

Item No. 7.2	Classification: Open	Date: 28 June 2016	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/5134 for: Full Planning Permission Address: 124 COURT LANE, LONDON SE21 7EA Proposal: Extension to existing basement involving the lowering of the existing floor level and creation of front lightwells; erection of a rear single-storey ground floor extension; erection of a dormer roof extension to the proposed rear (south) roofslope; installation of x1 new window to front gable and x1 new window to rear gable; replacement of front garage door with new garage door; construction of chimney; installation of x1 new window in side (east) elevation at ground floor level; and alterations to existing balcony.		
Ward(s) or groups affected:	Village		
From:	Director of Planning		
Application Start Date 19/01/2016		Application Expiry Date 15/03/2016	
Earliest Decision Date 26/02/2016			

RECOMMENDATION

1. That members grant full planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site is located in the Dulwich Village area of the borough, on the southwestern side of Court Lane directly opposite the junction with Eastlands Crescent. The surrounding area is of a predominantly residential character.
3. The application site comprises a detached single family dwellinghouse constructed circa 1908. The property benefits from front and rear private amenity space as well as off-street parking. The dwellinghouse is two-storeyed and possesses a two-storey wing attached to the south eastern side of the property but set back from its front elevation.
4. The ground level of the application site drops away from north to south, and as such the part of the rear amenity space close to the dwellinghouse is approximately 1.00 metres lower than the front amenity space. The property located immediately to the east of the application site, No. 126 Court Lane, has a ground floor finished floor level equivalent to that of No. 124 Court Lane, whereas the ground floor finished floor level of the property located immediately to the west, No. 122 Court Lane, is set down approximately 1.30 metres from that of No. 124 Court Lane.
5. The application site falls within the Dulwich Village Conservation Area and its south-west boundary abuts the Dulwich Wood Conservation Area. The subject property is

not a listed building nor is it identified within the Dulwich Village Conservation Area Appraisal as being an unlisted building that makes a positive contribution to the conservation area. The subject property does, however, lie approximately 50-75 metres from: Court Lane Gate, which is Grade II listed, and; one of Dulwich Village's many painted timber finger posts, which are of note for the positive contribution they make to the conservation area's special "village" character.

6. The south-west boundary of the application site abuts Dulwich Park, which is designated as Metropolitan Open Land.

Details of proposal

7. The proposal comprises the following parts:

Basement extension

8. An extension to the existing basement is proposed involving lowering the existing floor level to create habitable accommodation. These works would involve a full-width extension to the existing basement area beyond the existing rear wall of the property by a depth of 3.00 metres at the eastern end, a depth of 3.50 metres across a small central section, and 3.00 metres at the western end.
9. Accompanying the proposed basement extension would be the creation of two front lightwells (serving two proposed front windows at basement level) and one rear sunken terrace.
10. The two front windows proposed at basement level would be of a shape and design to match the existing counterpart windows at ground floor level.
11. A brick parapet wall to protrude above the ground level by 0.15 metres would enclose the lightwells. The voids created by each lightwell would be enclosed with a horizontal grille, allowing for penetration of light into the basement rooms without presenting any safety issues to pedestrians at ground level.
12. The rear sunken terrace would be set approximately 1.6 metres below the rear garden level. A set of steps would lead from the sunken terrace up to the garden level. The proposed terrace would incorporate low-level planting and a seating area. In combination, the seating and standing area would occupy a 15.9 square metre area and would be, at its furthest point, 4.45 metres from the proposed rear elevation of the basement and 7.45 metres from the existing rear elevation of the host property.

Ground floor rear extension

13. An extension at ground floor level is proposed across the full width of the rear of the dwellinghouse. The part of the proposed extension located broadly to the rear of the two-storey wing would replace an existing rear lean-to.
14. In total, the extension would have a width of 16.193 metres, although 5.75 metres of this width would replace the existing lean-to. The majority of the extension would project by a distance of 3.00 metres beyond the existing rear elevation of the dwellinghouse, although a small central section would project by 3.50 metres. Due to the rear garden level being 1.45 metres lower than the finished floor level of the ground floor level of the dwellinghouse, the extension would at its maximum height would be 4.45 metres above the rear garden level, however this height 'steps down' near to the boundary with No. 122 Court Lane to a minimum of 3.60 metres above the rear garden level.

