

Item No. 7.4	Classification: OPEN	Date: 7 September 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/1469 for: Full Planning Permission Address: 8 FRANK DIXON WAY, LONDON, SE21 7BB Proposal: Erection of a new two storey dwellinghouse with accommodation to basement level and attic level		
Ward(s) or groups affected:	Village		
From:	Director of Planning		
Application Start Date 21/04/2015		Application Expiry Date 16/06/2015	
Earliest Decision Date 23/05/2015		Extension of Time Date 15/07/2015	

RECOMMENDATION

1. The application is to be considered by the committee due the planning history of the site; and that planning permission is granted subject to condition.

BACKGROUND INFORMATION

Site location and description

2. The application property is a large, vacant plot located on the southern side of Frank Dixon Way. Previous development on the site consisted of a two storey detached dwelling however this has been demolished. The site is currently surrounded by temporary timber hoardings.
3. The case officer for the original application to partially demolish and extend the original dwelling (see site history below) described the original dwelling on the application property as *"having the character of a Villa, which in part comes from the distance of separation between the dwelling and its adjoining properties"*. The same officer described the original dwelling onsite as having a configuration of built form that was *"typical of homes along Frank Dixon Way"*.
4. Frank Dixon Way is characterised by mainly two storey post war houses, set in substantial mature plots with defined gaps in between. The houses are individually designed, largely post war vernacular in style with sweeping roofs and chimneys a feature. Roofs are tiled with facades either in brick or render.
5. The application property is located within the Dulwich Wood Conservation Area.

Details of proposal

6. Erection of a single detached dwelling house with accommodation to the basement and attic level. The proposed dwelling would be externally finished in Sandtoft Humber Smooth Red plain tiles and Freshfield Lane First Quality Multi Facings brick to match

those present to No.7 Frank Dixon Way. The proposed windows would be double glazed steel aluminium with Oak sub-frames/surrounds. A single attached garage is also proposed.

7. The proposed dwelling would have a Gross Internal Area (GIA) of 105m².

Planning history

8. 09/AP/1856 Application type: Conservation Area Consent (CAC)
Part demolition of existing house.
Decision date 14/10/2009 Decision: **Refused** (REF) Appeal decision date: 16/11/2010 Appeal decision: **Planning appeal allowed** (ALL)
9. 09/AP/1139 Application type: Full Planning Permission (FUL)
Part demolition of existing dwelling and construction of a two storey side and rear extension and an additional single storey rear and side extensions. Alterations to existing roof, addition of two rear dormer windows, installation of two juliet balconies at rear first floor level. Alterations to existing basement.
Decision date 13/01/2010 Decision: **Refused** (REF) Appeal decision date: 16/11/2010 Appeal decision: **Planning appeal allowed** (ALL)
10. 13/AP/4400 Application type: Full Planning Permission (FUL)
Erection of a 5 bedroom replacement dwellinghouse.
Decision date 20/02/2014 Decision: **Refused** (REF) Appeal decision date: 12/06/2014 Appeal decision: Planning appeal **dismissed** (DIS)
11. The building collapsed during the implementation of the 2009 consented scheme LBS Reg: 09/AP/1139, which involved a facade retention behind a 3 storey building with basement.
12. Following collapse of the building, the planning application for the replacement house was dismissed at appeal. Inspector was of the opinion that the proposal would appear incongruous and intrusive and would subsequently harm the conservation area. It was considered that the benefit of providing a replacement dwelling would be outweighed by this harm and that despite the presumption toward sustainable development, the proposal would fail to promote or reinforce local distinctiveness.

