

<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 14 December 2016	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 16/AP/3766 for: Full Planning Permission  <b>Address:</b> GROUND FLOOR FLAT, 21 BEAUVAL ROAD, LONDON, SE22 8UG  <b>Proposal:</b> Construction of a single storey rear extension		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 14/09/2016		<b>Application Expiry Date</b> 09/11/2016	
<b>Earliest Decision Date</b> 22/10/2016			

## RECOMMENDATION

1. That planning permission is granted, subject to conditions.

## BACKGROUND INFORMATION

2. The application is reported to planning sub-committee following a referral request by Ward Members.

### Site location and description

3. The subject site consists of a two storey mid-terraced property with a rear outrigger extension and a rear roof dormer (utilised by the upper floor flat). The property is currently being used as two separate self contained flats. The proposed development relates to the ground floor flat which has access to a modest rear garden.
4. The site is located on the north eastern side of Beauval Road, with the rear garden being east facing. The two adjoining properties are No. 19 and No. 23 Beauval Road, with No. 334 Lordship Lane bordering at the rear.
5. Beauval Road is located on a hill and as a result there are distinctive difference in the natural ground levels between the neighbouring properties. No. 23, the property located to the south, is 0.8m higher than the subject site. The difference in the natural ground levels between the subject site and No. 19 would have continued much to the same extent, however, No 19 has undertaken work in the rear garden and it appear that the natural ground level has been altered. Therefore, the difference in ground level between the two rear gardens (at the area which would be alongside the proposed extension) would be 0.2m.
6. The property is not a listed building but it is located within the Dulwich Village Conservation area.

### Details of proposal

7. Planning permission is sought for an L-shaped, side infill and rear extension. The original scheme has been amended in order to reduce the eaves height along the boundary with No. 19 by 0.5m. The side infill would have depth of 8.5m, of which 3m would project beyond the end of the existing outrigger. The proposed extension would have an eaves height of 3m along the boundary wall with No. 23 Beauval Road (which has a ground level that is 0.8m higher than the subject site) and an eaves height of 2.5m along the boundary wall with No. 19 (which is 0.2m lower than No. 21).
8. The proposed development would use the following materials:  
Walls - Decorative facing brick  
Roof - GRP membrane to new flat roof structure  
Windows - PPC aluminium framed casement windows  
Doors - PPC aluminium framed sliding doors

9. **Planning history**

15/AP/0930 Application type: Tree Works in Conservation Area (TCA)  
T1: Goat Willow *Salix caprea* - Section fell to ground level  
T2: Elder *Sambuca nigra* - Section fell to ground level  
Decision date 29/04/2015 Decision: Works acceptable - no intervention (TCAA)

**KEY ISSUES FOR CONSIDERATION**

**Summary of main issues**

10. The main issues to be considered in respect of this application are:
- a) Impact on amenity of adjoining properties;
  - b) Design quality;
  - c) Impact on Conservation Area.
  - d) All other relevant material planning considerations.

**Planning policy**

11. National Planning Policy Framework (the Framework)

Section 7 - Requiring good design

12. The London Plan 2016

Policy 7.4 - Local Character  
Policy 7.6 - Architecture

13. Core Strategy 2011

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

14. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF.

The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.2 - Protection of amenity  
Policy 3.12 - Quality in design  
Policy 3.13 - Urban design  
Policy 3.16 - Conservation Area  
Policy 5.2 - Transport Impacts

15. 2015 Technical Update to the Residential Design Standards SPD (2011)

#### **Summary of consultation responses**

Total number of representations: 4  
In favour: 0  
Against: 4  
Petitions in favour: 0  
Petitions against: 0  
Neutral: 0

16. Objection relating to the impact that the development would have on No. 21 B (first floor flat), No. 19 and No. 23.

- Loss of light & sense of enclosure, largely influenced by the eaves height and the differences in ground levels.
- Loss of outlook.
- The development would restrict access to the roof and therefore prevent maintenance.
- Drainage, flooding and foul water treatment which would put the neighbouring properties at risk.

17. General objections:

- The development would not be in keeping the conservation area.
- The extension would not be a subservient addition to the host dwelling.
- The development would result in more than 50% of the amenity space being development
- Have an impact on the foul water treatment.

18. Comments on the amended plans:

- The development would result in more than 50% of the amenity space being development
- That the development would have a harmful effect on the Dulwich Village Conservation Area as the modest rear garden space would be lost.
- That the height of the development would still have a harmful impact on the daylight/sunlight at No. 19. Flooding and foul water treatment concerns.

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

19. Saved Policy 3.2 ('Protection of Amenity') of the Southwark Plan 2007 seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 ('High Environmental Standards') of the Core Strategy 2011 requires development to comply with the highest possible environmental standards, including

in sustainability, flood risk, noise and light pollution and amenity problems.

