

Item No. 7.1	Classification: OPEN	Date: 16 March 2011	Meeting Name: Camberwell Community Council
Report title:	Development Management planning application: Application 10-AP-1891 for: Full Planning Permission Address: LAND AT 1A DOG KENNEL HILL, LONDON, SE22 8AA Proposal: Erection of 5 storey building including basement car park to provide 9 x 3 bedroom houses, private amenity space, soft and hard landscaping and boundary treatment.		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 29/10/2010		Application Expiry Date 24/12/2010	

RECOMMENDATION

- 1 Grant planning permission subject to conditions

BACKGROUND INFORMATION

Site location and description

- 2 The site is on the western side of Dog Kennel Hill close to the junction between Dog Kennel Hill and Champion Hill. There was until 2009 a vacant large detached 1950's house occupying part of the site. It was demolished in 2009. To the south of the site is a row of 1930's semi-detached houses which form a small terrace. There is a relatively new seven storey residential development further down the road to the south. Occupying a smaller site, that development is more intensive, comprising of nineteen units
- 3 Directly opposite the site (also on a smaller site) is a six storey development (Flats 1-15 Mary Seacole House) which comprises 15 residential units. The East Dulwich Estate also lies to the south east on the opposite side of Dog Kennel Hill. To the north of the site there is garaging associated with the flats to the north (1-10 Seavington House which has frontage to Champion Hill).
- 4 The site is much larger (770m²) than those of the nearby two storey houses (typically 320m²). The site area is larger than the sites which have had recent flatted development completed on them at the Dog Kennel Hill Primary School opposite and at No 8 Dog Kennel Hill (site area 535m²). Both of these schemes involve higher density and higher roof lines.
- 5 The site has good direct transport links to the city by way of East Dulwich and Denmark Hill mainline stations, although the public transport accessibility is low/medium (2-3). Both of the stations can be reached within a 5- 7 minute walk. Directly opposite the site is a bus stop that offers links in both directions. The site also has neighbourhood amenities close by with a supermarket, crèche, school, gym recreational area, park and health centre all within a 5-7 minute walk. There are also

shops and further amenities within Lordship Lane and Camberwell.

- 6 The site is not within a conservation area and neither the site nor any immediately nearby are listed. There are however listed buildings in the vicinity. To the north west with frontage to Champion Hill is the Grade II listed Champion Cottage at 47 Champion Hill. There are also Grade II listed buildings on Grove Hill to the north at 197/199 and 201 Grove Hill, and to the north east there are Grade II listed buildings commencing from the north-west corner of the intersection of Grove Hill Rd and Camberwell Grove, running north along Camberwell Grove. There is a conservation area to the north-east of the site, being Camberwell Grove Conservation Area, which is bounded by Grove Lane to the west and Grove Hill Rd to the south.
- 7 The site has a low/medium public transport accessibility level of 2-3, and is not in a controlled parking zone (CPZ).

Details of proposal

- 8 Erection of 5 storey building including basement car park to provide 9 x 3 bedroom houses, private amenity space, soft and hard landscaping and boundary treatment. Each of the proposed houses would have a south facing private garden.
- 9 There would be garaging for nine cars (one per dwelling) located beneath the houses, accessed by a ramped access from Dog Kennel Hill. Nine cycle storage spaces are proposed to be located at the lower ground floor level also accessed by the ramp. Recycling and refuse storage would be positioned with access from the site and from the street to the front (east) of the proposed building.
- 10 Materials include timber privacy screens, blue slate gabion (stone enclosed in mesh) wall to the boundaries with timber and vegetation boundary treatment above, timber gates to the vehicular entrance, perforated brick to side elevations (facing street and to the west), and light beige brickwork to upper levels with a bronze aluminium fascia also to street elevation.
- 11 The scheme was amended by plans and design and access statement received 29/10/2010. In summary the amendments were intended to express the building as a series of contemporary brick townhouses within the volume of the consented permission. The applicant has explained that they have articulated this brick volume to express the scale and character of a single family domestic dwelling. Additionally the street elevation has been reconsidered and modulated with varying shades of brickwork, timber panels, and perforated brickwork to give a pleasing composition whilst still remaining robust to the main road. In addition Dwg 024-029-REV-B was submitted showing correctly the height of the development within the street context.

