

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 9 May 2012	<b>Meeting Name:</b> Bermondsey Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/0395 for: Full Planning Permission  <b>Address:</b> 29 CURLEW STREET, LONDON, SE1 2ND  <b>Proposal:</b> Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation and internal refurbishment		
<b>Ward(s) or groups affected:</b>	Riverside		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 13 February 2012		<b>Application Expiry Date</b> 9 April 2012	

## RECOMMENDATION

- 1 Grant permission subject to conditions.

## BACKGROUND INFORMATION

- 2 The application is brought before community council due to the number of objections to the scheme exceeding 3 and the recommendation to grant permission.

### Site location and description

- 3 The application relates to an existing converted warehouse dwelling situated on the west side of Curlew Street within the Tower Bridge conservation area. The dwelling occupies the whole of the converted 19th century warehouse as a single unit which has subsequently been extended to incorporate an additional floor.
- 4 The area is mixed with the adjoining properties occupied as residential units. The immediately adjoining dwelling to the north is a conversion of a similar period warehouse, and there is a row of terrace properties to the south. There is a multi-storey car park situated opposite to the site with office buildings also in the vicinity.
- 5 The site is located within part of the Bankside, Borough and London Bridge Strategic Cultural Area. The site is also within an Archaeological Priority Zone.

### Details of proposal

- 6 Alterations to the existing property consisting of the formation of a new basement level, alterations to the Curlew Street and rear elevation and a second floor rear extension.
- 7 The proposed basement level would provide space for a gym, wine cellar area and a small ancillary workshop. The proposed second floor alterations would provide space

for an additional bathroom. The dwelling would be converted into a single bedroom property with a library/study area situated to the first floor.

This is a single family dwellinghouse where there are permitted development rights for various alterations and extensions. Basement extensions with no external expression, together with alterations to windows, are normally permitted development. Permission was granted under a 2006 application to use this building as a dwelling and the permitted development rights were not removed at that time.

### **Planning history**

- 8 **11-AP-2151**  
Alterations and extension including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation.  
**Withdrawn:** November 2011
- 9 **07-AP-1678**  
Erection of an additional floor to provide additional living accommodation to existing dwelling house.  
**Approved:** November 2007
- 10 **06-AP-0918**  
Change of use of premises from live/work unit to residential with associated minor alterations to the external appearance of the front and rear elevation  
**Approved:** July 2006

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

- 11 None identified.

### **KEY ISSUES FOR CONSIDERATION**

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

- 12 The main issues to be considered in respect of this application are:
- a) The design of the proposal and impact upon the conservation area
  - b) The potential impact upon the amenity of neighbouring residential properties.

### **Planning policy**

#### Core Strategy 2011

Strategic Policy 12 'Design and conservation'  
Strategic Policy 13 'High environmental standards'

#### Southwark Plan 2007 (July) - saved policies

- 3.2 'Protection of amenity'
- 3.11 'Efficient use of land'
- 3.12 'Quality in Design'
- 3.13 'Urban Design'
- 3.15 'Conservation of the historic environment'
- 3.16 'Conservation areas'
- 3.19 'Archaeology'

## London Plan 2011

- 13 Policy 7.4 'Local character'  
Policy 7.6 'Architecture'

## National Planning Policy Framework

- 14 On 27 March, the DCLG published the National Planning Policy Framework with immediate effect. The NPPF replaces previous government guidance including all PPGs and PPSs. Full weight should be given to the NPPF as a material consideration in taking planning decisions.

- the policies in the NPPF apply from the day of publication and are a material planning consideration;
- for the purpose of decision-taking, the policies in the Core Strategy, DPDs and SPDs should not be considered out of date simply because they were adopted prior to the publication of the NPPF;
- for 12 months from the date of publication, decision-takers can continue to give weight to relevant local planning policies such as LDDs adopted in accordance with the PCPA 2004 and those in the London Plan. It should be noted that the weight accorded to saved policies of the Southwark Plan (UDP) should be given according to their degree of consistency with policies in the NPPF.

### **Principle of development**

- 15 Extension to a residential dwelling raises no landuse issues.

### **Environmental impact assessment**

- 16 Not required for a development of this type. No significant environmental impacts would arise.

