

<b>Item Number</b> <b>1.2</b>	<b>Classification</b> OPEN	<b>Decision Level</b> Dulwich Community Council	<b>Date</b> 16/06/09
<b>From</b> Head of Development Management		<b>Title of Report</b> DEVELOPMENT MANAGEMENT	
<b>Proposal</b> (08-AP-1267)  Redevelopment of site to provide a detached dwellinghouse with access from Fountain Drive (application for outline planning permission with Access and Scale to be determined at this stage). Illustrative plans show a 3 storey building with undercroft parking for 2 cars.		<b>Address</b> 11A FOUNTAIN DRIVE, LONDON, SE19 1UW  <b>Ward</b> College	
<b>Application Start Date</b> 25/06/08		<b>Application Expiry Date</b> 20/08/08	

## 1. PURPOSE

To consider the above application, which has been brought before Dulwich Community Council at Member's request and due to the level of objection received from local residents.

## 2. BACKGROUND

### 2.1 Site location and description

0.106ha site located on the eastern side of Fountain Drive in the College area of the borough. The site subject would originally have formed the large rear garden of 11 Sydenham Hill, which is located to the east; this property has recently been converted to flats. The land is currently vacant and is situated between 11 Fountain Drive and a property known as Hillside, both of which are detached dwellinghouses. The site has a moderate slope, and although much of the area is grassed, there are numerous mature trees located around the site boundaries.

The surrounding area is characterised by a combination of large detached dwellinghouses located on individual sites, with some more recent terraced housing located opposite on Fountain Drive. The subject site is not located within a Conservation Area and there are no statutory listed buildings in the vicinity.

### 2.2 Details of proposal

This application seeks outline planning permission for the redevelopment of the site to provide a detached dwellinghouse with access from Fountain Drive. Scale and Access only are to be determined at this stage with all other matters reserved. The Design and Access Statement indicates that this would be a 6 bedroom dwelling with double height spaces throughout.

Illustrative plans show a three-storey building with a maximum height of 9m to be sited centrally within the site. The building would have a maximum depth of 18.5m on its northern elevation and would be set back from the road by approximately 12m. The frontage of the building would be slanted to follow the curve of the road and would be 13.5m wide. Overall the building would have a footprint of 218sqm.

Car parking has been illustrated in the form of an undercroft parking area to accommodate 2 vehicles which 3 cycle parking spaces would be provided.

## 2.3 Planning history

The application site has been subject to the following relevant planning applications:

### 07-AP-1328

Planning permission **refused** under delegated powers for the erection of a two-storey detached house with double garage, 2 parking space and 6 bike parking spaces (outline application) for the following reasons:

*1. The siting and layout of the dwellinghouse due to its extensive footprint, in particular the 18 metre frontage parallel to the road, is considered to have a harmful visual impact upon the character of the local area, which is for buildings to be more subservient to the mature gardens. The development would therefore be contrary to policies 3.2 'Protection of Amenity' , 3.11 'Efficient Use of Land' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.*

*2. The development would require the removal of mature vegetation, the extent of clearance and impact on the health and vitality of retained vegetation has not been assessed, and likewise there is no detail of avoidance, protection or mitigation measures. There are potentially significant adverse effects on the natural environment, habitat, streetscene and public amenity from these works, and therefore it is considered that the development would be contrary to policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of The Southwark Plan [UDP] July 2007.*

*3. There is an overall lack of detailed information provided in support of the outline planning application, and therefore it is not possible to assess accurately the likely impacts on privacy, overlooking, character of the area, streetscape, transport, waste, and general amenity of the site and wider neighbourhood. Therefore it has not been demonstrated that the development would have acceptable impacts and as such it is considered to be contrary to policies 3.1 'Environment Effects', 3.2 'Protection of Amenity', 3.11 'Efficient Use of Land', 3.12 'Quality in Design', 4.2 'Quality of Residential Accommodation', 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of The Southwark Plan [UDP] July 2007.*