Planning history

- 12 Application LBS Reg 05-AP-2192 allowed on appeal 25/5/2006 (appealed on grounds of non determination), for demolition of existing house and erection of new residential building comprising 12 units, a mix of 10 x 2 Bed and 2 x 3 Bed, Private Apartments four storey building. (Officer note: although that description refers to four storey building, the consented plans do show the same building height as existing by reference to both the number of storeys, and the datum provided for the maximum height of the consented building, which is 74.725 as per the current application).
- 13 Like the current scheme, the 2006 consent was for development contained within a single building mass of five storeys above a basement car parking level. There was also a central amenity space with soft landscaping to the perimeter of the site. There were 12no bicycle and 12 car parking spaces, with refuse and recyclables to be stored on site adjacent to the front boundary. The main difference between this scheme and the previously consented scheme is the dwelling mix (9 houses now proposed rather than 12 flats), and changes to the detailed external elevations of the

building.

- 14 A number of applications for approval of details pursuant to pre-commencement conditions of the above consent were granted in 2009.
- 15 This scheme appears to have been 'implemented' within time in terms of the definition of implementation under the planning acts, in that the building was demolished, and arguably since the development that was consented included demolition in its description the scheme has been implemented. This stance has not been formally determined through a Lawful Development Certificate however.

Planning history of adjoining sites

- 16 Land at Dog Kennel Hill Primary School, Dog Kennel Hill (opposite application site) – application 04AP0510 – granted 2/8/2005 for Erection of 5 storey building fronting Dog Kennel Hill adjoining Walcot House. Providing school accommodation on the ground floor consisting of 4no. class rooms, dining hall, parents room and art/DT room together with five floors of residential accommodation consisting of 15 x 2 bed residential units. Development has been completed and is occupied as Mary Seacole House.
- 17 Land Adjoining No.8 Dog Kennel Hill (to the south of the application site) – application LBS Reg No 04-AP-1765 granted 8/02/2005 for erection of part 6/7 storey building comprising 19 residential units and basement. This development has been completed and is occupied.
- 18 In relation to the East Dulwich Estate opposite the site, there have been several applications for renewal of buildings/windows, as well as in relation to a temporary community centre on existing ballcourt and a replacement community centre on the site of the former centre which was recently demolished to facilitate construction of the new consented facility.
- 19 There have been several planning applications in relation to the sites to the west of the application site for refurbishment works including conversion of drying rooms to residential accommodation.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 20 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) design and appearance within streetscene
 - c) impact on setting of nearby conservation areas and listed buildings
 - d) transport impacts
 - e) impact on amenity of surrounding and nearby occupiers
 - f) quality of residential accommodation

Planning policy

Saved Southwark Plan Policies 2007 (July)

- 21 3.1 Environmental Effects
- 3.2 Protection of Amenity
- 3.3 Sustainability assessment
- 3.4 Energy efficiency
- 3.5 Renewable Energy
- 3.7 Waste reduction
- 3.11 Efficient Use of Land
- 3.12 Quality in Design
- 3.13 Urban Design
- 3.14 Designing out Crime
- 3.18 Setting of listed buildings, conservation areas and world heritage sites
- 4.1 Density of Residential development
- 4.2 Quality of Residential Accommodation
- 4.3 Mix of dwellings
- 4.4 Affordable housing
- 5.2 Transport impacts
- 5.3 Walking and Cycling
- 5.6 Car Parking

London Plan 2008 consolidated with alterations since 2004

- 22 3A.1 Increasing London's supply of housing
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 3C.3 Sustainable transport in London
- 3C.17 Tackling congestion and reducing traffic
- 3C.22 Improving Conditions for Cycling
- 4A.7 Renewable Energy
- 4A.19 Improving air quality
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world class architecture and design
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 6A.4 Priorities in planning obligations

Core Strategy

- 23 Southwark's Core Strategy was considered by an independent Inspector during an Examination in Public held in July 2010. The Inspector has issued his binding report and deemed the Core Strategy to be sound. His report was received on 28 January 2011 and it is likely that the Southwark will adopt the Core Strategy.
- 24 Now the Inspector's binding report has been received, the Core Strategy, together with the suggested changes by the Inspector carries considerable weight. In the period before the Core Strategy is formally adopted, whilst the Southwark Plan remains the relevant statutory development plan, where the Core Strategy suggests a different approach when determining a planning application, the Core Strategy is a significant material consideration that should be taken into account.

