

<b>Item no.</b>  <b>1.2</b>  <b>Proposal (09AP0033)</b>  Addition of 75cm to rear of side extension and the addition of skylight: amendment to planning permission 07-AP-1036 granted at appeal on 9th July 2008 for ground floor extension to provide additional residential accommodation.	<b>Classification</b>  OPEN	<b>Decision Level</b>  DULWICH COMMUNITY COUNCIL  <b>Address</b>  21 FRANK DIXON WAY, LONDON, SE21 7ET  <b>Ward Village</b>	<b>Date</b>  07/09/09
<b>From</b>  HEAD OF DEVELOPMENT MANAGEMENT		<b>Title of Report</b>  DEVELOPMENT MANAGEMENT	

### **PURPOSE**

- 1 This item was deferred from the meeting of 7 May in order that a site visit could be arranged to view the site from no. 21 and from the adjoining property at no. 22. A site visit took place on 16 July and was attended by Cllrs Crookshank-Hilton, Robinson and Mitchell. The item is now referred back to Members of the Dulwich Community Council for decision. The original report is amended to incorporate revisions to the proposal and additional consultations undertaken.

### **RECOMMENDATION**

- 2 Grant planning permission

### **BACKGROUND**

#### **Site location and description**

- 3 The proposal concerns a large detached dwellinghouse on the eastern side of Frank Dixon Way. The surrounding area is characterised by detached properties of a similar style to the application site. They are all set back from the road and vary in design and detailing from property to property.

The application site is located within the Dulwich Wood Conservation Area. The building is not listed.

#### **Details of proposal**

- 4 The proposal seeks the addition of 0.75m to rear of the side extension which was approved by the planning inspector in July 2008. The proposal has been amended from the original submission with the reduction of the height of the proposed side extension so that it would not exceed the height of the existing single storey structure on the side of the building. In addition the rear elevation of the proposed side extension has a double instead of a single window and the proposed door on the side elevation of the main house is replaced by a window. A skylight is proposed on a rear roof slope.

#### **Planning history**

- 5 07AP1036 - Single storey side and rear extensions to dwellinghouse, to provide additional residential accommodation – Granted appeal on 09/07/08

06AP1414 - Erection of single storey side extensions and alterations to windows of dwellinghouse, to provide additional residential accommodation – Application withdrawn

06AP0230 - Demolition of existing outbuilding and construction of single storey side extension to dwellinghouse to provide additional residential accommodation – Planning permission refused.

**Planning history of adjoining sites**

6 None of relevance to this application

**FACTORS FOR CONSIDERATION**

**Main Issues**

7 The main issues in this case are:

a] the principle of the development in terms of land use and conformity with strategic policies.

b] the impact of the proposal on the Conservation Area

c] the impact on residential amenity.

**Planning Policy**

8 Southwark Plan 2007 [July]  
3.2 - Protection of Amenity  
3.12 - Quality in Design  
3.13 - Urban Design  
3.15 - Conservation of the Historic Environment  
3.16 - Conservation Areas

SPD - Residential Design Standards 2008

**Consultations**

9 Site notice date:  
30 January 2009

Press notice date:  
29 January 2009

Neighbour consultation letters sent:  
30 January 2009

Case officer site visit date:  
25 February 2009

10 Internal consultees  
Design and Conservation Team

Statutory and non-statutory consultees  
N/A

11 Neighbour consultees

Lukyns, Frank Dixon Way  
Cypress Tree House  
Richmond Lodge  
11, 12, 13, 19, 20, 22, 23 Frank Dixon Way

Re-consultation  
29/06/2009

### **Consultation replies**

12 Internal consultees

Design and Conservation Team

'The proposal to extend the consented side extension by 750mm to the rear of the property poses no further harm to the Character of the Conservation Area than the current consented scheme.

13 The proposed additional space is located to the side and rear of the ground floor, is no taller than the consented side extension, will not be visible from the street, and aligns the proposed extension with an existing adjacent side extension.

14 Design & Conservation Officers raise no objections to this proposal.

15 Statutory and non-statutory consultees

N/A

Neighbour consultees

16 3 responses received

23 Frank Dixon Way - objection

-the proposal would infill the detached properties (21 and 22)

17 22 Frank Dixon Way - objection

-Impact on existing window

Furthering the extension would place it firmly in view of our window, affecting its light and amenity, and deepen the damage to the sunny, open quality that we currently enjoy on the south-facing part of our terrace – the only part of our terrace to benefit from late afternoon and evening sun. The increase in roof height by nearly 40cm to 2975mms on the side extension increases its overbearing impact and will materially reduce the views and access to light from this, our only ground floor window on our south-facing wall.

Overall impact of approved rear extension and new proposal

While the impact of the proposed extension is of itself substantive, the newly proposed extension has also to be considered in combination with the impact of the rear extension of the house which goes back a further 3000mm at a height of 2975mm directly visible from all our side windows. On its own this will already have a significant impact on the view from and access of light to the drawing room window.

However, we were prepared in the previous application to accept the rear extension, despite its significant impact on us, only on the understanding that the side extension would be kept to 75cms from the corner of our wall just before our side window comes to view.

Impact on patio

On the Woofs' appeal, the third party commentator, J & L Planning Services argued that, "the siting of the proposed extension away from each boundary

with the retention of side space, together with the retention of the proportions of the openness of the garden area, ensures that the appeal would not be visually dominant.” Unfortunately, this augmented side extension would not retain the side space and make this application visually dominant with an overwhelming effect in respect of the enjoyment of light and amenity to our side patio.

