

Item No. 6.3	Classification: Open	Date: 24 September 2015	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 15/AP/1847 for: Full Planning Permission Address: 100 LORDSHIP LANE, LONDON SE22 8HF Proposal: Retention of : (i) reduction in size of A1 shop; (ii) insertion of an additional opening to the ground floor rear elevation; (iii) increase of 1 bedroom flat to a 2 bedroom flat; and (iv) relocation of main entrance from front to rear		
Ward(s) or groups affected:	East Dulwich		
From:	Director of Planning		
Application Start Date 14/05/2015		Application Expiry Date 09/07/2015	
Earliest Decision Date 10/06/2015			

RECOMMENDATION

1. That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

2. This application is reported to planning committee following a referral request from councillors.

Site location and description

3. The site is located to the western side of Lordship Lane near to the junction with Chesterfield Grove and comprises a two storey semi-detached building with an A1 shop to the ground floor fronting Lordship Lane and a single residential flat above. The property has also been recently extended with a rear single storey and basement level extension, accommodating a one bedroom flat.
4. A secondary access from Chesterfield Grove runs to the rear of the site.
5. The application site is not located within a conservation area and the application will not affect the setting of a listed building.

Details of proposal

6. Retrospective planning permission is sought for the alterations to previously consented scheme LBS reference 08/AP/1212 '*Erection of rear basement and ground floor extensions, installation of 2 rooflights to the front roof slope and provision of a new shopfront; in connection with the enlargement of the existing ground floor retail unit and the provision of 2 x 1 bed flats.*'
7. These alterations comprise:

- (i) reduction in size of A1 (use class) shop;
 - (ii) increase of one bedroom flat to a two bedroom flat at basement and ground floor level;
 - (iii) insertion of one additional opening to the rear ground floor level; and
 - (iv) relocation of main entrance from Lordship Lane to the rear shared access road which adjoins Chesterfield Grove.
8. No other external alterations are proposed beyond those approved under 08/AP/1212.
9. **Planning history**

<p>07/AP/0840 Application type: Full Planning Permission (FUL) Rear extensions at basement, ground, first and second (roof) floor levels with formation of lightwell and stairs at basement and ground floor and roof terraces at first and second floor levels. Mansard roof extension to front with increased roof ridge-line. Creation of 1 x self-contained studio flat within part of basement, and 2 x 2-bed flats on first and second floors. Use of ground floor rear extension and part of basement in association with the ground floor retail unit. Alterations to shop front to create new separate entrance to upper flats. Decision date 15/08/2007 Decision: Refused</p>
<p>07/AP/2173 Application type: Full Planning Permission (FUL) Rear extension at basement, ground floor and first floor, with formation of lightwell and stairs at basement and ground floor. Erection of rear dormer roof extension and two skylights at front roof slope. Metal stairs at side for rear access. Raising of chimney stack and party wall. Creation of 1 x self-contained studio flat within part of basement, and 2 x 1-bed flats on first and second floors. Use of ground floor rear extension and part of basement in association with the ground floor retail unit. Alterations to shopfront and separate entrance to upper flats Decision date 19/12/2007 Decision: Refused</p>
<p>07/AP/2940 Application type: Full Planning Permission (FUL) Erection of an extension at rear of basement, ground & first floor levels; rear dormer window extension at roof level with 2 No skylights at front roof slope; to provide 1 x 1 bed unit and office/storage within basement; enlarged retail shop (Class A1) on ground floor level; 2- bedroom flat on first floor and within roof space; alterations to shop front to provide separate access to the basement flat and new first/second floor flat. Decision date 04/03/2008 Decision: Refused</p>
<p>08/AP/1212 Application type: Full Planning Permission (FUL) Erection of rear basement and ground floor extensions, installation of 2 rooflights to the front roof slope and provision of a new shopfront; in connection with the enlargement of the existing ground floor retail unit and the provision of 2 x 1 bed flats. Decision date 10/09/2008 Decision: Granted</p>
<p>09/AP/2357 Application type: Full Planning Permission (FUL) Basement, ground and first floor rear extensions, dormer window extension to the rear roof and 1 No. Skylight at the front roof slope; access stairs to basement to rear. Conversion to a two bed unit on the first floor and loft and 1 one bed unit within the basement level, with the main access to the flats from the Chesterfield Grove; extension to the retail shop on ground floor; bin and bike store to rear ground floor. Decision date 23/12/2009 Decision: Refused</p>

