

ITEM No. 2	Classification OPEN	Decision Level Dulwich Community Council	Date 18/03/2010
From HEAD OF DEVELOPMENT MANAGEMENT		Title of Report DEVELOPMENT MANAGEMENT	
Proposal (09-AP-2403) Single storey side/rear extension to ground floor flat, providing additional residential accommodation .		Address 40A LACON ROAD, LONDON, SE22 9HE Ward East Dulwich	
Application Start Date 30/10/2009		Application Expiry Date	

PURPOSE

- 1 To consider the above application which has been brought before Dulwich Community Council due to the number of objections received.

RECOMMENDATION

- 2 Grant Permission

BACKGROUND

Site location and description

- 3 The site is located on the western side of Lacon Road. On site is a two-storey terraced dwelling with an outrigger to the rear. There is an existing single storey extension to the rear of the outrigger and this extension extends approximately 4.2m beyond the original extent of the property.
- 4 There is an existing set of rear doors which are accessed via steps from garden level. The site slopes slightly from east to west.
- 5 No. 38 Lacon Road has 3 windows which face directly towards the application site. All of these windows serve the kitchen/dining room of No. 38. In addition a rear window serving a living room has indirect views over the area of the proposed extension.

Details of proposal

- 6 It is proposed to construct a single storey rear extension to the side/rear of No. 40a Lacon Street. The maximum height of the extension is 2.8m and this drops to 2.2m at the boundary. The depth of the extension along the boundary is 8.8m. The extension is set off the boundary somewhat and steps in approx. 0.6 m from the boundary approximately halfway along it's length. The roof is a sloping roof save for a flat roof element directly adjoining the main rear elevation and adjacent to the rear outrigger elevation. The height of the flat roof element adjacent to the boundary with No. 38 is approximately 2.4m. Two rooflights are proposed for the sloping element of the roof. Two roof lights are also proposed for the flat roof elements of the proposed extension. Amended drawings were received on the 11/02/10 indicating additional dimensions and indicating the existing staircase accurately. An existing and proposed roofplan was also received.
- 7 Proposed materials are London Stock Brick to match existing and pitched slate roofing.

Planning history

- 8 40a Lacon Road - planning permission was REFUSED for the following development:
Erection of a single storey rear/side conservatory to ground floor flat for one reason
'The extension, by reason of its length and proximity to the neighbouring ground floor windows, would be an unneighbourly and overbearing form of development harmful to the amenities of the occupiers of the neighbouring property. The proposal is contrary to Policy E3.1 [Protection of Amenity] of the Southwark Unitary Development Plan'.
- 9 40 Lacon Road - TP/2627-40/DF
Permission granted for the Conversion of a single dwelling house into 2 self-contained flats at 40 Lacon Road, East Dulwich, London SE22.

Planning history of adjoining sites

- 10 No history on file.

FACTORS FOR CONSIDERATION

Main Issues

- 11 The main issues in this case are:
- 12 a] the principle of the development in terms of land use and conformity with strategic policies.
- 13 b] impact on the amenity of neighbouring residential properties
- 14 c] design issues

Planning Policy

- 15 Southwark Plan 2007 [July]
Policy 3.2 'Protection of Amenity'
Policy 3.12 'Quality in Design'
Policy 3.13 'Urban Design'
- 16 Residential Design Standards: Supplementary Planning Document (Sep 2008).

Consultations

- 17 Site notice date: 11/11/09 Press notice date: n/a
- 18 Neighbour consultation letters sent: 4/11/09
- 19 Case officer site visit date: 11/11/09
- 20 Internal consultees
None
- 21 Statutory and non-statutory consultees
None
- 22 Neighbour consultees

As per Appendix A

23 Re-consultation
None

Consultation replies

24 Internal consultees
n/a

25 Statutory and non-statutory consultees
n/a

26 Neighbour consultees
6 separate objections were received in relation to this application.

27 38 Lacon Road:
[The applicant has also submitted photographs to support his objection]

- Proposal is in breach of Residential Design Standards SPD
- Depth of the proposal is 4.4m from the rear of the main building therefore is 1.4m longer than the rear extension guidelines
- Creation of a sense of enclosure
- loss of daylight- reduction of light into the breakfast dining room
- loss of privacy
- loss of outlook to the main living dining and entertaining areas which face the proposed extension
- security concerns- proposed extension would create an easy point of access
- destruction of the mature pyracantha tree within the boundary of No. 38- Q16 on application form answered inaccurately
- light from velux windows would cause a nuisance to rear upstairs bedroom light from the skylight above the new toilet/bathroom shining into living room would create a visual nuisance
- There is an existing rear extension to the main building
- Rear section of 40 is already significantly longer than the rear of 38
- Windows to the side face the proposed extension
- Impact would be visually overbearing
- Overlooking will result from the extension
- Aspect from the dwelling is best feature of the house - would be obscured by the extension
- Previous refusal on this site
- The applicant has made reference to a previous application at 291 Lordship Lane to support this application. The objection letter sets out reasons why application is not similar.

