

Item No. 6.2	Classification: Open	Date: 21 July 2011	Meeting Name: Camberwell Community Council
Report title:	Development Management planning application: Application 11-AP-1561 for: Full Planning Permission Address: CAMBERWELL GREEN UNITED REFORM CHURCH, 64 GROVE LANE, LONDON, SE5 8SN Proposal: Demolition of existing church building and perimeter hardstanding and steel fence and erection of 8 x 3 bedroom apartments in four-storey block along Grove Lane, with 3 storey 4-bed house on corner (Use Class C3) and erection of 2-storey church and community hall building on Love Walk (Use Class D1).		
Ward(s) or groups affected:	Brunswick Park		
From:	Head of Development Management		
Application Start Date 16 May 2011		Application Expiry Date 15 August 2011	

RECOMMENDATION

- 1 Grant planning permission with a Unilateral Undertaking to amend the existing Traffic Management Order to prevent future occupiers of the development from obtaining residents parking permits.
- 2 This application is referred to Camberwell Community Council owing to the number of objections received.

BACKGROUND INFORMATION

Site location and description

- 3 The application site comprises a church building that is located towards the northern end of Grove Lane at its junction with Love Walk. The church building stands at approximately 4 storeys in height when compared to the adjacent listed terrace of properties it adjoins. The building is of brown brick construction with a flat bituminous felt roof. The exterior consists of a small concrete paved parking area and a large exterior ramp that provides wheelchair access to the church.
- 4 The site is in a predominantly residential area that comprises a number of grade II listed Georgian houses which abut the application site to the north. This terrace, 18-60 Grove Lane illustrates excellently the character of the late 18th Century elements of the conservation area which is defined by the interrelationship of well ordered and continuous building facades and strong front garden planting and street boundaries, complimented by street trees. It is also the oldest terrace on Grove Lane built in the late 1700s.
- 5 The application site falls within the Camberwell Grove Conservation Area, is within a high public transport accessibility level (PTAL) area (6), and is within the Urban Density Zone.

Details of proposal

- 6 The proposal under consideration is for demolition of the existing church building including perimeter hardstanding and steel fence and the erection of 8 x three bedroom flats in a four storey block along Grove Lane, and a four bedroom three storey property at the end, on the corner of Grove Lane and Love Walk. A replacement 2 storey church and community hall building would be erected on Love Walk. Conservation Area consent is also sought for the demolition of the existing church building (reference: 11-AP-1562).
- 7 The residential element will comprise a terrace of properties fronting onto Grove Lane and will provide a completion to the existing terrace of Georgian properties. The building will be four storeys in height with a basement and will comprise 8 x three bedroom flats arranged on the ground, first, second and third floors respectively. The basement area will provide storage facilities for the residential units. There would be a three storey house on the end (4-bed). Planning permission for a similar development on this site has been refused and dismissed at appeal and is detailed in paragraphs 14-17 below (reference: 09-AP-2368).
- 8 The main differences between the proposed scheme and that which was previously refused and dismissed at appeal are the front elevation treatment and the roof profile of the building which sees the omission of roof terraces that were originally proposed. In addition the 8 residential units within the main block are arranged as 3-bed flats as opposed to four bedroom maisonettes. The proposed residential terrace will be predominantly of brick construction with a metal clad roof and timber windows and doors.
- 9 The main changes to the front elevation when compared with the appeal scheme are:
 - Stepping the terrace up the hill to reflect the topography of the area;
 - Taking the storey heights and window dimensions from a detailed study of the adjacent houses, to maintain a generous 'piano nobile' entrance above ground floor level;
 - To abut the existing terrace with two 'tripled bay' houses as were previously on the site, set forward of the building line by half a brick;
 - To differentiate between number 62 and the proposed new terrace by the addition of a render band at high level and a self coloured white render to the ground floor;
 - To lay the areas in front of the Grove Lane elevation to grass, with garden plots divided along the 'party wall lines' by low privet hedges or railings, as found along the existing terrace,
 - To treat the boundaries to Grove Lane with railings on concrete plinths with brick gateposts at each party wall line, with stone copings and carved street numbers.
- 10 The proposed church building would be 2 storeys high and would sit to the rear of the new terrace, facing onto Love Walk. A tower is proposed to the front of the church and this is topped with a framed crucifix. The front and rear elevations would be brick and the side elevations a light coloured render; the roof would be constructed of metal (zinc or stainless steel). The size of the church has been reduced at first floor level when compared with the appeal scheme, and windows in the rear wall removed and replaced with rooflights.
- 11 The church would have a floor area of approximately 437 sq.m. The average attendance at Sunday morning services is approximately 24 people at present owing to the poor condition of the building. The proposed church would be able to accommodate a congregation of a maximum of 120 people and the meeting rooms in the building could accommodate between 5 and 50 people and would be available for

hire by local groups. The proposed hours of operation are 8am-11pm Monday to Saturday and 9am-10pm on Sunday. This would be in order to allow breakfast meetings and cater for after school/work evening groups if required by the local community.

