

SECTION '2' – Applications meriting special consideration

Application No : 17/03280/FULL1

Ward:
Crystal Palace

Address : 17 Lawrie Park Crescent, Sydenham,
London SE26 6HH

OS Grid Ref: E: 534907 N: 171178

Applicant : Mr John Kelly

Objections : YES

Description of Development:

Single storey rear extension to existing garage

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 25

Proposal

Planning permission is sought for a proposed single storey rear extension. The proposed extension will have a depth of 6.65m, a width of 5.3m, with a height to the eaves of 2.4m with an overall height of 3.65m to the hipped roof. The development will extend from the existing side garage along the southern flank elevation. The proposal is intended to be used as a garage, as indicated on the submitted drawings.

The application site is a large two storey detached dwelling located on the west side of Lawrie Park Crescent, Sydenham. Lawrie Park Crescent is a residential road characterised by a variety of detached dwellinghouses of varying ages.

Consultations

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

Comments in support:

- Having the capability to garage cars is an advantage as it keeps cars off Lawrie Park Crescent where parking can become congested
- The style of the proposed elevation is in keeping with the existing house
- I am impressed by the detail of the proposed extension of the garage
- There is a need for more garage space to meet the growing number of cars parked in our road. I am happy with design and note that our own garage opens out to our back garden

- The proposed extension would not cause any detrimental impact to design and external appearance of the development/impact on lighting or highway safety, in fact the addition of the garage space would in our opinion result in less parking and therefore a welcome addition to the area
- I support the plans for this modest extension to the garage, which will be aesthetically in keeping with the current property and the neighbourhood
- It will also enable cars currently taking up space to the front garden and the on-street parking to be stored in-side the garage, improving the aesthetic of the front of the property
- While the residents were on holiday the neighbour cut down and removed plans and trellising from along the hedge line next to where the extension would be, invading the privacy of the back garden, presumably to make the extension more visible from their neighbouring property
- Our latest proposals were re-designed to substantially reduce the impact of our garage extension on the side of number 15 and we indeed carefully took into account retaining the natural screening that previously existed.
- The proposed new garage extension is being constructed along the same wall line of the existing garage and commences from the existing garage rear elevation and is therefore being built further away from the habitable rooms of number 15
- Our neighbour's actions concerning the destroying of the natural screening was purposefully and maliciously undertaken in an effort to enhance their argument on the effect of our extension to their amenity
- We therefore request that the planning department considers our application based on the existence of the previous natural screening or on the understanding that a 2.1m fence or higher if deemed necessary would be constructed along the entire length of the boundary to protect our neighbour's amenity.

Comments in Objection

- The closeness, bulk and its usage means the building would have a seriously detrimental effect on the outlook of No.15 and the amenity of its occupants
- It is notable the proposal appears popular with those cannot see it and those are unaffected by it
- The building will be within centimetres of our habitable rooms and will extend 6.65m along the boundary of our rear garden, the proposed will dominate us
- The proposal would permanently and detrimentally change our outlook
- The shunting of vehicles at the front and side of our house already interferes with the peaceful enjoyment of our property
- The unreasonable disturbance we already experience would be exacerbated
- There has been no substantial reduction in the building
- A minimal adjustment has been made and there are material inaccuracies

From a Technical Highway perspective no objection was raised.

Planning Considerations

The application falls to be determined in accordance with the following policies:

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to: The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given). As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan:

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 6 Residential Extensions

Draft Policy 37 General Design of Development

Planning History

01/01777/FULL1-Single storey rear extension for conservatory- Application

Permitted- Date issued-10.10.2001

11/01350/FULL6-Alterations to window on front elevation to form a dormer extension- Application Permitted- Date issued-08.07.2011

11/01545/PLUD-Roof alterations including rear dormer window extension and insertion of roof lights on side elevation-CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT- Proposed Development is Lawful- Date issued-26.07.2011

17/00916/FULL6-Single storey rear extension to existing garage- Application Refused- Date issued-02.05.2017

