

Camberwell Community Council

Planning

Wednesday 18 January 2012

7.00 pm

Albrighton Community Centre, 37 Albrighton Road, East Dulwich Estate,
London SE22 8AH

Membership

Councillor Norma Gibbes (Chair)
Councillor Dora Dixon-Fyle (Vice-Chair)
Councillor Kevin Ahern
Councillor Peter John
Councillor the Right Revd Emmanuel Oyewole
Councillor Veronica Ward
Councillor Mark Williams
Councillor Ian Wingfield

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: Tuesday 10 January 2012



Order of Business

- | Item No. | Title |
|----------|---|
| 1. | INTRODUCTION AND WELCOME |
| 2. | APOLOGIES |
| 3. | DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS |

Members are asked to declare any interest or dispensation and the nature of that interest or dispensation which they may have in any of the items under consideration at this meeting.

Item No.**Title****4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. MINUTES (Pages 5 - 7)

To confirm as a correct record the minutes of the meeting held on 12 December 2011.

6. DEVELOPMENT MANAGEMENT ITEMS (Pages 8 - 11)**6.1. LAND TO THE REAR OF 34 GROVE PARK, LONDON SE5 8LG**
(Pages 12 - 27)**6.2. LAND TO THE REAR OF 34 GROVE PARK, LONDON SE5 8LG**
(Pages 28 - 37)

Date: Tuesday 10 January 2012

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Beverley Olamijulo, Constitutional Officer, Tel: 020 7525 7234 or email: beverley.olamijulo@southwark.gov.uk
Website: www.southwark.gov.uk

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Camberwell Community Council

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Yoruba:

Awon Kosemani Fun Ede

Bi o ba nfe àlàyé kíkún l'ori awon Ìgbimò Àwùjo ti a se ayipada si ede abínibí re, jọwọ tẹ wa l'aago si ori nombá yi i : 020 7525 7385 tabi ki o yaju si awon òṣiṣé ni ojúlé 160 Tooley Street , London SE1 2TZ .

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I choo imata gwasara Council na asusu gi ikpoo ha n'okara igwe 020 7525 7385 ma obu igaa hu ndi oru ha na 160 Tooley Street, London SE1 2TZ

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Twi:

Kasaa ohohia,

se wopese wo hu nsem fa Community Councils ho a, sesa saakasa yie ko wo kuro kasa mu. wo be tumi afre saa ahoma torofo yie 020 7525 7385 anase ko sra inpanyinfo wo 160 Tooley Street, London SE1 2Tz.

Planning at Community Council Meetings

This sheet will tell you about what happens at the meeting when the community council considers a planning application, a planning enforcement case or other planning proposals.

The community council must follow the same rules and procedures as the council's main planning committee.

The items are heard in the order printed on the agenda, but the chair may change the running order of the items.

At the start of each item, the council's planning officer will present the report about the planning application and answer points raised by Members of the committee. After this, the following people may speak on the application if they wish, but **not more than 3 minutes each**:

1. A representative (spokesperson) for the objectors - if there is more than one objector wishing to speak the time is then divided within the 3 minute time slot
2. The applicant or their agent
3. A representative for any supporters who live within 100 metres of the development site
4. A ward councillor from where the proposal is located.

The chair will ask the speakers to come forward to speak. Once the speaker's three minutes have elapsed, members of the committee may ask questions of them, relevant to the roles and functions of the community council.

Members of the committee will then debate the application and consider the recommendation.

Note

If there are several objectors or supporters, they have to identify a representative who will speak on their behalf. If more than one person wishes to speak, the 3 minute time allowance must be shared amongst those who wish to speak. Objectors may wish to meet with other objectors in the foyer of the hall prior to the start of the meeting to appoint a representative.

Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already on the report.

The arrangements at the meeting may be varied at the discretion of the Chair.



CAMBERWELL COMMUNITY COUNCIL - Planning -

MINUTES of the Camberwell Community Council held on Monday 12 December 2011 at 7.00 pm at The Albrighton Centre, 37 Albrighton Road, London SE22 8AH

PRESENT:	Councillor Norma Gibbes (Chair) Councillor Dora Dixon-Fyle (Vice-Chair) Councillor Kevin Ahern Councillor Stephen Govier Councillor the Right Revd Emmanuel Oyewole Councillor Veronica Ward Councillor Mark Williams Councillor Ian Wingfield
OFFICER SUPPORT:	Vikki Lewis (Planning Officer) Sadia Hussain (Legal Officer) Beverley Olamijulo (Constitutional Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed councillors and officers to the community council meeting.

2. APOLOGIES

There was apologies for absence from Councillor Peter John.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 6.1

5. MINUTES

RESOLVED:

That the minutes for the meeting held on 15 November 2011 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT MANAGEMENT ITEMS

6.1 110 WYNDHAM ROAD, LONDON SE5 0UB

Planning application reference number 11-AP-2382

Report: See pages 14 of 34 of the agenda and the addendum report pages 1 to 5.

PROPOSAL

Change of use from retail shop (A1 use) to hot food takeaway (A5 use) including installation of an external duct to the flank elevation.

The community council heard an officer's introduction to the report and members asked questions of the officer.

Members heard representations from an objector and the applicant's agent.

There were no local supporters or ward members who wished to make representations at the meeting.

Members debated the application and asked questions of the officers.

RESOLVED:

That in reference to application number 11-AP-2382, be deferred on the following grounds:

1. The specific waste disposal arrangements need to be clarified with regard to recycling and transport access.
2. Secure by Design Officer with regard to crime mapping in the area.
3. To establish from the applicant how the 'fat trap' would work so it is compliant with Core Strategy 13 'High Environmental Standards.

Members were advised by the Legal Officer that it was open to the applicant to appeal for non-determination following a deferral.

The meeting ended at 8.30 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 10 January 2012	Meeting Name: Camberwell Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Deputy Chief Executive	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. The matters reserved to the planning committee and community councils exercising planning functions are described in parts 3F and 3H of the Southwark Council constitution. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate -
6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
9. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
10. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Council's case at appeal which may be substantial if the matter is dealt with at a public inquiry.
11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
12. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community impact statement

14. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

15. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the development & building control manager shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the strategic director of legal and democratic services, and which is satisfactory to the development & building control manager. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the strategic director of legal & democratic services. The planning permission will not be issued unless such

an agreement is completed.

17. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
18. The Southwark Plan is part of the Development Plan along with the Core Strategy and London Plan. Some of the detailed Southwark plan policies were 'saved' in July 2010 with permission from the Secretary of State. Some of these policies have now been superseded by policies in the Aylesbury Area Action Plan and the Core Strategy which was adopted on April 6 2011. The enlarged definition of "development plan" arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
19. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests. From 6 April 2010 the Community Infrastructure Levy regulations (CIL) have given these policy tests legal force.

Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

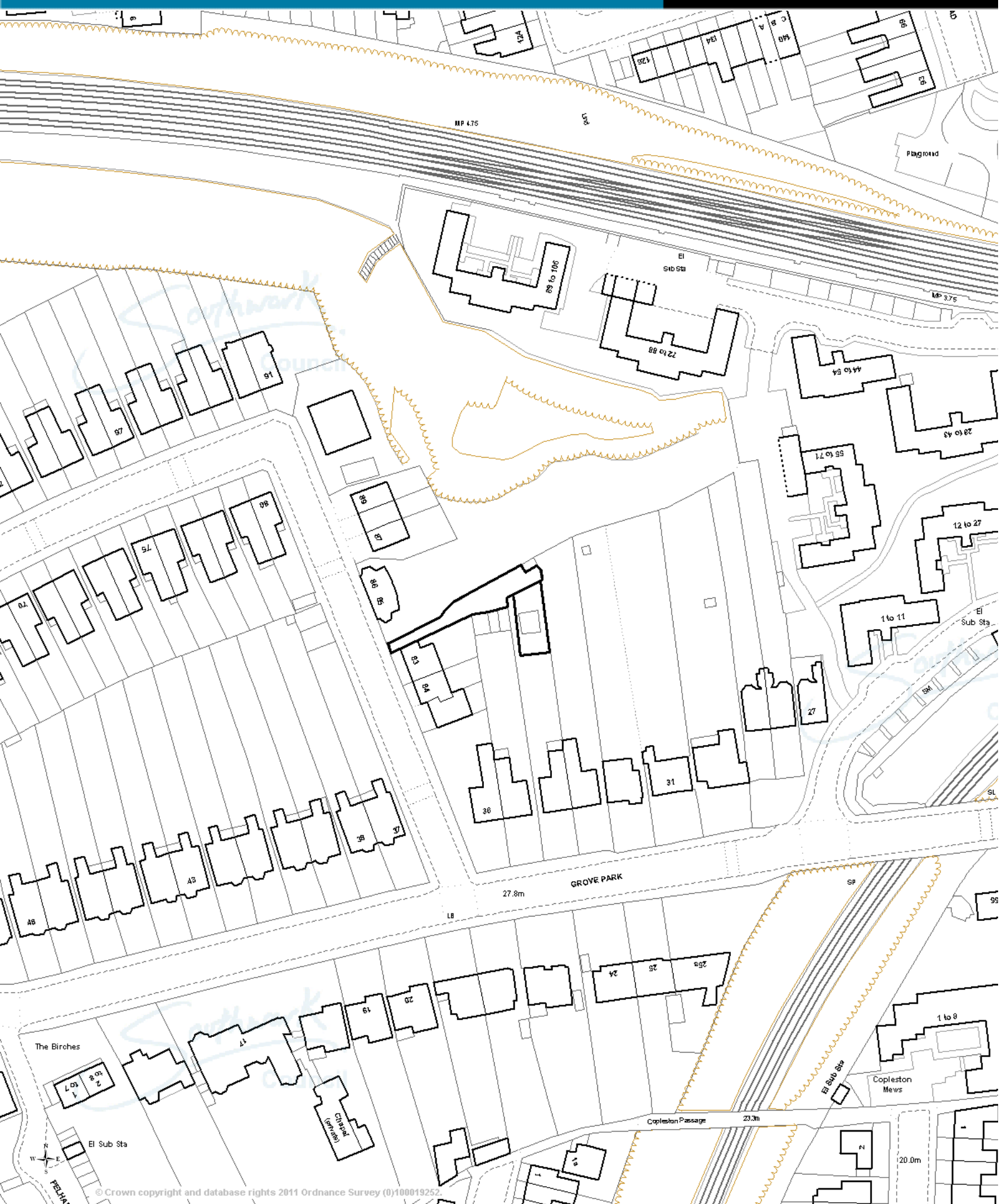
Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1 2TZ	The named case Officer as listed or Gary Rice 020 7525 5437

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
Version	Final	
Dated	25 October 2010	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Deputy Chief Executive	No	No
Head of Development Management	No	No

Ordnance Survey

Date 5/1/2012



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Item No. 6.1	Classification: OPEN	Date: 18 January 2012	Meeting Name: Camberwell Community Council
Report title:	Development Management planning application: Application 11-AP-2868 for: Full Planning Permission Address: LAND TO THE REAR OF 34 GROVE PARK, LONDON, SE5 8LG Proposal: Erection of a single storey two bedroom single family dwelling and garage with associated waste and bicycle storage.		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 16 September 2011		Application Expiry Date 11 November 2011	

RECOMMENDATION

- 1 Grant Planning Permission.

BACKGROUND INFORMATION

Site location and description

- 2 This application is referred to Community Council due to the number of objections received.
- 3 34 Grove Park is a large semi detached single family dwelling of three storeys plus basement and loft conversion, with a rear garden extending northwards by 30m. To the rear there is a brick and timber built garage with apex roof and timber doors accessing a communal driveway that runs from Grove Park, between nos. 83 and 85.
- 4 The ground level rises gently northwards and westwards from the rear of 34, and the occupants have levelled the land to the rear, which now stands approximately 1m higher than the rest of the garden. This level change results in the height of the garage when perceived from the main house, as being 6.5m to apex. From the higher level of garden to the rear the height of the structure is 5.5m. The depth of the raised piece of garden with garage is 11m from the rear garden boundary.
- 5 To the east of the site, construction is underway for the two storey five bedroom, property described in the planning history section of this report, planning application reference 08-AP-2467. This site is now known as 86 Grove Park and shall be referred to as such in this report. This site shares a boundary with the application site.

The application site is located within the Camberwell Grove Conservation Area. There is a piece of designated Borough Open Land to the rear (north) of the site, referenced OS110 in the April 2011 proposals map. There are no listed buildings near to the site that would be affected by the development. The site is also located within the Urban

Density Zone and Air Quality Management Area. The site has a Public Transport Accessibility Level (PTAL) of 2 indicating relatively low access to public transport.