Planning history

12 08-AP-3019

Planning permission was refused on 27 April 2009 for demolition of existing church building, hard standing and steel fence and erection of a four storey terrace block comprising 8 three bedroom split level maisonettes with a three storey 3 bedroom house at the southern end, all facing Grove Lane, and erection of 2 storey church and community hall building (Class D1) at rear facing Love Walk (08-AP-3019).

The application was refused for the following reason

The proposed development by reason of its detailed design, elevational treatment, and use of materials, would fail to preserve or enhance the character or appearance of the Camberwell Grove Conservation Area and would fail to preserve the setting of neighbouring listed buildings, and would not respond adequately to this important corner site in urban design terms, thereby harmful to visual amenities. As such the proposal is contrary to Policies 3.2 'Protection of Amenity', 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) July 2007.

13 08-AP-3020

Conservation Area consent was also refused on 27 April 2009 for demolition of the existing church building.

Conservation area consent was refused for the following reason;

In the absence of an acceptable scheme of development for the site, the demolition of the existing buildings would be premature and would result in an unsightly vacant site at this prominent position within the Camberwell Grove Conservation Area, harmful to visual amenities, the character and appearance of the Conservation Area and the setting of neighbouring listed buildings; thereby contrary to Policies 3.2 'Protection of Amenity', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) July 2007.

14 09-AP-2368

Planning permission was refused on 11 November 2009 for the demolition of existing church building including perimeter hard standing and steel fence. Erection of 8 x four bedroom dwellings in a four storey block along Grove Lane, with roof terraces above, and a four bedroom three storey property at the end of this terrace on the corner of Grove Lane and Love Walk together with the erection of a replacement 2 storey church and community hall building on Love Walk.

Planning permission was refused for the following reasons;

1. The proposed development by reason of its detailed design - including the form of the roof, elevational treatment, and use of materials, would fail to preserve or enhance the character or appearance of the Camberwell Grove Conservation Area and would fail to preserve the setting of neighbouring listed buildings, and would not respond adequately to this important corner site in urban design terms, thereby harmful to visual amenities. As such the proposal is contrary to Policies 3.2 'Protection of

Amenity', 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) July 2007.

2. The proposed roof terraces, due to their height and the degree to which they are unenclosed, will result in the potential for an unacceptable degree of noise breakout at this elevated level and as such would result in loss of amenity for nearby residents by reason of noise and disturbance. The proposal is therefore contrary to Policies 3.2 'Protection of Amenity' of the Southwark Plan (UDP) July 2007.

15 09-AP-2369

Conservation area consent for demolition of the existing building was also refused for the following reason;

In the absence of an acceptable scheme of development for the site, the demolition of the existing buildings would be premature and would result in an unsightly vacant site at this prominent position within the Camberwell Grove Conservation Area, harmful to visual amenities, the character and appearance of the Conservation Area and the setting of neighbouring listed buildings; thereby contrary to Policies 3.2 'Protection of Amenity', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) July 2007.

16 An appeal was lodged against the Council's refusal of planning permission and was subsequently dismissed at appeal. In dismissing the appeal the Inspector considered the main issues to be:

- whether the proposed development would preserve or enhance the character and appearance of the Camberwell Grove Conservation Area;
- The effect of the proposal on the setting of nearby listed buildings; and
- The effect of the proposal on the living conditions of the adjacent occupiers.

17 The Inspector concluded by stating as follows, *'I have had regard to all other matters raised, including the impact on privacy and outlook. I do not find that the living conditions of existing adjacent occupiers, whose gardens are already overlooked to some extent by adjacent dwellings, would be unacceptably worsened by the proposal. There would be no increased overlooking of the private areas close to the houses. Nor do I consider that their outlook would be compromised unreasonably, to the extent that the UDP policy would be breached. However, the harmful impact of the scheme on the historic significance of the listed terrace and the character and appearance of the conservation area and the detrimental effect on the living conditions in terms of noise and disturbance (from the roof terrace) , are compelling'*.

Planning history of adjoining sites

18 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

19 The main issues to be considered in respect of this application are:

- a] the principle of the development in terms of land use and conformity with strategic policies;

- b] the impact on the amenities of adjoining and nearby properties;
- c] design and impact on the character and appearance of the Conservation area and the setting of the adjacent listed buildings;
- d] transport impacts.

