

Item No.	Classification:	Date:	Meeting Name:
6.4	OPEN	15 December 2010	Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-2196 for: Full Planning Permission Address: 31 ELMWOOD ROAD, LONDON, SE24 9NS Proposal: The demolition of an existing property (comprising two flats) at number 31-33 Elmwood Road. The construction of two new terraced houses on basement, ground, first and second floor levels.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 30/07/2010		Application Expiry Date 24/09/2010	

RECOMMENDATION

- 1 Grant planning permission, subject to conditions.

BACKGROUND INFORMATION

- 2 This application is before Members of the Dulwich Community Council, as it is recommended for approval and more than 3 letters of objection have been received.

Site location and description

- 3 The application site consists of an existing building situated in between nos. 29 and 35 Elmwood Road in North Dulwich. The building was constructed during the post war period (cica 1950's) to form an infill within this row of existing Edwardian dwellings. The dwelling is typical of the era and in stark contrast to the remainder of the dwellings along this section of Elmwood Road, featuring basic square timber windows, red brickwork and an adjoining flat roof dormer window structure. The site is unallocated in the Adopted Southwark Plan (2007).

Details of proposal

- 4 Planning permission is sought for the erection of two adjoining dwellings to infill between nos 29 and 31 Elmwood Road, replacing the existing 1950's dwelling.
- 5 The proposed dwellings would be of a design which complements the adjoining dwellings, whilst incorporating modern design features. The dwellings would have a basement area with a small lightwell to the front bay. The ground floor footprint would extend up to the adjoining boundaries, but keep the height to the rear outriggers of nos 29 and 35 below 2 metres. The outrigger to the proposed dwellings would be sunken so that although they would provide 3 floors of accommodation they would appear the same height as those of the adjoining properties which provide two floors of accommodation.

6 The proposed dwellings would feature projecting two storey bays constructed from red brickwork. The roof is proposed to be constructed from zinc cladding featuring front dormer which would feature rounded roof ridges. The rear roofslope and outrigger section would be constructed from zinc cladding also with dormer windows to the rear.

7 Each dwelling would be 4 bedrooms with a basement games room and a box room to the second floor.

Planning history

8 None identified

Planning history of adjoining sites

9 **09-AP-2331:** Certificate of Lawfulness for proposed use
Use of the existing dwelling from two separate units to a single family dwelling house
Approved: December 2009

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10 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 proposed development upon the amenity of adjacent residential properties.

c) the design and visual impact of the proposed development

d) the acceptability of the proposed residential living accommodation at the site.

Planning policy

Southwark Plan 2007 (July)

- 11 3.2 'Protection of Amenity'
3.4 'Energy Efficiency'
3.7 'Waste Reduction'
3.9 'Water'
3.11 'Efficient use of land'
3.12 'Quality in Design'
3.13 'Urban Design'
4.1 'Density of residential development'
4.2 'Quality of residential accommodation'
5.3 'Walking and Cycling'
5.6 'Car Parking'

London Plan 2008 consolidated with alterations since 2004

Core Strategy

12 The Council submitted the draft Core Strategy to the Secretary of State on 26 March 2010 and the Examination in Public hearings took place in July 2010. The Core Strategy policies should be considered as currently having no weight when

determining planning applications as they are awaiting the Inspector's report and his finding of soundness. Applications should continue to be determined pending receipt of the Inspector's report primarily in accordance the saved policies in the Southwark Plan 2007 and the London Plan 2008.

- 13 The Inspector's report on the Core Strategy is expected in December 2010. With a recommendation of soundness from the inspector there will be a very high degree of certainty that the Core Strategy will be adopted and that a number of existing Southwark Plan policies will be replaced. In view of this, on publication of the inspector's report, all core strategy policies should be given significant weight in determining planning applications. Less weight should be given to existing policies which are soon to be replaced. Formal adoption of the core strategy is expected in January 2011.

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 14 PPS 3: Housing

Principle of development

- 15 The principle of the erection of the infill between nos 29 and 35 Elmwood Road is acceptable provided the scheme does not adversely impact upon the amenity of the adjoining residential properties, is of an acceptable design, and would provide an acceptable standard of residential accommodation.
- 16 As replacement residential accommodation the development is subject policy 4.1 of the Adopted Southwark Plan which concerns Density of residential development. The unit is within an area with a Public Transport Accessibility Level (PTal) of 4 within the medium density urban zone. The development is therefore required to achieve a density of between 200 to 700 habitable rooms per hectare. Each dwelling would provide 8 habitable rooms including the box rooms and basement games rooms with a combined floor space of 150 sqm. This would provide a ratio of 533 habitable rooms per hectare. The proposal therefore accords with policy 4.1 density of residential development of the Adopted Southwark Plan.
- 17 With regard to the quality of residential living accommodation, the development is subject to policy 4.2 of the Adopted Southwark Plan. In terms of required floorspace, table 2 of the Residential Design Guidance SPD sets out the required standards. The proposed dwellings would be a mirrored design of one another. The dwelling proposes to provide the following rooms:

	Proposed	Required
18 Living room	34 sqm	19 sqm
Kitchen/dining	25.9 sqm	12 sqm
Bedroom 1	18 sqm	12 sqm
" " 2	15 sqm	12 sqm
" " 3	12 sqm	7 sqm
" " 4	12.9 sqm	7 sqm
Box	12.9 sqm	n/a
Bathroom/wc - 16.5sqm (3 separate)		3.5 sqm
Games room	20.25	n/a

- 19 As shown in the information above, the proposed residential accommodation exceeds the required floor standards as set out in the Adopted SPD. Each dwelling would have 50 sq metres of private garden space to the rear. The proposed development is therefore acceptable in principle.

Environmental impact assessment

20 Not required.

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

- 21 The residents most affected by the proposed development would be those adjoining either side of the application site living at nos. 29 and 35 Elmwood Road. The existing dwelling occupies a smaller portion of the site as there is no back addition. These properties therefore enjoy a very open aspect to the rear when compared to the neighbouring dwellings where the back additions exist and create more restricted lightwell spaces, which are common to Victorian and Edwardian dwellings. The ground floor element would create a solid form up to the boundary, but would maintain a height similar to that of a rear garden wall. This is unlikely to give rise to any amenity concerns for the adjoining properties. The upper levels of the proposed rear addition would be set in from the boundary on either side by approximately 1 metre. The proposed outrigger would also not exceed the height of the outriggers to the neighbouring properties 29 and 35 Elmwood nor would the proposed outrigger project further forward than the existing neighbouring outriggers with side facing elevations reaching a length of 7 and 6 metres. The proposal would impact on outlook to openings on the rear elevation of the main building and to openings on the side of the back addition. It is not considered that the loss of outlook would be sufficient to warrant refusal of the application.
- 22 With regard to existing window openings at 35 Elmwood, there are windows at first floor level which appear to serve a landing space and a bathroom and possibly a bedroom to the rear elevation. The proposed new dwelling would be north of the flank elevation of this dwelling. It is acknowledged that there would be some loss of daylight to the windows within the lightwell area, however given the orientation sufficient levels of daylight and sunlight would be available to the main habitable rooms.
- 23 There are openings to the rear and side elevations of 29 Elmwood Road. Again it is considered that the first floor rear elevation window would receive adequate light with the proposed outrigger in place. The ground floor rear elevation window appears to serve a dining room. This would be more directly affected in terms of daylight. This room would experience a loss of light as a result of the proposed development however, it is considered that an adequate amount of light would still be able to enter this room. Traditionally windows on the side elevation of the outrigger would serve as secondary windows or smaller non habitable rooms. On balance it is therefore considered that the impact to this property is not sufficient to warrant refusal of the scheme.
- 24 The presence of two storey outriggers to the properties on either side of the application site and the likelihood of the original dwellings having similar outriggers makes the erection of a similar structures more acceptable, in this instance. In terms of privacy the windows on the side elevation of the outrigger would be either high level or obscure glazed. There would be limited levels of mutual overlooking arising as a result of this application.

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

- 25 The surrounding area is largely residential with all adjoining land uses residential. Future occupiers would therefore not be adversely affected by surrounding land uses.

Traffic issues

Cycling

- 26 In accordance with policy 5.3 of the Southwark plan, the site is required to provide 2 secure cycle parking spaces. As part of any consent granted at the site, a condition shall be attached providing details of secure cycle parking provided at the unit.

Car Parking

- 27 There would be no net increase in the numbers of units provided, although larger dwellings it is generally considered that any parking can be accommodated on the existing public highway.

Design issues

- 28 It is acknowledged that the proposed dwellings are of a more modern design than the adjoining and continuing properties along Elmwood Road. However, the site is not within a conservation area and the proposed modern features would provide an acceptable appearance to the existing site which is out of scale and does not sit well with the existing design context. The proposed dwelling would continue the existing roofline of the adjoining properties and would provide dormer windows. However in contrast to the neighbouring dwellings, the proposed roof would be constructed with a zinc clad finish and the proposed dormers would have a rounded roof line. Although slightly different in design detail most notably the use of two storey projecting bay type windows and less decorative window cases the unit would be within scale and would utilise terracotta brick work like the neighbouring properties. It is considered therefore that the proposed unit would be an acceptable infill development of this existing plot. The design of the building would provide an acceptable contrasting structure which would fit in well with the existing street scene along this section of Elmwood Road.
- 29 In terms of the rear outrigger section, initially a structure was proposed which featured a roof line proposed to slope downwards from the ridge of the main roof to the apex of the rear gable structure. Dormer windows were also proposed which would slope down from the main roof ridge also. It was considered that this arrangement would appear incongruous with the adjoining dwellings and would provide a structure which would be of poor visual amenity. In response to these concerns the applicant has submitted amendments which show an amended roof plan with a ridge which feed into the main roof at a flat level approximately 1.5 metres below the main roof ridge. The proposed dormers have also been amended to detail those of a more conventional shape at a height of 1m and a width of 1.5m with a flat roof. It is considered that this is of an acceptable design which would complement the main house and the existing outriggers to the adjoining properties.
- 30 It is considered that in general terms, the proposed dwelling would provide a unit which is of an acceptable appearance in relation to the adjoining properties and wider street scene. The proposal therefore accords with design policies 3.12 and 3.13 of the Adopted Southwark Plan.

