Item No. 7.1	Classification: OPEN	Date: 11 Septe	mber 2012	Meeting Name: Planning Sub Committee B
Report title:	Development Management planning application: Application 12/AP/0395 for: Full Planning Permission Address: 29 CURLEW STREET, LONDON, SE1 2ND Proposal: Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level and modifications to the Curlew Street and rear elevations.			
Ward(s) or groups affected:	Riverside			
From:	Head of Development Management			
Application Start Date 13 February 2012 Application Expiry			n Expiry Date 9 April 2012	

RECOMMENDATION

1 Grant permission subject to conditions.

BACKGROUND INFORMATION

2 The application is brought before the planning sub-committee having been deferred from the last Bermondsey community council.

Members required further information on:

- Consultation
- Site visit to neighbouring properties
- Review of planning history has an application been refused previously?
- What information is required for basement extensions in City of Westminster
- a) There were two rounds of consultation 23 February 2012 involving properties in Gainsford Street and Curlew Street and a follow up round on 21 March 2012 when it came to light that properties in Canvas House has not been identified for consultation due to an error on the GIS system. There is a record of a further consultation on 1 May 2012, which was after the letters of notification of the community council meeting were sent (27 April 2012), but it appears that these letters were sent in error. A final round of re consultation has been undertaken following the recent submission of revised plans.
- b) The case officer has undertaken a site visit to neighbouring properties. Whilst this was helpful, it has not changed the assessment that the proposed development is acceptable.

- c) A previous application 11-ap-2151 was withdrawn prior to a decision being made.
- d) Westminster City Council require a construction method statement, with specific details of subsoil, ground water, method of excavation, details of temporary supports and sequence of construction for applications involving basement extensions, where these need planning permission. Members were previously advised that this basement extension would, in officer's view, be permitted development. How the basement extension is to be constructed is a matter for building control.
- 7 Since the previous community council meeting, the plans have been revised to reduce the size of the proposed basement to a wine cellar located beneath the kitchen, towards the rear of the site.

Site location and description

- 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.
- 9 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 multistorey car park situated opposite to the site with office buildings also in the vicinity.
- 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

- 11 The original application was for 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.
- The basement extension was originally proposed to provide space for a gym, wine cellar area and a small ancillary workshop. This has subsequently been removed from the proposal (since the last committee meeting) and replaced with a wine cellar which would be accessed from what would become the kitchen area.
- The application still proposes to alter the front elevation removing the glass frontage and the building up off the existing wall to the existing roof ridge. The dwelling would be converted into a single bedroom property with a library/study area situated to the first floor.
- The proposed 2nd floor rear extension would extend out by 2m approximately at a maximum width of 5m running along the boundary with No 28 Curlew Street and set in from the boundary with No 30 by 1.5m approximately. This would allow space for an additional bathroom.
- 15 It is noted that 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

16 **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

17 **07-AP-1678**

Erection of an additional floor to provide additional living accommodation to existing dwelling house.

Approved: November 2007

18 **07-AP-0562**

Erection of additional two floors with roof terrace

Withdrawn: June 2007

19 **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

20 None identified.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 21 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

22 Strategic Policy 12 'Design and conservation'

Strategic Policy 13 'High environmental standards'

Southwark Plan 2007 (July) - saved policies

- 23 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

24 Policy 7.4 'Local character'

Policy 7.6 'Architecture'

National Planning Policy Framework

The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Governments commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.

Chapter 12 Conserving and Enhancing the Historic Environment

Principle of development

26 The extension to a residential dwelling raises no land use issues.

Environmental impact assessment

27 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

- 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.
- 29 No.28 Curlew Street adjoins the application site immediately to the south west. 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. The pattern of the sun would travel to the south of this dwelling therefore no loss of sunlight would be experienced as a result of the Given the positioning of the lower two level rear openings it is development. considered that the addition of the 2nd floor extension would not adversely impact upon the property through loss of light. The lower level openings i.e. ground and first floor already experience limited light which would not be greatly exacerbated by the introduction of a 2m extension. The lightwell receives light largely from a vertical direction which would not be affected by the extension. As this is not a significant length of extension or excessive in height (i.e. 2.4m), adequate light would be afforded to the property from a north westerly direction and vertically. 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. A site visit was carried out at this property where views from the windows in question were assessed. 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.
- 30 On the opposite side of the application site is No 30 Curlew Street which lies to the north of the site. Due to the position of the rear protruding section from the application site, the ground and first floor rear windows of No .30 are already partially obscured.

