<table>
<thead>
<tr>
<th>Case Number</th>
<th>09/01417/FUL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application</td>
<td>The Farm House Broadhinton Road</td>
</tr>
<tr>
<td>Address</td>
<td>SW4 0LT</td>
</tr>
</tbody>
</table>
Location | The Farm House Broadhinton Road London SW4 0LT

Ward | Clapham Town

Proposal

Removal of existing single storey extension to farmhouse and the erection of a two storey extension; and the erection of a new single storey (with basement) dwelling to the North Eastern corner of the site with two lightwells and landscaping works.

Application Type | Full Planning Permission

Application No | 09/01417/FUL/DC_DSM/42429

Applicant | Ms Deborah Saunt

Date Valid | 13 May 2009

Considerations

Conservation Area CA1 : Clapham Conservation Area

Approved Plans

Drawings 07134_: 001B; 002C; 003A; 004B; 005A; 201C; 206C; 207C; 208C; 209D; 211B; 103B; and SK_010C.
Design and Access Statement Rev B.

Recommendation | GRANT CONDITIONAL PLANNING PERMISSION, SUBJECT TO THE SATISFACTORY COMPLETION OF A SECTION 106 PLANNING OBLIGATION (CAR CAPPING).
1  KEY ISSUES

1.1 The main issues arising from this application relate to:

- The principle of intensifying the residential use of the site;
- The impact of the new dwelling upon the character and appearance of the urban grain and Conservation Area;
- The impact of the extension upon the character and appearance of the host building, and the Conservation Area;
- The quality of residential accommodation to be provided;
- The impact of the development upon the amenity currently experienced by neighbouring residents;
- The impact of the development upon the highway network and highway safety;
- The sustainability of the development;
- Whether the development would increase opportunity for crime; and
- Whether adequate refuse storage would be provided for the future residents.

1.2 The Council’s scheme of delegation allows for Officers to decide applications of this nature. However, given the planning history and the contentious nature of the development Officers consider that it is appropriate to refer this planning application to Committee for a decision.

2  SITE

2.1 The application site comprises the ‘Farm’ House and its grounds in Broadhinton Road. This is a rectangular back land site, enclosed on all sides by surrounding residential properties. Access to the site is via an access way adjacent to 23 Broadhinton Road, which leads to the western corner of the site.

2.2 The Farmhouse is a three storey stuccoed cottage located to the southern corner of the site. The curtilage of the property projects out to the side (north east) of the building and is currently heavily vegetated. Many of the trees have grown as part of a tight group or copse and are subsequently drawn up and poorly formed in terms of shape and crown habit. Many of the trees are self-seeded in origin and have largely become established due to the garden area being neglected.

2.3 The north western boundary of the site is bounded by the rear gardens of the north west facing properties of 23 to 26 (inclusive) Broadhinton Road. These properties comprise a terrace of two and a half storey dwellings incorporating basements, raised stepped entrances and rooms within the roof. The terrace is terminated by 23 Broadhinton Road, a property of slightly larger scale which has been extended at first floor horizontally across the access to the Farmhouse site.

2.4 The north eastern boundary of the site is bounded by the rear garden of no. 27 Broadhinton Road. The south eastern boundary of the site is bounded by the rear gardens of the residential properties of 48 to 56 (evens) Lilleshall Road. These Lilleshall Road properties comprise a residential terrace, again with basements, steps leading up to their front doors and rooms within their mansard roofs.
2.5 To the south west of site lies Lambourn Court and its curtilage. Lambourn Court is a 3 storey red brick block of flats fronting Lambourn Road.

2.6 The existing building on site is not listed. The application site does however fall within the Clapham Conservation Area.

2.7 The Public Transport Accessibility Level (PTAL) rating of the site is 4 (good). The application site also lies within a Controlled Parking Zone.

3 RELEVANT HISTORY

3.1 15/10/07 - Planning application 07/02954/FUL was WITHDRAWN by the applicant. It sought permission for the removal of the existing extension and erection of a two storey extension to the front of the existing farm house; and the erection of a two storey, three-bed family dwelling to the north eastern corner of the site. This application was withdrawn pursuant to advice received from officers that the application was to be recommended for refusal on grounds of overdevelopment of the site; impact upon the character and appearance of the Conservation Area; and amenity impact. Members are advised that the Local Planning Authority were not afforded the opportunity to make a formal determination on the application as the application was withdrawn.

3.2 15/10/07 - The associated Conservation Area Consent application (07/02955/CON) was also withdrawn. Members should note however that officers were of the view that such consent was not required as the demolition works taking place were not substantial.

3.3 14/11/08 - Planning application 08/00546/FUL was REFUSED planning permission. It sought permission for the removal of the existing extension and erection of a two storey extension to the front of the existing dwelling house, together with the erection of a two storey three-bed family dwelling house and basement on the northern corner of the site. The reasons for refusal were as follows:

1. The new dwelling, by reason of its unacceptable height, bulk and form, its siting and proximity to the site boundaries and the resultant spatial relationship with the extended Farmhouse, would result in this site appearing inappropriately cramped and ‘overdeveloped’ in comparison to the predominant urban grain of the vicinity. The development is thus prejudicial to the setting of the Farmhouse, to the open backland nature of the site and to the secluded character and appearance of the Conservation Area. The development is therefore contrary to Policies 31, 33, 36, 39 and 47 of the London Borough of Lambeth’s adopted Unitary Development Plan (2007).

2. The new dwelling, by reason of its unacceptable height, scale and bulk and its proximity to the site boundaries, would appear unacceptably obtrusive and lead to an unwelcome sense of enclosure when viewed from the neighbouring residential properties of Broadhinton Road. The development is therefore contrary to Policies 15, 33 and 38 of the London Borough of Lambeth’s adopted Unitary Development Plan (2007).

3. The development fails to demonstrate a sufficient commitment towards the achievement of Lifetime Homes standards where those are both applicable and achievable. As such the proposal would result in an unacceptable standard of living accommodation contrary to Policy 33 of the London Borough of Lambeth’s Unitary

4. The development, by reason of the ‘backland’ nature of the site and the introduction of a new dwelling in such close proximity to the gardens of neighbouring residential properties, could result in the unacceptable introduction of noise and disturbance to this quiet residential location. The development is thus potentially prejudicial to the amenity of neighbouring residential properties and in particular the ability of the neighbouring property occupiers to enjoy their currently secluded garden areas. The development is therefore contrary to Policies 7, 15 and 54 of the London Borough of Lambeth’s Unitary Development Plan (2007).

5. The development, by reason of the overlooking relationship from the existing Farmhouse into the garden and ground floor rooms of the proposed new dwelling, will result in an unacceptable lack of privacy for future residents of the new dwelling prejudicial to the amenity of those residents. The development is therefore contrary to Policy 15 of the London Borough of Lambeth’s Unitary Development Plan (2007).

4 PROPOSAL

4.1 Planning permission is sought here for the removal of the existing single storey extension to the front of the farmhouse and the erection of a two storey extension in its place. The application also proposes the erection of a new single storey dwelling (with basement and associated lightwells) to the north eastern corner of the site.

4.2 The extension to the Farmhouse would replace an existing single storey addition to the front of the building with a three storey (2 storey above ground and the third storey being at basement level) extension. The extension would be contemporary in appearance with the use of render, glazing and a lead roof. The resultant extension would measure some 4.5m in depth, 5.2m in width and 5.6m in height (from ground level).

4.3 The new dwelling would be located to the northern corner of the site; the opposite corner of the Farmhouse. It would be single storey above ground with a further basement level below ground. The external appearance of the building will comprise a mix of painted render, glazing and a ‘green’ roof.

4.4 The footprint of the house would take the form of two interlinking rectangles. It would measure some 8m in overall width by 9m in overall depth, and would be sited some 2.25m off of the northeast and the northwest boundary. The internal ground floor area of the dwelling would be raised by some 600mm above external ground level to allow clerestory light into the basement. The dwelling would have a flat roof, with a height of some 3m at the northwest elevation and stepping up to 3.5m on the northeast elevation.

4.5 The dwelling will comprise a footprint of some 67.8 sqm and an overall floor space of some 118.4 sqm (Basement: 59.8 sqm; Ground floor: 58.6sqm).

