

Planning Sub-Committee B

Tuesday 26 March 2019

7.00 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Membership

Councillor Cleo Soanes (Chair)
Councillor Damian O'Brien (Vice-Chair)
Councillor Sirajul Islam
Councillor Nick Johnson
Councillor Darren Merrill
Councillor Victoria Olisa
Councillor Martin Seaton

Reserves

Councillor Sunil Chopra
Councillor Barrie Hargrove
Councillor James McAsh
Councillor Eliza Mann
Councillor Leanne Werner

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

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Contact: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 18 March 2019



Planning Sub-Committee B

Tuesday 26 March 2019
7.00 pm

Ground Floor Meeting Room G02 - 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.	DEVELOPMENT MANAGEMENT ITEMS	1 - 4
	6.1. 36 ROUSE GARDENS, LONDON SE21 8AF	5 - 19

Date: 18 March 2019

Item No.

Title

Page No.

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

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 committee.
3. The role of members of the planning 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 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 committee will then debate the application and consider the recommendation. |
|---|

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning 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 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.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. 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: General Enquiries
Planning Section, Place and Wellbeing Department
Tel: 020 7525 5403

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

Item No. 6.	Classification: Open	Date: 26 March 2019	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 and 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 Olamijulo 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 or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	18 March 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		18 March 2019