Planning policy

20 Southwark Plan 2007 (July)

Saved Policies

Policy 2.2 Community Facilities
 Policy 3.2 - Protection of Amenity
 Policy 3.7 - Waste reduction
 Policy 3.11 - Efficient Use of Land
 Policy 3.12 - Quality in Design
 Policy 3.13 - Urban Design
 Policy 3.14 - Designing Out Crime
 Policy 3.16 Conservation areas
 Policy 3.17 - Listed buildings
 Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 Policy 4.2 - Quality of Residential Accommodation
 Policy 5.2 - Transport Impacts
 Policy 5.3 - Walking and cycling
 Policy 5.6 - Car Parking

SPD Residential Design Standards
 Camberwell Grove Conservation Area Appraisal

21 London Plan 2008 consolidated with alterations since 2004

3A.3 - Maximising the potential of sites
 3B.3 - Mixed use developments
 3C.1 - Integrating transport and development
 3C.2 - Matching development to transport capacity
 3C.3 - Sustainable transport in London
 3C.17 - Tackling congestion and reducing traffic
 3C.21 - Improving conditions for walking
 3C.22 - Improving conditions for cycling
 3C.23 - Parking strategy
 4B.1 - Design principles for a compact city
 3A.18 Protection and enhancement of social infrastructure and community facilities
 4B.5 - Creating an inclusive environment
 5B.1 - The strategic priorities for Central London
 4B.8 Respect local context and communities

22 Core Strategy (2011)

Strategic Policy 1 – Sustainable development
 Strategic Policy 2 – Sustainable transport
 Strategic Policy 4 - Places to learn and enjoy
 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)

- 23 PPS1 - Delivering sustainable development
PPS3 - Housing
PPS 5 - Planning for the historic environment
PPG 13 - Transport
PPG24 - Planning and noise

Principle of development

- 24 The proposed demolition of the existing church building and erection of a new building comprising 9 self contained residential units and a new church building is considered to be acceptable in principle, as it accords with the Council's policy relating to mixed use developments and in relation to enhancement of community facilities. The introduction of residential use in a predominantly residential area and the fact that the development includes a replacement church building is acceptable.
- 25 Policy 2.2 of the Southwark Plan states that planning permission will be granted for new community facilities provided they can be used by all members of the community, where they would not be detrimental to the amenity of existing and future occupiers of the surrounding area and where they will generate more than 20 vehicle trips at a time, a transport assessment will be required. Amenity and transport impacts are considered in subsequent paragraphs.
- 26 Although the proposal involves replacement of the existing church building with a smaller church, approximately a fifty percent reduction in the floorspace, it is nevertheless considered on balance to be acceptable as not only is the current church building under-used with a very small congregation, it is in a poor state of repair with poor access. Moreover, the Inspector did not raise this as an issue in his assessment of the earlier appeal.

Environmental impact assessment

- 27 An Environmental Impact Assessment is not required as part of this application

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

- 28 The proposed development would not have an adverse effect on the amenity currently enjoyed by nearby occupiers. The design and layout of the proposed development in relation to its juxtaposition with nearby residential dwellings would ensure that there are no significant amenity issues for nearby residents in so far as light infringement, loss of privacy or loss of outlook is concerned.
- 28 The Inspector in dismissing the appeal commented that he did not find that the living conditions of existing adjacent occupiers, whose gardens are already overlooked to some extent by adjacent dwellings, would be unacceptably worsened by the proposed scheme as there would be no increased overlooking of the private rear areas close to the houses, nor would their outlook be compromised unreasonably to the extent that UDP policy would be breached. However, the Inspector considered that the introduction of roof terraces which would have provided the primary source of amenity space for the units and were likely to be fully used in the absence of any other private external space, would have resulted in unacceptable levels of noise and disturbance to the detriment of neighbouring residential amenity.
- 29 The roof terrace proposed as part of the previous scheme has been omitted from the current design. This would ensure that issues relating to noise and disturbance which was of concern has now been addressed in so far as neighbouring residential amenity

is concerned. Concerns have been raised regarding use of the flat roof of the end house for amenity purposes on the grounds of loss of privacy, and a condition to prevent this is recommended. Concerns have also been raised that the windows in the side elevation of the proposed house would overlook 9 Love Walk, but the window-to-window separation distance would be approximately 14m which exceeds the 12m recommended in the Residential Design Standards where properties face each other across a highway.

