 2 m high.

28 Avondale Rise

Proposed position of the building would be a hindrance blocking light and view from the kitchen and garden

Outbuilding should replace existing shed

Neighbour Consultee List for Application Reg. No. 13/AP/0521

TP No	TP/2157-30	Site	32 AVONDALE RISE, LONDON, SE15 4AL
App. Type	Full Planning Permission		

Date Printed	Address
14/03/2013	42 AVONDALE RISE LONDON SE15 4AL
14/03/2013	30 DANBY STREET LONDON SE15 4BU
14/03/2013	38 AVONDALE RISE LONDON SE15 4AL
14/03/2013	40 AVONDALE RISE LONDON SE15 4AL
14/03/2013	36 DANBY STREET LONDON SE15 4BU
14/03/2013	32 DANBY STREET LONDON SE15 4BU
14/03/2013	34 DANBY STREET LONDON SE15 4BU
14/03/2013	26 AVONDALE RISE LONDON SE15 4AL
14/03/2013	28 AVONDALE RISE LONDON SE15 4AL
14/03/2013	GROUND FLOOR FLAT 38 DANBY STREET LONDON SE15 4BU
14/03/2013	TOP FLAT 38 DANBY STREET LONDON SE15 4BU
14/03/2013	34 AVONDALE RISE LONDON SE15 4AL
14/03/2013	36 AVONDALE RISE LONDON SE15 4AL
14/03/2013	30 AVONDALE RISE LONDON SE15 4AL
14/03/2013	32 AVONDALE RISE LONDON SE15 4AL