

Item No. 6.1	Classification: Open	Date: 26 March 2019	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 18/AP/4015 for: Full Planning Application Address: 36 ROUSE GARDENS, LONDON SE21 8AF Proposal: Construction of a ground floor side and rear extension and refurbishment to existing detached house, with the inclusion of a circular one-storey side extension		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of Planning		
Application Start Date 10/12/2018		Application Expiry Date 04/02/2019	
Earliest Decision Date 09/02/2019			

RECOMMENDATION

1. To grant planning permission, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site is a north-facing, two-storey, early 1960s detached family dwelling that is in a cul-de-sac, distinctively constructed with brick walls, finished with a segment of vertically orientated timber cladding at the entry point of the property and finished with a white framed window. The property benefits from garden space to the east which is bounded by a brick wall to the north that creates a divide from a public pathway.
3. The property is not a listed building or located in a conservation area, but is located in the South suburban density zone.
4. The site is predominantly surrounded by residential properties, with Sydenham Hill railway station directly north to the proposal site and Gipsy Hill railway station directly south.
5. North (front) - Property looks on to Rouse Gardens one way cul-de-sac street with the side elevation of property No.24 in the background.
6. East (side) - No. 31: First dwelling in a row of west facing terrace properties.
7. South (rear) - No. 22, 24 & 26 Baird Gardens - rear fence of host dwellings garden creates a divide between the above properties that form a part of the Baird Gardens cul-de-sac streetscape.
8. West (side) - No. 34: Detached property that aligns with the facade of No. 36 & 32.

Property has a ground level difference of 0.58m lower than the host dwelling.

9. Row of properties from 36-32 Rouse Gardens slope from east to west with proposal site being at the highest point. Sitting at 1.62m higher than the properties ground floor level, the proposal site of No. 36 then descends to create a 0.8m difference from property No. 34's ground level.

Details of proposal

10. A total of three extensions are being proposed alongside amendments to the main property to enhance its existing features. With development consisting of a circular side extension to the east, a rear extension with two roof lights and a western side extension.
11. The circular proposal, 6.7m in diameter, would have vertical timber cladding, taking inspiration from the segment of timber used on the original 1960s property. The proposal is 2.45m to the eaves height, with its highest point to the roof being 3.6m. The distinctive circular structure, inclusive of a circular roof light, sits on garden land and can be viewed as you enter into the street scene of Rouse Gardens. It proposes three timber and PPC (polyester powder coating) metal glass glazed double doors at the rear of the extension and five new PPC metal windows.
12. The eastern extension, separated from the public pathway by a 0.65m – 1.27m high brick wall, would provide a new front door entry point for the property whilst still maintaining the clear boundaries of the cul-de-sac.
13. The rear and western extensions will use similar materials to that already on the dwelling resulting in a brick clad facade, with a tile, membrane roof and PPC metal windows with timber and PPC metal doors. The 2.84m to eaves height rear extension would create two new roof light openings and two full height glazed sliding doors. The 2.35m eaves height western extension would have no new windows proposed, and would be set back 0.8m from the beginning of the boundary wall shared between No. 34.
14. The loss of a category C sapling Ash Tree to the front is proposed in order to repair and maintain the existing retaining wall. This would be replaced by substantial landscaping; the driveway would also be moved to the west.
15. The amendments made to the house would involve the replacement of all existing windows (9) with timber and PPC metal windows alongside the addition of four obscure glazed, fixed shut windows to the first and second floor of the western elevation. In addition to this, four roof lights to the rear roof slope of the host dwelling will be added.
16. The plans were amended to reinstate the brick wall to the east of the site. In addition to this drawings were revised to mitigate impacts to property No. 34, by reducing the width of the side extension to the west from 1.9m to 1m. Alongside this annotations were added to drawings to verify that windows on the western elevation will be obscure glazed and fixed shut.
17. Changes to the description of the application were also made to thoroughly reflect the extent of development being proposed. As a result of this, alongside amendments to some of the drawings described in paragraph 16 above, a 14-day re-consultation was undertaken.

Planning history

18. No planning history.

Planning history of adjoining sites

19. 24 ROUSE GARDENS, LONDON, SE21 8AF

Application number: 15/AP/1011 Application type: Full Planning Application (FUL)

Erection of single storey extension to the front; creation of a new stepped entrance way and re-location of entrance door; installation of a side gate, installation of sliding doors to replace the existing kitchen windows to the front and extension to the rear bay.

Decision date: 18/05/2015 Decision type: Granted (GRA)

KEY ISSUES FOR CONSIDERATION

Summary of main issues

20. The main issues to be considered in respect of this application are:
- a) Impact on amenity of adjoining properties;
 - b) Design quality;
 - c) Impact on listed building(s)/conservation area;
 - d) All other relevant material planning considerations.

