



<b>Item</b>  <b>1</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  DULWICH COMMUNITY COUNCIL	<b>Date</b>  29/11/07
<b>From</b>  HEAD OF DEVELOPMENT CONTROL		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (07-AP-2055) Resubmission of 05-AP-0275 permitted 25/04/05 for a new flat roofed studio building in front garden including, A) Minor amendment to floor plan, B) Windows at rear to allow for ventilation, C) Minor increase in height - 21cms at front and 14 cms at rear.		<b>Address</b>  24 MOUNT ADON PARK, LONDON, SE22 0DT  <b>Ward</b> College	

## PURPOSE

- 1 To consider the above application which has been referred to the Dulwich Community Council for determination based on the number of objections received.

## RECOMMENDATION

- 2 Grant Detailed Planning Permission in retrospect, subject to conditions.

## BACKGROUND

### Site location and description

- 3 The application site refers to the dwelling and plot at 24 Mount Adon Park, East Dulwich, London. The existing dwelling is a two storey semi-detached dwelling located on the south eastern side of Mount Adon Park. The properties of Mount Adon Park are characterised by long, narrow, sloping profiles with generous front and rear gardens. Many of the dwellings have large detached garages at the bottom of their front gardens lying immediately adjacent to the highway.
- 4 The application site lies within a residential area and is bounded to the north by Mount Adon Park, to the east by an adjacent dwelling, to the south by the rear garden ground of the dwellings on Overhill Road and bounded to the west by the adjoining dwelling at 22 Mount Adon Park.

### Details of proposal

- 5 Planning consent is sought retrospectively for alterations to a garage permitted under application 05-AP-0275. The previous consent related to the construction of a flat roofed studio building at the bottom of the front garden of the dwellinghouse, lying immediately adjacent to the road. This application is to amend the approved plans to provide windows on the rear elevation for ventilation, increase the height of the studio by 21cms at the front and 14cms at the rear and a minor amendment to the layout of the approved floor plan.

### Planning history

- 6 04-AP-2108, Refused - Construction of a new flat roofed studio building at the bottom of the front garden of the dwellinghouse adjacent to the road.

- 7 05-AP-0275, Granted - Construction of a new flat roofed studio building at the bottom of the front garden of the dwellinghouse adjacent to the road (RESUBMISSION).
- 8 07-AP-1709, Granted - Details of the roofing as required by condition 4 of planning permission 05-AP-0275 for the construction of a new flat roofed studio building.

### **Planning history of adjoining sites**

- 9 Whilst there is no formal planning history of adjoining sites, it must be noted that there are several similar developments within Mount Adon Park, most notably on the two dwellings adjacent to the application site.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 10 The main issues in this case are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
  - b] The impact on the visual and residential amenity of the area.
  - c] All other relevant material planning considerations.

### **Planning Policy**

- 11 Southwark Plan 2007 [July]  
Policy 3.2 - Protection of Amenity  
Policy 3.12 - Quality in Design  
Policy 3.13 - Urban Design
- 12 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]  
SPD5: Standards, Controls and Guidelines for Residential Development.

### **Consultations**

- 13 Site Notice:  
10/09/07
- 14 Press Notice:  
No press notice required.
- 15 Internal Consultees  
No consultations required.
- 16 Statutory and non-statutory consultees  
No consultations required.
- 17 Neighbour consultees  
Nos. 166-170 Overhill Road (inclusive).  
27 Mount Adon Park Flats 1-5 (inclusive).  
Nos. 12B, 21-23, 25-27 and 31-33 Mount Adon Park (inclusive).  
No 29 Mount Adon Park Flats A, B and C.
- 18 Re-consultation

Re-consultation not required.

### **Consultation replies**

- 19 Internal Consultees  
Not applicable.
- 20 Statutory and non-statutory consultees  
Not applicable.
- 21 Neighbour consultees  
Following consultation, three letters of objection have been received in response to this application, the main points of which have been summarised and addressed below:
- 22 Occupier - 26 Mount Adon Park: Objection on the grounds that the proposed studio resembles an electricity sub station and towers above the surrounding garages. The flat roofed studio now has two unattractive roof lights not in keeping with the original plan or the surrounding garages. The false door detracts from the appearance of the building and remains out of character with the surrounding area. There is a concern that moving the eastern wall directly to the steps to the dwelling will create further problems with nuisance amenities due to the noise and smell from the boiler and toilet extractor fan that will be located on this wall. The installation of this boiler also contravenes Defra building regulations  
**Response:** Noted. The proposed garage will be marginally higher than the surrounding garages and this will be as much an attribute of the slope of the street as it is an increase in the height of the studio development. The false garage door helps to maintain the character of the street, successfully disguising the studio as a typical detached garage. The fact that the eastern wall has been extended slightly to the boundary with the steps that access the main dwellinghouse will have no adverse impact on the amenity of the area and will not compromise the design of the building. The installation of a boiler and extractor fan that contravene Defra Policy is not a valid planning consideration, any concerns with regards to the actual construction of the studio will be addressed by the Councils Building Control department.
- 24 Occupier - 33 Mount Adon Park: Objection on the basis that the building has already been built and that the alterations will affect the aesthetic symmetry of the landscape around it. The structures proportions are not in keeping with the rest of Mount Adon Park.  
**Response:** Noted, the building is being constructed at the moment resulting in the submission of this retrospective planning application. The studio building is only marginally higher than the adjacent garages and does not impact upon the vertical rhythm of Mount Adon Park.
- 25 Occupier - 31 Mount Adon Park: Objection due to the fact that the building does not correspond with the previously approved plans. It has been stated by the objector that the studio building does not look like a garage at all and has an adverse impact on the character of the street. There is insufficient drainage that will cause water to run onto the public footway and parking problems will ensue as people cannot park on Lordship Lane due to the double yellow lines. There is also a concern that the studio will be used for sperate business.  
**Response:** The proposed development will have no adverse impact on the area ion terms of parking problems and parking issues on Lordship Lane are not a valid planning consideration for this development. The building has been designed to look like a garage and will successfully integrate with the streetscene upon completion. Furthermore, problems with drainage will be addressed by the Councils Building Control Department.