4.6 No on-site parking is to be provided in respect to the new dwelling and the applicant has agreed to enter into a s.106 agreement restricting the ability of future occupiers of that dwelling from receiving a parking permit to enable parking in the surrounding streets.
4.7 The primary amendments from the scheme refused planning permission under application 08/00546/FUL are as follows:

Extension to the Farmhouse

1. The access steps to the basement utility/work room have been relocated from the side to the front of the extension – otherwise the design and scale of the extension are identical.

The new dwelling

2. The dwelling has been reduced by a storey (the northeastern elevation of the dwelling shown in the previous application ranged from 4.9m to 4.7m in height to eaves as a result of the irregular shape of the building);
3. The dwelling has been reduced in footprint from 79.5 sqm to 67.8 sqm;
4. The overall internal floor area of the dwelling has been reduced from 239.8 sqm to 118.4 sqm; and
5. The previous application proposed a charred (blackened) timber clad finish as opposed to the render and glazing proposed now.

5.0 CONSULTATION

5.1 Letters of notification were sent to 81 neighbouring property addresses in the vicinity of the site. These included all properties at:

- 28-66 (evens) Lillishall Road;
- 15-30 Broadhinton Road;
- Lambourn Court; and
- 1-21 (odds) Lambourn Road.

5.2 The application was also advertised by way of a site notice and a press advert.

5.3 The following local interest groups were notified:

The Clapham Society – Having supported the first application, the Society continues to raise no objections to this modified scheme, the effect of which is to further reduce impact on the character of the Conservation Area and neighbours’ amenity.

5.4 Response

<table>
<thead>
<tr>
<th>No. Letters sent</th>
<th>No. Objections</th>
<th>No. of support</th>
<th>No. of comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>81</td>
<td>12</td>
<td>4</td>
<td>-</td>
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## 5.5 Assessment

<table>
<thead>
<tr>
<th>Objections</th>
<th>Response</th>
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<tbody>
<tr>
<td><strong>Design matters</strong></td>
<td>The changes which have been made to the scheme following the previously refused planning application result in a significantly lower and more compact building envelope which has been pulled away from the boundaries and is considered to be of sufficiently modest scale so as to preserve the substantially open character of the locale. Similarly, the low key nature of the current proposal helps to preserve the character and appearance of the Conservation area.</td>
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<tr>
<td>- Scheme is contrived to fit the space available</td>
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<tr>
<td>- The new dwelling adversely affects the Conservation Area</td>
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<tr>
<td>- Reduction in the openness of this locality</td>
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<tr>
<td>- The area is not a previously developed site and has always been a garden, an orchard or a field.</td>
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<tr>
<td>- The open nature of the site is integral to the character of the conservation area and can not be maintained by replacing trees with a building.</td>
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<tr>
<td>- Loss of green space</td>
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<td>- The revised proposal is just a rehash of old proposals. It is still a substantial 3 bed room house that is not ancillary to the Farmhouse.</td>
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<tr>
<td>- The scheme still is an overdevelopment of the site.</td>
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<tr>
<td><strong>Siting</strong></td>
<td>It is considered that the proposed dwelling, by reason of its single storey nature, modest footprint, separation from the property boundaries (2.25m) and the spatial relationship to the Farmhouse, would be of a scale and form ancillary to the Farmhouse and appropriate to the vicinity and the character and appearance of the Conservation Area. The location of the building as proposed is considered the logical solution to the design constraints of this site having regard to the nature and character of the site.</td>
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<tr>
<td>- The location of the dwelling in the northern corner of the site owes more consideration of the Farmhouse than to neighbouring properties</td>
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<tr>
<td>- The dwelling should be more centrally located within the site</td>
<td></td>
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<tr>
<td>- The dwelling is too close to the boundaries</td>
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<tr>
<td><strong>Landscape</strong></td>
<td>The most important trees of the site are intended to be retained as part of a comprehensive landscaping scheme for the site. The largest and most dominant trees within the site, those that contribute most to the character and appearance of the surrounding wider Conservation Area, are to be retained. Further tree planting is also shown within the site to enhance the wooded and green setting of the building in this backland location, together with a green roof for the new dwelling. Whilst the</td>
</tr>
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11 Swedish Birch replacement trees are not appropriate for the site, a more diverse stock of replacements that add winter interest and encourage greater bio-diversity could reasonably be secured as part of the landscaping condition. Further to this, a condition of consent is recommended to ensure that those trees identified for retention in the landscaping scheme are afforded suitable protection during construction works.

It is considered that a suitable level of landscaping, as can be secured by condition, will ensure that any important bio-diversity value that the site currently has will not unacceptably be harmed in the long term.

| The arboricultural statement dates from 2006 and the situation on site may have changed. | The Council’s Arboricultural Officer has visited the application site pursuant to the receipt of this current application and confirms that the tree stock on site have not altered significantly from the situation recorded in the 2007 report. |
| Invasion of privacy and loss of garden to Farmhouse residents | Whilst a passive overlooking between the Farmhouse and the new dwelling will inevitably exist, the 8m separation distance provided by the retained private garden of the Farmhouse and the conventional boundary treatment that would be secured is considered sufficient so that the relationship of overlooking would not be materially harmful. It should also be noted that the windows of the new house are rearwards facing so that outlook is directly into its rear garden rather than towards the boundary with the Farmhouse. |
| Quality of life for the residents of the new dwelling, with habitable rooms being at basement level | Each of the rooms within the new dwelling meet the relevant SPD size standards. Further to this, the internal ground floor area of the dwelling would be raised by some 600mm above external ground level to allow clerestory light into the basement and each of the bedrooms contained within the |
basement are served by full height windows which look out onto lightwells. The basement rooms will thus receive adequate levels of natural lighting and outlook.

<table>
<thead>
<tr>
<th>Amenity</th>
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<tbody>
<tr>
<td>The building will project above the boundary fences and appear overbearing</td>
</tr>
<tr>
<td>Loss of aspect/prospect</td>
</tr>
<tr>
<td>Loss of privacy to neighbouring properties</td>
</tr>
<tr>
<td>Increase in noise disturbance from an additional family dwelling in this quiet and peaceful environment</td>
</tr>
<tr>
<td>It is not clear from the drawings which windows, if any will be obscured. There are windows directly facing the Broadhinton Road properties.</td>
</tr>
<tr>
<td>The windows will directly overlook the Broadhinton Road properties</td>
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The residents of Broadhinton Road properties would face the rear boundary of the site (as they currently do); behind which the new single storey massing of the development and associated tree screening would be introduced. The new dwelling would be set some 2.25m in from the north western boundary (that with the rear gardens of the Broadhinton Road properties) to allow for the screen planting. The rear returns of the Broadhinton Road properties are some 15m distant from their respective rear boundaries and would achieve a separation distance of 17.25m to the actual new dwelling. This is not an unusual separation distance between facing properties within an urban environment. Given the single storey nature of the development and boundary treatments, it is considered that the perceived massing of the development would not be to such a degree that the development would appear overbearing or oppressive or lead to a sense of enclosure in this location.

To the other side (south east) the Lilleshall Road properties are more distant from the site and proposed dwelling. Those properties have rear gardens of some 28m in depth and the new dwelling on site is located a further 8m across from the south-eastern boundary with those properties. Again, the single storey nature of the development will not appear overly dominant in this context.

The distance from the new dwelling to the dwellings in both these streets would be sufficient to maintain adequate privacy. The ground floor windows of the new dwelling will not provide any opportunities to overlook neighbouring properties by reason of their predominant orientation to the rear of the new dwelling and by reason of the boundary treatment that will be secured by condition. In the circumstances there is no reason to request the obscuring of any of the windows by way of planning condition.

