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|--|---|---|--|
| <b>Item No.</b><br>6.4                   | <b>Classification:</b><br>Open  | <b>Date:</b><br>12 May 2011               | <b>Meeting Name:</b><br>Camberwell Community Council |
| <b>Report title:</b>                     | <b>Development Management planning application:</b><br>Application 11-AP-0689 for: Conservation Area Consent<br><br><b>Address:</b><br>LAND REAR OF 101 GROVE LANE, LONDON, SE5 8BG<br><br><b>Proposal:</b><br>Demolition of four existing garages. |   |  |
| <b>Ward(s) or groups affected:</b>       | South Camberwell  |   |  |
| <b>From:</b>                             | Wing Lau  |   |  |
| <b>Application Start Date</b> 18/03/2011 |   | <b>Application Expiry Date</b> 13/05/2011 |  |

## RECOMMENDATION

Grant Conservation Area Consent

This application is referred to Camberwell Community Council owing to the number of objections received.

## BACKGROUND INFORMATION

### Site location and description

- 1 The application site refers to four garages to the rear of 101 Grove Lane. No. 101 is an end of terrace three storey building with a sizeable corner plot, located on the northern side of Grove Lane.
- 2 The site is adjacent to a park area located over a railway tunnel. On the other side of the park is a four storey block of flats - Hull Court that is approximately 25m from the boundary with 101 Grove Lane. In the park close to the boundary is a mature hedge of trees and bushes that screens most of the site from the park area and Hull court.
- 3 To the rear of 101 Grove Lane is Canning Cross that serves the back of the properties on Grove Lane and Camberwell Grove including access to garages, mews houses and workshops.
- 4 The site is within the Urban Density Zone, Air Quality Management Area and Camberwell Grove Conservation Area as identified in the adopted Local Development Framework 2010 (LDF). However, the proposal site is not listed but 103 to 109 (immediately adjoining) are. 111 and 113 Grove Lane are also Grade II listed.

### Details of proposal

- 5 This Conservation Area Consent (CAC) application is for the demolition of the 4 existing garages. The main full planning application 11-AP-0688 will assess fully the proposal to build a part one/two storey detached 3 bedroom house with integral garage; space for a second car and gardens. The concurrent planning application is a revised application following the grant of planning permission 10-AP-0972 (and

associated Conservation Area Consent 10-AP-0973). The new house is on two floors with gable roof, sloping down to the existing rear garden of the main house and down to Canning Cross.

### **Planning history**

- 6 00-AP-1596 (Full) - Planning permission granted in June 2002 for "Demolition of existing garages and erection of single storey building to be used for garage, workshop and storage space".

00-AP-1597 (CAC) - Conservation Area Consent (CAC) granted in June 2002 for "Demolition of garages".

09-AP-1562 (Full) - Planning permission refused in October 2009 for "Construction of a part one/two storey detached 3 bedroom house with integral garage on land r/o 101 Grove Lane".

This was refused on the following grounds:

*The proposed development by reason of its height, scale and massing, and detailed design would be out of character with the surrounding built form, resulting in an incongruous and obtrusive development which fails to contextualise with the adjoining dwellings by being over dominant, as such the development would be detrimental to the amenity of the occupiers of neighbouring dwellings. Furthermore, the proposed development would fail to preserve or enhance the Camberwell Grove Conservation Area and would harm the setting of neighbouring listed buildings, thereby contrary to policies 3.2 'Protection of Amenity', 3.12 'Quality in Design', 3.13 'Urban Design', 3.15 - 'Conservation of the historic environment', 3.16 - 'Conservation Areas' and 3.18 - 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of The Southwark Plan [UDP] July 2007.*

09-AP-1563 (CAC) - CAC refused to "Demolish 4 No garages (to enable the development of a proposed 3 bedroom house) on land to the rear of 101 Grove Lane".

This was refused on the following grounds:

*Whilst the existing building does not contribute positively to the character or appearance of the conservation area, there is no acceptable proposed replacement scheme, and in the absence of such a scheme if the building were to be demolished a potentially unsightly vacant space would remain, with a gap in the Conservation Area, which would not preserve or enhance the character or appearance of the Camberwell Grove Conservation Area. In this regard the demolition would be contrary to policies 3.15 Conservation of the historic environment, 3.16 Conservation areas, and 3.18 Setting of listed buildings, conservation areas and world heritage sites of the Southwark Plan 2007.*

Following the refusal of 09-AP-1562 and 09-AP-1563, the applicant made a number of changes to the plot size, design, mass and bulk. This was then approved under permission 10-AP-0972 and associated CAC 10-AP-0973. This permission has not yet been implemented and the current application is essentially amending the approved scheme to create a wider footprint and fenestration changes.

10-AP-0972 (Full) Permission granted under delegated powers in Nov 2010 for "Demolish four garages and construct a detached two bedroom dwelling with integral garage on land rear of 101 Grove Lane".

10-AP-0973 (CAC) granted in Nov 2010 for "Demolish existing four garages".

