

Item No. 6.1	Classification: OPEN	Date: 18 January 2012	Meeting Name: Camberwell Community Council
Report title:	Development Management planning application: Application 11-AP-2868 for: Full Planning Permission Address: LAND TO THE REAR OF 34 GROVE PARK, LONDON, SE5 8LG Proposal: Erection of a single storey two bedroom single family dwelling and garage with associated waste and bicycle storage.		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 16 September 2011		Application Expiry Date 11 November 2011	

RECOMMENDATION

- 1 Grant Planning Permission.

BACKGROUND INFORMATION

Site location and description

- 2 This application is referred to Community Council due to the number of objections received.
- 3 34 Grove Park is a large semi detached single family dwelling of three storeys plus basement and loft conversion, with a rear garden extending northwards by 30m. To the rear there is a brick and timber built garage with apex roof and timber doors accessing a communal driveway that runs from Grove Park, between nos. 83 and 85.
- 4 The ground level rises gently northwards and westwards from the rear of 34, and the occupants have levelled the land to the rear, which now stands approximately 1m higher than the rest of the garden. This level change results in the height of the garage when perceived from the main house, as being 6.5m to apex. From the higher level of garden to the rear the height of the structure is 5.5m. The depth of the raised piece of garden with garage is 11m from the rear garden boundary.
- 5 To the east of the site, construction is underway for the two storey five bedroom, property described in the planning history section of this report, planning application reference 08-AP-2467. This site is now known as 86 Grove Park and shall be referred to as such in this report. This site shares a boundary with the application site.

The application site is located within the Camberwell Grove Conservation Area. There is a piece of designated Borough Open Land to the rear (north) of the site, referenced OS110 in the April 2011 proposals map. There are no listed buildings near to the site that would be affected by the development. The site is also located within the Urban

Density Zone and Air Quality Management Area. The site has a Public Transport Accessibility Level (PTAL) of 2 indicating relatively low access to public transport.

Details of proposal

- 6 The proposal is to demolish the existing garage on site and construct a two bedroom bungalow in its place. The footprint would be the same as the garage but would extend rearwards so that the rear (south) elevation is in line with that of the new development at 86. A distance of 21.5m would remain between the rear of number 34 and the proposed new bungalow, and the new boundary would be marked by a new boundary wall to 2.4m height. The house would respond to the levels on site and the slightly angled roof slopes would reflect these.

Architecture

- 7 The building would be modern in design, clad with Western Red Cedar, treated with antique pine woodstain. Samples of this have been submitted with the application. The roof slopes would be slightly angled, and the southern slope would allow for PV panels to be installed, and to the northern slope, a green roof is proposed.

Layout

- 8 The living, dining room and kitchen of the property would be positioned towards the north end of the development, with a new garage constructed on the north side of the access drive. A refuse and cycle storage facility would be constructed on the northern boundary of the house. Bedrooms would both be positioned towards the southern end of the house. The windows would both face east, onto the 1.7m high boundary fence between the subject site and 86 Grove Park. An area of landscaping would be provided along the eastern edge of the site, and to the front and rear. The overall floor area of the property would be 74sqm. The garden area would be 45sqm.

Planning history

- 9 05-AP-1621: Planning permission was refused on 09/11/05, for a roof conversion to form a new studio room with glass dormer to rear roof slope, and installation of Velux roof lights.

The reason for refusal was:

'The proposed dormer to the rear of the main roof, by reason of its position, size, design and appearance, would be an intrusive alteration, out of scale and character with this and neighbouring dwellings, as well as having a serious and adverse effect on the visual amenities of the locality and would also be contrary to policies E.4.2 & E.4.3 'Proposals affecting conservation areas' and E.2.3 'Aesthetic Control' of the Adopted Unitary Development Plan 1995 and Policies 3.11' Quality in design', 3.13 'Urban Design' and Policy 3.16 'Conservation Areas' of the Revised Draft Southwark Plan dated February 2005'.

- 10 05-AP-2406: Planning permission was refused on 13/01/06 for a roof conversion to form a new studio room with lead clad dormer to rear roof slope, and installation of Velux roof lights.

The reason for refusal was:

'The proposal, by reason of its size and detailed design would form an intrusive addition that will dominate the roof form and is harmful to the character and appearance of the property and to the Camberwell Grove Conservation Area generally. The proposal is unacceptable and contrary to Policies E.4.3 Proposals

Affecting Conservation Areas and E.2.3 Aesthetic Control of the Southwark Unitary Development Plan 1995 and Policies 3.11 Quality in Design, 3.13 Urban Design and Policy 3.16 Conservation Areas of the Southwark Plan [revised Draft Including Pre-Inquiry and Final Changes] February 2005'.

