

Item No. 7.2	Classification: OPEN	Date: 10 June 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/0618 for: Full Planning Permission Address: 68A BEAUVAL ROAD, LONDON SE22 8UQ Proposal: Erection of a single storey side and rear extension		
Ward(s) or groups affected:	Village		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 02/03/2015		Application Expiry Date 27/04/2015	
Earliest Decision Date 04/04/2015			

RECOMMENDATION

1. That the application is referred to the Planning Sub-Committee for consideration at the request of members; and that planning permission is granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site refers to a ground floor flat of a two-storey mid-terraced period dwelling located on the western side of Beauval Road. The property has an existing conservatory set on the back of its rear outrigger.
3. The surrounding area is predominately residential in character. The property is within the Dulwich Village Conservation Area but is not within the setting of a listed building and is not listed itself.

Details of proposal

4. Planning consent is sought for the demolition of the existing conservatory on the site and construction of a flat-roofed side and rear extension in a 'L' shape. The side infill extension would measure 8.7m in length and 2.3m in height to the boundary with No.66. The rear extension would extend out from the existing rear outrigger by 3.8m, projecting 2.8m in height. The proposal would be constructed of brickwork to match existing, timber windows and a flat roof where a projecting rooflight in lantern style and a small rooflight would be installed.

Revisions

5. As advised by the case officer, the height of the side extension has been reduced from 2.7m to 2.3m, so as to mitigate the amenity impact on No.66.

Planning history

6. 97/AP/0352: Planning consent was granted on 14/05/1997 for erection of single storey

conservatory and boundary wall at rear.

Planning history of adjoining sites

7. 70 Beauval Road

Planning consent was granted on 14/08/2002 for construction of a side and rear extension.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies;
 - b) The impact of the development on the amenity of the adjoining properties;
 - c) Design Quality;
 - d) Impact on the Dulwich Village Conservation Area; and
 - e) Any other relevant material planning considerations.

Planning policy

9. This application should be determined in accordance with the development plan unless other material considerations indicate otherwise; and the following central government guidance, regional and local plan policies are particularly relevant:

National Planning Policy Framework (NPPF)

Section 7 - Requiring good design

Section 12 - Conserving and enhancing the historic environment

London Plan July 2011 consolidated with revised early minor alterations October 2013

Policy 7.4 - Local Character

Policy 7.6 - Architecture

Core Strategy 2011

Strategic policy 12 - Design and conservation

Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.2 - Protection of amenity

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.16 - Conservation areas

Supplementary Planning Documents

Residential Design Standards SPD (2011)

Dulwich Supplementary Planning Document (July 2013)

Principle of development

10. There is no objection in principle to alterations to residential properties in established residential areas provided that development is of a high standard of design, respects and enhances the character of its surroundings including any designated heritage assets and does not adversely impact upon the amenity of adjoining properties or residents in accordance with above mentioned development policies.

Summary of consultation responses

11. Owners of No.66 placed objections to the application, concerned:
 - significant reduction in daylight and sunlight and increase in overshadow
 - use of space in side passage where serves the outdoor amenity space in the summer
 - loss of visual amenity
 - detrimental impact on the character of the neighbouring properties and the conservation area by virtue of its design and scale
 - no indication to the proposed materials
 - the effect of subsidence to the adjoining property and the area
 - interaction by the construction works to implement the scheme if planning permission was granted and no relevant information is provided.
12. The issues regarding the impact on the neighbouring amenity and design and the character of the conservation area are assessed below. It is noted that the concerns related to the subsidence by the development and constructional interaction during implementing the scheme are not considered as planning matters, and given the scale of the development, construction method statement would not be required.