In the circumstances the new dwelling now proposed is considered fully compliant with Policies 7, 15, 32, 33 and 54 of the UDP with respect to
<p>| <strong>Over intensive residential use of the site</strong> | ‘amenity’ impact. The development achieves an appropriate layout of the site, with large private garden areas for each of the dwellings (the new dwelling and the farmhouse). It is considered that the resultant site would not appear cramped and that there is no reason to suggest that the occupation of the 687 sqm site by two single family dwelling houses will give rise to amenity disturbance. The modest bulk and form of the dwelling, located as it is in the northern corner of the site, is considered a sufficiently diminutive response to the constraints of this backland and enclosed site. |
| <strong>Excavation of basement will cause harm/damage to neighbouring properties</strong> | There is no evidence before the LPA to verify that the excavation works for the basement need cause unacceptable harm to neighbouring properties. Such matters are more appropriately dealt with under Building Regulations. |
| <strong>The development will increase parking stress in an already heavily parked area.</strong> | It is proposed that the new dwelling would be car free and subject to a s.106 agreement removing the eligibility of the occupiers of the new dwelling to obtain a Council parking permit. This approach is acceptable in the context of part (g) of Policy 14 and Policy 57 of the UDP. A condition of consent could also be imposed to prevent the provision of a parking space within the curtilage of the new dwelling house and the access to the site, as is recommended. The development will not therefore likely create an increased demand for on-street parking beyond existing circumstances in the vicinity. The development thus accords with Policies 9 and 14 of the UDP. |
| <strong>The development is only for commercial gain.</strong> | This is not a material planning consideration. |
| <strong>A fire engine would not be able to reach the house in case of fire.</strong> | Matters of access in case of emergency are dealt with under Part B (Fire safety) of the Building Regulations. The London Fire and Emergency Planning Authority (LFEPA) have been consulted but raise no objection to the scheme. Members are advised that this matter did not form part of the refusal of the previous planning application at the site, where the new dwelling was located in a similar position to that shown here. |</p>
<table>
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<tr>
<th><strong>There is concern about a vehicular access to the new building.</strong></th>
<th>The application forms state that there is one parking space existing on site and that it is intended to retain that. It was observed on a site visit however that currently no vehicular access into the site occurs as such access would be restricted by the steps and bins of 23 Broadhinton Road and by trees which have grown over the approach. Neither is there a parking or turning area within the site. The applicant states however that vehicular access rights to the site and in connection with the Farmhouse are established and whilst not currently used, could be brought back into use at any time. Officers are of the opinion that whilst it would be onerous to remove such vehicle access rights as part of the grant of this permission, given the intensification of the residential use of the site and potential conflicts with access to the new dwelling, it would be entirely reasonable to restrict the parking for the Farmhouse to one space within the newly formed curtilage of that building. A condition of consent to this effect is recommended.</th>
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<tr>
<td>The plans do not allow for a calculation of the overall above ground volume of the development for comparison with the previous scheme.</td>
<td>It is considered that the plans are sufficiently detailed to enable a full assessment of the proposal.</td>
</tr>
<tr>
<td>Disturbance and nuisance during construction.</td>
<td>It is inevitable that there will be noise impacts during the construction of the development. However, there is no reason to suggest that the development works will cause unacceptable and prolonged noise and/or nuisance. This, in any event, is a matter dealt with under Environmental Health legislation if such an unacceptable noise nuisance is caused.</td>
</tr>
<tr>
<td>The application has been insufficiently advertised</td>
<td>Letters of notification were sent to neighbours within a reasonable vicinity of the application site. Further to this, the application was advertised by way of a site notice posted at the application site and by way of a press advert. In the circumstances the application has been advertised in excess of the minimum statutory requirements set out in the Town and Country Planning (General Development Procedure) Order 1995.</td>
</tr>
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</table>
The following comments in support of the application have been received:

- This is an imaginative, stylish and well perceived solution to the problematic backland site which has been deteriorating for over 30 years.
- It is important in the context of overall shortage of inner city residential stock that neglected and under used backland sites are put to use.
- This is an environmentally sensitive design solution.
- Consideration given to the environment and biodiversity is commendable
- The revised scheme meets the concerns of the residents

5.6 The following consultations with bodies external to the Council have been undertaken:

The London Fire and Emergency Planning Authority (LFEPA) – No response

5.7 The following Consultees within the Council were consulted and their responses are summarised as follows:

Transport and Highways - There is considerable history on this one and transport comments have been consistent throughout. We will need a permit-free s106 agreement.

Streetcare – The proposed refuse storage area is acceptable providing 1 x 240 litre refuse bins is used and the remaining space is allocated for the use of orange bags and/or green boxes.

Conservation and Design – We have no objection to the architectural language that has been used for either the extension or the new dwelling. Both appear to represent an intelligent response to the constraints of the site and the extension in particular seems to be a sensitive contemporary interpretation of the render, form and character of the host property. The new building is not of a conventional design and makes little reference to the character of the area, but given the isolated nature of the site there is no particular reason why such a building should do - the main focus should be achieving an appropriate massing, siting and scale for the site. This scheme would appear to have taken previous planning concerns on board in the revisions now presented.

Arboricultural Officer – Following the Arboricultural assessment that was undertaken, the most significant trees are to be retained and protected as part of the development. The proposal therefore does not conflict directly with any policies relating to trees per se. The appropriateness of the provision of 11 new Swedish Birches as part of the structural tree
replacements on the site is questioned however in respect to lack of diversity/biodiversity and a lack of winter interest.

Environment Development Team – No response

Crime Prevention Design Advisor – No response

6 RELEVANT POLICIES

6.1 National Guidance

6.1.1 Central Government advice is contained in a range of Government Circulars, Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPS). These are essentially general policies which aim to guide the local planning authority to securing good policies based on real and sound objectives and the need to provide high quality, well thought out developments which make a positive contribution to the locality and which help to protect or enhance the environment.

Planning Policy Statement 1 – Delivering Sustainable Development:

6.1.2 Planning Policy Statement 1 (PPS1) attempts to ensure that development and growth are sustainable. The guidance note outlines the positive role for the planning system in guiding appropriate development to the right place. The advice also states that adequate provision should be made for employment users and for the provision of new housing developments, and that local authorities should operate on the basis that applications for development should be allowed having regard to the Development Plan and all material considerations, unless the proposed development would cause demonstrable harm to the interests of acknowledged importance.

6.1.3 The policy statement underlines the fact that the planning system can deliver high quality, mixed use developments characterised by compactness, mixed-use and dwelling types, affordable housing, a range of employment uses, leisure and community facilities and a high standard of design. The emphasis is also on the use of planning conditions to control development and also to make the best use of brownfield sites.

Planning Policy Statement 3 – Housing:

6.1.4 Planning Policy Statement 3 underpins the delivery of the Government’s strategic housing policy objectives and the goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Guidance 13 – Transport:

6.1.5 Planning Policy Guidance Note 13 (PPG13) stresses the reliance of the past on the private car. The guidance note encourages alternative means of travel which would have less environmental impact. It suggests the location of new housing and employment uses in urban areas, and the optimum use of under-used sites and the promotion of new rail links and other improvements to public transport. One of the main objectives of this piece of Central Government thinking is to reduce the number in car movements and usage.

Planning Policy Guidance 15 – Planning and the Historic Environment:

6.1.6 This PPG lays out government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment. It explains the role of the planning system in their protection.
6.1.7 The frequently close link between controls over ‘listed’ buildings and conservation areas and development control decisions means that development and conservation generally need to be considered together. The PPG deals with those aspects of conservation policy which interact most directly with the planning system, and the need to protect Conservation Areas from unacceptable development.

6.1.8 These include matters of economic prosperity, visual impact, building alterations, traffic and effect on the character of conservation areas. Part Two addresses the identification and recording of the historic environment including listing procedures, upkeep and repairs and church buildings.

**Planning Policy Guidance 24 – Planning and Noise**

6.1.9 Planning Policy Guidance Note 24 (PPG24) guides local authorities in England on the use of their planning powers to minimize the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise.

6.2 London Plan

6.2.1 The London Plan was consolidated in February 2008 and now includes alterations that have been made since it was adopted in February 2004. The London Plan is the Mayor’s development strategy for Greater London and provides strategic planning guidance for development and use of land and buildings within the London region.

6.2.2 It seeks to accommodate significant growth in ways that respect and improve London's diverse heritage while delivering a sustainable world city and, proposes to achieve this through sensitive intensification of development in locations well served by public transport.