15. The extension is articulated as three adjoining masses each of which aligns vertically with one of the three existing rear roof gables/hips:
 - the mass closest to the boundary with No. 122 Court Lane would be brick faced with glazing to the rear (south) elevation offering views from the internal space onto the rear garden. The return wall (facing the boundary with No. 122 Court Lane) would be brick faced and would not incorporate any windows. Recessed behind this return wall by 0.3 metres and projecting above the top of the wall by 0.5 metres would be a high-level window (the cill of which would be 2.15 metres above the internal finished floor level). Part of the roof would be zinc-finished and part of the roof would be glazed to serve as a roof light to the host room.
 - the central mass is glazed and features a set of doors leading onto the proposed rear terrace. The roof would incorporate one large rooflight and would also provide the floor to a proposed balcony at first floor level.
 - the mass closest to the boundary with No. 126 Court Lane would be brick faced with one glazed door and a strip of high-level glazing to the rear (south) elevation. One door (with no glazing) is proposed to the return wall (facing the boundary with No. 126 Court Lane). The roof finish would be zinc, and one small rooflight would be installed.

Alterations to the rear elevation at first floor level

16. The oriel window bay would be repaired and the base section would be reshaped to reduce its depth.
17. A balcony is proposed over the central section of the proposed ground floor rear extension. A wrought iron balcony currently exists in this location but is not structurally sound. The proposed balcony would have identical dimensions to the proposed balcony and as such can be considered to be a replacement. The existing wrought iron railings would be retained and used to provide a safety enclosure to the balcony.

Alterations and extension to the roof

18. It is proposed to infill the existing valley between the western rear hip and the central rear gable of the roof. This extension would transform the appearance of the main dwellinghouse roof when viewed from the rear from a valley shape into a single, consolidated hip-shaped roof. The infill would be flat-roofed into which would be installed five rooflights.
19. A flat-roofed dormer with one rear-facing window would be erected to the new rear roof slope.
20. One diamond-shaped window would be installed to the central rear gable. The window would be positioned centrally.
21. One new diamond-shaped window would be installed to the gable to the front of the property. The window would be positioned centrally directly above the roof of the first floor bay.
22. A chimney stack would be installed in the west elevation. The brick finish would match the existing brick on the dwellinghouse. The chimney stack would match the existing chimney stacks in height and its proportions would broadly replicate the proportions of the existing chimneys. A document submitted as part of the application (ref: "Original Drawings from 1908") indicate that the property was originally constructed with this

chimney, but that at some unknown time the chimney was removed.

Proposed rear terrace area

23. A two-level terrace is proposed to the rear of the proposed ground floor extension. The higher level would be 1.45 metres above the rear garden level, with the lower level 0.65 metres above ground level. Three steps would lead from the garden level up to the lower terrace area, from where four steps would lead up to the higher terrace level.
24. The higher level would be 1.25 metres deep and have a total floor area of 11.0 square metres, while the lower level would be 3.00 metres deep and have a total area of 28.8 square metres.
25. Both the higher and lower terrace levels would be 10.2 metres at their maximum width. Both levels of the terrace would be set away from the boundary fence with No. 122 Court Lane by 5.80 metres and from the boundary fence with No. 126 Court Lane by 2.30 metres.
26. The landscaping proposal supplied with the application drawings indicate that evergreen hedging and low-level planting would be installed within the terrace planting beds.

Other alterations/proposals

27. The garage door would be replaced.
28. One new leaded window is proposed at ground floor level to the east elevation.