*4. The proposed building height shown on the plans has been taken from the top of the boundary fence rather than at true ground level. This combined with the lack of a topographical survey or heights shown on other (side) elevations results in an inaccurate building height, in particular the height relationship with the adjacent buildings along Fountain Drive. Insufficient information has been provided to demonstrate that the indicated height of the building would not cause harm to the amenity of the neighbouring properties or to the streetscape, therefore the development is considered to be contrary to policies 3.2 'Protection of Amenity' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.*

### 07-AP-1303 (11 Sydenham Hill)

Planning permission **granted** at Dulwich Community Council for the Conversion of main house to form 8 flats, with alterations to the windows and doors in all elevations and the provision of two new front dormers, a new dormer to each side roof plane and three new rear dormers, creating new accommodation within the basement, ground, first and second floors. Single storey rear extension and refurbishment of lodge (to remain a single dwelling), removal of rooflights from side roof plane and the replacement / provision of new doors and windows to side elevations. Provision for landscaping, 6 car parking spaces, 9 cycle parking spaces and refuse store to front. All in association with the creation of additional residential accommodation.

### **3. FACTORS FOR CONSIDERATION**

#### **3.1 Main Issues**

The main issues in this case are:

- a] The principle of the development in terms of land use and conformity with strategic policies.
- b] Scale, massing and impact on the character of the Fountain Drive streetscene.
- c] Residential amenity.
- d] Neighbour amenity.
- e] Access, Transportation and Parking.

#### **3.2 Planning Policy**

##### Southwark Plan 2007 [July]

SP11- Amenity and Environmental Quality

SP13 - Design and Heritage

SP14 - Sustainable Buildings

SP17 - Housing

SP18 - Sustainable Transport

SP19 - Minimising the Need to Travel

3.2 - Protection of Amenity

3.11 - Efficient Use of Land

3.12 - Quality in Design

3.13 - Urban Design

3.14 - Designing Out Crime

4.1 - Density of Residential Development

4.2 - Quality of Residential Accommodation

5.2 - Transport Impacts

5.3 - Walking and Cycling

5.6 - Car Parking

##### London Plan 2004

3A.1 - Increasing London's supply of housing

3A.2 - Borough housing targets

4B.1 - Design principles for a compact city

4B.3 - Maximising the potential of sites

4B.6 - Sustainable design and construction

4B.7 - Respect local context and communities

4C.8 - Sustainable drainage

6A.5 - Planning Obligations

#### **3.3 Consultations**

Site Notice: 31/07/08

Site Visit: 31/07/08 - unaccompanied

##### Internal Consultees

Arboriculturalist

Access Officer

Transport Group  
Waste Management

Neighbour Consultees  
As list in Acolaid.

### **3.4 Consultation replies**

#### Internal Consultees

Access Officer:

Raises no objections to the proposed development.

Transport Planning:

Raise no objections to the principle of providing an additional dwelling in this location. Note that 2 parking spaces is considered over provision however do not feel that it would be expedient to object due to the provision of just 1 additional space.

#### Neighbour Consultees

The Council has received 3 objections from the neighbouring residents at 11 Fountain Drive (2 letters and e-mail), 5 Fountain Drive and 'Hillside', Fountain Drive raising the following planning concerns:

- lack of detail in the proposals
- Overlooking, loss of privacy and overshadowing of existing neighbouring properties.
- A three-storey building would have a harmful impact on the character of the road. The height should not exceed the adjacent properties.
- Unacceptable increase in population density.
- Loss of trees.

In addition the Council has received 5 letters of support from the neighbouring residents at Flats 2, 5 & 7 - 11 Sydenham Hill, 'Woodside Lodge', Sydenham Hill and 13 Sydenham Hill citing the following reasons:

- The site is currently empty and the area would benefit from new family housing.
- The scheme is low impact with a high quality design.
- The development would be shielded by trees and shrubs.
- A condition should be that all the trees must be retained and the height of the building should not exceed the adjacent buildings.

