

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Meeting date:</b> 6 March 2012	<b>Meeting Name:</b> Nunhead and Peckham Rye Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-3134 for: Full Planning Permission  <b>Address:</b> 48 GIBBON ROAD, LONDON, SE15 3XE  <b>Proposal:</b> Retention of ground floor single storey rear extension to residential unit.		
<b>Ward(s) or groups affected:</b>	Nunhead		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 24 November 2011		<b>Application Expiry Date</b> 19 January 2012	

## RECOMMENDATION

- 1 Grant retrospective planning permission.

This application was previously referred to Nunhead and Peckham Rye Community Council due to the number of objections received, and heard at the meeting of 15th February 2012. Due to an administrative error, publishing the wrong location of the meeting to consultee's, the application is referred back to the Community Council to allow any interested parties to attend.

## BACKGROUND INFORMATION

### Site location and description

- 2 The site refers to a three storey building, previously a retail unit at ground floor level with residential accommodation above. The ground floor of the property has extant planning permission for a self contained residential unit at ground floor level. The property is not listed, nor is it situated within a conservation area.

### Details of proposal

- 3 The retention of the single storey ground floor rear extension measuring 7m in length 4m in width at the widest point and 3.5m in height. Previously planning permission was granted for a single storey rear extension, the alterations include an extra section to the rear measuring 1m by 2m and an increase in the height from 3.1m to 3.5m.

## **Planning history**

- 4 9800088 – Planning permission was granted on 21/01/98 for the conversion of the existing ground floor shop into one bed roomed self contained flat and elevational alterations to the property. This application included alterations to the rear lean to addition at ground floor level. It appears that this scheme was implemented in whole.
- 5 TP/2336-50 - Planning permission was granted for the erection of a two storey extension comprising a self-contained flat at the ground floor and an extension to the existing maisonette on the first floor - 29/01/1974 (appendix 4).
- 6 In March 2006 it was brought to the attention of the Planning Enforcement Team that works had commenced on site for the construction of a two storey rear extension. A temporary Stop Notice was served on 31 March 2006, which required the immediate cessation of unauthorised development at the site. An enforcement notice was subsequently issued accompanied by a full Stop Notice, and was served on 3 May 2006 following complaint that work had again recommenced. The Enforcement Notice took effect on the 13 June 2006 and the time for compliance expired on 13 September 2006. The notice required (i) the prevention of any further unauthorised extension to the property (ii) to remove the entire first floor rear extension and reduce the footprint of the ground floor extension to that commensurate with that of the approved plans under LBS Planning Ref., 9800088 and (iii) To ensure the reduced rear extension is of a height and bulk which is commensurate with that approved under LBS reference 9800088.  
  
The extension was subsequently reduced to the footprint of the ground floor extension commensurate with that of the approved plans under LBS Planning Ref., 9800088. However, a section of the remaining footprint to the rear of the extension is 1.5m wider and the extension is 0.5m higher (at 3.5m) than approved. This application seeks to retain the existing extension as built.
- 7

## **Planning history of adjoining sites**

- 8 97AP0635 – Planning permission granted 04/07/97 for the change of use of the ground floor shop and the upper parts to form a single family dwelling house.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 9 The main issues to be considered in respect of this application are:
  - a) The impact on amenity of neighbouring residents and future occupiers.
  - b) The design and appearance of the proposed extensions.

## **Planning policy**

Core Strategy 2011

- 10 Strategic Policy 12 – Design and conservation  
Strategic Policy 13 High Environmental Standards

Southwark Plan 2007 (July) - saved policies

- 11 Policy 3.2 Protection of amenity  
Policy 3.11 Efficient use of land  
Policy 3.12 Quality in Design  
Policy 3.16 Conservation areas

London Plan 2011

- 12 None relevant.

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

- 13 Draft National Planning Policy Framework (NPPF)

**Principle of development**

- 14 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 15 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).
- 16 There is no objection to the principle of the erection of a rear extension in this location, 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 listed building or Conservation Area in accordance with the Residential Design Standards SPD (2008) and the relevant saved policies of the Southwark Plan (2007).

**Environmental impact assessment**

- 17 Not required.

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

- 18 It is not considered the rear extension has a detrimental impact on the surrounding residential properties in terms of amenity, to warrant a refusal of the application. The adjacent property to the south, 50 Gibbon Road, has existing rear extensions and although considered slightly high at 3.5m the existing extension does not impact in terms of amenity, outlook or light to this property. It is considered that the extension is

set back from the boundary with the adjoining residential property to the north, and with no window in the rear elevation at ground floor level, it is not considered the extension is overbearing to this property.

