

| | | | |
|---|---|---|---|
| Item No. 6.3 | Classification: OPEN | Date: 26 March 2012 | Meeting Name: Dulwich Community Council |
| Report title: | Development Management planning application: Application 11-AP-3768 for: Full Planning Permission Address: HERNE HILL SCHOOL 127 HERNE HILL, LONDON, SE24 9LY Proposal: Erection of a building with one above-ground and one below-ground level for use as a school hall. | | |
| Ward(s) or groups affected: | Village | | |
| From: | Head of Development Management | | |
| Application Start Date 8 November 2011 | | Application Expiry Date 3 January 2012 | |

RECOMMENDATION

- 1 Grant Detailed Planning Permission, subject to conditions.

BACKGROUND INFORMATION

- 2 This application has been referred to Dulwich Community Council for determination due to the number of objections received from neighbouring occupiers.

Site location and description

- 3 The application site refers to the buildings and plot located at 127 Herne Hill, London. The site is currently in use as Herne Hill School, encompassing various buildings and open space to the rear of the listed St Pauls Church (Grade II* listed) and adjacent Church Hall which front Herne Hill. The existing school is accessed from the side of St Pauls Church and is accommodated within two buildings - the main school building within the Old Vicarage (Grade II listed) and the more recent Mulberry Building. The remainder of the site is open space, playgrounds and a nature area. The site is not located within a Conservation Area.
- 4 The application site is located within a residential area and is bounded to the north, east and south by the rear garden ground of the properties on Herne Hill, Ruskin Walk and Carver Road respectively. To the west the site is bounded by the Denesmead Estate and the Church with adjacent hall fronting Herne Hill.

Details of proposal

- 5 Planning consent is sought for the erection of a building with one above-ground and one below-ground level for use as a school hall and nursery. The proposed new building will be located immediately adjacent (to the east) of the Mulberry Building and will be a brick built, flat roofed structure with ground and lower ground levels. The building will measure 4.5 metres in height above ground, 10 metres in depth and 17 metres in width. The flat roof will be concealed behind a shallow parapet and will accommodate photovoltaic panels to improve the energy efficiency of the building.

The elevations will feature large areas of glazing and design detail in the form of a mosaic and an external wall clock.

- 6 At present the school operates a nursery accommodating children for half day sessions. The proposed new building will allow the school to offer these children a full day nursery place - thereby improving the services provided without increasing the child numbers at the school. The new building will also provide a multi use hall below ground with extensive storage space, kitchen, a small moveable auditorium and stage. The position of the new building adjacent to the Mulberry Building will allow the two nursery groups to share an outdoor play space whilst alleviating any potential impact on the nearby listed buildings.

Planning history

7

| Reg. No. | Type | Description | Summary | End Date |
|------------|------|---|---------|------------|
| 05/AP/1724 | ADV | Display of 2 church sign boards measuring 1.2m x 1.8m and 0.9m x 1.5m both at a height of 1.3m. above ground level and situated 600mm behind front boundary wall. | GRA | 03/11/2005 |
| 05/AP/2276 | LBC | The refurbishment of the mechanical and electrical services including new suspended ceilings on the first floor and retention of external flue at basement level. | GRA | 13/04/2006 |
| 05/AP/0091 | FUL | Erection of two storey rear extension to existing school building [The Mulberry Building] to provide additional nursery classroom and ancillary storage accommodation. | GRA | 23/06/2005 |
| 00/AP/0370 | FUL | Construction of a library at first floor level to the west of the existing teaching block. | GRA | 28/04/2000 |
| 05/AP/0104 | LBC | Erection of three storey rear extension [top storey in roof space] to existing school building [The Mulberry Building] to provide additional nursery classroom and ancillary storage accommodation. | INV | 02/04/2005 |
| 98/AP/1393 | FUL | Construction of a single storey art room to adjoin the existing teaching block | GRA | 09/10/1998 |
| 06/AP/0731 | VAR | Variation of condition 2 (materials) of planning permission 05-AP-0091 to allow installation of photovoltaic tiles on the roof. | GRA | 06/07/2006 |
| 06/AP/0882 | FUL | Installation of a rooflight to rear elevation. | GRA | 29/06/2006 |
| 11/AP/1959 | FUL | Erection of a new school hall building with one above-ground and one-below ground level for use as a school hall and nursery. | WDN | 09/08/2011 |
| 11/AP/3768 | FUL | Erection of a building with one above-ground and one below-ground level for use as a school hall. | DCC | |

Planning history of adjoining sites

- 8 There is no planning history of adjacent sites that is of relevance in the determination of this planning application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 The main issues to be considered in respect of this application are:
- The principle of the development in terms of land use and conformity with strategic policies.
 - The impact on the visual, residential and educational amenity of the area.
 - Design quality.
 - All other relevant material planning considerations.