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

- 17 The properties most potentially affected by the proposed works would be those situated either side of the application dwelling: Nos. 28 and 30 Curlew Street.
- 18 No. 28 Curlew Street lies to the south west. The proposed extension would not lead to any significant impacts on the sunlight able to enter either the first or second floor openings which are situated closest to the boundary with No.29 Curlew Street. The openings at No 28 Curlew Street which are closest to the boundary with the application site are set in from the steep sloping roof to the rear of this property which creates a light well arrangement. With the pattern of the sun moving to the south of this property adequate daylight would still be afforded to these openings. With regard to outlook, the proposed extension would extend out by two metres from the rear extension of the existing dwelling extending along the existing building line which is set at a slight outward direction angle from the application property. The proposed extension would block views only directly onto the terrace balcony of the application site and views to the rear of the buildings situated along Gainsford Street. With the use of an existing balcony views into the rear courtyard area situated in the centre of these buildings would not be significantly obscured. Given the modest scale of the proposed extension and the positioning of this neighbouring dwelling, it is not considered that the proposed extension would adversely impact upon the amenity of this neighbouring property through loss of light or outlook.

- 19 Concerning No 30 Curlew Street, although the proposed extension is situated to the south of this dwelling, the proposed extension would not lead to a loss of light accessible to this property. The ground floor and first floor windows are already obscured by the ground floor and first floor protruding section of the application site. Taking into account the second floor opening which is set just below the second floor level of the application property, with the positioning of the proposed extension set in from the boundary with No. 30 by approximately 1.2m and at the proposed height, the development would not lead to a loss of light to the 2nd floor opening of the dwelling. Given that the 3rd floor of this neighbouring property is set significantly above the 2nd floor of the application site, the proposed extension would not lead to a loss of light to this opening or the dwelling as a whole. Regarding outlook from the rear elevation openings, the proposed extension, again taking into account the set in from the boundary would not lead to a loss of outlook from this dwelling.
- 20 The proposed second floor extension would accommodate a bathroom. In order to prevent any potential overlooking into the rear of No.30 Curlew Street and the properties to the north at the Thames Heights development, a condition is recommended for obscure glazing. Whilst the flat roof at this level is shown as a terrace on the existing plans, access would be through a small window, and there is no balustrade. The proposed plans show a balustrade around the flat roof area beyond the bathroom, which has full height windows. Use of the flat roof here is likely to be infrequent, given its restricted size, and a condition is recommended that it is restricted to maintenance and means of escape only, given its close proximity to neighbouring windows.
- 21 The proposed alterations to the front of the building would not affect the amenity of dwellings either side of the application site. They amount to some minor roof alterations, change to window design and relocation of a gantry to a floor higher. At the rear, french windows would be enlarged. These works would not have significant amenity impacts on neighbours.
- 22 The proposed basement would be accessed solely from the internal ground floor level of the application site subject to internal re-arrangements. It is proposed to use this space as a small gym, workshop and wine cellar ancillary to the main dwelling. The proposed basement would not have any impact in a physical sense to the neighbouring dwellings. It is considered that the proposed uses are acceptable in a domestic context ancillary to the main dwelling.

Neighbours are very concerned about the works that would be involved in the basement construction, and whether there would be structural implications. Whilst these concerns are understood, these are not planning issues and not material considerations for assessing a planning application.

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

- 23 No impact

**Traffic issues**

- 24 None anticipated.

**Design issues**

- 25 The proposed front facade would effectively be raised to remove the existing glass frontage at the top and to recreate the loading doors on all three floors. This is similar to the neighbouring dwelling which also has loading doors on each floor. The existing

loading doors at first floor level would be widened slightly with this style recreated to the second floor and the existing gantry brought to 2nd floor level. It is considered that the proposed alteration is more sympathetic to the design of the original building than the existing design which is a modern glass gable end feature. The proposed new openings would be recreated with care to reflect the features of the existing incorporating new lintels and timber painted sash windows.

- 26 Alterations at the rear introduce more glazing in the form of wider french doors. These are only visible from semi private views at the rear. The plans show use of aluminium; timber would be a more appropriate traditional material in a conservation area and a condition requiring this amendment has been included on the decision notice.

On balance, the alterations are considered to be acceptable in design terms. Much of the detailing on the house is non original work and the works to the front would be more reflective of a traditional warehouse.

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

- 27 The site is within the Tower Bridge conservation area. This is characterised in the Curlew Street area by modern development which is in contrast to the historical three storey warehouse buildings which are also evident in the area such as at 30 Curlew Street. The proposed addition would maintain the three storey element of the building and would recreate the features of it in a way which would preserve and enhance the characteristics of the main building. It is considered that with this careful recreation of the existing facade features set within the context of modern buildings, the proposed development would not adversely impact upon the character and appearance of the Tower Bridge conservation area. The development therefore accords with saved plan policy 3.16 'Conservation area' of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy

### **Impact on trees**

- 28 None

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

- 29 Not required.