Planning history for the application site

29. Provided below is the planning history for no. 124 Court Lane:

<p>Application No.: 10/AP/3421 Application type: Tree Works in Conservation Area (TCA)</p> <p><i>T1 Crown thin by 20%, remove dead wood and reshape as necessary.</i> <i>T2 Reduce height of both trees by up to 3m and shorten long lateral branches to growth points by approximately 20%</i> <i>T3 Crown thin by 20% and remove selected branches</i> <i>T4 Remove tree together with the roots grubbed out where possible</i></p> <p>Decision date 29/12/2010 Decision: Works acceptable - no intervention (TCAA)</p>
<p>Application No.: 12/AP/3062 Application type: Tree Works in Conservation Area (TCA)</p> <p><i>(1) 4 x Lime trees in front garden -re pollard to previous points</i> <i>(2) Large plum in rear garden-crown thin by 20%</i> <i>(3) Apple tree in rear garden-shoot prune, light thin as necessary</i></p> <p>Decision date 26/10/2012 Decision: Works acceptable - no intervention (TCAA)</p>
<p>Application No.: 14/AP/2206 Application type: Tree Works in Conservation Area (TCA)</p>

1) *Three lime trees in front garden adjacent to pavement and previously pollard: pollard to previous points.*
2) *Pear tree in rear garden, adjacent to fence boundary with 122 Court Lane, previously covered in ivy, in poor condition with few live branched: fell to ground level.*

Decision date 30/07/2014

Decision: **Works acceptable - no intervention (TCAA)**

Planning history of adjoining sites

30. 122 Court Lane

Application No.: 03/AP/0513

Application type: FUL

Construction of a single storey rear extension

Decision date: 30/04/2003

Decision: **Granted (GRA)**

Application No.: 14/AP/4397

Application type: Tree Works in Conservation Area (TCA)

T -2 Maple Trees approximately 5.5m in height, situated on the boundary of the front garden. The trees are a little dense and wide spreading. Reduce all round up to 1.5m basic shape retained. T2 -2 Mature Oak Trees - approximately 15m in height. Crown thinned by 20% -reshaping T3 - Holly Tree- (approx 6m in height) - Reduce all round to shape. T4 - Purple Plum Tree (approx 5m height)- Crown thin up to 15%- Reshape T5 - Bay Tree(approx 4m height) too close to T4- To be removed

Decision date 29/12/2014

Decision: **Works acceptable - no intervention (TCAA)**

31. 126 Court Lane

Application No.: 16/AP/0119

Application type: FUL

Erection of single storey side and rear extension, following demolition of existing; and alterations to the rear facade and enlargement of rear garden terrace and new steps to garden level.

Decision date: 07/03/2016

Decision: **Granted (GRA)**

KEY ISSUES FOR CONSIDERATION

Summary of main issues

32. 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 Listed Building(s)/Conservation Area.
- e) All other relevant material planning considerations.

Planning policy

33. National Planning Policy Framework (NPPF)

Section 7 - Requiring good design
 Section 12 - Conserving and enhancing the historic environment

34. London Plan July 2015 consolidated with alterations since 2011

Policy 7.4 - Local Character
 Policy 7.6 - Architecture

35. Core Strategy 2011

Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

36. 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
 Policy 3.17 - Listed Buildings
 Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 Policy 5.2 - Transport Impacts

2015 Technical Update to the Residential Design Standards SPD (2011)

Dulwich Supplementary Planning Document (July 2013)

Dulwich Village Conservation Area Appraisal (February 2006)

Principle of development

37. 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

38. In total, five comments were received from three public consultees. Of these five comments, three were made relatively early in the planning process before a series of amendments were made. The other two comments were made in relation to the last-but-one amendment to the proposal. At the date of writing this report (11/03/2016), no public comments were received in relation to the final set of amendments.
39. Of the objections expressed by the three comments made early in the process, the objections which constitute material considerations are as follows:
- overshadowing and loss of light to rooms in neighbouring properties
 - loss of outlook to rooms in neighbouring properties
 - increased water run-off and drainage issues as a result of the proposed terrace
 - bulk and scale of ground floor rear extension.
40. None of the other various objections raised constituted material considerations.
41. Of the objections expressed by the two comments made after the final amendment to the plans and the associated landscaping details, none raised any material considerations in addition to those previously raised (as listed above).
42. A number of objections were made which do not constitute material planning considerations, including loss of views, loss of property value and matters controlled by building regulations.