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

- 31 The proposal would not impact upon the setting of any listed building or conservation area.

Impact on trees

- 32 The proposed development would not result in the felling of any trees.

Planning obligations (S.106 undertaking or agreement)

- 33 The proposal is not of a size that would warrant contributions by way of a Section 106.

Sustainable development implications

- 34 The proposed dwelling seeks to maximise its potential for energy efficiency incorporating a number of sustainability measures into the development.

In addition to the provision of photovoltaics on the south facing roof slope of one of the dwellings the proposal would also incorporate, effective insulation of the building, the use of the most energy efficient gas boiler available and the use of materials sourced as locally as possible.

Other matters

- 35 None identified.

Conclusion on planning issues

- 36 The proposed development represents a good design and would be an innovative yet appropriate addition to the application site and wider street scene. The development would have an impact upon the amenity of adjoining properties, but it is not considered that such impacts would warrant refusal of the scheme. Overall the proposal would provide an excellent standard of living accommodation. The development is therefore recommended for approval.

Community impact statement

- 37 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) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 40 17 letters of objection received raising the following objections; Inappropriate design and use of materials, Impact upon availability of light to properties adjoining the application site. Potential structural problems of incorporating basement space into unit.

6 letters of support.

Human rights implications

- 41 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.
- 42 This application has the legitimate aim of providing two adjoining replacement dwellings in this location. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 43 n/a

REASONS FOR LATENESS

- 44 n/a

REASONS FOR URGENCY

- 45 n/a

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2103-31 Application file: 10-AP-2196 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 3602 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management
Report Author	Michael Mowbray, Planning Officer
Version	Final
Dated	8 November 2010
Key Decision	No

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional /Scrutiny Team	6 December 2010	

Consultation undertaken

Site notice date: 25th August 2010

Press notice date: n/a

Case officer site visit date: 25th August 2010

Neighbour consultation letters sent: 13th August 2010

Internal services consulted:

Design and Conservation Team
Transport Planning

Statutory and non-statutory organisations consulted:

none

Neighbours and local groups consulted:

50 ELMWOOD ROAD LONDON SE24 9NR
5 WYNEHAM ROAD LONDON SE24 9NT
FIRST FLOOR FLAT 35 ELMWOOD ROAD LONDON SE24 9NS
GROUND FLOOR FLAT 35 ELMWOOD ROAD LONDON SE24 9NS
FLAT 3 7 WYNEHAM ROAD LONDON SE24 9NT
FLAT 2 7 WYNEHAM ROAD LONDON SE24 9NT
33 ELMWOOD ROAD LONDON SE24 9NS
FLAT 1 7 WYNEHAM ROAD LONDON SE24 9NT
TOP FLOOR 35 ELMWOOD ROAD LONDON SE24 9NS
52 ELMWOOD ROAD LONDON SE24 9NR
31 ELMWOOD ROAD LONDON SE24 9NS
29 ELMWOOD ROAD LONDON SE24 9NS
54 ELMWOOD ROAD LONDON SE24 9NR

Re-consultation:

22/10/2010

Consultation responses received

Internal services

Design and conservation Team: Raised an objection to the initial design of the proposed rear outrigger section along with rear roof slope dormer windows. Were satisfied with amendments made to roof ridge on later submitted amended plans.

Transport Planning: Raised no objections to the proposed development recommended that details regarding cycle storage be submitted.

Statutory and non-statutory organisations

n/a

Neighbours and local groups

A total of 17 letters objecting to the proposal were received from members of the public from residents of the following addresses:

29 Elmwood Road
37C Elmwood Road
50 Elmwood Road
52 Elmwood Road
54 Elmwood Road
Flat 2, 7 Wynham Road
Flat 3, 7 Wynham Road
Herne Hill Society

The objections focused on the following issues:

- Inappropriate design and use of materials
- Impact upon availability of light to properties adjoining the application site.
- Potential structural problems of incorporating basement space into unit.

In addition to this 6 letters of support were received towards the proposal. These were received from the following addresses:

60 Dulwich Village
16 Hollingbourne Road
49 Poplar Walk
14 Elfindale Road
83 Herne Hill
18 Beckwith Road

Generally those who wrote in were pleased that the site was being developed and supported the innovative and modern design.