- 30 The amenity space provided to the individual flats would be in the form of recessed balconies which have been set away from the boundary with the adjoining property at no.62 Grove Lane by approximately 3.75 metres at the nearest point.
- 31 Although the building line of the replacement church building on Love Walk would be closer to the residential property at 10 Love Walk, approximately 2.6 metres from the boundary, the distance between the existing church and the boundary is approximately 5 metres at the farthest point and 3.2 metres at the nearest point. Given the new church building will be constructed to modern day standards with sound insulation, it is unlikely that residents will suffer loss of amenity by reason of noise and disturbance. A condition is recommended requiring windows at first floor level in the side elevation of the church to be obscure glazed and fixed shut and the side door to be for emergency access only, together with a restriction on hours of operation in line with those proposed by the applicant.
- 32 It is noted that the proposal is likely to increase the numbers of people using the church when compared with the existing situation, but this was not raised as an issue by the Inspector when considering the earlier appeal. On the advice of the Environmental Protection Team, a condition requiring a noise assessment to be submitted for approval is recommended, to ensure that the building would be soundproofed and ventilated in such a way that there would be no unacceptable noise and disturbance to neighbouring properties.

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

- 33 None envisaged. The proposal is unlikely to be affected by nearby or adjoining users of the proposed development. Although issues have been raised in the past with regard to the fact that the church use is likely to give rise to noise and general disturbance, it should be borne in mind that the site is occupied by a church that is currently in use (albeit underused) and the proposal will result in a smaller church than currently exists.

Traffic issues

- 34 The proposal makes no provision for off street car parking, however, this is considered to be acceptable in this instance as not only is the application site within very close proximity to very good public transport services, it is within a controlled parking zone (CPZ) where parking restrictions are enforced. The Traffic Group raise no objections to the proposed redevelopment but request that funds of £2750 are sought via a S106 agreement or a Unilateral Undertaking to amend the existing traffic order restricting future occupiers from applying for parking permits. The proposal also makes provision for secure cycle parking and a condition is recommended to ensure that it is provided prior to occupation and retained as such thereafter.
- 35 The application details state that the catchment for the church is largely local with most people travelling to the site on foot or by public transport and no objections are raised on transport grounds. Again, the Inspector did not raise transport as a concern when considering the earlier appeal.

Design and impact on the character and appearance of the conservation area and the setting of adjacent listed buildings

- 36 The site is within the Camberwell Grove Conservation Area and close to a terrace of grade II listed buildings. As such saved policies 3.16 'Conservation Areas', 3.17 'Listed Buildings' and 3.18 'Setting of Conservation Areas, Listed Buildings and World Heritage Sites' apply. Many of these listed terraces contribute to a consistently high quality of Georgian terraced development in the area.
- 37 As stated, conservation area consent is also sought for the demolition of the existing building on the site. The applicant has submitted justification for the demolition of the existing building, in accordance with PPS 5, and this is considered in full in the corresponding report for conservation area consent (reference:11-AP-1562). In essence, the existing building does not make a positive contribution to the streetscene, as confirmed in the conservation area appraisal and by the planning inspector, and for the reasons detailed below officers consider that the replacement scheme would be acceptable.
- 38 One of the test of PPS 5 where demolition is proposed is that the replacement building must be of sufficient quality in terms of preserving or enhancing the character and appearance of the conservation area. Officers consider the replacement scheme, in response to the dismissed appeal and following extensive pre-application discussions with the applicants, to be of sufficient quality in so far as the design is concerned and that it will make a positive contribution to the character and appearance of the conservation area.
- 39 PPS5 states that *“When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.”*
- 40 The proposed block would step up the hill to reflect the topography of the area and its front elevation would respond to the subtle variation of facades that the listed terrace of townhouses achieves. The variation in the street frontage detailed design with different window sizes and an area of render helps to break up the uniformity; this gives the illusion of a more varied but contextually appropriate building which would be an acceptable response to the surrounding buildings. The conventional butterfly roofs are better suited to the building giving the front elevation a clean parapet, which is more suited to the Georgian terrace it would adjoin. The rear elevation is acceptable and the clear contemporary approach is a reasonable contrast to the front elevation.
- 41 Further details of all the windows with regard to the frame type, the depth of the frame, the depth of the reveal and what glazing bars and opening is intended are required. It is also important on the front elevation that good quality sash windows are installed and though it may not be reasonable to prevent double glazing, the units must not be too heavy and the glazing bars must be similar to those of original Georgian windows in the street. These matters can be dealt with as a condition on any permission granted, together with a condition requiring samples of all the facing materials to be submitted for approval, to ensure a high quality finish.
- 42 The design of the church is a stand-alone two storey brick building with a squared-off tower and cross symbol which is in keeping with the scale of the existing buildings

along Love Walk. In considering the earlier appeal, the Inspector commented that the new church will be a modest and simple hall with a symmetrical elevation to Love Walk and an understated 'bell' tower defining the entrance. The Inspector also considered that the church building would complement the smaller scale buildings in Love Walk and substantially enhance the public realm locally, thereby preserving and enhancing the character and appearance of the conservation area. The proposed church has been reduced in size at the rear and rear windows removed, but would otherwise be as per the appeal scheme therefore no objections are raised.

43 The proposed landscaping of the site would be acceptable. However, further details of the boundary railings and paving details are required and these matters can be dealt with as a condition of any permission granted.

44 Overall, it is considered that the proposed development responds sympathetically to its setting. The facade of the residential block is designed to repeat the rhythm of the street grain in the terraces to the north with similar unit widths and the detailed architecture more closely responds to the rest of the street and is closer to what was on this site historically. Overall, no objections are raised on design grounds, subject to conditions.

Impact on trees

45 The proposal would not have a detrimental impact on any trees. Although there are trees along the perimeter of the site along Grove Lane, there is sufficient gap, approximately 10 metres, between the proposed building line and the location of the trees to avoid any potential damage. Notwithstanding that the applicants have submitted an Arboriculturalist statement which sets out tree protection measures, a condition for full details is recommended.

Planning obligations (S.106 undertaking or agreement)

46 The Applicants agree to make a financial contribution of £2750.00 through a Unilateral Undertaking to change the existing Traffic Management Order preventing future occupiers of the development from applying for residents parking permits. Otherwise the scheme falls under the S106 threshold of 10 residential units or 1000sqm of commercial floorspace which would trigger other planning obligations.

Sustainable development implications

47 The applicant has submitted a 'code for sustainable homes pre-assessment' report which details that the dwellings would achieve code level 4, which is in accordance with strategic policy 13 of the Core Strategy. The church would achieve a BREEAM rating of very good which again would comply with strategic policy 13, and conditions to ensure that both of these targets are met are recommended.

48 In terms of CO2 reduction, major developments should achieve a 44% reduction in carbon dioxide emissions above the building regulations, and a 20% reduction specifically from energy efficient supply or renewable energy. Passive measures (such as insulation and other measures that would be covered under BREEAM and Code for Sustainable Homes) would achieve a 25.4% reduction in carbon dioxide emissions over and above the building regulations. It is also proposed to provide photovoltaic panels on the roof of the residential building which would reduce carbon dioxide emissions by 20% therefore in total, the development would achieve a reduction of 45.5% and would be policy compliant.

Other matters

Quality of Residential Accommodation

- 49 The proposed residential units, each with a minimum overall floorspace of 80 and 130 sqm, accord with the Council's minimum room size/floorspace standards as set out in the adopted Residential Design Standards SPD. All the units have been provided with amenity space in the form of recessed balconies for the upper floors and front gardens for the ground floor units. The single house at the end of the terrace has also been provided with a front garden. The communal amenity space provided at the front of the building equates to 97.4 sqm plus a minimum of 10 sq.m for each individual unit on the first, second and third floors. The ground floor flats and the end house have been provided with amenity space that equates to 44, 53 and 60 sq.m respectively. This is considered an acceptable provision and would comply with the Council's standards.

Density

- 50 The proposed development achieves a density of 530 habitable rooms per hectare (hrh) which is between the 200-700 hrh range recommended in Strategic policy 5 of the Core Strategy and no objections are raised.

Refuse

- 51 The proposal makes adequate provision for refuse storage which will be located to the rear of the building with refuse collection off Love Walk. This is considered acceptable as it is within 10 metres of the public highway making it easily accessible for refuse collection.

Conclusion on planning issues

- 52 In conclusion, the demolition of the existing church building and the erection of a four storey terrace block comprising 8 three bedroom flats and a four bedroom house, together with the erection of a 2 storey church raises no fundamental policy issues.
- 53 Officers consider the design of the proposed development responds more sympathetically to its setting than the previous proposal which was refused and subsequently dismissed on appeal. The facade of the building is designed to repeat the rhythm of the terraces to the north with similar unit widths and the detailed architecture that more closely responds to the rest of the street and is closer to what was on this site historically.
- 54 The residential element of the development achieves good quality accommodation which exceeds the Council's minimum room size and floorspace standards. Although the proposed development makes no provision for off street car parking, future occupiers can be prevented from obtaining parking permits by way of a section 106 agreement. The removal of the roof terraces that were of concern in the appeal scheme is such that officers now consider that the development would not be harmful to the amenities of neighbouring occupiers, subject to conditions. It is recommended therefore that planning permission be granted with a Unilateral Undertaking and conditions.

Community impact statement

- 55 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

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

Consultation replies

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

58 Summary of consultation responses

13 representations have been received objecting to the proposal, full details of which are at appendix 2. It should be noted that many of the representations express a general support to the scheme, but raise concerns regarding specific elements.

Human rights implications

59 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.

60 This application has the legitimate aim of providing a block of 8 flats, a single house and a new church building. 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/2135-66 Application file: 11-AP-1561 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 5428 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Inspector's Appeal Decision

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Donald Hanciles, Senior Planning Officer	
Version	Final	
Dated	30 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

64 **Site notice date:** 3 June 2011

Press notice date: 2 June 2011

Case officer site visit date: 3 June 2011

Neighbour consultation letters sent: 3 June 2011

Internal services consulted:

Conservation and Design
Transport Group
Environmental Protection Team

Statutory and non-statutory organisations consulted:

English Heritage

65 **Neighbours and local groups consulted**

07/06/2011 FLAT 16 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 15 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 17 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 1 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 14 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 11 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 10 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 13 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 12 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 24 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 23 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 3 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 2 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 22 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 19 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 18 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 21 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 20 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 2 73A GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 1 32 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FLAT 1 71 GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 2 32 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 29 KERFIELD CRESCENT LONDON SE5 8SU
07/06/2011 60 GROVE LANE LONDON SE5 8ST
07/06/2011 28 KERFIELD CRESCENT LONDON SE5 8SU
07/06/2011 62 GROVE LANE LONDON SE5 8ST
07/06/2011 FLAT 1 69A GROVE LANE LONDON SE5 8SP
07/06/2011 56-58 GROVE LANE LONDON SE5 8ST
07/06/2011 FLAT 2 69A GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 1 73A GROVE LANE LONDON SE5 8SP
07/06/2011 22 GROVE LANE LONDON SE5 8ST
07/06/2011 65A GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 2 71 GROVE LANE LONDON SE5 8SP
07/06/2011 77A GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 4 72 GROVE LANE LONDON SE5 8DB
07/06/2011 BASEMENT FLAT 18 GROVE LANE LONDON SE5 8ST
07/06/2011 BASEMENT FLAT 34 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 GROUND FLOOR FLAT 71A GROVE LANE LONDON SE5 8SP
07/06/2011 GROUND FLOOR FLAT 34 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 6 32 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FLAT 3 32 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FIRST FLOOR FLAT 34 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 5 32 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FLAT 4 32 CAMBERWELL GROVE LONDON SE5 8RE

07/06/2011 SECOND FLOOR FLAT 28 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 SECOND FLOOR FLAT 34 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FIRST FLOOR AND SECOND FLOOR FLAT 71A GROVE LANE LONDON SE5 8SP
07/06/2011 10A LOVE WALK LONDON SE5 8AD
07/06/2011 26 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FLAT 9 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 6 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 5 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 8 72 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 7 72 GROVE LANE LONDON SE5 8DB
07/06/2011 THE OLD SCHOOL HOUSE 47A GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT A 43 GROVE LANE LONDON SE5 8SP
07/06/2011 FIRST FLOOR AND SECOND FLOOR FLAT 54 GROVE LANE LONDON SE5 8ST
07/06/2011 FLAT C 39 GROVE LANE LONDON SE5 8SP
07/06/2011 24 GROVE LANE LONDON SE5 8ST
07/06/2011 75A GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT B 39 GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT A 39 GROVE LANE LONDON SE5 8SP
07/06/2011 52 GROVE LANE LONDON SE5 8ST
07/06/2011 GROUND FLOOR FLAT 41 GROVE LANE LONDON SE5 8DB
07/06/2011 FLAT 9 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT B 49 GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT A 49 GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 8 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 5 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 4 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 7 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 6 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 4 LOVE WALK LONDON SE5 8AD
07/06/2011 3 LOVE WALK LONDON SE5 8AD
07/06/2011 6 LOVE WALK LONDON SE5 8AD
07/06/2011 5 LOVE WALK LONDON SE5 8AD
07/06/2011 2 LOVE WALK LONDON SE5 8AD
07/06/2011 GROUND FLOOR REAR FLAT 34 GROVE LANE LONDON SE5 8ST
07/06/2011 FIRST FLOOR 39 GROVE LANE LONDON SE5 8SP
07/06/2011 10 LOVE WALK LONDON SE5 8AE
07/06/2011 LIVING ACCOMMODATION 26 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FLAT 3 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 TOP FLAT 55 GROVE LANE LONDON SE5 8SP
07/06/2011 FIRST FLOOR AND SECOND FLOOR FRONT FLAT 45 GROVE LANE LONDON SE5 8SP
07/06/2011 FIRST FLOOR FLAT 18 GROVE LANE LONDON SE5 8ST
07/06/2011 LOWER FLAT 54 GROVE LANE LONDON SE5 8ST
07/06/2011 FIRST FLOOR AND SECOND FLOOR REAR FLAT 45 GROVE LANE LONDON SE5 8SP
07/06/2011 FLAT 10 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 12 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 11 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT 2 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT A GROUND FLOOR 28 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 FLAT 1 30-32 DE CRESPIGNY PARK LONDON SE5 8AB
07/06/2011 FLAT B FIRST FLOOR 28 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 7 LOVE WALK LONDON SE5 8AD
07/06/2011 28 GROVE LANE LONDON SE5 8ST
07/06/2011 26 GROVE LANE LONDON SE5 8ST
07/06/2011 32 GROVE LANE LONDON SE5 8ST
07/06/2011 30 GROVE LANE LONDON SE5 8ST
07/06/2011 20 GROVE LANE LONDON SE5 8ST
07/06/2011 81 GROVE LANE LONDON SE5 8SP
07/06/2011 79 GROVE LANE LONDON SE5 8SP
07/06/2011 83 GROVE LANE LONDON SE5 8SP
07/06/2011 46 GROVE LANE LONDON SE5 8ST
07/06/2011 44 GROVE LANE LONDON SE5 8ST
07/06/2011 50 GROVE LANE LONDON SE5 8ST
07/06/2011 48 GROVE LANE LONDON SE5 8ST
07/06/2011 42 GROVE LANE LONDON SE5 8ST
07/06/2011 36 GROVE LANE LONDON SE5 8ST
07/06/2011 34 GROVE LANE LONDON SE5 8ST
07/06/2011 40 GROVE LANE LONDON SE5 8ST
07/06/2011 38 GROVE LANE LONDON SE5 8ST
07/06/2011 77 GROVE LANE LONDON SE5 8SP
07/06/2011 51 GROVE LANE LONDON SE5 8SP
07/06/2011 55 GROVE LANE LONDON SE5 8SP
07/06/2011 53 GROVE LANE LONDON SE5 8SP
07/06/2011 47 GROVE LANE LONDON SE5 8SP
07/06/2011 9 LOVE WALK LONDON SE5 8AD
07/06/2011 8 LOVE WALK LONDON SE5 8AD
07/06/2011 CAMBERWELL GREEN UNITED REFORM CHURCH 64 GROVE LANE LONDON SE5 8SN
07/06/2011 30 CAMBERWELL GROVE LONDON SE5 8RE
07/06/2011 69 GROVE LANE LONDON SE5 8SP

07/06/2011 67 GROVE LANE LONDON SE5 8SP
07/06/2011 75 GROVE LANE LONDON SE5 8SP
07/06/2011 73 GROVE LANE LONDON SE5 8SP
07/06/2011 65 GROVE LANE LONDON SE5 8SP
07/06/2011 59 GROVE LANE LONDON SE5 8SP
07/06/2011 57 GROVE LANE LONDON SE5 8SP
07/06/2011 63 GROVE LANE LONDON SE5 8SP
07/06/2011 61 GROVE LANE LONDON SE5 8SP
20/06/1837 49 Camberwell Grove London SE5 8JA

Re-consultation:

66 Not required.

Consultation responses received

Internal services

- 67 Conservation and Design - comments incorporated into body of report.
- 68 Transport Group - no objections in principle to the proposed development. However, requests that funds should be secured through a S106 agreement to change the existing TMO to prevent future occupiers of the development from obtaining residents parking permits. A refuse management plan will also be required for both the church and the residential block.
- 69 Environmental Protection Team

This team's main concern is to ensure that the church building is designed so as to contain noise generated by its use so as not to affect neighbouring premises. As a result this department will require a noise assessment report that will show the properties of the proposed building including ventilation system (that would avoid having to open windows). A condition to this effect is recommended, together with conditions for a contamination study, measures to ensure no adverse impacts from amplified sound and an environmental management plan.

Statutory and non-statutory organisations

- 70 English Heritage - no comments and recommends that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

Neighbours and local groups

- 71 URC Local Amenity Societies Working Party - although raised a number of concerns with regards to loss of privacy, noise pollution, parking, design, generally there is support, subject to conditions, for the present plans as they consider the proposal would add to the character and enhance the surrounding conservation area and respect the historic significance of the Grade II Listed Terrace to which it is adjoined.
- 72 8 Love Walk - welcomes the proposal to replace the current building, but raised concerns about the design and the fact that the proposed development should be houses with gardens instead of flats. Also comment that the proposed church building should be a landmark feature and that the design of the tower should be given further consideration as the design presently lacks imagination. Also comment that the height of the church building should be reduced. Raised concerns about refuse and arrangement for collection. Comment that the proposed ramp to the front is unnecessary and raised concern about the end house being an afterthought notwithstanding its prominent corner location. Comment that the quantum of development for the site is excessive and in that regard have strong reservations about the proposal as a whole.
- 73 9 Love Walk - Comment that although the proposal to replace the existing church building is welcomed, raised objections to the proposed development on the grounds of overdevelopment, the height of the proposed scheme, the introduction of flats as opposed to family houses, inappropriate design as the planned arrangement is not in keeping with any of the local architecture, lack of off street car parking provision and traffic generation, safety, overlooking and loss of privacy, the size of the new church being too large.

- 74 28 Grove Lane - supports the application proposal and comment that the development will enhance that part of the conservation area. Welcomes retention of the church, albeit smaller than the present church and comment that the proposed block of flats and single house will provide a reasonably harmonious extension to the listed terrace. Also comment that if possible for the conditions suggested by the Working Party to be imposed, that would be welcomed.
- 75 30 Grove Lane - comment that the present application is an improvement on the previous plans and supports the position adopted by the Local Amenity Societies' Working Party with suggested conditions. Comment that particular importance should be given to the Grove Lane facade. The ramp is unnecessary and an ugly attachment to the frontage and it is important for the doors to be aligned correctly. Also comment that the materials to be used are listed in detail. Also comment that all details of what is permissible on site should be secured at this application stage to ensure a high quality development is achieved in case the site is sold on in the future.
- 76 44 Grove Lane - supports the views expressed by the Working Party. Considers that the existing building is no longer fit for purpose. Also comment that if the Council were to be satisfied about the Working Party's concerns over invasion of privacy, noise pollution and parking with appropriate conditions, the proposed scheme would be improved further and provide the right solution for this very important corner in the Conservation area.
- 77 46 Grove Lane - comment that the ramp to the front is unsightly and should be omitted and there should be continuous gardens. Also comment that particular attention needs to be paid to the design details as detailed in the Working Party's conditions. Also comment that the flat roof to the end house should not be used as a roof terrace in order to avoid noise nuisance. Also concerned about noise from the balconies and inappropriate use of the balconies that would be detrimental to the character of the area. Comment about adequate security to the church building and the use of appropriate materials. Supports the current scheme on the basis that the conditions suggested by the Working Party being applied separately.
- 78 50 Grove Lane - raised objection to the proposal but add that only if the conditions set out by the Working Party of the Camberwell Society should the application be approved.
- 79 51 Grove Lane - raised questions as to whether the existing lime trees will be affected by the proposed development, the permitted hours allowed for building work, provision for wheelie bins to be kept out of public view, use of communal front gardens for social activities. Also comment that if future residents are entitled to parking permits, it should be no more than one permit per household.
- 80 56 Grove Lane - Endorses the position taken by the Local Amenity Societies' Working Party and should the Council be minded to grant planning permission, it should include all the Working Party's suggested conditions.
Suggested two conditions in relation to the facade;
a) The front doors throughout the existing terrace are paired and on a level with each other. Suggested the terrace should be completed sympathetically with the inherent symmetry of the original 18th century design and noted that this suggestion would solve the problem of the doors not being paired or on a level.
b) The ramp is considered a jarring element in the general design and in relation to the facade, and its removal would allow the front garden area to be a continuous garden space as the rest of the terrace. Comment that the suggested changes would strengthen the proposed design and add elegance to the terrace and respect its historical significance.

- 81 87 Grove Lane - concerned that the design of the facade is still not harmonious, the pairs of front doors are not level with each other unlike the rest of the doors throughout the rest of the adjoining Grade II Listed Terrace. The ramp being an unduly intrusive feature and sits awkwardly in relation to the facade. Also concerned about loss of privacy for no.9 Love Walk, particularly at first floor level because of the closeness of the proposed end house which is directly opposite. Also comment about the location of the refuse bins on a narrow road. Also concerned about lack of car parking provision. Recommend that the Council planning committee support the present application subject to the conditions proposed by the Working Party.
- 82 35 Camberwell Grove - supports the position taken by the Local Amenity Societies' Working Party and should include all the Working Party's suggested conditions. Comment that the application site is a very important site and there is the need to respect the historical significance of the listed terrace to which the proposed development is linked.
- 83 Comment received with no address; comment that the Council will insist that the Developers will meet the recommendations of the URC Local Amenities Societies' Working Party.

Inspector's Appeal Decision

Inspector's appeal decision report pursuant to application reference 09-AP-2368
(report to follow)