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

43. 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.

Impact on No. 122 Court Lane

44. The room within No. 122 Court Lane that is most likely to be affected by the proposed development is the conservatory. The upper half of the side return wall of the conservatory is glazed, as is the upper half of the rear (south) wall. The roof is also glazed. Below is an assessment of the impact on this room:

Outlook and sense of enclosure

45. The relationship between the conservatory at No. 122 Court Lane and the proposed rear extension at No. 124 Court Lane is such that an uninterrupted 45 degree visual splay would be retained for a person looking out of any part of the conservatory's glazed south wall. As such, the outlook to the south would in no way be affected by the proposal.
46. The side (east) wall of the conservatory already looks out partly towards No. 124 Court Lane's two-and-a-half storey high side elevation, and as such there is an established sense of enclosure. Existing shrubbery on the boundary separating the two properties has a roughly consistent height of 2.80 metres above the ground level. Taking into

consideration that the west elevation of the extension at No. 124 Court Lane would be 3.60 metres high and would be set back 1.30 metres behind the existing boundary screening, it is considered that the extension would only possess at the very most a limited degree of visibility above the top of the shrubbery. There would, therefore, be no appreciable change to the existing sense of enclosure.

47. Given that the primary outlook from the conservatory (i.e. to the south) would be unaffected by the proposed development at No. 124 Court Lane, the protection of the outlook from the conservatory to the east is not so determinedly sought. Nevertheless, and as explained in the preceding paragraph, the existing outlook to the east (i.e. toward the boundary shrubbery) would not be altered to a degree that harm would be caused to the quality of outlook from the conservatory at No. 122 Court Lane.

Receipt of daylight / overshadowing

48. Given that the rear of No. 122 Court Lane faces almost due south, it is considered that the proposed extension would have some impact on the amount of light currently received by the conservatory at No. 124 Court Lane.
49. However, any loss of light would only be experienced in the early part of the day; beyond early-afternoon, it is not considered that there would be any impact on the conservatory at No. 122 Court Lane. Furthermore, the conservatory roof is entirely glazed and the upper half of the south elevation is glazed. Taking this into consideration in combination with the relatively substantial separation distance of 2.95 metres between the east elevation of No. 122's conservatory and the west elevation of the proposed extension, it is considered that any consequential loss of light to the conservatory would be minimal. As such, the proposal does not raise significant concerns with regard to the loss of light and overshadowing to this neighbouring property.
50. This is supported by a daylight test which was carried out (as per the guidelines set out in the 2015 Technical Update to the Residential Design Standards SPD) by this planning officer to ascertain the impact of the proposed extension on the level of daylight received to the glazing in the east elevation of the conservatory (i.e. the windows facing the proposed extension) at No. 122 Court Lane. Due to the 'stepped down' design of the extension close the boundary with No. 122 Court Lane, the daylight test revealed that only the top 0.25 metres of the proposed return (west) wall would rise above the 25 degree line. This is not significant, and as such it is considered that there any consequential overshadowing to the conservatory at No. 122 Court Lane would be minimal.

Loss of privacy

51. The proposed extension incorporates one window that faces west towards No. 122 Court Lane. However, this aperture is high-level with a cill no lower than 2.15 metres above the finished floor level of the host room. As such, the window would serve solely to allow for the penetration of daylight into the host room. Therefore, no loss of privacy is anticipated to No. 122 Court Lane.
52. The proposed two-level terrace to the rear of the proposed extension would, at its closest, be 5.85 metres from the boundary with No. 122 Court Lane.
53. The drawings indicate and it is reasonable to assume that the lower terrace area — which, at 28.8 square metres, is significantly larger than the 11.0 square metre upper terrace area— would serve as the principal area for sitting and dining outdoors. The lower terrace area would be raised 0.65 metres above the garden level, which is not considered significant. Taking these factors into consideration in combination, no

increased opportunity would be afforded for an individual to look from the proposed terrace towards any windows at No. 122 Court Lane.