Adopted planning policy

National Planning Policy Framework

21. The revised National Planning Policy Framework ('NPPF') was published in July 2018 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
22. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Chapter 2 Achieving sustainable development

Chapter 11 Making effective use of land

Chapter 12 Achieving well-designed places

Chapter 15 Conserving and enhancing the natural environment

Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

23. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 7.4 - Local Character

Policy 7.6 - Architecture

Core Strategy 2011

24. The Core Strategy was adopted in 2011 providing the spatial planning strategy for

the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

- Strategic policy 12 - Design and conservation
- Strategic policy 13 - High environmental standards

Southwark Plan 2007 (saved policies)

25. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

- Policy 3.2 - Protection of amenity
- Policy 3.6 - Other alterations to dwellings and gardens
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design

2015 Technical Update to the Residential Design Standards SPD (2011)

Area based AAPs or SPDs

26. Dulwich SPD 2013
Residential Design Standards SPD 2011

Emerging planning policy

27. Draft New London Plan 2018

Draft New Southwark Plan 2018

Summary of consultation responses

28.	Total number of representations:	16				
	In favour:	0	Against:	15	Neutral:	1
	Petitions in favour:	0	Petitions against:	0		

Initial consultation period

29. There were 12 responses submitted as part of the initial consultation on the application, with four comments being received during the re-consultation period. Matters for objection include:

Proposal impacts on neighbouring properties

- Overlooking and impact on privacy
- Impact from plant on the western side extension.

Design

- Development out of keeping with other houses on the street

- Development out of proportion with the host dwelling
- Objections to the materials
- Potential overdevelopment on the site.

Construction impacts

30. There is a concern of the noise impacts from the building works.
31. Comments were also received about the proposal potentially not complying with the Dulwich Estate guidelines; this is not a material consideration for this application.
32. The objections are addressed below.

Principle of development

33. There is no land use change proposed; a residential use is established on the site.

Environmental impact assessment

34. Not required for an application of this scale.

Impact of proposed development on neighbouring amenity and surrounding area

35. Saved Policy 3.2 ('Protection of Amenity') and Policy 3.6 ('Other alterations to dwellings and gardens') of the Southwark Plan 2007 seeks to ensure all alterations and development result in an adequate standard of amenity for existing and future occupiers. The 2015 technical update to the Residential Design Standards SPD (2011) also sets out the guidance which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

Details of impacts: 34 Rouse Gardens

36. The initial proposal was for a western side extension towards the front of the property that would extend towards the boundary wall between the host dwelling and 34 Rouse Gardens. However due to the 0.58m ground level difference between the two properties officers advised the applicant to amend the proposal by reducing the width of the extension. This reduction in width from 1.9m to 1m mitigated any possible tunnelling effect impact on the residents of No. 34.
37. The proposed extension to the western side of the proposal site would not significantly affect the amenity of the residents at property No. 34 because their side elevation does not have any windows or openings. This demonstrates that the property will not be at a loss of privacy, and therefore makes the proposal for a western side extension and the addition of four windows on the western elevation acceptable as they would be obscure glazed and fixed shut.
38. In addition to this the specific positioning of windows, doors and openings of the proposed eastern extension does not face directly onto No. 34, therefore deeming the proposed extension as successful in not creating a privacy impact. The area indicated for plant on the western extension is for a domestic boiler which would not cause harm to neighbours' amenity. The location and design of flues is covered by the building regulations.

Details of impacts: 22-26 Baird Gardens

39. These properties to the rear of the development site are not identified to have a detrimental impact from the application in regards to a loss of privacy, as the existing rear elevation of the proposal site has six windows and openings that currently face onto the rear elevations of the above properties.
40. The current relationship between windows on the rear elevation of the host dwelling would be replicated in the proposed development so there would be no additional impact on privacy. There is extensive screening between the host property and dwellings to the rear from trees.
41. Some objectors have referenced the impact that construction work might have. An informative is recommended that the contractor(s) undertake noisy work during the standard hours in Southwark:

Monday- Friday: 08:00 to 18:00

Saturday: 09:00 to 14:00

Sunday and

Bank Holidays: no noisy works.

42. As amendments have been undertaken it is seen that the overall development to the rear, western and eastern side of the proposal site will not have detrimental impacts on the neighbours privacy, access to sunlight/daylight, impact on their sense of openness, create a feeling of enclosure or cause harm to the neighbour's amenity. The proposal's mass and area is deemed acceptable because it complies with the 2015 Technical Update to the Residential Design Standards SPD (2011), paragraph 3.2 - Protection of amenity and 3.6 - Other alterations to dwellings and gardens.

Transport issues

43. The application would not cause any harm or changes to the current parking conditions of the street as a result of the garage being removed. The new driveway would be able to accommodate two cars, the same as the present situation with one car on the drive and one potentially in the garage.

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

44. Good design is indivisible from good planning. It should reinforce a sense of place and conform to the council's current guidance on design.

Circular extension

45. Many objections mention the proposed circular extension on the eastern part of the site, how it would not be in keeping with the street of host dwelling because of its form, height and mass. However the proposal sets a standard of good design through its form and choice of materials which responds to the environmental language of the mature trees on site. The location defines a welcoming charm to the existing street scene that also illustrates how contemporary designs can complement traditional housing.

