

<b>Eltham and Kidbrooke Area Planning Committee</b>	<b>Agenda Item: 7</b>
<b>3 December 2020</b>	<b>Reference No.: 20/2034/HD</b>

**Applicant:** Mr and Mrs Craggs

<b>Site Address:</b> 43 Foxes Dale, Blackheath, London, SE3 9BH	<b>Ward:</b> Middle Park and Sutcliffe <b>Application Type:</b> Householder Planning
--	--

## 1.0 **Recommendation**

1.1 The Committee is requested to grant Planning Permission, as outlined below:

*Construction of a part-one part-two storey rear extension, replacement of existing windows and doors, the installation of roof lights in north and east elevations, replacement of the existing tiled roof, removal of some windows and relocation of the door in the southern elevation, widening of vehicle entrance through removal of existing hedge, removal of chimney and removal of existing palm trees.*

subject to:

- (i) Conditions set out in Appendix 2 of this report.

## 2.0 Summary

2.1 Detailed below is a summary of the application:

<b>The Site -</b>	
Heritage Assets	within the Blackheath Park Conservation Area
Flood Risk Zone	Zone 1 (Least Probability of Flooding)

<b>Public Consultation</b>	
Number in support	0
Number of objections	9
Number of comments	1
Main issues raised by objectors	<ul style="list-style-type: none"><li>– Impact on Blackheath Park Conservation Area</li><li>– Rear extension is overbearing and incongruous</li><li>– Amenity impacts (loss of light and privacy and potential overlooking)</li><li>– Loss of trees</li><li>– Impact on front landscaping</li></ul>

2.2 The application is considered acceptable and is recommended for approval, subject to the conditions listed in Appendix 2.

## 3.0 Site and surroundings (in detail)

3.1 The application site comprises a two-storey detached, single-family dwelling, located on the eastern side of Foxes Dale.

3.2 Foxes Dale is predominantly comprised of detached properties of a similar size and design to the application property. The street contains examples of traditional properties, as well as properties of a more contemporary design. The site is located within the Blackheath Cator Estate and the Blackheath Park Conservation Area.

3.3 Figure 1 (below) shows the location of the site (outlined in red) in the context of the surrounding area.



**Figure 1: Site Location Plan**

#### **4.0 Relevant Planning History**

4.1 The tables below set out the planning history for the application site, as well as other relevant applications within Foxes Dale.

##### **Application Site:**

<i>App Number:</i>	19/3938/DP	<i>Decision:</i>	Advice Issued	<i>Decision Date:</i>	23/12/2019
<i>Address:</i>	43 Foxes Dale, Blackheath, London, SE3 9BH				
<i>Description:</i>	Proposed alterations and extension to the rear of the property at ground and first floor to provide additional living accommodation. Adaption of existing. loft conversion and internal alterations.				

<i>App Number:</i>	15/0808/F	<i>Decision:</i>	Approved	<i>Decision Date:</i>	29/05/2015
<i>Address:</i>	33 Foxes Dale, Blackheath, London, SE3 9BH				
<i>Description:</i>	Construction of a part 1/part 2-storey rear extension, single storey side extension and loft conversion comprising rear dormer window and rooflights.				

<i>App Number:</i>	14/2203/F	<i>Decision:</i>	Approved	<i>Decision Date:</i>	01/10/2014
<i>Address:</i>	26 Foxes Dale, Blackheath, London, SE3 9BHQ				
<i>Description:</i>	Construction of a 2-storey rear extension, loft conversion comprising rear dormer window and 4 rooflights, replacement windows, conversion of garage into habitable room, new front porch and pitched roof to front bay.				