Strategic Policy 2 – Sustainable transport
 Strategic Policy 5 – Providing new homes
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards

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

- 25 PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport
- PPS23 Planning and pollution control

Principle of development

- 26 The principle of a residential development on this former residential site is considered to be acceptable, as the land use would be consistent with both the former use of the site and the character of the surrounding area. Concerns were raised on one objection that this development partially on the garden of the former house would be contrary to recent government guidance on development of gardens, which have been re-classified and are not now considered to be 'brownfield' development.
- 27 In response, officers note that recent changes in government policy (PPS3 Housing) sets out that private gardens shall be removed from the brownfield definition. However, this is not at the same time conferring particular protection of this land, for example in the same way that Borough Open Land or Metropolitan Open Land are protected. It simply means that gardens are not classified as 'previously developed land' and the development of such areas will not contribute to the target set by the Government which is that at least 60% of development occurs on brownfield land.
- 28 It is not considered that the fact that back gardens are no longer 'brownfield' may in itself be used as a reason for refusal. Rather regard still needs to be had to the site specific assessment of impacts in terms of matters such as the character of residential neighbourhoods, character and appearance of residential areas, quality of residential accommodation, design, amenity, and transport. These matters are addressed below and elsewhere in this report.
- 29 A scheme of the same building footprint, height and massing as that now proposed was allowed on appeal in 2006. That scheme appears to have been implemented (although this has not been formally established through a Lawful Development Certificate), mainly by way of demolition of the existing building (being works which were included in the description of the consented scheme), and the necessary pre-commencement conditions were discharged. Therefore, the 'fallback' position whereby that scheme could be lawfully completed is a material consideration in assessing the current application.
- 30 A development making efficient use of the land in relation to residential density would be consistent with policy 3.11 Efficient use of land, but subject to assessment of matters such as the quality of the resultant accommodation, transport impacts, and the design of the development in its context. These matters are addressed below.

Density

- 31 The Southwark Plan requires a density of between 300-700 habitable rooms per hectare in the urban density zone and strategic policy SP5 of the draft Core Strategy requires a density of between 200 and 700 habitable rooms per hectare. In this instance the scheme shows a density of 935 habitable rooms per hectare which exceeds both policies, but officers note that the scale and massing of the scheme is the same as that which was consented previously and the number of habitable rooms is comparable to the consented scheme for flats, but with a lesser number of units proposed (nine houses compared with 12 flats). The dwellings would provide for a good quality of residential accommodation by reference to adopted residential design standards, and are not therefore considered to be 'over-development' of the site. Although it exceeds the density guidelines therefore officers do not consider that there is material harm arising as a result such as to justify refusal of the scheme. The proposed density is therefore considered to be acceptable, and would be of a similar density and massing as a number of the nearby and recently completed developments.
- 32 Mix of dwellings and quality of residential accommodation
The scheme would provide for nine large family houses. There would be on site amenity space. The residential design standards require 50sqm of private amenity space for family houses. Each of the nine houses would be provided with private

south-facing gardens of dimensions 12.275m long x 4.075m wide (area 50sqm each), and each house would also have 10sqm balcony space. The proposed amenity space is therefore acceptable.

- 33 In relation to the quality of residential accommodation, the unit and room sizes for these 3-bed + homes would all be generous, each would have dual aspect, and layouts overall would meet the requirements under the residential design standards.

Tenure and dwelling mix

- 34 The previous scheme for 12 flats was not required to provide any affordable housing because planning policy at the time did not require affordable homes on schemes below a threshold of 15 units. The current policy 4.4 on affordable housing requires affordable housing to be provided on schemes of 10 units or more. This scheme, with nine, falls below that threshold. Officers have had regard to whether the scheme could be considered as an 'under-development' of the site, thereby not making efficient use of the land in accordance with policy 3.11. However the units which are proposed are generous in size but are not considered to be of such a scale as to be 'under-development'; the width of each house, at 4.075m is not excessive.
- 35 The proposed dwellings would comply with lifetime homes standards.
- 36 The provision of a scheme for private tenure of family sized homes with gardens is considered to be acceptable in relation to adopted policies on the quality of the accommodation, dwelling and tenure mix.

Environmental impact assessment

- 37 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project. Having reference to the Column 2 criteria, the site area does not exceed the initial threshold of 0.5ha and in addition it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

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

- 38 The proposed building would be sited to the north end of the site and would be set back sufficiently from the neighbouring residential properties to the north and south to ensure there are no overlooking issues or harmful impact on daylight or sunlight. The previously consented building had been designed in accordance with BRE guidelines and an independent daylight study carried out at the time supported this finding. Given that this scheme has the same massing and building envelope officers find no reason to find that the scheme would be unacceptable for this reason now, as circumstances are materially the same.
- 39 The distance between the proposed building and the closest adjacent residential dwelling to the south at 1 Dog Kennel Hill is 14m, and there are two windows located on the side elevation of that adjacent dwelling house neither of which appear to be principal windows to habitable rooms.
- 40 In relation to overlooking to the south, the layered facade and opaque glazed vents on the southern facade (which are new to this scheme compared with the previous permission), prevent overlooking down into the 1930s houses immediately to the south. In particular since the southern facade now has no clear glazing above ground level, there are not to be any overlooking issues. The opaque units would consist of

sandblasted double glazed units and would provide obscurity while letting in south light for the benefit of the occupiers of the proposed houses. All balconies are now located on the north, where there is no direct overlooking to adjoining properties, so again this is not a concern. Officers consider that this would provide a more robust solution to preventing overlooking than the previous scheme, which relied on a series of timber screens, whilst still filtering the strong south light and providing ample daylight and privacy to the habitable areas