6.2.3 All Borough plan policies are required to be in general conformity with the London Plan policies.

6.2.4 The following policies of the London Plan are relevant:

- 2A.1 Sustainability criteria
- 3A.1 Increasing London’s supply of housing
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 3C.1 Integrating transport and development
- 3C.2 Matching development to transport capacity
- 3D.14 Biodiversity and nature conservation
- 3D.15 Trees and woodland
- 4A.1 Tackling climate change
- 4A.2 Mitigating climate change
- 4A.3 Sustainable design and construction
- 4A.20 Reducing noise and enhancing soundscapes
- 4A.21 Waste strategic policy and targets
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world-class architecture and design
4B.3 Enhancing the quality of the public realm
4B.5 Creating an inclusive environment
4B.6 Safety, Security and fire prevention and protection
4B.8 Respect local context and communities
4B.11 London’s built heritage
4B.12 Heritage conservation

6.3 **Unitary Development Plan (2007)**

6.3.1 The following policies of the adopted Unitary Development Plan (2007) are considered relevant to this application:

Policy 1, The Vision for Lambeth;
Policy 6, Development of Brownfield Sites;
Policy 7, Protection of Residential Amenity;
Policy 9, Transport Impact;
Policy 14, Parking and Traffic Restraint;
Policy 15, Additional Housing;
Policy 31, Streets, Character and Layout;
Policy 32, Community Safety/Designing Out Crime;
Policy 33, Building Scale and Design;
Policy 35, Sustainable Design and Construction;
Policy 36, Alterations and Extensions;
Policy 38, Design in Existing Residential/Mixed use Areas;
Policy 39, Streetscape, Landscape and Public Realm Design;
Policy 47, Conservation Areas;
Policy 54, Pollution, Public Health and Safety;
Policy 56, Waste; and
Policy 57, Planning Obligations.

**Status of the UDP**

6.3.2 The current up to date statement of the Council's planning policies is contained in the Lambeth UDP adopted on 6th August 2007. Together with the London Plan, this forms the statutory development plan for the Borough. It is used to determine all planning applications in the Borough.

6.3.3 Given its recent adoption, the UDP is in general conformity with the national guidance and the London Plan. For the purposes of this report therefore reference in the assessment will concentrate upon the development’s compliance (or not) with the Policies set out in the UDP. Reference will only be made to other National and Regional Policy where there is conflict and/or where it is necessary and appropriate to do so.

6.4 **Supplementary Planning Documents (SPDs)**

6.4.1 The following adopted SPDs are relevant:

- SPD: Guidance and Standards for Housing Development and House Conversions
6.4.2 The Council’s ‘Waste & Recycling Storage and Collection Requirements: Guidance for Architects and Developers’ (2006) is also considered relevant.

7 PLANNING CONSIDERATIONS:

7.1 The principle of intensifying the residential use of the site

7.1.1 The Council are committed by the London Plan (Policy 3A.1) to the provision of some 11,000 additional dwellings in the 10 year period of 2007/08 to 2016/17. In this context Policy 15 of the Unitary Development Plan sets out a priority in favour of housing which, unless otherwise stated in the plan, establishes that housing is an appropriate use on all sites which can provide a suitable residential environment for existing and future residents. In this instance the provision of a new dwelling would contribute to the supply of new housing to the Borough.

7.1.2 The site is not designated as open space or open land within the UDP. The site, comprising as it does the residential curtilage of the Farmhouse, falls within the definition of Previously Developed Urban Land (see the glossary contained within the UDP). In this context Policy 6 of the UDP is encouraging of maximising the use of the site. This however needs to be balanced against all other outward impacts of the development, such as its impact upon the character and appearance of the Conservation Area and the amenity of neighbouring properties.

7.2 Design

7.2.1 Policy 33 of the UDP states that all development should be of a high quality of design and contribute positively to its surrounding area. Policy 38 of the UDP welcomes proposals to intensify existing residential/mixed-use areas where this can be achieved through good design and without harming local amenities. Policy 39 relates to issues of the streetscape, landscaping and public realm design. Policy 47 sets out a presumption that developments within Conservation Areas should either preserve or enhance the character and appearance of that Conservation Area.

7.2.2 Policy 36 of the UDP relates to extensions and alterations to buildings and sets out that such extensions or alterations should be of a subordinate nature in keeping with the host building.

7.2.3 The application pertains to a back land site located within the heart of the 19\textsuperscript{th} century residential expansion of Clapham Old Town and is located within the Clapham Conservation Area. The existing building on site is a characterful building which probably has its origins in the mid 19\textsuperscript{th} century when Clapham was still a semi-rural village on the outskirts of London, and has evolved continually with a number of extensions and sub divisions. It is a characterful building which is deemed to be of some intrinsic historic
interest and it is therefore deemed to make a positive contribution to the special architectural and historic interest of the Conservation Area.

The Proposed Dwelling

7.2.4 Established housing in the vicinity of the site is, in the main, substantial in scale and height, with dominant terracing on Broadhinton Road and Lilleshall Road imparting a strong definition to either side of the site. The application site itself has an open and vegetated character, comprising as it does the Farmhouse and its garden area and being surrounded as it is by the residential gardens of the Broadhinton Road and Lillishall Road properties. The site is currently secluded and in a quiet setting. The site characteristics at present therefore are appropriate to the backland setting and are considered to contribute positively to not only the character of the vicinity but also to the residential amenity of neighbouring properties. The physical characteristics of the site – its shape, ‘backland’ setting, proximity to nearby housing and its open and vegetated nature – thus place constraints upon its potential to accommodate an acceptable form of residential development.

7.2.5 The backland area of this residential block (enclosed by the Broadhinton Road, North Street, Lilleshall Road and Lambourn Road properties) have already witnessed subdivision and residential development; most notably the development of 26 dwellings in Bobbins Close. The backland area of this residential block as a whole are not therefore untouched and retained in an original undeveloped state so that the introduction of a residential dwelling would automatically challenge the uniformity of the urban grain in a negative manner.

7.2.6 The proposal would in effect sever the rectangular site in two to provide an area of land for the proposed new dwelling. The new dwelling would be contemporary in nature, using painted render and glazing and incorporating a ‘green’ flat roof. It would be located within the northern corner of the site; the opposite corner from that of the Farmhouse, which would be retained and extended. The dwelling would be single storey in height above ground level, with a further basement level and associated lightwells. At its closest the new dwelling would be located some 8.6m away from the newly extended Farmhouse.

7.2.7 The north western elevation of the new dwelling would be set some 2.25m from the north-western boundary (the boundary with the rear gardens of 23-26 Broadhinton Road) and will in this location measure some 3m in height. The elevation presenting directly to the Broadhinton Road properties will have a width of some 6.4m. There is also a rise in ground level from the Broadhinton Road gardens to the northern west of site to the application site of some 0.3 to 0.5m.

7.2.8 Along the north-eastern boundary (the boundary with the rear garden of 27 Broadhinton Road) the building is to be set off of the boundary by 2.25m also and will have a height of 3.5m. The part of the building presenting to this boundary has a width of 6.8m.

7.2.9 It is considered that the proposed dwelling, by reason of its single storey nature, modest footprint, separation from the property boundaries and the spatial relationship to the Farmhouse, would be of a scale and form appropriate to the vicinity and the character and appearance of the Conservation Area. This is especially the case given that a comprehensive landscaping scheme could reasonably be secured by condition as
recommended. It is considered that the new dwelling would represent an appropriate addition to this backland plot so that the resultant site will not appear cramped or overdeveloped in comparison to the 'less developed' nature of the backland setting.

7.2.10 Boundary treatments of the site are recommended for control by planning condition and there is a reasonable expectation that a boundary fence should be of sufficient height to meet the privacy and security needs of the existing and future residents. Officers are also mindful that there is tree planting proposed along the boundaries adjacent to the dwelling that will act to a large degree as a visual screen for the single storey building when viewed from the Broadhinton Road properties. When considering the boundary treatments of the application site that could reasonably be secured by condition, it is considered that the visible height of the development from outside of the site will not be substantial and that the width of massing that will present to the north eastern and north western boundaries of the site would not appear as overly dominant or oppressive. It is considered that the scale and bulk of the dwelling would not therefore inappropriately challenge the urban grain and the character and appearance of the Conservation Area.

7.2.11 The new dwelling will be located in the opposite corner of the site from the Farmhouse with a separation distance of almost 9m at its closest point. It is considered that sufficient separation and space around and between the buildings (the new dwelling and the extended Farmhouse) would be achieved so that the new dwelling will read as ancillary and the historical and established setting of the Farmhouse within its cartilage.