The 2015 Technical Update to the 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.

20. This application site is adjoining No. 23 Beauval Road to the south and No. 19 Beauval Road to the north. The proposed works would result in an 'L' shaped single storey rear extension that would project 8.5m along the boundary with No. 23 Beauval Road and 3m along the boundary with No. 19 Beauval Road.
21. The proposed development would extend an additional 3m further than the side infill extension at No. 23 Beauval Road and that ground level at No. 23 is 0.8m higher than the subject site. As such, it is anticipated that the proposed 3m high eaves of the development would not have a harmful impact on the amenity space at No 23. It would not have a significant impact on outlook and would not cause an unacceptable sense of tunnelling or enclosure as the eaves height of 3m would essentially only be 2.2m high when viewed from No. 23. Furthermore, No 23 is located to the south of the subject site and therefore due to its orientation it would not be subject to a loss of daylight/sunlight.
22. The eaves height of the development is more of a concern when assessing it against its relationship with No. 19 Beauval Road which is 0.2m lower than the ground level at the subject site. However, there are a few factors which mitigate the potential harm that the height may cause on the amenity space. The extension projects 3m from the end of the outrigger, which is 2m further than the existing structure at the end of the outriggers at both the subject site and No. 19. The eaves height has been amended and reduced from 3m to 2.5m (2.7m from No.19) in order to accommodate for the slight difference in ground levels between the two site. This amended eaves height would ensure that the development would comply with the 2015 Technical Update to the Residential Design Standards (2011) daylight and sunlight test. Furthermore, the reduced eaves height would limit the impact on outlook and would not cause an unacceptable sense of tunnelling or enclosure.
23. It is anticipated that the proposed development would have no amenity impact on the above flat, No. 21B Beauval Road. Due to the development being proposed below all of the upper floor windows it would not result in a loss of light nor would it have an impact on the outlook.

### **Design issues**

24. Strategic Policy 12 of the Core Strategy (2011) seeks to achieve the highest possible standards of design for buildings. Saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design', together, seek to achieve high quality architectural and urban design which enhances the quality of the built environment. The Council's Residential Design Standards 2011 provides general guidance on residential extensions to harmonise their scale, impact and architectural style. Section 7 paragraph 56 of the NPPF states that good design is a key aspect of sustainable development while paragraph 58 goes on to states that *'planning policies and decisions should aim to ensure that developments... respond to local character and history and reflect the identity of local surroundings and materials'*.
25. The proposed single storey, 'L' shaped extension would be acceptable in terms of mass, bulk and size and would appear subordinate to the three storey host building. Whilst it has been noted that the end section of the rear garden is not owned by the applicant and therefore the coverage of the rear garden is actually smaller than what was initially shown on the site location map (since been amended) and what was seen

when conducting a site visit. On receiving the amended plans, which show the correct site, a calculation was done to determine whether the development would result in more than 50% of the amenity space being lost as a result of the proposed development. The development would not result in the loss of more than 50% of the rear garden.

26. The architectural aesthetic and use of materials to match would be sympathetic to the existing building and surrounding area. Furthermore, the proposed development would not be seen from the public realm and as such no design issues are raised.

#### **Other matters**

27. It was brought to my attention that the occupier of the first floor flat did not receive letter notifying them of the development. Our records do show that we had sent a letter. The occupiers believe that this letter was hidden from them as they have a shared post-box. This is not a planning matter but must be noted.

#### **Conclusion on planning issues**

28. The proposed erection of an 'L' shaped rear extension would be acceptable in terms of mass, bulk and size and would not result in any adverse impact on the residential amenity of the adjoining occupiers or surrounding area. The proposed materials are considered acceptable. As such it is recommended that planning permission is granted.

#### **Community impact statement**

29. 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**

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

#### **Consultation replies**

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

#### **Human rights implications**

32. 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.
33. This application has the legitimate aim of providing additional residential space. 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/2313-21  Application file: 16/AP/3766  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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 0207 525 0952 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## 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	Christopher Kirby, Planning Officer		
Version	Final		
Dated	1 December 2016		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director, Finance and Governance	No	No	
Strategic Director, Environment and Leisure	No	No	
Strategic Director, Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		5 December 2016	

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 23/09/2016

**Press notice date:** 29/09/2016

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 23/09/2016

**Internal services consulted:**

n/a

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

First Floor Flat 21 Beauval Road SE22 8UG

23 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

21b Beauval Road London SE22 8UG

**Re-consultation:** 08/11/2016

## APPENDIX 2

### Consultation responses received

#### Internal services

None

#### Statutory and non-statutory organisations

None

#### Neighbours and local groups

First Floor Flat 21 Beauval Road SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

21b Beauval Road London SE22 8UG

23 Beauval Road London SE22 8UG

23 Beauval Road London SE22 8UG