54. The upper level of the terrace would not be the principal area for sitting and dining outdoors, and thus is unlikely to be heavily used. At 1.25 metres deep, the upper level would not be sufficiently deep to offer any opportunity to look back towards any windows at No. 122 in any way that would result in a material loss of privacy.
55. The proposed balcony has a floor area exactly the same as the existing balcony, and as such there would be no opportunity for overlooking in excess of that which already exists.

Impact on No. 126 Court Lane

56. The only window at No. 126 Court Lane that would possibly be affected by the proposed development at No. 124 Court Lane would be the ground floor window to the rear of No. 126's two-storey garage wing.

Outlook and sense of enclosure

57. The proposed extension at No. 124 Court Lane would project beyond the rear wall of the main part of the dwellinghouse by less than the existing lean-to extension. While the extension would have an almost identical maximum height to the existing lean-to, it would be slightly higher overall owing to it being flat roofed rather than monopitch. It is considered that the increase in overall height is compensated for by the reduction in depth and that the difference in mass, scale and impact of the proposed replacement would be barely perceptible. Further, the extension is set away from the boundary with No. 126 Court Lane by 0.95 metres. Thus, no material increased sense of enclosure to No. 126 Court Lane would arise as a result of this proposal.
58. The separation distance between the side (east) elevation of the proposed extension at No. 124 Court Lane and the centre of the nearby window at No. 126 Court Lane would amply ensure that a 45 degree visual splay would be retained for this window. As such, the outlook from this window would in no way be affected.
59. There are two ground floor windows in the side elevation of No. 126 Court Lane. These already look onto the existing blank side (east) wall of No. 124 Court Lane. The proposed works would in no way alter this existing outlook. In any case, a recently-approved planning application at No. 126 Court Lane (Ref.: 16/AP/0119) indicated that these windows would be infilled with brick as part of future building works.
60. No other windows at No. 126 Court Lane would have their current outlook impinged in any way.

Receipt of daylight / overshadowing

61. As per the previous 'Outlook and Sense of Enclosure' section, the proposed extension, although slightly higher, is not as deep as the existing lean-to. On balance, there would be a barely perceptible change to the existing relationship between No. 124 Court and No. 126 Court Lane. As such, no concerns are raised with regard to daylight and overshadowing.

Loss of privacy

62. The only side-facing window incorporated into the proposal is the one leaded window at ground floor level in the east elevation. The window would serve a hallway and internally a staircase would be located adjacent to the window. As such, views out of

the window would be restricted. Furthermore, an existing window is located directly above this proposed window at first floor level (from which views are not restricted), and as such there is an existing pattern of overlooking from this part of the east elevation towards No. 126 Court Lane.

63. The proposed two-level terrace to the rear of the proposed extension would be, at its very closest, 2.30 metres away from the boundary separating No. 124 Court Lane from No. 126 Court Lane. The main sitting and dining area would be on the lower part of the terrace, which is elevated above the rear garden level by a relatively modest 0.65 metres. There is also a good degree of screening provided by the existing boundary treatments between No. 124 Court Lane and No. 126 Court Lane. No opportunity would therefore be afforded to look from either level of the proposed terrace back towards any window at No. 126 Court Lane to such a degree that a harmful loss of privacy would be caused to this neighbouring property.

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

64. As the property is located within a predominantly residential area, no conflict of use is anticipated that would curtail the users and occupiers from making full use of the proposed development.