Dulwich Society:

Object to the proposed development and raise concerns over the lack of detail contained within the application. In particular concerns are raised with regard to the following issues:

- The height and footprint would be out of scale with the surrounding properties.
- Highway safety.
- Loss of amenity to neighbouring properties, in particular loss of garden from 11 Sydenham Hill.
- Impact on trees.

## **4. PLANNING CONSIDERATIONS**

### **4.1 Principle of development**

The London Plan requires that provision should be made to accommodate 1480 new households yearly within the borough and reiterates this need for housing to be provided within London as a whole. Although the proposed development is only for a

net increase of 1 additional unit of accommodation this will go towards the required housing provision and will provide additional diversity in the housing stock in the surrounding area. The new unit would also not be developed at the expense of other important land uses thereby meeting the requirements of Policies SP14 and SP17.

Concern has been raised by the Dulwich Society with regard to the loss of amenity space for the existing property at 11 Sydenham Hill as the application plot of land would have originally formed the rear garden for the house. Planning permission was granted in 2007 for the conversion of this property into flats, this was granted on the basis of the reduced plot size and did not include the application site. The level of amenity space was therefore considered acceptable and will not be affected as a result of the current application.

The lack of detail contained within the application has also been questioned. It should be noted however that this application seeks outline planning permission with only scale and access to be considered at this stage. If planning permission were granted all other matters, including appearance, landscaping and layout, would be considered at the reserved matters application stage, which would require further public consultation and consideration by the Council.

#### **4.2 Design, Appearance and Impact on Streetscene**

Development proposals are expected to achieve high standards of design and urban design objectives by responding to and reinforcing locally distinctive patterns of development. As previously noted this application is in outline form and the Council is only able to consider the scale and massing of the development in the context of the surrounding area.

The previous application cited inappropriate impact on the streetscene as a reason for refusal with the width and height of the building considered overly dominant and out of character. The current application has been reduced in width to 13m and would be set back from the road by 12m. The building line now more closely follows that of the adjoining properties by creating a stagger as the road bends.

The height has been reduced to a maximum of 9m to the top of the set back third floor. This would be approximately the same height at 11 Fountain Drive and would be lower than Hillside to the south. As the building is set centrally within the site this has also allowed the retention of the majority of the trees, which would greatly shield the property from the road and the neighbours.

The pattern of development in the surrounding area is made up of a wide variety of building types with no one form of development prevailing. Therefore although the width of the building would be larger than the adjoining properties, this not considered to be detrimental to the character and appearance of the streetscene given the variety of development in the area. The width of the building is in proportion with the width of the plot and appropriate gaps are maintained between the new building and adjoining houses. 13m would be maintained to the north between the application building and 11 Fountain Drive, while 9m would be maintained to the south between the application building and Hillside.

The Design and Access Statement indicates a contemporary style of building would be provided, and it is considered that a suitable design within the massing indicated could appropriately sit within the context of the streetscene. The immediate vicinity is characterised by the two 1960s dwellings either side of the application site, whereas the wider area is a mixture of both modern and period buildings. Number 11 Fountain Drive and Hillside offer no particular form of architectural merit or historical significance that should dictate future construction on the application site. They were themselves secondary buildings constructed in the contemporary style of the time in

the large rear gardens of those properties on Sydenham Hill to the east. Therefore provided that the scale and proportions are respected, which has been demonstrated as acceptable, and subject to detailed design consideration, a contemporary building is considered appropriate in this location.

Maintaining the character and appearance of the area would be subject to the retention of the existing trees within the site, which are significant within the streetscene. This could be ensured through the imposition of an appropriate condition. See section 5.3 below for further evaluation of impact on trees.

#### **4.3 Trees**

The submitted tree appraisal details one tree for removal, this is an apple tree in poor condition. The other trees located along the perimeter of the site would be retained subject to appropriate tree and root protection methods during construction and by the use of suitable construction methods. The Tree Appraisal concludes that this could be achieved, within the context of the scale and massing, and should permission be granted this could be ensured through the imposition of appropriate conditions.

Subject to those trees being protected and retained as detailed, it is considered that the proposed development would not have a detrimental impact on the character of the surrounding area. Should permission be granted this would be on the basis that landscaping be considered at the reserved matters stage where an appropriate landscaping and planting plan be considered which would seek to enhance and improve the existing site.