- 26 Re-consultation  
Not applicable.

## **PLANNING CONSIDERATIONS**

- 27 **Principle of development**  
The principle of having buildings situated in the front garden has been established within the locality of Mount Adon Park. The building in question resembles a garage, a style replicated on several other properties within the street. The development accords with the relevant policies of the Southwark Plan 2007 (July) and is therefore acceptable in principle.
- 28 **Environmental impact assessment**  
An environmental impact assessment was not required for a development of this size.
- 29 **Impact of proposed development on amenity of adjoining occupiers and surrounding area**  
The development in question will have no adverse impact upon the amenity of adjoining occupiers and will not have an impact upon the visual amenity of the surrounding area.
- 30 **Impact of adjoining and nearby uses on occupiers and users of proposed development**  
There are no adjoining or nearby uses that will have an adverse impact on the occupiers and users of the development concerned.
- 31 **Traffic issues**  
The development will not instigate any adverse impacts in terms of traffic generation or parking problems.
- 32 **Design issues**  
The design of the studio building resembles that of a domestic garage of which there are several within the immediate vicinity of the application site. whilst the studio building does not resemble the other garages in a like for like manner, the design of the building is acceptable and will not harm the visual amenity of the area. The studio building is marginally higher than other garages within Mount Adon Park however this is not apparent to any significant degree.
- 33 The materials used in the construction of the studio building are acceptable and appropriate for a development of this nature. The amendments that have been carried out are acceptable in planning terms and will not have a detrimental impact on the amenity of the area.
- 34 **Impact on character and setting of a listed building and/or conservation area**  
The development in question will not have an adverse impact upon either the character or setting of any listed buildings or conservation areas.
- 35 **Planning obligations [S.106 undertaking or agreement]**  
No planning obligations or Section 106 agreements were required for a development of this nature.
- 36 **Other matters**  
No other matters have been identified that bear relevance to the development in question.

37 **Conclusion**

The amendments that have been carried out are acceptable and accord with the relevant policies of The Southwark Plan 2007. There will be no adverse impact on either the visual or residential amenity of the area and it is therefore recommended that planning permission be granted in retrospect.

**COMMUNITY IMPACT STATEMENT**

38 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.

b] There are no issues relevant to particular communities/groups.

c] There are no likely adverse or less good implications for any particular communities/groups.

**SUSTAINABLE DEVELOPMENT IMPLICATIONS**

39 The proposed development previously incorporated a grass roof. This aspect has since been removed from the proposal however this is not a justifiable reason for the refusal of the scheme, given the scale of the proposal.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Terence McLellan	Planning Officer [tel. 020 7525 5452]
CASE FILE	TP/2566-24	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

---

## RECOMMENDATION

---

This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

---

<b>Applicant</b>	Mr M. Audley	<b>Reg. Number</b>	07-AP-2055
<b>Application Type</b>	Full Planning Permission		
<b>Recommendation</b>	Grant	<b>Case Number</b>	TP/2566-24

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Resubmission of application ref 05-AP-0275 permitted 25/04/2005 for a new flat roofed single storey studio building for use as home office ancillary to residential dwellinghouse in front garden including: minor amendment to floor plan; windows at rear; increase in height (21cms at front and 14cms at rear)

**At:** 24 MOUNT ADON PARK, LONDON, SE22 0DT

**In accordance with application received on 28/08/2007**

**and Applicant's Drawing Nos.** 0702/TP 02, 0702/TP 03, OS Site Plan, 24MAP/P/01/Rev/A, 24MAP/P/02/Rev/A, 24MAP/P/03/Rev/A

**Subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Policies 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan 2007 (July).

- 3 The building shall be used for a purpose incidental to the enjoyment of the main dwellinghouse (i.e. as a home office), and no trade or business can operate from this building unless the express consent is obtained from Southwark Council as Planning Authority.

Reason

To retain the residential amenity of the area and in the interests of effective planning control in correspondance with policy 3.2 'Protection of Amenity' of The Southwark Plan 2007 (July).

**Reasons for granting planning permission.**

This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan 2007 (july).
- b] SPD5: Standards Controls and Guidelines for Residential Development.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.