

Planning Sub-Committee B

Tuesday 28 June 2016

7.00 pm

Meeting Room G01, Ground Floor, 160 Tooley Street,
London SE1 2QH

Membership

Councillor Cleo Soanes (Chair)
Councillor Maria Linforth-Hall (Vice-Chair)
Councillor Nick Dolezal
Councillor Octavia Lamb
Councillor Damian O'Brien
Councillor Sandra Rhule
Councillor Catherine Rose

Reserves

Councillor Evelyn Akoto
Councillor Anne Kirby
Councillor Eliza Mann
Councillor Darren Merrill
Councillor Leo Pollak

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 Beverley Olamijulo on 020 7525 7234 or email:
Beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 20 June 2016



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Planning Sub-Committee B

Tuesday 28 June 2016

7.00 pm

Meeting Room G01, Ground Floor, 160 Tooley Street, London SE1 2QH

Order of Business

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1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 5
	To approve as a correct record the minutes of the meeting held on the 24 April 2016.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 10
	7.1. 29 - 35 LORDSHIP LANE, LONDON SE22	11 - 23
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Date: 20 June 2016



PLANNING SUB-COMMITTEE

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**.

- | |
|---|
| <ol style="list-style-type: none">(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.
8. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

Contacts: Director of Planning
Chief Executive's Department
Tel: 020 7525 5655; or

Planning Sub-Committee Clerk, Constitutional Team
Finance and Governance Department
Tel: 020 7525 7420



Planning Sub-Committee B

MINUTES of the OPEN section of the Planning Sub-Committee B held on Tuesday 26 April 2016 at 7.00 pm at Meeting Room G02, Ground Floor, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Cleo Soanes (Chair)
 Councillor Maria Linforth-Hall
 Councillor Sunil Chopra
 Councillor Nick Dolezal
 Councillor David Hubber
 Councillor Eleanor Kerslake
 Councillor Leo Pollak

OTHER MEMBERS PRESENT: Councillor Tom Flynn

OFFICER SUPPORT: Rob Bristow (Development Management)
 Alex Gillott (Legal Officer)
 Ciaran Regan (Development Management)
 Wing Lau (Development Management)
 Andrew Weir (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

There were none.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

- Addendum report relating to item 7 - development management items
- Members pack containing photographs and drawings

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 8 March 2016 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 revision.

7.1 161 DENMARK HILL, LONDON SE5 8EF

Planning application reference number: 15/AP/3399

Report: see pages 10 to 43 of the agenda pack and pages 1 to 4 of the addendum report.

PROPOSAL

Demolition of existing office building (B1a) and construction of a four-storey terrace comprising 10 dwelling houses (9no. 3-bed houses and 1no. 4-bed house) together with on-site car parking spaces (integral garages), outdoor amenity space and refuse and cycle storage.

The sub-committee heard an introduction to the report from a planning officer who highlighted the additional comments and amended conditions in the addendum report. Members asked questions of officers.

Spokespersons for the objectors addressed the meeting and responded to questions from councillors.

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

There were no supporters of the development, who lived within 100 metres of it, wishing to speak.

Members debated the application and asked questions of the officers.

After further discussion among councillors, a motion to grant the item was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 15/AP/3399 be granted, subject to the conditions set out in the report and subject to the following additional conditions:

- That obscure-glazing be installed as shown on the final plans. The obscure-glazing shall not be replaced or repaired with any glass other than obscure-glazing.
- That the applicant submits details of a street lighting scheme for development.
- That the applicant entering into an appropriate Section 106 legal agreement by 31 May 2016.

The meeting took a comfort break from 8.24pm, resuming at 8.30pm.

7.2 301 - 303 BOROUGH HIGH STREET AND 1-3 TRINITY STREET, LONDON SE1 1DB

Planning application reference number: 16/AP/0388

Report: see pages 44 to 63 of the agenda pack and pages 4 to 6 of the addendum report.

PROPOSAL

Construction of a new third and fourth (mansard) floor extension to the Borough High Street frontage and the demolition of the rear part of the building to be replaced with a three storey extension fronting Trinity Street for additional office floor space (Class B1); change of use of some retail (A1) floor space at basement and ground level to office (B1); associated external alterations including the creation of a new shopfront on the Borough High Street frontage.

The sub-committee heard an introduction to the report from a planning officer who highlighted the additional comments in the addendum report. Members asked questions of officers.

Spokespersons for the objectors addressed the meeting and responded to questions from councillors.

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

There were no supporters of the development, who lived within 100 metres of it, wishing to speak.

Members debated the application and asked questions of the officers.

After further discussion among councillors, a motion to grant the item was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 16/AP/0388 be granted, subject to the conditions set out in the report.

7.3 2 - 4 GROVE LANE, LONDON SE5 8SY

Planning application reference number: 16/AP/0166

Report: see pages 64 to 75 of the agenda pack and pages 6 to 8 of the addendum report.

PROPOSAL

Change of use from restaurant (Use Class A3) to restaurant and hot food takeaway (Use Class A3/A5) with associated takeaway delivery only between 10:00 and 23:00 (Monday - Sunday).

The sub-committee heard an introduction to the report from a planning officer who highlighted the additional comments and amended conditions in the addendum report. Members asked questions of officers.

The objector addressed the meeting and responded to questions from councillors.

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

The local ward councillor objecting to the application addressed the sub-committee and answered members' questions.

There were no supporters of the development, who lived within 100 metres of it, wishing to speak.

Members debated the application and asked questions of the officers.

After further discussion among councillors, a motion to grant the item was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 16/AP/0166 be granted, subject to the conditions set out in the report and the addendum report.

The meeting ended at 9.54 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 28 June 2016	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

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 of Southwark Council's constitution 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 Law & Democracy

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

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Beverley Olamjulo 020 7525 7234
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Simon Bevan 020 7525 5655

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Everton Roberts, Principal Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	20 June 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law & Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		20 June 2016

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Tuesday 28 June 2016

Appl. Type Full Planning Permission
Site 29-35 LORDSHIP LANE LONDON SE22

Reg. No. 16-AP-1288
TP No. TP/2315-29
Ward East Dulwich
Officer Lewis Goodley

Recommendation GRANT PERMISSION
Proposal

Item 7/1

Erection of a mansard roof extension to create a three bedroom self-contained flat; creation of roof terrace at third floor

Appl. Type Full Planning Permission
Site 124 COURT LANE, LONDON, SE21 7EA

Reg. No. 15-AP-5134
TP No. TP/2563-124
Ward Village
Officer Patrick Cronin

Recommendation GRANT PERMISSION
Proposal

Item 7/2

Extension to existing basement involving the lowering of the existing floor level and creation of front lightwells; erection of a rear single-storey ground floor extension; erection of a dormer roof extension to the proposed rear (south) roofslope; installation of x1 new window to front gable and x1 new window to rear gable; replacement of front garage door with new garage door; construction of chimney; installation of x1 new window in side (east) elevation at ground floor level; and alterations to existing balcony.

Appl. Type Full Planning Permission
Site JAGS SPORTS CLUB, RED POST HILL, LONDON, SE24 9JN

Reg. No. 16-AP-1050
TP No. TP/2100-A
Ward South Camberwell
Officer Lewis Goodley

Recommendation GRANT PERMISSION
Proposal

Item 7/3

Construction of a single storey pavilion to accommodate a cafe (A3 Use Class) and associated landscaping.

Appl. Type S.73 Vary/remove conds/minor alterations
Site HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON, SE22 0NR

Reg. No. 16-AP-1875
TP No. TP/2613-A
Ward Peckham Rye
Officer Sonia Watson

Recommendation GRANT PERMISSION FOR LIMITED PERIOD
Proposal

Item 7/4

Variation of Condition 1 of planning permission 14-AP-1655 for: 'Provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007)' to extend the permitted period from 30 September 2016 to 31 January 2017.

Ordnance Survey

Date 17/6/2016



Item No. 7.1	Classification: Open	Date: 29 June 2016	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/1288 for: Full Planning Permission Address: 29-35 LORDSHIP LANE LONDON SE22 Proposal: Erection of a mansard roof extension to create a three bedroom self-contained flat; creation of roof terrace at third floor level		
Ward(s) or groups affected:	East Dulwich		
From:	Director of Planning		
Application Start Date 05/04/2016		Application Expiry Date 31/05/2016	
Earliest Decision Date 17/06/2016			

RECOMMENDATION

1. That members grant full planning permission subject to the imposition of conditions.

BACKGROUND INFORMATION

2. The application is reported to Planning Sub-Committee B because it has been referred by members.

Site location and description

3. The site is located to the eastern side of Lordship Lane where Crawthrew Grove meets this road and comprises a three storey utilitarian modern office building located on a corner plot.
4. The site is located within the Lordship Lane District Town Centre, is located within an air quality management area, a Suburban Density Zone and adjoins a classified 'A-road'. A two storey terrace adjoins the application property to the east.

Details of proposal

5. The proposal is for the erection of a single storey mansard roof extension to create an additional fourth storey. This would in turn accommodate one three bed self-contained flat.
6. The mansard would be set behind a proposed brick parapet wall to the Lordship Lane and Crawthrew Grove elevations. A total of six dormers are proposed on these elevations. The proposed rear elevation would align with that below. Six windows are proposed here.
7. A roof terrace is proposed above the eastern part of the application property adjacent to Crawthrew Grove. A 1.8 metre high obscure glazed privacy screen would enclose the eastern side of this terrace.

Height: 2.14m (above existing)

Depth: 6.4m

Width: 20.2m

8. The proposed mansard roof would be externally finished in slate. The dormers would be finished in lead. The proposed parapet wall would be finished in brick to match the host building.
9. The density of the site as a whole would be 722.6 habitable rooms per hectare.
10. **Planning history**

07/EN/0458 Enforcement type: Unacceptable advert with deemed consent (ADV) Illuminated advertisements Sign-off date 26/02/2008 Sign-off reason: Final closure - no breach of control (FCNB)
14/AP/0780 Application type: Prior Approval (PRAP) Change of use of offices [Use Class B1(a)] to x5 dwelling units [Residential - Use Class C3] on 1st and 2nd floors. Decision date 08/05/2014 Decision: Prior Approval Required - Approved (PARA)
16/EQ/0035 Application type: Pre-Application Enquiry (ENQ) Creation of additional floor on roof to accommodate 1 x 3 bed flat. Decision date 20/04/2016 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

11. None of direct relevance found.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. 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 of the development on the amenity of the occupiers and users of adjoining properties
 - c) Design Quality
 - d) Quality of accommodation and amenity for future occupants of the proposed development
 - e) Access, transport and servicing
 - f) All other relevant material planning considerations

Planning policy

13. National Planning Policy Framework (the Framework)

Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring Good Design

14. London Plan July 2015 consolidated with alterations since 2011

- Policy 3.3 - Increasing housing supply
- Policy 3.5 - Quality and design of housing developments
- Policy 3.8 - Housing choice
- Policy 5.17 - Waste capacity
- Policy 6.3 - Assessing effects of development on transport capacity
- Policy 6.9 - Cycling
- Policy 6.13 - Parking
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character
- Policy 7.6 - Architecture

Core Strategy 2011

15. Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable Transport
 Strategic Policy 5 - Providing New Homes
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

16. The Council's cabinet on 19 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 3.7 - Waste Reduction
- Policy 3.11 - Efficient Use of Land
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design
- Policy 4.1 - Density of Residential Development
- Policy 4.2 - Quality of Residential Accommodation
- Policy 4.3 - Mix of dwellings
- Policy 5.2 - Transport Impacts
- Policy 5.3 - Walking and Cycling
- Policy 5.6 - Car Parking

Supplementary Planning Document: 2015 Technical update to the Residential Design Standards (2011)

Supplementary Planning Document: Sustainable Design and Construction (2009)

Supplementary Planning Document: Sustainable Transport (2010)

Summary of consultation responses

17. Seven responses were received objecting to the proposal.
18. The material objections made were:

- Development out of character with wider area
- Proposal at odds with the appearance of the host building
- Overdevelopment of the site.

19. These points are discussed in the report below.

Principle of development

20. Residential use on the additional floor that would be created is acceptable in land use terms; the principle of the development is acceptable.
21. The change of use of the first and second floors was established under LBS reference 16/AP/0780.