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

13. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD 2011 also sets out the guidance for rear extensions which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

No. 66 Beauval Road

14. No.66 has a two-storey rear addition, like the proposal, where 1, side window and 1, side glazed door are installed on the ground floor to serve the kitchen. The owners of this adjoining property placed objections to the proposal it respect to concerns that the proposal would be detrimental to the neighbouring amenity in terms of loss of sunlight and daylight, visual impact and a sense of enclosure.
15. The proposed structure would project 8.7m in length and 2.3m in height on the boundary with No.66, and the impact on the level of sunlight and daylight received to the existing ground floor openings of No.66 due to the proximity to No.68 has to be

considered.

16. A sunlight and daylight test conducted by the case officer via drawing a line at 45 degrees sideways from the centre of the affected window of No.66 demonstrates that the side extension would fall within the shadow of the 45 degree line, meaning that the development would not result in an unacceptable loss of daylight and sunlight to the affected openings of No.66.
17. It is also noted that the extension does drop down to 2.3m on the boundary with this neighbouring property and it would not be feasible to drop the level further and still maintain an acceptable standard of accommodation within the extended kitchen area of the application site.
18. With regard to visual impact and effect on sense of enclosure, a site visit to this affected property noted that the side passage level of No.66's is approximately 200mm higher than the application site as a result of an existing wooden decking wrapped around the site and rear of No.66. Therefore, the proposed extension would read approximately 2.1m in height from No. 66's decking.
19. Given this height, which would only be 100mm above the permitted height for a fence, the proposed development is not considered to generate a harmful level of a sense of enclosure to the occupiers of No.66, that would warrant a refusal of the application.

No.70 Beauval Road

20. The application site has an existing conservatory to the rear measuring 3m in depth and 3.3m at its overall height which would be replaced it with a flat-roofed structure that would be 800mm deeper and 600mm lower in terms of overall scale and massing. Given its projection, the proposal is not considered to generate additional detrimental impact on this adjacent property.
21. The proposed projecting rooflight would not be higher than the overall height of the existing conservatory, and therefore would have limited impact on the amenity of the adjoining occupiers.
22. Based on the above assessment, the proposal is considered, on balance, acceptable in amenity terms.

Transport issues

23. None envisaged.

Design issues

24. Strategic Policy 12 of the Core Strategy (2011) seeks to achieve the highest possible standards of design for buildings. Saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design', together, seek to achieve high quality architectural and urban design which enhances the quality of the built environment. The Council's Residential Design Standards 2011 provides general guidance on residential extensions to harmonise their scale, impact and architectural style. Section 7 paragraph 56 of the NPPF states that good design is a key aspect of sustainable development while paragraph 58 goes on to states that '*planning policies and decisions should aim to ensure that developments... respond to local character and history and reflect the identity of local surroundings and materials*'.

25. The council's adopted 'Dulwich Supplementary Planning Document (SPD) 2013 sets out the guidance that should be required when considering proposals for extensions that require planning permission. Section 5.6 'Extensions' states:
- 5.6.2: Where extensions are proposed, they should be in keeping with the character of the area and for the most part follow the guidance set out in the residential design standards SPD. In some cases, however, larger development that exceeds the 3 metres by 3 metre threshold set out in the SPD could be considered. In particular detached and semi-detached properties with substantial gardens may accommodate a larger extension providing the openness of an area is not compromised, the design is clearly subservient to the main part of a building and it would not add appreciably to the building's bulk.
26. The application site is located within the Dulwich Village Conservation Area. The proposal would replace the existing conservatory with a rear and side extension, and thus would not result in a loss of substantial rear garden area.
27. The proposed structure would be single storey, set within the rear garden of the site. Given the low eaves height of the side extension, the bulk and scale of the proposal is considered acceptable, and would not form a dominating feature to the host building. The proposed materials of brickwork would complement the host building which is acceptable.
28. The owners of No.66 also concerned that the proposed development would harm the character of the neighbouring properties; however, it is acknowledged that similar developments have been recently granted within the adjoining properties, including:
- No.27 Beauval Road (Ref: 12/AP/3037): The side and rear infill extension would measure 8m in length and 2.2m in height on the boundary with No.25. It is noted that No.25 is in a lower land level
 - No.61 Beauval Road (Ref: 12/AP/0266/): The scheme would measure 8.2m in length and 3.2m in height to its eaves level; It is noted that No.61 is situated on a corner plot, and the proposed side extension would not adjoin any properties.
 - No.77 Beauval Road (Ref: 10/AP/0196): The proposal would measure 5.09m in length x 3m in height to parapet level.
29. The proposal is broadly comparable in projection and height to these granted extensions and on consideration of these applications, it was considered that the character and appearance of these houses would be preserved, subject to suitable materials.