#### **4.4 Standard of Accommodation and Amenity Space**

The footprint of the building is proposed at 218sqm; split over 3 storeys as proposed this would give an approximate floor area of 600sqm. The Design and Access Statement indicates that this would provide a luxury and unique 6 bedroom dwelling with double height voids and facilities such as a private cinema and a pool/spa. It is considered that the development could provide an appropriate standard of internal accommodation, with generous room sizes to meet the needs of future occupants.

Amenity space would be provided in the form of a private garden surrounding the application building and taking advantage of the mature vegetation on the site. To the rear of the building a level area of approximately 10 m in depth would be provided with this then sloping upwards to the rear boundary of 11 Sydenham Hill. It is considered that this, combined with the wider garden, would be more than adequate to meet the needs of future residents, while appropriately relating to the scale of the building and the size of the application plot.

#### **4.5 Neighbour Amenity**

The proposed building could be appropriately designed to ensure the development would not have a detrimental impact on the amenity of neighbouring residential properties through loss of sunlight/daylight, visual intrusion or loss of privacy.

The building would be to a no greater height than those buildings located on either side of the application premises. While appropriate separation gaps of 13m would be maintained to the north between the application building and 11 Fountain Drive, and 9m maintained to the south between the application building and Hillside as previously mentioned. Furthermore both boundaries are currently screened by mature vegetation which would be maintained as part of the proposed development.

Due to the curve in the road and the substantial set back from the front of the site the front elevation of the building is set-back to a level beyond that of the rear elevation of no. 11 Fountain Drive. Outlook from the side windows of this dwelling would therefore continue to look straight along Fountain Drive without interruption from the proposed

building. Hillside to the south of the application building also has its principle outlook south and away from the application site.

The orientation of the site and the siting of the building ensures that there would be no loss of sunlight or daylight experienced as a result of the proposed development.

Any potential for overlooking being experienced at a result of the building and any roof terraces could be carefully controlled at the detailed design stage when the appearance is considered through a reserved matters application.

#### **4.6 Access, Transportation and Parking**

The application site is located within an area of medium access to public transport with a PTAL of 3. The subject development proposes the provision of 2 parking spaces which is considered an over provision in this location. It is not considered reasonable however to refuse permission on this basis as it relates only to the addition of 1 additional space on a very large plot of land for a substantial property. Any future areas of parking within the site could be restricted at the reserved matters stage through detailed consideration of landscaping.

The principle of the access arrangements to the site are considered acceptable and would not have a detrimental impact on the safe operation of the surrounding highway or road network. This is subject to the detailed consideration of landscaping at the reserved matters stage.

#### **4.7 Planning obligations [S.106 undertaking or agreement]**

It is recognised that new housing developments create increased pressure and demand on local services. However the provision of just 1 additional unit of accommodation would not meet those thresholds outlined within the SPD. As such should permission be granted the applicants would not be required to enter into an agreement.

#### **4.8 Conclusion**

The Council would welcome the redevelopment of the application site for residential purposes. The applicant has demonstrated that a development of this scale and with this access could be effectively accommodated without detriment to the surrounding residential properties or road network.

Subject to the imposition of appropriate conditions and the submission of reserved matters applications for appearance, landscaping and layout there is no reason to withhold outline planning permission in this instance.

### **5. COMMUNITY IMPACT STATEMENT**

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.

### **6. SUSTAINABLE DEVELOPMENT IMPLICATIONS**

No details of materials or other matters around the sustainability of the proposed building have been provided with the application. However as this is an outline

application to establish the principle of a house on the site it is considered that conditions could be added to deal with the energy efficiency measures to be provided within the proposed dwelling.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Amy Lester	Senior-Planner- [tel. 020 7525 5461] Development Management

CASE FILE	TP/2345-1
Papers held at:	Regeneration & Neighbourhoods 160 Tooley Street London SE1 2TZ [tel. 020 7525 5403]