

Item No. 6.3	Classification: Open	Date: 10 July 2012	Meeting Name: Planning Sub-Committee Sub B
Report title:	Development Management planning application: Application 11-AP-4229 for: Full Planning Permission Address: 9 COLLEGE ROAD, LONDON, SE21 7BQ Proposal: First floor extension over existing garage, a single storey rear extension; extended conservatory and terrace at second floor level with new small terrace at first floor. Installation of solar PV and thermal panels on the roof.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 13 January 2012		Application Expiry Date 09 March 2012	

RECOMMENDATION

- 1 Grant planning permission, subject to conditions.

BACKGROUND INFORMATION

- 2 This item is being brought before Members as the item has been called in to Subcommittee by two Ward Councillors and this has been agreed by the Chair of planning committee.

Site location and description

- 3 The application dwelling is a substantial property accessed from a private road off College Road. The house forms part of a pair of modern houses, Park and Pond Houses. Park House comprises a part two storey, part three storey dwelling house linked only at ground floor level with Pond House. Both houses have very distinctive atrium designs. Park House is bounded by Dulwich Park on its eastern boundary, the rear gardens of nos. 6 and 7 Frank Dixon Way to the south and Pond House and gardens to the west.
- 4 The dwelling lies within the Dulwich Wood Conservation Area and is within Metropolitan Open Land. It lies on the periphery of Dulwich Park which is designated both as a grade II registered park and garden and Metropolitan Open Land. There are a number of Grade II listed buildings close to the site including nos 11, 13 and 15 College Road that adjoin the access road leading to the property with nos 23, Bell Lodge and the Grade II* Listed Bell House which is slightly further away.

Details of proposal

- 5 Planning permission is sought to extend Park House with extensions on the ground and first floors. The ground floor extension can be read as two parts, the extension of

the garage both to the front and extending in the space to the rear. The extension to the front would not breach the existing building line and would measure 2 metres deep and 3.2 metres in width.

- 6 The single storey extension beyond the garage would measure 8.3 metres deep, 5.9 metres wide and 4 metres high. It would be located immediately behind the garage and utility room on the ground floor. This would form a new garden room in floor to ceiling glazing. The wall with the boundary of Dulwich Park would be in a dark grey painted render to match the existing boundary treatment.
- 7 The proposed first floor extension would be located above the existing garage and comprise a depth of approximately 13.5 metres on the boundary with Dulwich Park and 11 metres on the side of the original dwelling leaving a triangular terrace area to the rear overlooking the garden. The extension would infill the space between the house and the boundary.
- 8 The existing second floor conservatory would be squared off with a 2 metre x 2 metre addition to the existing roof terrace. The roof of the first floor extension would be used to provide an additional terrace area to the side of the house which would be accessed by steps from the existing second floor terrace.
- 9 The flat roof of the main house would be used to house photo-voltaic and solar thermal panels and up to 4 air source heat pump units, these will be set back up to 1.5 metres from the edge of the roof to limit their visual impact.

Planning history

- 10 Planning permission was granted 8/07/2002 02/AP/0927 for the demolition of two existing houses and the erection of two part 2 part 3 storey houses with basement.
- 11 Conservation Area Consent was granted 5/08/2002 for the demolition of all buildings on the site.

Planning history of adjoining sites

- 12 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 13 The main issues to be considered in respect of this application are:
 - a) the impact of the proposed extensions upon the park and the Dulwich Wood Conservation Area.
 - b) the impact of the proposed development upon the residential amenity of the surrounding dwellings.
 - c) the impact of the proposal upon Metropolitan Open Land.
 - d) the impact of the proposal upon the listed buildings

Planning policy

Core Strategy 2011

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

Southwark Plan 2007 (July) - saved policies

- 15 3.2 Protection of amenity
3.4 Energy efficiency
3.12 Quality in design
3.15 Conservation of the historic environment
3.16 Conservation areas
3.18 Setting of listed buildings, conservation areas and world historic sites
3.25 Metropolitan open land

National Planning Policy Framework

- 16 11. Conserving the natural environment
12. Conserving the historic environment

Principle of development

- 17 The property is within the Dulwich Wood Conservation Area and within designated Metropolitan Open Land (MOL). Whilst it is acceptable to extend dwellings within conservation areas, subject to amenity and design considerations, development within Metropolitan Open Land is far more restrictive. Saved Policy 3.25 states that there is a general presumption against inappropriate development on Metropolitan Open Land. Of relevance to this application is sub section iii of policy 3.25: 'Extension of or alteration to an existing dwelling', which is in principle considered to be acceptable providing that it does not result in disproportionate additions over and above the size of the original building.
- 18 The reasoning behind this policy is to protect the openness of MOL, particularly in areas of development pressure, and to protect existing open space. It is considered that the proposed extensions, whilst fairly substantial, would remain subservient to the original dwelling. Further, although the development is located on MOL land, it is part of a residential garden, not open to public use or views. The extensions to the house would not undermine the MOL policy nor harm its character and function. On balance, the proposal is considered acceptable in terms of MOL policy.