Planning history of adjoining sites

13. 7 Frank Dixon Way
None of relevance.
14. 9 Frank Dixon Way
14-AP-3906: Demolition of existing garage and single-storey side lean-to extension and erection of a part single-storey, part two-storey side extension and a single-storey rear extension. Approved 15/12/2014
15. 10 Frank Dixon Way
None of relevance.
16. 10 Ryecotes Mead
None of relevance.
17. 12 Ryecotes Mead
12-AP-4123: Demolition of the existing bungalow and erection of new bungalow (Use Class C3). Approved

18. 13-AP-0120: Demolition of existing bungalow. Granted.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

19. 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 neighbours.
 - c) Design Quality and impact upon Dulwich Wood Conservation Area
 - d) Quality of accommodation and amenity for future occupants of the proposed development
 - e) Traffic and transport
 - f) All other relevant material planning considerations

Planning policy

20. National Planning Policy Framework (the Framework)
- Section 6 - Delivering a wide choice of high quality homes
 - Section 7 - Requiring good design
 - Section 12 - Protecting and enhancing the historic environment
21. London Plan March 2015
- Policy 3.3 - Increasing housing supply
 - Policy 3.5 - Quality and design of housing developments
 - Policy 3.8 - Housing choice
 - Policy 5.17 - Waste capacity
 - Policy 6.3 - Assessing effects of development on transport capacity
 - Policy 6.9 - Cycling
 - Policy 6.13 - Parking
 - Policy 7.2 - An inclusive environment
 - Policy 7.3 - Designing out crime
 - Policy 7.4 - Local character
 - Policy 7.6 - Architecture
 - Policy 7.15 - Reducing noise and enhancing soundscapes
- Mayor of London: Housing SPG (2012)
22. Core Strategy 2011
- Strategic Policy 1 - Sustainable development
 - Strategic Policy 2 - Sustainable Transport
 - Strategic Policy 5 - Providing New Homes
 - Strategic Policy 12 - Design and conservation
 - Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

23. 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 3.7 - Waste Reduction
- Policy 3.11 - Efficient Use of Land
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design
- Policy 3.14 - Designing Out Crime
- Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- Policy 4.1 - Density of Residential Development
- Policy 4.2 - Quality of Residential Accommodation
- Policy 4.3 - Mix of dwellings
- Policy 5.2 - Transport Impacts
- Policy 5.3 - Walking and Cycling
- Policy 5.6 - Car Parking

Supplementary Planning Document: Residential Design Standards (2011)

Supplementary Planning Document: Sustainable Design and Construction (2009)

Supplementary Planning Document: Sustainable Transport (2010)

Dulwich SPD (2011)

Principle of development

24. As identified previously and with the Inspector's decision for LBS reference 13/AP/4400 the principle of a replacement dwelling in this location is accepted 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 the occupiers of adjoining properties or residents whilst also providing a good internal standard of accommodation for future occupiers in accordance with the above policies.

Summary of Consultation Responses

Neighbouring and nearby residents

25. Seven responses were received during the course of the application. The material planning considerations raised were:

- Scale of development - excessive bulk and massing
- Increased sense of overbearing
- Ventilation and extraction for proposed basement - potential for noise and vibration
- Proposed suitability of external materials and colouration of window frame
- Erosion of character of conservation area
- Increased on-street parking of vehicles

26. All of these points are comprehensively discussed in the report below. The concerns relating to drainage and subsidence are addressed in paragraph 55.

Environmental impact assessment

27. Not required.

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

28. 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 guidance for development stating that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

29. The inspectors' reports from LBS references 09/AP/1139 and 13/AP/4400 both considered that the impacts of the proposed dwelling on the amenity of neighbouring occupiers, particularly those that adjoin the southern (rear), eastern and western (side) boundaries finding that both schemes would not have a detrimental affect upon the amenity of any adjoining occupiers. This proposal in many ways retains a similar scale, form and in turn bulk to that of the original house and the previously approved scheme allowed at appeal under LBS reference 09/AP/1856. Drawings PL013, PL014 and PL015 within the Design and Access Statement clearly demonstrates this.

30. Despite this a few notable departures from both the original (now demolished) house and previously approved scheme are proposed. An enlarged rear single storey ground floor element is proposed and the front two storey gable ended projection would extend beyond the extent of the original house.