### **Planning history of adjoining sites**

- 7 There is no relevant planning history on adjoining sites.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

- 8 The main issues in this case are whether the existing building makes a positive contribution to the conservation area and whether the demolition is justified.

### Planning policy

#### Saved Policies of The Southwark Plan 2007 (July)

- 9 3.15 'Conservation and the Historic Environment'  
3.16 'Conservation Areas'  
3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites'

Camberwell Grove Conservation Area appraisal

#### London Plan 2008 consolidated with alterations since 2004

- 10 4B.12 'Heritage Conservation'

#### Core Strategy April 2011

- 11 Strategic Policy 12 - Design and Conservation

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

- 12 PPS 5 'Planning and the Historic Environment'

### Principle of development

- 13 It is the Council's strategic policy SP12 Design and Conservation that developments preserve and enhance historic environment including Conservation Areas.
- 14 In accordance with PPS 5, local planning authorities should take into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. Where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the Conservation Area, including, where appropriate, through development of that element.
- 15 Saved Policy 3.16 states at paragraph 291 that within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition of a building that contributes positively to the character or appearance of the conservation area unless it can be demonstrated that certain criteria are met, including matters relating to costs of repairs, whether efforts have been made to continue the current use or find an alternative viable use for the building; there would be substantial benefits to the community from the redevelopment which would outweigh the loss of the demolition; or the replacement development will preserve or enhance the character or appearance of the conservation area. These matters are addressed below.
- 16 This site is within the Camberwell Grove Conservation Area. The urban grain of the locality is generally one of garages onto a rear-lane, serving large houses facing onto the main streets beyond; in Canning Cross and Stories Mews there is a developing pattern of small mews/coach-house type developments replacing the garages.
- 17 In accordance with Policy 3.16 'Conservation Areas', Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the Conservation Area, unless certain criteria can be demonstrated to have been met.

- 18 i) *The costs of repairs and maintenance would not be justified, when assessed against the importance of the building and the value derived from its continued use, providing that the building has not been deliberately neglected* - The condition of the garages appear to be in a poor state following a site visit and do not contribute positively to the Conservation Area. The demolition is necessary to facilitate a scheme which Officers consider will enhance this part of the Conservation Area.
- 19 ii) *Real efforts have been made to continue the current use or find a viable alternative use for the building* - Continuing the present use whilst possible, is not considered to be beneficial given the unattractive appearance of the garages.
- 20 iii) *There will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the demolition* - In the case of conservation area controls, account should clearly be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole. The existing garages are considered to be a fairly unattractive, and their contribution to the conservation area streetscape and public realm is negative. Their scale, design and prominence are considered to visually detract from this context. The existing garages do not offer significant visual character to the area, and the loss of these elements would not be detrimental to the character and appearance of the Conservation Area as a whole. Furthermore, the proposal to replace the existing garages with 1 family dwelling would enhance the character and appearance of the Conservation Area. As such there are no objections raised regarding its demolition. It is also noted that CAC was previously granted for their demolition under ref 10-AP-0973.
- 21 iv) *The replacement development will preserve or enhance the character or appearance of the Conservation Area and has been granted planning permission* - A separate planning application (11-AP-0688) is being considered and is recommended for approval, as it is considered to enhance the character and appearance of the Conservation Area.

#### **Conclusion on planning issues**

- 22 Officers have taken the view that there would be benefits from the demolition and proposed redevelopment that would outweigh the results of the demolition. In this case, there is a simultaneous planning application submitted for a detached two bedroom house (11-AP-0688), which is recommended for approval.
- 23 As there is an acceptable proposed replacement scheme which would ensure that the site would not be left with a derelict appearance, the proposed demolition should be permitted in accordance with saved Policies 3.15, 3.16 and 3.18 of the Southwark Plan and SP12 of the Core Strategy.

#### **Community impact statement**

- 24 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: No issues.

c) The likely adverse or less good implications for any particular communities/groups

have been also been discussed above.

### Consultations

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

### Consultation replies

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

### Summary of consultation responses

- 27 Letters of objection have been received, which have been lodged under the associated full planning application 11-AP-0688.

### Human rights implications

- 28 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of demolishing existing garages. 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/2135-101<br>Application file: 11-AP-0689<br>Southwark Local Development Framework and Development Plan Documents | Regeneration and Neighbourhoods Department<br>160 Tooley Street<br>London<br>SE1 2TZ | Planning enquiries telephone:<br>020 7525 5403<br>Planning enquiries email:<br><a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a><br>Case officer telephone:<br>020 7525 5460<br>Council website:<br><a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a> |

## APPENDICES

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

## AUDIT TRAIL

|   |   |                          |
|---|---|--------------------------|
| <b>Lead Officer</b>   | Gary Rice, Head of Development Management |                          |
| <b>Report Author</b>  | Wing Lau, Planning Officer                |                          |
| <b>Version</b>  | Final                                     |                          |
| <b>Dated</b>  | 12 May 2011                               |                          |
| <b>Key Decision</b>   | No  |                          |
| <b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b> |   |                          |
| <b>Officer Title</b>  | <b>Comments Sought</b>                    | <b>Comments included</b> |
| Strategic Director of Communities, Law & Governance                     | No  | No                       |
| Strategic Director of Regeneration and Neighbourhoods                   | No  | No                       |
| Strategic Director of Environment and Housing                           | No  | No                       |
| <b>Date final report sent to Community Council Team</b>                 |   | 27 April 2011            |