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

22. Given the scale of the proposed development, there would be no harmful impact upon the amenity of the occupants of adjoining or nearby properties. The proposed set back from the northern and western elevations would help to prevent the proposal from shadowing the floors below or unacceptably increasing shadowing beyond the established pattern between the site and adjacent or nearby buildings.
23. Sufficient separation would be maintained between the proposed additional storey and the terrace to the east to safeguard against any loss of daylight or sunlight.
24. The proposed openings and outlook from the roof terrace would replicate the views already available from the floors below and as such would not result in a material increase in overlooking.
25. The proposed roof terrace would provide views back to the second floor below. It is acknowledged this eastern elevation already has an external shared walkway, however direct views from the terrace back into these openings should be avoided. A setback from the southern elevation and screening along this side of the terrace would sufficiently reduce views down to the second floor. A privacy screen to the eastern side of the terrace would prevent any views towards properties located on Crawthrew Grove.

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

26. None.

Design issues

27. The proposed extension would have a mansard roof configuration presented to the two street elevations. The mansard would be of a conventional style.
28. Officers consider that the additional massing and height would be appropriate, with the proposal not interrupting the already varied appearance of development along the immediate terrace. Importantly the height would not greatly exceed the height of nearby and adjoining properties. For example the highest part of the proposed mansard would barely rise above the highest part of the adjacent Foresters Arms or No.37 Lordship Lane.
29. The prominence of the mansard would be greatly reduced by the proposed roofs which would pitch away from the street elevations whilst the proposed parapet wall

would obscure the mansard behind. The proposed parapet itself would offer only a slight increase in height whilst its scale and appearance would reflect that of the parapet present to the Foresters Arms building.

30. The proposed terrace would be set back from the Crawthow Grove elevation. This is welcomed as it would help obscure views of the terrace and balustrades preventing this element from visually cluttering the roof profile. The mansard roof when viewed from Crawthow Grove would not harmfully affect the transition of building heights from Lordship Lane to Crawthow Grove presenting a subservient 2metre high 6.4metre deep addition. The additional bulk would represent only a minor alteration with the massing of the proposal presented to the Lordship Lane where a logical increase in building height is already offered.
31. The proposed materials would compliment the host building, offering a degree of visual unity with the floors below and adjoining buildings. It is considered that the proposed dormers are arranged in a fashion which would compliment and respond positively to the fenestration of the first and second floors below.
32. The proposal would therefore help to maintain visual continuity and not appear at odds with the prevailing character of surrounding development.
33. Density can offer a good indicator when looking at whether the proposal represents over-development it is however not a direct measure of measure of good design. When the site as a whole is considered a density of 722 habitable rooms per hectare would be achieved. This would exceed the density threshold for sites located within a suburban density zone as detailed in Strategic Policy 5 of the Southwark Core Strategy.
34. Given the minor nature of the proposal and the positive design considerations above it is considered that a higher density can in this instance be successfully accommodated.

Quality of proposed residential accommodation

35. The proposed development would offer a good standard of internal accommodation for future occupiers. All rooms would meet the required minimum sizes and would have good outlook. Private outdoor amenity space is proposed.
36. No floor space which is located under ceilings which are below 1.5 metres in height from the internal floor level have not be included in the floor calculations. All rooms would achieve the required minimum ceiling height of 2.3metres. The proposal therefore meets the relevant minimum space standards required by the 2015 Technical update to the Residential Design Standards SPD 2011.

Access, servicing and transport issues

Car Parking

37. The proposal could increase demand for local on-street parking provision and has a high public transport accessibility rating. As the site is located within a Controlled Parking Zone (CPZ) on-street parking can be controlled. A condition prohibiting new residents from applying for parking permits is recommended.

Cycle Storage

38. Cycle storage is proposed within an area of the ground floor. Only one additional space is proposed but the area is physically constrained. While the requirement for a

three bedroom dwelling two cycle storage spaces, because of the constraints of the site, the provision of one space is acceptable.

Refuse storage

39. The proposal would see the creation of one additional residential unit. It is considered that the existing on site refuse and recycling arrangements could accommodate any anticipated increase in waste.

Planning obligations (S.106 undertaking or agreement)

40. The proposal would facilitate the creation of a new residential dwelling. All new floor space would be both Mayoral and Southwark CIL liable, attracting a levy of £6,043 and £29,615 respectively.

Conclusion on planning issues

41. The proposal would be of an appropriate scale and would achieve a good external appearance in relation to both the host building and the context of immediate development. Subject to the imposition of conditions requiring the installation of a privacy screen prior to first occupation no harmful impacts upon the amenity of the occupiers or users of nearby or adjoining properties are identified. No other material planning considerations which indicate against the proposal remain.
42. Members are therefore recommended to approve the application.

Community impact statement

43. 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.
44. The impact on local people is set out above.

Consultations

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

Consultation replies

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

Human rights implications

47. 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.
48. This application has the legitimate aim of providing one new 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2315-29 Application file: 16/AP/1288 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5976 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Lewis Goodley, Senior Planner	
Version	Final	
Dated	15 June 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance & Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 June 2016

APPENDIX 1

Consultation undertaken

Site notice date: 29/04/2016

Press notice date: n/a

Case officer site visit date: 29/06/2016

Neighbour consultation letters sent: 15/04/2016

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

1 Frogley Road London SE22 9DF
 67 Crawthw Grove London SE22 9AD
 Ground Floor Flat 65 Crawthw Grove SE22 9AD
 65b Crawthw Grove London SE22 9AD
 37 Lordship Lane London SE22 8EW
 First Floor 29-35 Lordship Lane SE22 8EW
 Ground Floor 29-35 Lordship Lane SE22 8EW
 First Floor Rear Of 37 Lordship Lane SE22 8EW
 Second Floor 29-35 Lordship Lane SE22 8EW

117b Lordship Lane London Se22 8HU
 Flat 1, 187 Lordship Lane East Dulwich Se228ha
 39 Crawthw Grove East Dulwich SE22 9AD
 72 Crawthw Grove East Dulwich SE22 9AB

67a Whateley Road East Dulwich SE22 9DE
 117 Crystal Palace Rd London Se229es
 327 Lordship Lane London SE22 8JH

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Flat 1, 187 Lordship Lane East Dulwich Se228ha

117 Crystal Palace Rd London Se229es

117 Crystal Palace Rd London Se229es

117b Lordship Lane London Se22 8HU

327 Lordship Lane London SE22 8JH

39 Crawthow Grove East Dulwich SE22 9AD

67a Whateley Road East Dulwich SE22 9DE

72 Crawthow Grove East Dulwich SE22 9AB

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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

Applicant	Magnum Properties Magnum Properties	Reg. Number	16/AP/1288
Application Type	Full Planning Permission	Case Number	TP/2315-29
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of mansard roof extension and creation of third floor roof terrace to create one 3 bedroom self-contained flat

At: 29-35 LORDSHIP LANE LONDON SE22

In accordance with application received on 04/04/2016 12:05:02

and Applicant's Drawing Nos. Site Location Plan,

00P 010 - REVISION B,

00P 030 - REVISION B 'Existing Roof Plan',

00P 030 - REVISION B 'Existing Second Floor Plan',

00P 050 - REVISION B,

00P 060 - REVISION B,

00P 110 - REVISION B,

00P 120 - REVISION B,

00P 130 - REVISION B,

00P 140 - REVISION C,

00P 145 - REVISION B,

00P 150 - REVISION C,

00P 160 - REVISION C,

Planning Statement authored 'PIZ Architects' dated '15th Decemeber 2014'

Transport Statement authored 'Motion' dated '19th January 2016'

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:

00P 110 - REVISION B,

00P 120 - REVISION B,

00P 130 - REVISION B,

00P 140 - REVISION C,

00P 145 - REVISION B,

00P 150 - REVISION C,

00P 160 - REVISION C

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.

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.

- 3 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 00P110 Revision B shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling 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.

- 4 The dwelling hereby permitted shall be designed and built to ensure that the following internal noise levels exceeded due to environmental noise:

Bedrooms - 35dB LAeq T *, 30 dB LAeq T * , 45dB LAFmax T *
Living rooms- 35dB LAeq T **

* - Night-time 8 hours between 23:00-07:00

** - Daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework; policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan 2015; Strategic Policy 13 High Environmental Standards of the Core Strategy; saved policies 3.2 Protection of amenity and 4.2 Quality of residential accommodation of the Southwark Plan and the Residential Design and Construction Supplementary Planning Document 2009 Strategic Policy 13 High environmental standards of the Core Strategy (2011) saved policies 3.2 Protection of amenity and 4.2 Quality of residential accommodation of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 5 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.

- 6 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

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 7 The hereby approved first floor roof terrace shall be enclosed by fully obscured privacy screens with a minimum height of 1.8metres when measured from the external floor level of the terrace to the eastern edge and shall be maintained and replaced as such.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining and nearby premises from

undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

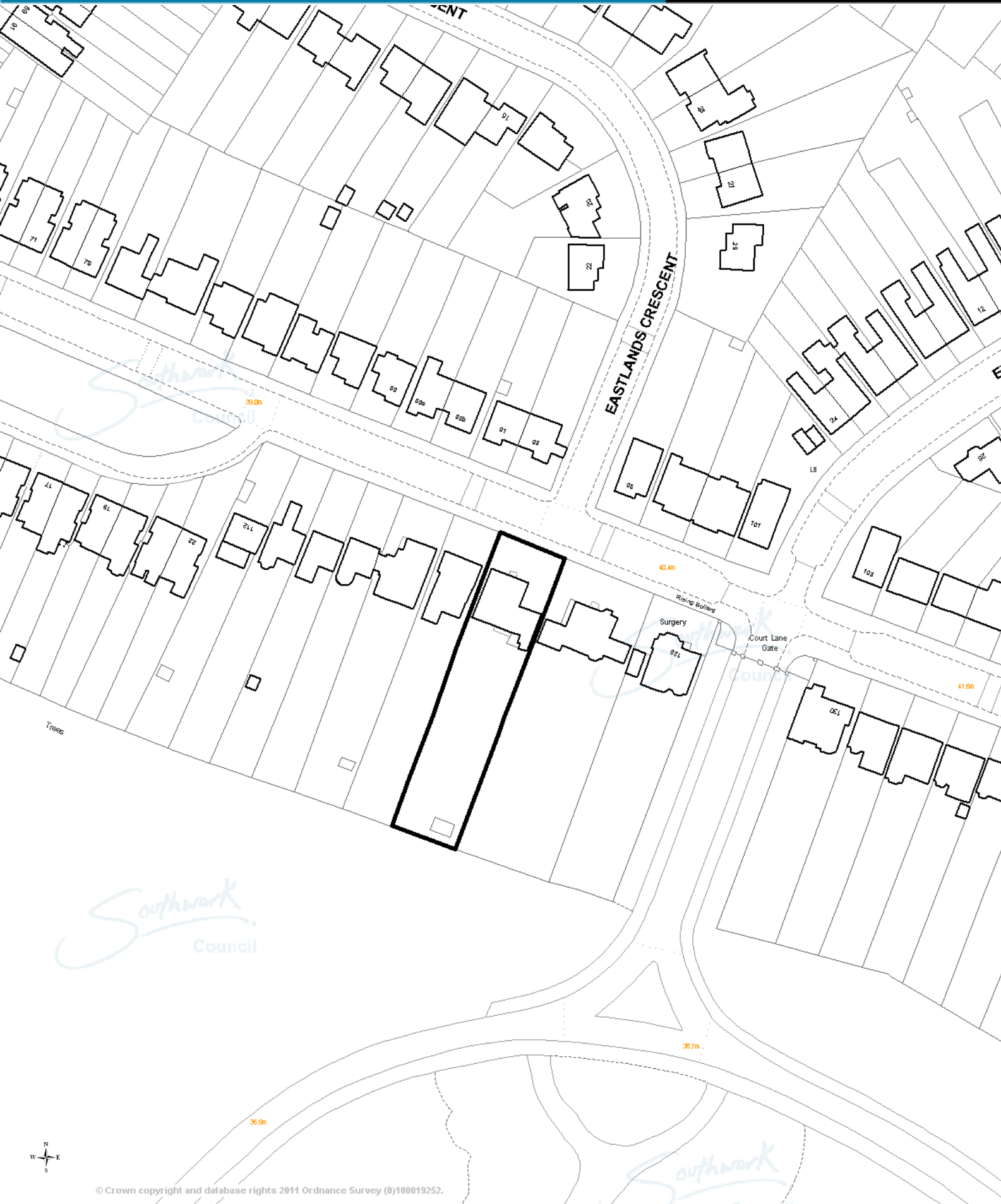
The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

The pre-application service was used for this application and the advice given was followed.