- 11 06-AP-0485: Planning permission was granted on 21/07/06 for erection of new lead faced dormer to rear with glazed panels adjacent following slope of roof involving installation of velux roof light windows to flank roof slope, and formation of studio room and railings on the existing second floor flat roof.

Planning history of adjoining sites

- 08-AP-2467
- 12 Land to the rear of 31, 32, and 33 Grove Park.
Planning permission was granted on 25/02/09 for the construction of a 5 bedroom family house occupying basement, lower ground, ground and first floor levels with associated waste storage, 2 off street car parking spaces, and cycle storage. Removal of several trees and shrubs, inclusion of landscaping and installation of a green roof.
This scheme is in the process of being implemented and is near completion.

- 10-AP-1717
- 13 Land to the rear of 37/38 Grove Park
Planning permission was granted on 29/10/10 for erection of two, two storey dwelling houses, erection of a single garage and off street parking for two cars.

- 11-AP-0757
- 14 Land to the rear of 37/38 Grove Park
Planning permission was granted on 12/08/11 for a variation of condition 2 (drawing numbers) to allow for the construction of basements to the houses approved under reference 10-AP-1717.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 15 The main issues to be considered in respect of this application are:
- a) The acceptability of the application in land use terms
 - b) The impact of the proposal on the character and appearance of the conservation area.
 - c) The impact of the proposal on the current and future occupants of the site.

Planning policy

Core Strategy 2011

- 16 Strategic Policy 1 – Sustainable development
Strategic Policy 2 – Sustainable transport
Strategic Policy 7 – Family homes
Strategic Policy 11 – Open spaces and wildlife
Strategic Policy 12 – Design and conservation
Strategic Policy 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

- 17 3.2 Protection of Amenity
 - 3.12 Quality in Design
 - 3.15 Conservation of the Historic Environment
 - 3.16 Conservation Areas
 - 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites.
- 4.2 Quality of Residential Accommodation
- 5.2 Transport Impacts
- 5.3 Walking and Cycling
- 5.6 Car Parking

Residential Design Standards 2011

London Plan 2011

- 18 Policy 3.3 Increasing housing supply
- Policy 5.3 Sustainable design and construction
- Policy 5.11 Green roofs and development site environs
- Policy 5.13 Sustainable drainage
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands

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

- 19 Draft NPPF

The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

Ministerial Statement: Planning for Growth

Principle of development

- 20 A key land use issue with the determination of this application is that of building on gardens, often referred to as "garden grabbing". PPS3 Housing sets out that private gardens shall be removed from the brownfield definition. However, this is not at the same time conferring particular protection of this land, in the same way that Borough Open Land or Metropolitan Open Land are protected for example. The development of such areas will not contribute to the 60% brownfield target set by the Government, but nevertheless would still contribute to housing overall, and given the limited number of back garden developments applied for in Southwark, would be unlikely to push up

near the 40% limit for non brownfield, or greenfield, development. Therefore the fact that back gardens are no longer brownfield may not in itself be used as a reason for refusal. Rather regard still needs to be had to the site specific assessment of impacts in terms of matters such as character, design, amenity, transport. As such, there are no objections in terms of land use.

Environmental impact assessment

- 21 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 would not generate significant environmental impacts in this urbanised location.

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

- 22 The application property retains a minimum distance of 22m between its western boundary and the rear of numbers 83 and 84 Grove Park, and the garden of 35 Grove Park further separates these properties from the application site. No windows are proposed to the western elevation of the proposed property. Furthermore, the existing boundary fence would be retained, and, due to land levels rising westwards of the application site, there is no significant risk of overlooking between the proposed property and the rear of numbers 83 and 84 Grove Park.
- 23 Due to the low-rise of the proposed dwelling as well as the lower land levels in relation to 83 and 84 Grove Park, it is not considered that the proposal would impinge on outlook from these properties. The property would have a green roof and would be single storey, and is therefore a modest development that would blend well with its surroundings.
- 24 The unit size of the property comfortably complies with the London Plan 2011 requirement set out in Table 3.3, which requires 2 bedroom units for 4 persons to be a minimum of 70sqm. The proposed unit measures 74sqm in total. There is no separate standard for bungalows.
- 25 There is an area of 55sqm outdoor amenity space. The Residential Design Standard requires a minimum of 50sqm, at least 10m in length. The proposal complies with this standard.
- 26 The distance between rear windows of 34 Grove Park would be 21.5sqm which is in line with the 21m minimum guideline separation distance between rear windows to avoid overlooking, as set out in the Residential Design Standards SPD.