28 20 Beauval Road
extension depth is greater than set out in the Residential Design Standards SPD
would create precedent
lack of parking - impact of construction traffic

29 118a Lordship Lane
extension depth is greater than set out in the Residential Design Standards SPD
would create precedent

30 36 Lacon Road
would create precedent for larger extensions
building of such extensions threatens to disturb privacy and results in overlooking

31

3 Lacon Road
traffic concerns
extension depth is greater than set out in the Residential Design Standards SPD
would create precedent

32

250a Crystal Palace Road
concerns in relation to depth of the extension
would create precedent

33

The applicant has submitted a response to the objections and the main issues raised are as follows:

proposal does not add additional length to extension

- current kitchen window is to be removed so overlooking will be reduced
- no adverse impact on daylight/sunlight levels
- extension is below line of site of living room
- security will not be worsened as there are timber stair to the rear of No. 40 that could allow access to the rear window of No. 38
- have offered to replace tree
- toilet window can be fully obscured
- previous application - proposal should be considered on it's merits

34

Re-consultation

None

PLANNING CONSIDERATIONS

Principle of development

35 The principle of a residential extension is acceptable in this case subject to compliance with relevant policies.

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

36 In relation to the impact on No. 38 Lacon Road, it is noted that there is an existing extension of 4.2m in depth to the rear of 40A Lacon Road. The proposed extension does not extend beyond this existing extension, although it is coming closer to the boundary. While it is stated in the Residential Design Standard Supplementary Planning Document that extensions should not extend more that 3m beyond the rear elevation it is not considered feasible or practical to apply this standard in this instance given the fact the existing extension extends a total of 4.2m in depth.

Loss of Sunlight/Daylight.

37

In relation to the living room which has a window facing to the rear of the property it is not considered that this room will suffer a loss of daylight/sunlight due to it's elevated position relative to the proposed extension.

38

In relation to the impact on the kitchen/dining room, it is likely that the two windows serving this room closest to the main rear elevation will experience some loss of daylight as a result of this extension. However there are three windows serving the dining room/kitchen on this side elevation as well as the patio doors serving the dining room to the rear. As such it is considered that the room would still be sufficiently served by daylight/sunlight.

39

Regard is had to the limited height of the extension at these locations. The flat roof element is 2.4m close to the boundary and the sloping roof element is 2.2m at eaves level. It is noted that the existing boundary treatment is 'see-through' in nature and

allows rather more light though than a boundary wall would do. It is further noted that the a boundary wall of am in height would be permitted in this instance without the need for planning permission which is only marginally lower that the height of the extension in this instance.

Creation of a sense of enclosure

40 It is not considered that such a sense of enclosure would be created in this instance so as to warrant a refusal. While the greater proportion of the extension runs close to the boundary in this instance (for 4.6m) , the extension steps away from the boundary for the remainder of it's length (4.2m). In addition the height of the extension is limited to 2.4m (flat roof portion) and drops to 2.2m for the sloped roof portion. Again it is noted that a boundary wall of 2m could be erected here without planning permission and this would have a similar impact that the proposed extension.

Loss of outlook

41 At present there are three windows that face directly towards No. 40a Lacon Road. As noted above, all three of these windows serve the dining room/kitchen of No. 38 Lacon Road. These windows face toward the existing rear outrigger of No. 40a, although the existing site layout allows for oblique views from these windows towards the rear gardens of properties on Lacon Road and Archdale Road. The proposed extension would be closer to these windows than the existing rear outrigger and will be visible from these windows. However having regard to the limited outlook from these windows at present and having regard to the limited height of the extension it is not considered that any loss of outlook will be material and would not have a detrimental impact on the residential amenity of No. 38. In addition the proposed extension steps away from the boundary and as such it not considered that there will be any loss of outlook from the furthest window from the main rear elevation.

Loss of Privacy

42 It is not considered that a loss of privacy will occur in this instance given that no additional windows are proposed for the side elevation of the proposed extension. In fact will result in the removal of the existing window at No. 40a which will serve to decrease the level of overlooking. The rooflights proposed at roof level are to be obscured.