Environmental impact assessment

- 19 Not required for a scheme of this nature.

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

- 20 The extension would be within close proximity to Dulwich Park and could be viewed from within the park and from the residential properties to the rear of the site on Frank Dixon Way.
- 21 The park side the boundary is well screened with trees and thick vegetation, although it is appreciated there would be more visibility during the winter months. Dulwich Park is surrounded by dwellings along most of its boundary, but they are generally set off the boundary and do not impinge directly on the space.
- 22 The existing house already extends along the boundary with the park at ground floor level. Further extension here is not considered to impact the park as it would have limited visibility from within the park. At first floor level, the extension would sit on the

park boundary but would be well screened, and it is not considered harmful to the setting of the park. At second floor level, the conservatory is squared off but this work is of a minor nature and set off the park boundary. A framelass glass balustrade along the edge of the proposed first floor extension, creating a terrace at this level, would have little visual impact on views from the park.

- 23 The proposed works would not give rise to any loss of light, outlook or overshadowing of existing dwellings, due to the location and setting of the application property which sits within a substantial rear garden of over 30 metres in depth from the boundary with the properties on Frank Dixon Way. It is obscured by the properties on College Road by the hidden from the boundaries with

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

- 24 The use of the property will remain residential. It is acknowledged that the proposal would have an impact visually when viewed from the park, and the extension of the terrace area to the side will result in a greater degree of overlooking from first floor level into the park. It is noted that the proximity of the terrace and extension could be considered as a blight on the peaceful rural character of the park. Notwithstanding, the park is an extensive space and the impacts from the extension and terrace would be confined to an area on the periphery, close to the main gates. On balance, the impact of the residential extension is not considered to undermine the general use and enjoyment of Dulwich Park.

Design issues

- 25 The proposal would harmonise with the scale, height and materials of the original dwelling and is considered complementary to this bold contemporary design. The extensions, in particular, would remain subservient to the building and would not compromise the original design by setting back from the front elevation at first floor, and with an offset rear garden room. Generally, there does appear continuity in design, materials and detailing.
- 26 The solar panels and other plant on the roof are acceptable, as they are sufficiently set back such that should not interfere with the clean skyline and 'gull-wing' roof-form. The roof is already used for plant housing. Whilst there may be glimpses of plant from particular viewpoints this is not considered to be incongruous to the appearance of the building.

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

- 27 The proposal is considered to preserve the historic built environment on College Road and Frank Dixon Close. The scale and height of first floor would not be overtly prominent or visually detrimental given the significant distances to surrounding properties and screening by both Pond House and surrounding mature planting.
- 28 The flank of the first floor extension, whilst visible from Dulwich Park, would be partially screened by nearby trees and is not significantly more intrusive than the existing situation, other than the balustrade which may reflect sunlight in the morning drawing the eye, and blankness of this facade. Notwithstanding this, there are existing views of dwellings backing onto the park and these are not considered visually dominant or invasive. The extensions would not detract from the openness of Dulwich Park or that of Dulwich Wood Conservation Area. Accordingly the proposal is considered to preserve the historic built environment and the open greened character and appearance of Dulwich Park and Dulwich Wood conservation area.

Impact on trees

- 29 The applicant has submitted an Arboricultural Report and a Tree Protection plan which shows measures to retain trees and prevent damage that could result during construction.
- 30 Protection measures are well designed and include the installation of no-dig surfaces for plant access and hand digging for trial pits to determine the location of piles. These will allow construction to proceed with minimal risk of damage during development. The tree protection method statement follows site management processes described in BS 5837 Trees in relation to construction.
- 31 It is considered that the information submitted adequately details how trees will be protected from damage during construction and therefore no objections are raised subject to conditions.

Planning obligations (S.106 undertaking or agreement)

- 32 The proposal is below the threshold for contributions.

Sustainable development implications

- 33 The proposed works include renewable energy sources to be retrofitted to the dwelling. These would comprise photo-voltaic panels, solar thermal panels and air source heat pumps, these would be located on the existing flat roof of the building and set in on all sides by 1.5 metres to minimise its visual impact. The use of alternative energy sources to be employed within the building is welcomed.

Other matters

- 34 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 35 The proposed development would not be CIL liable as the amount of new floorspace created would be under the threshold of 100 sq. metres.