7.2.12 The architectural language that has been used represents an effective response to the constraints of the site. The new building is not of a conventional design and makes little reference to the prevailing architectural character of the area. However, given the isolated nature of the site there is no particular reason why such a building should do. It is considered that the main focus should be in achieving an appropriate massing, siting and scale. It is also considered that the render references the dominant material on the host property, as does the flat roof design, whilst the green roof and the glazing helps to minimise the impact of the new building by reflecting the surrounding landscape so as to help the building integrate with the site.

7.2.13 In the circumstances it is considered that the new dwelling suitably responds to the locally distinctive pattern of development and the form and massing of surrounding housing. In particular the proposal respects the scale and proportions of adjacent buildings within their curtilage. Moreover, the modest bulk and form of the dwelling, located as it is in the northern corner of the site, is considered a sufficiently low key response to the constraints of this backland and enclosed site. The dwelling will appear as a development well proportioned within the open and 'green' site that currently contributes positively to the character and appearance of the Conservation Area and to residential amenity.

7.2.14 The new dwelling is thus considered acceptable in that it will cause no unacceptable harm to the setting of the Farmhouse, to the open backland nature of the site and to the character and appearance of the Conservation Area. The dwelling is thus considered compliant with Policies 31, 33, 36, 39 and 47 of the London Borough of Lambeth’s Unitary Development Plan (2007) in respect to matters of design.
The Extension

7.2.15 The architectural language that has been used for the extension represents an effective response to the constraints of the site and appears as a sensitive contemporary interpretation of the materials, form and character of the parent property. The extension replaces the existing single storey front projecting extension of the property. The extension will be set below the cornicing of the existing building and will be offset from the original house by a glazed slot. It is thus of a scale and massing that will appear subordinate to the host building. The contemporary design is well executed and complements the host building. Moreover, it represents a fairly modest level of intervention that removes the poor quality and harmful modern extensions that have previously occurred at the property.

7.2.16 It is considered that the extension will cause no material harm to the character and appearance of the host building or Conservation Area, especially where the quality of materials of the proposed extension are to be of a high quality. In this respect the extension is considered compliant with Policies 36 and 47 of the UDP.

Landscaping

7.2.17 The application is accompanied by an Arboricultural Assessment, which comprises a fair and accurate appraisal of the tree stock located at the site at the time of its compilation. The report is dated January 2007 and was compiled as a supporting document in respect to the first application submitted – application 07/02954/FUL. The Council’s Arboricultural Officer has visited the application site pursuant to the receipt of this current application and confirms that the tree stock on site have not altered significantly from the situation recorded in the 2007 report.

7.2.18 Many of the existing trees on site have grown as part of a tight group or copse and are subsequently drawn up and poorly formed in terms of shape and crown habit. This particularly applies to the existing Sycamore trees in the northern corner of the site (trees t5, t6 and t14 to t25 as shown on the drawings), where the new dwelling would be located. These trees are self-seeded in origin and have largely established due to the garden area being neglected. The existing pear tree and cherry tree (located where the footprint of the new dwelling is proposed) have failed to thrive given the proximity of the adjacent trees.

7.2.19 The development will involve the loss of 15 trees in total, but the submitted drawings show 11 replacements as part of the landscaping scheme. Other than the loss of a Walnut tree (tree t8 on the plans), the most healthy and important trees of the site are all shown to be retained as part of the proposal. These include the largest and most dominant trees within the site, and those that contribute most to the character and appearance of the surrounding, wider Conservation Area. The removal of the walnut tree is required to accommodate the footprint of the new building. The Walnut tree is not however visible from outside of the site.

7.2.20 The further tree planting shown within the site will help screen the new dwelling and enhance the wooded and green setting of the building in this backland location. The drawings state that all new trees planted at the site will be Swedish Birch. This is unacceptable in the context of the site as it will provide a lack of diversity, will provide no winter interest and will fail to promote bio-diversity. Nevertheless, revised species could
be secured by way of planning condition. Planting locations include trees along the north-western boundary to provide screening for the new dwelling when viewed from the Broadhinton Road properties; trees between the proposed dwelling and the north eastern boundary; trees along the newly formed boundary between the Farmhouse and the new dwelling; and a further tree to be located on the south eastern boundary with the Lillishall Road properties. Further to this a green roof is proposed to the new dwelling.

7.2.21 The development will inevitably involve an incursion into the Root Protection Area of one of the important trees (tree T3 (Ash)). This is a significant tree that provides screening and visual amenity to surrounding private dwellings. Nevertheless, it is the applicant’s intention to retain this tree and any groundworks and special engineering techniques required to accommodate the new build could be secured and controlled by condition so as to prevent any damage or loss of that tree.

7.2.22 The non-structural landscaping for the site comprises of the laying of grass lawns, planting of wildflowers and heathers, and the use of cobbles and flagstones for the ‘hard’ areas and approaches to the buildings. These details are considered acceptable in principle, although it would be prudent to require by condition submission of details to ensure a high quality of development. A condition to this effect is included.

7.2.23 On balance it is considered that suitable measures of landscaping could be achieved at the site having regard to the nature of the development and the character and appearance of the site and Conservation Area. Full detailing of landscaping could reasonably be secured by way of planning condition to ensure the achievement of an appropriate setting for the new dwelling and Farmhouse. It is considered that the net loss of trees on the site can be suitably compensated by qualitative improvements resultant from a comprehensive landscaping scheme. As such, the development need not fail against Policies 39 and 47 of the UDP.

7.3 Quality of accommodation

7.3.1 Policy 15 of the UDP sets out the presumption that development should provide a suitable residential environment for future residents. In terms of the quality of residential units to be provided, Policy 15 is also supplemented by the Council’s SPD: Guidance and Standards for Housing Development and House Conversions.

7.3.2 The new dwelling complies with the SPD room/unit size standards as follows:

<table>
<thead>
<tr>
<th>Room Type</th>
<th>SPD 3 bed, 4 persons (m²)</th>
<th>Proposed (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom (Double)</td>
<td>12</td>
<td>16</td>
</tr>
<tr>
<td>Single bedroom</td>
<td>7</td>
<td>8.2 &amp; 8.2</td>
</tr>
<tr>
<td>Living Room</td>
<td>14</td>
<td>17.7</td>
</tr>
<tr>
<td>Dining Room</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>Living/Dining</td>
<td>18.5</td>
<td>-</td>
</tr>
<tr>
<td>Kitchen</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>Kitchen Diner</td>
<td>12.5</td>
<td>22.2</td>
</tr>
<tr>
<td>Living/Kitchen/Dining</td>
<td>None (26.5)</td>
<td>48 (Approx)</td>
</tr>
<tr>
<td>Bathroom/wc combined</td>
<td>3.5</td>
<td>5</td>
</tr>
<tr>
<td>Overall floor area</td>
<td>70</td>
<td>118.4</td>
</tr>
</tbody>
</table>
7.3.3 Each of the rooms within the new dwelling meet the SPD standards. Further to this, the internal ground floor area of the dwelling would be raised by some 600mm above external ground level to allow clerestory light into the basement and each of the bedrooms contained within the basement are served by full height windows which look out onto lightwells. The development would also provide general storage separate from the habitable rooms. It is also noted that the windows of the development have been located so as to directly face the rear garden of the proposed dwelling or the boundary treatment in the northern corner of the site, rather than towards the farmhouse. Whilst the garden of the new house will inevitably be overlooked to a degree by the upper floors of the Farmhouse, the 8m separation distance provided by the rear garden of the Farmhouse and the conventional boundary treatment that would be secured is considered sufficient so that the relationship of overlooking would not be materially harmful. Moreover, such overlooking relationships between gardens and neighbouring properties are not uncommon within urban environments. In the circumstances it is considered that the development would provide adequate living conditions in respect to size, functionality, circulation, levels of privacy, outlook and levels of natural lighting.

7.3.4 The current SPD states that for new dwellings a minimum private garden space of 30sqm should be provided. The development would provide a private garden area for the occupiers of the new dwelling directly to the rear of the house and measuring some 13m in width and 7m in depth (91sqm). There is further amenity space around the new building within its newly formed plot. In respect to the Farmhouse Members are advised that a private amenity area of 8m in depth and 16m in width (128sqm) would be retained. It is thus considered that an adequate level of amenity space would be provided for the new dwelling and retained for the Farmhouse.