## **5.0 Proposals (in detail)**

- 5.1 The application proposes the construction of a part-one part-two-storey rear extension, the replacement of existing windows and doors, the installation of a roof light in the northern (side) roof slope and eastern (rear) roof slope, replacement of the existing roof tiles, the removal of some existing windows and relocation of the existing door on the southern elevation, the widening of the existing vehicle entrance through removal of hedge, removal of chimney, and the removal of two existing palm trees in the rear garden.
- 5.2 The proposed ground floor element of the rear extension would have a depth of 2.0 and a width of 9.7m and would replace the existing rear extension, which has a depth of 2.0m and a width of 5.5m. The proposed ground floor extension therefore only constitutes an enlargement of the width of the existing rear extension. The proposed ground floor element would have a flat roof with a maximum height of 3.1m with a slight projection at the door, taking the height up to 3.25m for 1.1m of the width. The proposed first floor element of the rear extension would have a depth of 2.0m and a width of 6.7m. The first-floor element would have a hipped roof to correspond with the design of the main roof, with a maximum height of 8.1m and an eaves height of 5.2m.
- 5.3 The extension, as shown in the originally submitted drawings, contained a 'Cabrio' style balcony within the rear roof slope. As is set out later in this report, the proposed balcony / roof light was considered disproportionate and of an inappropriate design. Accordingly, the balcony was omitted and replaced with a smaller conservation-style roof light.
- 5.4 The proposed alignment of the ground floor bi-fold doors in the rear elevation of the extension was also revised during the determination of the application; the purpose of the revision being to ensure that the opening for the doors aligned with the positioning of the windows at first-floor level.

- 5.5 A further revision has been the retention of the existing design and glazing arrangement of the windows on the front elevation of the property. The proposals, as originally submitted, proposed the replacement of all windows in the property with a consistent design of plain glazing. However, following concerns raised by Officers, the proposals were revised to ensure that the current characteristic front window design is retained.
- 5.6 The proposals, as originally submitted, proposed the installation of a roof light in the front roof slope of the property. Whilst roof lights are present at the front of other properties along Foxes Dale, the proposals were revised to remove the roof light following concerns from the Council's Conservation Officer and from objectors.
- 5.7 The current proposals follow the issue of pre-application advice by the Council on 23/12/2019. The pre-application proposals proposed similar proposals to that which are currently proposed but the rear extension proposed in the pre-application was full width.

## **6.0 Consultation**

6.1 The consultation involved the following:

- **Eight (8)** neighbouring properties were sent consultation letters on **06/08/2020**;
- The Blackheath Society, the Blackheath Park Conservation Group and the Blackheath Cator Estate Residents Ltd were notified by letter on **06/08/2020**;
- Local Ward Councillors were consulted on **06/08/2020**;
- A press notice was displayed in the Greenwich Weekender on **12/08/2020**; and
- A site notice was displayed at the site on **10/08/2020**.

## 6.2 Statutory and External Consultees

6.3 A summary of the consultation responses received from statutory consultees along with the officer comments are set out in table below:

Details of Representation	Summary of Comments	Officer's comments
Local Ward Councillors	No responses received.	
Blackheath Society	<p>Current rear extension is an improvement over the pre-application proposals. However, hipped roof over extension appears dominating.</p> <p>Impact on amenity of No. 39 and 45 Foxes Dale should be demonstrated.</p> <p>Small-paned Georgian-style windows should be retained.</p> <p>Need justification for proposed loss of palm trees.</p> <p>Further detail on proposed changes to front driveway requested.</p>	<p>The impact of the proposals in terms of design, amenity and loss of trees is assessed within the relevant sections of this report.</p> <p>With regard to the front windows, the application has subsequently been revised to ensure that this design is retained.</p>
Blackheath Cator Estate Residents Ltd	<p>Accumulation of rear extension over three floors would dominate existing dwelling and would fail to be subservient. Would have a negative impact on the property.</p> <p>Front roof light is considered acceptable, as is proposed side door and removal of existing side windows.</p> <p>Enlarged parking area would detract from green and open</p>	<p>The design and conservation considerations are contained within the relevant part of the assessment section.</p> <p>It is prudent to note that BCERs comments were received prior to the removal of the 'Cabrio' roof light</p>

	nature of conservation area. Chimneys are an existing feature of this part of Foxes Dale.	and so it is assumed that it was this feature which BCER was relating to in describing the extension as three-storeys. The extension is, in fact, only part-one part-two storeys.
--	---	---

#### 6.4 Local Residents

6.5 A summary of the consultation responses received from local residents, along with the officer comments are set out in table below:

Summary of Comments	Officer's comments
Two-storey extension would be over-bearing and incongruous.	Consideration of the design of the proposals is contained within the Design and Conservation section of the assessment below.
The proposals would harm the character and appearance of the conservation area.	Consideration of the design of the proposals and its impact on the Blackheath Park Conservation is contained within the Design and Conservation section of the assessment below.
Proposed widening of vehicle access and associated works to front garden would diminish established streetscape.	Consideration of the design of the proposals is contained within the Design and Conservation section of the assessment below.
Proposed rear extension would impact daylight and sunlight of adjacent property and no Daylight / Sunlight Report has been provided. Similarly, rear extension and rooflight would result in overlooking of adjacent properties.	Consideration of the amenity impacts is contained within the Impact on Neighbouring Amenity section of the assessment below.
The proposals would involve the loss of two existing trees within the rear garden. No justification is provided	Consideration of the proposed removal of the trees is contained

and no replacement trees are proposed.	within the Trees section of the assessment below.
--	---

## **7.0 Planning Context**

7.1 This application needs to be considered in the context of a range of national, regional and local planning policies and Supplementary Planning Guidance / Documents.