Traffic issues

- 27 The proposal provides one off street parking space. This is in line with the Adopted parking standards in the Southwark Plan 2007, and is welcomed. The site is not located within a Controlled Parking Zone, therefore there is no mechanism by which to control overspill parking. One space is considered sufficient for the 2 bedroom property however, as it is not likely that an excessive number of cars would be associated with the development on a regular basis that would result in parking pressure on Grove Park.
- 28 The ground floor plan indicates a shelter for refuse and cycle parking. Since this would be within the demise of the development it is not considered necessary to

impose a condition requiring further details showing how cycles could be stored as there is sufficient space in the shelter and in the garden or property for the safe, secure and weatherproof storage of an additional visitor parking space. This meets the standards for cycle storage.

- 29 In terms of refuse collection, the application site is further than the 10m recommended distance that waste contractors should walk to collect refuse. It is therefore considered that the development adopt similar arrangements for refuse collection to the new neighbouring development at number 86 Grove Park, whereby occupants leave refuse on the kerbside on collection days.
- 30 The development accords 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

- 31 The materials to be used for the purpose of this development will be load bearing timber framed walls and engineered timber beams spanning the full width of the building. The proposed development would also include an aluminium standing seam roof, green roof, rooflights spanning the width of the house as well as an additional three rooflights and photovoltaic panels. These materials are considered appropriate for the location as they are similar to those being used on the development on the adjacent site (86 Grove Park). As samples have been submitted with the application, no condition requiring further samples to be submitted is required. A condition shall be imposed requiring materials to be as set out in the application.
- 32 Although this proposal is a backland development, it must be noted that the properties in Grove Park are renowned for their large rear gardens including the proposed site which has an established large unused garage at the end of the rear garden which is adequate to accommodate this proposal. The proposed single storey dwelling is appropriate in size at this location, as its height is minimised and the building footprint sits comfortably within the plot.
- 33 It is not considered that the development would set a precedent for other similar dwellings in gardens, as there are very few properties in the area with adequate access, therefore there is limited opportunity for further development on rear gardens. In any event, each application is determined on its own merits.
- 34 The proposed development would affect the Camberwell Grove Conservation Area, however, it is considered that due to the location and size of the proposed bungalow, which is modest in size and not widely visible from public viewpoints, it would not harm the character or appearance of the Camberwell Grove Conservation Area. It is considered that this development is appropriate for its location and would preserve the character of the area.
- 35 The development is therefore in accordance with saved policies 3.12 Quality in Design and 3.16 Conservation areas, of the Southwark Plan 2007. It is also in accordance with SP12 Design and Conservation.

Impact on trees

- 36 There is one Cordyline (Palm tree) on site which will be retained. A tree protection condition is recommended to ensure this is protected during works.

Planning obligations (S.106 undertaking or agreement)

37 None proposed.

Sustainable development implications

38 The proposal is not required by policy to provide a threshold of carbon reductions on site, however the development proposed is a sustainable one, with the inclusion of PV panels and a green roof. A condition is recommended to require the development to meet Code for Sustainable Homes Level 4.

Other matters

Biodiversity

39 A bat survey is not required in this instance as the corrugated roof on the existing garage offers very limited roosting opportunities. No habitat survey is required and this has been confirmed by the Council's biodiversity officer. The green roof is welcomed. The Design and Access statement mentions that the proposal would include habitat for birds and natural planting. A condition is recommended to ensure that these enhancements are incorporated.

Conclusion on planning issues

40 The development raises no adverse design, amenity or biodiversity issues, and presents a modern and modest development in a concealed part of the conservation area. It is therefore recommended for approval with conditions to secure biodiversity and tree protection.

Community impact statement

41 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 implications for development on gardens in conservation areas.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

44 Concerns over loss of outlook, amount of backland development, development in a

small area, particularly in a conservation area, garden grabbing and loss of wildlife habitat.