Impact of Light from the proposed rooflights

43 Rooflights such as those proposed in this instance are not an unusual feature in extensions of this nature and while the light from these proposed rooflights will be visible from the living room of No. 38 Lacon Road, there is sufficient distance between the living room window and the rooflights to ensure that the impact will be limited.

Traffic issues

44 It is noted that a number of objector's have pointed to the impact of construction traffic. This is not considered to be a material planning consideration.

45 It is not considered that there will be additional parking requirement in the area as a result of this extension.

Design issues

46 In relation to design the Residential Design Supplementary Planning Document states that all extensions should:

47 • Harmonise with the scale and architectural style of the original building

48 This has been achieved in this instance.

49 • Harmonise with the character of the area, including respecting the historic pattern

and established grain of the surrounding area

- 50 • Be successfully integrated with their surroundings. The extension should read as if it were part of the original dwelling.
- 51 It is not considered the proposed extension would be an incongruous addition to the main dwelling nor would it be out of character with the area as a whole.
- 52 • Not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight
- 53 This is discussed above (residential amenity)
- 54 • Not be of a size or scale that would visually dominate neighbouring properties
- 55 It is considered that the limited height of the extension and the fact that it does not extend beyond the existing rear extension, as well as the stepping in of the extension off the boundary, serves to limit the visual impact on the neighbouring property.
- 56 • Be subordinate to the original building. The extension should play a “supporting role” to the original dwelling in terms of location, form and scale. Any extension should not dominate the original building and should be set back from the principal elevations.
- 57 This has been achieved in this instance. The proposed extension is limited in scale and demonstrates subservience to the existing building.
- 58 • Not compromise any rooms in the existing house. No habitable room should become completely internal without a window.
- 59 No room in the existing dwelling has been completely internalised in this case.
- 60 • Use materials that match those in the original house and the surrounding areas. Windows and doors should be of a similar pattern and align with existing windows and door openings where possible.
- 61 Proposed materials are to match existing and it is not considered the proposed extension would be an incongruous addition to the main dwelling nor would it be out of character with the area as a whole. The proposed patio doors are not of a design that would render them out of keeping with the dwelling nor with the area as a whole.

Impact on trees

- 62 It is noted that No. 38 Lacon Road has pointed to the impact on the existing mature pyracantha tree located within the boundary of his property. However this tree does not have a TPO attached to it nor is it located within a Conservation Area. As such the Planning Authority has no means of protecting this tree.

Other matters

- 63 Previous Refusal on Site
It is noted that a previous application for an extension has been refused on this site (decision date 24/10/2000). No records of the drawings were available for inspection however. It is also noted that this application is considered under current guidance (i.e. the Southwark Plan (2007) and the Residential Design Standards Supplementary Planning Document (2008).

Conclusion

- 64 The proposed development is on balance considered to be acceptable due to it's

limited height at the boundary and due to the fact it does not extend beyond the existing rear extension. As such the proposal complies with Policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13. 'Urban Design' of the Soutwark Plan (2007) as well as conforming to guidance as set out in the Residential Design Standards Supplementary Planning Document (Sep 2008).

COMMUNITY IMPACT STATEMENT

- 65 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.
- 66 a] The impact on local people is set out above.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

- 67 None

HUMAN RIGHTS ISSUES

- 68 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.
- 69 This application has the legitimate aim of providing a development that supports the provision of additional residential accommodation, meeting the needs of Londoners. The rights potentially engaged by this application, including a 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.

LEAD OFFICER	Gary Rice	Head of Development Management
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CASE FILE	TP/2627-40	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email: planning.enquiries@southwark.gov.uk	

Appendix A
Neighbour Consultee List for Application Reg. No. 09-AP-2403

TP No	TP/2627-40	Site	40A LACON ROAD, LONDON, SE22 9HE
App. Type	Full Planning Permission		

Date Printed	Address
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04/11/2009	19 LACON ROAD LONDON SE22 9HE
04/11/2009	21 LACON ROAD LONDON SE22 9HE
04/11/2009	38 LACON ROAD LONDON SE22 9HE
04/11/2009	42 LACON ROAD LONDON SE22 9HE
04/11/2009	2 ARCHDALE ROAD LONDON SE22 9HJ
04/11/2009	4 ARCHDALE ROAD LONDON SE22 9HJ
04/11/2009	40B LACON ROAD LONDON SE22 9HE