Details of proposal

- 6 The proposal is to demolish the existing garage on site and construct a two bedroom bungalow in its place. The footprint would be the same as the garage but would extend rearwards so that the rear (south) elevation is in line with that of the new development at 86. A distance of 21.5m would remain between the rear of number 34 and the proposed new bungalow, and the new boundary would be marked by a new boundary wall to 2.4m height. The house would respond to the levels on site and the slightly angled roof slopes would reflect these.

Architecture

- 7 The building would be modern in design, clad with Western Red Cedar, treated with antique pine woodstain. Samples of this have been submitted with the application. The roof slopes would be slightly angled, and the southern slope would allow for PV panels to be installed, and to the northern slope, a green roof is proposed.

Layout

- 8 The living, dining room and kitchen of the property would be positioned towards the north end of the development, with a new garage constructed on the north side of the access drive. A refuse and cycle storage facility would be constructed on the northern boundary of the house. Bedrooms would both be positioned towards the southern end of the house. The windows would both face east, onto the 1.7m high boundary fence between the subject site and 86 Grove Park. An area of landscaping would be provided along the eastern edge of the site, and to the front and rear. The overall floor area of the property would be 74sqm. The garden area would be 45sqm.

Planning history

- 9 05-AP-1621: Planning permission was refused on 09/11/05, for a roof conversion to form a new studio room with glass dormer to rear roof slope, and installation of Velux roof lights.

The reason for refusal was:

'The proposed dormer to the rear of the main roof, by reason of its position, size, design and appearance, would be an intrusive alteration, out of scale and character with this and neighbouring dwellings, as well as having a serious and adverse effect on the visual amenities of the locality and would also be contrary to policies E.4.2 & E.4.3 'Proposals affecting conservation areas' and E.2.3 'Aesthetic Control' of the Adopted Unitary Development Plan 1995 and Policies 3.11' Quality in design', 3.13 'Urban Design' and Policy 3.16 'Conservation Areas' of the Revised Draft Southwark Plan dated February 2005'.

- 10 05-AP-2406: Planning permission was refused on 13/01/06 for a roof conversion to form a new studio room with lead clad dormer to rear roof slope, and installation of Velux roof lights.

The reason for refusal was:

'The proposal, by reason of its size and detailed design would form an intrusive addition that will dominate the roof form and is harmful to the character and appearance of the property and to the Camberwell Grove Conservation Area generally. The proposal is unacceptable and contrary to Policies E.4.3 Proposals

Affecting Conservation Areas and E.2.3 Aesthetic Control of the Southwark Unitary Development Plan 1995 and Policies 3.11 Quality in Design, 3.13 Urban Design and Policy 3.16 Conservation Areas of the Southwark Plan [revised Draft Including Pre-Inquiry and Final Changes] February 2005'.

- 11 06-AP-0485: Planning permission was granted on 21/07/06 for erection of new lead faced dormer to rear with glazed panels adjacent following slope of roof involving installation of velux roof light windows to flank roof slope, and formation of studio room and railings on the existing second floor flat roof.

Planning history of adjoining sites

- 08-AP-2467
- 12 Land to the rear of 31, 32, and 33 Grove Park.
Planning permission was granted on 25/02/09 for the construction of a 5 bedroom family house occupying basement, lower ground, ground and first floor levels with associated waste storage, 2 off street car parking spaces, and cycle storage. Removal of several trees and shrubs, inclusion of landscaping and installation of a green roof.
This scheme is in the process of being implemented and is near completion.

- 10-AP-1717
- 13 Land to the rear of 37/38 Grove Park
Planning permission was granted on 29/10/10 for erection of two, two storey dwelling houses, erection of a single garage and off street parking for two cars.

- 11-AP-0757
- 14 Land to the rear of 37/38 Grove Park
Planning permission was granted on 12/08/11 for a variation of condition 2 (drawing numbers) to allow for the construction of basements to the houses approved under reference 10-AP-1717.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 15 The main issues to be considered in respect of this application are:
- a) The acceptability of the application in land use terms
 - b) The impact of the proposal on the character and appearance of the conservation area.
 - c) The impact of the proposal on the current and future occupants of the site.

Planning policy

Core Strategy 2011

- 16 Strategic Policy 1 – Sustainable development
Strategic Policy 2 – Sustainable transport
Strategic Policy 7 – Family homes
Strategic Policy 11 – Open spaces and wildlife
Strategic Policy 12 – Design and conservation
Strategic Policy 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

- 17 3.2 Protection of Amenity
 - 3.12 Quality in Design
 - 3.15 Conservation of the Historic Environment
 - 3.16 Conservation Areas
 - 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites.
- 4.2 Quality of Residential Accommodation
- 5.2 Transport Impacts
- 5.3 Walking and Cycling
- 5.6 Car Parking

Residential Design Standards 2011

London Plan 2011

- 18 Policy 3.3 Increasing housing supply
- Policy 5.3 Sustainable design and construction
- Policy 5.11 Green roofs and development site environs
- Policy 5.13 Sustainable drainage
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 19 Draft NPPF

The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

Ministerial Statement: Planning for Growth

Principle of development

- 20 A key land use issue with the determination of this application is that of building on gardens, often referred to as "garden grabbing". PPS3 Housing sets out that private gardens shall be removed from the brownfield definition. However, this is not at the same time conferring particular protection of this land, in the same way that Borough Open Land or Metropolitan Open Land are protected for example. The development of such areas will not contribute to the 60% brownfield target set by the Government, but nevertheless would still contribute to housing overall, and given the limited number of back garden developments applied for in Southwark, would be unlikely to push up

near the 40% limit for non brownfield, or greenfield, development. Therefore the fact that back gardens are no longer brownfield may not in itself be used as a reason for refusal. Rather regard still needs to be had to the site specific assessment of impacts in terms of matters such as character, design, amenity, transport. As such, there are no objections in terms of land use.

Environmental impact assessment

- 21 None required due to the nature and size of the scheme which does not fall within Schedule 1 and is below the relevant thresholds for Schedule 2 development, being less than 0.5ha in area and as it is not within a sensitive area and would not generate significant environmental impacts in this urbanised location.

