

<b>Item No.</b> 6.4	<b>Classification:</b> OPEN	<b>Date:</b> 13 April 2011	<b>Meeting Name:</b> Dulwich Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 10-AP-3693 for: Full Planning Permission  <b>Address:</b> 139 WOODWARDE ROAD, LONDON, SE22 8UP  <b>Proposal:</b> Proposed single storey ground floor side extension to provide additional residential accommodation for the dwellinghouse and addition of a raised terrace level with glass balustrade at the rear of the property.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 9 February 2011		<b>Application Expiry Date</b> 6 April 2011	

## RECOMMENDATION

- 1 Grant planning permission.

## BACKGROUND INFORMATION

- 2 This item has been referred to the Dulwich Community Council for decision due to the numbers of objection received.

### Site location and description

- 3 The application site is a two-storey semi-detached property located on the southern side of Woodwarde Road in the Village area of the borough. The surrounding area is characterised by semi-detached dwellings of a similar style to the application site, many of which have been subject to minor alterations.
- 4 The site is situated within the Dulwich Village Conservation Area however the application building is not subject to any statutory listing.

### Details of proposal

- 5 The proposal details the erection of a single storey ground floor side extension to provide additional residential accommodation for the dwellinghouse and addition of a raised terrace level with glass balustrade at the rear of the property.
- 6 The proposed side extension will be approximately 1.1m in width, 6.38m in depth and will be 2.83m in height at its highest point.
- 7 The materials proposed consist of brickwork to match the existing with a glazed roof and glazed window to the rear.
- 8 The raised terrace area would be approximately 2m from the rear elevation, will consist of stone tiles and will be enclosed with a glass balustrade. Beneath the terrace a storage area is proposed.

### **Planning history**

- 9 08-AP-1455 - Planning permission was granted for the installation of two conservation rooflights to roof of rear outrigger slope and the removal of an existing window in the side elevation of dwellinghouse - 06/08/08.
- 10 08/AP/1455 -Planning permission was granted for the installation of two conservation rooflights to roof of rear outrigger slope and the removal of a window in the side elevation - 06/08/08.
- 11 0100910 - Planning permission was granted for the erection of a rear dormer window to provide additional residential accommodation - 21/08/01.

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

141 Woodwarde Road - No relevant planning history.

137 Woodwarde Road - No relevant planning history.

### **KEY ISSUES FOR CONSIDERATION**

#### **13 Summary of main issues**

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 proposal on the amenity of nearby and adjoining occupiers
- c) quality of residential accommodation and impact of design

#### **Planning policy**

- 14 Southwark Plan 2007 (July)  
Saved Policy 3.2 Protection of Amenity  
Saved Policy 3.12 Quality of Design  
Saved Policy 3.13 Urban Design  
Saved Policy 3.15 Conservation and Historic Environment  
Saved Policy 3.16 Conservation Areas
- 15 Residential Design Standards SPD
- 16 London Plan 2008 consolidated with alterations since 2004  
None relevant.
- 17 Southwark's Core Strategy was considered by an independent Inspector during an Examination in Public held in July 2010. The Inspector has issued his binding report and deemed the Core Strategy to be sound. His report was received on 28 January 2011 and it is likely that the Southwark will adopt the Core Strategy.
- 18 Now the Inspector's binding report has been received, the Core Strategy, together with the suggested changes by the Inspector carries considerable weight. In the period before the Core Strategy is formally adopted, whilst the Southwark Plan remains the relevant statutory development plan, where the Core Strategy suggests a different approach when determining a planning application, the Core Strategy is a significant material consideration that should be taken into account.

19 Strategic Policy 12 - Design and Conservation  
Strategic Policy 13 - High Environmental Standards

20 Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)  
Planning Policy Statement 5 - Planning for the Historic Environment

### **Principle of development**

21 There is no objection to the principle of extending a dwelling in this residential area provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on amenity or the character of the Conservation area in accordance with the Residential Design Standards SPD (2008) and the relevant saved policies of the Southwark Plan (2007).

22 These issues will be assessed in the main body of the report below.

### **Environmental impact assessment**

23 None relevant.

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

24 The proposed side extension will be set in from the adjacent property by at least 0.8m and will be modest in scale that would project to the line of the existing two-storey projection. It is not considered that the proposal will result in any impacts in terms of loss of daylight/sunlight or an increased sense of enclosure.

25 In regards to the proposed side infill extension, it does not include any openings to the side elevation of the structure. The development would not therefore have a direct impact upon the privacy currently available to residents at this property. The proposal does have a glass roof which does raise some issues of overlooking into the upper windows on the neighbouring property at no.137, however this would not result in overlooking to an extent to warrant refusal as the angles would largely oblique.

26 Further the distance from the proposed windows and bi-fold doors to the rear elevation of the property, would not increase any overlooking into any habitable windows at 28 Desenfans Road than are currently enjoyed and as such no overlooking is expected at this property.

27 Whilst the proposal may result in some loss of outlook as a result of the depth of the proposal, the windows on adjacent property are unlikely to see a significant loss of light as the proposed height of the extension would not result in a significant increase on the existing extensions. Further, as noted, a gap of at least 0.8m from the boundary wall and 2.2m from the adjacent properties windows the impacts would not be to an extent to warrant refusal on this occasion.

28 It is therefore considered that whilst this proposed extension will add some bulk to the property due to the depth of the proposal, it will not appear over dominant to a property of this nature. As such, it is not considered that there will be any detrimental impacts in this case on in terms of outlook or daylight of the neighbouring properties.