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

30. Saved Policy 3.16 'Conservation areas' asserts that within conservation areas, development should preserve or enhance the character or appearance of the area. Saved Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites', states that Permission will not be granted for developments that would not preserve or enhance:
- i. The immediate or wider setting of a listed building; or
 - ii. An important view(s) of a listed building; or
 - iii. The setting of the Conservation Area.
31. The application site is located within the Dulwich Village Conservation Area. Officers consider that the proposed rear extension cannot be viewed from a public point of access and an extension of this scale would preserve the character and appearance of the Conservation Area, subject to materials being sympathetic, i.e. bricks to match existing and appropriate roofing material that avoids felt or plastic covering.

32. It was noted that the design may have meant that the guttering would over sail the adjoining properties, the applicant's agent has confirmed that this would not be the case. The occupiers of No.66 are concerned that the proposal shows no indication of the proposed materials for the extension, which would be detrimental to the character of the conservation area.
33. The submitted application form and an email from agent on 01/05/2015 confirmed that the proposed materials would be of brickwork to match existing and timber framed windows. Conditions are therefore recommended, requesting the proposed brickwork to match existing, the details of roofing with No.66 to be submitted for approval and the restriction of the use of UPVc windows.
34. It is then considered that subject to conditions, the proposal is acceptable and would preserve the character and appearance of the existing building and the conservation area.

Impact on trees

35. None.

Other matters

36. S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. The application is not CIL liable because it is not constituted as chargeable development under the CIL Regulations 2010 (as amended).

Community impact statement

37. The impacts of this application have been assessed as part of the application process with regard to local people in respect of the "protected characteristics", as set out in the Equality Act 2010, the Council's Community Impact Statement and Southwark Council's approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.
38. In assessing this application, the Council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal.
39. The following protected characteristics or groups have been identified as most likely to be affected by this proposal: None

Consultations

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

Consultation replies

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

Summary of Neighbour Responses

42. Representations were received from 66 Beauval Road raising the following issues and concerns:
- significant reduction in daylight and sunlight and increase in overshadowing
 - use of space in side passage which serves the outdoor amenity space in the summer
 - loss of visual amenity
 - detrimental impact on the character of the neighbouring properties and the conservation area by virtue of its design and scale
 - no indication as to the proposed materials
 - the effect of subsidence to the adjoining property and the area
 - extent of construction works to implement the scheme if planning permission was granted and no relevant information is provided.

Human rights implications

43. 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.
44. This application has the legitimate aim of providing a rear extension. 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.

Conclusion on planning and other issues

45. The proposed development is, on balance, not considered to result in significant harm on the amenities of the adjoining neighbours. The overall design is also considered acceptable within this context and subject to conditions would preserve the character and appearance of the conservation area. As such, it is recommended that the application be approved.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2313-68 Application file: 15/AP/0618 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 5403 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Marina Lai, Planning Officer	
Version	Final	
Dated	26 May 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & 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		28 May 2015

APPENDIX 1

Consultation undertaken

Site notice date: 10/03/2015

Press notice date: 12/03/2015

Case officer site visit date: n/a

Neighbour consultation letters sent: 09/03/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

70 Beauval Road London SE22 8UQ
68b Beauval Road London SE22 8UQ

66 Beauval Road London SE22 8UQ
51 Dovercourt Road London SE22 8SS
53 Dovercourt Road London SE22 8SS

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

66 Beauval Road London SE22 8UQ