31. No.7 Frank Dixon Way (west)

As indicated on plan PL014 within the Design and Access Statement the proposed dwelling would not extend beyond the extent of the previously consented scheme (LBS Ref 09/AP/1139). Further to this the roof would have a double hipped configuration with low sweeping eaves and sufficient separation between this element and the rear elevation of nearest sensitive opening to the rear elevation of the adjoining house at No.7. Some increased shadowing of the garden would occur to the early part of the day near to the shared boundary. This shadowing would not affect any internal windows of the main part of the house, shadowing areas of the outdoor garden of No.7. Given the modest increase in shadowing alongside the large size of the rear garden at No.7 this increase in shadowing to the garden would not cause significant and unacceptable harm. It is also noted that this increased shadowing would not depart from the previously approved scheme LBS reference 09/AP/1856 in this location.

32. It is noted that a brick chimney is proposed near to the shared boundary with No.7. This element would not be visible from within No.7 as no first floor side windows which serve the property are present to the side elevation. Any shadowing which would occur to the early part of the day from the chimney would be limited to the side elevation of No.7 and the roofs of the adjoining garage and out building; not affecting any habitable rooms. It is also noted that given the narrow width of the chimney and shadowing would be very minimal. This chimney would be positioned forward of the previously approved scheme LBS reference 09/AP/1856, lessening the prominence of this element when viewed from No.7.

33. Despite the proposed depth of the single storey flat roof rear element it is considered that both the size and positioning would mitigate against any harmful impacts upon the amenity of the occupiers of No.7. Sufficient separation would be maintained from the

shared boundary. This separation would prevent any unacceptable shadowing of the adjoining garden of No.7 whilst the nearest ground floor window which serves a habitable room is positioned more than 14 metres away. The proposed set back would also prevent this element from appearing overbearing from the nearest ground floor window which serves a kitchen.

34. No part of the proposal would project forward of the front elevation of No.7. Consequently the proposal would not have an affect upon any openings which serve rooms to the front of No.7.

35. No.9 Frank Dixon Way (East)

The proposed new house would moderately increase the set back from the shared boundary when compared to the previously approved scheme under LBS reference 09/AP/1139 at first floor level. The proposed first floor element would project forward of the previously approved scheme by 0.26metres at first floor level. Again the proposed low sweeping double hipped roof and level of proposed separation distance between the two properties sufficiently safeguards against any unacceptable loss of amenity by reason of overbearing or loss of light.

36. The proposed single storey ground floor element would be positioned away from the shared boundary. Being one storey in height, positioned away from the boundary and screened by boundary treatment and vegetation this element would not adversely affect the amenity of the occupiers of No.9. Outlook from the rear ground floor openings present to the elevation of No.9 would not be restricted especially given the wide open plot in which this property is positioned and the outlook this provides. Furthermore it is noted that the proposal would take development away from this boundary where a single storey rear addition was positioned. The proposed arrangement would represent an improvement in this respect.

37. The proposed side garage would adjoin the garage of No.9 Frank Dixon way and would be one storey in height. This element would not affect the amenity of the adjoining occupiers of No.9.

38. No.12 Ryecotes Mead (south)

The proposal would see an increase in openings to the rear elevation; despite this the proposed positioning of these openings would replicate the relationship both the previous house and neighbouring properties have with No.12 Ryecotes Mead. Sufficient separation distancing and the presence of mature vegetation would be maintained.

39. To prevent the proposed flat roof from being used as roof terrace a condition restricting access to the roof for maintenance only should be imposed if the application is found acceptable in all other respects. This would safeguard the privacy of all adjoining occupiers by preventing any overlooking.

40. All ground floor side openings would be positioned sufficiently away from any shared boundaries and sufficiently screened by boundary fences and vegetation. All other openings would replicate those of the pre-existing house.

41. The subterranean external stairwell would serve a proposed basement. It is considered that this element would not cause any impacts upon the amenity of adjoining occupiers, serving part of a residential property and positioned to the side away from any sensitive windows or openings.