Conclusion on planning issues

- 36 There have been a number of objections raised around the visual impact of the proposed first floor extensions and roof terrace upon park users and neighbouring dwellings. The proposed extensions have been deliberately located to the park side so as to minimise impacts upon neighbours. The first floor element which has given rise to the most objection would not extend beyond the existing rear building line and it is not considered that this would overlook dwellings to a such degree that it would constitute harm to surrounding neighbours. The provision of plant on the roof would be set back, and whilst visible from certain points, the benefit from use of green energy is considered to offset the potential visual impacts. There are also concerns raised around the impact to users of the park. It is acknowledged that there would be an impact on views from the park at this point, however given the location of a dwelling on the periphery of the MOL designated land, it is not considered that the proposal would undermine the character or enjoyment of the park and it is considered that the work would fall within a category of appropriate development.

- 37 Having regard to the objections made, and the assessment of policy and guidance, it is recommended that planning permission be granted.

Community impact statement

- 38 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 as above.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

- 41 Eight objections received on grounds of impact of the additional extensions and terraces on the adjoining properties through loss of privacy. Objection to the provision of plant on the roof creating a visual eyesore. Concern raised around the impact of the development through visual intrusion on park users from overlooking to the park.

One letter of support - Likes the design.

42

Human rights implications

- 43 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.

- 44 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

- 45 N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2084-9 Application file: 11-AP-4229 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: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Sonia Watson, Planning - Team Leader Team 1 East	
Version	Final	
Dated	19 June 2012	
Key Decision	Grant Planning Permission	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Deputy Chief Executive's Dept	Yes	Yes
Strategic Director of Environment and Leisure	No	No
Date final report sent to Constitutional Team	28 June 2012	

Consultation undertaken

Site notice date: 03/02/2012

Press notice date: 02.02.2012

Case officer site visit date: 03/02/2012

Neighbour consultation letters sent: 24/01/2012

Statutory and non-statutory organisations consulted:

N/A

Neighbours and local groups consulted:

7 FRANK DIXON CLOSE LONDON SE21 7BD
9A COLLEGE ROAD LONDON SE21 7BQ
5 FRANK DIXON CLOSE LONDON SE21 7BD

Dulwich Society
Friends of Dulwich Park

Re-consultation:

N/A

Consultation responses received

Internal services

Urban Forester - It is considered that the information submitted adequately details how trees will be protected from damage during construction and therefore no objections are raised subject to conditions.

Statutory and non-statutory organisations

N/A

Neighbours and local groups

9 Rollscourt Ave - Objects due to lack of consultation on park users, scheme would be very intrusive to park users and screening should be put in place. Plant on the roof would be ugly.

Via e-mail no address given - Objects to the visual intrusion into the park from roof terrace and impact on neighbouring properties.

6 Frank Dixon Way - Supports ground floor garden room, but objects to any form of window or door on the sought side of the proposed first floor bedroom and objects to the creation of a new terrace. The proposed first floor bedroom would have direct views into the kitchen and three bedrooms of our house. The proposed first floor terrace would have direct views into our garden and into three bedrooms on the north side of the property. Support the solar panels on the roof but only if not visible from within our property, support internal works to the basement.

Do not feel the design and access statement accurately depicts the relationship between the two houses.

8 Frank Dixon Way - Objects, there is currently an impeded view between 8 Frank Dixon Close and Park House at first floor level, no objections raised to the ground floor extension, but object to the proposed first floor terrace which would directly face Frank Dixon Close and lead to a loss of privacy at that level. The plant on the roof would be an eyesore out of keeping with the surroundings.

21 College Road - There should have been more consultation. The glazing combined with the aluminium cladding make the structure unpleasantly reflective in the sunshine with high levels of light pollution in the evenings. The further terraces proposed will exacerbate the intrusion of the existing building on the surroundings. In addition a conservatory at second storey height would increase levels of light pollution. The positioning of a home energy centre on the roof will detract from the present clean lines of the property, nor is there mention of noise pollution resulting from this equipment. The existing building does not harmonise with character of the area, and is of a size and scale that is visually dominate. To add an extension would exacerbate these effects both from the park and neighbours' view.

11 College Road - Objects as properties abut onto the rear of back garden and overlook the rear of the house. Any increase will intrude more on the existing rural atmosphere of the area. The houses are very visible to the surrounding area additional mass on an already substantial building will decrease the rural atmosphere of the park.

36 Calton Avenue - Objects it would be inappropriate to have further building and glass above the ground level storey, this would compromise the amenity of the park for visitors. Entertaining in the view of the park would be irritating for walkers.

57 Danecroft Road - Support, the houses at 9 College Road are of high quality and are examples of contemporary architecture at its best.

Dulwich Society - Objects to the first floor extension which would increase the mass of the original building such that it could not be construed as a subordinate addition. Further it is considered a disproportionate addition onto Metropolitan Open Land.

Visual impact upon Dulwich Park, contrary to the applicants statement the impact of the first floor extension on the park would be very noticeable, both in terms of massing and through the use of the roof terrace with people overlooking the park.