- National Planning Policy Framework (NPPF – 2019);
- The London Plan (March 2016) - Full details of relevant policies refer to Appendix 3;
- The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (“Core Strategy” – 2014) - Full details of relevant policies refer to Appendix 3;
- Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (SPD) (December 2018); and
- Blackheath Park Conservation Area Appraisal (2013).

7.2 For full details of relevant SPD / Documents refer to Appendix 3.

## **8.0 Planning Considerations**

8.1 The planning considerations relevant to this application are as follows:

- Principle of Development
- Design and Conservation
- Impact on Neighbouring Amenity
- Trees

### **Principle of Development**

8.2 The overriding objective of the Royal Greenwich policy framework is to deliver high quality development which improves the quality and distinctive identity of places and contributes to their success and the area’s popularity as somewhere to live, work and stay.

8.3 As such, it is acknowledged that alterations and extensions to existing buildings can facilitate additional and enhanced floorspace for improved living or working conditions for occupants. They are therefore considered acceptable in principal, subject to ensuring a high-quality neighbourly design. Such matters are addressed below.

### **Design and Conservation**

- 8.4 The site is within the Blackheath Park Conservation Area. As such, it is important to ensure that any developments preserve and enhance the character and appearance of these heritage assets.
- 8.5 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the preservation and enhancement of the character and appearance of conservation areas. Paragraph 193 of the NPPF states that great weight should be placed on the conservation of designated heritage assets, with clear and convincing justification being required for any harm to, or loss of, the assets significance (paragraph 194). This same requirement is in place at the local level, through Policy 7.8 of the London Plan and Policies DH3 and DH(h) of the Core Strategy.
- 8.6 Policy DH1 of the Core Strategy states that requires all developments to be of a high quality of design and demonstrate that they positively contribute to the improvement of the built and natural environments. To achieve a high quality of design, all developments are expected to provide a positive relationship between the proposed and existing urban context by taking account of; the architecture of the surrounding buildings; and the scale, height, bulk and massing of the adjacent townscape. Policy DH(a) of the Core Strategy requires proposals for rear side and other additions to be limited to a scale and design appropriate to the building and locality. This is supported by Policies 7.4 and 7.6 of the London Plan.

### ***Rear Extension***

- 8.7 The Council's Residential Extensions, Basements and Conversions Guidance SPD (2018) states that rear extensions should be set in from the property boundaries; and, that flat roof extensions will be acceptable where they cannot be seen between or over other properties in the street. The SPD states, in relation to two-storey rear extensions, that such extensions need to be in keeping with the size of the original house and not appear bulky to ensure there is little impact on the character of the host property, neighbouring properties and the street scene.
- 8.8 The proposed 2.0m depth of the extension at both ground and first floors would mirror that of the existing flat roofed ground floor rear extension. It is considered that this depth is acceptable, as is the proposals to extend the ground floor across the full width of the property. It is also considered that the section of rear extension to be finished with a flat roof is also acceptable in design terms. The width of the first-floor element is proposed to be 6.7m,

which would equate to approximately two thirds of the width of the host property. It is considered that the scale of the extension is acceptable as it would not dominate the property and would appear subservient.

- 8.9 It is considered that the proposed overall height and roof form would be acceptable as it would closely match the roof form of the host building whilst remaining legible as a later extension. Whilst it is noted that some of the received objections raise concerns that the extension would be visible from Brookway, Officers considered that this would not be the case due to the flank wall of the proposed extension being approximately 26 metres from Brookway and the existing boundary treatment along Brookway
- 8.10 As mentioned in Section 5 of this report, the rear extension, as originally submitted, was proposed to contain a 'cabrio' balcony / roof light on the rear roof slope. The Council's Conservation Officer and several objectors raised concerns regarding the scale and design of the proposed feature. Accordingly, the proposals were revised to remove the cabrio roof light and replace it with a conservation-style roof light of a smaller size and more appropriate, proportionate design.
- 8.11 The revision to the proposals which ensures that the opening of the ground floor bi-fold doors aligns with the first-floor windows is welcomed as it results in a more uniform, harmonious arrangement. Similarly, whilst the proposed single door on the rear extension is contemporary and not otherwise seen along Foxes Dale, it is considered acceptable as it would be almost entirely hidden from external views.
- 8.12 On balance, it is considered that the proposed part-one part-two rear extension is acceptable as it would accord with the general appearance and proportions of the host property. Accordingly, it is considered that the extension would not harm the host property or adjacent properties and would preserve the character and appearance of the Blackheath Park Conservation Area.