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

42. It is considered that despite being a larger house than the house which previously stood on site, the proposed residential house would not introduce a form of development at odds with nearby residential uses, which would not in turn affect the use of the proposed property.

Transport and servicing

43. The proposal details one garage and two off-street parking spaces. This is adequate provision for a property of this size and would replicate off-street provision available to nearby properties. Given the high provision of off-street parking available to nearby properties and the low density nature and openness of nearby streets occasional on-street parking would not stress local parking provision or prejudice highway safety.
44. Refuse bins and containers can be safely stored within the curtilage of the dwelling, away from the highway with kerb-side collection appropriate in this location.
45. Any bikes could be stored safely within the proposed garage or to the enclosed rear garden.

Design issues

46. The applicant has reverted to the consented scheme of 2009 as their starting point.
47. Externally the proposed dwelling would reflect Nos. 6 and 7 Frank Dixon Way, in use of materials, brickwork and plain tiles. Courses of black brick will provide a base and hip bonnets are proposed for the roof, providing a modern take on an Arts and Crafts theme. Importantly the width of the proposed dwelling would mirror that of nearby properties (No.6) and the ridge height would not exceed that of No.9.
48. On Frank Dixon Way the house reflects the character and scale of those existing on the street, to the rear the building opens up onto the large garden, the separation between properties characteristic of the area has been maintained. The applicants have provided drawings by way of comparison between the 2009 and present proposal. Whilst the rear appears dominant in scale and expression compared to the architectural language to the rear, given the size of the rear gardens and the lack of any prominent views of this elevation from any nearby streets this is permissible. It is also noted that the proposed rear elevation would not be dissimilar to the scale and appearance of recently approved and implemented extensions to the rear elevations of Nos. 6 and 13 Frank Dixon Way.
49. Unlike the previously refused 2013 scheme the rear two storey gable projection and additional side chimney, identified as incongruous by the inspector, are no longer proposed. The omission of these elements helps to maintain a roof profile which resembles those of nearby properties. When viewed from Frank Dixon Way to the east, the inverted second floor windows would not be seen and the building would not read as a two storey dwelling.
50. Similarly the basement area proposed is very large but given the size of the plot no objection to the design is raised as only a side subterranean stairwell is proposed. This element would not be visible from any surroundings properties or streets and is therefore considered acceptable.
51. The proposed dwelling would be externally finished in Sandtoft Humber Smooth Red plain tiles and Freshfield Lane First Quality Multi Facings brick to match those present to No.6 Frank Dixon Way. Samples were provided at application stage. It is confirmed that these are appropriate in type, finish and colour and would match in appearance those used at No.7 Frank Dixon Way. A condition will be imposed requiring that these materials must be used for the external finish to ensure that there is no departure from

these agreed materials.

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

52. Given the positive design points discussed above it is considered that the overall composition of the front elevation is considered acceptable, and the low oversailing eaves have helped to mitigate against the scale of the proposed dwelling and achieve a form of development that is sympathetic to the wider conservation area.
53. There was a concern relating to a lack of expressed lintel and the plainness of the window heads. This issue was raised during the course of the application with the applicant. Further detailing to the windows was agreed and additional drawings submitted to show how oak sub-frames would enclose the proposed aluminium frames. These add sufficient detailing to the windows and are in keeping with the Arts and Craft inspired design. Expressed lintels and window heads do not form part of the character of properties along Frank Dixon Way. Alongside the detailing above the front door and the use of dormers to the first floor any increased emphasis of the windows would over complicate the simple Arts and Crafts vernacular.
54. The proposal would therefore maintain the setting and character of this part of the Dulwich Wood Conservation Area. There are no nearby listed buildings.

Standard of accommodation for future occupants.