Ordnance Survey

Date 16/6/2016



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Item No. 7.2	Classification: Open	Date: 28 June 2016	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/5134 for: Full Planning Permission Address: 124 COURT LANE, LONDON SE21 7EA Proposal: Extension to existing basement involving the lowering of the existing floor level and creation of front lightwells; erection of a rear single-storey ground floor extension; erection of a dormer roof extension to the proposed rear (south) roofslope; installation of x1 new window to front gable and x1 new window to rear gable; replacement of front garage door with new garage door; construction of chimney; installation of x1 new window in side (east) elevation at ground floor level; and alterations to existing balcony.		
Ward(s) or groups affected:	Village		
From:	Director of Planning		
Application Start Date 19/01/2016		Application Expiry Date 15/03/2016	
Earliest Decision Date 26/02/2016			

RECOMMENDATION

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

BACKGROUND INFORMATION

Site location and description

2. The application site is located in the Dulwich Village area of the borough, on the southwestern side of Court Lane directly opposite the junction with Eastlands Crescent. The surrounding area is of a predominantly residential character.
3. The application site comprises a detached single family dwellinghouse constructed circa 1908. The property benefits from front and rear private amenity space as well as off-street parking. The dwellinghouse is two-storeyed and possesses a two-storey wing attached to the south eastern side of the property but set back from its front elevation.
4. The ground level of the application site drops away from north to south, and as such the part of the rear amenity space close to the dwellinghouse is approximately 1.00 metres lower than the front amenity space. The property located immediately to the east of the application site, No. 126 Court Lane, has a ground floor finished floor level equivalent to that of No. 124 Court Lane, whereas the ground floor finished floor level of the property located immediately to the west, No. 122 Court Lane, is set down approximately 1.30 metres from that of No. 124 Court Lane.
5. The application site falls within the Dulwich Village Conservation Area and its south-west boundary abuts the Dulwich Wood Conservation Area. The subject property is

not a listed building nor is it identified within the Dulwich Village Conservation Area Appraisal as being an unlisted building that makes a positive contribution to the conservation area. The subject property does, however, lie approximately 50-75 metres from: Court Lane Gate, which is Grade II listed, and; one of Dulwich Village's many painted timber finger posts, which are of note for the positive contribution they make to the conservation area's special "village" character.

6. The south-west boundary of the application site abuts Dulwich Park, which is designated as Metropolitan Open Land.

Details of proposal

7. The proposal comprises the following parts:

Basement extension

8. An extension to the existing basement is proposed involving lowering the existing floor level to create habitable accommodation. These works would involve a full-width extension to the existing basement area beyond the existing rear wall of the property by a depth of 3.00 metres at the eastern end, a depth of 3.50 metres across a small central section, and 3.00 metres at the western end.
9. Accompanying the proposed basement extension would be the creation of two front lightwells (serving two proposed front windows at basement level) and one rear sunken terrace.
10. The two front windows proposed at basement level would be of a shape and design to match the existing counterpart windows at ground floor level.
11. A brick parapet wall to protrude above the ground level by 0.15 metres would enclose the lightwells. The voids created by each lightwell would be enclosed with a horizontal grille, allowing for penetration of light into the basement rooms without presenting any safety issues to pedestrians at ground level.
12. The rear sunken terrace would be set approximately 1.6 metres below the rear garden level. A set of steps would lead from the sunken terrace up to the garden level. The proposed terrace would incorporate low-level planting and a seating area. In combination, the seating and standing area would occupy a 15.9 square metre area and would be, at its furthest point, 4.45 metres from the proposed rear elevation of the basement and 7.45 metres from the existing rear elevation of the host property.

Ground floor rear extension

13. An extension at ground floor level is proposed across the full width of the rear of the dwellinghouse. The part of the proposed extension located broadly to the rear of the two-storey wing would replace an existing rear lean-to.
14. In total, the extension would have a width of 16.193 metres, although 5.75 metres of this width would replace the existing lean-to. The majority of the extension would project by a distance of 3.00 metres beyond the existing rear elevation of the dwellinghouse, although a small central section would project by 3.50 metres. Due to the rear garden level being 1.45 metres lower than the finished floor level of the ground floor level of the dwellinghouse, the extension would at its maximum height would be 4.45 metres above the rear garden level, however this height 'steps down' near to the boundary with No. 122 Court Lane to a minimum of 3.60 metres above the rear garden level.

15. The extension is articulated as three adjoining masses each of which aligns vertically with one of the three existing rear roof gables/hips:
- the mass closest to the boundary with No. 122 Court Lane would be brick faced with glazing to the rear (south) elevation offering views from the internal space onto the rear garden. The return wall (facing the boundary with No. 122 Court Lane) would be brick faced and would not incorporate any windows. Recessed behind this return wall by 0.3 metres and projecting above the top of the wall by 0.5 metres would be a high-level window (the cill of which would be 2.15 metres above the internal finished floor level). Part of the roof would be zinc-finished and part of the roof would be glazed to serve as a roof light to the host room.
 - the central mass is glazed and features a set of doors leading onto the proposed rear terrace. The roof would incorporate one large rooflight and would also provide the floor to a proposed balcony at first floor level.
 - the mass closest to the boundary with No. 126 Court Lane would be brick faced with one glazed door and a strip of high-level glazing to the rear (south) elevation. One door (with no glazing) is proposed to the return wall (facing the boundary with No. 126 Court Lane). The roof finish would be zinc, and one small rooflight would be installed.

Alterations to the rear elevation at first floor level

16. The oriel window bay would be repaired and the base section would be reshaped to reduce its depth.
17. A balcony is proposed over the central section of the proposed ground floor rear extension. A wrought iron balcony currently exists in this location but is not structurally sound. The proposed balcony would have identical dimensions to the proposed balcony and as such can be considered to be a replacement. The existing wrought iron railings would be retained and used to provide a safety enclosure to the balcony.

Alterations and extension to the roof

18. It is proposed to infill the existing valley between the western rear hip and the central rear gable of the roof. This extension would transform the appearance of the main dwellinghouse roof when viewed from the rear from a valley shape into a single, consolidated hip-shaped roof. The infill would be flat-roofed into which would be installed five rooflights.
19. A flat-roofed dormer with one rear-facing window would be erected to the new rear roof slope.
20. One diamond-shaped window would be installed to the central rear gable. The window would be positioned centrally.
21. One new diamond-shaped window would be installed to the gable to the front of the property. The window would be positioned centrally directly above the roof of the first floor bay.
22. A chimney stack would be installed in the west elevation. The brick finish would match the existing brick on the dwellinghouse. The chimney stack would match the existing chimney stacks in height and its proportions would broadly replicate the proportions of the existing chimneys. A document submitted as part of the application (ref: "Original Drawings from 1908") indicate that the property was originally constructed with this

chimney, but that at some unknown time the chimney was removed.

Proposed rear terrace area

23. A two-level terrace is proposed to the rear of the proposed ground floor extension. The higher level would be 1.45 metres above the rear garden level, with the lower level 0.65 metres above ground level. Three steps would lead from the garden level up to the lower terrace area, from where four steps would lead up to the higher terrace level.
24. The higher level would be 1.25 metres deep and have a total floor area of 11.0 square metres, while the lower level would be 3.00 metres deep and have a total area of 28.8 square metres.
25. Both the higher and lower terrace levels would be 10.2 metres at their maximum width. Both levels of the terrace would be set away from the boundary fence with No. 122 Court Lane by 5.80 metres and from the boundary fence with No. 126 Court Lane by 2.30 metres.
26. The landscaping proposal supplied with the application drawings indicate that evergreen hedging and low-level planting would be installed within the terrace planting beds.

Other alterations/proposals

27. The garage door would be replaced.
28. One new leaded window is proposed at ground floor level to the east elevation.

Planning history for the application site

29. Provided below is the planning history for no. 124 Court Lane:

<p>Application No.: 10/AP/3421 Application type: Tree Works in Conservation Area (TCA)</p> <p><i>T1 Crown thin by 20%, remove dead wood and reshape as necessary.</i> <i>T2 Reduce height of both trees by up to 3m and shorten long lateral branches to growth points by approximately 20%</i> <i>T3 Crown thin by 20% and remove selected branches</i> <i>T4 Remove tree together with the roots grubbed out where possible</i></p> <p>Decision date 29/12/2010 Decision: Works acceptable - no intervention (TCAA)</p>
<p>Application No.: 12/AP/3062 Application type: Tree Works in Conservation Area (TCA)</p> <p><i>(1) 4 x Lime trees in front garden -re pollard to previous points</i> <i>(2) Large plum in rear garden-crown thin by 20%</i> <i>(3) Apple tree in rear garden-shoot prune, light thin as necessary</i></p> <p>Decision date 26/10/2012 Decision: Works acceptable - no intervention (TCAA)</p>
<p>Application No.: 14/AP/2206 Application type: Tree Works in Conservation Area (TCA)</p>

- 1) *Three lime trees in front garden adjacent to pavement and previously pollard: pollard to previous points.*
 2) *Pear tree in rear garden, adjacent to fence boundary with 122 Court Lane, previously covered in ivy, in poor condition with few live branched: fell to ground level.*

Decision date 30/07/2014

Decision: **Works acceptable - no intervention (TCAA)**

Planning history of adjoining sites

30. 122 Court Lane

Application No.: 03/AP/0513

Application type: FUL

Construction of a single storey rear extension

Decision date: 30/04/2003

Decision: **Granted (GRA)**

Application No.: 14/AP/4397

Application type: Tree Works in Conservation Area (TCA)

T -2 Maple Trees approximately 5.5m in height, situated on the boundary of the front garden. The trees are a little dense and wide spreading. Reduce all round up to 1.5m basic shape retained. T2 -2 Mature Oak Trees - approximately 15m in height. Crown thinned by 20% -reshaping T3 - Holly Tree- (approx 6m in height) - Reduce all round to shape. T4 - Purple Plum Tree (approx 5m height)- Crown thin up to 15%- Reshape T5 - Bay Tree(approx 4m height) too close to T4- To be removed

Decision date 29/12/2014

Decision: **Works acceptable - no intervention (TCAA)**

31. 126 Court Lane

Application No.: 16/AP/0119

Application type: FUL

Erection of single storey side and rear extension, following demolition of existing; and alterations to the rear facade and enlargement of rear garden terrace and new steps to garden level.

Decision date: 07/03/2016

Decision: **Granted (GRA)**

KEY ISSUES FOR CONSIDERATION

Summary of main issues

32. 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 of the development on the amenity of the adjoining properties.

- c) Design quality
- d) Impact on Listed Building(s)/Conservation Area.
- e) All other relevant material planning considerations.

Planning policy

33. National Planning Policy Framework (NPPF)

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

34. London Plan July 2015 consolidated with alterations since 2011

Policy 7.4 - Local Character
Policy 7.6 - Architecture

35. Core Strategy 2011

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

Southwark Plan 2007 (July) - saved policies

36. The Council's cabinet on 19 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 3.16 - Conservation areas
Policy 3.17 - Listed Buildings
Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
Policy 5.2 - Transport Impacts

2015 Technical Update to the Residential Design Standards SPD (2011)

Dulwich Supplementary Planning Document (July 2013)

Dulwich Village Conservation Area Appraisal (February 2006)

Principle of development

37. There is no objection in principle to alterations to residential properties in established residential areas provided that development is of a high standard of design, respects and enhances the character of its surroundings including any designated heritage assets and does not adversely impact upon the amenity of adjoining properties or residents in accordance with above mentioned development policies.

Summary of consultation responses

38. In total, five comments were received from three public consultees. Of these five comments, three were made relatively early in the planning process before a series of amendments were made. The other two comments were made in relation to the last-but-one amendment to the proposal. At the date of writing this report (11/03/2016), no public comments were received in relation to the final set of amendments.
39. Of the objections expressed by the three comments made early in the process, the objections which constitute material considerations are as follows:
- overshadowing and loss of light to rooms in neighbouring properties
 - loss of outlook to rooms in neighbouring properties
 - increased water run-off and drainage issues as a result of the proposed terrace
 - bulk and scale of ground floor rear extension.
40. None of the other various objections raised constituted material considerations.
41. Of the objections expressed by the two comments made after the final amendment to the plans and the associated landscaping details, none raised any material considerations in addition to those previously raised (as listed above).
42. A number of objections were made which do not constitute material planning considerations, including loss of views, loss of property value and matters controlled by building regulations.