### ***Replacement / Removal / Insertion of Windows and Doors***

- 8.13 As set out within Section 5 of this report, the proposals include the proposed replacement of existing windows within the property. The drawings which were originally submitted with the application showed that the replacement windows would all be of a uniform design containing plain glazing. However, it was observed that the application property and some of the adjacent properties contained windows within the front elevation which are

characteristic of the 1930s property type. It was considered that the proposed loss of this front window design would detract from the host property, the surrounding properties. Accordingly, the applicant revised the proposals to replace the front windows with 'like for like' windows to ensure that this feature is retained. The replacement of the windows in the rear elevation of the property with plain glazing is considered acceptable as they would be largely hidden from view.

- 8.14 It is considered that the proposed new door at ground floor level in the southern (side) elevation is acceptable as it would be set away from the front of the property and would therefore be predominantly hidden from public vantage points. Similarly, it is considered that removal of existing windows and a door in the southern elevation is acceptable as they are not visually prominent, and their removal would not harm the overall character and appearance of the property.

### ***Roof Light***

- 8.15 The proposals include the insertion of a small roof light within the northern (side) roof slope of the property. The submitted drawings show that the roof light would be 'conservation style' insomuch as it would contain a vertical glazing bar to divide up the glazing and would sit flush within the roof slope.
- 8.16 It is considered that the proposed roof light would be acceptable as it would only really be visible from the adjacent property (No. 39 Foxes Dale). Notwithstanding this, the roof light would be of an appropriate design.

### ***Replacement of Existing Roof***

- 8.17 It is noted that the proposals include the proposed replacement of the existing main roof and dormer roof materials. The submitted drawings state that the proposed replacements would be done to match the existing. It is therefore considered that a 'like for like' replacement would be acceptable.

### ***Widening of Entrance***

- 8.18 The submitted Heritage, Planning, Design and Access Statement (dated June 2020) states that the proposals would include the removal of the existing pedestrian gate on the front elevation. The purpose of this is to provide a wider opening to the property from Foxes Dale.
- 8.19 It is noted that the application site is the only property within this side of Foxes Dale which currently contains a single pedestrian gate. Accordingly, it is considered that this feature does not form part of the established character of the area. As such, the loss of the gate and small section of hedge is considered acceptable, as is the proposed insertion of granite setts within the front portion of the driveway.
- 8.20 The submitted documentation also shows that the enlarged driveway would involve the removal of a small area (approximately 5sqm) of grassed area within the existing front garden. It is considered that this marginal loss is acceptable and would, not adversely affect the character and appearance of Blackheath Park Conservation Area. Notwithstanding this, the submitted drawings also show an additional planted bed within this area and so it is considered that this would go some way to offset the loss.

### ***Removal of Chimney***

To facilitate the construction of the proposed first floor rear extension, the application includes the proposed removal of the existing rear chimney (including stack) on the northern (side) roof slope. Whilst the loss of the chimney is unfortunate, it is considered that the loss is acceptable to facilitate the extensions and would not result in any material harm to the character and appearance of the host property or the Blackheath Park Conservation Area.

### ***Summary***

- 8.21 On the basis of the above, it is considered that the proposals are appropriate for the site and would not result in harm to the host building and would preserve the character and appearance of the Blackheath Park Conservation Area. The proposals are therefore acceptable in design terms in accordance with Policies 7.4, 7.6 and 7.8 of the London Plan, Policies DH1, DH3, DH(a) and DH(h)3 of the Core Strategy, the Blackheath Park Conservation Area Appraisal and the Council's Residential Extensions, Basements and Conversions Guidance SPD (2018).