Relocation of the front door

46. The relocation of the front door leading into the new entrance space of the eastern extension does not cause any detrimental impacts on adjoining neighbours, and as the property is not in a conservation area, this element of the proposal is acceptable.

Boundary amendments close to the pavement

47. The boundary wall separating pavement and the new location of the front door was initially proposed as a fence because the existing brick wall was collapsing due to the vast growth of the rear garden tree roots.
48. Through negotiations the applicant and structural engineer were able to revise drawings to reinstate the brick wall so that would not have an impact on the tree roots. This revision allowed for the façade of the proposal site to maintain existing features of the streetscape.

Overdevelopment of garden

49. The development covers a total area of 64m², with the total garden area amounting to approximately 277 m². This therefore would not lead to more than 50% of the garden (front and rear) area being covered by buildings and would thoroughly comply with the guidance in the Residential Design Standards SPD.

Overall proposal aesthetics

50. The design intuition the agent put forward was to take the material aesthetic of the minimal timber cladding used on the original 1960s dwellings and incorporate it into the extension proposal.
51. The choice of façade materials is complementary to the Rouse Gardens streetscape as it highlights the existing materials present on the street, showcasing it in a more contemporary way.
52. The selection of matte finish beige grey window frames creates a welcoming contrast to the usual language of the white framed windows on the properties of Rouse Gardens.
53. In summary the proposal design has illustrated analysis that the overall vision is an example of design innovation that adds to the character of the Rouse Gardens cul-de-sac.

Impact on trees

54. The Arboriculture report shows that a small C category sapling Ash (T1) to the front of the property requires removal. This is deemed acceptable as the small self sown tree is causing damage to the retaining brick wall, which clarifies the public and private boundaries between the host dwelling. The tree and the a hedge can adequately be replaced as part of landscaping, ultimately resulting in no loss of amenity or screening, in fact the landscaping proposed would be a significant improvement on what is there presently. The other trees on the proposal site have a TPO placed on them, with the habitats of existing birds being protected by the Habitats Directive.
55. Trial pit investigations confirm the retained trees are compatible with construction methods, should suitable protection measures and foundation design be

implemented. As a result of this two tree protection conditions have been recommended, alongside a landscape design condition.

Sustainable development implications

56. No sustainable development implications identified.

Conclusion on planning issues

57. The proposal demonstrates that it conforms to the principles of sustainable development. It complies with current policy; respects the amenity of neighbouring properties; and is of good design and should therefore be granted planning permission.

Consultations

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

Consultation replies

59. Details of consultation responses received are set out in Appendix 2.
60. See paragraphs 28 to 32 of this report for summary of consultation responses.

Human rights implications

61. 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.
62. This application has the legitimate aim of providing a rear and both side extensions, with the inclusion of refurbishment to the host dwelling. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2549-D Application file: 18/AP/4015 Southwark Local Development Framework and Development Plan Documents	Health and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 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	Simon Bevan, Director of Planning	
Report author	Lauretta Doku, Graduate Planner	
Version	Final	
Dated	26 March 2019	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		14 March 2019

APPENDIX 1

Consultation undertaken

Site notice date: 14/01/2019

Press notice date: n/a

Case officer site visit date: 17/01/2019

Neighbour consultation letters sent: 21/12/2018

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

28 Baird Gardens London SE19 1HJ
31 Rouse Gardens London SE21 8AF
34 Rouse Gardens London SE21 8AF
22 Baird Gardens London SE19 1HJ
24 Baird Gardens London SE19 1HJ
26 Baird Gardens London SE19 1HJ
27 Rouse Gardens SE21 8AF
32 Rouse Gardens London SE21 8AF
18 Baird Gardens London SE19 1HJ
22 Baird Gardens London SE19 1HJ

22 Baird Gardens London SE19 1HJ
24 Rouse Gardens, West Dulwich SE21 8AF
28 Rouse Gardens Alleyn Park SE21 8AF
26 Rouse Garden SE21 8AF
C/O Members Room X
C/O Members Room X
34 Rouse Gardens
22 Baird Gardens
27 Rouse Gardens
26 Rouse Gardens

Re-consultation: 21/02/2019

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

18 Baird Gardens London SE19 1HJ
22 Baird Gardens London SE19 1HJ
24 Baird Gardens London SE19 1HJ
24 Rouse Gardens, West Dulwich SE21 8AF
26 Rouse Garden SE21 8AF
26 Rouse Garden SE21 8AF
27 Rouse Gardens SE21 8AF
27 Rouse Gardens SE21 8AF
27 Rouse Gardens SE21 8AF
28 Baird Gardens London SE19 1HJ
28 Rouse Gardens Alleyn Park SE21 8AF
32 Rouse Gardens London SE21 8AF
34 Rouse Gardens London SE21 8AF
34 Rouse Gardens London SE21 8AF