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

43. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD 2011 also sets out the guidance for rear extensions which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

Impact on No. 122 Court Lane

44. The room within No. 122 Court Lane that is most likely to be affected by the proposed development is the conservatory. The upper half of the side return wall of the conservatory is glazed, as is the upper half of the rear (south) wall. The roof is also glazed. Below is an assessment of the impact on this room:

Outlook and sense of enclosure

45. The relationship between the conservatory at No. 122 Court Lane and the proposed rear extension at No. 124 Court Lane is such that an uninterrupted 45 degree visual splay would be retained for a person looking out of any part of the conservatory's glazed south wall. As such, the outlook to the south would in no way be affected by the proposal.
46. The side (east) wall of the conservatory already looks out partly towards No. 124 Court Lane's two-and-a-half storey high side elevation, and as such there is an established sense of enclosure. Existing shrubbery on the boundary separating the two properties has a roughly consistent height of 2.80 metres above the ground level. Taking into

consideration that the west elevation of the extension at No. 124 Court Lane would be 3.60 metres high and would be set back 1.30 metres behind the existing boundary screening, it is considered that the extension would only possess at the very most a limited degree of visibility above the top of the shrubbery. There would, therefore, be no appreciable change to the existing sense of enclosure.

47. Given that the primary outlook from the conservatory (i.e. to the south) would be unaffected by the proposed development at No. 124 Court Lane, the protection of the outlook from the conservatory to the east is not so determinedly sought. Nevertheless, and as explained in the preceding paragraph, the existing outlook to the east (i.e. toward the boundary shrubbery) would not be altered to a degree that harm would be caused to the quality of outlook from the conservatory at No. 122 Court Lane.

Receipt of daylight / overshadowing

48. Given that the rear of No. 122 Court Lane faces almost due south, it is considered that the proposed extension would have some impact on the amount of light currently received by the conservatory at No. 124 Court Lane.
49. However, any loss of light would only be experienced in the early part of the day; beyond early-afternoon, it is not considered that there would be any impact on the conservatory at No. 122 Court Lane. Furthermore, the conservatory roof is entirely glazed and the upper half of the south elevation is glazed. Taking this into consideration in combination with the relatively substantial separation distance of 2.95 metres between the east elevation of No. 122's conservatory and the west elevation of the proposed extension, it is considered that any consequential loss of light to the conservatory would be minimal. As such, the proposal does not raise significant concerns with regard to the loss of light and overshadowing to this neighbouring property.
50. This is supported by a daylight test which was carried out (as per the guidelines set out in the 2015 Technical Update to the Residential Design Standards SPD) by this planning officer to ascertain the impact of the proposed extension on the level of daylight received to the glazing in the east elevation of the conservatory (i.e. the windows facing the proposed extension) at No. 122 Court Lane. Due to the 'stepped down' design of the extension close the boundary with No. 122 Court Lane, the daylight test revealed that only the top 0.25 metres of the proposed return (west) wall would rise above the 25 degree line. This is not significant, and as such it is considered that there any consequential overshadowing to the conservatory at No. 122 Court Lane would be minimal.

Loss of privacy

51. The proposed extension incorporates one window that faces west towards No. 122 Court Lane. However, this aperture is high-level with a cill no lower than 2.15 metres above the finished floor level of the host room. As such, the window would serve solely to allow for the penetration of daylight into the host room. Therefore, no loss of privacy is anticipated to No. 122 Court Lane.
52. The proposed two-level terrace to the rear of the proposed extension would, at its closest, be 5.85 metres from the boundary with No. 122 Court Lane.
53. The drawings indicate and it is reasonable to assume that the lower terrace area — which, at 28.8 square metres, is significantly larger than the 11.0 square metre upper terrace area— would serve as the principal area for sitting and dining outdoors. The lower terrace area would be raised 0.65 metres above the garden level, which is not considered significant. Taking these factors into consideration in combination, no

increased opportunity would be afforded for an individual to look from the proposed terrace towards any windows at No. 122 Court Lane.

54. The upper level of the terrace would not be the principal area for sitting and dining outdoors, and thus is unlikely to be heavily used. At 1.25 metres deep, the upper level would not be sufficiently deep to offer any opportunity to look back towards any windows at No. 122 in any way that would result in a material loss of privacy.
55. The proposed balcony has a floor area exactly the same as the existing balcony, and as such there would be no opportunity for overlooking in excess of that which already exists.

Impact on No. 126 Court Lane

56. The only window at No. 126 Court Lane that would possibly be affected by the proposed development at No. 124 Court Lane would be the ground floor window to the rear of No. 126's two-storey garage wing.

Outlook and sense of enclosure

57. The proposed extension at No. 124 Court Lane would project beyond the rear wall of the main part of the dwellinghouse by less than the existing lean-to extension. While the extension would have an almost identical maximum height to the existing lean-to, it would be slightly higher overall owing to it being flat roofed rather than monopitch. It is considered that the increase in overall height is compensated for by the reduction in depth and that the difference in mass, scale and impact of the proposed replacement would be barely perceptible. Further, the extension is set away from the boundary with No. 126 Court Lane by 0.95 metres. Thus, no material increased sense of enclosure to No. 126 Court Lane would arise as a result of this proposal.
58. The separation distance between the side (east) elevation of the proposed extension at No. 124 Court Lane and the centre of the nearby window at No. 126 Court Lane would amply ensure that a 45 degree visual splay would be retained for this window. As such, the outlook from this window would in no way be affected.
59. There are two ground floor windows in the side elevation of No. 126 Court Lane. These already look onto the existing blank side (east) wall of No. 124 Court Lane. The proposed works would in no way alter this existing outlook. In any case, a recently-approved planning application at No. 126 Court Lane (Ref.: 16/AP/0119) indicated that these windows would be infilled with brick as part of future building works.
60. No other windows at No. 126 Court Lane would have their current outlook impinged in any way.

Receipt of daylight / overshadowing

61. As per the previous 'Outlook and Sense of Enclosure' section, the proposed extension, although slightly higher, is not as deep as the existing lean-to. On balance, there would be a barely perceptible change to the existing relationship between No. 124 Court and No. 126 Court Lane. As such, no concerns are raised with regard to daylight and overshadowing.

Loss of privacy

62. The only side-facing window incorporated into the proposal is the one leaded window at ground floor level in the east elevation. The window would serve a hallway and internally a staircase would be located adjacent to the window. As such, views out of

the window would be restricted. Furthermore, an existing window is located directly above this proposed window at first floor level (from which views are not restricted), and as such there is an existing pattern of overlooking from this part of the east elevation towards No. 126 Court Lane.

63. The proposed two-level terrace to the rear of the proposed extension would be, at its very closest, 2.30 metres away from the boundary separating No. 124 Court Lane from No. 126 Court Lane. The main sitting and dining area would be on the lower part of the terrace, which is elevated above the rear garden level by a relatively modest 0.65 metres. There is also a good degree of screening provided by the existing boundary treatments between No. 124 Court Lane and No. 126 Court Lane. No opportunity would therefore be afforded to look from either level of the proposed terrace back towards any window at No. 126 Court Lane to such a degree that a harmful loss of privacy would be caused to this neighbouring property.

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

64. As the property is located within a predominantly residential area, no conflict of use is anticipated that would curtail the users and occupiers from making full use of the proposed development.

Quality of the proposed additional residential accommodation

65. The playroom in the proposed basement is one of two proposed rooms that would have a limited outlook and receipt of daylight. However, on balance, the combination of the patio doors in the western part of the room and the light channel (connected to the rooflight at ground floor level) to the eastern part of the room is considered to provide a satisfactory level of residential amenity for the users of the room. It should also be noted that this is not the primary living space for the property, and that a number of living/family spaces would be retained on the ground floor level of the dwellinghouse.
66. The front bedroom to be accommodated within the proposed loft conversion is the one other room where concerns lie with regard to residential amenity. This room, to possess a floor area of 27.81 square metres, would have an outlook only from one eye-level vertical plane aperture. This aperture would have a relatively small surface area of 0.3 metres. However, the room would be served by two rooflights, one of which—with a glazed area of 2.0 square metres—would be sizeable. On balance, it is considered that the provision of the skylights satisfactorily compensates for the limited outlook, and that an acceptable degree of residential amenity would be afforded.

Transport issues

67. Saved Policy 5.2 seeks to ensure new development would not have a significant transport impacts and makes adequate provision for servicing, circulation and access to and from the site.
68. The proposal does not seek to alter the existing parking arrangement. The garage will be retained and, while the construction of the proposed lightwells would result in a small loss of front amenity space, the existing driveway area would largely remain unaffected. Therefore, the proposal complies with Saved Policy 5.2.

Design issues

69. Strategic Policy 12 of the Core Strategy (2011) seeks to achieve the highest possible standards of design for buildings. Saved Policies 3.12 'Quality in Design' and 3.13

'Urban Design', together, seek to achieve high quality architectural and urban design which enhances the quality of the built environment. The Council's Residential Design Standards 2011 provides general guidance on residential extensions to harmonise their scale, impact and architectural style. Section 7 paragraph 56 of the NPPF states that good design is a key aspect of sustainable development while paragraph 58 goes on to states that *'planning policies and decisions should aim to ensure that developments... respond to local character and history and reflect the identity of local surroundings and materials'*.

Front lightwells

70. The front basement lightwells would be located below ground level, and the 0.15 metre parapet projection and associated grille would provide a form of enclosure of suitably minimal visual impact. The property is set back a good distance from the highway behind shrubbery and fencing. It is therefore considered that the lightwells would be largely screened from view and inflict visual harm on neither the host property nor the wider street scene.

Chimney

71. The proposed instatement of a chimney stack would broadly mirror the location of the chimney stack on the opposite side of the dwellinghouse. Furthermore, it would be faced with in-keeping materials and would not protrude higher than the existing chimney stacks. The west elevation of the property is less exposed to views from the public highway than the east and north elevations and as such it is considered that the chimney would not possess a visual prominence harmful to either the character and appearance of the house or to the wider street scene.

Roof infill and rear dormer

72. The proposed roof infill would result in the loss of the existing valley-shaped appearance of the roof when viewed from the rear. The rear of the roof can be seen from Dulwich Park, an extensive public space located to the south of the dwellinghouse. The infill would not be visible from any public highway vantage point to the north between due east and due west.
73. When viewed from Dulwich Park, the property is seen alongside the other 8 properties which form a row along the southern side of Court Lane, and all of which have roof forms defined at the rear primarily by a south-facing rear roof slope. The proposed development at No. 124 Court Lane would remove the valley shape to create a south-facing rear roof slope. As such, it is considered that this roof alteration would be in-keeping with the style of the existing roof forms to either side. Furthermore, the roof form would retain its general hipped appearance owing to no changes being proposed to the existing east and west roofslopes. On balance, therefore, it is considered that the roof infill would neither appear out-of-character with many of the other dwellinghouses in the row nor possess an incongruous degree of visibility.
74. The flat-roofed section of the proposed infill would not be visible from public space vantage points and as such no design concerns are raised by this aspect of the proposal. The rooflights would be conservation rooflights, which means they would have a minimal projection above the plane of the flat roof, and as such would be considered acceptable.
75. The proposed dormer would be similar to others that exist to the roofs of neighbouring properties. It would also be satisfactorily small in scale so as to appear subservient to the host roof.

Ground floor rear extension

76. Owing to a combination of the extension's relatively modest depth beyond the rear elevation of the main dwellinghouse, and none of the development concealing the first floor part of the elevation, it is considered that the extension would appear subservient to the host dwellinghouse.
77. The use of materials would be in-keeping with the host dwellinghouse. The zinc cladding to the roof is considered acceptable.
78. While the amount of glazing and the shape of some of the apertures represents a departure from the rather more conventional character of the existing openings on the property, these changes are not considered to detract harmfully from the property.
79. This extension is restricted to the rear of the property and has a maximum height that is sufficiently low to ensure no views of the proposal would be possible from any public vantage point.

Basement extension

80. An area of wall would be added to the rear elevation in line with the creation of the proposed basement extension. A set of doors would be installed to this area of wall, allowing for views out and access onto the sunken terrace. It is not considered that the creation of this additional area of rear wall would undermine the character, appearance, proportions and balance of the host property.
81. The basement extension and ground floor extension have been design to appear as one consolidated additional element to the property. This 'tying together' of the two extensions is welcomed from a design perspective.

Other alterations

82. The reshaping of the oriel window and the installation of the diamond shape window are both considered acceptable as neither would cause harm to the character and appearance of the dwellinghouse.

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

83. Saved Policy 3.16 'Conservation areas' asserts that within conservation areas, development should preserve or enhance the character or appearance of the area. Saved Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites', states that Permission will not be granted for developments that would not preserve or enhance:
 - i. The immediate or wider setting of a listed building; or
 - ii. An important view(s) of a listed building; or
 - iii. The setting of the Conservation Area.

The immediate or wider setting of a listed building

84. The only parts of the proposed development that could potentially be seen within the same context as Court Lane Gate, the nearby listed structure, are those to the front of the property. Of these alterations, the basement lightwells and the chimney have the greatest impact. However, it is considered that neither would possess a visual prominence or incongruity of sufficient degree to fail to preserve the wide setting of Court Lane Gate.

85. For the reasons given in the 'Design Issues' section of this report (in summary, the use of contextually-sympathetic materials and the respect shown by the design for the style and form of the local roofscape and other rear extensions), it is not considered that the development to the rear of the property would in any way fail to preserve the wider setting of Court Lane Gate.

An important view(s) of a listed building

86. For the reasons given in the section above, it is not considered that any important views of listed buildings would be affected by the proposed development.

The setting of the conservation area

87. The proposal complies with the guidelines set out in the Dulwich Village Conservation Area Appraisal, the Dulwich SPD, and the 2015 Technical Update to the Residential Design Standards 2011. It is therefore not considered that the character and appearance of the conservation area would be in any way harmed by this proposal.

Impact on trees

88. As confirmed by the Urban Forrester, no trees of significance to amenity are to be affected by the development.

Consultations

89. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1. The responses are summarised under paragraphs 39 - 43 above.

Public reconsultation

90. The original development under which neighbours and members of the public were notified read as follows:

"Extension to existing basement involving the lowering of the existing floor level; erection of a rear single-storey ground floor extension; erection of a dormer roof extension in side (east) elevation; erection of a dormer roof extension in rear (south) elevation; installation of new window in front gable; replacement of front garage door with new garage door; installation of x2 new windows in rear elevation at first floor level; alterations to first floor rear windows; and installation of balcony."

91. The original development description did not, however, account for all of the proposed changes. Accordingly, re-consultation letters were sent to neighbours to ensure that they were fully consulted on all aspects of the proposal. The re-consultation period ended on 12/02/2016, before the expiry date of the application. The amended development description under which reconsultation was carried out read as follows [additions/alterations underlined]:

"Extension to existing basement involving the lowering of the existing floor level and creation of front lightwells; erection of a rear single-storey ground floor extension; erection of a 'wall dormer' roof extension to the side (east) elevation; erection of a dormer roof extension to the rear (south) elevation; installation of x1 new window to front gable and x1 new window to rear gable; replacement of front garage door with new garage door; construction of chimney; installation of x1 new window in side (east) elevation at ground floor level; installation of x2 new windows in rear elevation at first floor level; and

alterations to existing balcony."

92. The design was amended a number of times following this reconsultation in direct response to the neighbour objections. However, as all the changes represented a decrease in the proposal's impact, the issuing of further reconsultation letters was not deemed necessary.
93. While the re-consultation period officially ended on 12/02/2016, comments from members of the public were accepted up to the date of the submission of this report. Particular effort was made to ensure that previous complainants were given the opportunity to comment on the final amendment of the proposals before report submission; the Council received these complainants' final comments on March 29th 2016 and the officer's recommendation was made thereafter. As such, no member of the public was prevented from submitting formal comments on the proposal or any of its amendments.
94. The development description was amended as of the date of report submission to redact all of the aspects of the original proposal for which planning permission was no longer being sought.

Internal consulteesDesign and conservation

95. Southwark Council's Design and Conservation team was approached for comments on the proposal. They initially objected to the scheme, and their comments were passed to the agent acting on behalf of the applicant.
96. Amended drawings were thereafter submitted by the agent. The Design and Conservation team raised no objection to the scheme, issuing the following comments:

"The application, as amended, provides an improved ground floor arrangement by removing the pitched roof element and the dormer window is much improved. The ground floor element also reflects the three sections of the rear elevation in style and has sympathetic red brick to match the brick corbels above.

Whereas the roof valley infill is substantial, the original ridge line [would be maintained] and [the infill] will not be visible from a public point of access. The roof lines here are also variable with no distinctive form and so the proposal will not result in significant change to the character of the area.

It is likely that the light wells must be larger to satisfy policy requirements but the size of the front garden can contain them comfortably. However, indicative railings should be shown on plans to show their impact or horizontal railings could be provided if horizontal railings would appear uncomfortable.

As such, the proposal would preserve the character and appearance of the Conservation Area."

97. Amended drawings were submitted following receipt of the above comments from the Design and Conservation team. In line with the advice, these drawings depicted enlarged lightwells and railings. Neighbours were given the opportunity to comments on these changes.

Flood risk management

98. Southwark Council's Flood Risk Management team was consulted following the submission of a Basement Impact Assessment (BIA). The BIA assessed all matters required by the Flood Risk Management team including impact on: groundwater conditions; surface water conditions; archaeology, and; building structures arising from ground movement.
99. The Flood Risk Management team reviewed the BIA and had no comments or objections. Their response stated that "the information provided satisfactorily addresses all flood and drainage concerns".

Urban forrester

100. The Urban Forrester was consulted on the application as some young existing specimens would be removed as part of the proposal works. The Urban Forrester issued the following comments:

"No trees or landscape of significance to amenity are affected. However, further details of the proposed screening should be provided via condition."

101. Accordingly, a condition written and supplied by the Urban Forrester has been attached to this recommendation for approval.

Dulwich estate

102. The Dulwich Estate contacted the Local Planning Authority by telephone on April 6th to confirm that the Estate had approved the application subject to no conditions.

Conservation Areas Advisory Group for Southwark

103. The Conservation Areas Advisory Group provided the following consultation response:

"It was understood that the Dulwich Society had looked at and commented on this scheme and, in view of time constraints the panel recommended that their views should be adopted in this case."

Conclusion on planning and other issues

104. For the reasons given above, the proposed development at No. 124 Court Lane would not harmfully affect the amenity currently enjoyed by neighbouring properties and would contribute positively to the character and appearance of the subject property. The proposal would not harmfully impact upon the character and appearance of either the Dulwich Village Conservation Area or the neighbouring Dulwich Wood Conservation Area. Furthermore, it is not considered that the development would in any way fail to preserve the wider setting of Court Lane Gate.
105. The proposal is therefore in compliance with: the National Planning Policy Framework, in particular Sections 7 ('Requiring Good Design') and 12 ('Conserving and Enhancing the Historic Environment'); Policy 7.4 ('Local Character') and Policy 7.6 ('Architecture') of the London Plan (as consolidated 2015); Strategic Policy 12 ('Design and Conservation') and Strategic Policy 13 ('High Environmental Standards') of the Core Strategy 2011; Saved Policies 3.2 ('Protection of Amenity'), 3.12 ('Quality in Design'), 3.13 ('Urban design'), 3.16 ('Conservation Areas'), 3.17 ('Listed Buildings'), 3.18 ('Setting of Listed Buildings, Conservation Areas and World Heritage Sites') and 5.2 ('Transport Impacts').
106. The proposal also accords with the 2015 Technical Update to the Residential Design

Standards Supplementary Planning Document (2011), the Dulwich Supplementary Planning Document (July 2013) and the Dulwich Village Conservation Area Appraisal (February 2006).

107. With no material considerations indicating against the proposal, the application is recommended for approval.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2563-124 Application file: 15/AP/5134 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5535 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Human Rights
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Patrick Cronin, Planning Officer	
Version	Final	
Dated	14 June 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 June 2016

APPENDIX 3**Human Rights Considerations**

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 accommodation. 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.

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 Andrew McMellin	Reg. Number	15/AP/5134
Application Type	Full Planning Permission	Case	TP/2563-124
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Extension to existing basement involving the lowering of the existing floor level and creation of front lightwells; erection of a rear single-storey ground floor extension; erection of a dormer roof extension to the proposed rear (south) roofslope; installation of x1 new window to front gable and x1 new window to rear gable; replacement of front garage door with new garage door; construction of chimney; installation of x1 new window in side (east) elevation at ground floor level; and alterations to existing balcony.

At: 124 COURT LANE, LONDON, SE21 7EA

In accordance with application received on 23/12/2015 08:01:03

and Applicant's Drawing Nos. Completed Application Form

Existing Plans:

8306-A3-E(20)001 - Rev A - OS Map
8306-A3-E(20)002 - Rev A - Existing Site Plan

8306-A3-E(20)100 - ExistingBasementPlan
8306-A3-E(20)100 - ExistingGroundFloorPlan
8306-A3-E(20)101 - ExistingFirstFloorPlan
8306-A3-A.09 - Rev A - Existing Roof Plan

8306-A3-E(20)200 - ExistingSectionAA
8306-A3-E(20)300 - Rev A - ExistingElevations

Proposed Plans:

8306-A3-P(20)001 - Rev C - Proposed Site Plan

8306-A3-P(20)100 - Rev D - Basement [Proposed]
8306-A3-P(20)101 - Rev D - Ground Floor [Proposed]
8306-A3-P(20)102 - Rev D - First Floor [Proposed]
8306-A3-P(20)103 - Rev D - Loft Floor [Proposed]
8306-A3-P(20)104 - Rev D - Roof Plan [Proposed]

8306-A3-P(20)200 - Rev D - Section AA [Proposed]
8306-A3-P(20)201 - Rev E - Section BB [Proposed]
8306-A3-P(20)300 - Rev D - South Elevation [Proposed]
8306-A3-P(20)301 - Rev D - North Elevation [Proposed]
8306-A3-P(20)302 - Rev E - East Elevation [Proposed]
8306-A3-P(20)303 - Rev E - West Elevation [Proposed]

Proposed Landscaping Drawings:

MP01124CL0116.Ground.RevD - Master Plan - Ground Floor
MP01124CL0116.Basement.RevD - Master Plan - Basement Lightwell
MP01124CL0116.EAA.RevD - Elevation AA (Ground)

MP01124CL0116.SouthRenderD - Elevation BB (South)
 MP01124CL0116.ECC.RevD - Elevation CC (Basement)
 MP01124CL0116.EastRenderD - Elevation East
 MP01124CL0116.West RenderD - Elevation West
 MP01124CL0116.EBB.RevD - Elevation BB (South)

Other drawings and documents:

Appendix 1 - Original Drawings from 1908
 8306-A3-E(20)500 - ExistingPhotographs
 Design and Access Statement - Rev A
 Parking Provision Letter

Subject to the following four 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:

8306-A3-E(20)001 - Rev A - OS Map; 8306-A3-P(20)001 - Rev C - Proposed Site Plan; 8306-A3-P(20)100 - Rev D - Basement [Proposed]; 8306-A3-P(20)101 - Rev D - Ground Floor [Proposed]; 8306-A3-P(20)102 - Rev D - First Floor [Proposed]; 8306-A3-P(20)103 - Rev D - Loft Floor [Proposed]; 8306-A3-P(20)104 - Rev D - Roof Plan [Proposed]; 8306-A3-P(20)200 - Rev D - Section AA [Proposed]; 8306-A3-P(20)201 - Rev E - Section BB [Proposed]; 8306-A3-P(20)300 - Rev D - South Elevation [Proposed]; 8306-A3-P(20)301 - Rev D - North Elevation [Proposed]; 8306-A3-P(20)302 - Rev E - East Elevation [Proposed]; 8306-A3-P(20)303 - Rev E - West Elevation [Proposed]; MP01124CL0116.Ground.RevD - Master Plan - Ground Floor; MP01124CL0116.Basement.RevD - Master Plan - Basement Lightwell; MP01124CL0116.EAA.RevD - Elevation AA (Ground); MP01124CL0116.SouthRenderD - Elevation BB (South); MP01124CL0116.ECC.RevD - Elevation CC (Basement); MP01124CL0116.EastRenderD - Elevation East; MP01124CL0116.West RenderD - Elevation West; MP01124CL0116.EBB.RevD - Elevation BB (South)

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 above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, 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 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 the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National

Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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.

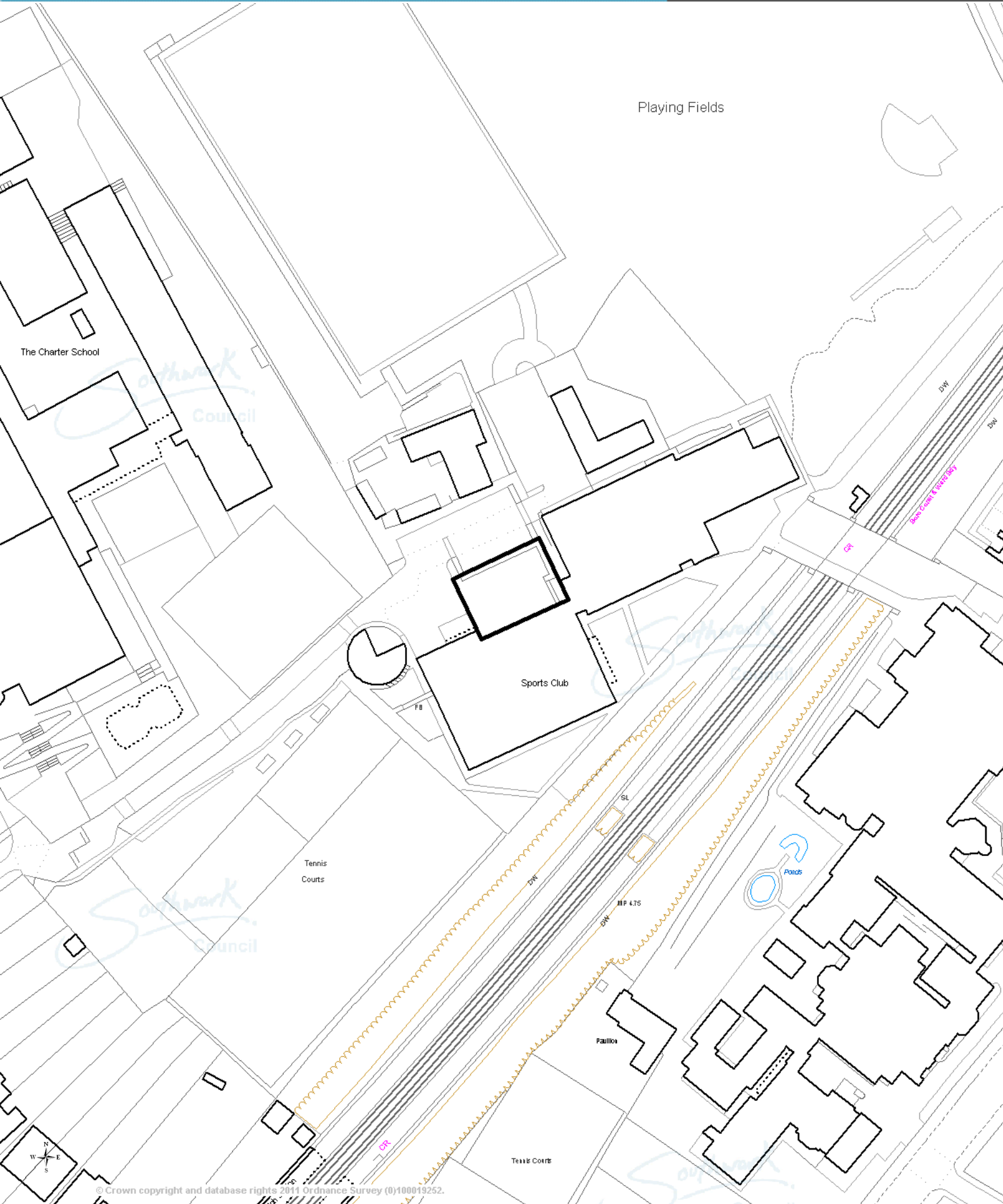
- 4 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

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

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.



Item No. 7.3	Classification: Open	Date: 28 June 2016	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/1050 for: Full Planning Permission Address: JAGS SPORTS CLUB, RED POST HILL, LONDON SE24 9JN Proposal: Construction of a single storey pavilion to accommodate a cafe (A3 Use Class) and associated landscaping		
Ward(s) or groups affected:	South Camberwell		
From:	Director of Planning		
Application Start Date	31/03/2016	Application Expiry Date	26/05/2016
Earliest Decision Date 30/04/2016			

RECOMMENDATION

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

BACKGROUND INFORMATION

2. This application is reported to Planning Sub-Committee B as it concerns Metropolitan Open Land (MOL).

Site location and description

3. The site comprises a landscaped area to the front of The Jags Sports Centre adjacent to its carpark. The sports centre provides sport facilities for members of the general public and the students of the Charter School and James Allen's Girls School.
4. The site is designated as Metropolitan Open Land. It is noted that a mature Beech is present near to the site.

Details of proposal

5. Erection of a single storey cafe (A3 use) pavilion building internally connected to the Jags Sports Club.
6. The proposed building would be externally finished in render. Aluminium framed windows and a flat roof sedum 'green roof' are proposed.

Maximum height: 3.24metres
 Depth: metres: 6.53metres
 Width:15.36metres
 Total floor area: 90m2

7. A small terrace covered by a roof overhang is proposed to the west elevation. The overhang would measure 1.5metres.

8. The cafe will operate cafe within the hours of 09:00-21:00 (Monday - Friday) and 08:00-18:00 (Saturday - Sunday).
9. Hard landscaping in the form of gabion walls as well as ventilation is proposed.

Planning history

10. 13/AP/2874 - Three storey side extension to block A on north-east area of site to provide for 9 additional classrooms (phase 2). Approved 27/11/2013.
11. 12/AP/2136 - Erection of an infill extension at first floor level and erection of an additional floor at second floor level to existing block A on eastern side of the school site

Planning history of adjoining sites

12. None of direct relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

13. The main issues to be considered in respect of this application are:
 - a) The principle of the development, with reference to preserving the openness of the Metropolitan Open Land and conformity of the proposed land use;
 - b) The impact on nearby residents and users of the Charter School;
 - b) Whether the proposal is acceptable in design terms; and
 - c) Whether the proposal would have an acceptable impact on biodiversity and trees.

Planning policy

14. National Planning Policy Framework (the Framework)
 Section 7 - Requiring good design
 Section 9 - Protecting Green Belt land
 Section 11 - Conserving and enhancing the natural environment
15. London Plan July 2015 consolidated with alterations since 2011
 Policy 7.17 Metropolitan Open Land
 Policy 7.19 Biodiversity and access to nature
 Policy 7.4 - Local Character
 Policy 7.6 - Architecture
16. 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
17. The Council's cabinet on 19 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 3.25 Metropolitan open land
 Policy 3.28 Biodiversity
 Policy 5.2 - Transport Impacts

Principle of development

18. The application site forms part of the Borough's network of Metropolitan Open Land (MOL), whereby the policy context at all tiers aims to keep such spaces open and free from development, except (within the context of this proposal) where the proposal is considered to represent 'appropriate development' and would preserve the openness of the MOL. In particular, Policy 7.17 of the London Plan states '*Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL*'. The policy explains that small scale structures to support outdoor open space uses and minimise any adverse impact on the openness of MOL are considered to represent appropriate development.
19. The proposal would see the erection of a single storey pavilion building. This building would serve an ancillary function to the existing sports centre offering cold and warm drinks and a limited food offering to users and members of the sports club.
20. Positioned within the envelope of the existing sports club and surrounding school and sports buildings the proposed building would not appear prominent within the context of the wider school campus. Occupying an under utilised landscaped area, the proposed pavilion would see an enhancement of the immediate area, offering users and members an informal meeting space ancillary to the existing use.
21. Therefore whilst the building would result in the loss of some Metropolitan Open Land, the land lost would be insignificant within the context of both the openness of the MOL and within the functional open area. The proposed landscaping would offer an enhancement to the immediate site whilst the tree protection measures would ensure the retention of the important Beech tree. To ensure that the intended A3 use is retained and not lost to other uses without planning permission, a condition removing permitted development rights should be imposed.

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

22. The proposed pavilion cafe building would be positioned away from any sensitive uses. Adjacent to the sports centre any limited noise generation from users of the outdoor seating area would be sufficiently contained. Importantly good separation distancing of over 40metres between the proposed building and the nearest school building would be achieved. Proposed hard landscaping in the form of gabion walls would partially obscure any views of the outdoor seating area.
23. Any ventilation would be sufficiently positioned away from any adjoining sensitive or residential properties. This separation distance in excess of 20metres would allow for adequate odour dispersal. Given the intended A3 use and the significant separation between the building and nearby sensitive residential uses it is considered that the

proposed ventilation would not harm the amenity of the occupiers or users of any nearby properties.

24. The proposed opening hours are considered appropriate. These hours would match those of the sport centre. As such the operation of the proposed cafe within the hours of 09:00-21:00 (Monday - Friday) and 08:00-18:00 (Saturday - Sunday) would not have a material impact beyond the established use.

Transport issues

25. The proposed building and A3 cafe use would not result in an increased level of trip generation. The cafe would offer facilities to existing users and members. This ancillary function would, given the presence of controlled member only vehicle and pedestrian access coupled with the distance from Red Post Hill would sufficiently prevent the A3 cafe from serving the general public.
26. The proposal would not result in a significant increase in refuse and servicing beyond the existing arrangement which in place for the sports centre. Refuse storage areas would sufficiently accommodate any increases in waste. Waste collection vehicles would still access the site.

Design issues

27. The proposed building and landscaping would help enhance the appearance of the site. A high quality modern building of an appropriate scale is proposed. A simple flat roof design, exposed steel frames, large glazed aluminium framed openings, white render and a sedum roof would contribute to help to achieve a high quality modern external finish.
28. It is considered that the proposed building would be of a standard of design which complements the existing sports centre. The Pavilion would also offer improved legibility to the front entrance of the sports centre.

Impact on trees

29. The proposed extension is within close proximity to a mature Beech tree shown as 'T1' on the plans. This Beech tree offers significant amenity value to the MOL.
30. The mature Beech tree (T1) would be vulnerable to root disturbance and severance. The Impacts Assessment notes that deep strip foundations or sheet piling could have a significant detrimental impact on the health of T1.
31. The Impacts Assessment recommends that investigations are undertaken to determine the extent of rooting activity beneath the footprint of the proposed new building so that the impact can be properly assessed and appropriate mitigation measures established (including the possible use of bespoke foundations).
32. It is advised that a proposal could be accommodated in this location subject to detailed exploration works and bespoke foundations. Conditions requiring exploration and protection measures would sufficiently ensure the health of the Beach tree. These conditions should be imposed

Planning obligations (S.106 undertaking or agreement)

33. The building is internally connected to the existing sports centre. Being ancillary to the function of the sports centre and internally connected the proposal is classified as an extension. The proposed additional floor space would be under the 100m²

threshold. As such a Mayoral or Southwark CIL charge is not triggered.

Conclusion on planning issues

34. The proposal would preserve the openness of the MOL being positioned within the curtilage of an existing building. Provided that conditions are attached to any permission and development is undertaken in accordance with necessary mitigation measures the proposal would not harm the health of the adjacent Beech tree. It is not considered that the proposal would harm the amenity of the users of adjoining school buildings. Given the ancillary function of the proposed cafe and the restricted member only pedestrian and vehicular access into the site the proposal would not introduce a commercial public facing operation.
35. Members are therefore recommended to approve the application subject to conditions.

Community impact statement

36. 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.
37. The impact on local people is set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

40. No external responses were received.

Internal

41. Urban forester - Support application subject to imposition of exploratory and compliance conditions.

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 providing an ancillary A3 cafe. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2100-A Application file: 16/AP/1050 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5976 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Lewis Goodley, Senior Planning Officer	
Version	Final	
Dated	8 June 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 June 2016

APPENDIX 1**Consultation undertaken****Site notice date:** 07/04/2016**Press notice date:** n/a**Case officer site visit date:** 13/05/2016**Neighbour consultation letters sent:** n/a**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a**APPENDIX 2****Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

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	JAGS Community Enterprises Ltd	Reg. Number	16/AP/1050
Application Type	Full Planning Permission	Case	TP/2100-A
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a single storey pavilion to accommodate a cafe (A3 Use Class) and associated landscaping.

At: JAGS SPORTS CLUB, RED POST HILL, LONDON, SE24 9JN

In accordance with application received on 21/03/2016 08:01:48

and Applicant's Drawing Nos. 325-100 Revision P03,

325-100-01 - Revision P04,

325-100-02 - Revision P02,

325-111 - Revision P02,

325-112 - Revision P02,

325-200 - Revision P04,

325-201 - Revision P04,

325-211 - Revision P04,

325-212 - Revision P04,

325-221 - Revision P04,

325-360 - Revision P02,

325-361 - Revision P02,

CCL 09477/IAP - Revision 1,

CCL 09477/TPP - Revision 1,

CCL09477/TCP - Revision 1,

Mechanical electrical and public health scheme - Design Report Stage 2,

Tree schedule

Subject to the following seven 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:

325-200 - Revision P04,

325-201 - Revision P04,

325-211 - Revision P04,

325-212 - Revision P04,

325-221 - Revision P04,

325-360 - Revision P02,

325-361 - Revision P02

Reason:

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

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.