<p>10/AP/0532 Application type: Full Planning Permission (FUL) Basement, ground and first floor rear extensions, dormer window extension to the rear roof, one new skylight at the front roof slope and one new skylight at the side roof slope; conversion to a 1 one bed unit on the basement and ground floor and 1 two bed unit on the first floor and loft, with the main access to the flats from the Chesterfield Grove; refurbishment of the retail shop with new shop front on ground, and basement conversion into retail shop store area; bin and bike store to rear ground floor. Decision date 17/05/2010 Decision: Refused</p>
<p>14/EN/0210 Enforcement type: Unauthorised building works (UBW) Unauthorised building work. Sign-off date 25/07/2014 Sign-off reason: Final closure - no breach of control.</p>
<p>14/AP/3173 Application type: Full Planning Permission (FUL) Erection of single storey first floor rear extension and insertion of x2 windows to rear elevation Decision date 12/11/2014 Decision: Granted (GRA)</p>

Planning history of adjoining sites

10. 98B LORDSHIP LANE, LONDON, SOUTHWARK, SE22 8HF

08-AP-0988 - Erection of a tubular steel and wooden 'deck style' balustrade with inclined bracing to enclose the existing roof terrace of flat at first floor rear level. REFUSED 17/06/2008.

97-AP-1396 – Continued use of upper floor as a self contained flat and alterations to rear elevation. APPROVED 12/02/1998.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. 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) All other relevant material planning considerations.

Planning policy

12. National Planning Policy Framework (the Framework)
Section 7 - Requiring good design
Section 6 - Delivering a wide choice of high quality homes
13. London Plan 2015
Policy 7.4 - Local Character
Policy 7.6 - Architecture

14. Core Strategy 2011
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

15. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by paragraph 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 5.2 - Transport Impacts

16. Residential Design Standards SPD (2011)

Principle of development

17. The creation of new residential unit was previously established under LBS reference 08/AP/1212. The principle of alterations to existing residential properties is accepted in land use terms subject to the material planning considerations below.
18. The commercial floor space of the shop would remain unaltered at ground floor relative to the size permitted under 08/AP/1212, with a modest reduction in the storage area in the basement, to enable a slightly deeper residential area for the flat behind. This change is considered to be modest and does not undermine the feasibility of continued retail operation at the site. Consequently there are no land use issues here.

Summary of consultation responses received

19. Two responses were received objecting to the proposal. The material planning considerations raised were:
- Increased overlooking and loss of privacy
 - Insufficient cycle storage
 - Increased activity, noise generation and disturbance 24 hours a day along the rear access track which provides access to Chesterfield Grove which would adversely affect the amenity of nearby residents, in particular No.2A Chesterfield Grove which adjoins this access road
 - Poor design at odds with the prevailing character of nearby development.
20. These points are all addressed within the report below.
21. All other matters raised including the hard-surfacing and the laying of utilities underground along the shared road are civil matters which are outside of the control of planning regulations.
22. It is noted that all other alterations completed at No.100 Lordship Lane at the time of the writing of this report are lawful and have received the relevant permission(s) from the Local Planning Authority.