- 41 At present, the existing boundary treatment between the site and 1 Dog Kennel Hill which is to the south, is a 2.7m high close boarded timber fence with retaining wall behind. The plans as originally submitted showed the boundary treatment with this property increasing to 3.7m, which officers considered would have had an unacceptable, overbearing impact on the amenities of this property. The plans have therefore been amended and the boundary treatment to the rear garden of number one would be retained at its current height of 2.7m. This has been achieved by pulling the rear boundary fences of the proposed houses away from the boundary with number 1, and instead providing small stores at the end of each garden. The height of the existing retaining wall would be increased, but there would be no increase in the height of the boundary treatment when standing in the rear garden to number 1 and a condition to this effect is recommended.
- 42 The Council's Environmental Protection Team raised concerns regarding the possible impacts on air quality of the proposed flues from the mini CHP units that would help to provide energy to the houses. Officers consider that this matter could be addressed by a condition if consent was granted, seeking details of emissions and air quality mitigation.

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

- 43 No harmful impacts as surrounding land uses are compatible with the proposed residential use.

Traffic issues

- 44 The applicant has proposed to provide nine off street parking spaces. The site is located in an area that has a relatively low Public Transport Accessibility Level of 2-3. The site is not located within a Controlled Parking Zone so the council does not have the power to control any overspill parking that may occur as a result of the development. Therefore after careful consideration officers do not object to the level of off street parking that the applicant has proposed, as it would help to prevent additional parking burden on the surrounding streets.
- 45 The scheme provides a 1100 litre Euro bin calculated from the number of habitable rooms. This is considered an adequate amount for the scale of the development. The proposed bins are to be housed within an enclosed structure in a location situated with easy access from a refuse cart. There are also 3 proposed recycling bins of 660 litres for occupiers. The bins are secure and positioned close to the roadside for easy access.
- 46 Secure and covered cycle storage for nine bicycles is proposed, the provision of which should be secured by condition.
- 47 Access into the site is considered to be acceptable, the applicant having supplied details of sightlines and visibility splays. The applicant has stated that the vehicular access to the development would be controlled by a signal system, to help mitigate any conflict of vehicles entering and exiting the site. Access to the proposed ramp can accommodate two vehicles without restricting the required visibility sight lines. No details have been provided with regards to the gradient of the vehicular ramp, but details of this could be secured by way of a condition if consent were granted.

- 48 The scheme is considered to be acceptable in relation to transport and servicing impacts.

Design issues

- 49 The surrounding area comprises of residential accommodation in a variety of scales and density. Adjacent to the site is a row of 2/3 storey dwelling houses. Opposite, the 1930's London County Council East Dulwich Estate comprises five and six storey blocks. There is a seven storey scheme recently completed and now occupied adjacent to 6 Dog Kennel Hill which was granted planning permission in 2006. To the rear of the site along Champion Grove are other five to six storey residential blocks.
- 50 Like the previously consented appeal scheme for this site, this scheme broadly follows the roof line of the adjacent houses and the building line along Dog Kennel Hill. At the north end the building turns the corner to face Champion Grove with a layered façade set back from the street. The massing is broken down on a classical proportion arrangement and would be predominately three storey as the lower floor would be sunken below the street perspective by way of the built up levels of the open area along Champion Grove. The top story would be fully glazed with part opaque glazing which offers a light element to the building to break the appearance of the massing further.
- 51 The building directs views onto the north aspect which is open, being comprised of garages associated with the flats fronting Champion Hill, and holds good views away from Dog Kennel Hill. Overlooking of any neighbouring properties would be restricted by way of the building's orientation whilst a louvered timber screen is proposed on the south façade to prevent any direct overlooking onto adjacent residential properties.
- 52 Given the mixture of scale and massing of the buildings in the immediate vicinity it is considered that the height, mass and scale of the proposed development is acceptable. The Inspector on the previous application found that, 'I am satisfied that the form and orientation of the building would enable it to make a sensitive transition in scale between the blocks of flats to the north and west and the semi detached houses immediately to the south'. Officers see no reasons to come to a different conclusion in this instance.
- 53 The scheme was amended in response to concerns regarding the design of the building which originally reflected a flatted development. In addition the Dog Kennel Hill frontage was considered to present a featureless facade. The scheme as amended now introduces more verticality to the development, rather than the more horizontal emphasis of the original plans. The amended scheme is considered to be appropriate to a scheme of townhouses and provides an architectural indication of the vertical units within.
- 54 The proposed design of the scheme is considered to meet the requirements of saved policies 3.12 Quality in Design and 3.13 Urban Design and SP12 "Design and Conservation" of the draft Core Strategy 2011.