Quality of the proposed additional residential accommodation

65. The playroom in the proposed basement is one of two proposed rooms that would have a limited outlook and receipt of daylight. However, on balance, the combination of the patio doors in the western part of the room and the light channel (connected to the rooflight at ground floor level) to the eastern part of the room is considered to provide a satisfactory level of residential amenity for the users of the room. It should also be noted that this is not the primary living space for the property, and that a number of living/family spaces would be retained on the ground floor level of the dwellinghouse.
66. The front bedroom to be accommodated within the proposed loft conversion is the one other room where concerns lie with regard to residential amenity. This room, to possess a floor area of 27.81 square metres, would have an outlook only from one eye-level vertical plane aperture. This aperture would have a relatively small surface area of 0.3 metres. However, the room would be served by two rooflights, one of which—with a glazed area of 2.0 square metres—would be sizeable. On balance, it is considered that the provision of the skylights satisfactorily compensates for the limited outlook, and that an acceptable degree of residential amenity would be afforded.

Transport issues

67. Saved Policy 5.2 seeks to ensure new development would not have a significant transport impacts and makes adequate provision for servicing, circulation and access to and from the site.
68. The proposal does not seek to alter the existing parking arrangement. The garage will be retained and, while the construction of the proposed lightwells would result in a small loss of front amenity space, the existing driveway area would largely remain unaffected. Therefore, the proposal complies with Saved Policy 5.2.

Design issues

69. 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'*.

Front lightwells

70. The front basement lightwells would be located below ground level, and the 0.15 metre parapet projection and associated grille would provide a form of enclosure of suitably minimal visual impact. The property is set back a good distance from the highway behind shrubbery and fencing. It is therefore considered that the lightwells would be largely screened from view and inflict visual harm on neither the host property nor the wider street scene.

Chimney

71. The proposed instatement of a chimney stack would broadly mirror the location of the chimney stack on the opposite side of the dwellinghouse. Furthermore, it would be faced with in-keeping materials and would not protrude higher than the existing chimney stacks. The west elevation of the property is less exposed to views from the public highway than the east and north elevations and as such it is considered that the chimney would not possess a visual prominence harmful to either the character and appearance of the house or to the wider street scene.

Roof infill and rear dormer

72. The proposed roof infill would result in the loss of the existing valley-shaped appearance of the roof when viewed from the rear. The rear of the roof can be seen from Dulwich Park, an extensive public space located to the south of the dwellinghouse. The infill would not be visible from any public highway vantage point to the north between due east and due west.
73. When viewed from Dulwich Park, the property is seen alongside the other 8 properties which form a row along the southern side of Court Lane, and all of which have roof forms defined at the rear primarily by a south-facing rear roof slope. The proposed development at No. 124 Court Lane would remove the valley shape to create a south-facing rear roof slope. As such, it is considered that this roof alteration would be in-keeping with the style of the existing roof forms to either side. Furthermore, the roof form would retain its general hipped appearance owing to no changes being proposed to the existing east and west roofslopes. On balance, therefore, it is considered that the roof infill would neither appear out-of-character with many of the other dwellinghouses in the row nor possess an incongruous degree of visibility.
74. The flat-roofed section of the proposed infill would not be visible from public space vantage points and as such no design concerns are raised by this aspect of the proposal. The rooflights would be conservation rooflights, which means they would have a minimal projection above the plane of the flat roof, and as such would be considered acceptable.
75. The proposed dormer would be similar to others that exist to the roofs of neighbouring properties. It would also be satisfactorily small in scale so as to appear subservient to the host roof.

Ground floor rear extension

76. Owing to a combination of the extension's relatively modest depth beyond the rear elevation of the main dwellinghouse, and none of the development concealing the first floor part of the elevation, it is considered that the extension would appear subservient to the host dwellinghouse.
77. The use of materials would be in-keeping with the host dwellinghouse. The zinc cladding to the roof is considered acceptable.
78. While the amount of glazing and the shape of some of the apertures represents a departure from the rather more conventional character of the existing openings on the property, these changes are not considered to detract harmfully from the property.
79. This extension is restricted to the rear of the property and has a maximum height that is sufficiently low to ensure no views of the proposal would be possible from any public vantage point.