55. Given the generous size of the proposed dwelling all rooms would meet the minimum space requirements detailed within the Residential Design Standards SPD 2011. There would also be sufficient outdoor amenity space available to and all rooms to the ground and upper floors would have good outlook and natural daylight penetration.
56. Some concerns were raised within the previous 2009 application about the quality of living accommodation within the basement as the basement did not benefit from any outlook or natural daylight. This was dismissed by the inspector when upholding the subsequent appeal.
57. No reference to the Dulwich SPD and the Residential Design Standards have been made within the Design and Access Statement, and the specific requirements with regard to basements and quality of accommodation contained within this guidance. It is noted that given the nature of the proposed uses of the basement and the adequate amount of space elsewhere within the property this ancillary space would not form part of the principal living accommodation. There are no bedrooms proposed within this space whilst the majority of this space comprising plant, utility and storage space. The remaining 'cinema', sauna/ Jacuzzi space and flexible 'family room' are ancillary to the principal ground floor level living space. Forced ventilation would be offered throughout this space and would be dealt with under the relevant Building Control regulations.

Impact on trees

58. None.

Planning obligations (S.106 undertaking or agreement)

59. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will

provide for infrastructure that supports growth in Southwark.

60. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. This equates to £19,420 and Southwark CIL amount equates to £101,400.

Sustainable development implications

61. All new homes must meet Life Time Homes Standards. Step free access would be offered to the front door whilst the size of the ground floor and property itself would allow for appropriate conversion.

Other matters

62. The concern surrounding subsidence and water displacement and foul sewerage drainage have been taken into account (as they were with the original application) but on balance are not considered to constitute planning considerations given they are covered by the building regulations and works would need to be approved and inspected by an approved building control officer. It is also noted that no objection has been received from Thames Water. The site is not located within a Flood Risk Zone. Given the previous residential use there are no concerns regarding contamination.

Conclusion on planning issues

63. The proposed development would not result in a loss of amenity to adjoining occupiers whilst the design of the new house, to the front elevation would not harm the appearance or character of the conservation area.
64. Accordingly, the proposal complies with the saved policies 3.2, 3.12, 3.13, 3.16 and 3.18 of the Southwark Plan (2007) and the Strategic Policy 12 Design and conservation of the Core Strategy (2011). It is therefore recommended that planning permission is approved.

Community impact statement

65. 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.

Consultations

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

Consultation replies

67. Details of consultation responses received are set out in Appendix 2.
68. A summary of responses is provided at the beginning of this report.

Human rights implications

69. 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.
70. This application has the legitimate aim of providing new residential accommodation. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

71. None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2218-9 Application file: 15/AP/1469 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: 0207 525 5976 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	Simon Bevan, Director of Planning	
Report Author	Lewis Goodley, Planning Officer	
Version	Final	
Dated	24 August 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		24 August 2015

APPENDIX 1

Consultation undertaken

Site notice date: 30/04/2015

Press notice date: 30/04/2015

Case officer site visit date: 03/06/2015

Neighbour consultation letters sent: 29/04/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

8 Frank Dixon Way London SE21 7BB
10 Frank Dixon Way London SE21 7ET
9 Frank Dixon Way London SE21 7ET
12 Ryecotes Mead London SE21 7EP
7 Frank Dixon Way London SE21 7BB
11 Frank Dixon Way London SE21 7ET
By Email

24 Frank Dixon Way Dulwich SE21 7ET
C/O 5 Frank Dixon Way Dulwich SE21 7BB
22 Frank Dixon Way London SE21 7ET
6 Frank Dixon Close Dulwich SE21 7BD
6 Frank Dixon Way Dulwich SE21 7BB
12 Frank Dixon Way London SE21 7ET
21 Frank Dixon Way Dulwich SE21 7ET

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

C/O 5 Frank Dixon Way Dulwich SE21 7BB

11 Frank Dixon Way London SE21 7ET

12 Frank Dixon Way London SE21 7ET

21 Frank Dixon Way Dulwich SE21 7ET

21 Frank Dixon Way Dulwich SE21 7ET

6 Frank Dixon Close Dulwich SE21 7BD

6 Frank Dixon Way Dulwich SE21 7BB

7 Frank Dixon Way London SE21 7BB