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

- 19 None anticipated. The principle of the use of the ground floor as a separate dwelling was determined when planning permission granted for the change of use. Residents have objected to the proposal on the basis of increased occupancy and the risk of noise issues. The property has an existing planning permission for a residential use, it cannot be considered that the alterations to the rear extension, whilst maintaining the originally approved layout for a one bedroomed flat will cause any increased occupancy or noise issues.

### **Traffic issues**

- 20 None anticipated. The principle in terms of demand for on-street parking was considered when granting planning permission for the change of use to residential at the premises. The rear extension will not give rise to any additional traffic issues.

### **Design issues**

- 21 A number of the properties in this terrace have existing extensions of varying sizes and styles, in a variety of materials, and there is no uniformity to the rear elevations. The existing extension at 48 Gibbon Road, is constructed of brick, and the windows proposed to be timber framed to match the host building. The choice of materials is considered acceptable and will complement the host building and the surrounding area.

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

- 22 The site is not listed, nor is it located in a conservation area.

### **Impact on trees**

- 23 None.

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

- 24 Not required.

### **Sustainable development implications**

- 25 None.

### **Other matters**

- 26 No other matters identified.

### **Conclusion on planning issues**

- 27 Although the extension is slightly large, it is considered the site can accommodate an extension of the size. It is not considered the extension has a detrimental impact in terms of amenity on either adjoining residential properties, and the design and bulk are considered acceptable. It is therefore recommended that planning permission be granted.

### **Community impact statement**

- 28 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.
- 29 a) The impact on local people is set out above.

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

- 32 3 objections received from local residents.
- 33 46 Gibbon Road – The alterations are an ugly eyesore and of poor quality. Creating the extra space will mean that a larger number of people may be crammed into the space. This will cause potential traffic and noise problems.
- 34 50 Gibbon Road – The extra development is an eyesore and is detrimental to the rear aspects of all the buildings in the row. I believe the extra space this will afford the tenants will lead to a larger occupancy and this will lead to increased noise levels.
- 35 52 Gibbon Road - The extra development is an eyesore and spoils the appearance of the rear of the houses in the road. The extra space it gives will encourage the owner to have more tenants in where we already have noise problems.
- 36 Other matters of objection, such as fly tipping, lack of building regulations and rat infestation are not planning considerations.

### **Human rights implications**

- 37 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.

- 38 This application has the legitimate aim of providing additional residential accommodation at the property. 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**

- 39 N/A

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2336-50 Application file: 11-AP-3134 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 5560 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management		
<b>Report Author</b>	Anna Clare, Planning Officer		
<b>Version</b>	Final		
<b>Dated</b>	24 February 2012		
<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 Constitutional Team</b>			24 February 2012

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 28/11/2011

**Press notice date:** N/A

**Case officer site visit date:** 28/11/11

**Neighbour consultation letters sent:** 25/11/11

**Internal services consulted:** None.

**Statutory and non-statutory organisations consulted:** None.

**Neighbours and local groups consulted:**

25/11/2011	257A HOLLYDALE ROAD LONDON SE15 2AR
25/11/2011	54 GIBBON ROAD LONDON SE15 3XE
25/11/2011	52 GIBBON ROAD LONDON SE15 3XE
25/11/2011	FLAT 1 48A GIBBON ROAD LONDON SE15 3XE
25/11/2011	GROUND FLOOR FLAT 48 GIBBON ROAD LONDON SE15 3XE
25/11/2011	FLAT B 54 GIBBON ROAD LONDON SE15 3XE
25/11/2011	FLAT A 54 GIBBON ROAD LONDON SE15 3XE
25/11/2011	255 HOLLYDALE ROAD LONDON SE15 2AR
25/11/2011	FLAT 2 48A GIBBON ROAD LONDON SE15 3XE
25/11/2011	257 HOLLYDALE ROAD LONDON SE15 2AR
25/11/2011	50 GIBBON ROAD LONDON SE15 3XE
25/11/2011	46 GIBBON ROAD LONDON SE15 3XE

**Re-consultation:** Carried out following revision of drawings to accurately reflect the existing extension. Re-consultation letters sent 20/01/12.

## **APPENDIX 2**

### **Consultation responses received**

#### **Internal services**

N/A

#### **Statutory and non-statutory organisations**

N/A

#### **Neighbours and local groups**

3 Letters of objection received.