Basement extension

80. An area of wall would be added to the rear elevation in line with the creation of the proposed basement extension. A set of doors would be installed to this area of wall, allowing for views out and access onto the sunken terrace. It is not considered that the creation of this additional area of rear wall would undermine the character, appearance, proportions and balance of the host property.
81. The basement extension and ground floor extension have been design to appear as one consolidated additional element to the property. This 'tying together' of the two extensions is welcomed from a design perspective.

Other alterations

82. The reshaping of the oriel window and the installation of the diamond shape window are both considered acceptable as neither would cause harm to the character and appearance of the dwellinghouse.

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

83. 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.

The immediate or wider setting of a listed building

84. The only parts of the proposed development that could potentially be seen within the same context as Court Lane Gate, the nearby listed structure, are those to the front of the property. Of these alterations, the basement lightwells and the chimney have the greatest impact. However, it is considered that neither would possess a visual prominence or incongruity of sufficient degree to fail to preserve the wide setting of Court Lane Gate.

85. For the reasons given in the 'Design Issues' section of this report (in summary, the use of contextually-sympathetic materials and the respect shown by the design for the style and form of the local roofscape and other rear extensions), it is not considered that the development to the rear of the property would in any way fail to preserve the wider setting of Court Lane Gate.

An important view(s) of a listed building

86. For the reasons given in the section above, it is not considered that any important views of listed buildings would be affected by the proposed development.

The setting of the conservation area

87. The proposal complies with the guidelines set out in the Dulwich Village Conservation Area Appraisal, the Dulwich SPD, and the 2015 Technical Update to the Residential Design Standards 2011. It is therefore not considered that the character and appearance of the conservation area would be in any way harmed by this proposal.

Impact on trees

88. As confirmed by the Urban Forrester, no trees of significance to amenity are to be affected by the development.

Consultations

89. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1. The responses are summarised under paragraphs 39 - 43 above.

Public reconsultation

90. The original development under which neighbours and members of the public were notified read as follows:

"Extension to existing basement involving the lowering of the existing floor level; erection of a rear single-storey ground floor extension; erection of a dormer roof extension in side (east) elevation; erection of a dormer roof extension in rear (south) elevation; installation of new window in front gable; replacement of front garage door with new garage door; installation of x2 new windows in rear elevation at first floor level; alterations to first floor rear windows; and installation of balcony."

91. The original development description did not, however, account for all of the proposed changes. Accordingly, re-consultation letters were sent to neighbours to ensure that they were fully consulted on all aspects of the proposal. The re-consultation period ended on 12/02/2016, before the expiry date of the application. The amended development description under which reconsultation was carried out read as follows [additions/alterations underlined]:

"Extension to existing basement involving the lowering of the existing floor level and creation of front lightwells; erection of a rear single-storey ground floor extension; erection of a 'wall dormer' roof extension to the side (east) elevation; erection of a dormer roof extension to the rear (south) elevation; installation of x1 new window to front gable and x1 new window to rear gable; replacement of front garage door with new garage door; construction of chimney; installation of x1 new window in side (east) elevation at ground floor level; installation of x2 new windows in rear elevation at first floor level; and

alterations to existing balcony."

92. The design was amended a number of times following this reconsultation in direct response to the neighbour objections. However, as all the changes represented a decrease in the proposal's impact, the issuing of further reconsultation letters was not deemed necessary.
93. While the re-consultation period officially ended on 12/02/2016, comments from members of the public were accepted up to the date of the submission of this report. Particular effort was made to ensure that previous complainants were given the opportunity to comment on the final amendment of the proposals before report submission; the Council received these complainants' final comments on March 29th 2016 and the officer's recommendation was made thereafter. As such, no member of the public was prevented from submitting formal comments on the proposal or any of its amendments.
94. The development description was amended as of the date of report submission to redact all of the aspects of the original proposal for which planning permission was no longer being sought.