Refusal Grounds: The proposed extension would, by reason of its excessive rearward projection and height, have a detrimental impact on the outlook and visual amenities of the neighbouring property at No. 15 and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H8 of the Unitary Development Plan (2006) and Supplementary Planning Guidance 1 and 2.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Members should be aware of the past planning history on the site, the current proposal is a revised application from the previously refused application under reference: 17/00916/FULL6 also for a 'Single storey rear extension to existing garage'. The previous application sought to extend from the rear of the host dwelling by 7.3m and had an overall height of 4.6m. It was considered that the proposed extension would, by reason of its excessive rearward projection and height have a detrimental impact on the outlook and visual amenities of the neighbouring property at No.15, contrary to policies BE1 and H8 of the UDP. To address the previous refusal grounds the applicant has reduced the depth by 0.65m to 6.65m and the height by 0.95m to 3.65m (eaves 2.4m).

Design

Both national and local planning policies recognise the importance of local distinctiveness in ensuring an effective planning system which achieves favourable design. Paragraph 60 of the NPPF states that it is proper to seek to promote or reinforce local distinctiveness, whilst paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Similarly, policies BE1 and H8 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Whilst London Plan Policies 7.4 and 7.6 seek to enhance local context and character, as well as encouraging high quality design in assessing the overall acceptability of a proposal.

Consistent with the previous application the proposed rear extension is not anticipated to have a detrimental impact on the character of the surrounding area. The rear extension would be sited to the rear of the host dwelling, well-screened from public vantage points, set into the gradient of the site. Furthermore, the materials for the external surfaces of the building would complement those of the host dwelling, compliant with the Policy Objectives of the UDP, London Plan and NPPF.

Impact on Residential Amenity

It is considered that the main concern is the impact the proposal would have to the amenities of the neighbouring property at No.15 Lawrie Park Crescent. Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported by London Plan policy 7.6.

As referred to above, the excessive height and depth of the previous proposal was considered to have a detrimental impact on the outlook and visual amenities of the neighbouring occupiers of No.15. It was considered that the proposed extension would have appeared as a dominant, unsightly and bulky form of development detrimental to the outlook and the visual amenities of the occupiers of No.15. The proposal would have towered over the fence by approximately 2.4m, thus appearing as a constant eyesore to the occupiers of No.15 due to the height, depth and scale of the development, when considering the development's proximity to the boundary. As a result, it was advised that a substantial reduction to the height and depth of the proposal would be considered more so acceptable.

The height of the proposal has been reduced by 0.95m and the depth by 0.65m. A number of representations have been received in relation to the removal of the hedge line and trellising along the adjoining boundary line with No.15, which was in place from the site visit undertaken in March/April 2017. Whilst this is a civil matter between the applicant and the neighbour, for argument sake a 2m boundary fence could be erected and the assessment of this application has been considered with this in mind.

It is considered that the new application has made a significant reduction to the height of the extension. Although concerns are still raised in regards to the depth of the extension which would protrude beyond the rear wall of No.15 by approximately 5.6m, it is considered a reduction of 0.65m is not considered significant enough to overcome the concerns raised previously. Thus the extension would still lead to a substantial loss of outlook and visual amenity considering the extension's close proximity to the boundary and ground floor windows adjacent to the boundary line. Having said this consideration is given to the fact the both properties are large detached properties. Therefore, whilst the extension is substantial, the proposal would not lead to a sense of enclosure, given the size of the property.

Summary

Therefore, Members will have to consider whether there has been a substantial reduction to the height and depth of the extension in order to overcome the refusal grounds from the previous application and whether the scale and bulk of the development would lead to a significant loss of outlook and visual amenity to No.15. It is considered that the current application has failed to significantly reduce the depth of the extension in order to overcome the previous refusal grounds, thus the development in the manner proposed is not acceptable in that the development due to its scale and depth would appear as a dominant, obtrusive and unsightly form of development detrimental to both the outlook and visual amenities of the neighbouring occupiers of No.15, contrary to Policy BE1 and H8 of the UDP and Supplementary Planning Guidance 1 & 2.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/03280 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

The proposed extension would, by reason of its excessive rearward projection and scale, would have a detrimental impact on the outlook and visual amenities of the neighbouring property at No. 15 and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H8 of the Unitary Development Plan (2006) and Supplementary Planning Guidance 1 and 2.