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Tuesday 26 March 2019

Appl. Type Full Planning Application
Site 36 ROUSE GARDENS, LONDON, SE21 8AF

Reg. No. 18-AP-4015

TP No. TP/2549-D

Ward Dulwich Wood

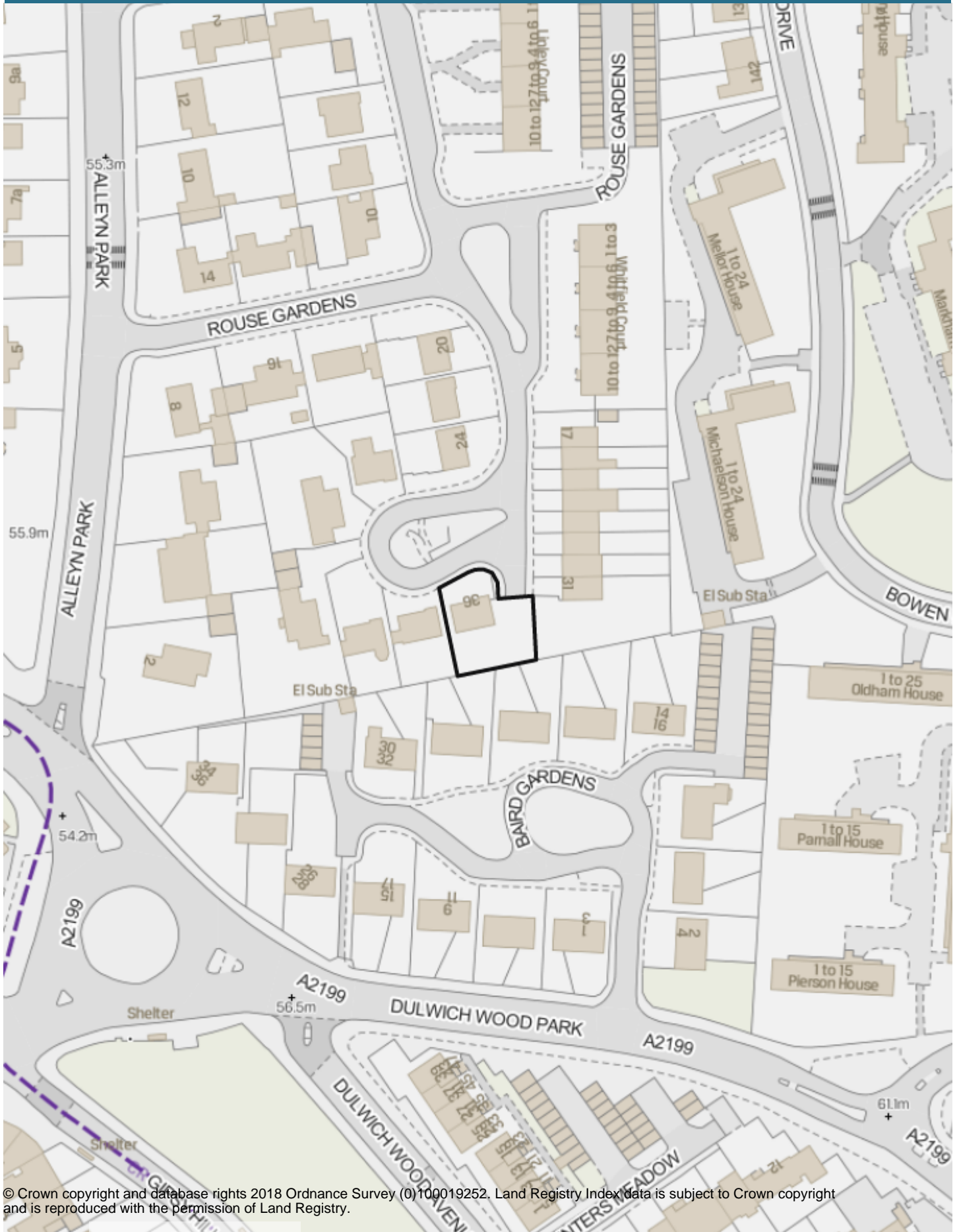
Officer Laretta Doku

Recommendation GRANT PERMISSION

Proposal

Construction of a ground floor side and rear extension and refurbishment to existing detached house, with the inclusion of a circular 1-storey side extension

Item 6.1



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50 m

Scale = 1250

14-Mar-2019

Item No. 6.1	Classification: Open	Date: 26 March 2019	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 18/AP/4015 for: Full Planning Application Address: 36 ROUSE GARDENS, LONDON SE21 8AF Proposal: Construction of a ground floor side and rear extension and refurbishment to existing detached house, with the inclusion of a circular one-storey side extension		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of Planning		
Application Start Date 10/12/2018		Application Expiry Date 04/02/2019	
Earliest Decision Date 09/02/2019			

RECOMMENDATION

1. To grant planning permission, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site is a north-facing, two-storey, early 1960s detached family dwelling that is in a cul-de-sac, distinctively constructed with brick walls, finished with a segment of vertically orientated timber cladding at the entry point of the property and finished with a white framed window. The property benefits from garden space to the east which is bounded by a brick wall to the north that creates a divide from a public pathway.
3. The property is not a listed building or located in a conservation area, but is located in the South suburban density zone.
4. The site is predominantly surrounded by residential properties, with Sydenham Hill railway station directly north to the proposal site and Gipsy Hill railway station directly south.
5. North (front) - Property looks on to Rouse Gardens one way cul-de-sac street with the side elevation of property No.24 in the background.
6. East (side) - No. 31: First dwelling in a row of west facing terrace properties.
7. South (rear) - No. 22, 24 & 26 Baird Gardens - rear fence of host dwellings garden creates a divide between the above properties that form a part of the Baird Gardens cul-de-sac streetscape.
8. West (side) - No. 34: Detached property that aligns with the facade of No. 36 & 32.

Property has a ground level difference of 0.58m lower than the host dwelling.

9. Row of properties from 36-32 Rouse Gardens slope from east to west with proposal site being at the highest point. Sitting at 1.62m higher than the properties ground floor level, the proposal site of No. 36 then descends to create a 0.8m difference from property No. 34's ground level.

Details of proposal

10. A total of three extensions are being proposed alongside amendments to the main property to enhance its existing features. With development consisting of a circular side extension to the east, a rear extension with two roof lights and a western side extension.
11. The circular proposal, 6.7m in diameter, would have vertical timber cladding, taking inspiration from the segment of timber used on the original 1960s property. The proposal is 2.45m to the eaves height, with its highest point to the roof being 3.6m. The distinctive circular structure, inclusive of a circular roof light, sits on garden land and can be viewed as you enter into the street scene of Rouse Gardens. It proposes three timber and PPC (polyester powder coating) metal glass glazed double doors at the rear of the extension and five new PPC metal windows.
12. The eastern extension, separated from the public pathway by a 0.65m – 1.27m high brick wall, would provide a new front door entry point for the property whilst still maintaining the clear boundaries of the cul-de-sac.
13. The rear and western extensions will use similar materials to that already on the dwelling resulting in a brick clad facade, with a tile, membrane roof and PPC metal windows with timber and PPC metal doors. The 2.84m to eaves height rear extension would create two new roof light openings and two full height glazed sliding doors. The 2.35m eaves height western extension would have no new windows proposed, and would be set back 0.8m from the beginning of the boundary wall shared between No. 34.
14. The loss of a category C sapling Ash Tree to the front is proposed in order to repair and maintain the existing retaining wall. This would be replaced by substantial landscaping; the driveway would also be moved to the west.
15. The amendments made to the house would involve the replacement of all existing windows (9) with timber and PPC metal windows alongside the addition of four obscure glazed, fixed shut windows to the first and second floor of the western elevation. In addition to this, four roof lights to the rear roof slope of the host dwelling will be added.
16. The plans were amended to reinstate the brick wall to the east of the site. In addition to this drawings were revised to mitigate impacts to property No. 34, by reducing the width of the side extension to the west from 1.9m to 1m. Alongside this annotations were added to drawings to verify that windows on the western elevation will be obscure glazed and fixed shut.
17. Changes to the description of the application were also made to thoroughly reflect the extent of development being proposed. As a result of this, alongside amendments to some of the drawings described in paragraph 16 above, a 14-day re-consultation was undertaken.

Planning history

18. No planning history.

Planning history of adjoining sites

19. 24 ROUSE GARDENS, LONDON, SE21 8AF

Application number: 15/AP/1011 Application type: Full Planning Application (FUL)

Erection of single storey extension to the front; creation of a new stepped entrance way and re-location of entrance door; installation of a side gate, installation of sliding doors to replace the existing kitchen windows to the front and extension to the rear bay.

Decision date: 18/05/2015 Decision type: Granted (GRA)

KEY ISSUES FOR CONSIDERATION

Summary of main issues

20. The main issues to be considered in respect of this application are:
- a) Impact on amenity of adjoining properties;
 - b) Design quality;
 - c) Impact on listed building(s)/conservation area;
 - d) All other relevant material planning considerations.

Adopted planning policy

National Planning Policy Framework

21. The revised National Planning Policy Framework ('NPPF') was published in July 2018 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
22. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Chapter 2 Achieving sustainable development
 Chapter 11 Making effective use of land
 Chapter 12 Achieving well-designed places
 Chapter 15 Conserving and enhancing the natural environment
 Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

23. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 7.4 - Local Character
 Policy 7.6 - Architecture

Core Strategy 2011

24. The Core Strategy was adopted in 2011 providing the spatial planning strategy for

the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

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

Southwark Plan 2007 (saved policies)

25. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

- Policy 3.2 - Protection of amenity
- Policy 3.6 - Other alterations to dwellings and gardens
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design

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

Area based AAPs or SPDs

26. Dulwich SPD 2013
Residential Design Standards SPD 2011

Emerging planning policy

27. Draft New London Plan 2018

Draft New Southwark Plan 2018

Summary of consultation responses

28.	Total number of representations:	16				
	In favour:	0	Against:	15	Neutral:	1
	Petitions in favour:	0	Petitions against:	0		

Initial consultation period

29. There were 12 responses submitted as part of the initial consultation on the application, with four comments being received during the re-consultation period. Matters for objection include:

Proposal impacts on neighbouring properties

- Overlooking and impact on privacy
- Impact from plant on the western side extension.

Design

- Development out of keeping with other houses on the street

- Development out of proportion with the host dwelling
- Objections to the materials
- Potential overdevelopment on the site.

Construction impacts

30. There is a concern of the noise impacts from the building works.
31. Comments were also received about the proposal potentially not complying with the Dulwich Estate guidelines; this is not a material consideration for this application.
32. The objections are addressed below.

Principle of development

33. There is no land use change proposed; a residential use is established on the site.

Environmental impact assessment

34. Not required for an application of this scale.

Impact of proposed development on neighbouring amenity and surrounding area

35. Saved Policy 3.2 ('Protection of Amenity') and Policy 3.6 ('Other alterations to dwellings and gardens') of the Southwark Plan 2007 seeks to ensure all alterations and development result in an adequate standard of amenity for existing and future occupiers. The 2015 technical update to the Residential Design Standards SPD (2011) also sets out the guidance which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