### **Impact on Neighbouring Amenity**

- 8.22 Policy DH(b) of the Core Strategy states that developments will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by London Plan Policy 7.6.
- 8.23 Further to the above, the Residential Extensions, Conversions and Basements Guidance SPD (2018) provides useful guidance for the determination of planning applications, especially in relation to impacts on residential amenity. The SPD sets out that developments should not result in a significant loss of privacy to gardens or main habitable rooms of nearby properties, and the degree to which a development results in overlooking will be affected by a range of factors including distance, the height of the proposed development, angles of view and directly facing windows. It further sets out that there are no specific distances required to be maintained between facing habitable rooms as the distance will be dependent on the existing character and layout of the built form in the area.

8.24 It is considered that the relevant properties for the consideration of amenity impacts are Nos. 39 and 45 Foxes Dale. All other properties are considered to be a sufficient distance from the application site.

***Nos. 39 Foxes Dale***

8.25 The proposed two storey element of the rear extension matches the depth of the existing ground floor element (2.0m) and would have a maximum height of 8.2m and an eaves height of 5.2m. The submitted drawings indicate that the property at No. 39 sits at a higher ground level to the application site with approximately 1.1m difference in height.

8.26 Notwithstanding the differences in height, it is considered that, due to the limited depth of the extension, it is unlikely that its introduction would result in any significant adverse loss of outlook or increased sense of enclosure. Similarly, whilst it is observed that the site is located to the south of No. 39, it is considered that the limited depth of the extension would not unduly prevent daylight and sunlight from reaching the adjacent property for the majority of the day and is therefore considered acceptable.

8.27 With regards to overlooking and privacy, it is noted that the proposed extension would not contain any windows in the extension facing towards No. 39. The proposed roof light in the northern roof slope of the property would face towards the roof slope of No. 39 and therefore not directly into any windows.

***No. 45 Foxes Dale***

8.28 The proposed development would see the ground floor of the part 1/part 2 storey rear extension extend across the full width of the property, whilst the proposed two storey element of the rear extension would be set away from the shared boundary with No. 45 and would be located to the north of the adjacent property. It is considered that, due to the limited depth of the extension and that the first floor would be set away from the boundary, its introduction would not result in any significant adverse impacts on the amenity enjoyed by the neighbouring residents by way of loss of daylight, sunlight, privacy or outlook or increased overshadowing, overlooking or sense of enclosure.

***Summary***

8.29 On the basis of the above, it is considered that the proposals would comply with Policy 7.6 of the London Plan and Policy DH(b) of the Core Strategy and can therefore be supported on amenity grounds.

### **Trees**

8.30 Policy 7.19 of the London Plan states that proposals should wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. Similarly, Policy 7.21 of the London Plan states that existing trees of value should be retained and any loss from development should be replaced following the 'right place, right tree' principle.

8.31 Policy OS(f) of the Core Strategy outlines that development proposals will be expected to take account of ecological factors, in particular paying attention to the need for, amongst other things, the retention of trees and the protection and enhancement of natural and ecological features. This is supported by Policy DH1.

8.32 From a review of the submitted documentation, it is noted that the proposals involve the proposed removal of two existing palm trees within the rear garden, which are not native species. The existing trees are contained within planted areas either side of the existing rear terrace area.

8.33 The proposals have been reviewed by the Council's Tree Officer who has stated that the removal of the trees is acceptable as they are not visible from public vantage points and would not have any significant effect on the local environment or its enjoyment by members of the public.

8.34 Accordingly, it is considered that the proposed removal of the trees is acceptable in line with Policies 7.19 and 7.21 of the London Plan and Policies OS(f) and DH1 of the Core Strategy.

### **9.0 Conclusion**

9.1 The proposed development is considered acceptable with regard to the considerations made within this report.

9.2 Based on the above, it is therefore recommended that permission be granted for application reference 20/2034/HD, subject to the conditions outlined in Appendix 2.



Background Papers: National Planning Policy Framework (2019)  
The London Plan (2016)  
Royal Greenwich Local Plan; Core Strategy with Detailed  
Policies “Core Strategy” (2014)

Report Author: Adam Price  
Tel No.: 0208 921 2749  
Email: [Adam.Price@royalgreenwich.gov.uk](mailto:Adam.Price@royalgreenwich.gov.uk)

Reporting to: Victoria Geoghegan - Assistant Director Planning &  
Building Control  
Tel No.: 0208 921 4296  
Email: [Victoria.Geoghegan@royalgreenwich.gov.uk](mailto:Victoria.Geoghegan@royalgreenwich.gov.uk)