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

- 22 The application property retains a minimum distance of 22m between its western boundary and the rear of numbers 83 and 84 Grove Park, and the garden of 35 Grove Park further separates these properties from the application site. No windows are proposed to the western elevation of the proposed property. Furthermore, the existing boundary fence would be retained, and, due to land levels rising westwards of the application site, there is no significant risk of overlooking between the proposed property and the rear of numbers 83 and 84 Grove Park.
- 23 Due to the low-rise of the proposed dwelling as well as the lower land levels in relation to 83 and 84 Grove Park, it is not considered that the proposal would impinge on outlook from these properties. The property would have a green roof and would be single storey, and is therefore a modest development that would blend well with its surroundings.
- 24 The unit size of the property comfortably complies with the London Plan 2011 requirement set out in Table 3.3, which requires 2 bedroom units for 4 persons to be a minimum of 70sqm. The proposed unit measures 74sqm in total. There is no separate standard for bungalows.
- 25 There is an area of 55sqm outdoor amenity space. The Residential Design Standard requires a minimum of 50sqm, at least 10m in length. The proposal complies with this standard.
- 26 The distance between rear windows of 34 Grove Park would be 21.5sqm which is in line with the 21m minimum guideline separation distance between rear windows to avoid overlooking, as set out in the Residential Design Standards SPD.

Traffic issues

- 27 The proposal provides one off street parking space. This is in line with the Adopted parking standards in the Southwark Plan 2007, and is welcomed. The site is not located within a Controlled Parking Zone, therefore there is no mechanism by which to control overspill parking. One space is considered sufficient for the 2 bedroom property however, as it is not likely that an excessive number of cars would be associated with the development on a regular basis that would result in parking pressure on Grove Park.
- 28 The ground floor plan indicates a shelter for refuse and cycle parking. Since this would be within the demise of the development it is not considered necessary to

impose a condition requiring further details showing how cycles could be stored as there is sufficient space in the shelter and in the garden or property for the safe, secure and weatherproof storage of an additional visitor parking space. This meets the standards for cycle storage.

- 29 In terms of refuse collection, the application site is further than the 10m recommended distance that waste contractors should walk to collect refuse. It is therefore considered that the development adopt similar arrangements for refuse collection to the new neighbouring development at number 86 Grove Park, whereby occupants leave refuse on the kerbside on collection days.
- 30 The development accords with saved policy 5.2 Transport Impacts of the Southwark Plan 2007, and SP2 Sustainable Transport of the Core Strategy 2011.

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

- 31 The materials to be used for the purpose of this development will be load bearing timber framed walls and engineered timber beams spanning the full width of the building. The proposed development would also include an aluminium standing seam roof, green roof, rooflights spanning the width of the house as well as an additional three rooflights and photovoltaic panels. These materials are considered appropriate for the location as they are similar to those being used on the development on the adjacent site (86 Grove Park). As samples have been submitted with the application, no condition requiring further samples to be submitted is required. A condition shall be imposed requiring materials to be as set out in the application.
- 32 Although this proposal is a backland development, it must be noted that the properties in Grove Park are renowned for their large rear gardens including the proposed site which has an established large unused garage at the end of the rear garden which is adequate to accommodate this proposal. The proposed single storey dwelling is appropriate in size at this location, as its height is minimised and the building footprint sits comfortably within the plot.
- 33 It is not considered that the development would set a precedent for other similar dwellings in gardens, as there are very few properties in the area with adequate access, therefore there is limited opportunity for further development on rear gardens. In any event, each application is determined on its own merits.
- 34 The proposed development would affect the Camberwell Grove Conservation Area, however, it is considered that due to the location and size of the proposed bungalow, which is modest in size and not widely visible from public viewpoints, it would not harm the character or appearance of the Camberwell Grove Conservation Area. It is considered that this development is appropriate for its location and would preserve the character of the area.
- 35 The development is therefore in accordance with saved policies 3.12 Quality in Design and 3.16 Conservation areas, of the Southwark Plan 2007. It is also in accordance with SP12 Design and Conservation.

Impact on trees

- 36 There is one Cordyline (Palm tree) on site which will be retained. A tree protection condition is recommended to ensure this is protected during works.

Planning obligations (S.106 undertaking or agreement)

- 37 None proposed.

Sustainable development implications

- 38 The proposal is not required by policy to provide a threshold of carbon reductions on site, however the development proposed is a sustainable one, with the inclusion of PV panels and a green roof. A condition is recommended to require the development to meet Code for Sustainable Homes Level 4.

Other matters

Biodiversity

- 39 A bat survey is not required in this instance as the corrugated roof on the existing garage offers very limited roosting opportunities. No habitat survey is required and this has been confirmed by the Council's biodiversity officer. The green roof is welcomed. The Design and Access statement mentions that the proposal would include habitat for birds and natural planting. A condition is recommended to ensure that these enhancements are incorporated.

Conclusion on planning issues

- 40 The development raises no adverse design, amenity or biodiversity issues, and presents a modern and modest development in a concealed part of the conservation area. It is therefore recommended for approval with conditions to secure biodiversity and tree protection.

Community impact statement

- 41 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as implications for development on gardens in conservation areas.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

- 43 Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

- 44 Concerns over loss of outlook, amount of backland development, development in a

small area, particularly in a conservation area, garden grabbing and loss of wildlife habitat.

Human rights implications

- 45 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 46 This application has the legitimate aim of providing a new single storey dwelling. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 47 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2154-34 Application file: 11-AP-2868 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5405 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Susannah Pettit, Planning Officer	
Version	Final	
Dated	24 November 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	N/A	N/A
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	N/A	N/A
Date final report sent to the Constitutional Team		5 January 2012

APPENDIX 1

Consultation undertaken

- 48 **Site notice date:** 10/10/11
- 49 **Press notice date:** 06/10/11
- 50 **Case officer site visit date:** 03/11/11 (Accompanied by Michael Crowley Architect)
- 51 **Neighbour consultation letters sent:** 10/10/11

Internal services consulted:

- 52 Ecology Officer
- 53 Urban Forester
- 54 Transport Planning group
- 55 Design and Conservation officer

Statutory and non-statutory organisations consulted:

- 56 N/A

Neighbours and local groups consulted:

- 57 FLAT 1 36 GROVE PARK LONDON SE5 8LG
 FIRST FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
 FLAT 2 33 GROVE PARK LONDON SE5 8LG
 FLAT 2 36 GROVE PARK LONDON SE5 8LG
 37 GROVE PARK LONDON SE5 8LG
 82 GROVE PARK LONDON SE5 8LE
 38 GROVE PARK LONDON SE5 8LG
 FLAT 3 36 GROVE PARK LONDON SE5 8LG
 FLAT 6 33 GROVE PARK LONDON SE5 8LG
 FLAT 5 33 GROVE PARK LONDON SE5 8LG
 SECOND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
 GROUND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
 FLAT 4 36 GROVE PARK LONDON SE5 8LG
 FLAT 3 33 GROVE PARK LONDON SE5 8LG
 FLAT 5 36 GROVE PARK LONDON SE5 8LG
 FLAT 4 33 GROVE PARK LONDON SE5 8LG
 83 GROVE PARK LONDON SE5 8LE
 32 GROVE PARK LONDON SE5 8LG
 87 GROVE PARK LONDON SE5 8LE
 84 GROVE PARK LONDON SE5 8LE
 FLAT 1 33 GROVE PARK LONDON SE5 8LG
 35B GROVE PARK LONDON SE5 8LG
 35C GROVE PARK LONDON SE5 8LG
 35A GROVE PARK LONDON SE5 8LG
 88 GROVE PARK LONDON SE5 8LE
 85-86 GROVE PARK LONDON SE5 8LE
 34 GROVE PARK LONDON SE5 8LG
 79 GROVE PARK LONDON SE5 8LF
 89 GROVE PARK LONDON SE5 8LE
 31 GROVE PARK LONDON SE5 8LG
 by email
 80 GROVE PARK LONDON SE5 8LF
 110 GROVE PARK LONDON SE5 8LE
 12 GROVE PARK LONDON SE5 8LR

Re-consultation:

- 58 N/A

Consultation responses received

Internal services

- 59 Transport Planning - Need clarification on refuse servicing - this is provided in the report. No concerns over level of parking, this is deemed adequate.
- 60 Design and Conservation - Comments incorporated into report.
- 61 Biodiversity officer - Confirm that no bat survey is required, and request a condition to require details of enhanced measures for biodiversity.
- 62 Urban Forester - Request a condition on tree protection.

Statutory and non-statutory organisations

- 63 N/A

Neighbours and local groups

- 64 84 Grove Park: Objection
My garden looks directly into the piece of land and the proposed dwelling will block my view. As a new resident in the area I am concerned by the amount of building being approved in the area, which I thought was a conservation area.
- 65 87 Grove Park: Objection.
I am concerned about the amount of development on the east side of Grove Park, which have all been granted permission in the last three years. Should this application be granted, that would make four dwellings on a piece of land of only 150sqm.
The definition of Conservation Area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. I raise my concern about this level of building on this very small part of the conservation area
- 66 80 Grove Park: Objection
I do not wish to see any more of the green land that characterises the area, built over. The green space is being swallowed up by 'garden grabbing' development on all sides. Development on gardens has been opposed by environmentalists, the government, the mayor's office, and local people. It increases the likelihood of flooding, deprives wildlife of its habitat, and has a negative effect on the lives of the people living nearby.
- 67 12 Grove Park: Objection.
We would like to apply for a time extension to the deadline for comments as many local people have not been informed of the development. Our objection is based on the amount of development being allowed to happen in Grove Park and we would like Southwark to conserve as many gardens as possible, rather than set precedents for future developments on green spaces.
- 68 Cosmur Developments, owners of 86 Grove Park - new development adjacent to application site: No objection.
- 69 85 Grove Park: No objection

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Mr C. Matthews	Reg. Number	11-AP-2868
Application Type	Full Planning Permission	Case	TP/2154-34
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a single storey two bedroom single family dwelling and garage with associated waste and bicycle storage.

At: LAND TO THE REAR OF 34 GROVE PARK, LONDON, SE5 8LG

In accordance with application received on 26/08/2011

and Applicant's Drawing Nos.

GP34/1, GP34/2, GP34/3 Rev C, GP34/4, GP34/5 B, GP34/6, GP34/7, GP34/8, GP34/9, GP34/10, GP34/11
Design and Access statement, Sustainability Statement.

Material Samples: Timber Cladding (western red cedar) stained with Sadolins "Antique Pine", and Polyester Powder coated windows, RAL 7039 - Battleship grey.

Reasons for granting permission.

This planning application was considered with regard to various policies including, but not exclusively:

a] Policies of the Southwark Plan [July 2007].

3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);

3.11 Efficient Use of Land (seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoid compromising development potential, providing adequate access, circulation and servicing, and matching development to the availability of infrastructure);

3.12 Quality in Design (requires new development to achieve a high standard of architectural design);

3.13 Urban Design (advises that principle of good urban design should be taken into account in all new developments);

3.16 Conservation Areas (requires developments to preserve or enhance the character or appearance of the conservation area)

3.28 Biodiversity, which seeks to encourage within developments, measures which enhance biodiversity.

4.2 Quality of Residential Accommodation (states that planning permission will be granted for new residential developments provided that they achieve good quality living conditions, high standards of accessibility, including seeking to ensure that new housing is built to Lifetime Homes standard, privacy and outlook, natural sunlight and daylight, space, including green space, safety, and protection from pollution);

5.2 Transport Impacts (states that permission will not be granted for developments that have an adverse affect on the transport network and that there is adequate provision for servicing, circulation and access;

5.3 Walking and Cycling (seeks to ensure that there is adequate provision for cyclists in and around the site);

5.6 Car Parking (states that all developments requiring car parking should minimise the number of spaces provided).

b] Core Strategy 2011

Strategic Policy 2 – Sustainable transport: requires new developments to help create safe attractive, vibrant and healthy places for people to live and work by reducing congestion, traffic and pollution.

Strategic Policy 5 – Providing new homes: requires that the housing needs of people who want to live in Southwark are met by providing as much housing as possible, whilst ensuring that land remains for other types of development.

Strategic Policy 11 – Open spaces and wildlife: States that development should improve, protect and maintain a network of open spaces and green corridors, provide sport and leisure and food growing opportunities, and protect and protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

c] Policies of the London Plan [2011].

Policy 3.3 Increasing housing supply; Policy 5.3 Sustainable design and construction; Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage; Policy 6.9 Cycling; Policy 6.10 Walking; Policy 6.11 Smoothing traffic flow and tackling congestion; Policy 6.12 Road network capacity; Policy 6.13 Parking; Policy 7.6 Architecture; Policy 7.8 Heritage assets and archaeology; Policy 7.19 Biodiversity and access to nature; Policy 7.21 Trees and woodlands;

d] PPS5 Planning for the Historic Environment; Draft NPPF; Ministerial Statement: Planning for Growth.

The principle of residential development of the site is acceptable taking into account the impacts in relation to loss of garden space, and on the character and appearance of the conservation area, as the character and appearance would be preserved, as would the landscaped and spacious character of the surrounding area. The scheme would not harm the amenities of surrounding occupiers in relation to matters such as sunlight, daylight, sense of outlook or privacy, and there would be no harm arising in relation to transport impacts taking into account the on site cycle and car parking that would be provided. Impacts in relation to tree protection and biodiversity would be mitigated by way of conditions of consent. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following condition:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
GP34/1, GP34/3 Rev C, GP34/5 B, GP34/7, GP34/9, GP34/11

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to works commencing, including any demolition, details of the means by which any existing trees on or directly adjacent to the site are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment, shall be submitted to and approved in writing by the Local Planning Authority. The protective measures shall be installed and retained throughout the period of the works in accordance with any such approval given and protective fencing must not be moved or removed without the explicit written permission of the Local Authority Arboriculturalist. Within the protected area, no fires may be lit, no materials may be stacked or stored, no cement mixers or generators may be used, no contractor access whatsoever is permitted without the explicit written permission of the Local Authority Arboriculturalist under the supervision of the developer's appointed Arboriculturalist. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around. Excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'.
See Informative at the foot of this decision notice.

Reason

To ensure the protection of the existing trees in accordance with saved policies 3.2 Protection of Amenity and 3.28 Biodiversity of The Southwark Plan 2007, and SP11 Open spaces and Wildlife.

- 4 Details of the green roof shall be submitted to and approved in writing by the Local Planning Authority prior to any construction works commencing on site. The green roof shall be:
- a) biodiversity based with extensive substrate base (depth 80-150mm);
 - b) laid out in accordance with plan GP34/5 RevB, hereby approved; and
 - c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The green roof shall not be used as an amenity or sitting out space of any kind and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The green roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Policy 7.19, Biodiversity and access to nature, of the London Plan 2011, saved policy 3.28, Biodiversity, of the Southwark Plan 2007, and Strategic Policy 11, Open Spaces and Wildlife, of the Core Strategy 2011.

- 5 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation, namely, Timber Cladding stained with "Antique Pine" and PPC aluminium windows in RAL 7039 (Battleship grey).

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the character and appearance of the conservation area in accordance with saved Policies 3.12 'Quality in Design' and 3.16 'Conservation Areas' of The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

- 6 The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final code certificate has been issued for it certifying that Level 4 has been achieved.

Reason

In order to ensure that the development delivers the highest possible standard of sustainable accommodation, in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007, and SP13 High Environmental Standards of the Core Strategy 2011.

- 7 Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouse hereby permitted, without the prior written consent of the Council, to whom a planning application must be made.

Reason

In order that the Local Planning Authority may be satisfied as to the design and details of any future extensions to the building, in the interest of character and appearance of the conservation area, in accordance with saved Policies: 3.12 Quality in Design; and 3.16 Conservation Areas; of The Southwark Plan 2007, and SP12 Design and Conservation of the Core Strategy 2011.

Informative

In respect fo condition 3:

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.

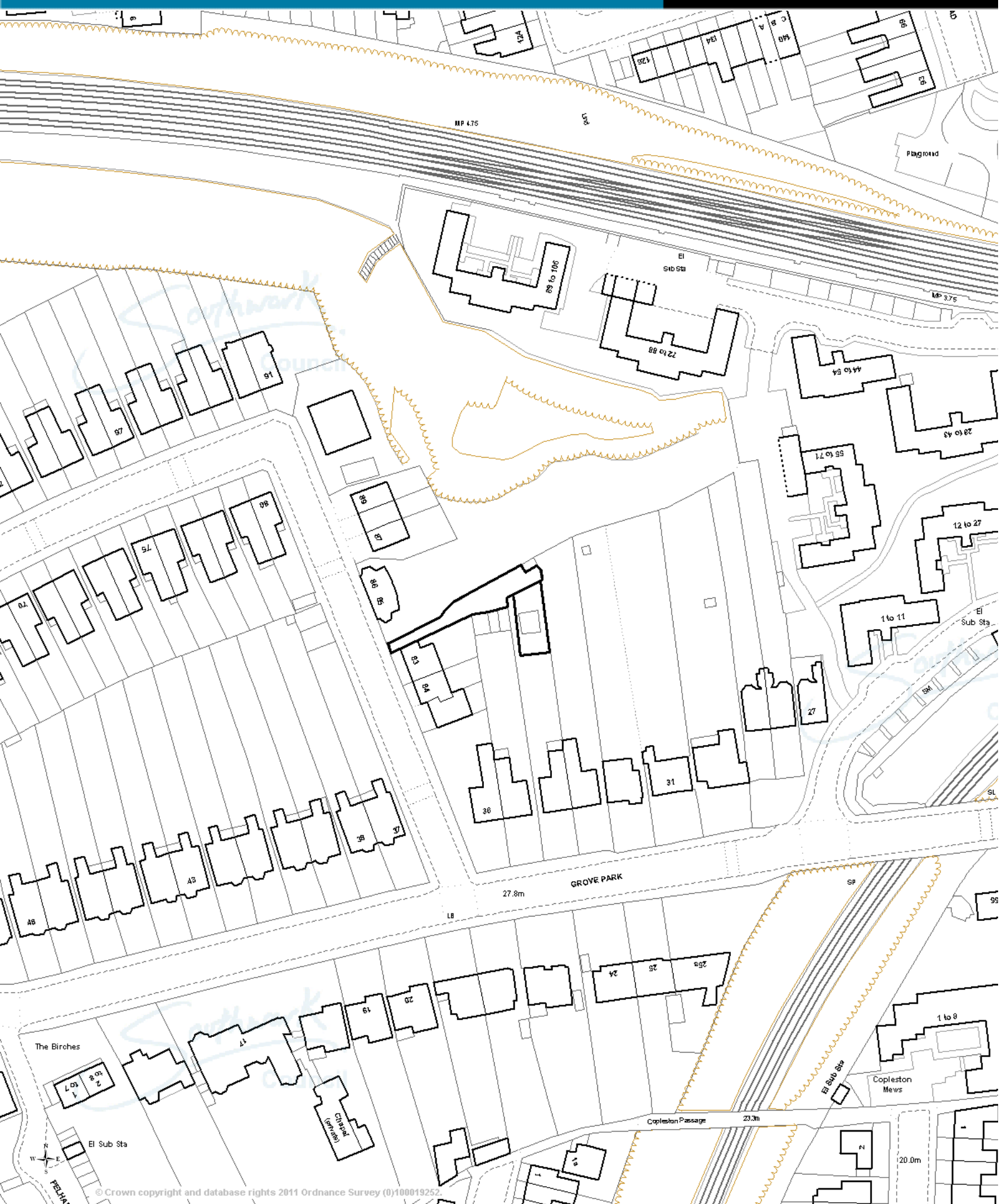
(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written permission of the Local Authority Arboriculturalist.

Ordnance Survey

Date 5/1/2012



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Item No. 6.2	Classification: Open	Date: 18 January 2012	Meeting Name: Camberwell Community Council
Report title:	Development Management planning application: Application 11-AP-2869 for: Conservation Area Consent Address: LAND TO THE REAR OF 34 GROVE PARK, LONDON, SE5 8LG Proposal: Demolition of garage.		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 16 September 2011		Application Expiry Date 11 November 2011	

RECOMMENDATION

- 1 Grant Conservation Area Consent.

BACKGROUND INFORMATION

Site location and description

- 2 34 Grove Park is a large semi detached single family dwelling of three storeys plus basement and loft conversion, with a rear garden extending northwards by 30m. To the rear there is a brick and timber built garage with apex roof and timber doors accessing a communal driveway that runs from Grove Park, between nos. 83 and 85.
- 3 The ground level rises gently northwards and westwards from the rear of 34, and the occupants have levelled the land to the rear, which now stands approximately 1m higher than the rest of the garden. This level change results in the height of the garage when perceived from the main house, as being 6.5m to apex. From the higher level of garden to the rear the height of the structure is 5.5m. The depth of the raised piece of garden with garage is 11m from the rear garden boundary.
- 4 To the east of the site, construction is underway for the two storey five bedroom, property described in the planning history section of this report, planning application reference 08-AP-2467. This site is now known as 86 Grove Park and shall be referred to as such in this report. This site shares a boundary with the application site.
- 5 The application site is located within the Camberwell Grove Conservation Area. There is a piece of designated Borough Open Land to the rear (north) of the site, referenced OS110 on the Proposals Map April 2011. There are no listed buildings near to the site that would be affected by the development. The site is also located within the Urban Density Zone and Air Quality Management Area. The site has a Public Transport Accessibility Level (PTAL) of 2 indicating a relatively low access to public transport.

Details of proposal

- 6 The proposal is to demolish the existing garage on site to facilitate the erection of a two bedroom bungalow, concurrently assessed under planning application reference 11-AP-2868.

Planning history

- 7 05-AP-1621: Planning permission was refused on 09/11/05, for a roof conversion to form a new studio room with glass dormer to rear roof slope, and installation of Velux roof lights.

- 8 The reason for refusal was:

'The proposed dormer to the rear of the main roof, by reason of its position, size, design and appearance, would be an intrusive alteration, out of scale and character with this and neighbouring dwellings, as well as having a serious and adverse effect on the visual amenities of the locality and would also be contrary to policies E.4.2 & E.4.3 'Proposals affecting conservation areas' and E.2.3 'Aesthetic Control' of the Adopted Unitary Development Plan 1995 and Policies 3.11' Quality in design', 3.13 'Urban Design' and Policy 3.16 'Conservation Areas' of the Revised Draft Southwark Plan dated February 2005'.

- 9 05-AP-2406: Planning permission was refused on 13/01/06 for a roof conversion to form a new studio room with lead clad dormer to rear roof slope, and installation of Velux roof lights.

- 10 The reason for refusal was:

'The proposal, by reason of its size and detailed design would form an intrusive addition that will dominate the roof form and is harmful to the character and appearance of the property and to the Camberwell Grove Conservation Area generally. The proposal is unacceptable and contrary to Policies E.4.3 Proposals Affecting Conservation Areas and E.2.3 Aesthetic Control of the Southwark Unitary Development Plan 1995 and Policies 3.11 Quality in Design, 3.13 Urban Design and Policy 3.16 Conservation Areas of the Southwark Plan [revised Draft Including Pre-Inquiry and Final Changes] February 2005'.

- 11 06-AP-0485: Planning permission was granted on 21/07/06 for erection of new lead faced dormer to rear with glazed panels adjacent following slope of roof involving installation of velux roof light windows to flank roof slope, and formation of studio room and railings on the existing second floor flat roof.

Planning history of adjoining sites

- 12 08-AP-2467
Land to the rear of 31, 32, and 33 Grove Park.
Planning permission was granted on 25/02/09 for the construction of a 5 bedroom family house occupying basement, lower ground, ground and first floor levels with associated waste storage, 2 off street car parking spaces, and cycle storage. Removal of several trees and shrubs, inclusion of landscaping and installation of a green roof.
This scheme is in the process of being implemented and is near completion.

- 13 10-AP-1717
Land to the rear of 37/38 Grove Park
Planning permission was granted on 29/10/10 for erection of two, two storey dwelling houses, erection of a single garage and off street parking for two cars.

- 14 11-AP-0757
Land to the rear of 37/38 Grove Park
Planning permission was granted on 12/08/11 for a variation of condition 2 (drawing numbers) to allow for the construction of basements to the houses approved under reference 10-AP-1717.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 15 The main issue to be considered in respect of this application is the acceptability of the demolition of the existing building in terms of the impact on the character and appearance of the conservation area and whether any harm will be outweighed by the merits of the replacement development as described in report reference 11-AP-2868.

Planning policy

Core Strategy 2011

- 16 Strategic Policy 12 – Design and conservation

Southwark Plan 2007 (July) - saved policies

- 17 3.15 Conservation of the Historic Environment
3.16 Conservation Areas
3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites

Camberwell Grove Conservation Area Appraisal

London Plan 2011

- 18 Policy 7.4 Local character
Policy 7.8 Heritage assets and archaeology
Policy 7.6 Architecture

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 19 PPS 5 Planning and the Historic Environment

Principle of development

- 20 The principle of the demolition of a building in a conservation area is only acceptable if there is a proposal to replace it with a building which will make a positive contribution to the appearance and character of the area.

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

- 21 Saved Policy 3.15 Conservation of the historic environment requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted. The character and appearance of conservation areas should be recognised and respected

in any new development within these areas.

- 22 Saved Policy 3.16 Conservation areas states that within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of a conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area.
- 23 The demolition of the existing building is not viewed as problematic in any way, as it is not of an architectural quality that makes a positive contribution to the conservation area. The replacement building is considered to be of an high architectural quality, unobtrusive and simple in style, and of a contemporary design that it is considered to be an enhancement to the general townscape. This is assessed in the accompanying report for the planning application, reference 11-AP-2868.
- 24 Strategic Policy 12 – Design and conservation of Core Strategy 2011, requires that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. We will do this by:
1. Expecting development to conserve or enhance the significance of Southwark’s heritage assets, their settings and wider historic environment, including conservation areas, archaeological priority zones and sites, listed and locally listed buildings, registered parks and gardens, world heritage sites and scheduled monuments.
- 25 Policy HE7.2 of PPS5 requires that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposals.
- 26 On this site, it is considered that the consistency and quality of the Grove Lane frontage/streetscape is the particular nature of the conservation area’s significance, and this includes the mature trees on/around the site. While the quality of the proposed building is the largest issue, this does sit within the rear garden of 34 Grove Park and is largely hidden from the wider public view. Furthermore the success of this development is in the modest size of the proposal. The existing garage on site is constructed from brick and timber with a corrugated steel roof. It has no architectural merit and is in a poor state of repair. In light of this, and it’s backland location, a condition requiring a contract for redevelopment to be submitted for approval prior to demolition is not considered necessary in this instance.
- 27 As such, there would be benefits from the demolition and redevelopment that would outweigh the results of the demolition, and as the proposed replacement development is considered to preserve the character and appearance of the conservation area and has therefore been recommended for approval

Conclusion on planning issues

- 28 The existing building is not a key unlisted building in the conservation area and will be replaced by a more distinguished development which will preserve the Conservation Area, thereby justifying demolition of the existing building.

Community impact statement

- 29 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in

respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified in the accompanying report for Planning application 11-AP-2868 on this agenda.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

- 31 Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

- 32 Consultation responses are summarised in the report for 11-AP-2868.

Human rights implications

- 33 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 34 This application has the legitimate aim of demolishing a garage. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 35 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2154-34 Application file: 11-AP-2869 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5405 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Susannah Pettit, Planning Officer	
Version	Final	
Dated	24 November 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to the Constitutional Team		5 January 2012

Consultation undertaken

- 35 **Site notice date:** 10/10/11
- 36 **Press notice date:** 06/10/11
- 37 **Case officer site visit date:** 03/11/11 (Accompanied by Michael Crowley Architect)
- 38 **Neighbour consultation letters sent:** 10/10/11

39 **Internal services consulted:**

Design and Conservation officer

40 **Statutory and non-statutory organisations consulted:**

English Heritage

Neighbours and local groups consulted:

- 41 FLAT 1 36 GROVE PARK LONDON SE5 8LG
 FIRST FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
 FLAT 2 33 GROVE PARK LONDON SE5 8LG
 FLAT 2 36 GROVE PARK LONDON SE5 8LG
 37 GROVE PARK LONDON SE5 8LG
 82 GROVE PARK LONDON SE5 8LE
 38 GROVE PARK LONDON SE5 8LG
 FLAT 3 36 GROVE PARK LONDON SE5 8LG
 FLAT 6 33 GROVE PARK LONDON SE5 8LG
 FLAT 5 33 GROVE PARK LONDON SE5 8LG
 SECOND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
 GROUND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
 FLAT 4 36 GROVE PARK LONDON SE5 8LG
 FLAT 3 33 GROVE PARK LONDON SE5 8LG
 FLAT 5 36 GROVE PARK LONDON SE5 8LG
 FLAT 4 33 GROVE PARK LONDON SE5 8LG
 83 GROVE PARK LONDON SE5 8LE
 32 GROVE PARK LONDON SE5 8LG
 87 GROVE PARK LONDON SE5 8LE
 84 GROVE PARK LONDON SE5 8LE
 FLAT 1 33 GROVE PARK LONDON SE5 8LG
 35B GROVE PARK LONDON SE5 8LG
 35C GROVE PARK LONDON SE5 8LG
 35A GROVE PARK LONDON SE5 8LG
 88 GROVE PARK LONDON SE5 8LE
 85-86 GROVE PARK LONDON SE5 8LE
 34 GROVE PARK LONDON SE5 8LG
 79 GROVE PARK LONDON SE5 8LF
 89 GROVE PARK LONDON SE5 8LE
 31 GROVE PARK LONDON SE5 8LG
 by email
 80 GROVE PARK LONDON SE5 8LF
 110 GROVE PARK LONDON SE5 8LE
 12 GROVE PARK LONDON SE5 8LR

Re-consultation:

- 42 N/A

Consultation responses received**Internal services**

- 43 Design and Conservation officer: Comments incorporated into report.

Statutory and non-statutory organisations

- 44 English Heritage: "The application should be determined in accordance with National and Local policy guidance and on the basis of your specialist conservation advice."

Neighbours and local groups

- 45 No objections to this application for Conservation Area consent, but representations in relation to redevelopment are set out in the report for 11-AP-2868

RECOMMENDATION

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

Applicant	Mr C. Matthews	Reg. Number	11-AP-2869
Application Type	Conservation Area Consent	Case Number	TP/2154-34
Recommendation	Grant permission		

Draft of Decision Notice

Conservation Area Consent was GIVEN to demolish the following:

Demolition of garage.

At: LAND TO THE REAR OF 34 GROVE PARK, LONDON, SE5 8LG

In accordance with application received on 26/08/2011

and Applicant's Drawing Nos. GP34/1, GP34/2, GP34/3 Rev C, GP34/4, GP34/5 B, GP34/6, GP34/7, GP34/8, GP34/9, GP34/10, GP34/11
Design and Access statement, Sustainability Assessment.

Reasons for granting Conservation Area Consent

This Conservation Area Consent application was considered with regard to various policies including, but not exclusively:

a] Saved Policies of the Southwark Plan [July 2007].

3.16 Conservation Areas (requires developments to preserve or enhance the character or appearance of the conservation area)

3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites. (requires new developments to preserve or enhance the immediate or wider setting of a listed building, conservation area or World Heritage Site, and important views of a listed building).

b] Core Strategy 2011 policies:

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

c] Policies of the London Plan [2011].
Policy 7.4 Local character; Policy 7.6 Architecture; Policy 7.8 Heritage assets and archaeology;

d] PPS1 Delivering Sustainable Development, PPS 5 Planning for the Historic Environment.

Particular regard was had to the heritage importance of the building to be demolished, but it was considered that it does not make a positive contribution to the conservation area and its replacement is of a higher quality which will preserve the character and appearance of the Conservation Area. It was therefore considered appropriate to grant conservation area consent for the demolition of this building, having regard to the policies considered and other material considerations.

Subject to the following condition:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason:

As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
GP34/1, GP34/3 Rev C, GP34/5 B, GP34/7, GP34/9, GP34/11

Reason: For the avoidance of doubt and in the interests of proper planning.

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NOTE: Original held by Community Councils Team; amendments to Beverley Olamijulo (Tel: 020 7525 7234)

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