**Consultation undertaken**

**Site notice date:** 02.04.11

**Press notice date:** 31.03.11

**Case officer site visit date:** 02.04.11

**Neighbour consultation letters sent:** 29.03.11

**Internal services consulted:**  
Design and Conservation Team

**Statutory and non-statutory organisations consulted:**  
English Heritage

**Neighbours and local groups consulted:**

107 GROVE LANE LONDON SE5 8BG  
109 GROVE LANE LONDON SE5 8BG  
111 GROVE LANE LONDON SE5 8BG  
115 GROVE LANE LONDON SE5 8BG  
117 GROVE LANE LONDON SE5 8BG  
25 CANNING CROSS LONDON SE5 8BH  
103B GROVE LANE LONDON SE5 8BG  
138 CAMBERWELL GROVE LONDON SE5 8RQ  
113A GROVE LANE LONDON SE5 8BG  
117A GROVE LANE LONDON SE5 8BG  
138B CAMBERWELL GROVE LONDON SE5 8RQ  
115A GROVE LANE LONDON SE5 8BG  
GROUND AND FIRST FLOOR REAR 113A GROVE LANE LONDON SE5 8BG  
FLAT 3 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 5 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 2 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 11 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 13 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 15 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 10 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 12 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 6 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 8 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 14 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 3 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 5 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 7 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
SECOND FLOOR REAR 117 GROVE LANE LONDON SE5 8BG  
103A GROVE LANE LONDON SE5 8BG  
105 GROVE LANE LONDON SE5 8BG  
113 GROVE LANE LONDON SE5 8BG  
138A CAMBERWELL GROVE LONDON SE5 8RQ  
102 CAMBERWELL GROVE LONDON SE5 8RQ  
106 CAMBERWELL GROVE LONDON SE5 8RQ  
112 CAMBERWELL GROVE LONDON SE5 8RQ  
116 CAMBERWELL GROVE LONDON SE5 8RQ  
120 CAMBERWELL GROVE LONDON SE5 8RQ  
124 CAMBERWELL GROVE LONDON SE5 8RQ  
130 CAMBERWELL GROVE LONDON SE5 8RQ  
134 CAMBERWELL GROVE LONDON SE5 8RQ  
FLAT 10 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 12 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 14 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 16 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 4 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 7 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 9 HULL COURT GROVE LANE LONDON SE5 8SL  
FLAT 1 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
117B GROVE LANE LONDON SE5 8BG

117C GROVE LANE LONDON SE5 8BG  
117D GROVE LANE LONDON SE5 8BG  
100 CAMBERWELL GROVE LONDON SE5 8RQ  
104 CAMBERWELL GROVE LONDON SE5 8RQ  
108 CAMBERWELL GROVE LONDON SE5 8RQ  
110 CAMBERWELL GROVE LONDON SE5 8RQ  
114 CAMBERWELL GROVE LONDON SE5 8RQ  
118 CAMBERWELL GROVE LONDON SE5 8RQ  
122 CAMBERWELL GROVE LONDON SE5 8RQ  
126 CAMBERWELL GROVE LONDON SE5 8RQ  
128 CAMBERWELL GROVE LONDON SE5 8RQ  
132 CAMBERWELL GROVE LONDON SE5 8RQ  
136 CAMBERWELL GROVE LONDON SE5 8RQ  
FLAT 11 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 13 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 2 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 4 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 6 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 8 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 9 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG  
FLAT 1 101 GROVE LANE LONDON SE5 8BG  
FLAT 3 101 GROVE LANE LONDON SE5 8BG  
FLAT 4 101 GROVE LANE LONDON SE5 8BG  
FIRST FLOOR FLAT 117 GROVE LANE LONDON SE5 8BG  
SECOND FLOOR FRONT 117 GROVE LANE LONDON SE5 8BG  
FLAT 1 HULL COURT GROVE LANE LONDON SE5 8SL  
11 de Crespigny Park Camberwell London SE5 8AB  
7 Finsen Road Camberwell London SE5 9AX  
54 Shipwright Road  
54 Shipwright Road London SE16 6QA  
48 Somerford Way Rotherhithe London SE16 6QW  
48 Somerford Way Rotherhithe London SE16 6QW  
6 Ivanhoe Road London SE5 8DH

**Re-consultation:**

None



**Consultation responses received**

**Internal services**

Design and Conservation Team (Surgery) - No objections.

**Statutory and non-statutory organisations**

English Heritage - No comments have been received at the time of writing.

**Neighbours and local groups**

Letters of objection have been received, which have been lodged under the associated full planning application 11-AP-0688. No mention of the loss of the garages.