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

23. The proposal would see the loss of the front door from the approved ground floor and basement level flat and internal alterations to accommodate an additional single bedroom. The dwelling would remain as a single unit.
24. The loss of the principal entrance from Lordship Lane will require the flat to be accessed solely from the rear. Despite this the proposed use of the previously approved rear access would not result in a material increase to activity along the rear access road beyond that of the already consented scheme. It is noted that other properties have their only principal access from the shared access road.
25. The provision of an additional single bedroom within the previously consented scheme would not lead to any discernible increases to noise levels along the rear access, with the flat remaining as a single residential unit. Access to the flat located to the first and second floors flat would be unaffected and would still be from Lordship Lane, as previously consented.
26. One additional opening is proposed to the rear ground floor level of the consented rear extension and the balcony would be repositioned approximately 0.3 metres northward. These alterations would not give rise to increased overlooking, replicating the established pattern of overlooking. These openings would be screened by the boundary fence which adjoins the access road. No other external alterations are proposed, so there would be no impacts in relation to loss of light, increased shadowing or increased sense of overbearing.
27. The use of the outdoor amenity space would not create any additional noise above levels expected for an ordinary residential dwelling. The use of this space would not lead to an increase in external activity beyond that established under the consented scheme.
28. The proposal would therefore not unreasonably affect the amenity of the occupiers or users of any nearby or adjoining properties with no material or discernible increase in activity or noise beyond the previously approved scheme.

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

29. None beyond those assessed under LBS reference 08/AP/1212. Internal noise transfer between the existing commercial unit which fronts Lordship Lane would be controlled by the relevant Building Control legislation and building standards.

Transport issues

30. None. Sufficient on site, secure cycle storage would be maintained for a single residential unit.
31. The proposal would not result in the creation of a new dwelling and consequently would not generate any significant amounts of additional trips or result in any tangible increased levels of stress in relation to local parking provision.

Design issues

32. Externally the proposal would see some minor alterations to the fenestration of the ground floor rear element of the extension. The provision of an additional window and

the refashioned balcony would not alter the overall appearance and character of the building and are therefore considered as being acceptable.

Quality of accommodation for potential future occupiers

33. The proposed standard of accommodation would meet all the minimum space requirements for a two bed three person single dwelling. External amenity space is provided and accommodation is split over two levels, with sufficient natural light penetration into all key habitable rooms.
34. Despite the loss of the access from Lordship Lane the principal entrance along the rear access road provides an adequate access point to Chesterfield Grove with only a short distance to this street. It is noted that other properties also have their primary access point from this access road.

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

35. None.

Impact on trees

36. None.

Planning obligations (S.106 undertaking or agreement)

37. The proposal would not be CIL liable as no additional floor space or dwellings would be created outside of the previously consented and approved scheme.

Sustainable development implications

38. None.

Other matters

39. In respect of the hard surfacing of the rear access road, this is outside the remit of this application as it falls outside the red line site boundary. Furthermore such a measure is not considered to be necessary in the context of this proposal. These works could be undertaken without planning consent but require the agreement of the relevant landowners and this is therefore a civil matter.

Conclusion on planning issues

40. The proposal would not materially affect the occupiers or users of any nearby or adjoining properties, would not result in a material increase in activity along the rear access road, is of an appropriate external design and would offer a good standard of internal accommodation for potential future occupiers. No material considerations which indicate against the proposal remain.
41. It is therefore recommended that planning permission be granted.

Community impact statement

42. 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.

The impact on local people is set out above.

Consultations

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

Consultation replies

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

Human rights implications

45. 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.
46. This application has the legitimate aim of providing an altered residential flat with an additional bedroom. 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/2315-100 Application file: 15/AP/1847 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	14 September 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic director, 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		14 September 2015

APPENDIX 1

Consultation undertaken

Site notice date: 14/05/2015

Press notice date: n/a

Case officer site visit date: 14/05/2015

Neighbour consultation letters sent: 18/05/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

2a Chesterfield Grove London SE22 8RW
100 Lordship Lane London SE22 8HF
98a Lordship Lane London SE22 8HF
98b Lordship Lane London SE22 8HF
102 Lordship Lane London SE22 8HF
98 Lordship Lane London SE22 8HF

2 Chesterfield Grove London SE22 8RW
Flat 3 108 Lordship Lane SE22 8HF
Flat 1 108 Lordship Lane SE22 8HF
Flat 2 108 Lordship Lane SE22 8HF
179 Friern Road London SE22 0BD
35 Pickwick Road Dulwich SE21 7JN

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

179 Friern Road London SE22 0BD
179 Friern Road London SE22 0BD
35 Pickwick Road Dulwich SE21 7JN