Details of impacts: 34 Rouse Gardens

36. The initial proposal was for a western side extension towards the front of the property that would extend towards the boundary wall between the host dwelling and 34 Rouse Gardens. However due to the 0.58m ground level difference between the two properties officers advised the applicant to amend the proposal by reducing the width of the extension. This reduction in width from 1.9m to 1m mitigated any possible tunnelling effect impact on the residents of No. 34.
37. The proposed extension to the western side of the proposal site would not significantly affect the amenity of the residents at property No. 34 because their side elevation does not have any windows or openings. This demonstrates that the property will not be at a loss of privacy, and therefore makes the proposal for a western side extension and the addition of four windows on the western elevation acceptable as they would be obscure glazed and fixed shut.
38. In addition to this the specific positioning of windows, doors and openings of the proposed eastern extension does not face directly onto No. 34, therefore deeming the proposed extension as successful in not creating a privacy impact. The area indicated for plant on the western extension is for a domestic boiler which would not cause harm to neighbours' amenity. The location and design of flues is covered by the building regulations.

Details of impacts: 22-26 Baird Gardens

39. These properties to the rear of the development site are not identified to have a detrimental impact from the application in regards to a loss of privacy, as the existing rear elevation of the proposal site has six windows and openings that currently face onto the rear elevations of the above properties.
40. The current relationship between windows on the rear elevation of the host dwelling would be replicated in the proposed development so there would be no additional impact on privacy. There is extensive screening between the host property and dwellings to the rear from trees.
41. Some objectors have referenced the impact that construction work might have. An informative is recommended that the contractor(s) undertake noisy work during the standard hours in Southwark:

Monday- Friday: 08:00 to 18:00

Saturday: 09:00 to 14:00

Sunday and

Bank Holidays: no noisy works.

42. As amendments have been undertaken it is seen that the overall development to the rear, western and eastern side of the proposal site will not have detrimental impacts on the neighbours privacy, access to sunlight/daylight, impact on their sense of openness, create a feeling of enclosure or cause harm to the neighbour's amenity. The proposal's mass and area is deemed acceptable because it complies with the 2015 Technical Update to the Residential Design Standards SPD (2011), paragraph 3.2 - Protection of amenity and 3.6 - Other alterations to dwellings and gardens.

Transport issues

43. The application would not cause any harm or changes to the current parking conditions of the street as a result of the garage being removed. The new driveway would be able to accommodate two cars, the same as the present situation with one car on the drive and one potentially in the garage.

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

44. Good design is indivisible from good planning. It should reinforce a sense of place and conform to the council's current guidance on design.

Circular extension

45. Many objections mention the proposed circular extension on the eastern part of the site, how it would not be in keeping with the street of host dwelling because of its form, height and mass. However the proposal sets a standard of good design through its form and choice of materials which responds to the environmental language of the mature trees on site. The location defines a welcoming charm to the existing street scene that also illustrates how contemporary designs can complement traditional housing.

Relocation of the front door

46. The relocation of the front door leading into the new entrance space of the eastern extension does not cause any detrimental impacts on adjoining neighbours, and as the property is not in a conservation area, this element of the proposal is acceptable.

Boundary amendments close to the pavement

47. The boundary wall separating pavement and the new location of the front door was initially proposed as a fence because the existing brick wall was collapsing due to the vast growth of the rear garden tree roots.
48. Through negotiations the applicant and structural engineer were able to revise drawings to reinstate the brick wall so that would not have an impact on the tree roots. This revision allowed for the façade of the proposal site to maintain existing features of the streetscape.

Overdevelopment of garden

49. The development covers a total area of 64m², with the total garden area amounting to approximately 277 m². This therefore would not lead to more than 50% of the garden (front and rear) area being covered by buildings and would thoroughly comply with the guidance in the Residential Design Standards SPD.

Overall proposal aesthetics

50. The design intuition the agent put forward was to take the material aesthetic of the minimal timber cladding used on the original 1960s dwellings and incorporate it into the extension proposal.
51. The choice of façade materials is complementary to the Rouse Gardens streetscape as it highlights the existing materials present on the street, showcasing it in a more contemporary way.
52. The selection of matte finish beige grey window frames creates a welcoming contrast to the usual language of the white framed windows on the properties of Rouse Gardens.
53. In summary the proposal design has illustrated analysis that the overall vision is an example of design innovation that adds to the character of the Rouse Gardens cul-de-sac.