### **Sustainable development implications**

- 30 None identified

### **Other matters**

#### Archaeology

- 31 The site is within an Archaeological Priority Zone and with the proposed works including underground excavation careful consideration must be given to the potential for archaeology at the site. After consultation with the Council's archaeology officer it was considered that details should be submitted showing how structural and engineering works will be carried out in order to carry out the excavation of the basement and also details of opportunities when archaeological excavation and recording can be carried out during the work.
- 32 The potential for post medieval archaeology relating to 'rookeries' of the Shad Thames area and pre-historic material and geographical deposits has been identified. A

programme of construction work will need to be carefully designed in order to make opportunity to maximise this potential.

- 33 It has been recommended that conditions be attached to any consent granted requiring details of proposed archaeological works, foundation design and recording.

### **Conclusion on planning issues**

- 34 It is considered that the modest scale extension to the 2nd floor of the extension is acceptable and would not harm the amenity of adjoining residential properties. The proposed alterations to the front elevation are considered acceptable and would preserve the character and appearance of the conservation area. It is also considered that the formation of a basement level is acceptable and would not harm amenity. The proposed development is considered acceptable as a whole and is therefore recommended for approval.

### **Community impact statement**

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

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

### **Consultations**

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

### **Consultation replies**

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

### **Human rights implications**

- 38 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.

- 39 This application has the legitimate aim of providing additional living 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

N/A

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/208-29  Application file: 12/AP/0395  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 3602 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
Appendix 3	Original neighbour consultee list

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Michael Mowbray, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	17 April	
<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 Planning	Yes	Yes
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to Constitutional Team</b>		27 April 2012

**Consultation undertaken**

**Site notice date:** 23rd February 2012

**Press notice date:** 1st March 2012

**Case officer site visit date:** 23rd February 2012

**Neighbour consultation letters sent:** 23rd February/21 March 2012

**Internal services consulted:**

Design and Conservation Team  
Archaeology Officer

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

Thames Water  
Environment agency

**Neighbours and local groups consulted:**

See Acoalid list in Appendix 3

**Re-consultation:**

Additional neighbour consultees sent out to residents in adjacent Canvas House development who were not included in original consultation process.



### Consultation responses received

#### Statutory and non-statutory organisations

Thames Water:

Recommended the fitting of a non-return valve to avoid the risk of back flow in storm conditions. Also recommended that the applicant contact Thames Water to discuss the ownership status of their sewage pipes in order to allow access for future maintenance should the proposed works change the current access situation.

Environment Agency:

No comments received.

#### Neighbours and local groups

A total of 8 letters of objection were received from adjacent and adjoining residents to the site. The objections raised the following points of concern:

- The potential loss of light to openings to the rear of No 28 Curlew Street.
- Potential overlooking from new openings onto the rear curtilage area of 28 Curlew Street.
- Potential overbearing impact upon residential properties which form part of the Thames Heights and Canvas House developments.
- The potential impact upon the Barclays/TFL cycle hire scheme, a station of which is situated opposite to the site.
- The design, in addition to the previously permitted alterations would lead to the loss of the character of the main dwelling.
- The disposal of the spoil from the excavation of the basement and the potential impact upon Curlew Street and the users of this highway.
- The stalling and inconvenience to neighbours of the works should the application be subject to archaeological assessments.
- The structural integrity of the excavation of a basement on the rest of the building and the neighbouring properties.

Objections were received from residents in the following addresses:

3 Canvas House  
5 Canvas House  
Canvas House  
7 Canvas House  
18A Thames Heights  
2 Thames Heights  
28 Curlew Street  
30 Curlew Street

## Original neighbour consultee list

## Neighbour Consultee List for Application Reg. No. 12-AP-0395

<b>TP No</b>	TP/208-29	<b>Site</b>	29 CURLEW STREET, LONDON, SE1 2ND
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
23/02/2012	18 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	19 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	20 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	17 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	18A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	15 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	16 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	21 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	FIFTH FLOOR INDIA HOUSE 45 CURLEW STREET LONDON SE1 2ND
23/02/2012	BASEMENT GROUND FLOOR AND MEZZANINE FLOOR 32 CURLEW STREET LONDON SE1 2ND
23/02/2012	25 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	22 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	23 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	13 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	2 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	3 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	1 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 CURLEW STREET LONDON SE1 2ND
23/02/2012	30 CURLEW STREET LONDON SE1 2ND
23/02/2012	5 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	10 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	11 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	12 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	9 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	6 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	7 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB

## Neighbour reconsultation list

<b>TP No</b>	TP/208-29	<b>Site</b>	29 CURLEW STREET, LONDON, SE1 2ND
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
21/03/2012	FLAT 3 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	1 THE CANVAS HOUSE JUBILEE YARD QUEEN ELIZABETH STREET LONDON SE1 2LP
21/03/2012	FLAT 4 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 7 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 6 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 5 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL