

Item No: 6.1	Classification: OPEN	Date: 21 July 2011	Meeting Name Camberwell Community Council
Report title:	Development Management planning application: Application 11-AP-0757 for: S.73 Vary/remove conds/minor alterations Address: LAND TO THE REAR OF 37 AND 38 GROVE PARK, LONDON, SE5 8LG Proposal: Variation of condition 2 (approved plans) of planning permission reference 10-AP-1717 dated 29.10.2010 (for 'Erection of 2 two-storey single family houses, erection of a one storey single garage, and off-street parking for two cars') to amend the drawings to show basements to be constructed to the two houses.		
Ward(s) or groups affected:	South Camberwell		
From:			
Application Start Date 9 March 2011		Application Expiry Date 4 May 2011	

RECOMMENDATION

- 1 Grant Planning Permission.

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

BACKGROUND INFORMATION

Site location and description

- 2 The application site consists of an area of land of 0.06ha in area to the rear of 37/38 Grove Park, which effectively forms part of their rear gardens. Grove Park is arranged in a loop, with east and west connecting roads linking the loop. The two properties are adjacent to each other, and face south fronting onto the southern-most loop of Grove Park. The application site fronts onto the eastern loop of Grove Park.
- 3 The application site itself is a segment of land to the gardens of both 37 and 38, the applicant owning both portions of the rear gardens. To the rear of the gardens, numbers 78, 79 and 80 Grove Park back on to the site. There is currently a derelict garage on site, which has vehicular access gates onto Grove Park.
- 4 Along the boundary of the application site, the current frontage onto the eastern loop link road of Grove Park is flanked by a brick wall, 2m in height.
- 5 There are a number of trees on site, but none of these are subject to a Tree Preservation Order. All trees have a general tree protection by virtue of being within the Conservation Area.
- 6 Grove Park is characterised by large semi-detached Victorian houses. The houses fronting the southern-most loop of Grove Park have particularly long rear gardens, longer than those rear gardens associated with houses on the northern most loop. The eastern link road of Grove Park, on which the application site is located, in contrast to the rest of the street, possesses a wide variety of houses, ranging from

number 85, which is an ornate historic building, to several two and three storey dwellings built between the 1950s - 1980s. Lord House at 90 Grove Park is modern and built in the last ten years. It is modern in construction, with a flat roof, and white render.

- 7 In terms of policy designations, the site is located within the Camberwell Grove Conservation Area, and the Urban Density Zone, with a Public Transport Accessibility Level (PTAL) of 2. None of the buildings on the application site are listed. The nearest Listed Building is Grade II, 13 Grove Park (Fontenoy House) which is on the southern loop of Grove Park.

Details of proposal

- 8 The applicant seeks to add basements to a depth of 2.4m to two houses that were granted permission in the last year. No works have yet been started on site. The planning application to which this proposal relates is detailed at paragraph 14 of the planning history section below.

Amendments sought include:

- 9
- the addition of basements to both houses, to the same footprint as the upper floors,
 - adjustment of vehicular access from 2.7m wide to 3.75m wide;
 - reduction of garage door width from 2.7m to 2.55m;
 - reduction of pedestrian access gates from 1.5m wide to 1.275m.

- 10 An Arboricultural report has been submitted which states that the revised footing of the houses with basement would fall below the potential influence of tree roots.

Planning history

- 11 0100044: Planning permission was refused on 31 October 2001 for the construction of a part one, part two storey single dwelling on the plot to the rear of 37 Grove Park. The subsequent appeal was dismissed, the Inspector upholding the Council's reason for refusal on the grounds that the proposed dwelling would be harmful to the character of the area, in terms of the detailed form of the proposed dwelling and its relationship with houses at 37 and 80 Grove Park. Furthermore it was found that the prominence of the proposed dwelling and the impact upon the open aspect to the west of the site, the appearance of the designated area would suffer as a result of the proposal.
- 12 06-AP-1434: Planning permission for 4 x 3 bed houses was refused on 05/10/06. The reason for refusal was that 'The proposed 4 houses by reason of their restricted horizontal form, small scale and small front gardens would be considered out of place and an incongruous feature in the street scene not harmonious with the traditional pattern of development and also detrimental to the character and appearance of this part of the Camberwell Grove Conservation Area.'
This decision was appealed against, but no decision was issued as the applicant submitted a further proposal.
(06-AP-1435 Conservation Area Consent for the demolition of the store and outbuilding on site was also refused.)
- 13 07-AP-0816: Planning permission was refused for four two storey plus attic houses, and a single garage, for the reason that 'The proposed 4 houses by reason of their restricted horizontal form, small scale and small front gardens would be considered out of place and an incongruous feature in the street scene not harmonious with the traditional pattern of development and also detrimental to the character and appearance of this part of the Camberwell Grove Conservation Area'.
An appeal against the decision was dismissed on 19/03/08, as the Inspector upheld the Council's decision and found that "the linked nature of the four houses would mean that they would be perceived as a long length of terraced houses (despite set backs and glazing,) giving an overly dominant appearance along the street. These

features would contrast sharply with the more elegant vertical proportions, larger scale and distinct separation of the older buildings." The Inspector also concluded that the scheme would result in a "cramped, low and mean scheme", and would be "out of place and incongruous".

(07-AP-0826 Conservation Area Consent for the demolition of the store and outbuilding on site was allowed.)

- 14 10-AP-1717: Planning permission was granted on 29/10/10 for the erection of 2 two-storey single family houses, erection of a one storey single garage, and off-street parking for two cars.

Planning history of adjoining sites

- 15 90 Grove Park
Planning permission for construction of new detached house, reference 9701473 was granted on 27/10/98.
- 16 Rear of 31/32/33 Grove Park
Planning permission was granted on 25/02/09 (reference 08-AP-2467) for the construction of a 5 bedroom single family dwelling house occupying basement / lower ground, ground and first floor level, with associated waste storage, 2 off-street car parking spaces and cycle storage.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 17 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 issues;
 - c) Character and appearance of the conservation area;
 - d) Traffic Issues.

Planning policy

Saved Southwark Plan 2007 (July)

- 18 3.2 Protection of Amenity
3.4 Energy Efficiency
3.7 Waste Reduction
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban design
3.14 Designing out crime
3.15 Conservation of the Historic Environment
3.16 Conservation Areas
3.28 Biodiversity
4.2 Quality of Residential Accommodation
5.2 Transport Impacts
5.3 Walking and Cycling
5.6 Car Parking

London Plan 2008 consolidated with alterations since 2004

- 19 3A.1 Increasing London's supply of housing
- 3A.2 Borough Housing Targets
- 3A.3 Maximising the potential of sites
- 4A.11 Living roofs and walls
- 4B.8 Respect local context and communities

The London Plan Housing SPD April 2010

Core Strategy

- 20 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)

- 21 PPS1 Delivering Sustainable Development
- PPS5 Planning and the Historic Environment
- PPG14 Development on Unstable Land

Principle of development

- 22 The principle of erecting two houses on the site has already been established by virtue of planning permission reference 10-AP-1717. The Core Strategy has been adopted since the original permission was granted, but this does not raise any landuse issues in this instance.
- 23 The proposal now before Members for a 'minor material amendment' to the approved scheme, to allow the provision of basements to the dwellings, and alterations to the vehicular and pedestrian site accesses. It is noted that concerns have been raised that the term 'minor' is misleading, and that the proposed basements are far from being 'minor'.
- 24 The proposal is considered by officers to be minor, because;
 - there are no significant changes to the permitted scheme above ground and no changes to appearance;
 - whilst the volume of the permitted scheme is expanded, the number of habitable rooms and accordingly the density of the building is to remain as previously approved;
 - apart from the extended excavation into the ground the proposal is not considered by officers to be substantially different to that which has been approved.
- 25 If permission is granted, it would in effect be a new planning permission with conditions imposed. The original planning permission would remain in place and could still be implemented.

Environmental impact assessment

- 26 None required due to the nature and size of the scheme which does not fall within Schedule 1 and is below the relevant thresholds for Schedule 2 development, being less than 0.5ha in area and as it is not within a sensitive area and as it is not considered that the scheme would result in significant environmental impacts in this urbanised location.

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

- 27 Construction and subsidence are covered at paragraphs 48-54 of this report. It is not

considered that the addition of a basement to the approved houses would harm the amenities of nearby residents. The proposal raises no amenity issues as the basements would not be visible from the street or surrounding properties.

- 28 The basements would add 96.7sqm (GIA) to the overall area per house, increasing the overall floor area by approximately a third. The development would provide two large four bedroom houses with basement areas for storage, laundry and studio workspace. It is not considered that the additional rooms would lead to significant increase in occupancy, such that would detract from the amenity of nearby occupiers or result in excessive noise levels.
- 29 The density of the scheme without the basements is 222 habitable rooms per hectare. The basements would not provide additional habitable rooms therefore the density would be unchanged.
- 30 It is considered that the proposal complies with saved policy 3.2 Protection of Amenity of the Southwark Plan, and SP13 High Environmental Standards of the Core Strategy.

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

- 31 None envisaged.

Traffic issues

- 32 There are minor changes proposed to the pedestrian entrances and vehicular entrances (with the exception of the southern-most vehicular entrance) off Grove Park. The changes are as follows:

Approved Scheme:

- 33 Pedestrian gates: 1500mm wide Vehicular openings: 2700mm wide

Proposed amendment:

- 34 Pedestrian gates: 1275mm wide Vehicular openings: 3750mm wide

- 35 The openings are generally becoming wider with the exception of the southern-most vehicular gate which will remain as originally approved at 2700mm. The issue of crossover widths and visibility splays has been under discussion with officers in the Street Care department. The crossovers do not meet a 2.4m x 2.4m visibility splay. In assessing the scheme however, no specific highway safety issues would arise from this issue, due to the following;

- low pedestrian flows on Grove Park,
- low vehicle speeds on the road due to its nature and also traffic calming features,
- vehicles can still access the proposed parking spaces in line with guidance included in the highway code,
- the restriction of vehicle visibility splays can actually assist in reducing collisions as the driver is forced to make a more cautious approach due to the restriction.

- 36 The openings are wider than as originally approved under 10-AP-1717, and this is welcomed as this will improve the visibility splays when moving between the site and the street.
- 37 The proposal complies with saved policy 5.2 'Transport Impacts' of the Southwark Plan 2007 and SP2 'Sustainable Transport' of the Core Strategy 2011.

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

- 38 The application is assessed against national guidance in PPS 5 'Planning for the

Historic Environment'. The following paragraphs in the accompanying guidance 'PPS 5 'Planning for the Historic Environment: Historic Environment Planning Practice Guide' are particularly relevant:

HE9.2

- 39 Where an application will lead to substantial harm to or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that:
- (i) the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh the harm or loss; or
 - (ii) (a) the nature of the heritage asset prevents all reasonable use of the site; and
 - (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and
 - (c) conservation through grant funding or some form of charitable or public ownership is not possible; and
 - (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use.
- 40 178 *'The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use, relationship with adjacent assets, alignment and treatment of setting.....It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting.'*
- 41 It is not considered that the alteration in width of openings in the wall would significantly alter the appearance of the scheme. There would be a slight increase in the height (approximately 300mm) of the joining element between the two houses but this would remain subservient to the main houses.
- 42 The basements would be below ground and would not be visible, therefore the character and appearance of this part of the conservation area would be preserved.

Impact on trees

- 43 The loss of six trees on the site was permitted through the earlier permission. This was subject to a condition requiring six new trees to be planted on the site and it is recommended that the same condition be attached to any forthcoming consent.
- 44 The issue to consider under the current application is whether the proposed basements would be harmful to a plane tree which is located on the footway on Grove Park, at a distance of over 3m from the proposed basement excavation.
- 45 A 0.7m deep trench has been dug on site, and although tree roots were noted at depths lower than 0.7m, which has been raised as a concern by an objector, the Council's Arboricultural Officer has advised that these are most likely to be finer, non-structural feeder roots, and that the arboricultural report submitted with the application is correct in supposing that most larger roots are found in the top 70cm of soil profile; it is noted that only very small roots were found at this level. The former presence of a brick wall along the site boundary is likely to have contributed to larger roots having been deflected away from this part of the site and as such the report concludes that there would be no harm to the street tree as a result of the proposal. As stated, this has been reviewed by the Council's Arboricultural Officer and is found to be acceptable. It is recommended that both foundation design and tree root protection specifications be sought via conditions, as per the existing permission.

Planning obligations (S.106 undertaking or agreement)

- 46 None required.

Sustainable development implications

47 None proposed.

Other matters

Building Control Matters

- 48 Building Control is a statutory function of the Council, distinct from the Council's responsibilities as Local Planning Authority. Building Control amongst other matters is concerned with the stability of a buildings' foundations and the stability of the excavations to construct those foundations.
- 49 Advice has been taken from PPG14 (Development on Unstable Land) as well as the Council's Building Control team and is summarised below. It is important to note that PPG14 guidance is for the development on land which is unstable or which is potentially unstable. Unless the development site is inherently unstable then it is questionable whether PPG14 applies, however, because of the objections raised in relation to subsidence, it is considered constructive to consider it.
- 50 The guidance states that instability may be placed in three broad categories:-
- 1) the effects of underground cavities; these may be of natural origin or due to mining or to civil engineering works;
 - 2) unstable slopes; these may be natural, in both coastal and inland situations; or manmade, whether excavated, as in quarries or cuttings, or constructed, as in tips and embankments;
 - 3) ground compression; this may be of natural origin due to peat, alluvial, estuarine or marine soils; or due to human activities, eg made ground, landfill or restored opencast mines; and ground subject to movement due to shrinking and swelling.
- 51 Appendix A of PPG14 explains the different causes of instability and Annex 2 deals specifically with subsidence and planning. The guidance states that potential subsidence problems can generally be minimised by ground treatment or by suitably designing the foundations and superstructure of any building. The effects of shrinkable clay are sufficiently well known and its mitigation sufficiently straightforward that building regulations provide full control. As far as we have been able to ascertain from records available to the Council, we have no indication that this area is any different to many locations in London that has strata that might be seasonally affected and as such, the guidance in PPG 14 indicates that building regulations will be able to provide control.
- 52 The developer has submitted a structural engineers report (by Structure Workshop - report dated 11th May 2011.) This assesses soil conditions to the rear of 37/38 Grove Park assessed by various boreholes.
- The report states that the soil is London Clay, and that the proposed basements would be appropriate as the houses would be founded at a depth remote from seasonal variations in moisture content.
- In terms of trees, the report states that any volume change due to a plane tree will not occur in the clay below a depth of 2.4m. The forming of the structure at this level would therefore protect the property from root activity in the long term.
- In terms of the impact on neighbouring properties, the report states that period properties on shallow footings are susceptible to subsidence as the shallow clay deposits are more prone to the effects of dry summers and the root activity of trees. As the proposed construction is more than 14m from the nearest adjacent structure there is little or no risk of causing damage to adjacent properties due to undermining. The basement would need to meet with the approval of Building Control.
- The report notes that significant water ingress to excavations in clay are typically due to perched water deposits or the disruption of lenses of water bearing strata such as sand. It states that it is unlikely that the construction of the basements would have any significant affect on the moisture content of the clay more than a metre from the face of the excavation. The report recommends that a piezometer is installed to

ascertain the water table level.

- 53 Where building work is undertaken, suitable precautions should be taken to support adjacent structures. Building Regulations requirement A1 states;

"The building should be constructed so that the combined dead, imposed and wind loads are sustained and transmitted by it to the ground;

a) safely, and

b) without causing such deflection or deformation of any part of the building or such movement of the ground as will impair the stability of any part of another building."

- 54 Any works would be overseen by the Council's Building Control team, or an approved Inspector. Construction of the development would be subject to controls intended to prevent ground movement and deformation of another building. In the event that damage or a nuisance is caused, as with any development proposal, the parties affected are protected by their respective legal rights and remedies.

Conclusion on planning issues

- 55 The amendments to the scheme granted by application reference 10-AP-1717 are considered to be acceptable. The scheme remains the same in terms of its overall design and appearance within the streetscene, the nature of the use, and number of units proposed and the provision of basements and alterations to the pedestrian and vehicular accesses are considered to be acceptable. It is therefore recommended that conditional planning permission be granted.

Community impact statement

- 56 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 impact of the basement on tree root systems, and a possible contribution to problems of subsidence.

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 tree protection conditions to be attached to any planning permission granted as the outcome of this application. Building control will provide protection against adverse effect of construction on adjoining buildings.

Consultations

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

Consultation replies

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

Summary of consultation responses

Cllr Ward (South Camberwell ward)

Object to the proposal.

Nine representations have been received from neighbouring residents objecting to the application.

Full details are at appendix 2.

- 59 Concerns regarding the impact of the basements on tree root systems, and on the amenity of the area in terms of its status as a conservation area, resulting from noise during construction works. Concerns were also raised regarding stability of the subsoil and the risks of subsidence to properties near to the application site.

Human rights implications

- 60 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.
- 61 This application has the legitimate aim of providing basements to two houses with planning permission. 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

None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2154-37 2154-38 Application file: 11-AP-0757 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 5405 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	Susannah Pettit, Senior Planning Officer	
Version	Final	
Dated	1 June 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	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to Community Council Team		11 July 2011

Consultation undertaken

- 63 **Site notice date:** 11/04/2011
- 64 **Press notice date:** 31/03/11
- 65 **Case officer site visit date:** 11/04/11
- 66 **Neighbour consultation letters sent:** 04/04/11

Internal services consulted:

- 67 Design and Conservation
- 68 Transport Planning Team
- 69 Building Control Officer

Statutory and non-statutory organisations consulted:

- 70 N/A

Neighbours and local groups consulted:

- 71 FLAT 12 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 11 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 10 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 15 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 14 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 13 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 6 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 5 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 4 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 9 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 8 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 7 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
71 GROVE PARK LONDON SE5 8LF
FLAT E 25 GROVE PARK LONDON SE5 8LH
FLAT D 25 GROVE PARK LONDON SE5 8LH
17-18 GROVE PARK LONDON SE5 8LH
44 GROVE PARK LONDON SE5 8LG
62 GROVE PARK LONDON SE5 8LF
FLAT 18 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 17 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 16 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 21 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 20 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 19 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 3 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
29 GROVE PARK LONDON SE5 8LG
28 GROVE PARK LONDON SE5 8LG
34 GROVE PARK LONDON SE5 8LG
FLAT B 25 GROVE PARK LONDON SE5 8LH
FLAT A 25 GROVE PARK LONDON SE5 8LH
56B GROVE PARK LONDON SE5 8LG
85-86 GROVE PARK LONDON SE5 8LE
31 GROVE PARK LONDON SE5 8LG
FLAT C 25 GROVE PARK LONDON SE5 8LH
82 GROVE PARK LONDON SE5 8LE
FLAT 2 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
FLAT 1 ADELAIDE HOUSE 115 GROVE PARK LONDON SE5 8LD
38 GROVE PARK LONDON SE5 8LG
37 GROVE PARK LONDON SE5 8LG
19 GROVE PARK LONDON SE5 8LH
43 GROVE PARK LONDON SE5 8LG
SECOND FLOOR FLAT 21 GROVE PARK LONDON SE5 8LH
GROUND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
GROUND FLOOR FRONT FLAT 75 GROVE PARK LONDON SE5 8LF

SECOND FLOOR FLAT 75 GROVE PARK LONDON SE5 8LF
SECOND FLOOR FLAT 24 GROVE PARK LONDON SE5 8LH
SECOND FLOOR FLAT 22 GROVE PARK LONDON SE5 8LH
BASEMENT FLAT 24 GROVE PARK LONDON SE5 8LH
BASEMENT FLAT 22 GROVE PARK LONDON SE5 8LH
FLAT 8 23 GROVE PARK LONDON SE5 8LH
GROUND FLOOR FLAT 24 GROVE PARK LONDON SE5 8LH
GROUND FLOOR FLAT 22 GROVE PARK LONDON SE5 8LH
GROUND FLOOR FLAT 21 GROVE PARK LONDON SE5 8LH
THIRD FLOOR FLAT 24 GROVE PARK LONDON SE5 8LH
SECOND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
FLAT 7 23 GROVE PARK LONDON SE5 8LH
FLAT 1 36 GROVE PARK LONDON SE5 8LG
FIRST FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
FIRST FLOOR FLAT 75 GROVE PARK LONDON SE5 8LF
FLAT 2 23 GROVE PARK LONDON SE5 8LH
FLAT 2 36 GROVE PARK LONDON SE5 8LG
FLAT 1 23 GROVE PARK LONDON SE5 8LH
27C GROVE PARK LONDON SE5 8LG
27B GROVE PARK LONDON SE5 8LG
27A GROVE PARK LONDON SE5 8LG
FIRST FLOOR FLAT 24 GROVE PARK LONDON SE5 8LH
FIRST FLOOR FLAT 22 GROVE PARK LONDON SE5 8LH
FIRST FLOOR FLAT 21 GROVE PARK LONDON SE5 8LH
FLAT 5 23 GROVE PARK LONDON SE5 8LH
FLAT 5 36 GROVE PARK LONDON SE5 8LG
FLAT 4 33 GROVE PARK LONDON SE5 8LG
FLAT 6 33 GROVE PARK LONDON SE5 8LG
FLAT 6 23 GROVE PARK LONDON SE5 8LH
FLAT 5 33 GROVE PARK LONDON SE5 8LG
FLAT 3 23 GROVE PARK LONDON SE5 8LH
FLAT 3 36 GROVE PARK LONDON SE5 8LG
FLAT 2 33 GROVE PARK LONDON SE5 8LG
FLAT 4 23 GROVE PARK LONDON SE5 8LH
FLAT 4 36 GROVE PARK LONDON SE5 8LG
FLAT 3 33 GROVE PARK LONDON SE5 8LG
93 GROVE PARK LONDON SE5 8LE
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113 GROVE PARK LONDON SE5 8LE
89 GROVE PARK LONDON SE5 8LE
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87 GROVE PARK LONDON SE5 8LE
67 GROVE PARK LONDON SE5 8LF
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99 GROVE PARK LONDON SE5 8LE
98 GROVE PARK LONDON SE5 8LE
64 GROVE PARK LONDON SE5 8LF
61 GROVE PARK LONDON SE5 8LF
60 GROVE PARK LONDON SE5 8LF
112 GROVE PARK LONDON SE5 8LE
FLAT 3 47 GROVE PARK LONDON SE5 8LG
35C GROVE PARK LONDON SE5 8LG
FLAT 1 47 GROVE PARK LONDON SE5 8LG
32 GROVE PARK LONDON SE5 8LG
90 GROVE PARK LONDON SE5 8LE
FLAT 2 47 GROVE PARK LONDON SE5 8LG
35B GROVE PARK LONDON SE5 8LG
GROUND FLOOR REAR FLAT 75 GROVE PARK LONDON SE5 8LF
35A GROVE PARK LONDON SE5 8LG
GARDEN FLAT 21 GROVE PARK LONDON SE5 8LH
FLAT 1 33 GROVE PARK LONDON SE5 8LG
108 GROVE PARK LONDON SE5 8LE
107 GROVE PARK LONDON SE5 8LE
106 GROVE PARK LONDON SE5 8LE
111 GROVE PARK LONDON SE5 8LE
110 GROVE PARK LONDON SE5 8LE
109 GROVE PARK LONDON SE5 8LE
102 GROVE PARK LONDON SE5 8LE
101 GROVE PARK LONDON SE5 8LE
100 GROVE PARK LONDON SE5 8LE
105 GROVE PARK LONDON SE5 8LE
104 GROVE PARK LONDON SE5 8LE

103 GROVE PARK LONDON SE5 8LE
FLAT 2 48 GROVE PARK LONDON SE5 8LG
FLAT B 39 GROVE PARK LONDON SE5 8LG
FLAT B 30 GROVE PARK LONDON SE5 8LG
FLAT C 39 GROVE PARK LONDON SE5 8LG
FLAT C 30 GROVE PARK LONDON SE5 8LG
FLAT B 53 GROVE PARK LONDON SE5 8LG
FLAT A 30 GROVE PARK LONDON SE5 8LG
77C GROVE PARK LONDON SE5 8LF
77B GROVE PARK LONDON SE5 8LF
FLAT A 53 GROVE PARK LONDON SE5 8LG
FLAT 1 48 GROVE PARK LONDON SE5 8LG
FLAT A 39 GROVE PARK LONDON SE5 8LG
45A GROVE PARK LONDON SE5 8LG
41C GROVE PARK LONDON SE5 8LG
41B GROVE PARK LONDON SE5 8LG
56A GROVE PARK LONDON SE5 8LG
45C GROVE PARK LONDON SE5 8LG
45B GROVE PARK LONDON SE5 8LG
40A GROVE PARK LONDON SE5 8LG
FLAT D 30 GROVE PARK LONDON SE5 8LG
FLAT 3 48 GROVE PARK LONDON SE5 8LG
41A GROVE PARK LONDON SE5 8LG
40C GROVE PARK LONDON SE5 8LG
40B GROVE PARK LONDON SE5 8LG
77A GROVE PARK LONDON SE5 8LF
46 GROVE PARK LONDON SE5 8LG
42 GROVE PARK LONDON SE5 8LG
51 GROVE PARK LONDON SE5 8LG
50 GROVE PARK LONDON SE5 8LG
49 GROVE PARK LONDON SE5 8LG
73 GROVE PARK LONDON SE5 8LF
72 GROVE PARK LONDON SE5 8LF
79 GROVE PARK LONDON SE5 8LF
78 GROVE PARK LONDON SE5 8LF
76 GROVE PARK LONDON SE5 8LF
63B GROVE PARK LONDON SE5 8LF
63A GROVE PARK LONDON SE5 8LF
94 GROVE PARK LONDON SE5 8LE
74C GROVE PARK LONDON SE5 8LF
74B GROVE PARK LONDON SE5 8LF
74A GROVE PARK LONDON SE5 8LF
55 GROVE PARK LONDON SE5 8LG
54 GROVE PARK LONDON SE5 8LG
52 GROVE PARK LONDON SE5 8LG
20 GROVE PARK LONDON SE5 8LH
58 GROVE PARK LONDON SE5 8LG
57 GROVE PARK LONDON SE5 8LG
80B GROVE PARK LONDON SE5 8LE

Re-consultation:

- 72 Residents were re-consulted on 23.06.2011 following the receipt of a structural engineers report and allowed an additional 14 days to comment. This consultation is still ongoing and Members will be updated of any additional representations through an addendum report.

Consultation responses received

Internal services

- 73 Design and Conservation Team: Comments incorporated into the report.
- 74 Transport Planning Team: Comments incorporated into report.
- 75 Building Control Officer: Comments incorporated into report.

Statutory and non-statutory organisations

- 76 N/A

Neighbours and local groups

- 77 Councillor Ward: (South Camberwell Ward) Objection

Residents are very worried that consideration of basements will be as an 'extra' onto the existing application and not as a new application. Adding such a large additional area to the building is material and the buildings with basements should be considered as a new planning application.

- 78 37 Grove Park: Objection

There are now four major developments occurring in Grove Park, and another one to come. This does not maintain the status of the conservation area as all pretence at conservation has long gone.

Grove Park is acknowledged to be one of London's worst areas for subsidence.

The residents are disillusioned on the consultation process and want cast iron assurances that should we start to suffer subsidence as a result of basement extensions, we will be able to get redress.

- 79 76 Grove Park: Objection

Grove Park has a well-known history of subsidence being largely on clay. A large number of properties have been underpinned. Even if underpinnings are not affected there could be changes in the water table effecting the gardens of the neighbourhood. Proper legal guarantees should be in place that all costs including relating to any damage and related investigations will be covered fully.

Noise is currently an issue in the area and this development will make it worse.

- 80 79 Grove Park: Objection

The building work currently taking place at 31/32/33 produces a lot of disruption to traffic and unbelievable sustained noise levels. No extra work should be permitted here unless it is guaranteed not to produce extra noise.

The ground at this end of Grove Park is unstable. Many houses have suffered subsidence and many have had to have underpinning work done. Any work affecting the soil should only be permitted if the developers produce legal guarantees offering indemnities to all neighbouring properties for any subsidence incurred as a result of their work.

- 81 80b Grove Park: Objection.

Grove Park is well known for its subsidence problems. My own home which is adjacent to the site has been substantially underpinned at both front and side, as have the neighbouring buildings. This is evidenced in surveyors' reports covering the area

and is the reason for high insurance premiums. The addition of basements to the planning application means much deeper footings and foundations will need to be established. The removal of trees will further compromise soil stability too. Adding basements will change the nature of the application and the character of the area.