Impact on trees

54. The Arboriculture report shows that a small C category sapling Ash (T1) to the front of the property requires removal. This is deemed acceptable as the small self sown tree is causing damage to the retaining brick wall, which clarifies the public and private boundaries between the host dwelling. The tree and the a hedge can adequately be replaced as part of landscaping, ultimately resulting in no loss of amenity or screening, in fact the landscaping proposed would be a significant improvement on what is there presently. The other trees on the proposal site have a TPO placed on them, with the habitats of existing birds being protected by the Habitats Directive.
55. Trial pit investigations confirm the retained trees are compatible with construction methods, should suitable protection measures and foundation design be

implemented. As a result of this two tree protection conditions have been recommended, alongside a landscape design condition.

Sustainable development implications

56. No sustainable development implications identified.

Conclusion on planning issues

57. The proposal demonstrates that it conforms to the principles of sustainable development. It complies with current policy; respects the amenity of neighbouring properties; and is of good design and should therefore be granted planning permission.

Consultations

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

Consultation replies

59. Details of consultation responses received are set out in Appendix 2.
60. See paragraphs 28 to 32 of this report for summary of consultation responses.

Human rights implications

61. 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.
62. This application has the legitimate aim of providing a rear and both side extensions, with the inclusion of refurbishment to the host dwelling. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2549-D Application file: 18/AP/4015 Southwark Local Development Framework and Development Plan Documents	Health and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 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	Lauretta Doku, Graduate Planner	
Version	Final	
Dated	26 March 2019	
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 of 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		14 March 2019

APPENDIX 1**Consultation undertaken****Site notice date:** 14/01/2019**Press notice date:** n/a**Case officer site visit date:** 17/01/2019**Neighbour consultation letters sent:** 21/12/2018**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

28 Baird Gardens London SE19 1HJ
 31 Rouse Gardens London SE21 8AF
 34 Rouse Gardens London SE21 8AF
 22 Baird Gardens London SE19 1HJ
 24 Baird Gardens London SE19 1HJ
 26 Baird Gardens London SE19 1HJ
 27 Rouse Gardens SE21 8AF
 32 Rouse Gardens London SE21 8AF
 18 Baird Gardens London SE19 1HJ
 22 Baird Gardens London SE19 1HJ

22 Baird Gardens London SE19 1HJ
 24 Rouse Gardens, West Dulwich SE21 8AF
 28 Rouse Gardens Alleyn Park SE21 8AF
 26 Rouse Garden SE21 8AF
 C/O Members Room X
 C/O Members Room X
 34 Rouse Gardens
 22 Baird Gardens
 27 Rouse Gardens
 26 Rouse Gardens

Re-consultation: 21/02/2019

APPENDIX 2**Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

18 Baird Gardens London SE19 1HJ
22 Baird Gardens London SE19 1HJ
22 Baird Gardens London SE19 1HJ
22 Baird Gardens London SE19 1HJ
22 Baird Gardens London SE19 1HJ
24 Baird Gardens London SE19 1HJ
24 Rouse Gardens, West Dulwich SE21 8AF
26 Rouse Garden SE21 8AF
26 Rouse Garden SE21 8AF
27 Rouse Gardens SE21 8AF
27 Rouse Gardens SE21 8AF
27 Rouse Gardens SE21 8AF
28 Baird Gardens London SE19 1HJ
28 Rouse Gardens Alleyn Park SE21 8AF
32 Rouse Gardens London SE21 8AF
34 Rouse Gardens London SE21 8AF
34 Rouse Gardens London SE21 8AF

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 Sean Wu and Ms Huishu Kiki Jin	Reg. Number	18/AP/4015
Application Type	Full Planning Application	Case Number	TP/2549-D
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a ground floor side and rear extension and refurbishment to existing detached house, with the inclusion of a circular 1-storey side extension

At: 36 ROUSE GARDENS, LONDON SE21 8AF

In accordance with application received on 07/12/2018 16:01:10

and Applicant's Drawing Nos. ARBORICULTURAL APPRAISAL AND IMPLICATIONS (DATED NOV 8TH 2018)

252-0.001-L - LOCATION PLAN

STRUCTURAL STATEMENT (DATED DEC 6TH 2018)

252-.0.002-L - BLOCK PLAN

252-459-L - PHOTOGRAPHIC SURVEY

DESIGN REPORT AND ACCESS STATEMENT (DATED DEC 6TH 2018)