Internal consultees

Design and conservation

95. Southwark Council's Design and Conservation team was approached for comments on the proposal. They initially objected to the scheme, and their comments were passed to the agent acting on behalf of the applicant.
96. Amended drawings were thereafter submitted by the agent. The Design and Conservation team raised no objection to the scheme, issuing the following comments:

"The application, as amended, provides an improved ground floor arrangement by removing the pitched roof element and the dormer window is much improved. The ground floor element also reflects the three sections of the rear elevation in style and has sympathetic red brick to match the brick corbels above.

Whereas the roof valley infill is substantial, the original ridge line [would be maintained] and [the infill] will not be visible from a public point of access. The roof lines here are also variable with no distinctive form and so the proposal will not result in significant change to the character of the area.

It is likely that the light wells must be larger to satisfy policy requirements but the size of the front garden can contain them comfortably. However, indicative railings should be shown on plans to show their impact or horizontal railings could be provided if horizontal railings would appear uncomfortable.

As such, the proposal would preserve the character and appearance of the Conservation Area."

97. Amended drawings were submitted following receipt of the above comments from the Design and Conservation team. In line with the advice, these drawings depicted enlarged lightwells and railings. Neighbours were given the opportunity to comments on these changes.

Flood risk management

98. Southwark Council's Flood Risk Management team was consulted following the submission of a Basement Impact Assessment (BIA). The BIA assessed all matters required by the Flood Risk Management team including impact on: groundwater conditions; surface water conditions; archaeology, and; building structures arising from ground movement.
99. The Flood Risk Management team reviewed the BIA and had no comments or objections. Their response stated that "the information provided satisfactorily addresses all flood and drainage concerns".

Urban forrester

100. The Urban Forrester was consulted on the application as some young existing specimens would be removed as part of the proposal works. The Urban Forrester issued the following comments:

"No trees or landscape of significance to amenity are affected. However, further details of the proposed screening should be provided via condition."

101. Accordingly, a condition written and supplied by the Urban Forrester has been attached to this recommendation for approval.

Dulwich estate

102. The Dulwich Estate contacted the Local Planning Authority by telephone on April 6th to confirm that the Estate had approved the application subject to no conditions.

Conservation Areas Advisory Group for Southwark

103. The Conservation Areas Advisory Group provided the following consultation response:

"It was understood that the Dulwich Society had looked at and commented on this scheme and, in view of time constraints the panel recommended that their views should be adopted in this case."

Conclusion on planning and other issues

104. For the reasons given above, the proposed development at No. 124 Court Lane would not harmfully affect the amenity currently enjoyed by neighbouring properties and would contribute positively to the character and appearance of the subject property. The proposal would not harmfully impact upon the character and appearance of either the Dulwich Village Conservation Area or the neighbouring Dulwich Wood Conservation Area. Furthermore, it is not considered that the development would in any way fail to preserve the wider setting of Court Lane Gate.
105. The proposal is therefore in compliance with: the National Planning Policy Framework, in particular Sections 7 ('Requiring Good Design') and 12 ('Conserving and Enhancing the Historic Environment'); Policy 7.4 ('Local Character') and Policy 7.6 ('Architecture') of the London Plan (as consolidated 2015); Strategic Policy 12 ('Design and Conservation') and Strategic Policy 13 ('High Environmental Standards') of the Core Strategy 2011; Saved Policies 3.2 ('Protection of Amenity'), 3.12 ('Quality in Design'), 3.13 ('Urban design'), 3.16 ('Conservation Areas'), 3.17 ('Listed Buildings'), 3.18 ('Setting of Listed Buildings, Conservation Areas and World Heritage Sites') and 5.2 ('Transport Impacts').
106. The proposal also accords with the 2015 Technical Update to the Residential Design

Standards Supplementary Planning Document (2011), the Dulwich Supplementary Planning Document (July 2013) and the Dulwich Village Conservation Area Appraisal (February 2006).

107. With no material considerations indicating against the proposal, the application is recommended for approval.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2563-124 Application file: 15/AP/5134 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 5535 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Human Rights
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Patrick Cronin, Planning Officer	
Version	Final	
Dated	14 June 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 June 2016

Human Rights Considerations

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.

This application has the legitimate aim of providing additional 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.