Planning permission should not be given, but instead, an independent subsidence risk analysis report should be conducted by the planning team. I would also like a personal assurance from you that if the work does take place, due process, legal compliance and best practice is followed whereby proper indemnities, legal guarantees and subsidence liability funds are in place so that should the worst happen, my and other properties are protected.

82 83 Grove Park: Objection

Due to the high risk of subsidence to properties in Grove Park, the more extensive excavations required for basements to be constructed will further destabilise houses nearby. If planning permission is granted, a condition should be imposed that the applicants produce legal guarantees offering indemnity to all neighbouring properties for any subsidence incurred as a result of this work.

In terms of the tree report, evidence from the site investigation at the writers' house during November and December 2010 contradicts the findings of Connick Tree care. Roots were found at a depth of 1.2m and 2m when a survey was undertaken at 83, whereas the trench dug in respect of the application was only 0.7m deep. Therefore the writer suggest that the failure to find roots was because the trench was not deep enough.

The construction of basements will make the noise and excavation process much more unbearable due to the disruption and traffic this would entail. This along with other developments taking place in the area would hinder the residents of Grove Park as they go about their daily business.

83 84 Grove Park: Objection.

Having recently moved into the area, I object to the two houses being built in the first place as this seriously compromises the sense of Grove Park as a conservation area. I moved in on the understanding that no further building would take place.

I ask you therefore not to give permission for basements to be built or any further housing development to take place on Grove Park.

84 85 Grove Park: Objection

Although the changes to the external appearance are few, the impact on local residents will be massive. The phrase "minor material amendment" is a misleading and untrue misnomer. The development proposes to increase the size of the development by a third. The impact of digging a basement could be catastrophic.

Grove Park is known to be an area of unstable subsoil. Our home was partially underpinned 13 years ago, we don't want to go through that process again.

In an unstable area such as this, it is not a responsible act for the Council to allow extraction at such a depth. If the scheme were to go ahead and a new spate of subsidence claims were made, as you have been made aware of this in advance, both the developers and you at the Council would be equally accountable.

How can you ensure the developers are prepared to accept responsibility and offer a guarantee to pay all the neighbours' associated subsidence costs?

One of the main reasons the development reference 10-AP-1717 was approved was that it was a reduced size in comparison with the earlier schemes. With this scheme it would be increased by one third, which makes nonsense of the Council's earlier opinion and is an insult to that committee.

The timing of the application so soon after the last, is perhaps an underhand approach to the planning application system.

The disruption caused by noise, dirt, vibration and builders' chaos on a daily basis

would be disruptive, as at another nearby site.

85 92 Grove Park: Objection

Our objection during the first application said "the east side of Grove Park is prone to subsidence and this is likely to be hastened by the loss of so many trees." Little notice was taken of this when planning permission was granted. The developers also know this and the digging of basements will increase the risk of subsidence to neighbouring properties.

The east end of Grove Park slopes away to the railway line and is an area of natural springs and is prone to subsidence. Number 85 is the only house that was built on the east end during the Victorian era and is very narrow, built that way to avoid the sloping, less stable land to the rear. Nevertheless it has subsided and been underpinned.

The proposed houses are to be built immediately opposite 85 and will expose one of the most interesting houses architecturally in Grove Park to significant risk of further subsidence.

Virtually all the houses which have subsequently been built at the east end and the houses surrounding the proposed building site have subsided and been underpinned. This applies to numbers 78, 79, 80, 85, 87-89, 91.

Any work affecting the soil should only be permitted if the developers produce legal guarantees offering indemnity to all neighbouring properties for any subsidence incurred as a result of their work.

The widening of the vehicle and pedestrian entrances will impact on pedestrians and will result in further loss of parking space to the vast majority of Grove Park residents who have no garage or driveway space.

86 110 Grove Park: Objection

We suggest that had the plans been originally submitted with basements, planning permission would not have been granted, and that the current application is a contemptible and cynical manipulation of the planning regulations and should be refused.

Residents have been left disillusioned with the process by which decisions are arrived at. It is hard to believe that the planning committee have truly considered the best interests and wishes of the community.

Residents of Grove Park already experience considerable subsidence, many homes having been underpinned at least once. Deep excavations on this site would cause further damage.