

1.1	Classification	Decision Level	Date
	OPEN	DULWICH COMMUNITY COUNCIL	16/06/09
From		Title of Report	
HEAD OF DEVELOPMENT MANAGEMENT		DEVELOPMENT MANAGEMENT	
Proposal: Erection of rear extension at lower ground and ground floor level (Use Class C3).		Address	
		120 BARRY ROAD, LONDON, SE22 0HP	
		Ward East Dulwich	
Application Start Date 17/02/2009		Application Expiry Date 14/04/2009	

PURPOSE

- 1 For consideration by the Dulwich Community Council due to the number of objections received.

RECOMMENDATION

- 2 Grant, subject to conditions.

BACKGROUND

Site location and description

- 3 The application site is a mid terrace property with basement which makes it 4 levels from the rear elevation but 3 storeys when viewed from the front. It is located on the western side of Barry Road, approximately 25 metres from the junction with Underhill Road.
- 4 The site is bounded by properties of similar character and the area is predominantly residential in nature. The property has an existing single storey lean-to extension which goes up to the boundary of No 122 but set back from the boundary of No 118 by approximately 2.5m.
- 5 The site forms part of the urban density zone and an air quality management area.

Details of proposal

- 6 Full planning permission is sought for the erection of a part single, part 2-storey rear extension at lower ground and ground floor level, following demolition of the existing structures at the rear of the site. At lower ground floor level the extension would span the full width of the rear elevation and would measure 6.680m deep and 3.7m high with a flat roof. At ground floor level it would be L-shaped and would measure 3.5m wide, 1.1m deep and 3.1m high, and would then turn the corner and project 4.2m along the boundary with 122 Barry Road and would measure 3.1m high with a flat roof.

7 Materials proposed are as follows:

- Render to the external walls;
- metal framed windows;
- sedum and glazed roofs.

8 Amended plans

The following amendments have been made to the plans:

1. Side door at ground floor level onto flat roof omitted.
2. Sliding ventilation panel shown on the right hand side of the rear window at ground floor level (with clarification that there is a void on the inside of this panel).
3. Balustrade to flat roof omitted;
4. Flat roof amended to a green roof.

Planning history

9 08-AP-2193 - Extension at rear basement (garden) level to single family dwelling house to provide additional residential accommodation - Lawful development certificate GRANTED in November 2008.

10 08-AP-0237 - Extensions at rear basement and ground floor levels to dwellinghouse to provide additional residential accommodation - Lawful development certificate GRANTED in March 2008.

11 07-AP-2723 - Extensions at rear basement and ground floor levels to dwellinghouse to provide additional residential accommodation - Lawful development certificate REFUSED in January 2008 for the following reasons:

1. The proposed extension is not considered to be lawful because it exceeds 4 metres in height within 2 metres of the boundary contrary to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995.

2. The proposed development is not considered to be lawful because the rear boundary wall with no. 122 Barry Road measures 4 metres high contrary to Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995.

Planning history of adjoining sites

No relevant history.

FACTORS FOR CONSIDERATION

Main Issues

12 The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies;
- b] amenity;
- c] design.

Planning Policy

Southwark Plan 2007 [July]

- 13 3.2 - Protection of amenity
3.12 - Quality in design
3.13 - Urban design

Residential Design Standards SPD (September 2008)

14 **Consultations**

Site notice date: 25/02/09

Press notice date: N/A.

Neighbour consultation letters sent:03/03/09

Case officer site visit date: 16/03/09

15 Internal consultees

N/A.

16 Statutory and non-statutory consultees

N/A.

17 Neighbour consultees

Notification letters have been sent to properties on Barry Road and Hindmans Road.

18 Re-consultation

No re-consultation undertaken.

Consultation replies

19 Internal consultees

N/A.

20 Statutory and non-statutory consultees

Thames Water

Request that the applicant incorporates a non-return valve within their proposal (informative recommended).

21 Neighbour consultees

Three representations have been received objecting to the proposals on the following grounds:

- Design out of keeping with the remainder of the terrace;
- Extension overly large and contrary to section 3.4 of the SPD;
- Loss of light and tests set out in the SPD not applied properly;
- Use of flat roof as a terrace;
- Noise and disturbance from use of flat roof as terrace;
- Loss of privacy from use of flat roof as a terrace;

- Loss of view (not a material planning consideration);
- Sense of enclosure / tunnel effect;
- query why the garden boundaries need to be extended;
- impact upon the structural stability of the adjoining properties (not a material planning consideration, covered separately under the Building Regulations);
- query the length of time it will take to complete the development (not a material planning consideration).

22 Re-consultation

N/A.

PLANNING CONSIDERATIONS

Principle of development

- 23 The proposal is to extend an existing house to provide additional living accommodation and this does not raise any landuse issues.