Proposed Plans:

18104-020 REV P1 - PROPOSED DETAILS SHEET 01

18104-010 REV P1 - PROPOSED GROUND FLOOR PLAN

252-1.302-O - SECTION BB PROPOSED

252-1.202-O - EAST ELEVATION PROPOSED

252-1.006-Q - FIRST FLOOR PLAN PROPOSED

18104-011 REV P1 - PROPOSED FIRST FLOOR PLAN

252-1.301-N - SECTION A-A PROPOSED

252-1.008-O - ROOF PLAN PROPOSED

252-1.005-U - GROUND FLOOR PLAN PROPOSED

252-1.003-B - SITE PLAN PROPOSED

252-1.203-O - REAR ELEVATION PROPOSED

252-1.204-O - WEST ELEVATION PROPOSED

252-1.201-O - STREET ELEVATION PROPOSED

HCL-18-0011- REV 1.1 - PROPOSED LANDSCAPE LAYOUT

252-804-L - 3D VIEW PROPOSED

Existing Plans:

252-0.204-L - WEST ELEVATION EXISTING

252-0.008-L - ROOF PLAN EXISTING

252-0.201-L - FRONT ELEVATION EXISTING

252-0.203-L - REAR ELEVATION EXISTING

252-0.202-L - EAST ELEVATION EXISTING

252-0.301-L - SECTION A-A EXISTING

252-0.006-L - FIRST FLOOR PLAN EXISTING

252-0.005-L - GROUND FLOOR PLAN EXISTING

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:
- 18104-020 REV P1 - PROPOSED DETAILS SHEET 01
 - 18104-010 REV P1 - PROPOSED GROUND FLOOR PLAN
 - 252-1.302-O - SECTION BB PROPOSED
 - 252-1.202-O - EAST ELEVATION PROPOSED
 - 252-1.006-Q - FIRST FLOOR PLAN PROPOSED
 - 18104-011 REV P1 - PROPOSED FIRST FLOOR PLAN
 - 252-1.301-N - SECTION A-A PROPOSED
 - 252-1.008-O - ROOF PLAN PROPOSED
 - 252-1.005-U - GROUND FLOOR PLAN PROPOSED
 - 252-1.003-B - SITE PLAN PROPOSED
 - 252-1.203-O - REAR ELEVATION PROPOSED
 - 252-1.204-O - WEST ELEVATION PROPOSED
 - 252-1.201-O - STREET ELEVATION PROPOSED
 - 252-804-L - 3D VIEW PROPOSED

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 The development hereby permitted, including foundation works, trial holes and trenches for the purpose of root protection shall be carried out in accordance with the Arboricultural Appraisal and Implications Assessment by ACS (Trees) Consulting dated November 8th 2018 with ACS ref: ha/aiams1/18/36rousegdms. Prior to the extension works commencing:

a) A meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting .

b) 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.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works shall adhere to BS5837: Trees in relation to demolition, design and construction (2012), BS3998: (2010) Tree work - recommendations and National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2018 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.

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.

- 4 The landscaping shall not be carried out otherwise than in accordance with the following approved plan: HCL-18-0011- REV 1.1 - PROPOSED LANDSCAPE LAYOUT, 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 2018 Chapters 8, 12, 15 & 16 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.

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.

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended accordingly.

PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2018-19

NOTE: Original held by Constitutional Team all amendments/queries to Gerald Gohler: telephone 020 7525 7420.

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 Darren Merrill	1		
Councillor Sirajul Islam	1		
Councillor Victoria Olisa	1	Communications Louise Neilan, media manager	By email
(Electronic version only)			
Councillor Damian O'Brien (Vice-Chair)		Total:	17
Councillor Martin Seaton			
Councillor Nick Johnson		Dated: 19 December 2018	
(Reserves to receive electronic versions only)			
Councillor Sunil Chopra			
Councillor Barrie Hargrove			
Councillor James McAsh			
Councillor Eliza Mann			
Councillor Leanne Werner			
Officers			
Constitutional Officer, Hub 2 (Second Floor), Tooley Street	8		
Joyce Rowe-Jones / Affie Demetriou	2		
Alex Gillott /Jon Gorst, Legal Services, Hub 2 (Second Floor), Tooley Street	2		