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

- 55 It is considered that the scheme would preserve the setting of nearby listed buildings on Champion Hill and Grove Lane, and would likewise preserve the setting of the nearby Camberwell Grove Conservation Area.

Impact on trees

- 56 None.

Planning obligations (S.106 undertaking or agreement)

57 The scheme is below the threshold of 10 residential units for which s106 heads of terms would be required having had regard to policy 2.5 Planning obligations and the S106 Planning Obligations SPD. There are no site specific impacts which it is considered would require a planning obligation in order to mitigate. No s106 is therefore required.

58 If the previously approved scheme for 12 units were to be assessed under current policies, a full s106 agreement would be triggered, and the Heads of Terms calculated in accordance with the S106 SPD and Toolkit. Heads of Terms for the 12 unit scheme would be as follows;

59	Education	£13,607
	Employment during construction	£8,369
	Employment during construction management fee	£645
	Public Open Space, Children's play equipment and sports development	£15,339
	Transport Strategic	£6,118
	Transport Site Specific	£6,000
	Public Realm	£9,000
	Health	£12,305
	Community Facilities	£1,981
	Admin charge	£1,467
	Total	£74,831
	Total cost per residential unit	£6,200

60 The current scheme is for nine generously sized units with 3 bedrooms each, with potential to accommodate large families. It could be argued that the current scheme with its family sized units may result in greater impacts on local infrastructure and services, than the previously approved scheme. On balance however, it is not considered appropriate to seek a legal agreement from the applicant in this case as there would be limited grounds on which to do this as the proposal falls below the thresholds as set out in the SPD and toolkit. The proposal would provide larger family homes for which there is a demonstrated need in the Borough. If a scheme of 10 x 3 bedroom houses were to be proposed, the s106 contribution sought would be £87,006, with a total cost per unit of £8,490.

Sustainable development implications

61 The scheme proposes the sustainable re-use for residential development of a part brownfield/part greenfield site. The applicant states that zero carbon solid timber construction would be used and a code for sustainable homes level 4 is proposed, which exceeds the minimum standards sought for private residential development having had regard to the Council's Sustainable design and construction SPD, which is to be welcomed and which should be secured by way of condition if consent is granted. Measures which are proposed in order to achieve this rating include a green roof, grey water recycling and combined heat and power units to serve each dwelling.

Other matters

62 Safety concerns given the nearby shopping centre were raised by one objector but it is not clear to officers what this objection means. Other objections are considered to have been addressed in this report.

Conclusion on planning issues

63 Particular regard was had to the impact of the development on the appearance and character of the streetscene and the surrounding area, where it was considered that the height, scale and massing would be acceptable in the surrounding context and that the detailed design would be acceptable subject to conditions in relation to materials and landscaping. The density, dwelling mix and quality of the residential

accommodation were considered acceptable and there was no material harm considered to arise in relation to the amenity of adjoining or nearby occupiers. There was not considered to be material harm in relation to transport impacts as there would be adequate provision for on-site car parking and cycle storage, and servicing/bin stores are acceptable. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: none

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: none required

Consultations

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

Consultation replies

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

Summary of consultation responses

67 There were 5 objections to the scheme as originally consulted upon, and further one objections received in response to re-consultation. The responses to re-consultation generally stated that their objections were not overcome by the revised plans. There were ten letters in support.

68 Main issues raised by objectors are as follows:

- loss of light to 1 and 2 Dog Kennel Hill
- noise and disturbance as well as traffic
- destroys rhythm of buildings ascending Dog Kennel Hill which should be used to reflect the contours of the hill
- the existing 7 storey housing four buildings down the hill already destroys the rhythm but this impact would be exacerbated
- concerns about excessive height and massing, and slab-facing south facade
- scheme needs a more domestic scale of approach more in scale with the existing street frontage and less visually obtrusive in views up Dog Kennel Hill
- the development would obliterate what was a garden further eroding green space in the area and appears to run contrary to re-classification of gardens from definition as Brownfield

69 Main reasons given for support are as follows:

- support for contemporary and sustainable design, considering the scale and height to be appropriate, and perhaps more appropriate than the 1930s houses in the street
- letters particularly from No. 8 stating that the writer/s lived in a John Smart designed flat and were happy with the quality of the housing
- support for well designed family homes in the area

- traffic and parking look fine
- welcome contribution to the regeneration of the area