- 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 significant loss of light to the 2nd floor opening of the dwelling. Given the relative scale of the proposed extension and its position in relation to the neighbouring property, it is not considered that any loss of outlook would occur to the detriment of the amenity of this property.
- 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. Again a site visit has been carried out at this property.
- 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 to be fitted into all openings of the extension. 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. 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.
- 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.
- 35 Site visits were also carried out at Nos. 5A Canvas House and 18a Thames Heights. Regarding 5A Canvas House, due to the positioning of the proposed extension, the nearest corner would be situated approximately 6m from the corner of the host building. Again this property is south facing in relation to the application property. The development would not therefore lead to a loss of light which would be detrimental to the amenity of the property. The extension would not exceed the height of the main building and as the view from the east facing window is of the application property and the neighbouring dwelling, no significant outlook would be lost as a result of the extension.
- Regarding the impact from 18A Thames Heights, the application site does lie to the south of this dwelling. However as this dwelling is situated slightly above the proposal site, it is not considered that significant light would be lost to the property as a result of the proposed development. Also given the modest scale of the development and its lowered position, the extension would not lead to a loss of outlook which would be detrimental to the amenity of this neighbouring residential property.
- 37 In general terms it is considered that the proposed extension is to a reasonable scale which would not lead to a loss of light or outlook from the neighbouring dwellings and with a condition in place requiring obscure glazing to the bathroom extension, no loss of privacy would occur.

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

Traffic issues

39 Concern has been raised by residents regarding the restricted parking provision at the site and how this could impact upon access around the site during the construction process. The proposed works are, however, not large in scale and with the omission of the originally proposed basement level, the excavation works would be significantly reduced. The works are not therefore considered significant enough to merit the submission for approval of a construction management plan. There may be some temporary disruption as a result of the construction process should permission be granted. This is however a standard consequence of both minor and major works in all development.

Design issues

- The proposed front facade would remove the existing glass frontage at the top and it is also proposed 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.
- 41 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 timber which is a more appropriate and traditional material in a conservation area.

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

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 appearance 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 preserve 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

43 None

Planning obligations (S.106 undertaking or agreement)

44 Not required.

Sustainable development implications

45 None identified

Other matters

<u>Archaeology</u>

- 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 wine cellar and also details of opportunities when archaeological excavation and recording can be carried out during the work.
- 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.
- 48 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

It is considered that the modest scale extension to the 2nd floor of the existing dwelling 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. The proposed development is considered acceptable as a whole and is therefore recommended for approval.

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.
 - 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

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

Consultation replies

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

Human rights implications

- 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.
- 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

Director of Legal Services

55 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/208-29	Regeneration and	Planning enquiries telephone:
	Neighbourhoods	020 7525 5403
Application file: 12/AP/0395	Department	Planning enquiries email:
	160 Tooley Street	planning.enquiries@southwark.gov
Southwark Local Development	London	<u>.uk</u>
Framework and Development	SE1 2TZ	Case officer telephone:
Plan Documents		020 7525 3602
		Council website:
		www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbourhood consultee list
Appendix 4	Previous report – Bermondsey community council
Appendix 5	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management		
Report Author	Michael Mowbray, Planning Officer		
Version	Final		
Dated	14 June 2012		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments included
Director of Legal Services		No	No
Acting Director of Planning		Yes	Yes
Strategic Director of Environment and Leisure		No	No
Date final report sent to Constitutional T		Team	29 August 2012

Consultation undertaken

Site notice date: 23rd February 2012

Press notice date: 1st March 2012

Case officer site visit date: 23rd February 2012. 2nd visit 7th June 2012

Neighbour consultation letters sent: 23 February/21 March 2012/3 June 2012

Statutory and non-statutory organisations consulted:

Thames Water Environment agency

Neighbours and local groups consulted:

See Acolaid list in Appendix 3

Re-consultation:

Additional neighbour consultees sent out to residents in adjacent Canvas House development on 21st March 2012 who were not included in original consultation process.

Additional consultee letters were sent out on 3rd June 2012 making residents aware of the submission of the amended plans showing the reduction in the basement level extension.

A further set of consultation letters was sent to residents mainly in the Thames Heights development on 18th June 2012. See Appendix 3 below.

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 9 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 30 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:

Flat 3 Canvas House
Flat 5 Canvas House
Flat 7 Canvas House
2 No. Unknown number Canvas House
Flat 18A Thames Heights
Flat 2 Thames Heights
28 Curlew Street
30 Curlew Street

Additional responses

Four further objections were received from the following addresses with one response from the 'Right of Light Consulting' group on behalf of 28 Curlew Street:

28 Curlew Street 30 Curlew Street Flat 5 Canvas House Flat 8 Thames Heights

The letters raised the following concerns:

- Potential invasion of privacy due to positioning of second floor rear extension in relation to 8 Thames Heights.
- Loss of light to flat 5 Canvas House having an adverse impact upon the residential amenity currently enjoyed at the property. Also concern regarding the lack of a sunlight/daylight assessment submitted with the application.
- Concerns regarding structural integrity of the proposed wine cellar.
- Noise and disruption of works causing inconvenience to neighbours.
- Loss of Daylight to 28 Curlew Street especially to rear facing openings.
- Modern design of the proposed extension in relation to the existing building.

Neighbour consultee list

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

18/06/2012	22 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	23 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	25 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	28 Thames Heights 52-54 Gainsford Street London SE15 2NB
18/06/2012	5th floor India House 45 Curlew Street London SE1 2ND
18/06/2012	Basement, Ground floor and mezzanine floor 32 Curlew Street London SE1 2ND