Human rights implications

- 45 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.
- 46 This application has the legitimate aim of providing a new single storey dwelling. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 47 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2154-34 Application file: 11-AP-2868 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, Planning Officer	
Version	Final	
Dated	24 November 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	N/A	N/A
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	N/A	N/A
Date final report sent to the Constitutional Team		5 January 2012

Consultation undertaken

- 48 **Site notice date:** 10/10/11
- 49 **Press notice date:** 06/10/11
- 50 **Case officer site visit date:** 03/11/11 (Accompanied by Michael Crowley Architect)
- 51 **Neighbour consultation letters sent:** 10/10/11

Internal services consulted:

- 52 Ecology Officer
- 53 Urban Forester
- 54 Transport Planning group
- 55 Design and Conservation officer

Statutory and non-statutory organisations consulted:

- 56 N/A

Neighbours and local groups consulted:

- 57 FLAT 1 36 GROVE PARK LONDON SE5 8LG
FIRST FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
FLAT 2 33 GROVE PARK LONDON SE5 8LG
FLAT 2 36 GROVE PARK LONDON SE5 8LG
37 GROVE PARK LONDON SE5 8LG
82 GROVE PARK LONDON SE5 8LE
38 GROVE PARK LONDON SE5 8LG
FLAT 3 36 GROVE PARK LONDON SE5 8LG
FLAT 6 33 GROVE PARK LONDON SE5 8LG
FLAT 5 33 GROVE PARK LONDON SE5 8LG
SECOND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
GROUND FLOOR FLAT 80 GROVE PARK LONDON SE5 8LF
FLAT 4 36 GROVE PARK LONDON SE5 8LG
FLAT 3 33 GROVE PARK LONDON SE5 8LG
FLAT 5 36 GROVE PARK LONDON SE5 8LG
FLAT 4 33 GROVE PARK LONDON SE5 8LG
83 GROVE PARK LONDON SE5 8LE
32 GROVE PARK LONDON SE5 8LG
87 GROVE PARK LONDON SE5 8LE
84 GROVE PARK LONDON SE5 8LE
FLAT 1 33 GROVE PARK LONDON SE5 8LG
35B GROVE PARK LONDON SE5 8LG
35C GROVE PARK LONDON SE5 8LG
35A GROVE PARK LONDON SE5 8LG
88 GROVE PARK LONDON SE5 8LE
85-86 GROVE PARK LONDON SE5 8LE
34 GROVE PARK LONDON SE5 8LG
79 GROVE PARK LONDON SE5 8LF
89 GROVE PARK LONDON SE5 8LE
31 GROVE PARK LONDON SE5 8LG
by email
80 GROVE PARK LONDON SE5 8LF
110 GROVE PARK LONDON SE5 8LE
12 GROVE PARK LONDON SE5 8LR

Re-consultation:

- 58 N/A

Consultation responses received

Internal services

- 59 Transport Planning - Need clarification on refuse servicing - this is provided in the report. No concerns over level of parking, this is deemed adequate.
- 60 Design and Conservation - Comments incorporated into report.
- 61 Biodiversity officer - Confirm that no bat survey is required, and request a condition to require details of enhanced measures for biodiversity.
- 62 Urban Forester - Request a condition on tree protection.

Statutory and non-statutory organisations

- 63 N/A

Neighbours and local groups

- 64 84 Grove Park: Objection
My garden looks directly into the piece of land and the proposed dwelling will block my view. As a new resident in the area I am concerned by the amount of building being approved in the area, which I thought was a conservation area.
- 65 87 Grove Park: Objection.
I am concerned about the amount of development on the east side of Grove Park, which have all been granted permission in the last three years. Should this application be granted, that would make four dwellings on a piece of land of only 150sqm.
The definition of Conservation Area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. I raise my concern about this level of building on this very small part of the conservation area
- 66 80 Grove Park: Objection
I do not wish to see any more of the green land that characterises the area, built over. The green space is being swallowed up by 'garden grabbing' development on all sides. Development on gardens has been opposed by environmentalists, the government, the mayor's office, and local people. It increases the likelihood of flooding, deprives wildlife of its habitat, and has a negative effect on the lives of the people living nearby.
- 67 12 Grove Park: Objection.
We would like to apply for a time extension to the deadline for comments as many local people have not been informed of the development. Our objection is based on the amount of development being allowed to happen in Grove Park and we would like Southwark to conserve as many gardens as possible, rather than set precedents for future developments on green spaces.
- 68 Cosmur Developments, owners of 86 Grove Park - new development adjacent to application site: No objection.
- 69 85 Grove Park: No objection