7.3.5 Policy 3A.4 of the London Plan seeks to ensure that all new housing is built to ‘Lifetime Homes’ standards. This requirement is touched upon in Policy 33 of the UDP (in a footnote) and substantiated in the recently adopted SPD on Housing Development and House Conversions. The Design and Access Statement sets out that it is intended to construct the development “in accordance with the ambitions of the Lifetimes Homes Standards”. Whilst not each of the Lifetime Homes Standards will be relevant or applicable to the development, a suitable condition could reasonably and appropriately secure this commitment in accordance with the relevant planning policies. A condition as such is recommended.

7.3.6 In terms of the extension, it is fairly well sized and merely increases the amount of residential accommodation available to the Farmhouse. SPD standards are not applicable to residential extensions as it is generally accepted that the development will enhance the quality of residential accommodation that currently exists at the house and so will not result in a sub-standard unit of residential accommodation.

7.4 Amenity Impact

7.4.1 The following Policies of the UDP are relevant with regards to amenity related matters:

- Policy 7 of the UDP sets out a presumption that residential amenity will be protected;
- Policy 15 of the UDP states that housing is an acceptable use on all sites (unless otherwise stated in the plan) providing that a suitable residential environment for existing and future residents is provided;
• Policy 33 (d) sets out a presumption that new buildings should be of a scale and design that protects residential amenity;
• Policy 36 (c) states that alterations and extensions should not unacceptably harm the amenities (privacy, outlook, sunlight and daylight) of adjoining residents or create an unacceptable sense of enclosure;
• Policy 38 states that proposals to intensify existing residential/mixed use areas are welcomed where this can be achieved without harming local amenities; and
• Policy 54 sets out that noise generating development will not be permitted where it would harm existing or proposed noise sensitive development in the area, unless this can be acceptably attenuated.

The Dwelling

7.4.2 The neighbouring residents of the houses in Broadhinton Road and Lilleshall Road currently enjoy a relatively private rear aspect over the overgrown garden area of the Farmhouse.

7.4.3 Under this proposal, the residents of Broadhinton Road properties would face the rear boundary of the site (as they currently do); behind which the new single storey massing of the development and associated tree screening would be introduced. The new dwelling would be set some 2.25m in from the north western boundary (that with the rear gardens of the Broadhinton Road properties) to allow for the screen planting. The rear returns of the Broadhinton Road properties are some 15m distant from their respective rear boundaries and would achieve a separation distance of 17.25m to the actual new dwelling.

7.4.4 This is not an unusual separation distance between facing properties within an urban environment. Further to this, the new dwelling is only single storey and would be set in from the site boundaries with additional tree/screen planting along those boundaries to soften its visual impact. It is considered that the perceived massing of the development, and particularly its perceived projection above the height of the boundary treatment, would not be to such a degree that the development would appear overbearing or oppressive or lead to a sense of enclosure in this location. It is considered that the spatial relationship created in this circumstance would be consistent with such that are generally accepted within urban environments.

7.4.5 To the other side (south east) the Lilleshall Road properties are more distant from the site and proposed dwelling. Those properties have rear gardens of some 28m in depth and the new dwelling on site is located a further 8m across from the south-eastern boundary with those properties. Given the separation distances involved the new dwelling will not appear visually intrusive or overbearing when viewed from the Lilleshall Road properties, especially given the proposed comprehensive landscaping scheme proposed.

7.4.6 The distance between the dwellings in both these streets would be sufficient to maintain adequate privacy. The ground floor windows of the new dwelling will not provide any unacceptable opportunities to overlook neighbouring properties by reason of their predominant orientation to the rear of the new dwelling and by reason of the boundary treatment that would be secured by condition.
7.4.7 Drawing P_07134_P208 rev C demonstrates that the development is reasonably distant from all neighbouring properties and not of a scale and massing that would cause unacceptable harm to the level of natural daylight and sunlight currently received at neighbouring properties. The development is compliant with the guidance set out in the BRE publication ‘Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’ in this respect.

7.4.8 In the circumstances the new dwelling now proposed is considered compliant with Policies 7, 15, 32, 33 and 54 of the UDP with respect to ‘amenity’ impact.

The Extension

7.4.9 The extension is of a reasonable scale and is reasonably distant from neighbouring residential properties (18m to the rear of the Broadhinton Road properties and 15m to the adjacent Lambourn Court properties of Lambourn Road) so that it will not appear unacceptably overbearing or oppressive when viewed from any neighbouring properties. Neither will it harm the levels of natural light currently experienced at neighbouring properties or introduce any openings that would increase overlooking of neighbouring properties to any unacceptable degree.

7.4.10 In the circumstances the extension is considered compliant with Policies 7, 15 and 36 of the UDP with respect to ‘amenity’ impact.

7.5 Transportation and Highways

7.5.1 Policies 9 and 14 of the UDP are relevant with respect to Transportation and Highways matters. Policy 9 sets out a requirement for all applications to be assessed upon their transport impact upon highway safety; the environment and the road network; and all transport modes. Policy 14 relates to parking and traffic restraint. Part (g) specifically states that:

“Car free developments are encouraged in areas of good, very good and exceptional public transport accessibility. In these areas, especially where there is presently severe parking stress or there would be severe parking stress following development, development will be secured as car free (no on-site parking) and/or permit-free (where the eligibility of occupiers for Council parking permits is prohibited), and/or be part of /contribute to a city car club”.

7.5.2 The application site has a Public Transport Accessibility Level (PTAL) rating of 4 (good) and lies within a Controlled Parking Zone.

7.5.3 It is proposed that the new dwelling would be car free and subject to a s.106 agreement removing the eligibility of the occupiers of the new dwelling for a Council parking permit. This approach is acceptable in the context of part (g) of Policy 14 and Policy 57 of the UDP. A condition of consent could also be imposed to prevent the provision of a parking space within the curtilage of the new dwelling house and the access to the site, as is recommended.

7.5.4 Whilst occupiers of the existing Farmhouse are eligible to obtain parking permits, the use of that premises remains as a single family dwelling house and the extension will not allow for a significant intensification of the existing residential use. It follows that the
extension to the Farmhouse would cause no unacceptable impacts upon the existing ‘on-street parking’ levels relative to current circumstances and to a degree that would require s.106 permit capping mitigation.

7.5.5 Members are advised that the application forms state that there is one parking space existing on site and that it is intended to retain that. It was observed on a site visit however that currently no vehicular access into the site occurs as such access would be restricted by the steps and bins of 23 Broadhinton Road and by trees which have grown over the approach. Neither is there a parking or turning area within the site. The applicant states however that vehicular access rights to the site and in connection with the Farmhouse are established and whilst not currently used, could be brought back into use at any time. Officers are of the opinion that whilst it would be onerous to remove such vehicle access rights as part of the grant of this permission, given the intensification of the residential use of the site and potential conflicts with access to the new dwelling it would be entirely reasonable to restrict the parking for the Farmhouse to one space within the newly formed curtilage of that building. A condition of consent to this effect is recommended.

7.5.6 Whilst no cycle parking is shown on the drawings, there is adequate potential for achieving both secured and covered provision in the amply sized curtilages of the properties. Given the ample curtilages and the private nature of the amenity spaces, there is no need to secure such provision by way of planning condition.

7.5.7 Subject to conditions and a s.106 permit capping agreement, the development will not likely cause significant disruption to the free flow of traffic, prejudice highway safety, result in the loss of any on-street parking, or create an increased demand for on-street parking. It follows that the development need not fail against policies 1, 9 and 14 of the UDP.

7.6 REFUSE STORAGE

7.6.1 Refuse storage provision for the new dwelling will be located down towards the entrance of the site, adjacent to the flank of no. 23 Broadhinton Road. The refuse for the existing dwelling is already stored in this location until collection. The area is not visible from Broadhinton Road, being located as it is behind the site entrance gates and within the overhang of 23 Broadhinton Road.

7.6.2 Subject to a suitably worded condition, the refuse storage provision could reasonably meet the needs of the future residents, could encourage more sustainable practices of refuse disposal and would not unduly harm the character and appearance of the street scene or Conservation Area. The provision therefore would be compliant with policies 1, 39 and 56 of the UDP.