- 3 Prior to works commencing, including any demolition, a scheme of supervision and monitoring for the arboricultural protection measures contained within an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of facilitative pruning specifications and the supervision schedule overseen by an accredited arboricultural consultant.

Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

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 avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12; London Plan policy 5.10 Urban greening, 7.19 Biodiversity 7.21 Trees and woodlands; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 4 Before any work hereby authorised begins details of the foundation works including changes to levels to be used in the construction of this development, showing how the roots of T1 will be protected, shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include the use of trial holes or trenches to check for the position of roots. The development shall not be carried out otherwise than in accordance with any such approval given. All works shall adhere to BS5837: Trees in relation to demolition, design and construction (2012) and National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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 use hereby permitted shall not be carried on outside of the hours 09:00 to 21:00 on Monday to Friday or 08:00 to 18:00 on Saturday to Sunday.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 6 Notwithstanding the provisions of Use Class A3 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) the use hereby permitted shall not include any use other than for Use Class A3.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 7 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

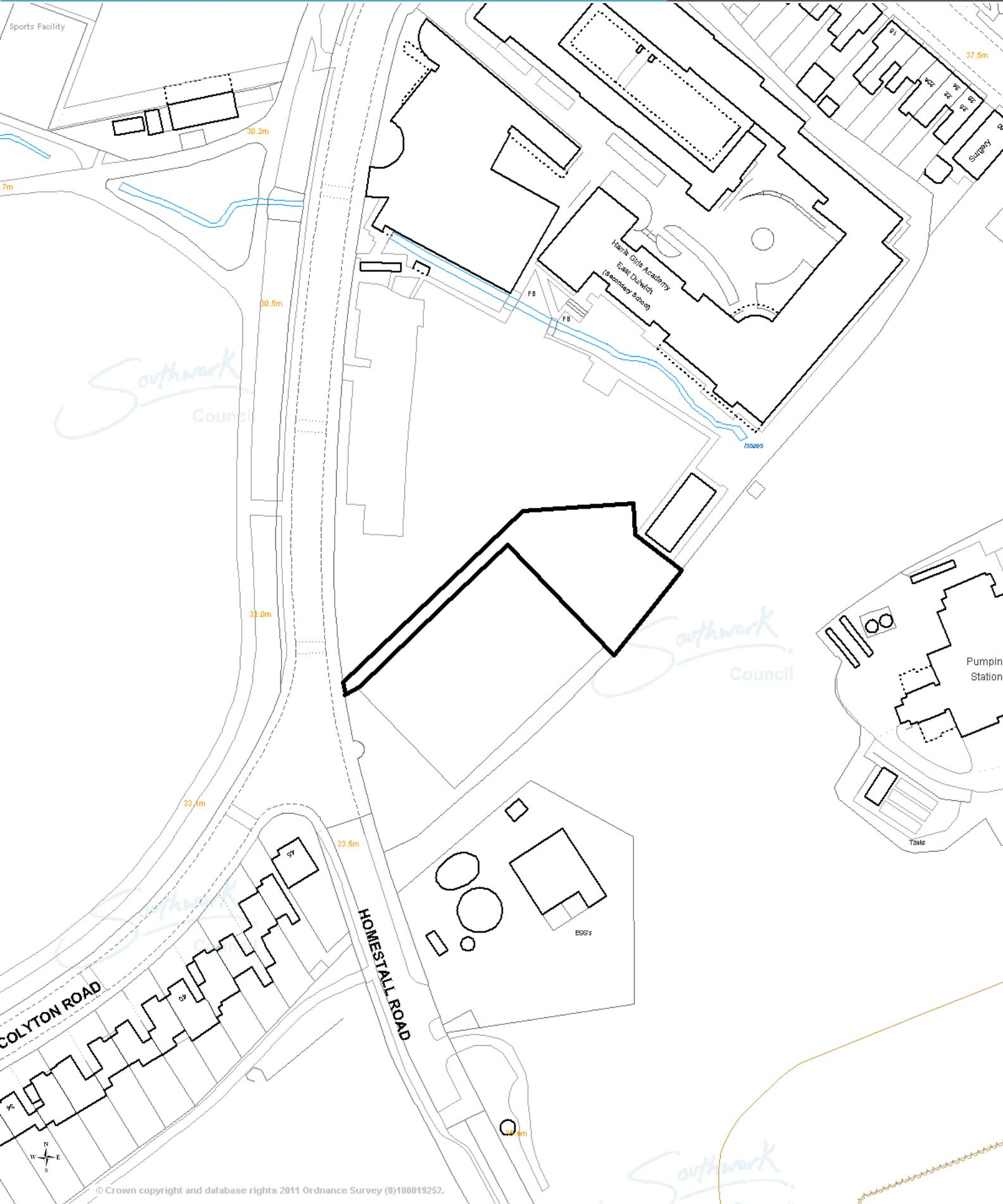
To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design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

Statement of positive and proactive action in dealing with the application

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.

Ordnance Survey

Date 16/6/2016



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Item No. 7.4	Classification: Open	Date: 28 June 2016	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/1875 for: S.73 Vary/remove conds/minor alterations Address: HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON, SE22 0NR Proposal: Variation of Condition 1 of planning permission 14-AP-1655 for: 'Provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007)' to extend the permitted period from 30 September 2016 to 31 January 2017.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 11/05/2016		Application Expiry Date 06/07/2016	
Earliest Decision Date 11/06/2016			

RECOMMENDATIONS

1. That Members consider the application as it involves development on Metropolitan Open Land (MOL) and is a departure from policy; and
2. That members grant planning permission to allow an extension of the existing limited period consent from September 2016 until 31 January 2017.

BACKGROUND INFORMATION

Site location and description

3. Harris Girls Academy (formerly Waverley School) is located on the eastern side of Homestall Road, partly adjoining its junction with Peckham Rye and Cheltenham Road. The site is triangular in shape and approximately 2.4 hectares in area. In terms of levels, the site falls approximately 2.5m from its north-western corner towards the south-eastern corner of the site.
4. The site is designated as Metropolitan Open Land. The northern part of the site contains the Academy buildings. The southern part of the site is used for outdoor play (including a grassed and hard court area) and car parking. The application site utilises the southern part of the grounds adjoining the existing hard court area, and consists of three modular buildings.

Details of proposal

5. Planning permission is sought to retain three modular buildings currently used within

the grounds of the existing Harris Girls Academy as a temporary primary school.

6. Permission was previously granted for the provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) for a limited period until 30th September 2016. Consent is now sought to extend this period until 31 January 2017.

7. **Planning history**

<p>97/CO/1167 Application type: Council's Own Development - Reg. 3 (REG3) Details of reserved matters (elevations, landscaping and foundation design) for outline planning permission 16.4.97 for new sports hall, teaching block & associated facilities. (Not including details of the dining block). Decision date 15/10/1997 Decision: Grant (GRA)</p>
<p>97/CO/1414 Application type: Council's Own Development - Reg. 3 (REG3) Removal of existing closeboard fence to be replaced with a traditional type railing to match existing on top of low brick wall with piers every 10 metres Decision date 12/12/1997 Decision: Grant (GRA)</p>
<p>99/CO/0894 Application type: Council's Own Development - Reg. 3 (REG3) Construction of two-storey dining hall and teaching block and link bridge between it and an existing two-storey building (full planning application pursuant to an outline planning permission granted on 16.4.97). Decision date 14/10/1999 Decision: Grant (GRA)</p>
<p>99/AP/1821 Application type: Approval of Details - Article 30 DMPO (AOD) Details of landscaping, floodlighting and the car park, as required by conditions 4, 6, 8 and 9 of planning permission dated 16/4/97 (LBS Reg. No. 9700182) for the construction of a new sports hall, teaching block and dining hall. Decision date 03/03/2000 Decision: Grant (GRA)</p>
<p>05/CO/0108 Application type: Council's Own Development - Reg. 3 (REG3) External alterations including replacement powder coated aluminium windows and erection of a 3 storey extension to provide an entrance lobby, lift shaft, storerooms and wc's to the science block. Decision date 12/01/2006 Decision: Grant (GRA)</p>
<p>07/AP/0204 Application type: Screening Opinion (EIA) (SCR) Request for an Environmental Impact Assessment Screening Opinion for the proposed education development currently defined as: Creation of a 6th form area Creation of a permanent area for inclusion and SEN unit Refurbishment works to Gibbs House and New House Upgrade works to the assembly hall including the removal of stage and replacement of partitioning doors Refurbishment works to swimming pool Upgrade works to design and technology blocks Decision date 09/02/2007 Decision: Screening Opinion - EIA Regs (SCR)</p>
<p>07/AP/2948 Application type: Full Planning Permission (FUL) Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 01/05/2008 Decision: Granted with Legal Agreement (GWLA)</p>

<p>08/AP/1318 Application type: S.73 Vary/remove conds/minor alterations (VAR) Variation of Condition 12 of Planning Permission 07-AP-2948 dated 1 May 2008 to read:</p> <p>"Prior to commencement of the development a further bat survey, including a minimum of three activity surveys as recommended in the Bat Survey Report shall be undertaken. The findings of the survey and any recommendations shall be submitted to the Local Planning Authority for approval in writing. Should the survey encounter bats, a strategy shall be agreed in writing with the Local Planning Authority in consultation with Natural England as to the most appropriate method for dealing with the protected bats.</p> <p>Reason: To ensure the proposal protects biodiversity in accordance with Policy 3.28 of the Southwark Plan."</p> <p>Decision date 02/07/2008 Decision: Granted (GRA)</p>
<p>09/AP/0803 Application type: Full Planning Permission (FUL) Erection of a two storey building to provide school accommodation for temporary two year period (Class D1). (This application represents a Departure from the Development Plan).</p> <p>Decision date 10/06/2009 Decision: Granted for Limited Period (GFLP)</p>
<p>09/AP/0905 Application type: Approval of Details - Article 30 DMPO (AOD) Details for the refuse storage, including recycable material as required by Condition 4 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.</p> <p>Decision date 15/06/2009 Decision: Granted (GRA)</p>
<p>09/AP/0904 Application type: Approval of Details - Article 30 DMPO (AOD) Details of the new facilities to provided for the secure storage of a minimum of 27 cycles as required by Condition 3 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.</p> <p>Decision date 22/06/2009 Decision: Granted (GRA)</p>
<p>09/AP/1016 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a further bat survey, including a minimum of three activity surveys as required by Condition 12 of planning permission dated 01/06/08 - LBS Registration 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.</p> <p>Decision date 22/06/2009 Decision: Granted (GRA)</p>
<p>09/AP/0775 Application type: Approval of Details - Article 30 DMPO (AOD) Details of the surface drainage works as required by condition 18 of planning permission dated 1/05/2008 LBS.REG.NO. 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDTclassroom block, part</p>

<p>of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom blocks and provision of new refuse bin store to replace existing. Decision date 29/06/2009 Decision: Granted (GRA)</p>
<p>09/AP/0907 Application type: Approval of Details - Article 30 DMPO (AOD) Details of planting including native planting and landscaping treatment, including surfacing materials of any parking, access, or pathways required by Condition 9 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 21/07/2009 Decision: Granted (GRA)</p>
<p>09/AP/0768 Application type: Approval of Details - Article 30 DMPO (AOD) Details of the external facing materials, including doors and windows and details of the proposed bat bricks, swift bricks and house martin nests as required by condition 2 of planning permission dated 1/05/2008 for erection of a new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House blocks and provision of a new refuse bin store to replace existing. Decision date 24/07/2009 Decision: Granted (GRA)</p>
<p>09/AP/1312 Application type: Approval of Details - Article 30 DMPO (AOD) Details of the means by which the existing trees are to be protected from damage from the formation of the concrete paths as required by Condition 2 of planning permission dated 10/06/09 - LBS Registration No 09-AP-0803 for erection of a two storey building to provide school accommodation for temporary two year period (Class D1). (This application represents a Departure from the Development Plan). Decision date 14/08/2009 Decision: Granted (GRA)</p>
<p>09/AP/1550 Application type: S.73 Vary/remove conds/minor alterations (VAR) Variation of condition 3 of planning permission dated 9.6.09 (ref: 09-AP-0803 for the erection of a two storey building to provide school accommodation for temporary two year period) to allow the colour of the building to be white, blue and pale grey. Decision date 01/09/2009 Decision: Granted (GRA)</p>
<p>09/AP/2470 Application type: Approval of Details - Article 30 DMPO (AOD) Partial approval for details of an independently verified BREEM EcoHomes report as required by Condition 8 of planning permission dated 01/05/08 (LBS Registration No 07-AP-2948) for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 22/02/2010 Decision: Granted (GRA)</p>
<p>09/AP/0771 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a protection plan and a method statement detailing the extent of protective works and fencing around the stream and pond as required by condition 15 of planning permission dated 01/05/2008 LBS.REG.NO:07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New</p>

