

Item No. 1	Classification OPEN	Decision Level BOROUGH & BANKSIDE COMMUNITY COUNCIL	Meeting Date 26 March 2007
From INTERIM DEVELOPMENT AND BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (07-AP-0072) Erection of first floor rear extension (above proposed ground floor single storey rear extension - approved Certificate of Lawfulness).		Address 31 HAYLES STREET, LONDON, SE11 4SU Ward Cathedrals	

PURPOSE

- 1 To consider the above application which is for Community Council consideration at the request of Councillor David Noakes which was agreed by the Chair.

RECOMMENDATION

- 2 Refuse planning permission.

BACKGROUND

Site location and description

- 3 The application site comprises a 2-storey mid-terrace single family dwelling with a single storey rear extension with a flat roof. This single storey rear extension is 3.6m deep and 2.7m wide and 2.85m high. The rear garden is just over 5m deep and 4.7m wide and is covered for most part in concrete slabs. The property has a small front garden and no off-street parking. There is an on-street disabled bay directly in front of the application site. The property is not listed and not located within a conservation area. There is a large tarmac area providing access to garages to the rear of the application site and other properties along Hayles Street.

Details of proposal

- 4 This application is for a first floor rear-extension with a flat roof, above a yet-to-be-built Permitted Development single storey extension with a flat roof to ground floor. The proposed first floor rear extension would have a maximum height of 5.8m above ground level, would be located on the boundary with No. and would be 2.6m wide and 3m deep.

Planning history

- 5 06-AP-2122: In January 2007 a Certificate of Lawfulness Proposed for demolition of existing single storey rear extension and erection of a new full width single storey ground floor rear extension and relocation of existing first floor rear sash window was approved.
- 6 06-AP-1631: An application for the erection of a ground floor side and rear extension, first floor rear extension and mansard roof extension was withdrawn in October 2006.

Planning history of adjoining sites

- 7 No relevant history for adjoining sites.

FACTORS FOR CONSIDERATION

Main Issues

- 8 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 on the appearance and character of the property and terrace it forms part of.
 - c] the impact on amenity of neighbouring properties.

Planning Policy

- 9 At its meeting on 24th January 2007 the Council resolved to adopt the emerging Southwark Unitary Development Plan [Jan. 2007] subject to referral to the Secretary of State. The policies in the Southwark Unitary Development Plan 2007 now have significant weight in the determining of planning applications. Whilst the 1995 Unitary Development Plan remains the statutory development plan until such time as the Southwark Unitary Development Plan 2007 is formally adopted, the Council will give predominant weight to the 2007 plan policies in determining pending applications unless material considerations indicate otherwise.

- 10 Emerging Southwark Unitary Development Plan [Jan. 2007]
3.2 Protection of Amenity
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban Design

- 11 Southwark Unitary Development Plan 1995 [UDP]
E.2.3 Aesthetic Control
E.3.1 Protection of Amenity

- 12 London Plan 2004
4B.1 Principles of design for a compact city

- 13 Supplementary Planning Guidance [SPG]
No. 1 Design and Layout of Developments

Consultations

- 14 Site Notice
26 January 2007

- 15 Press Notice
Not required.

- 16 Internal Consultees

None

17 Statutory and non-statutory consultees

None.

Neighbour consultees

18 26-32 (evens), 27-37 (odds) and 70 Hayles Street, 50-54 Elliots Row.

Re-consultation

19 Not required.

Consultation replies

Internal Consultees

20 Councillor Noakes requested that the application be heard at the next available Borough and Bankside Community Council Planning Meeting, subject to the acceptance by the Chair.

21 Councillor Noakes indicated that he was supporting this application and would be speaking in favour of the application at the meeting.

Statutory and non-statutory consultees

22 None.

Neighbour consultees

23 One letter of support has been received from 33 Hayles Street for the following reasons: Nothing against people trying to improve their way of life.

Re-consultation

Not required.

PLANNING CONSIDERATIONS

Principle of development

24 The principle of extending residential properties is subject to the impact on the character and appearance of the building and the immediate vicinity. In this case it is considered that the proposal is acceptable due to its impact on the existing pattern of development and the extension would be visually intrusive and would harm the appearance and character of the building and the terrace of which it forms part.

Environmental impact assessment

25 Not required due to the scale of the development.

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

26 Although the proposed first floor rear extension would be 3m deep and on the boundary with No. 33 Hayles Street it is considered that the proposal would not lead to a loss of outlook or feeling of enclosure to the neighbouring property. The centre of the first floor rear window at No. 33 Hayles Street, which appear to be a habitable room, would be approximately 2.3m from the proposed extension. This separation would significantly minimise the impact on this habitable room.

27 The proposal may result in a small amount of overshadowing to the ground floor rear windows at No. 33 Hayles Street. However, as the rear elevation of No. 33 Hayles Street is south east facing it is considered that the proposal would not require the submission of a sunlight and daylight study and the proposal is acceptable in this

regard.

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

28 All the properties in the immediate vicinity are in residential use and it is considered that there would be no impact on the proposed development.

Traffic issues

29 None.

Design issues

30 The group of 2-storey terraced houses to which No.31 Hayles Street is central have a small-scale 'cottage-character' feel, particularly at the rear.

31 It is considered that the proposed first floor extension would have a negative impact on the character and appearance of this group of houses, thereby not respecting the existing pattern of buildings and being visually intrusive. The scale of the house, at barely 4.5m wide, also increases the impact that a 2.6m wide x 3m deep extension would have. It is considered that the proposed first floor rear extension would constitute over-development relative to the small-scale of the building.

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

32 N/a.

Planning obligations [S.106 undertaking or agreement]

33 N/a.

Other matters

34 None.

Conclusion

35 The proposed first floor extension would have a negative impact on the character and appearance of the existing pattern of buildings and would be visually intrusive.

COMMUNITY IMPACT STATEMENT

36 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] No 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.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

37 None.

LEAD OFFICER	David Stewart	Interim Head of Development and Building Control
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CASE FILE	TP/1046-31	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Mr J. Nettleton	Reg. Number	07-AP-0072
Application Type	Full Planning Permission		
Recommendation	Refuse	Case Number	TP/1046-31

Draft of Decision Notice

Planning Permission was REFUSED for the following development:

Erection of first floor rear extension (above proposed ground floor single storey rear extension - approved certificate of lawfulness).

At: 31 HAYLES STREET, LONDON, SE11 4SU

In accordance with application received on 09/01/2007

and Applicant's Drawing Nos. 0618/PL08 Rev A, PL09 A, PL10 A, PL11 A, PL12, PL13, PL14, PL15, SUR01 B, SUR02 B, SUR03 B, SUR04 B, SUR05 B, SUR06 B, SUR07 B, SUR08 A

Reason for refusal:

The siting and design of the development would not respect the existing pattern of buildings and would be visually intrusive and therefore harmful to the appearance and character of the building and the terrace of which it forms part. The proposal therefore conflicts with Policy E.2.3 Aesthetic Control of the Southwark Unitary Development Plan 1995 and Policies 3.11 Efficient Use of Land, 3.13 Urban Design and 3.12 Quality in Design of The Emerging Southwark Plan January 2007.