Human rights implications

- 70 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.
- 71 This application has the legitimate aim of providing for a residential development of the site. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 72 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2134-1A Application file: 10-AP-1891 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1137 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Becky Baker, Planning Officer	
Version	Final	
Dated	23 February 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Community Council Team		07 March 2011

APPENDIX 1

Consultation undertaken

Site notice date: 20/08/2010

Press notice date: 19/8/2010

Case officer site visit date: 20/8/2010 unaccompanied

Neighbour consultation letters sent: 20/8/2010

Internal services consulted:

Design and conservation

Transport Planning

Environmental Protection Team

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

Refer to list at Appendix 3

Re-consultation:

3/11/2010

01/03/11 (1 Dog Kennel Hill only to send revised drawings showing southern boundary fence and invite comments)

Consultation responses received

Internal services

Transport Planning

Vehicle, Pedestrian & Disabled Access -The Applicant has stated that the vehicular access to the development will be controlled by a signal system, to help mitigate any conflict of vehicles entering and exiting the site. Access to the proposed ramp can accommodate two vehicles without restricting the required visibility sight lines.

No details have been provided with regards to the gradient of the vehicular ramp, details of this will be required.

There are two existing cross-over's, the applicant has proposed to retain one of the existing cross-over's therefore the applicant must be made aware of the following informative;

The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway.

Sightlines/Visibility Splays - Visibility sight lines have been achieved and are acceptable

Car, Cycle and Motorcycle Parking - Cycle storage

The applicant has proposed to provide 18 cycle spaces. This proposed provision of cycle storage is welcomed however details are required with regards to the cycle storage as it is unclear as to whether the spacing between the cycle stands are adequate. Cycle storage must be of dimensions as stated in Manual for Streets, sections 8.2.21-8.2.24.

Car Parking

The applicant has proposed to provide nine off street parking spaces. The site is located in an area that has a PTAL rating (TfL indicative) of three, however given that the site is not located within a CPZ we the council do not have the power to control any overspill parking that may occur as a result of the development. Therefore after careful consideration and given the circumstances that are associated with the site the Transport group do not object to the level of off street parking that the applicant has proposed.

Disable parking

The applicant has not proposed to provide any wheelchair accessible units therefore accessible parking will not be required.

Servicing and refuse vehicle access - The applicant has proposed to locate the refuse bin storage area on Dog Kennel Hill. Policy 5.2 requires that the applicant should provide adequate provisions for the development to be serviced. it is felt that on site servicing provisions are deemed as being adequate. However given the site constraints and the existing refuse collection arrangement with the existing houses on Dog Kennel Hill Transport DC are happy with the proposal of on street refuse collection.

The applicant has stated in section 9.0 that they are proposing to have a bio-mass boiler. The applicant has not provided any information with regards to the servicing of

this bio-mass boiler. The applicant will need to provide a service management statement giving details how the applicant is expecting this boiler to be serviced.

Transport DC feel that the above points raised should not be considered a reason for refusal. However the above points will need to be addressed.

Environmental Protection Team - concerns raised regarding impacts in terms of air quality from the proposed CHP units.

Statutory and non-statutory organisations

None

Neighbours and local groups

Five letters of objections received, summarised as follows:

1 Dog kennel Hill

- objects as the scheme would deprive No. 1 of sunlight and daylight
- use of the garden to No.1 1 would be adversely affected
- concerned about noise and disturbance as well as traffic
- overbearing impact on No. 1 as result of height, design and appearance
- Safety concerns given nearby shopping centre

In response to re-consultation on the revised plans, the objectors on behalf of No 1 Dog Kennel Hill reiterated their initial objections.

2 Dog kennel Hill

- objects as scheme would reduce light to the writer's house
- Scheme would obscure the view from No. 2
- as a pensioner would like to end days in good surroundings and comfort

49 Grove Park

- destroys rhythm of buildings ascending Dog Kennel Hill which should and used to reflect the contours of the hill
- the existing 7 storey housing four buildings down the hill already destroys the rhythm but this impact would be exacerbated
- objects to massing, and slab-facing south facade
- scheme needs a more domestic scale of approach more in scale with the existing street frontage and less visually obtrusive in views up Dog Kennel Hill

In response to the re-consultation on the revised plans, 49 Grove Park wrote that they noted that the plans recognise (in drawing 024-029-REV-B) the relevance of the sight line of the 1930s housing up Dog Kennel Hill. They consider however that the new proposals fail to honour that sight line, in that the southern edge of the roof intrudes above it. Given the mass, and the E-W length of the new building, that extra height is not acceptable. The building will dominate the crest of the hill, and it should not do so excessively by breaching that sight line.

They also stated that the drawing also shows the sight line of the newly built 8 Dog Kennel Hill, which merely serves to emphasise the inappropriateness of that building. On no account should it be used as a reference to permit similar out of scale development.

197-199 Grove Park

- objects although had been unaware that the previous scheme for this site had been allowed on appeal
- objects on grounds of harm in relation to excessive massing at the top of Dog Kennel Hill

- building line should be set back to same line as houses at 1-6
- considers that building is too high but presumably the Inspector took this into account when granting consent previously to a building of this height on the site
- concern in relation to amenities of occupiers of 1 – 6 to the south as whilst the south screen to the proposal purports to prevent overlooking, there will still be an overlooking impact; the properties at the top of Grove Lane and Langford Green will suffer from overlooking

In response to re-consultation on the revised plans, the writer stated that these revisions do nothing to alleviate the concerns outlined above.

- main concern is the scheme is too big and comes forward in front of the building line.
- building should be set back by removing at least one unit so that the vista from the top of the hill is not cut into and the building line respected.
- a reduced scheme could be of the same quality that those living at 8 Dog Kennel Hill seem to admire in supporting the application - my concern is the bulk and dominance of the development not the quality of finishes.
- notes that on drawing 024-030A the architects choose to leave out the back of pavement lift tower of their 8 Dog Kennel Hill development whilst making note of buildings in the distance.
- drawing 024-036 shows quite sinisterly how the new block would completely dominate the houses at 1 and 2 Dog Kennel Hill

35 Langford Green (Chair of Langford Green Estate Ltd)

- objects on grounds that the development is too high and is out of keeping with the harmonious profile of this end of Champion Hill
- whilst the Dog Kennel Hill Estate rises taller the buildings are sited lower than the road which helps maintain the profile created by one and two storey houses either side of the road
- concerned about weakness of planning controls in this area, e.g. the new flats next to Sainsbury's being higher than the writer was informed they were meant to be and window having been inserted into the new house on corner Champion Hill and Grove Lane resulting in overlooking
- the development would obliterate what was a garden further eroding green space in the area and appears to run contrary to re-classification of gardens from definition as Brownfield

10 letters of support received, summarised as follows:

Apartment 8, 8 Dog Kennel Hill

- supports the family housing project and considers that the new housing will improve the overall appearance and quality of Dog Kennel Hill

Flat 16, 8 Dog Kennel Hill

- supports the design, considering the scale and position in the landscape to be appropriate
- lives in a John Smart designed flat and is happy with the quality of the building considering it to be beautiful build and design
- the proposed development would give a good visual balance to this neglected site and would join up with 8 Dog Kennel Hill further down the road
- considers modern family houses are what is needed and not everyone wants a traditionally styled house like the copies of Georgian ones in Camberwell
- traffic and parking look fine
- considers no impact on amenity
- architects for this scheme have won awards and have high design principles
- whilst not proposed for key workers there remains a need for houses for other higher income families

Apt 17, 8 Dog Kennel Hill

- supports this contemporary design which includes a good level of sustainable materials

- will add to the regeneration of this part of East Dulwich
- the existing 1930s buildings cannot be described as attractive and the proposed 9 houses will be a vast improvement

Flat 15, 8 Dog Kennel Hill

- supports scheme, and resides in prize winning development at NO. 8 by the same practice ; this gives the writer confidence that this scheme would be executed with the same level of considerate and innovative design
- similar design ethos would help the development at 1a fit with the modern development at No. 8
- given the development opposite at Mary Seacole Court can't see how objections raised by other residents about height are really pertinent; seems a prime location to build a property that will offer spectacular views to the north

Flat 1, 8 Dog Kennel Hill

- supports scheme – excited at prospect of a scheme from the same architects as No. 8
- considers it would be contemporary and a good match to the building at No. 8

Flat 14, 8 Dog Kennel Hill

- supports as scheme would bring much needed family houses to the area
- welcomes regeneration of this vacant brownfield site

122 Grove Lane

- supports as good to see regeneration of this stretch of Dog Kennel Hill and think family houses are a welcome change from flats
- the 1930s houses along the road are not in keeping with the area in style or scale
- the scale of this development is more in keeping and appropriate to this prominent location; will give scale and unity to this otherwise incoherent stretch of the hill
- welcomes the design and hope it has the same positive benefits as No. 8 down the hill

9 Grove Hill Rd

- supports the scheme and considers that the pleasing contemporary architecture
- would contribute to the regeneration of the area and make best use this vacant site
- considers the 5 houses existing on the street to be out of character with the neighbouring buildings and their poor appearance is an unwelcome view when approaching from East Dulwich; this development would be a great improvement

29 Champion Grove

- supports the contemporary design approach and considers it would make a positive contribution to the area

155 Grove Lane

Supports the scheme – happy to see something that would revitalise this stretch of Dog Kennel Hill

- the site has been vacant for some time and a well designed housing block like this would enhance the area
- not often that one sees contemporary houses proposed in London so is quite eager to see this unique development in our neighbourhood

4 DOG KENNEL HILL LONDON SE22 8AA
1 DOG KENNEL HILL LONDON SE22 8AA
2 DOG KENNEL HILL LONDON SE22 8AA
1-2 THE PARADE DOG KENNEL HILL LONDON SE22 8BQ
3 THE PARADE DOG KENNEL HILL LONDON SE22 8BQ
5 DOG KENNEL HILL LONDON SE22 8AA
6 DOG KENNEL HILL LONDON SE22 8AA
FLAT 11 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
APARTMENT 7 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 8 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 5 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 6 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 11 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 12 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 9 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 10 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 4 8 DOG KENNEL HILL LONDON SE22 8AA
176 CHAMPION HILL LONDON SE5 8TN
APARTMENT 2 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 3 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 1 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 13 8 DOG KENNEL HILL LONDON SE22 8AA
FLAT 5 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 6 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 3 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 4 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 9 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 10 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 7 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 8 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
FLAT 2 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
APARTMENT 16 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 17 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 14 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 15 8 DOG KENNEL HILL LONDON SE22 8AA
FLAT 1 MARY SEACOLE COURT DOG KENNEL HILL LONDON SE22 8BF
APARTMENT 18 8 DOG KENNEL HILL LONDON SE22 8AA
APARTMENT 19 8 DOG KENNEL HILL LONDON SE22 8AA
FLAT 10 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 11 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 9 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 1 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 14 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 15 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 12 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 13 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 8 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 2 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 3 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 1 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 10 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 6 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 7 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 4 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 5 SEAVINGTON HOUSE CHAMPION HILL LONDON SE5 8DN
FLAT 16 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 27 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 28 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 25 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 26 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 30 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 31 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 29 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 3 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 24 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 19 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 2 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 17 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 18 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 22 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 23 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 20 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
FLAT 21 HOLDERNESS HOUSE CHAMPION HILL LONDON SE5 8DR
1 GROVE HILL ROAD LONDON SE5 8DF
34 LANGFORD GREEN LONDON SE5 8BX
35 LANGFORD GREEN LONDON SE5 8BX
32 LANGFORD GREEN LONDON SE5 8BX
33 LANGFORD GREEN LONDON SE5 8BX
38 LANGFORD GREEN LONDON SE5 8BX
39 LANGFORD GREEN LONDON SE5 8BX
36 LANGFORD GREEN LONDON SE5 8BX
37 LANGFORD GREEN LONDON SE5 8BX
31 LANGFORD GREEN LONDON SE5 8BX

25 LANGFORD GREEN LONDON SE5 8BX
26 LANGFORD GREEN LONDON SE5 8BX
23 LANGFORD GREEN LONDON SE5 8BX
24 LANGFORD GREEN LONDON SE5 8BX
29 LANGFORD GREEN LONDON SE5 8BX
30 LANGFORD GREEN LONDON SE5 8BX
27 LANGFORD GREEN LONDON SE5 8BX
28 LANGFORD GREEN LONDON SE5 8BX
40 LANGFORD GREEN LONDON SE5 8BX
FLAT 4 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 5 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 2 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 3 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 8 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 9 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 6 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 7 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 12 KAREN COURT GROVE LANE LONDON SE5 8DA
43 LANGFORD GREEN LONDON SE5 8BX
44 LANGFORD GREEN LONDON SE5 8BX
41 LANGFORD GREEN LONDON SE5 8BX
42 LANGFORD GREEN LONDON SE5 8BX
FLAT 10 KAREN COURT GROVE LANE LONDON SE5 8DA
FLAT 11 KAREN COURT GROVE LANE LONDON SE5 8DA
45 LANGFORD GREEN LONDON SE5 8BX
FLAT 1 KAREN COURT GROVE LANE LONDON SE5 8DA
Champion Hill Estate Tenants Association 22 Holderness House Champion Hill London SE5 8DR
49 GROVE PARK LONDON SE5 8LG
7-10 Chandos Street London W1G 9DQ
9 GROVE HILL ROAD LONDON SE5 8DF
29 Champion Grove London SE5 8BN
122 Grove Park Denmark Hill London SE5 8BP
155 Grove Lane London SE5 8BG
Flat 15 8 Dog Kennel Hill London SE22 8AA
Flat 14 8 Dog Kennel Hill London SE22 8AA