7.7 SUSTAINABILITY

7.7.1 The provision of a new dwelling would make a more efficient use of a previously developed site in a location well served by Public Transport and local amenities. The development therefore is, in principle, compliant with the sustainable objectives of Policies 1, 6 and 33 of the UDP which set out a presumption of efficiently using ‘previously developed sites’ in accessible locations.
7.7.2 Policy 35 of the UDP sets out that all development proposals should show how they incorporate sustainable design and construction principles. The Council’s SPD on Sustainable Design and Construction sets out that all developments should achieve a minimum 3 star rating for the Code for Sustainable Homes, albeit that the Council aspires to 4 stars or more in the majority of developments.

7.7.3 The Design and Access statement of the application sets out that the intention is that the new dwelling will achieve a 3 star rating in the Code for Sustainable Homes (para 3.2.5). In such circumstances the development would achieve the minimum requirements under policy 35 of the UDP and the related SPD.

7.7.4 The application submission however fails to include sufficient further information to demonstrate exactly how this 3 star rating would be achieved, as would normally be expected with such an application. It is important that various assessments are carried out at relevant stages of the development process (pre-commencement and post completion) to ensure that the commitment to sustainable design and construction set out in the applicant’s Design and Access Statement is followed through. A condition of consent is recommended in this respect.

7.7.5 The development thus is considered compliant with Policies 1, 6 and 33 of the UDP and need not fail against Policy 35 and the associated SPD: Sustainable Design and Construction.

7.8 DESIGNING OUT CRIME

7.8.1 A condition of consent could be imposed to ensure that the development is compliant with the national Secured by Design Programme. In the circumstances there is no reason to suggest that the development, subject to the condition, will increase opportunities for crime. The development therefore need not fail against policy 32 of the UDP and the associated SPD: Safer Built Environments.

7.9 PLANNING REFUSAL 08/00546/FUL

7.9.1 Planning application 08/00546/FUL was refused planning permission in November 2008. It sought permission for the removal of the existing extension and erection of a two storey extension to the front of the existing dwelling house, together with the erection of a two storey three-bed family dwelling house and basement on the northern corner of the site. The reasons for refusal are set out in section 3 of this report and relate in the main to the new dwelling. The significant amendments to the scheme currently before committee relate the new dwelling, rather than the extension (see section 4.6 of this report).

7.9.2 In respect to the first reason for refusal, the development has been substantially reduced in scale. The dwelling has been reduced to single storey (above ground level), the footprint of the building has been reduced from 79.5 sqm to 67.8 sqm and the overall floor area has been reduced from 239.8 sqm to 118.4 sqm. These reductions have enabled greater separation from the flank boundaries and the adjacent Farmhouse so that the new dwelling would no longer appear ‘shoehorned’ into the site and will now read as ancillary to the Farmhouse. It is considered that this reduction in scale has sufficiently addressed the previous planning concerns raised in respect to the dwelling’s impact upon the setting of the Farmhouse, the open backland nature of the site and the
secluded character and appearance of the Conservation Area.

7.9.3 In terms of the second reason for refusal, again the reduced scale of the development now proposed would mean that the dwelling will appear sufficiently modest within the plot and in relation to neighbouring boundaries and properties. The reduction in scale is considered to have overcome the previous concerns relating to the development’s obtrusive form and the creation of an unwelcome sense of enclosure to neighbouring Broadhinton Road properties.

7.9.4 In respect to the third reason for refusal, the applicant has now presented in the Design and Access Statement a commitment to achieving the Lifetime Homes standards where those are applicable and reasonable. A condition of consent is recommended to ensure this occurs.

7.9.5 In respect to the fourth reason for refusal, it is undisputed that the development still would involve the introduction of a new dwelling in proximity to the gardens of neighbouring residential properties. However, the development has been designed as far as is practical so that the windows of the main habitable rooms of the new dwelling are orientated to face the private garden space to the rear of the new dwelling and away from the closest Broadhinton Road properties. Also, where the massing of the development has been substantially reduced the perceived intrusiveness of the new dwelling would be considerably lessened. In the circumstances it is considered that there is no apparent reason why future occupation of the new house will affect the ability of the neighbouring property occupiers to enjoy their secluded garden areas. Such spatial relationships between properties as would result were the new dwelling to materialise would not be uncommon for an urban environment.

7.9.6 In respect to the fifth reason for refusal, as has already been mentioned above the windows of the development have been located so as to directly face the rear garden of the proposed dwelling or the boundary treatment in the northern corner of the site, rather than towards the farmhouse. Whilst the garden of the new house will inevitably be overlooked to a degree by the upper floors of the Farmhouse, the 8m separation distance provided by the rear garden of the Farmhouse and the conventional boundary treatment that would be secured is considered sufficient so that the relationship of overlooking would not be materially harmful. Moreover, such overlooking relationships between gardens and neighbouring properties are not uncommon within urban environments.

7.9.7 No other reasons of refusal were cited in respect to application 08/00546/FUL. In the circumstances it is considered that the application currently before Committee has suitably overcome all reasons cited in the refusal of planning application 08/00546/FUL. Officers are of the view that the applicant has taken on board concerns previously raised to overcome the reasons for refusal. The scheme as now proposed is considered acceptable.

8.0 CONCLUSION:

8.1 In design terms, the development is considered appropriate in respect to its impact upon the setting/character of the Farmhouse, the open backland nature of the site and the character and appearance of the Conservation Area. It is also considered that the
development would provide an acceptable standard of living accommodation and would cause no unacceptable harm to the amenity of neighbouring properties relative to circumstances generally accepted in urban environments. Subject to suitable conditions and s.106, the LPA can also ensure a suitable commitment to sustainable design and construction, to achieving Lifetime Homes standards, to the provision of appropriate refuse/recycling storage and to minimising impact upon the function of the highway, conditions of parking and highway safety in the vicinity.

8.2 It is considered that the development complies with policies set out in the Development Plan for the Borough and there are no material planning considerations of sufficient weight to dictate that the application should nevertheless be refused.

9. Recommendation

9.1 Grant planning permission subject to the satisfactory completion of a Section 106 Obligation (Car Capping) and the attached conditions.

Summary of Reasons:

In deciding to grant planning permission, the Council has had regard to the relevant policies of the Development Plan and all other relevant material considerations. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision Policies 1, 6, 7, 9, 14, 15, 31, 32, 33, 35, 36, 38, 39, 47, 54, 56 and 57 of the London Borough of Lambeth’s adopted Unitary Development Plan were relevant.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.

Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Samples and a schedule of materials to be used in the elevations of the extension to the Farmhouse hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any building work of the extension commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the visual amenities of the locality. (Policies 31, 33, 38 and 47 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

3. Samples and a schedule of materials to be used in the elevations of the new dwelling hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any building work of the new dwelling commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application.
The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the visual amenities of the locality. (Policies 36 and 47 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

4 Detailed drawings of the new fenestration of both the extension and the new dwelling (at a scale appropriate to enable full assessment of the details and including cross sections) shall be submitted to and approved in writing by the Local Planning Authority before the relevant work is begun. The relevant work shall thereafter be carried out in accordance with such approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the visual amenities of the locality. (Policies 31, 33, 36, 38 and 47 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

5 Other than the walnut tree (tree t8), no trees other than those shown to be removed in the Approved Arboricultural Report prepared by Arboricultural Solutions (dated 08/01/07) and on drawings 07134_002C, 07134_209C and 07134_210B shall be felled, pruned, uprooted damaged or otherwise disturbed without the prior written agreement of the Local Planning Authority.

Reason: To ensure the retention of, and avoid damage to, the existing trees on or adjacent to the site that represent an important visual amenity to the surrounding area (Policies 39 and 47 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

6 Prior to the commencement of the development hereby permitted a Tree Protection Plan and Arboricultural Method Statement (in accordance with BS5837:2005) relating to the protection of all retained trees during development works shall be submitted to and approved in writing by the Local Planning Authority. Such a statement shall also include details of the Arboricultural Site Supervision and Monitoring to be carried out. Thereafter, the development works at the site shall be carried out in strict accordance with the approved details of tree protection.