29 In regards to the terraced area, the nature of the site means that the site already has a slightly raised area to the rear of property, and as such this proposal will formalise this space as a patio area by leveling the ground level. The proposed terrace area will sit at a slightly higher level than the existing, however this increase is not likely to

increase the level of overlooking into the neighbouring properties to an extent to materially alter the privacy of the neighbouring properties.

30 Further, as the terraced area will still sit at ground floor it is unlikely to result in any additional overlooking into the adjacent properties than those that currently exist and therefore it is not considered that the overlooking impacts would be to an extent to warrant refusal.

31 For the reasons outlined above, the scheme is acceptable in terms of the amenities of the surrounding residential occupiers and is therefore in accordance with Policy 3.2 Protection of amenity of the Southwark Plan 2007.

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

32 None expected as a result of the proposal.

### **Traffic issues**

33 No impacts expected as a result of the proposal.

### **Design issues**

34 The design issues are assessed below.

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

35 For terraced houses, the normally allowed form of rear extension is one that projects 3m from the original rear wall of the house, with a maximum height of 3m. The proposed side infill extension will extend by approximately 6.38m in depth which does exceed the guidance as outline in the Residential Design Standards SPD however in terms of height, the proposal would sit at 2.83m and as such would sit below the 3m as outlined in the guidance.

36 Further, the existing property has a series of structures situated to the side of the outrigger in the position of the proposed side extension and therefore, the footprint of the proposed extension is not greatly different from the existing situation. At present, these additions step down as the ground level changes and are at varying heights from approximately 2.8m down to 1.9m,

37 Whilst it is acknowledged that this proposal would result in a larger addition than the existing structures as a result of its height, it would still result in a subservient addition to the host dwelling that would not be out of keeping with the row of terraced properties and the surrounding area.

38 The design approach is modern in appearance however will still be in-keeping with the host dwelling and will result in a subservient addition to the dwellinghouse. It would be constructed on the flank wall from materials to match the existing dwelling with the glazed addition to the side extension and balustrade for the terraced area.

39 The use of these materials, the design, scale and massing of the proposal are considered to be acceptable within the context of the application site and will not result in a detrimental impact on the host dwelling.

40 Further, the proposed extension and introduction of a terraced area would be located to the rear of the application property and would not be seen from the public domain and as such there are no impacts on the streetscene expected.

- 41 In terms of the impact on the character and appearance of the conservation area, it is not considered that the proposal would have detract from the conservation area, having regard to the relatively small increase in scale over and above existing building.
- 42 The impact of this proposal on the heritage asset - the Dulwich Village conservation area and its setting - is considered against the requirements of PPS5 - Planning for the Historic Environment. Policy HE 9.4 of PPS5 – states that : "*Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:*  
*(i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and*  
*(ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.*"
- 43 This proposal will have a nominal impact on the character and appearance of the conservation area and the harm to the significance of the conservation area is modest. There is no loss of historic fabric and the proposal would not be visible from any public vantage points and as such the development will accord with PPS5 in this instance.
- 44 For the reasons outlined above, it is therefore considered that the design of the proposal and its impacts on the surrounding conservation area are considered acceptable in this instance and as such accord with Saved Policies 3.12 Quality of Design, 3.13 Urban Design and 3.16 Conservation areas.

#### **Impact on trees**

- 45 No impacts as a result of the proposal.

#### **Planning obligations (S.106 undertaking or agreement)**

- 46 Not required for an application of this nature.

#### **Sustainable development implications**

- 47 None expected as a result of the proposal.

#### **Other matters**

- 48 No other matters were identified.

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

- 50 The proposal would not result in a loss of amenity for the neighbouring properties to an extent to warrant refusal and it is also considered that the design is acceptable within the context.
- 51 As such, it is therefore recommended that the proposal should be granted permission.

#### **Community impact statement**

- 52 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 issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

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

**53 Consultations**

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

**Consultation replies**

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

**55 Summary of consultation responses**

Three consultation responses have been received in objection to the proposal from the residents at 28 Desenfans Road, 137 Woodwarde Road and 141 Woodwarde Road. The issues raised by the objectors were mainly around overlooking/loss of privacy, the massing of the proposal and loss of daylight/sunlight.

**Human rights implications**

56 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.

57 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.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

**Strategic Director of Communities, Law & Governance**

None.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2587-139  Application file: 10-AP-3693  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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5416 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

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Alex Cameron, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	31 March 2011	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
<b>Date final report sent to Community Councils Team</b>	4 April 2011	

**Consultation undertaken**

**Site notice date:** 09/02/2011

**Press notice date:** 13/01/11

**Case officer site visit date:** 09/02/2011

**Neighbour consultation letters sent:** 09/02/11

**Internal services consulted:**

N/A.

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

N/A.

**Neighbours and local groups consulted:** 137 and 139 Woodwarde Road and 28 Desenfans Road.

**Re-consultation:**

Day re consultation as the original description did not include the raised terrace area in the description.



**Consultation responses received**

**Internal services**

N/A.

**Statutory and non-statutory organisations**

N/A.

**Neighbours and local groups**

Three objections have been received to the proposal from the residents at 28 Desenfans Road, 137 Woodward Road and 141 Woodward Road.

The occupier of the property at 28 Desenfans Road raised issues of overlooking and loss of privacy into the house and garden of the property. They raise issues of the increased level of glazing on the rear elevation and the impacts of the terraced area being raised and their resulting additional overlooking impacts.

The occupier of 141 Woodward Road raises issues of the height of the proposed side extension and its subsequent impacts on the property in terms of loss of daylight/sunlight and overlooking.

The occupier of 137 Woodward Road objected to the proposed development on the grounds of overlooking/loss of privacy, risk of subsidence damage and the excessive and inappropriate development proposed.

These issues raised will be considered in the main body of the report.