#### Addition of new door opposite existing drawing room window

We further object to the addition of a side door to these plans – directly opposite the window concerned -- as it will greatly increase the people traffic and noise impact on us. We already conceded to a number of large windows facing our property on the original proposal, but a door is a further invasion of our privacy. This door, being the easiest to open and only practical one in cool weather, will likely become the principal thoroughfare into the garden through most of the year. Currently the main garden door is located in the centre of the house. The Woofs are keen gardeners and have an energetic seven year-old boy and undoubtedly frequent communication between house and garden would certainly disturb the peacefulness on our side. As we have conceded to very large windows on the previous plan, it is rather unfair to add the primary utility door to the garden on our side.

Their current door on their side return is not directly accessible from their living spaces; it has an intervening door before garden access and is rarely used. In fact, an alternative solution could echo their current arrangement by adding an internal door to their garage so they can use that new back door for garden access.

#### Addition of sky-light

Finally we object to the additional substantial sky-light, as extending above the extension roof at this height, it clearly would add to the height and overall visual dominance of this now considerable side extension.

- 18 11 Frank Dixon Way - objection  
- the proposal is contrary to the Council's policy on the protection of amenity.  
- the proposal does not preserve the character of the conservation area.

#### Re-consultation

- 19 22 Frank Dixon Way - Objection, welcome the changes in the recent plans, but the objection to the extension remains particularly in view of the combined impact of the large single storey rear extension.
- 20 Specific concern is raised to the amount of glazing to the northern elevation of the extension and the ability for occupants to gain views into the living accommodation of no. 22. The use of inappropriate materials for the proposed extension, the loss of light and privacy to the sitting room of no. 22. The visually dominating impact on the patio space and general loss of amenity to this the enjoyment of this part of the garden. The negative impact the proposed extension would have upon the Dulwich Wood conservation area.
- 21 12 Frank Dixon Way - Generally in support concern raised about the use of large vehicles along Frank Dixon Way and the damage to the road.

## **PLANNING CONSIDERATIONS**

### **Principle of development**

- 22 The principle of extending a residential property to increase residential accommodation is acceptable in principle provided the proposed development is in accordance with all relevant Council policies.

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

- 23 Loss of light to the living area of no. 22  
Specific concern is raised about the impact of the increased single storey extension and the potential loss of light to the window on the side on the southern elevation facing onto the proposed extension. It was noted from the site visit that this was a secondary window to a large room which benefitted from glazing to the rear. It is acknowledged that there would be a loss of daylight and sunlight to this window, however as this is not the sole source of light to this part of the house, the level of daylight and sunlight received to the room would not breach the guidelines in respect of daylight and sunlight. Further the main cause of any loss of light to this window would be from the rear extension at no. 21 for which permission has already been granted.
- 24 Loss of privacy to the sitting room of no. 22  
The proposed amendment would not have a detrimental impact on the privacy of the adjoining property. Facing directly opposite the no. 22 the window configuration would remain the same. Looking toward the garden there would be an additional window. In this respect it is not considered that there would be an increased visual intrusion through loss of privacy as a result of the proposed extension. The objection on the grounds of privacy is specific to the rear extension which contains a fixed glazed panel on the side elevation looking toward no. 22. This was approved at appeal and is not for consideration as part of this application.
- 25 Loss of outlook  
Concern is raised around the impact of the proposed extension on the outlook from the sitting room of the adjoining property. The proposed extension extends up to but not beyond the side elevation window of number 22. Whilst it would be visible from certain parts of the room it is not considered that it would result in a harmful impact upon the outlook from this window.
- 26 Use of materials  
In line with the planning inspector's decision on the previous scheme; a condition was imposed in respect of the proposed materials to be used, as this condition remains outstanding it is suggested that a similar condition be added should planning permission be granted. This will ensure a consistency of material types, appropriate to the dwelling and the conservation area.
- 27 Impact on the patio area of no 22  
Concern has been raised around the loss of light, visual domination and increased water fall out on the side patio area of no 22. The building is now no higher than the existing structure whilst the extension would be deeper, it is not considered that the addition would be harmful to enjoyment of the adjoining patio area. With regard to the water fall off it is suggested that a condition requiring the installation of a water butt to reduce water fall off and encourage grey water recycling.

## **Design issues and impact on character and setting of a listed building and/or conservation area**

- 28 The proposed alterations have been carefully designed to follow the original building line and respect the original architectural form of the building. Both are subservient to the original structure with proportions to match the current approved scheme.
- 29 The alterations are relatively small and cannot be seen from the public domain therefore it is considered that the Dulwich Wood Conservation Area would be preserved.

### **Conclusion**

- 30 The proposal is for a small increase to the side extension. During the course of the application amendments have been made reducing the height and altering the openings to overcome some of the objections raised by the neighbour. It is noted that whilst these have dealt with some of the concerns, the neighbour remains concerned around the overall level of extension proposed to the above property. The Council has some sympathy with this, however in the light of the recent appeal decision which granted the bulk of the extensions to the property, (which in the Council's opinion were more harmful) the additional 75cm to the side not sufficient to sustain a reason for refusal. Further the proposed amendment is generally in line with Council policy and supplementary guidance and would not have a significantly detrimental impact on the amenity of neighbouring properties or the character and appearance of the conservation area. It is therefore recommended that planning permission be granted subject to conditions.

### **COMMUNITY IMPACT STATEMENT**

- 31 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.

### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

- 32 As the proposed extension would have a flat roof, a water butt is recommended to encourage grey water reuse.

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