Reason: To ensure the retention of, and avoid damage to, the existing trees on or adjacent to the site that represent an important visual amenity to the surrounding area (Policies 39 and 47 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

7 Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the whole application site. The scheme of landscaping shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained; species choice, stock size, density and lay-out of any proposed new planting; and a schedule of materials (including samples where necessary to enable assessment by the Local Planning Authority) for the ‘hard’ surfaces. Notwithstanding the details shown on the submitted drawings, a greater and more appropriate diversity of tree planting shall be included as part of the landscaping scheme for the site. None of the trees, shrubs or hedgerows shown for...
retention shall be removed or felled, lopped or topped, without the prior written permission of
the Local Planning Authority.

Reason: To ensure a satisfactory standard of landscaping of the site in the interests of
visual amenity (Policies 15, 39 and 47 of the London Borough of Lambeth’s Unitary
Development Plan (2007)).

8 The details of hard landscaping as approved shall be implemented prior to the
residential occupation of the new dwelling and all planting, seeding or turfing comprised in the
details of approved landscaping shall be carried out in the first planting and seeding season
following the occupation of the new dwelling hereby permitted or the substantial completion of
the new dwelling, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the
approved landscaping scheme which within a period of five years from the occupation or
substantial completion of the development die, are removed or become seriously damaged or
diseased shall be replaced in the next planting season with others of similar size and species,
unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and a continuing standard of landscaping of the site in
the interests of visual amenity (Policies 7, 15, 39 and 47 of the London Borough of Lambeth's
Unitary Development Plan (2007)).

9 Notwithstanding any indications illustrated on the approved drawings, no residential
occupation of the new dwelling shall take place until there has been submitted to and approved
in writing by the Local Planning Authority a scheme for the siting and design of all walls, fencing
and/or railings for the whole site (including details of those existing which are to be retained and
of those proposed). The development shall thereafter be completed in accordance with the
approved details and such walls, fencing and/or railings as may be approved shall be erected
before the initial occupation of the new dwelling unless the prior written approval of the Local
Planning Authority has been obtained for any variation.

Reason: To ensure a satisfactory and continuing standard of amenity is provided and
maintained in connection with the development and to minimise opportunities for crime (Policies
15, 32, 39 and 47 of the London Borough of Lambeth's Unitary Development Plan (2007)).

10 No more than 2 x 240 litre refuse bins shall be provided at the site for the storage of
general household waste of the Farmhouse and the new dwelling (combined). Further to this,
adequate space shall be provided for the storage of orange bags and/or green boxes to meet
the recycling needs of the properties. The refuse storage and recycling facilities shall be
provided prior to the residential occupation of the new dwelling and shall thereafter be
retained as such for the duration of the permitted use, unless the prior written approval is
obtained from the Local Planning Authority for any variations. The refuse storage and
recycling facilities shall be sited and stored in a manner and location that would minimise as
far as is reasonable their impact upon the character and appearance of the area and upon
the amenity of residential properties in the vicinity (including those of the Farmhouse and
the new Dwelling).

Reason: To ensure that adequate provision is made for the storage of refuse and recycling
on the site, in the interests of the visual and residential amenity of the area and to
encourage more sustainable practices at the properties (Policies 15, 33, 39, 47 and 56 of
the London Borough of Lambeth’s Unitary Development Plan (2007) and the London
11 The new dwelling hereby approved shall be constructed to achieve a minimum Code Level 3 under the Code for Sustainable Homes. No development works shall commence on site until such time as a Code for Sustainable Homes Pre-assessment (indicating the credits that are expected and stating clearly how these will be achieved) and a full Code for Sustainable Homes Certificate (demonstrating that the development will achieve the minimum Code Level 3 standard) has been submitted to and approved in writing by the Local Planning Authority. Thereafter no occupation of the new dwelling shall commence until such time as a Code for Sustainable Homes Post Completion Review Certificate (issued by BRE and demonstrating achievement of the minimum Code Level 3 standard) has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of securing a more sustainable development (Policies 1 and 35 of the London Borough of Lambeth’s Unitary Development Plan (2007) and the Council’s associated Supplementary Planning Document: ‘Sustainable Design and Construction’ (2008)).

12 The new dwelling hereby approved shall be constructed so as to achieve as far as is reasonable, practical and applicable the 16 Lifetime Homes standards identified by the Joseph Rowntree Foundation. Prior to the residential occupation of the new dwelling a statement setting out how the 16 Standards have been achieved, so far as was reasonable, practical and applicable, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development is made more accessible to all in accordance with Policy 33 of the London Borough of Lambeth’s Unitary Development Plan (2007) and the related Supplementary Planning Document: Guidance and Standards for Housing Development and House Conversions (2008).

13 Prior to the commencement of the development hereby permitted, a 'Designing out Crime' Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that the development will achieve as far as is reasonable the national 'Secured by Design' Standard. The development shall thereafter be implemented and retained in accordance with the details approved.

Reason: To ensure the safety and security of future occupiers and neighbouring properties in accordance with Policies 32 and 39 of the London Borough of Lambeth’s Unitary Development Plan (2007).

14 Full details of the lighting of all external areas of the application site shall be submitted to and approved in writing by the Local Planning Authority before the use of the new dwelling commences. The details shall include a specification of the lighting, location, lux, hours of operation, details of light spillage and details of shielding to neighbouring properties. The details approved shall be implemented prior to the commencement of use of the new dwelling hereby permitted and shall thereafter be retained for the duration of the permitted use, unless the written approval is received from the Local Planning Authority for any variation.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the proposal in the interests of the amenity of the vicinity and the safety and security of the site.
15 There shall not be car parking provided on the application site for any more than 1 car (or any other larger vehicle). The parking space, if provided, shall be provided within the newly formed curtilage of the Farmhouse (as defined on drawing 07134_209 rev C) and shall not be available for parking by residents of, or visitors to, the new dwelling. No vehicular parking shall occur within either the curtilage of the new dwelling or the communal access way (as defined on drawing 07134_209 rev C), other than motorcycles that shall not act to unreasonably obstruct the access way.

Reason: To prevent an over-intensive use of any vehicular access rights to the Farmhouse as may currently exist in the interests of securing a safe and convenient access to the new dwelling; and to ensure that the residents of the new dwelling are not afforded opportunity to park on site that would undermine the reason for imposing the s.106 ‘permit capping’ agreement (Policies 9, 14, 15, 33 and 38 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

16 The roof areas of the new dwelling and/or the extension to the Farmhouse hereby approved shall not be used as a balcony, sitting out area or amenity area.

Reason: To preserve the privacy and amenities of the adjacent property occupiers (Policies 7, 15, 33, 38 and 54 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

17 Notwithstanding the provisions of Article 3 and Classes A, B, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order), no enlargement, improvement or other alteration of, or to, the dwelling houses the subject of this permission shall be carried out without planning permission having first been obtained via the submission of a planning application to the Local Planning Authority; nor shall any building or enclosure required for a purpose incidental to the enjoyment of the dwelling houses as such be constructed or placed on any part of the land covered by this permission without such planning permission having been obtained.

Reason: To protect the architectural integrity and spatial standards of the development hereby approved and in the interests of the amenity of neighbouring properties (Policies 15, 31, 33 and 39 of the London Borough of Lambeth’s Unitary Development Plan (2007)).

Notes to Applicants:

1 This permission is subject to a s.106 agreement that removes the ability of any future occupiers of the new dwelling from obtaining a parking permit to park within the Controlled Parking Zone within which the application site is located.

2 This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.
3 Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.

4 As soon as building work starts on the development, you must contact the Street Naming and Numbering Officer if you need to do the following:— name a new street— name a new or existing building— apply new street numbers to a new or existing building. This will ensure that any changes are agreed with Lambeth Council before use, in accordance with the London Buildings Acts (Amendment) Act 1939 and the Local Government Act 1985. Although it is not essential, we also advise you to contact the Street Naming and Numbering Officer before applying new names or numbers to internal flats or units. Contact details are listed below.

Street Naming and Numbering Officer

e-mail: streetnn@lambeth.gov.uk
tel: 020 7926 2283
fax: 020 7926 9104

5 You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

6 You are advised all conditions which require further details to be submitted to and approved by the Local Planning Authority need to be accompanied by an application form and a fee. The application form and fee schedule can be viewed at www.lambeth.gov.uk/