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

- 24 Policy 3.2 of the Southwark Plan seeks to ensure that developments provide an acceptable standard of amenity.
- 25 Concerns have been raised that the size of the proposed extension would result in loss of light, loss of outlook, a sense of enclosure and loss of privacy to 118 Barry Road, and would be contrary to guidance within the Residential Design Standards SPD.
- 26 118 Barry Road essentially mirrors the application site, having a 2-storey rear projection at lower ground and ground floor level, located approximately 3m off the boundary. There is a reception room window facing down the rear garden and a kitchen window in the side return, directly facing the site; there is also a half-glazed door to the kitchen, facing down the rear garden.
- 27 The proposed lower ground floor extension would bisect a 45 degree line taken from the centre point of the reception room window and a 25 degree line taken from the centre of the kitchen window, therefore it is likely that both rooms would experience some loss of light. They would certainly experience an increased sense of enclosure, and the orientation of the site is such that shadow from the extension would be cast in the direction of number 118 throughout the day.
- 28 However, the most recently approved lawful development extension would extend 5.8m along the boundary and measure 3m high. It too would bisect the 25 and 45 degree lines and would therefore potentially result in some loss of light to these windows, an increased sense of enclosure and additional shadow (reference: 08-AP-2193). This LDC application was determined under the October 2008 permitted development regulations.
- 29 The extension for which planning permission is now sought would only measure 0.7m deeper than permitted development extension, and 0.7m higher. It is not considered that the increase in depth would have a significant impact above and beyond what would be built under permitted development, although the 0.7m increase in height would be discernible to the occupiers of 118. However, given that the permitted development regulations would allow for a structure measuring 4m high on the boundary (0.3m higher than the extension for which permission is sought), it is not

considered that planning permission could be refused on this basis. It is however, recommended that a condition be attached to any forthcoming planning permission that the render to side elevation facing number 118 be painted a light colour, in order to reflect more light.

- 30 The proposed extension at ground floor level would be modest in size, measuring only 1m deep and would therefore have a very limited impact upon levels of light to ground floor windows at the rear of number 118. The ground floor window in the side return is understood to serve a bathroom and is obscure glazed, and the proposed ground floor extension would not extend in front of this window.
- 31 In terms of overlooking, concerns have been raised regarding use of the roof of the extension as a terrace, and potential noise, disturbance and loss of privacy. To overcome this, the plans have been amended to omit a door leading directly onto the flat roof, to remove a balustrade around the edges, and to sedum plant it. The only door onto the roof would be accessed from a void at lower ground floor level, and could likely only be reached by a ladder for maintenance purposes. However, a condition preventing use of the roof as a terrace is recommended, together with a further condition preventing the insertion of any windows or doors in the side elevation of the extension at ground floor level facing number 118, to ensure no loss of privacy.
- 32 122 Barry Road has a 2-storey rear extension at lower ground and ground floor level with terrace over, located on the boundary with the application site. The extension at lower ground floor level would not project beyond the main rear wall (containing windows) of this extension. It would be 0.8m higher on the boundary than the existing structure but given that it would not project beyond the rear windows to number 122, no significant loss of light would occur; shadow from the extension would be cast away from this property throughout the day.
- 33 In terms of privacy, the removal of general access onto the flat roof of the extension ensures that no loss of privacy would occur to this property. There may be views from number 122's rear terrace down through the glazed roof into the extension, but the extension itself would not reduce privacy to the roof terrace or rear windows at number 122.

Design issues

- 34 Policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments achieve a high standard of design.
- 35 Concerns have been raised that the design and size of the proposed extension would be out of keeping with the remainder of the terrace.
- 36 The proposed extension would sit comfortably below the existing first floor windows and although large in footprint, would appear as a clearly subservient addition to the rear of the building, in accordance with SPD guidance. It would adopt a simple, contemporary design and the use of render would help the structure to blend in with the original building. A condition requiring all work of making good to match existing is recommended, to ensure a satisfactory finish.

Other matters

- 37 There are no other matters arising from the proposal.

Conclusion

38

The size of the lower ground floor extension is such that it would undoubtedly impact upon the amenities of 118 Barry Road, but not to a significant extent over and above what could be built under permitted development rights, and the ground floor level extension would be modest in size therefore, on balance, it is recommended that conditional planning permission be granted.

COMMUNITY IMPACT STATEMENT

39 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.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

40 The flat roof of the lower ground floor extension will be planted which will help to absorb some of the rainwater.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Victoria Lewis	Senior-Planner- [tel.020 7525 5410] Development Management
CASE FILE	TP/2596-120	
Papers held at:	Regeneration and neighbourhoods dept., 160 Tooley Street SE1 2TZ tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk	