Open Agenda

Planning Sub-Committee A

Tuesday 1 October 2013
7.00 pm
Room G02, 160 Tooley Street, London SE1 2QH

Membership

Councillor Althea Smith (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor The Right Revd Emmanuel Oyewole
Councillor Michael Situ

Reserves

Councillor James Barber
Councillor Denise Capstick
Councillor Barrie Hargrove
Councillor Martin Seaton
Councillor Andy Simmons

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information
You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances
If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access
The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council’s web site: www.southwark.gov.uk or please contact the person below.

Contact:
Gerald Gohler, Constitutional Officer, Tel: 020 7525 7420 email: gerald.gohler@southwark.gov.uk.

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Chief Executive
Date: 23 September 2013
# Planning Sub-Committee A

Tuesday 1 October 2013  
7.00 pm  
Room G02, 160 Tooley Street, London SE1 2QH

## Order of Business

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<td>A representative of each political group will confirm the voting members of the committee.</td>
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<td>4.</td>
<td>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</td>
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<td>Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.</td>
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<td>5.</td>
<td>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</td>
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<td>The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.</td>
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<td>6.</td>
<td>MINUTES</td>
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<td>To approve the minutes of the meeting held on 23 July 2013 as a correct record of the meeting and signed by the chair.</td>
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</table>

Date: 23 September 2013
Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.

2. The officers present the report and recommendations and answer points raised by members of the sub-committee.

3. Your role as a member of the planning sub-committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.

4. The following may address the sub-committee (if they are present and wish to speak) for not more than 3 minutes each.

   (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.

   (b) The applicant or applicant’s agent.

   (c) One representative for any supporters (who live within 100 metres of the development site).

   (d) Ward councillor (spokesperson) from where the proposal is located.

   (e) The members of the sub-committee will then debate the application and consider the recommendation.

   Note: Members of the sub-committee may question those who speak only on matters relevant to the roles and functions of the planning sub-committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the sub-committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

   Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.
7. No smoking is allowed at council committees and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

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

Contacts: The Head of Development Manager
Chief Executive’s Department
Tel: 020 7525 5437; or

Planning Sub-Committee Clerk, Constitutional Team
Corporate Strategy Division
Tel: 020 7525 7420
PLANNING SUB-COMMITTEE A

MINUTES of the Planning Sub-Committee A held on Tuesday 23 July 2013 at 7.00 pm at Room G02, 160 Tooley Street, London SE1 2QH

PRESENT:
Councillor Althea Smith (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor The Right Revd Emmanuel Oyewole
Councillor Michael Situ

OTHER MEMBERS PRESENT:
Councillor Renata Hamvas
Councillor Michael Mitchell
Councillor David Noakes

OFFICER SUPPORT:
Jonathan Gorst (Head of Regeneration & Development Team)
Gary Rice (Head of Development Management)
Michèle Sterry (Team Leader, Development Management)
Andre Verster (Team Leader, Development Management)
Christian Loveday (Principal Transport Planner)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

The members of the committee present were confirmed as the voting members.
4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following members made declarations regarding the agenda items below:

Agenda item 7.1 – Railway Arches 22-27 located between Union Street & Surrey Row, London SE1

Councillor Adele Morris, non-pecuniary, as she had been part of the campaign to “save the arches”, but would approach this application with an open mind.

Agenda item 7.2 - Railway Arches 28 to 31, Great Suffolk Street, London SE1 0BL

Councillor Adele Morris, non-pecuniary, as she had been part of the campaign to “save the arches”, but would approach this application with an open mind.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair drew councillors’ attention to the fact that an addendum report had been circulated.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 11 June 2013 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation, responses, additional information and revisions.

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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 and draft decision notices unless otherwise stated.
3. That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

7.1 RAILWAY ARCHES 22-27 LOCATED BETWEEN UNION STREET & SURREY ROW, LONDON SE1

Planning application reference number 13/AP/0238

Report: See pages 15 to 38 of the agenda pack.

PROPOSAL

The proposed application is for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch 23, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout. In addition, there will also be external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to seclude bin storage under 2 metres and cycle storage area incidental to the change of use.

The sub-committee heard an introduction to the report from a planning officer.

Members heard a representation from a spokesperson for the objectors to the application, and asked questions.

The representative of the applicant made representations to the sub-committee and answered members’ questions.

There were no supporters living within 100 metres of the development site, who wished to speak.

Councillor David Noakes spoke in his capacity as a ward member. Members of the committee asked questions of Councillor Noakes.

Members debated the application and asked questions of the officers.

A motion to refuse planning permission was moved, seconded, put to the vote and declared to have fallen.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

1. That planning permission for application number 13/AP/0238 be granted, subject to the conditions set out in the report.

2. That an informative be added asking the applicant to protect local businesses.

Note: Councillor Adele Morris requested that her vote “against” the motion be recorded, in accordance with committee procedure rule 1.8.4.
7.2 RAILWAY ARCHES 28 TO 31, GREAT SUFFOLK STREET, LONDON SE1 0BL

Planning application reference number 13/AP/0351

Report: See pages 39 to 61 of the agenda pack.

PROPOSAL

Change of use from General Industry (Class B2) to Offices (Class B1 (a)) together with refurbishment and external alterations to the four arches 28-31 Great Suffolk Street.

The sub-committee heard an introduction to the report from a planning officer. Councillors asked questions of the officer.

Members heard a representation from a spokesperson for the objectors to the application, and asked questions.

The representative of the applicant made representations to the sub-committee and answered members' questions.

There were no supporters living within 100 metres of the development site, who wished to speak.

Councillor David Noakes spoke in his capacity as a ward member.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

1. That planning permission for application number 13/AP/0351 be granted, subject to the conditions set out in the report.

3. That an informative be added asking the applicant to protect local businesses.

Note: Councillor Adele Morris requested that her vote “against” the motion be recorded, in accordance with committee procedure rule 1.8.4.

7.3 151-161 GORDON ROAD, LONDON SE15 3RT

Planning application reference number 13/AP/0955

Report: See pages 62 to 82 of the agenda pack, and pages 1 and 2 of the addendum report.
PROPOSAL

Construction of 7 dwellings (3 x 4 bedroom and 4 x 5 bedroom) ranging in height from two to three storeys; associated refuse storage, cycle parking and landscaping.

The sub-committee heard an introduction to the report from a planning officer, drawing councillors’ attention to the addendum.

Members heard a representation from the spokesperson for the objectors to the application.

The representatives of the applicant made representations to the sub-committee and answered members’ questions.

There were no supporters living within 100 metres of the development site, or ward councillors, who wished to speak.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 13/AP/0955 be granted, subject to the conditions set out in the report and the addendum report.

7.4 FORMER POLICE STATION, 97 CRYSTAL PALACE ROAD, LONDON SE22 9EY

Planning application reference number 13/AP/1594

Report: See pages 83 to 98 of the agenda pack, and pages 2 and 3 of the addendum report.

PROPOSAL

Conversion of former police station to residential flats (4 no.), incorporating ground floor side extension with terrace on top, and roof extensions; and erection of a terrace of 5 dwellings on basement, ground, first, second and third floor levels on land to the rear of the site fronting Upland Road, landscaping and other works incidental to the site.

The sub-committee heard an introduction to the report from a planning officer, drawing councillors’ attention to the addendum report.

Members heard a representation from a spokesperson for the objectors to the application.

The representatives of the applicant made representations to the sub-committee and answered members’ questions.
There were no supporters living within 100 metres of the development site, who wished to speak.

Councillor Renata Hamvas spoke in her capacity as a ward member.

Members debated the application and asked questions of the officers.

A motion to refuse permission was moved, seconded and declared to be carried.

**RESOLVED:**

That planning permission for application number 13/AP/1594 be refused because the building’s height and massing, would lead to a loss of amenity of the adjoining properties by:

1. reducing daylight/sunlight in the garden and some windows to unacceptable levels.
2. leading to a loss of privacy through overlooking.
3. the proposed terraces leading to increased noise and disturbance.

**Note:** At this point the meeting adjourned for a 10 minute comfort break.

7.5 **DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH**

**Planning application reference number 13/AP/1732**

**Report:** See pages 99 to 111 of the agenda pack, and pages 3 to 7 of the addendum report.

**PROPOSAL**

_Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend wet weather sports teaching facilities (D2)._}

The sub-committee heard an introduction to the report from a planning officer, drawing councillors’ attention to the addendum report.

Members heard a representation from spokespersons for the objectors to the application, and asked questions.

A representative of the applicant made representations to the sub-committee and answered members’ questions.

A supporter living within 100 metres of the development site spoke on the application. Councillors asked questions of the supporter.
Councillor Michael Mitchell spoke in his capacity as a ward member. Members of the committee asked questions of Councillor Mitchell.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 13/AP/1732 be granted, subject to the conditions set out in the report and the appendix report, and subject to:

1. no further material objections being raised by the end of the official consultation period on 27 July 2013.

2. a green transport plan to be submitted to, and agreed by, officers.

7.6 BURGESS PARK, ALBANY ROAD, LONDON SE5

Planning application reference number 13/AP/1068

Report: See pages 112 to 123 of the agenda pack.

PROPOSAL

The installation of five new containers including doors, windows and green roof incorporated into the BMX track layout.

The sub-committee heard an introduction to the report from an officer. Councillors asked questions of the officer.

No objectors or representatives of the applicant were present to speak.

There were no supporters living within 100 metres of the development site, or ward councillors who wished to speak.

Members debated the application and asked questions of the officers.

Councillors asked for minutes to reflect their displeasure at no council officers from the section, which had submitted the application, having attended the meeting.

The chair asked planning officers send a letter to the relevant council officers telling them they had to attend when the council’s own applications are being brought to planning sub-committee.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.
RESOLVED:

That planning permission for application 13/AP/1068 be granted, subject to the conditions outlined in the report.

Meeting ended at 10.50 pm

CHAIR:

DATED:
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 planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:

   a. 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.

   b. 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.

   c. 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.
6. 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.

7. 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 maybe substantial if the matter is dealt with at a public inquiry.

8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.

9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.

10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. 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 head of development management 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.

13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management 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 director of legal services, and which is satisfactory to the head of development management. 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 director of legal services. The planning permission will not be issued unless such an agreement is completed.

14. 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. 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).

15. 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. The development plan is currently Southwark’s Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the 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).

16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.

17. “Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that “a planning obligation may only constitute a reason for granting planning permission if the obligation is:

a. necessary to make 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.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests.”

18. 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.

19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.

20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the
policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
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<tbody>
<tr>
<td>Council assembly agenda 23 May 2012</td>
<td>Constitutional Team</td>
<td>Kenny Uzodike 020 7525 7236</td>
</tr>
<tr>
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<td>160 Tooley Street, London SE1 2QH</td>
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<tr>
<td>Each planning committee item has a separate planning case file</td>
<td>Development Management, 160 Tooley Street, London SE1 2QH</td>
<td>The named case officer as listed or Gary Rice 020 7525 5437</td>
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APPENDICES

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AUDIT TRAIL

<table>
<thead>
<tr>
<th>Lead Officer</th>
<th>Ian Millichap, Constitutional Manager</th>
</tr>
</thead>
</table>
| Report Author                | Kenny Uzodike, Assistant Constitutional Officer  
|                              | Jonathan Gorst, Head of Regeneration & Development Team |
| Version                      | Final                                 |
| Dated                        | 6 November 2012                       |
| Key Decision                 | No                                    |

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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<th>Officer Title</th>
<th>Comments sought</th>
<th>Comments included</th>
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<tr>
<td>Director of Legal Services</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Head of Development Management</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Cabinet Member</td>
<td>No</td>
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<tr>
<td>Date final report sent to Constitutional Team</td>
<td>6 November 2012</td>
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ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Tuesday 01 October 2013

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<th>Appl. Type</th>
<th>Full Planning Permission</th>
<th>Reg. No.</th>
<th>13-AP-1732</th>
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<td>Site</td>
<td>DULWICH SPORTS GROUND, 102-106 TURNNEY ROAD, LONDON, SE21 7JH</td>
<td>TP No.</td>
<td>TP/2546-B</td>
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<td>Ward</td>
<td>Village</td>
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<td></td>
<td></td>
<td>Officer</td>
<td>Amy Lester</td>
</tr>
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</table>

**Proposal**

Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend sports teaching facilities (D2).

**Recommendation**

GRANT PERMISSION

**Item 7.1**

<table>
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<td>TP No.</td>
<td>TP/H2071</td>
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<td>Ward</td>
<td>Brunswick Park</td>
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<td></td>
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<td>Officer</td>
<td>Justine Mahanga</td>
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**Proposal**

Erection of a single-storey rear extension to provide additional residential floorspace; installation of a flank wall window at ground floor level.

**Recommendation**

GRANT PERMISSION

**Item 7.2**

<table>
<thead>
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<th>Appl. Type</th>
<th>Full Planning Permission</th>
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<td>TP No.</td>
<td>TP/1195-B</td>
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<td></td>
<td></td>
<td>Officer</td>
<td>Alex Cameron</td>
</tr>
</tbody>
</table>

**Proposal**

Construction of an extension at third floor level and first/second floor level extensions: providing additional residential accommodation to existing residential units and creation of a new self contained studio residential unit in the new third floor, with associated elevational alterations.

**Recommendation**

GRANT PERMISSION

**Item 7.3**

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<td></td>
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<td>Officer</td>
<td>David Lane</td>
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</tbody>
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**Proposal**

Replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

**Recommendation**

GRANT PERMISSION

**Item 7.4**

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<td>Village</td>
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<tr>
<td></td>
<td></td>
<td>Officer</td>
<td>David Lane</td>
</tr>
</tbody>
</table>

**Proposal**

Replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

**Recommendation**

GRANT PERMISSION

**Item 7.5**
RECOMMENDATION

1 That members resolve to grant planning permission subject to conditions.

BACKGROUND INFORMATION

2 This application is being brought back to sub-committee for the purpose of updating Members on consultation responses and the inclusion of an additional condition concerning finished floor levels of the development prior to a final decision being taken.

3 The above application was considered at Planning Sub-Committee A on the 23 July 2013 where it was resolved to grant planning permission subject to no new material planning considerations being raised. The application was presented to committee prior to the end of the statutory consultation period to facilitate a timely decision being made within the statutory timeframe of the application.

4 This application is reserved to members for decision as the site falls within Metropolitan Open Land (MOL).

Consultation Responses

5 Prior to the meeting of 23 July 2013, the Council had received 26 letters of objection raising the following areas of concern:

- The proposal is on Metropolitan Open Land and is not for an appropriate use, the use is not an essential facility for outdoor sports and is not ancillary. 
  Considered in committee report
- Introduction of commercial activity on MOL.
Although the site is MOL, it is also private land; it is not available for public access and the sports club is not a public facility. Most recreational activities on MOL (such as golf clubs, sports clubs etc) are commercial ventures. The definition of outdoor sport is not restricted to public or private sports.

- The proposed building will impact on the open nature of the site. 
  Considered in committee report

- The proposed building will impact the setting of the large willow tree.  
  Considered in committee report, previously recommended condition amended in line with discussions at 23 July sub-committee meeting following the submission of a full method statement.

- The development will affect views into and out of the Dulwich Village Conservation Area and the building does not preserve or enhance that area.  
  Considered in committee report

- The proposed use of the building by the sports club is secondary, would be sporadic and could be accommodated with the existing building.  
  Considered in committee report

- Would result in a precedent for further development on MOL.

- The site is prone to flooding.  
  The site is not within a FRZ and therefore a FRA is not required. Further advice has been sought from the Councils internal Flood and Drainage Team with regard to localised flooding. See body of main report for full details.

- Detrimental impact on traffic on Turney Road, Burbage Road and the Village area.  
  Considered in committee report

- Increased activity on the playing fields (unclear on what basis this is raised as an objection)  
  Residential amenity issues are considered in committee report.

- Detrimental impact on views from the rear windows of properties on Turney Road.  
  Considered in committee report

- Increased risk of burglary to properties backing onto the sports ground as the site would be more open to public access.  
  This is a civil matter as the site is private land and could be left open anyway.

6 Following the meeting of 23 July 2013, the Council received a further 76 letters of objection and 5 additional letters specifically referring to the committee meeting. In addition to the above matters the following was also raised:

- Failure of the plans to show enclosed play areas for the nursery.  
  The application drawings do not show specific areas for outside play associated with the proposed nursery and therefore any boundary treatment has not been considered as part of this proposal. The Council is unable to refuse on the basis of something which hasn't been applied for. The
The applicant has stated that they currently do not have plans to provide outdoor enclosed play areas and that they are aware that permission may be required.

- Failure of the application to demonstrate that the harm to MOL etc is outweighed by the positive factors. Failure for the applicant to justify the exceptional circumstances in this case.

- The consideration of section 9 (Green Belts) of the NPPF rather than Southwark Plan Policy 3.25 which is based on the no longer applicable PPG2.

- Failure to be in accordance with section 8 of the NPPF.

- Conflict between the Southwark Plan and NPPF.
  These all relate to the principle of development which is outlined within the committee report and which was previously discussed at the 23 July 2013 meeting.

- The volume of the building would erode the openness of the MOL. The scale and position of the proposal is considered in the committee report

7 Prior to the meeting of 23 July 2013, the Council had received 6 letters of support raising the following matters:

- Lack of nursery provision in the surrounding area with current waiting lists of 18 months at some nurseries. The new facility is much needed.
- Creation of 14 new jobs.
- The facility would be a shared resource with the sports club.
- There would be no loss of useable sports fields.
- Minimal impact on transport.
- The provision of the nursery would help support the viability of the sports ground.

8 Following the meeting of 23 July 2013, the Council received a further 9 letters of support.

9 In total, the Council received 102 objections, 15 supports, 1 comment and 5 additional letters of objection from previous objectors specifically referring to discussions which took place at the committee meeting.

Site location and description

10 The application site relates to Dulwich Sports Ground, an 8.9ha open area of land situated to the west of Dulwich Village and bounded to the west by Croxted Road and the railway. Access to the site is via Turney Road to the north which gives access to an existing car parking area and sports pavilion building. This particular application relates to a small area of land located to the west of the existing pavilion.

11 To the north the site is bounded by the rear gardens of the residential properties fronting Turney Road.

12 The surrounding area is predominantly residential in nature and is within the Dulwich Village Conservation Area. The site is subject to the following designations on the Proposals map to the Saved Southwark Plan:
• Metropolitan Open Land (MOL)
• Suburban Density Zone - South
• Air Quality Management Area
• Dulwich Village Conservation Area

Details of proposal

13 This application seeks full planning permission for the erection of a flat roofed prefabricated building to the west of the existing clubhouse. The proposed building would be single storey to a maximum height of 3.2m and would provide 187sqm of floorspace. During weekdays the building would be used as a children's day nursery catering for a maximum of 41 children up to the age of 5 years. In the evenings and weekends the building would be used by the sports club as a 'wet weather' training facility providing space for theoretical classroom learning.

14 The building would have a dual Use Class of D1 non-residential institutions (day nursery) and D2 assembly and leisure (sports club).

15 A covered bicycle store would be erected adjacent to the existing clubhouse

16 Hours of Operation
Day Nursery (D1): Monday - Friday 7:30am to 6:30pm
Sports Club (D2): Monday - Friday 6:30pm to 10:30pm, Saturday - Sunday 9:00am to 10:30pm

17 Materials
- Timber clad Siberian Larch
- Timber steps, ramp, decking and balustrades
- Grey uPVC double glazed windows
- Glazed white uPVC doors

Planning history

18 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

19 The main issues to be considered in respect of this application are:

a) Principle
b) Design, Appearance and impact on Conservation Area
c) Traffic and Transportation
d) Residential Amenity

Planning policy

20 Core Strategy 2011
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

The Council’s cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

3.1 Environmental effects
3.2 Protection of Amenity
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban Design
3.15 Conservation of the Historic Environment
3.16 Conservation Areas
3.18 Setting of Listed Buildings, Conservation Areas and World heritage Sites
3.25 Metropolitan Open land
5.1 Locating Developments
5.2 Transport Impacts

London Plan 2011
Policy 7.4 Local Character
Policy 7.5 Public Realm
Policy 7.6 Architecture
7.17 Metropolitan Open Land

National Planning Policy Framework (NPPF)
7. Requiring good design
9. Protecting green belt land
12. Conserving and enhancing the historic environment

Principle of development

The application site is located within Metropolitan Open Land (MOL) and as such saved Southwark Plan policy 3.25 is relevant to the determination of this proposal. Policy 3.25 states that there is a general presumption against inappropriate development on MOL and that planning permission will only be granted for appropriate development which is considered to be for the following purposes:

i) Agriculture and forestry; or
ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.

The National Planning Policy Framework (NPPF) makes no specific reference to MOL rather considers Green Belt Land which has traditionally been afforded the same protection which is confirmed by policy 7.17 (MOL) of the London Plan. Para 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are for the provision of
appropriate facilities for outdoor sport and outdoor recreation.

26 The erection of the proposed building would provide additional space for sports teaching in association with the wider use of the site as a sports ground. To the north of the site is the existing two-storey pavilion building. At ground floor this provides twelve team dressing rooms and an open plan bar/dining area, whilst at first floor is a caretakers apartment. All these facilities would be retained.

27 Southwark Community Sports Trust, being the applicant, has established that the existing building no longer meets the demands that modern day sporting facilities require. This being an expanding need for classroom based training, administration and coaching, particularly during the wetter winter months, all of which support the wider continued use of the site for outdoor sporting activities. The requirement for indoor teaching/meeting space is predominantly on weekday evenings and at weekends when the grounds are used by various youth and senior sports teams. Examples of activities requiring this additional indoor space are as follows:

- Coaching of sports rules (theory) for players of cricket, football and rugby
- Training of referees, linesmen and umpires
- Parent meetings for colts and junior players
- Use of video and sporting technique demonstration
- Disability awareness seminars
- Southwark Sports Clubs Alliance meetings, Surrey and Kent RFU, the ECB and Surrey County Cricket Club and the South London FA
- After training review meetings
- First aid training
- Registration sessions
- SCST board and committee meetings
- Selection committees and club panels

28 The existing pavilion does not afford suitable space for activities such as these and as such the building, being the subject of this application, is proposed. The new structure would be low rise and located to the side of the existing pavilion on land not currently utilised for sports. This is designed and sited to ensure the open nature of the MOL would not be affected, whilst being in a convenient position to allow its use in connection with the wider outdoor facilities.

29 During the day Monday to Friday the demand for such sports facilities is limited as the site is mostly utilised by local schools who have their own facilities for such sports training activities, the building would very likely remain empty. It is therefore proposed to use the building as a children's day nursery between the hours of 7.30am-6.30pm. Each classroom has been designed with extensive storage space to allow training aids and play equipment to be easily stored when not in use to allow a convenient dual use to take place with minimal disruption.

30 Allowing the flexibility in the use of the building results in a sustainable solution ensuring the potential use of the building is realised and would provide a much needed facility to the local community where childcare provision is under immense pressure.

31 The wider sports ground occupies 8.9 hectares of land; within this the new building would have a footprint of 197sqm, representing just 0.22% of the overall site. The predicted usage split of the building is approximately 50:50 between sporting use and the day nursery. The percentage use of the wider sports ground for a day nursery is therefore a tiny proportion of the overall use of the site and it does not involve any removal, reduction or conflict with sports facilities on the site.
The provision of this building for sports teaching in association with the wider sports ground is considered both an essential and an appropriate facility within this MOL site. The building's use during the day as a children's day nursery does not conflict with this use, nor the wider purposes of the land as MOL and is therefore considered, due to it being a shared use, an appropriate facility.

Design, Appearance and impact on Conservation Area

Saved policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan seek to ensure that developments achieve high quality architectural and urban design, while policy 3.15 seeks to conserve the historic environment and 3.18 seeks to preserve or enhance the setting of Listed Buildings, Conservation Areas and World Heritage Sites.

The application site is characteristically open with the existing pavilion building and storage buildings sited on the MOL boundary closest to the neighbouring built form of the residential dwellings on Turney Road. The proposed building has been sited next to the existing building reducing its impact on the open nature of the MOL. Its design as a low level, flat roofed structure, clad in timber further reduces its dominance and allows it to sit comfortably on the site.

It is therefore considered appropriate in the local context having minimal impact on the open nature of the MOL and will preserve the character and appearance of this section of the surrounding Conservation Area.

Traffic and Transportation

The application site has an existing dedicated on site car park which would be reconfigured as part of the proposed works. This makes provision for 46 general parking spaces, 3 dedicated disabled spaces and 10 covered bicycle parking spaces.

As the proposed use would provide sports related wet weather teaching facilities it is not anticipated that there would be any noticeable change of activity on the site during the weekends and evenings, and therefore no increase in vehicle movements.

During weekdays, peak times for movements to and from the site would be during morning drop-off and afternoon pick-up from the day nursery. The nature of a children's day nursery means that these movements would be staggered throughout the morning and afternoon rather than traditional school hours. The applicant has provided a transport statement analysing the arrivals and departures of children at their nursery located at 27 Turney Road which is considered to be comparable in terms of location and size.

This shows that the peak time for drop-off would be 08:00-08:15 and for pick-up would be 17:45-18:00. However this would represent less that 20% of the total number of children. Furthermore, it is anticipated that 75% of arrival and departures modes would be by walking or cycling with just 9 children arriving by car. Walking to the site is further encouraged by the proposed large buggy storage area attached to the new building.

Given the large existing area for car parking, those users dropping off children by car would enter the site from the existing access on Turney Road, thus ensuring that there would be no overspill onto surrounding roads and no impact on existing parking situations in the locality.
In consideration of the above there would be no increased pressure on the surrounding transport network or parking situation resulting from the erection of the building and its proposed use.

**Residential Amenity**

42 Saved policy 3.2 'Protection of Amenity' of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.

43 The nearest residential properties are those located to the north on the southern side of Turney Road. The rear elevation of these properties would be sited approximately 45m from the proposed new building. Given the single storey nature of the building, separation distance and the existing levels of vegetation within the rear gardens, there is considered to be no material impact on outlook or visual intrusion.

44 It is not anticipated that the proposed use as a children's day nursery would result in increased levels of noise or disturbance, such as to warrant refusal.

**Flood Risk**

45 The application site is not located within an area as defined by the Environment Agency as being within a flood risk zone. However, it has been established that this area of Dulwich is within a much larger area at risk of localised flooding, this area has no clearly defined boundaries and extends in parts over much of the southern section of the borough. The Council's internal Flood Alleviation Team have provided comments and advice with regard to this application and have raised no objections to the proposal, subject to the finished floor level of the building being 500mm above ground level. The positioning and design of the building will have no impact on flooding within the locality or the wider area.

46 The required finished floor level of 500mm above ground can be achieved with no overall impact on the height or positioning of the building and would be ensured through the imposition of an appropriate condition.

**Impact on trees**

47 The application site has a large mature tree sited approximately 5m to the north of the proposed new building. Given the construction methods of pre-fabricated buildings of this nature, it is considered that with adequate protection during construction the existing tree would not be affected by the proposed development. This would be ensured through the imposition of appropriate conditions.

**Mayoral CIL**

48 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on this application. The applicant has completed the relevant form and CIL is payable on 187 square metres of floorspace equivalent to a CIL charge of £6545.

**Environmental impact assessment**

49 An Environmental Impact Assessment is not required for a development of this nature.
Conclusion on planning issues

50 The proposed development is in accordance with adopted policy and is consistent with the established use of the application site for recreational and sporting purposes. The proposed building is considered acceptable in design terms and in terms of the impact on visual and residential amenity. The proposal will provide essential and appropriate supporting facilities for outdoor sporting activities and a children's day nursery in a sustainable and accessible location with minimal impact on the surrounding environment.

51 In consideration of all letters received as a result of the statutory consultation and taking into account all matters raised by objectors and supporters, it is concluded that no new material planning considerations have been raised which were not previously considered and discussed at the sub-committee meeting on the 23rd July 2013.

52 For the reasons as discussed above it is recommended that planning permission be granted subject to conditions.

Community impact statement

53 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) There are no issues relevant to particular communities/groups not discussed above.

c) There are no likely adverse or less good implications for any particular communities/groups not discussed above.

Consultations

54 Details of consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

55 Details of consultation responses received in respect of this application are set out at the beginning of this report and within Appendix 2.

Human rights implications

56 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.

57 This application has the legitimate aim of providing a new children's day nursery and improved sports facilities. 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

None

BACKGROUND DOCUMENTS

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<td>Planning enquiries telephone:</td>
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<td>Application file: 13/AP/1732</td>
<td>160 Tooley Street London SE1 2QH</td>
<td>020 7525 5403</td>
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<td>Southwark Local Development Framework and Development Plan Documents</td>
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<td><a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a></td>
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APPENDICES

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<td>Amy Lester, Senior Planning Officer</td>
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<td>Dated</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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<td>Strategic Director, Environment &amp; Leisure</td>
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<td>Strategic Director Housing &amp; Community Services</td>
<td>No</td>
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<td>Director of Regeneration</td>
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Date final report sent to Constitutional Team 19 September 2013
APPENDIX 1

Consultation undertaken

Site notice date: 03/07/2013

Case officer site visit date: 03/07/2013

Neighbour consultation letters sent: 04/07/2013

Internal services consulted:
Transport Planning
Waste Management
Flood Alleviation Team

Neighbours and local groups consulted:
154 TURNEY ROAD LONDON   SE21 7JJ
156 TURNEY ROAD LONDON   SE21 7JJ
158 TURNEY ROAD LONDON   SE21 7JJ
152 TURNEY ROAD LONDON   SE21 7JJ
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132 TURNEY ROAD LONDON   SE21 7JJ
174 TURNEY ROAD LONDON   SE21 7JJ
BOROUGH POLYTECHNIC GROUNDS 102-106 TURNEY ROAD LONDON  SE21 7JH
FIRST FLOOR FLAT 83 TURNEY ROAD LONDON   SE21 7JB
140A CROXTED ROAD LONDON   SE21 8NR
FLAT 2 144 CROXTED ROAD LONDON   SE21 8NR
142 CROXTED ROAD LONDON   SE21 8NR
FLAT 1 144 CROXTED ROAD LONDON   SE21 8NR
GROUND FLOOR FLAT 83 TURNEY ROAD LONDON   SE21 7JB
HOLLINGTON CLUB REAR OF 123 TO 125 BURBAGE ROAD LONDON
SE24 9HD
140E CROXTED ROAD LONDON   SE21 8NR
140B CROXTED ROAD LONDON   SE21 8NR
140C CROXTED ROAD LONDON   SE21 8NR
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APPENDIX 2

Consultation responses received

Internal services
Transport Planning
Flood Alleviation Team

Neighbours and local groups

Objectors
16 Alleyn Road – (also owns/occupies 118 Turney Road)
18 Alleyn Road
16 Allison Grove
39 Burbage Road
81 Burbage Road
117 Burbage Road
121 Burbage Road
133 Burbage Road
138 Burbage Road
140 Burbage Road
142 Burbage Road
36 Calton Avenue
61 Casimir Road (E5)
1 College Gardens
11 College Gardens
43 Comber House, Comber Grove (SE5)
79 Court Lane,
9 Court Lane Gardens
22 Court Lane Gardens
43 Dulwich Common
4a Dulwich Wood Park
36 Dulwich Village
36 Dulwich Village
62 Dulwich Village
102 Dulwich Village
103 Dulwich Village
105 Dulwich Village
4 Frank Dixon Way
15 Frank Dixon Way
22 Frank Dixon Way
51 Pymers Mead
45 Turney Road
63 Turney Road
81 Turney Road
84 Turney Road
86 Turney Road
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63 Stradella Road
85 Stradella Road
93 Stradella Road
103 Stradella Road
264 Upland Road
31 Winterbrook Road
34 Winterbrook Road
57 Winterbrook Road
76 Wood Vale
59 Woodwarde Road
117 Woodwarde Road
4 Woodyard Lane
No address, via email
No address, via email
No address, via email
No address, via email
No address, via email
Friends of Belair Roak
People’s Republic of Southwark
Greer Pritchard Planning & Urban Design

Support

15 College Road
134 Court Lane
60 Dulwich Village
19 Turney Road
27 Turney Road
41 Turney Road
69 Turney Road
77 Turney Road
85 Turney Road
110 Turney Road
160 Turney Road
160 Turney Road
182 Turney Road
Lyndhurst Primary School
No address, via email

**Comment**

Dulwich Society

**Specific further letters received in response to meeting of 23 July 2013**

100 Turney Road
118 Turney Road
136 Turney Road
146 Turney Road
## 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.

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<th>Mr. S. McKee</th>
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### Draft of Decision Notice

Planning Permission was **GRANTED** for the following development:

Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend sports teaching facilities (D2).

**At:** DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON, SE21 7JH

In accordance with application received on 03/06/2013 08:00:16

and Applicant's Drawing Nos. Site Location Plan: 100

Existing Plans: 200

Proposed Plans: 210, 211, 220, 230, 310, 311 and 410

Tree Assessment and Method Statement 20th June 2013

Transport Statement - September 2013

Dulwich Sports Ground Usage Plan

Design and Access Statement

### Subject to the following seven conditions:

#### Time limit for implementing this permission and the approved plans

1. The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

   210, 211, 220, 230, 310, 311 and 410

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

2. 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.

### Commencement of works above grade

- the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

3. Before any above grade work hereby authorised begins, detailed drawings scale 1:50 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of the building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.
Reason

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

4 The D1 element of the premises hereby approved shall be used only as a Children's Day Care Nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason
To safeguard the amenities of neighbouring residential properties and to protect the surrounding transport network from and increase in vehicle movements associated with an increased intensity of operation in accordance with saved policies 3.2 ‘Protection of Amenity’ and 5.2 ‘Transport impacts’ of the Southwark Plan 2007.

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.

Reason
To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

6 The proposed works shall be carried out in accordance with the submitted Tree Assessment and Method Statement dated 20th June 2013. The existing tree on the site which is to be retained shall be protected and both the site and tree managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the said statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) and BS3998: (2010). 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)’.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted, is 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.

Reason
To ensure the adequate protection of existing trees within the application site in the interest of the character, appearance and the visual amenity of the area in accordance with saved Policy 3.16 'Conservation Areas' of The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

7 The finished floor level of the development hereby permitted shall be set no lower than 500mm above the surrounding ground level as shown on drawing 310.

Reason
To ensure that the development is designed to ensure safety of the building users during extreme flood events, to mitigate residual flood, to provide safe refuge in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application
To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council’s website and which has been followed in this instance. The local planning authority delivered the decision in a timely manner.
Item No. | Classification: | Date: | Meeting Name:  
---|---|---|---  
7.2 | OPEN | 1 October 2013 | Planning Sub-Committee A  
  
Address: 15 EVESHAM WALK, LONDON, SE5 8SJ  
Proposal: Erection of a single-storey rear extension to provide additional residential floorspace; installation of a flank wall window at ground floor level.  
  
Ward(s) or groups affected: Brunswick Park  
From: Head of Development Management  
  
Application Start Date 17/07/2013 | Application Expiry Date 11/09/2013  
Earliest Decision Date 27/09/2013

RECOMMENDATION

1 Grant Planning Permission.

2 BACKGROUND INFORMATION

This item is being brought before Members as the item has been called in to the Sub-Committee by two ward councillors and this has been agreed by the Chair of planning committee.

Site location and description

3 The site refers to a two storey end-of-terrace dwelling house, located on the corner of Evesham Walk and Love Walk. A 10.0m deep garden is located to the rear of the property with mature trees located adjacent the rear boundary. These trees and the additional trees located towards the rear of the dwellinghouse are not protected. The property is finished in pebble dash render to all elevations, differing from the remaining properties in the terrace (no. 13 and 14 Evesham Walk) which are finished in brick. The subject premises also differs from these adjoining properties as is set back 1.9m from the front building line, includes a lower pitch height and a wider plot.

4 The property is not listed or situated within a Conservation Area, however it is noted that the boundary of the Camberwell Grove Conservation Area is located adjacent the site, along Love Walk.

Details of proposal

5 The proposal seeks approval for the construction of a single-storey rear extension to the dwellinghouse. The proposed extension would extend 3.6m in depth, the full width of the property (7.88m). The extension would be finished with a mono-pitched roof, measuring 2.6m at the eaves and 3.75m at the pitch. Two sets of French doors would be provided in the rear elevation, with an additional window within the roofslope of the
extension.

6 Materials would include painted rendered walls with three panels of brick between ground floor level and external ground level and roof tiles to match existing.

7 The applicant has indicated that the additional floor area would serve the existing dwelling and it is not proposed to convert the property into self-contained residential units.

8 The proposal also includes the installation of a high level (1.7m above ground level) flank wall window adjacent Love Walk. The window would serve the proposed living room.

Planning history

9 Certificate of lawful development (13/AP/0103) was granted on 6 March 2013 for the erection of a single storey rear extension; providing additional residential accommodation for dwellinghouse.

Planning history of adjoining sites

10 14 Evesham Walk

No relevant planning history.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11 The main issues to be considered in respect of this application are:

a) the impact of the proposed development on neighbouring properties;
b) the design and visual impact of the proposal; and,
c) the impacts on the character on the adjoining Camberwell Grove Conservation Area.

Planning policy

12 Core Strategy 2011

Strategic Policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

13 Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the polices and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

3.2 'Protection of Amenity'
3.12 'Quality in Design'
3.13 'Urban Design'
3.16 ‘Conservation Areas’

Residential Design Standards SPD 2011

14 London Plan 2011

Policy 7.4 Local character
Policy 7.6 Architecture

15 National Planning Policy Framework (NPPF)

Section 7: Requiring good design
Section 12: Conserving and enhancing the historic environment

16 Principle of development

There is no objection to the principle of extending a dwelling in this residential area provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on amenity or the character of adjoining Conservation Area in accordance with the Residential Design Standards SPD (2011) and the relevant Development Plan Policies.

17 Environmental impact assessment

Not required.

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

18 Due to the end-of-terrace position of the property and the location of the proposed extension at the rear, the property most impacted by the proposed extension would be the adjoining neighbour at no. 14 Evesham Walk. Comments received from this neighbour cite loss of light, loss of privacy and noise nuisance as areas of concern. An additional site visit was made to this property to provide a complete assessment of the potential impacts

19 Daylight and sunlight

A review of this adjoining neighbour indicates that a window serving a kitchen and a three-panel bi-folding door serving a dining area are located within the rear elevation. An assessment of the proposal and its relationship with the adjoining property, in particular the window and doors within the rear elevation, indicates that the extension would be in accordance with daylight and sunlight tests set out in the Residential Design Standards SPD. Specifically, a review of the current arrangement indicates that a boundary fence and existing tree located adjacent the common boundary with no. 14 would partially block light to this kitchen window during the early morning. In addition, it is noted that a certificate of lawful development (13/AP/0103) has been granted at the application site for a 3.0m deep extension, which under permitted development, could be constructed to a height of 3.0m on this common boundary. Accordingly, with this in mind and also considering the acceptable scale of the extension which includes an eaves height of 2.6m, any additional loss of daylight or sunlight as a result of the extension would not be so significant as to warrant a reason for refusal.

20 Outlook and Sense of Enclosure

Although it is acknowledged that at 3.6m in depth and with a maximum pitch height of 3.75m, the proposed extension exceeds the requirements of the Residential SPD. When considering the size of the plot, the remaining depth of the rear garden and the
acceptable design of the extension which includes a pitched roof with eaves height of 2.6m, the scheme would not result in a tunneling effect or appear overbearing from the adjoining property at no. 14. In addition, due to the use of matching materials, the extension would appear sympathetic to the host property, therefore maintaining the established character and appearance when viewed from surrounding properties. For these reasons, the scheme would be in accordance with policy.

21 Privacy
While a single flank wall window is proposed within the side elevation facing Love Walk, it is not expected that any privacy issue would arise as this window would be located 1.7m above ground level and overlooks a public road. The extension would not include flank wall windows facing no. 14, and accordingly, would not impact the privacy of this adjoining neighbour. In addition, due to the remaining length of garden (6.4m), the retention of the existing vegetation adjacent the rear boundary, and the single-storey nature of the extension, the proposal would not compromise the privacy of the properties to the rear along Allendale Close.

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

22 None anticipated.

Transport issues

23 The proposed development raises no significant traffic issues and it is not considered that the development will result in an increase in traffic generation or indeed the intensification of parking.

Design issues

24 Various concerns have been raised by surrounding residents concerning the design and scale of the extension. Specifically, the residents consider that the scale and height of the proposed extension would be out of character with the surrounding area and would have an intrusive impact on the character of the adjoining conservation area. One neighbour also raised concerns regarding the visual impact of the structure, owing to the solid nature of the construction and the sloping tiled roof. It was suggested that a glazed conservatory would be a more appropriate form of extension to the property.

While these concerns have been taken into consideration during the assessment of the design of the extension, officers have concluded that the scale and design of the extension relate satisfactorily to the host property. Specifically, at a depth of 3.6m and an eaves height of 2.6m, the extension only slightly exceeds that permissible under the General Permitted Development Order (Amendment No. 2 England Order 2008). In addition, due to the scale of the host property, the 1.9m in set from the side boundary to Love Walk and the generous rear garden area, the proposed extension does not result in an over-development of the site.

26 While residents consider that the extension would not accord with surrounding properties Due to the rendered finish, wider plot and lower pitch height of the main roof, in terms of design, the host property currently distinguishes itself from the adjoining terrace and surrounding properties. Accordingly, the proposed use of render and a mono-pitched roof is considered sympathetic to the existing appearance of the host property.

27 Overall, the proposed extension is considered to be a subservient addition to the host property, sympathetic to the established character and appearance.
Impact on character and setting of a listed building and/or conservation area

While the property is not located within a Conservation Area, it is noted that the boundary of the Camberwell Grove Conservation Area is located adjacent the site along Love Walk.

However, a review of the application site and proposal indicates that the proposed extension would be in set a minimum distance of 1.9m from the side property boundary with Love Walk, which at present includes a 2.15m high boundary wall (1.8m high when viewed from Love Walk due to the increase in ground level). Accordingly, while the mono-pitched roof of the extension would be partially visible along Love Walk, the bulk of the extension would be obscured by the existing boundary wall. In addition to this, the proposed extension is to be constructed in materials to match the host building. Accordingly, the proposed extension would not have an impact on the setting of the adjoining Camberwell Grove Conservation Area.

Impact on trees

Concerns have been raised by a property to the rear of the application site regarding the potential impact of construction on the existing trees and the loss of privacy which would result if these trees were to be removed.

The applicant has not indicated that any trees at the rear of the garden will be removed to facilitate construction of the rear extension.

The council’s arboricultural officer has visited the application site to assess the impacts of the proposed extension on the existing vegetation.

The arboricultural officer has confirmed that the proposed extension would not require the removal of the mature trees located adjacent the rear site boundary. While the extension would require the removal of one tree located towards the rear of the dwellinghouse adjacent the common boundary with no. 14, there is no objection to the removal of this tree due its modest size.

Planning obligations (S.106 undertaking or agreement)

Not required.

Sustainable development implications

None.

Other matters

Concerns have been raised by surrounding residents regarding the intended use of the proposed extension. Specifically, due to the internal configuration of the property, the surrounding residents have concerns that the proposed extension is required to allow high occupancy leasing of the property, which in turn would lead to in an increase in noise disturbance and additional pressure on street parking.

In response to these concerns, the subject application seeks approval for a single-storey rear extension to provide additional internal floorspace to the existing residential dwelling. During this application the applicant has confirmed that the extension would provide additional floor space to the existing dwelling and would not be utilised to create a separate self-contained unit. Accordingly, the application has
been assessed on this basis and any planning permission granted does not grant approval for the property to operate as separate self-contained residential units. In response to the concerns regarding the leasing of the property, it is noted that the owner has the right to lease the property provided those renting the property number no more than six and share the common facilities of the house. If the property was rented out to more than six leaseholders this would constitute a change of use requiring planning permission. The applicant has been made aware of this requirement.

If in the future it was apparent that a different usage was occurring with more than six people occupying the property, or an internal reconfiguration of the property has been completed to convert the property into self-contained units, an enforcement investigation could be lodged at that time. However, enforcement action can only be instigated once a clear planning breach has occurred.

While it is noted that concerns have been raised by residents regarding construction works, including the need to gain access to the rear gardens of no. 10-14 Evesham Walk, and the removal of the rear boundary fence, these details are civil matters as with party wall matters and do not form part of this planning application.

A concern has also been raised by a surrounding resident regarding the scale of the extension, which is considered to be an overdevelopment of the site, out of character with the surrounding area. While these concerns have been taken into consideration during the assessment of the application, it is noted that the scale of the proposal only exceeds that allowed under permitted development by a depth of 0.6m. In addition to this, due to the depth of the rear garden and retained vegetation at the rear of the property, the site is considered capable of adequately accommodating an extension of this scale. Specifically, in accordance with guidance detailed within the Residential Design SPD, the extension would not reduce the outdoor amenity space associated with the dwelling to less than half of its original size.

As the proposal would not result in additional floor area of 100 sq metres, the proposal is not CIL liable.

**Conclusion on planning issues**

The proposed rear extension would not result in a significant loss of amenity for the neighbouring properties, in particular the adjoining property at no. 14 Evesham Walk, to an extent to warrant refusal. It is also considered that the size and the design of the extension are acceptable given the scale of the host property and the rear garden area. The proposed extension would not impact the setting of the adjoining Camberwell Grove Conservation Area. The character and appearance of which would be preserved.

The proposal therefore accords with the relevant saved policies within the Southwark Plan (2007), the Core Strategy (2011) and the Residential Design Standards (2011) and it is therefore recommended that planning permission is granted.

**Community impact statement**

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 above.

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

Consultations

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

Consultation replies

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

42 Summary of consultation responses

5 letters of objection have been received from surrounding residents of Evesham Walk, Love Walk and Allendale Close to the rear of the application premises.

A primary cause of concern was the leasing of the property to numerous occupants / students. The residents consider that the high occupancy leasing of the property would impact upon the established residential character of the area, leading to additional noise disturbance and pressure on street parking. Another primary concern was the scale and design of the extension, which the residents consider would be an overdevelopment of the site, impacting upon the character and appearance of the surrounding properties and the adjoining Camberwell Grove Conservation Area.

Additional concerns included the removal of existing vegetation on the site and issues regarding construction including the need to access to the rear gardens of no. 11-14 and the removal of the rear boundary fence.

While comments of concern were raised in regards to the consultation period of the application, it is noted that the council has exceeded the minimum statutory requirement of consultation to adjoining neighbours, as a site notice was also erected at the front of the property for a 21 day period.

Human rights implications

43 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.

This application has the legitimate aim of providing additional residential floor area. 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

44 None.
BACKGROUND DOCUMENTS

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<td>160 Tooley Street London SE1 2QH</td>
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<td>Southwark Local Development Framework and Development Plan Documents</td>
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APPENDICES

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AUDIT TRAIL

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<th>Gary Rice, Head of Development Management</th>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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Date final report sent to Constitutional Team 19 September 2013
APPENDIX 1

Consultation undertaken

Site notice date: 02/08/2013

Press notice date: N/A

Case officer site visit date: 02/08/2013 and 03/09/2013

Neighbour consultation letters sent: 08/08/12

Internal services consulted: N/A

Statutory and non-statutory organisations consulted: N/A

Neighbours and local groups consulted:

15 EVESHAM WALK LONDON SE5 8SJ
34 LOVE WALK LONDON SE5 8AD
14 EVESHAM WALK LONDON SE5 8SJ
12 LOVE WALK LONDON SE5 8AD
2 LOVE WALK LONDON SE5 8AD

Re-consultation:

N/A
APPENDIX 2

Consultation responses received

Internal services
None.

Statutory and non-statutory organisations
None.

Neighbours and local groups

Five objections received:
(no address provided)

17 Allendale Close, London SE5 8SG
3 Love Walk
14 Evesham Walk

Additional objection received – details withheld upon request.

A primary cause of concern was the leasing of the property to numerous occupants / students. The residents consider that the high occupancy leasing of the property would impact upon the established residential character of the area, leading to additional noise disturbance and pressure on street parking. Another primary concern was the scale and design of the extension, which the residents consider would be an overdevelopment of the site, impacting upon the character and appearance of the surrounding properties and the adjoining Camberwell Grove Conservation Area.

Additional concerns included the removal of existing vegetation on the site and issues regarding construction including the need to access to the rear gardens of no. 11-14 and the removal of the rear boundary fence.

The adjoining neighbour at no. 14 Evesham Walk also raised concerns regarding the potential loss of light and privacy as a result of the extension.

Comments of concern were raised in regards to the consultation period of the application.
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.

<table>
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<th>Applicant</th>
<th>Ms P. de la Fosse</th>
<th>Reg. Number</th>
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**Draft of Decision Notice**

Planning Permission was GRANTED for the following development:
   Erection of a single-storey rear extension to provide additional residential floorspace; installation of a flank wall window at ground floor level.

At: 15 EVESHAM WALK, LONDON, SE5 8SJ

In accordance with application received on 17/07/2013

and Applicant's Drawing Nos. 15EW L1, 15EW L5A, 15EW L6

Subject to the following three conditions:

**Time limit for implementing this permission and the approved plans**

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:
   15EW L5A, 15EW L6
   
   Reason:
   For the avoidance of doubt and in the interests of proper planning.

**Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.**

3. 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.
   
   Reason
   To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

**Statement of positive and proactive action in dealing with the application**

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council’s website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner.
Item No. | Classification: | Date: | Meeting Name:  
------- |------------- |------ |----------------------  
7.3 | OPEN | 1 October 2013 | Planning Sub-Committee A  


Address:  
109 KINGLAKE STREET, LONDON, SE17 2RD  

Proposal:  
Construction of an extension at third floor level and first/second floor level extensions: providing additional residential accommodation to existing residential units and creation of a new self contained studio residential unit in the new third floor, with associated elevational alterations.  

Ward(s) or groups affected:  
East Walworth  

From:  
Head of Development Management  

Application Start Date 10/05/2013 | Application Expiry Date 05/07/2013  
Earliest Decision Date 26/06/2013  

RECOMMENDATION

1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

2 The subject site is located at the intersection of Kinglake Street and Bagshot Street, with the unit itself facing Bagshot Street. The site is occupied by a part two and part three storey building with a retail unit on the remaining ground floor, with residential units above.

3 The area is predominately residential in nature, and is located in the Urban Density Zone, Air Quality Management Area and Aylesbury Action Area. The site is not located within a conservation area or the setting of any listed building.

Details of proposal

4 The application details an extension at third floor level and first/second floor level extensions: providing additional residential accommodation to existing residential units and creation of a new self contained studio residential unit in the new third floor, with associated elevational alterations.

5 This application will differ from the previous refused application as it will be reduced in width and set in from the boundary with Keston House which is situated to the east of the site by 1.5m with some existing windows retained within the rear elevation. The proposed new flat will be situated on the third floor of the proposed extension to the rear of the building.
The proposed materials consist of brickwork to match the existing, roof tiles to and uPVC windows all to match the existing materials within the building.

Planning history

05-AP-0220 Planning permission was refused in May 2005 for the demolition of vacant three storey public house and erection of a five storey residential building with terrace on main roof comprising 8 flats (2 x 1 bed, 3 x 2 bed, 1 x 3 bed units) with associated balconies/terraces.

11-AP-2210 Certificate of Lawful Development was granted in October 2011 for the existing use of the building as 12 residential flats.

12/AP/0101 - Planning permission was granted in September 2012 for a change of use from residential (C3 use) to hot food take away (A5 use) including the installation of a new shopfront and refuse store door to the front, and extraction flue to the rear.

12/AP/0523 - A planning application was submitted for the construction of a three storey rear extension to provide an additional bedroom to 2 existing one-bedroom flats (providing a total of 2 bedrooms each) and the creation of an additional two-bedroom unit. The application was withdrawn as the case officer raised concerns over the internal layout of the flats.

12/AP/3573 - Planning Permission was refused for the construction of a three storey rear extension to provide additional residential accommodation to existing units and creation of new one bedroom self-contained residential unit, with installation of associated windows - 20/02/13. The reasons for refusal were:

1. The proposed extension by reason of its height, depth and position is considered to result in a loss of amenity to the adjoining residential block at Keston House in relation to loss of outlook and undue sense of enclosure and dominance. The proposal is therefore considered contrary to Saved Southwark Plan 2007 Policy 3.2 Protection of amenity and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

2. The proposal represents an overdevelopment of this site by reason of the impact of the proposed extension on the layout of the existing flats in the building, resulting in units F4 and F7 being compromised by poor outlook and layouts due to relocation of windows to face flank wall of Keston House, and with no provision of external space. As such, the proposal is contrary to Saved Southwark Plan 2007 Policies 3.2 ‘Protection of Amenity’, 3.11 ‘Efficient Use of Land’, 3.12 ‘Quality in Design’ and 4.2 ‘Quality of Residential Accommodation’ and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and the Residential design guidance SPD 2011

Planning history of adjoining sites

None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

The main issues to be considered in respect of this application are:

a) the design and visual impact of the proposed development.

b) the potential impact upon the amenity of adjoining residents.
c) the quality of residential accommodation provided within the property.

Planning policy

17 National Planning Policy Framework (NPPF)
   Part 6 - Delivering a wide choice of high quality homes.
   Part 7 - Requiring good design.

18 Policies of the London Plan 2011
   Policy 3.3 Increasing housing supply
   Policy 6.9 Cycling
   Policy 6.10 Walking
   Policy 6.13 Parking

19 Core Strategy 2011
   Strategic Policy 2 – Sustainable transport:
   Strategic Policy 5 – Providing new homes
   Strategic Policy 12 - Design and Conservation
   Strategic Policy 13 – High environmental standards:

20 Southwark Plan 2007 (July) - saved policies
   Saved Policy 3.2. Protection of Amenity
   Saved Policy 3.7 Waste Reduction
   Saved Policy 3.12. Quality of Design
   Saved Policy 3.13. Urban Design
   Saved Policy 4.2. Quality of Accommodation
   Saved Policy 5.2 Transport Impacts
   Saved Policy 5.3 Walking and Cycling
   Saved Policy 5.6 Car Parking

21 Residential Design Standards SPD 2011

Principle of development

22 The proposal provides an additional living space to existing flats and an additional studio flat. The principle of additional residential accommodation subject to ensuring there is no loss of amenity for adjoining occupiers and the proposal results in an acceptable layout and good quality of residential accommodation.

23 In regards to the external extensions and alterations, there is no objection to the principle of extending a residential building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on amenity or the character of the area in accordance with the Residential Design Standards SPD (2011) and the relevant saved policies of the Southwark Plan (2007).

24 These issues will be assessed in the main body of the report below.

Environmental impact assessment

25 Not required for an application of this nature.
Impact of proposed development on amenity of adjoining occupiers and surrounding area

26 The application is for the construction of an extension at third floor level and first/second floor level extensions: providing additional residential accommodation to existing residential units and creation of a new self contained studio residential unit in the new third floor, with associated elevational alterations.

27 This application will differ from the previous refused application as it will be reduced in width and set in from the boundary with Keston House which is situated to the east of the site by 1.5m with two windows within the rear elevation also retained.

28 **Quality of Accommodation.**
   **Proposed**
   In terms of the internal layout and design of the flat, the proposed additional studio flat will have an overall flat size of 44.1m² and as such complies with updated Councils Standards, as outlined in the Residential Design Standards SPG (2011), which stipulates that studio flats should be 36m².

29 **Existing**
   In order to facilitate the proposed works the existing lawful flats noted as F7, F4 and F8 and F9 are reconfigured. On floors 1A and 2 (Flats 8 and 9) will moderately increase in size, although the overall layout of each flat would remain with the living area serving to access all of the rooms within the flat. Flat 8 which is a two bedroom flat, but would remain undersized, having a total floor area of 53 sq metres. Flat 9 would also not meet the floorspace requirements and it would not be altered internally to provide an improved layout with the bedrooms and kitchens being accessed from the living room with no hallway in place. However, as both of these flats are lawful, the existing size of these units is not subject to this proposal, further, the alterations will moderately improve the living conditions of the lawful flats and thus no issues are raised.

30 The existing units within the main section F4 and F7 currently benefit from having two windows with outlook to the side and rear, the proposal would remove the one of the rear windows however one rear window would remain with additional side windows provided. The proposed works would marginally reduce outlook and light available to two of the existing units to an extent, however as each room will have access to natural light and ventilation, this would not warrant refusal of the permission on this ground.

31 The proposal does not offer any outdoor space and whilst this would not meet the usual guidelines outlined in the SPD, due to the site constraints that exist within the site and existence of by Burgess Park public open space which is situated approximately 200m south of the site, it is not considered that there any objections in this regard.

**Amenity Impacts of the Extensions.**

32 In regards to the extensions proposed, the three storey addition will be situated on the southern section of the building this is most likely to impact on the properties within the adjacent Keston House. It is acknowledged that with the reduced width of the extension, there is a gap of around 5.5 metres between the two blocks,

33 The extension is still most likely to impact on the properties within the adjacent Keston House, namely the ground floor unit.

34 Having assessed the reduced scheme against the BRE 45 degree rule, the impact on outlook and to the amount of daylight and sunlight to existing windows within Keston
House will not impact on the properties at ground and first floor to an extent to warrant refusal of planning permission.

35  Further, given the extent of the existing building footprint and high two storey existing addition at the rear of the building, it is not considered that the proposed additional storey and infill section is likely to significantly impact on these properties to an extent to warrant refusal of consent.

36  To the southeast of the site, there could also be potential impacts from the proposed extension on the third floor on the adjacent property at 15 Bagshot Street. However, there are no windows situated on the flank elevation of this neighbouring building and as such there will be no impacts in terms of overlooking or loss of daylight/sunlight on this property.

37  Whilst the windows in this rear elevation of the extension could give rise to some overlooking into this property's garden, the distances will be approximately 14m at an oblique angle and as such is unlikely to have significant impact in terms of overlooking into the garden of this property.

38  As such, for the above reasons, the amended proposal is considered to be in accordance with saved policy 3.2 'protection of amenity' of the Southwark Plan (2011).

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

39  None expected as a result of the proposal as neighbouring uses are also residential.

40  The previous case officer raised concerns that the proposed development, in particular the windows proposed to the rear (southeastern) elevation, would result in a detrimental impact on the development potential of the site adjacent which currently operates as a vehicular access way into the car park for Keston House.

41  However, it is unlikely that this site would be developed anytime soon due to the site constraints and its existing use for access into a car park of a Local Authority residential block.

Transport issues

42  Cycle Storage

Table 15.4 in the Southwark Plan, states that for residential developments the secure parking standard for cycles is a minimum of 1.1 spaces per unit. For this development of 1 additional unit there is a minimum requirement for storage with capacity for 1 cycle.

43  The applicant has drawings which show 3 cycles contained within a store on the ground floor. It is evident that this store would be large enough for containing three cycles, and it will be secure and weatherproof thus would be considered acceptable. Sheffield stands are the preferred cycle storage method in all cases and officers request that the applicant makes every attempt to provide these in the design. It is recommended that a condition is attached to any consent in order for the applicant to provide further details of the specific type of cycle storage.

44  Car Parking

This proposed development is located in an area with a TfL PTAL rating of 3 reflecting the area's medium level of access to all forms of public transport.

45  So as not to increase existing on street parking levels in the area it is Council Policy to
impose an exemption for permits within the CPZ. This will be added as a condition to any approval given.

**Refuse and Recycling Storage**

46 The applicant proposes to place the bins adjacent to the cycle stands which would usually be considered unacceptable. However, the refuse store will be fully enclosed and will have a separate access door accessed from Bagshot Street. It is noted that a separate door to the refuse area is shown on the plan drawing no. AD/13/KIN109/EXT/RESPL08 3 of 9, and this now appears on the corresponding elevation, and thus is acceptable.

47 Before finalising the refuse and recycling stores, it is recommended that the applicant takes account of the Council produced document entitled *Waste Management guidance notes for residential developments* which is aimed at providing developers with the requirements for waste storage at new sites.

**Service Parking and Access**

48 Servicing and refuse collection will be undertaken from Bagshot Street. Given the nature of the proposed development and the location of the bin stores, it is not thought there will be many service vehicle movements associated with the above application; or that the refuse vehicles stationary in the highway for an extended period and thus no internal impacts are expected in this regard.

**Design issues**

49 The existing main building is not unattractive, originally constructed as a public house with accommodation above. There have however been a number of alterations over the years including the conversion of the ground floor into a retail use and there are 12 existing lawful flats/bedsits on the upper floors with numerous material changes on the elevations.

50 This proposal follows a traditional style that would not be out of keeping with the existing building with matching bricks, roof materials and windows to the existing materials. The surrounding area features a variation of styles including the adjacent large local authority buildings, and a number of two/three storey terrace properties also situated within the surrounding area.

51 The amendments to reduce the width of the extension, has helped to break up the bulk of the proposed alterations, the height and scale would not excessively alter the existing building, retaining a dual pitch roof formation and would not be the tallest within its immediate vicinity and would thus not appear overly dominant within the local vicinity.

52 The proposed design and use of materials would thus be considered acceptable in this regard as it will not undermine the visual amenity of the host building and character of the surrounding area in a detrimental manner.

53 It is considered that the proposed development would provide an acceptable addition to the existing building which would not appear incongruous to the surrounding built environment and streetscape. The proposal is considered in accordance with saved plan policy 3.12 'Quality in Design' of the Southwark Plan.

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

54 None expected as a result of the proposed development.
Impact on trees

55 None expected as a result of the proposed development.

Planning obligations (S.106 undertaking or agreement)

56 Not required of an application of this nature.

Sustainable development implications

57 The proposal will provide additional/enhanced residential accommodation within a sustainable location.

Other matters

58 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

59 According to the applicants CIL response form, the development has an existing floorspace of 382m2 of residential floorspace and the extension will result in an additional 66.4m2 floor space and a new residential dwelling being created. The current Southwark Charging rate is at £35 per additional m2 of gross internal floorspace. In this instance, the change of use will be CIL liable for £35 x 66.4m2 = £2324.

60 Amendments to plans received 17/09/13
The Council raised quires in relation to the accuracy existing plans and whether there were windows along the side Bagshot Street elevation for both the flats at level 1A and level 2. The applicant has confirmed that these windows cover both floor levels and as such both flats have access to part of each of these large windows.

61 The proposed elevations did not tally up with the proposed plans as there was an extra window indicated within the rear elevation drawing at second floor level. This has now been removed and these drawings now tally up correctly.

Conclusion on planning issues

62 The proposed development will be acceptable in terms of its design and visual impact on the host building and surrounding streetscene and would provide an acceptable standard of residential living accommodation without causing an undue impact on neighbouring occupiers.

63 For the reasons set out above, the proposal is in accordance with the relevant policies within the Southwark Plan 2007 and it is thus recommended that planning permission be granted in this instance.

Community impact statement

64 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 above.

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

Consultations

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

Consultation replies

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

67 Summary of consultation responses
A petition has been received in objection to the proposal and has been signed by no's 1, 2, 3, 4, 5, 7, 8, 9, 16, 18, 19, 22, 24, 26, 32, 33, 36, 37, 42, 44, 45, 48 and 49 of Keston House, no's 1, 6 Amery house, and 26 Barham House.

68 The grounds of objection raised within the letter attached consist of the proposed increased elevation of the new development will significantly deprive the dwellings adjoining 109 Kinglake Street and neighbouring of daylight. They also note that the flats appear to be contrary to the floorspace standards within the Residential Design Standards SPD. They note that the increase of refuse is of concern because no new provisions for proper disposal are present.

69 It also notes that the drawings and description are not accurate and that no Site notice was placed.

70 Four further objections have been received by the occupiers of 3, 19 and 44 Keston House and 19 Southborough House and raise issues additional to the above of drainage concerns, car parking issues and loss of outlook and undue sense of enclosure and dominance. The loss of daylight to the neighbouring flats will be unacceptable.

71 Due to the level of objection to the application, the case was referred to the local ward Councillors to see whether they wished for the application to be determined at the Planning Sub-Committee. The chair has agreed that this case should be determined by the sub-committee.

Human rights implications

72 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.

73 This application has the legitimate aim of providing alterations to existing residential units and the provision of one additional residential unit. 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

74 None.

BACKGROUND DOCUMENTS

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<td>Application file: 13/AP/0979</td>
<td>160 Tooley Street London</td>
<td>020 7525 5403</td>
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APPENDICES

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AUDIT TRAIL

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<th>Lead Officer</th>
<th>Gary Rice, Head of Development Management</th>
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<td>Alex Cameron, Senior Planning Officer</td>
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<td>Version</td>
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<td>Dated</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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Date final report sent to Constitutional Team 19 September 2013
APPENDIX 1

Consultation undertaken

Site notice date: 03/06/2013

Press notice date: N/A.

Case officer site visit date: 03/06/13

Neighbour consultation letters sent: 20/05/2013

Internal services consulted:
N/A.

Statutory and non-statutory organisations consulted:
N/A.

Neighbours and local groups consulted:
FLAT 37 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 34 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 35 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 4 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
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FLAT 47 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 48 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 45 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 46 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 26 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
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FLAT 12 109 KINGLAKE STREET LONDON SE17 2RD 18/04/2013
FLAT 9 109 KINGLAKE STREET LONDON SE17 2RD 18/04/2013
FLAT 10 109 KINGLAKE STREET LONDON SE17 2RD 18/04/2013
FLAT 1 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
FLAT 10 KESTON HOUSE KINGLAKE ESTATE KINGLAKE STREET LONDON SE17 2RB 18/04/2013
Re-consultation:
N/A.
APPENDIX 2

Consultation responses received

Internal services
N/A.

Statutory and non-statutory organisations
N/A.

Neighbours and local groups
A petition has been received in objection to the proposal and has been signed by no's 1, 2, 3, 4, 5, 7, 8, 9, 16, 18, 19, 22, 24, 26, 32, 33, 36, 37, 42, 44, 45, 48 and 49 of Keston House, no's 1, 6 Amery house, and 26 Barham House.

The grounds of objection raised within the letter attached consist of the proposed increased elevation of the new development will significantly deprive the dwellings adjoining 109 Kinglake Street and neighbouring of daylight. They also note that the flats appear to be contrary to the floorspace standards within the Residential Design Standards SDP. They note that the increase of refuse is of concern because no new provisions for proper disposal are present.

It also notes that the drawings and description are not accurate and that no Site notice was placed.

Four further objections have been received by the occupiers of 3, 19 and 44 Keston House and 19 Southborough House and raise issues additional to the above of drainage concerns, car parking issues and loss of outlook and undue sense of enclosure and dominance. The loss of daylight to the neighbouring flats will be unacceptable.
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. S. Thanu
Arcci Designs

Reg. Number: 13/AP/0979

Application Type: Full Planning Permission

Recommendation: Grant permission

Case Number: TP/1195-B

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of an extension at third floor level and first/second floor level extensions: providing additional residential accommodation to existing residential units and creation of a new self contained studio residential unit in the new third floor, with associated elevational alterations.

At: 109 KINGLAKE STREET, LONDON, SE17 2RD

In accordance with application received on 03/04/2013
and revisions/amendments received on 17/09/2013


Subject to the following six conditions:

Time limit for implementing this permission and the approved plans

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: Design and Access Statement, AD/13/KIN109/EXT/RESPL08 3 of 9, AD/13/KIN109/EXT/RESPL08 4 of 9, AD/13/KIN109/EXT/RESPL08 7 of 9, AD/13/KIN109/EXT/RESPL08 8 of 9, AD/13/KIN109/EXT/RESPL08 9 of 9 - Existing and Proposed roof plan.

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

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

3. Before any work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities as approved shall be provided prior to first occupation of the new accommodation and retained thereafter.

   Reason
   In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be
submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

4 Before the first occupation of the new residential unit hereby permitted, the refuse storage arrangements shown on the approved drawing AD/13/KIN109/EXT/RESPL08 Page 3 of 9 shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason
To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

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.

Reason:
To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

6 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason
To ensure compliance with Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application
To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Councils website and offers a pre planning application advice service. There have been some previous applications submitted and the scheme has taken into account the issues previously raised and now complies with guidance and no pre application discussions were entered into.
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<td>1 October 2013</td>
<td>Planning Sub-Committee A</td>
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**Report title:** Development Management planning application: Application 13/AP/1087 for: Full Planning Permission

**Address:**
THE LODGE, OLD COLLEGE GATE, COLLEGE ROAD, LONDON, SE21 7BQ

**Proposal:**
Replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

**Ward(s) or groups affected:** Village

**From:** Head of Development Management

<table>
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<td>10/07/2013</td>
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**RECOMMENDATION**

1. Grant planning permission subject to conditions.

**BACKGROUND INFORMATION**

2. This application is being reported to Planning Sub-Committee as the site lies within an area of designated Metropolitan Open Land.

**Site location and description**

3. The application site refers to curtilage structures situated to the side and rear of the Lodge, a grade II listed building situated near to the Old College Gate on the west side of College Road Dulwich. The site is within the boundary of Dulwich Park, a registered park and garden, and within designated Metropolitan Open Land (MOL). It also lies within the Dulwich Village Conservation Area.

4. The lodge is Victorian, dating to 1889, and features a two storey construction of red brick at ground and first floor. All elevations of the building feature gables that are characterised by ornamental barge boards. Within the rear garden lie two sheds, the larger structure being corrugated sheet walls and translucent plastic roof, the smaller in timber. The site is enclosed with a modern timber fence and pedestrian gate. A timber vehicular gate is located to the north of the site hung on two vertical steel beams.

5. The building and grounds are currently in use as a community facility (Class D1) that was granted planning consent in 2009. The main building and garden (with ancillary structures) provides recreational facilities for children and adults with emphasis on music, sport and art. It also facilitates access to the surrounding open space by
individuals who may otherwise find this difficult.

**Details of proposal**

6 Planning permission is sought for the removal and replacement of the two existing sheds located to the rear of the Lodge. The larger corrugated shed structure will be replaced with a timber cabin building that will have a slightly enlarged footprint and height. It would measure a maximum 4000mm width, 6200mm length and 3100mm at the roof ridge or 2200mm at the eaves. Windows and double doors are proposed to the side and rear and the roof will be sedum covered. An electrical feed will be routed from the main lodge to the new cabin. The smaller shed will be a like for like replacement in terms of size and appearance.

7 The existing vehicular gate will be replaced by infill fencing panels to a maximum 1.8m height and new pedestrian gate with 900mm opening. The existing pedestrian gate will be replaced with stable type pedestrian gate.

**Planning history**

8 The subject site has been subject to the following applications relevant to the determination of this proposal:

9 13-AP-1087
   A contemporaneous listed building consent application reference 13-AP-1087 for the replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

10 10-AP-1336 & 1337
    Planning permission and Listed building consent were granted 07/09/2010 for the erection of new boundary wall, railings, timber vehicular gate and decorative steel pedestrian gates to surround the garden area to the north of The Lodge at the Old College Gate entrance to Dulwich Park, involving the replacement of existing timber boundary.

11 10-AP-0829 & 0828
    Planning permission and Listed Building Consent were granted 29/06/2010 for internal alterations to ground floor; enclosure of rear porch by glass door and side panel; additional rear windows to loft to match existing at front.

12 10-AP-1069
    Repainting of exterior of house in original colours. Listed Building Consent granted subject to conditions at planning committee on 29/06/10.

13 09-AP-1264
    Change of Use from residential (Class C3) to a community facility (Class D1). Planning permission granted subject conditions at planning committee on 03/11/09.

14 09-AP-1265
    Listed building consent for internal alterations to facilitate the use of the existing building as a community facility for children and adults. Listed Building Consent granted subject to conditions at planning committee on 03/11/09.

**Planning history of adjoining sites**

15 None relevant to this application
KEY ISSUES FOR CONSIDERATION

Summary of main issues

16 The main issues to be considered in respect of this application are:

a) The principle of the development in terms of land use and conformity with strategic policies.

b) The impact upon the amenity of adjoining occupiers.

c) Design, Appearance and impact on the character/appearance of the surrounding Conservation Area.

d) The impact of the proposal upon the features of special architectural and historic interest of the Listed Building.

e) Impact on the Metropolitan Open Land

f) Impact on archaeology

Planning policy

The local Plan:
Core Strategy 2011

17 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

18 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.2 - Protection of Amenity
Policy 3.12 - Quality in Design
Policy 3.13 - Urban Design
Policy 3.15 - Conservation of the Historic Environment
Policy 3.16 - Conservation Areas
Policy 3.17 - Listed Buildings
Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites and Policy
Policy 3.19 – Archaeology
Policy - 3.25 - Metropolitan Open Land

Dulwich Village Conservation Area Appraisal
National Planning Policy Framework (NPPF)

Section 7 – Requiring Good Design.
Section 8 - Promoting healthy communities
Section 9 - Protecting Green Belt land
Section 11 - Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment.

**Principle of development**

20 The main issue is whether the proposal is appropriate development for Metropolitan Open Land (MOL). Saved Southwark Plan policy 3.25 is therefore relevant to the determination of this proposal and states that planning permission will only be granted for appropriate development which is considered to be for the following purposes:

   i) Agriculture and forestry; or
   ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
   iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
   iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.

21 The use of the site, which included the main building, garden and ancillary buildings as a community recreational facility for children and adults with emphasis on music, sport and art was granted planning consent in 2009. It was considered that the community use was consistent with adopted policy by improving access to the MOL for individuals who would find access difficult. At the time of the previous consent existing curtilage buildings adopted an ancillary function to the main D1 use. The proposed replacement of these existing sheds with new ancillary sheds is thus appropriate to the site’s community (D1) use. The larger shed, in particular, will continue to be used as a storage area for specialist equipment but also has the potential to be used for nursery activities in the event of inclement weather given the improved engagement with the garden area. This is consistent to the use of the site as an existing community facility and would improve the sites connection with the garden facilities. In this respect the proposal is appropriate development for Metropolitan Open Land (MOL).

22 Further, the proposed works are relatively minor in nature. The proposed larger shed has been sited to ensure the open nature of the MOL would not be affected, whilst being in a convenient position to allow its use in connection with the wider outdoor facilities. Whilst a slight increase in built volume is proposed, this would not represent a disproportionate increase over the original shed or conflict with the openness of the MOL. Indeed, the additional scale is largely hidden from view behind the main Lodge and existing mature planting. Also, its green roof would further reduce visibility. A like for like replacement of the smaller garden shed and changed boundary treatment would not have a material impact on the MOL. Accordingly, the proposal would provide improved facilities for the existing community facility while preserving the quality of the open space and wider nature of the MOL. The proposal therefore preserves the MOL and its values, and is consistent with Policy 3.25 of the Southwark Plan and Strategic policy 11 - Open Spaces and wildlife of the Core Strategy (2011).

23 The principle of replacing non-original sheds and gates is appropriate, therefore, provided there is no loss of amenity to present or future occupiers and the proposed works preserve the setting of the listed building and the character of the surrounding
Conservation Area. These issues are discussed below.

Environmental impact assessment

24 The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not require the submission of an environmental impact assessment.

Impact on amenity

25 The proposed development will not result in any form of detrimental impact on the amenity of neighbouring residential occupiers. The nearest residential property is that located to the north at no.7 College Road, whose side elevation has high level windows. As these are high level, and given the approximate 13m separation to the proposed larger shed, it is considered that there will be no loss of light or outlook experienced. The new pedestrian gate and smaller shed will be located nearer to the side elevation, however, there would be no increase in height or scale over the existing proposed, thus safeguarding the amenity of neighbouring properties.

26 The submitted Design and Access Statement indicates the proposed larger lodge could potentially be used as additional space for nursery activities in the event of inclement weather. The potential ancillary use of this space for nursery activities, however, is not considered to result in a significant increase in noise levels given the existing use of the garden area for nursery activities and separation distances to neighbouring properties. As such, the use of the lodge for additional nursery activities is not considered to significantly increase noise levels to unreasonable levels sufficient to warrant refusal of the application.

Design and impact on the listed building & conservation area.

27 In accordance with Section 12, paragraph 129 of the NPPF the significance of the application building is in its handsome appearance in an Old English style, its group value with Old College Gate and Dulwich Old College and noteworthy contribution to the entrance to Dulwich Park. To the rear, are two sheds a fence and gates that are not original or significant structures relative to the listed building or conservation area.

28 The proposed works seek to remove and replace an existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing. The structures to be removed, although located within the curtilage of the listed building, are of no historical or architectural value being later additions to the site and utilitarian in design. Their removal, therefore, is acceptable in principle provided the proposed replacements seek to preserve and enhance the setting of the listed building and the character of the surrounding conservation area.

29 The proposed scale and bulk of the proposed timber log structure, while being an enlargement over the existing shed in height and footprint, is considered to have a subordinate relationship to the Lodge and fit within the context of the site. The proposal would represent an increase the length by 900mm and maximum 700mm height over the existing, however it will remain significantly below the first floor windows of the Lodge and occupy less than half its width. This demonstrates subservience and establishes a clear hierarchy in the massing of the existing Lodge and proposed shed.

30 Its simple rectangular design and timber materials would not clash with the architectural style of the lodge or result in negative visual impact to Dulwich Park. The timber log structure is considered appropriate design and materials that would have an
enhanced relationship to the listed building over the existing corrugated structure. Indeed, the new lodge was considered a welcome improvement by the Council for British Archaeology. In any case, the new lodge would be largely hidden from public view behind the Lodge itself and existing mature planting. Also, its visual impact will be minimised by the provision of a sedum roof that would reflect the surrounding greened character. In these respects, the proposal would sympathetically integrate to the existing site, preserving the setting of the listed building and wider conservation area.

31 The position, scale, design and materials of the proposed smaller shed would match the existing shed. Accordingly, it would have neutral impact on the listed building and surrounding conservation area.

32 The new pedestrian gates and sections of fence have been designed to respect the characteristics of the existing modern boundary treatment using materials to match. The proposed height is consistent with the existing boundary treatment and would match the appearance of the existing. In this respect the proposal would preserve the setting of the listed building and Dulwich Village conservation area.

33 When assessed against the policy and guidance, the proposal is considered to be acceptable by virtue of its design, scale and proposed materials. In this regard the proposed development preserves the setting of the listed building, the setting of neighbouring listed building and the character and appearance of the Dulwich Village conservation area.

Other matters

Archaeology

34 The site lies within the Dulwich Village archaeological priority zone, but the small-scale and shallow groundworks do not require any archaeological action.

Trees

35 2 Lilac plants and a chestnut tree have been identified as the closest vegetation to the proposal. The Council’s Urban Forrester has examined the scheme and concluded that none the trees would be detrimentally affected as a result of the proposed development. The chestnut, in particular, lies some 11m from the new timber shed which is sufficient separation distance to preserve this tree.

Community Infrastructure Levy

36 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. In terms of CIL the proposed development will not be creating any more than 100sqm of new non residential floor space and as such the works are not CIL liable.

Conclusion on planning issues

37 Overall, the proposed works are required to improve the use of the site as a community facility for children while preserving the character and appearance of Metropolitan Open Land. The proposal is not considered to have a significant adverse impact on the amenity of neighbouring occupiers and would preserve the listed building and the character and appearance of Dulwich Village conservation area. Therefore, it is recommended that planning permission be granted.
Community impact statement

38 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.

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

Consultations

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

Consultation replies

41 Response received from the Council for British Archaeology which raised no objections in principle. Overall the Committee were of the opinion that the replacement shed should be more in keeping with the existing brick lodge. Notwithstanding, it was viewed as a welcome improvement.

Human rights implications

42 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.

43 This application has the legitimate aim of replacing existing windows. 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

44 None

BACKGROUND DOCUMENTS

| Background Papers                              | Held At                          | Contact                                                               |
|-----------------------------------------------|----------------------------------|                                                                      |
| Site history file: TP/2082-Z                   | Chief executive's department     | Planning enquiries telephone: 020 7525 5403                         |
| Application file: 13/AP/1087                   | 160 Tooley Street London         | Planning enquiries email: planning.enquiries@southwark.gov.uk       |
| Southwark Local Development Framework and Development Plan Documents | SE1 2QH                          | Case officer telephone: 020 7525 5451                              |
|                                               |                                  | Council website: www.southwark.gov.uk                               |
APPENDICES

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<td>Recommendation</td>
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AUDIT TRAIL

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<td>David Lane, Planning Officer</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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Date final report sent to Constitutional Team 19 September 2013
APPENDIX 1

Consultation undertaken

Site notice date: 20/05/2013

Press notice date: 23/05/2013

Case officer site visit date: 27/06/2013

Neighbour consultation letters sent: 22/05/2013

Internal services consulted:
Archaeology
Urban Forrester

Statutory and non-statutory organisations consulted:
None

Neighbours and local groups consulted:

FLAT 9 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
11 COLLEGE ROAD LONDON SE21 7BG
5 COLLEGE ROAD LONDON SE21 7BQ
FLAT 8 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 5 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 6 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
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7 COLLEGE ROAD LONDON SE21 7BQ
DULWICH COLLEGE PICTURE GALLERY COLLEGE ROAD LONDON SE21 7BG
CLOISTERS FLAT 16A GALLERY ROAD LONDON SE21 7AD
PARK RANGERS OFFICE DULWICH PARK COLLEGE ROAD LONDON SE21 7BQ
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FLAT 14 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS

Re-consultation:
N/A
APPENDIX 2

Consultation responses received

Internal services
No archaeological concerns.

Statutory and non-statutory organisations
Council for British Archaeology
Overall the committee were of the opinion that the replacement shed should be more in keeping with the existing brick lodge. Notwithstanding, it was viewed as a welcome improvement.

Neighbours and local groups
No replies received.
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: Ms C. Burghard
Whippersnappers
Reg. Number: 13/AP/1087
Application Type: Full Planning Permission
Recommendation: Grant permission
Case Number: TP/2082-Z

Planning Permission was GRANTED for the following development:
Replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

At: THE LODGE, OLD COLLEGE GATE, COLLEGE ROAD, LONDON, SE21 7BQ

In accordance with application received on 15/04/2013 08:00:26
and Applicant's Drawing Nos. S1 Rev A, S2 Rev B, S3 Rev B, S4, S5, Heritage Statement, Design and Access Statement, 5 Photographs; Additional Information on Whippersnappers and use of the Proposed Garden Building - dated August 2013

Subject to the following two conditions:

Time limit for implementing this permission and the approved plans

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:

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

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As the site is located on Metropolitan Open Land it has been referred to Planning Committee for consideration.
RECOMMENDATION

1 Grant listed building consent subject to conditions

BACKGROUND INFORMATION

2. This application is being reported to the Planning Sub-Committee as the site lies within an area of designated Metropolitan Open Land.

Site location and description

3 The application site refers to curtilage structures situated to the side and rear of the Lodge, a grade II listed building situated near to the Old College Gate on the west side of College Road Dulwich. The site is within the boundary of Dulwich Park, a registered park and garden, and within designated Metropolitan Open Land (MOL). It also lies within the Dulwich Village Conservation Area.

4 The lodge is Victorian, dating to 1889, and features a two storey construction of red brick at ground and first floor. All elevations of the building feature gables that are characterised by ornamental barge boards. Within the rear garden lie two sheds, the larger structure being corrugated sheet walls and translucent plastic roof, the smaller in timber. The site is enclosed with a modern timber fence and pedestrian gate. A timber vehicular gate is located to the north of the site hung on two vertical steel beams.

5 The building and grounds are currently in use as a nursery (Use Class D1) which was granted planning consent in 2009.
Details of proposal

Planning permission is sought for the removal and replacement of the two existing sheds located to the rear of the Lodge. The larger corrugated shed structure will be replaced with a timber cabin building that will have a slightly enlarged footprint and height. It would measure a maximum 4000mm width, 6200mm length and 3100mm at the roof ridge or 2200mm at the eaves. Windows and double doors are proposed to the side and rear and the roof will be sedum covered. An electrical feed will be routed from the main lodge to the new cabin. The smaller shed will be a like for like replacement in terms of size and appearance.

The existing vehicular gate will be replaced by infill fencing panels to a maximum 1.8m height and new pedestrian gate with 900mm opening. The existing pedestrian gate will be replaced with stable type pedestrian gate.

Planning history

The subject site has been subject to the following applications relevant to the determination of this proposal:

13-AP-1087
A contemporaneous planning application reference 13-AP-1087 for the replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

10-AP-1336 & 1337
Planning permission and Listed building consent were granted 07/09/2010 for the erection of new boundary wall, railings, timber vehicular gate and decorative steel pedestrian gates to surround the garden area to the north of The Lodge at the Old College Gate entrance to Dulwich Park, involving the replacement of existing timber boundary.

10-AP-0829 & 0828
Planning permission and Listed Building Consent were granted 29/06/2010 for internal alterations to ground floor; enclosure of rear porch by glass door and side panel; additional rear windows to loft to match existing at front.

10-AP-1069
Repainting of exterior of house in original colours. Listed Building Consent granted subject to conditions at planning committee on 29/06/10.

09-AP-1264
Change of Use from residential (Class C3) to a community facility (Class D1). Planning permission granted subject conditions at planning committee on 03/11/09.

09-AP-1265
Listed building consent for internal alterations to facilitate the use of the existing building as a community facility for children and adults. Listed Building Consent granted subject to conditions at planning committee on 03/11/09.

Planning history of adjoining sites

None relevant to this application
KEY ISSUES FOR CONSIDERATION

Summary of main issues

16 The main issues to be considered in respect of this application are:

a) The impact of the proposal upon the features of special architectural and historic interest of the Listed Building.

Planning policy

The local Plan:
Core Strategy 2011

17 Strategic policy 12 - Design and conservation

Southwark Plan 2007 (July) - saved policies

18 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.12 - Quality in Design
Policy 3.15 - Conservation of the Historic Environment
Policy 3.17 - Listed Buildings
Policy - 3.25 - Metropolitan Open Land

Dulwich Village Conservation Area Appraisal

National Planning Policy Framework (NPPF)

19 Section 12: Conserving and enhancing the historic environment.

Principle of development

20 The proposal seeks permission for alterations to a listed building and to curtilage structures. The principle of this is considered acceptable provided the proposal would preserve or enhance the special architectural and historic significance of the grade II listed building.

Impact on the listed building

21 In accordance with Section 12, paragraph 129 of the NPPF the significance of the application building is in its handsome appearance in an Old English style, its group value with Old College Gate and Dulwich Old College and noteworthy contribution to the entrance to Dulwich Park. To the rear, are two sheds a fence and gates that are not original or significant structures relative to the listed building or conservation area.

22 The proposed works seek to remove and replace an existing garage type shed with an enlarged timber log structure; replace a smaller garden shed with a new shed; and remove existing vehicular and pedestrian gates and replace with new pedestrian gates and fencing. The structures to be removed, although located within the curtilage of the listed building, are of no historical or architectural value being later additions to the site and utilitarian in design. Their removal, therefore, is acceptable in principle provided
the proposed replacements seek to preserve and enhance the setting of the listed building.

23 The proposed scale and bulk of the proposed timber log structure, while being an enlargement over the existing shed in height and footprint, is considered to have a subordinate relationship to the Lodge and fit within the context of the site. The proposal would represent an increase the length by 900mm and maximum 700mm height over the existing, however it will remain significantly below the first floor windows of the Lodge and occupy less than half its width. This demonstrates subservience and establishes a clear hierarchy in the massing of the existing Lodge and proposed shed.

24 Its simple rectangular design and timber materials would not clash with the architectural style of the lodge or result in negative visual impact to Dulwich Park. The timber log structure is considered appropriate design and materials that would have an enhanced relationship to the listed building over the existing corrugated structure. Indeed, the new lodge was considered a welcome improvement by the Council for British Archaeology. In any case, the new lodge would be largely hidden from public view behind the Lodge itself and existing mature planting. Also, its visual impact will be minimised by the provision of a sedum roof that would reflect the surrounding greened character. In these respects, the proposal would sympathetically integrate to the existing site, preserving the setting of the listed building.

25 In terms of the new electric feed from the lodge to the new timber shed there will be no loss of historic fabric. It is proposed that the feed be routed from an electrical intake within the bathroom and out through an external wall. The feed will not significantly affect any internal features of interest and the impact on the external brickwork will be a single hole. It will be reversible at a later date if required thus preserving the detail of special interest. It is prudent, however, that details of any trunking associated with this feed to be submitted via condition to ensure the detail is acceptable.

26 The position, scale, design and materials of the proposed smaller shed would match the existing shed. Accordingly, it would have neutral impact on the listed building’s setting.

27 The new pedestrian gates and sections of fence have been designed to respect the characteristics of the existing modern boundary treatment using materials to match. The proposed height is consistent with the existing boundary treatment and would match the appearance of the existing. In this respect the proposal would preserve the setting of the listed building and Dulwich Village conservation area.

28 When assessed against the policy and guidance, the proposal is considered to be acceptable by virtue of its design, scale and proposed materials. In this regard the proposed development preserves the significance of the listed building.

Other matters

None

Conclusion on planning issues

29 Overall, the proposed development would preserve the special architectural and historic interest of the building. It is therefore consistent with section 12, paragraph 131 of the NPPF (2012) as it sustains and enhances the significance of heritage asset and Listed Building Consent is recommended.
Community impact statement

30 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.

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

Consultations

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

Consultation replies

33 Response received from the Council for British Archaeology which raised no objections in principle. Overall the Committee were of the opinion that the replacement shed should be more in keeping with the existing brick lodge. Notwithstanding, it was viewed as a welcome improvement.

Human rights implications

34 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.

35 This application has the legitimate aim of replacing existing windows. 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

36 None

BACKGROUND DOCUMENTS

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<tr>
<th>Background Papers</th>
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<tr>
<td>Site history file: TP/2082-Z</td>
<td>Chief executive's department</td>
<td>Planning enquiries telephone: 020 7525 5403</td>
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<tr>
<td>Application file: 13/AP/1088</td>
<td>160 Tooley Street</td>
<td>Planning enquiries email:</td>
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<tr>
<td>Southwark Local Development Framework</td>
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<td>and Development Plan Documents</td>
<td>SE1 2QH</td>
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<td></td>
<td>020 7525 5451</td>
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APPENDICES

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<tr>
<td>Appendix 1</td>
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AUDIT TRAIL

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<tr>
<th>Lead Officer</th>
<th>Gary Rice, Head of Development Management</th>
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<tr>
<td>Report Author</td>
<td>David Lane, Planning Officer</td>
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<tr>
<td>Version</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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<tr>
<td>Strategic Director of Finance and Corporate Services</td>
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<td>Strategic Director, Environment &amp; Leisure</td>
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<td>Strategic Director Housing &amp; Community Services</td>
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<td>Director of Regeneration</td>
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Date final report sent to Constitutional Team 19 September 2013
APPENDIX 1

Consultation undertaken

Site notice date: 20/05/2013

Press notice date: 23/05/2013

Case officer site visit date: 27/06/2013

Neighbour consultation letters sent: 22/05/2013

Internal services consulted:
Archaeology
Urban Forrester

Statutory and non-statutory organisations consulted:
None

Neighbours and local groups consulted:

FLAT 9 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
11 COLLEGE ROAD LONDON SE21 7BG
FLAT 8 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 5 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 6 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 7 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
7 COLLEGE ROAD LONDON SE21 7BG
DULWICH COLLEGE PICTURE GALLERY COLLEGE ROAD LONDON SE21 7BG
CLOISTERS FLAT 16A GALLERY ROAD LONDON SE21 7AD
PARK RANGERS OFFICE DULWICH PARK COLLEGE ROAD LONDON SE21 7BQ
FLAT 4 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 1 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 10 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
7 WOODYARD LANE LONDON SE21 7BH
8 WOODYARD LANE LONDON SE21 7BH
9 WOODYARD LANE LONDON SE21 7BH
FLAT 11 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 16 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 2 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 3 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 15 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 12 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 13 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS
FLAT 14 EDWARD ALLEYN HOUSE COLLEGE ROAD LONDON SE21 7AS

Re-consultation:
N/A
APPENDIX 2

Consultation responses received

Internal services
N/A

Statutory and non-statutory organisations
Council for British Archaeology
Overall the committee were of the opinion that the replacement shed should be more in keeping with the existing brick lodge. Notwithstanding, it was viewed as a welcome improvement.

Neighbours and local groups
No replies received.
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
Ms C. Burghard
Whippersnappers

Application Type
Listed Building Consent

Reg. Number 13/AP/1088

Recommendation
Grant permission

Case Number TP/2082-Z

Draft of Decision Notice

Listed Building CONSENT was given to carry out the following works:
Replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed
with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and
fencing.

At: THE LODGE, OLD COLLEGE GATE, COLLEGE ROAD, LONDON, SE21 7BQ

In accordance with application received on 15/04/2013 08:00:26

and Applicant’s Drawing Nos. S1 Rev A, S2 Rev B, S3 Rev B, S4, S5, Heritage Statement, Design and Access
Statement, 5 Photographs

Subject to the following three conditions:

Time limit for implementing this permission and the approved plans

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.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below
must be submitted to and approved by the council before any work in connection with implementing this permission is
commenced.

2 Prior to commencement of works, detail drawings (scale 1:5, 1:10, 1:20) showing the size and exact position of the
proposed electrical supply duct shall be submitted to this Local Planning Authority and approved in writing; the
development shall not be carried out otherwise than in accordance with any such approval given.

Reason:
In order to ensure that the design and details are in the interest of the special architectural or historic qualities of
the listed building in accordance with saved policies 3.15 Conservation of the Historic Environment and 3.17

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be
complied with at all times once the permission has been implemented.

3 All new internal/external works and finishes and works of making good shall match existing original work adjacent
in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the
drawings hereby approved or as required by any condition(s) attached to this consent.

Reason:
In order to ensure that the design and details are in the interest of the special architectural or historic qualities of
the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design
and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment
# PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2013-14

**NOTE:** Original held by Constitutional Team (Community Councils) all amendments/queries to Gerald Gohler Tel: 020 7525 7420

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<tr>
<td>Councillor Althea Smith (Chair)</td>
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<td>Councillor Adele Morris (Vice-Chair)</td>
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<td>Councillor Nick Dolezal</td>
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<td>Councillor Paul Kyriacou</td>
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<td>Councillor The Right Revd Emmanuel Oyewole</td>
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<tr>
<td>Constitutional Officer (Community Councils) Hub 4 (2nd Floor), Tooley St.</td>
<td>15</td>
</tr>
<tr>
<td>Claire Cook Planning, Hub 2 (5th Floor) Tooley St.</td>
<td>4</td>
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<tr>
<td>Rachel McKoy, Legal Services Hub 2 (2nd Floor) Tooley St.</td>
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**Total:** 35

**Dated:** 3 June 2013