<p>House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing Decision date 25/02/2010 Decision: Granted (GRA)</p>
<p>09/AP/0448 Application type: Approval of Details - Article 30 DMPO (AOD) Details of energy assessment as required by condition 17 of planning permission dated 01/05/2008 LBS.REG.No:07-AP-2948 for erection of a 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing new House classroom and gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 25/02/2010 Decision: Granted (GRA)</p>
<p>10/AP/0869 Application type: Approval of Details - Article 30 DMPO (AOD) Details of facing bricks as required by condition 2 of planning application 07AP2948 dated 01/05/2008 for Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 23/06/2010 Decision: Granted (GRA)</p>
<p>10/AP/2892 Application type: Approval of Details - Article 30 DMPO (AOD) Details for a report detailing steps to minimise the developments future users exposure to air pollution as required by condition 6 of planning application 07-AP-2948: Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 17/12/2010 Decision: Granted (GRA)</p>
<p>10/AP/3277 Application type: Advertisement Consent (ADV) New signage:</p> <ul style="list-style-type: none"> 3 x Flags 1 x Acrylic Menu sign 2 x replacements signs mounted on posts 2 x Signs mounted on brick piers 1 x Built up sign tray on building 2 x Signs within quadrangle 1 x Monolith sign 1 x large etched sign 5 x small etched signs <p>Decision date 20/01/2011 Decision: Granted (GRA)</p>
<p>10/AP/3725 Application type: Full Planning Permission (FUL) Widening of site entrance gates. Decision date 23/03/2011 Decision: Granted (GRA)</p>
<p>11/AP/3440 Application type: Variation: non-material changes (VNMC) Non-Material Amendment to condition 5 (noise) of planning permission 07-AP-2948 (dated 1.5.2008) to delete the requirement for a further noise report to be submitted within one month of the installation of the plant and equipment. Decision date 07/11/2011 Decision: Agreed - for app types VLA & VNMC (AGR)</p>

<p>12/AP/0054 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a Post Construction BREEAM certificate as required by Condition 8 of planning permission dated 01/05/2008 LBS Reg.No.07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 10/02/2012 Decision: Granted (GRA)</p>
<p>12/AP/0406 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a management plan for the biomass boiler as required by Condition 16 of planning permission 07-AP-2948 for: (Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 30/01/2013 Decision: Granted (GRA)</p>
<p>09/AP/0447 Application type: Approval of Details - Article 30 DMPO (AOD) Details of ground investigation as required by condition 7 of planning permission dated 01/05/2008 LBS.REG.No. 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing. Decision date 04/02/2013 Decision: Granted (GRA)</p>
<p>13/AP/0571 Application type: Full Planning Permission (FUL) Single storey extension to the existing Science Block to form new entrance lobby, exhibition space/meeting room. Works include the installation of wall lights/and vents, and a new brick wall. Decision date 29/05/2013 Decision: Granted (GRA)</p>
<p>14/AP/1655 Application type: Full Planning Permission (FUL) Provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007). Decision date 24/07/2014 Decision: Granted for Limited Period (GFLP)</p>
<p>14/AP/3309 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Landscaping and Restoration required by Condition 6 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007). Decision date 04/11/2014 Decision: Refused (REF) Reason(s) for refusal:</p>
<p>14/AP/3308 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Secure and covered storage of cycles/scooters required by Condition 5 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education</p>

<p>use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007). Decision date 12/11/2014 Decision: Granted (GRA).</p>
<p>14/AP/3315 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Landscaping as required by Condition 3 of planning application dated 15/11/2013 [LBS ref no.13AP1700] of construction of a 45.75 x 27.45 m (50 x 30 yard) artificial turf pitch, with associated fencing and floodlighting. Decision date 12/11/2014 Decision: Granted (GRA)</p>
<p>14/AP/3181 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Site investigation and Risk Assessment as required by Conditon 3 of planning application dated 24/07/2014 for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007) Decision date 12/11/2014 Decision: Granted (GRA)..</p>
<p>14/AP/3307 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Arboricultural survey, Protection plan and Method statement required by Condition 4 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007). Decision date 13/11/2014 Decision: Granted (GRA).</p>
<p>15/AP/3435 Application type: Full Planning Permission (FUL) Erection of a canopy to create a covered external space within the sports block courtyard and a canopy over the first floor mezzanine terrace Decision date 23/10/2015 Decision: Granted (GRA).</p>

Planning history of adjoining sites

8. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

9. The main issues to be considered in respect of this application are:
- a) the principle of the continued limited use of the site on Metropolitan Open Land as a school.

Planning policy

10. National Planning Policy Framework (the Framework)
- Chapter 4 Promoting sustainable transport
Chapter 8 Promoting healthy communities
Chapter 9 Protecting green belt land
Chapter 11 Conserving and enhancing the natural environment

11. London Plan July 2015 consolidated with alterations since 2011

7.17 Metropolitan Open Land

12. Core Strategy 2011

SP2 Sustainable transport
 SP4 Places to learn and enjoy
 SP11 Open Spaces and wildlife
 SP12 Design and conservation
 SP13 High environmental standards

Southwark Plan 2007 (July) - saved policies

13. The Council's cabinet on 19 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.

3.2 Protection of amenity
 3.12 Protection Quality in design
 3.13 Urban of design
 3.25 Metropolitan open land

Principle of development

14. The site falls within an area of protected open space designated as Metropolitan Open Land. Saved Policy 3.25 of the Southwark Plan asserts that there is a general presumption against inappropriate development on Metropolitan Open Land (MOL). This policy is reinforced by Policy 7.17 of the London Plan and the NPPF Section 9, which confers the same protection on MOL as Greenbelt land. In view of the importance of retaining the open character of MOL, the main proposals for the redevelopment of the school concentrated on retaining all development on the existing building footprint. School buildings are not an 'appropriate use' as set out in MOL policy and therefore the starting point here is that such development is considered inappropriate and is therefore a departure from Development Plan policy. The NPPF (para 87) confirms that inappropriate development should not be approved except in very special circumstances.
15. The applicant has acquired the former police station in East Dulwich, which following the grant of planning permission for a new permanent primary school building is currently on site. The new school will not be ready by the end of September 2016. The applicant is therefore seeking to extend the planning permission granted for a limited period of time by a further five months until January 2017. Given that the proposed permanent building for the new school is currently on site, it is not considered that an increase to the limited consent until January 2017 would result in undue harm to the MOL designation. On this basis there it is considered that there are any reasons to object in principle for the extended temporary period.

Environmental impact assessment

16. Not required for a scheme of this type.

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

17. The school is already up and running, the increase in the use of the site for a further 5 months is unlikely to give rise to any unacceptable impacts to existing residents, that would warrant refusal of the proposal.

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

18. None arising.

Planning obligations (S.106 undertaking or agreement)

19. The proposal would not attract any Mayoral or Southwark CiL contributions, as it is temporary in nature and for educational purposes.

Sustainable development implications

20. None arising.

Conclusion on planning issues

21. The proposal seeks to extend the time for the use of this section of MOL as a primary school. It is considered that the grant of planning permission for a further limited period of five months subject to conditions is acceptable in this instance, given that the applicant is completing the construction of a permanent school for occupation in January 2017.

Community impact statement

22. 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

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

Consultation replies

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

Summary of consultation responses

25. None received.

Human rights implications

26. 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.
27. This application has the legitimate aim of providing a temporary school. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2613-A Application file: 16/AP/1875 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Sonia Watson, Team Leader	
Version	Final	
Dated	14 June 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 June 2016

APPENDIX 1**Consultation undertaken****Site notice date:** 13/05/2016**Press notice date:** 19/05/2016**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 16/05/2016**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

40 Colyton Road London SE22 0NP
 41 Colyton Road London SE22 0NP
 42 Colyton Road London SE22 0NP
 37 Colyton Road London SE22 0NP
 38 Colyton Road London SE22 0NP
 39 Colyton Road London SE22 0NP
 43 Colyton Road London SE22 0NP
 44 Homestall Road London SE22 0SB
 46 Homestall Road London SE22 0SB
 48 Homestall Road London SE22 0SB
 44 Colyton Road London SE22 0NP
 45 Colyton Road London SE22 0NP
 42 Homestall Road London SE22 0SB
 36 Colyton Road London SE22 0NP

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 34 Colyton Road London SE22 0NP
 35 Colyton Road London SE22 0NP
 30 Colyton Road London SE22 0NP
 31 Colyton Road London SE22 0NP
 32 Colyton Road London SE22 0NP
 Harris Girls Academy East Dulwich Homestall Road SE22 0NR

Re-consultation: n/a**APPENDIX 2****Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

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	Miranda Worthington	Reg. Number	16/AP/1875
Application Type	Education Funding Agency	Case Number	TP/2613-A
Recommendation	S.73 Vary/remove conds/minor alterations Grant permission for limited period		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Variation of Condition 1 of planning permission 14-AP-1655 for: 'Provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007)' to extend the permitted period from 30 September 2016 to 31 January 2017.

At: HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON, SE22 0NR

In accordance with application received on 09/05/2016 08:03:35

and Applicant's Drawing Nos. Site Location Plan; Planning Statement

Subject to the following five conditions:

Time limit for implementing this permission and the approved plans

- 1 Permission is granted until 31 January 2017. The structures associated with the use shall not be retained after 28 February 2017 on or before which date the structures shall be removed from the site.

Reason

Given that the development is considered inappropriate and a departure from policy, the Local Planning Authority hereby grants consent for a limited and provisional period, having due regard to its duty to the protection of MOL and the substantial harm and benefits of the development in accordance with National Planning Policy Framework 2012, Strategic Policy 11 - Open Space and Wildlife of The Core Strategy 2011 and Saved Policy 3.12 Quality in Design, 3.25 Metropolitan Open Land and 3.13 Urban Design 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.

- 2 The access gate from Homestall Road shall be for pedestrian use only and shall not be used for vehicles other than for the delivery and removal of the temporary structures hereby approved. On removal of the structures the gates shall be removed and the fencing reinstated.

Reason

The access way is solely for the use of the temporary school and in the interests of highway safety should not be used for pedestrian and vehicular traffic other than as described above. In accordance with the National Planning Policy Framework and saved Policy 5.2 (Transport Impacts) of the Southwark Plan 2007.

- 3 Any deliveries, unloading and loading to the commercial units shall only be between the following hours: Monday to Saturday - 08:00 - 20:00, Sundays/ Bank Holidays - not at all.

Reason

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity of

The Southwark Plan 2007

- 4 The use hereby permitted as a temporary primary school shall not be carried on outside of the hours 07:00 to 18:00 on Monday to Friday.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 5 The use hereby permitted shall be for a maximum in-take of 60 pupils per academic year.

Reason:

Additional pupils may result in unforeseen highway and transport implications contrary to the National Planning Policy Framework 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, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

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PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2016-17

NOTE: Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: telephone 020 7525 7434.

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Cleo Soanes (Chair)	1	Environmental Protection Team	1
Councillor Maria Linforth-Hall (Vice-Chair)	1		
Councillor Nick Dolezal	1	Communications	By email
Councillor Octavia Lamb	1	Louise Neilan, media manager	
Councillor Damian O'Brien	1		
Councillor Sandra Rhule	1		
Councillor Catherine Rose	1	Total:	24
(Reserves to receive electronic versions only)		Dated: 20 June 2016	
Councillor Evelyn Akoto			
Councillor Anne Kirby			
Councillor Eliza Mann			
Councillor Darren Merrill			
Councillor Leo Pollak			
Officers			
Constitutional Officer, Hub 4 (2 nd Floor), Tooley Street	10		
Jacquelyne Green/Abrar Sharif, Hub 2 (5 th Floor), Tooley Street	4		
Margaret Foley/Jon Gorst, Legal Services, Hub 2 (2 nd Floor), Tooley Street	2		