Planning policy

Core Strategy 2011

- 10 SP2 - Sustainable transport
- SP4 - Places for learning, enjoyment and healthy lifestyles
- SP12 - Design and conservation
- SP13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 11 Policy 2.3 - Enhancement of Educational Establishments
- Policy 3.2 - Protection of Amenity
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design
- Policy 3.15 - Conservation of the Historic Environment
- Policy 3.17 - Listed Buildings
- Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- Policy 5.2 - Transport Impacts

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

- 12 PPS5 - Planning for the Historic Environment

National Planning Policy Framework

- 13 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.
- 14 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).

Principle of development

- 15 In principle there are no objections to the development in land use terms and there will be no conflict of use detrimental to amenity or the operations of the School.

Environmental impact assessment

- 16 An Environmental Impact Assessment is not required for an application of this nature.

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

- 17 The main impact of the proposal will be on the surrounding residents on Herne Hill, Ruskin Walk, Carver Road and the Denesmead Estate. Whilst there will be no adverse impact in terms of visual amenity, concerns have been raised by local residents regarding potential impacts on noise and parking. The surrounding area is

covered by a controlled parking zone and given that there will be no increase in pupil numbers enrolled at the school it is not considered that there will be a significant issue with regards to parking or transport. The Councils transport Team has been consulted on the proposed development and have raised no objections to the proposal. Conditions will be imposed to protect residents from excessive noise outside of school hours however noise from the playground which is only used at break times throughout the school day is not considered to be a significant issue as the school has been operating at this site in excess of 30 years, it is an established use and there will be no overall increase in pupil numbers. The development will still allow a sufficient area for playground and the nature area will be retained.

- 18 Conditions will also be attached regarding noise from any ventilation/extraction equipment. With regards to playground noise, pupil numbers enrolled at the school will not increase as a result of the proposed development and as such it is not considered that there will be a significant increase in noise. Noise associated with the playground which is only used at certain times throughout the day is not considered a sufficient reason to warrant refusal of the planning application.

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

- 19 There will be no conflict of use detrimental to amenity.

Traffic issues

- 20 The proposed development will not raise the existing capacity of the school and will remove the 'change over' period between morning and afternoon nursery classes and as such there may be a slight reduction in traffic to and from the site in the middle of the day. The proposed new nursery block does not raise any significant issues with regards to traffic or parking and as such is considered acceptable with regards to the saved transport policies of The Southwark Plan 2007 (July) and SP2 - Sustainable Transport of The Core Strategy 2011 (April).

Design issues

- 21 The application site is located within the setting of two listed buildings, the Grade II* listed St Paul's Church and the Grade II listed Herne Hill School. The proposal intends to provide new school accommodation in a new building to the north of the Mulberry block. The new block will be sunk into the ground maximise accommodation while reducing visual impact. The basement level would comprise new hall, kitchen and support space lit by clerestory windows in the south and west elevations. A new nursery and music room is proposed at ground floor level with access contained within the northern elevation.
- 22 The free standing building would face, on three sides, outdoor amenity spaces used by the school and would need to respond accordingly. The northern elevation would face the nursery playground, the south towards school nature reserve and the eastern elevation towards the playground.
- 23 The previous application, since withdrawn, was considered acceptable in terms of its position away from the main approach to the listed buildings to the rear of the site and south of the Mulberry building. Also scale and height of the building was considered acceptable as it reflected the lower scale needed to the rear of the site. The current application replicates this and is thus considered acceptable.
- 24 The proposed design and appearance has developed in conjunction with Officers since the previous application 11-AP-1959 and now represents an acceptable

proposal. Offices raised concerns with the initial scheme and suggested the following to be considered:

- animation and enlivening the facades and providing natural light to the staircase
- use of materials adding interest and reflect context
- the prominence of lift
- natural light to the basement including kitchen
- ductwork, flues and ventilation

- 25 Revisions to the south and eastern facades allow increased engagement with the context of the site with larger windows and a more interesting and playful arrangement that animates these facades. The use of red brick bands to enliven the buff and brown brick is appropriate and reflects similar details on the listed school building although materials should still be conditioned. The volume of the lift being more concealed is a welcome addition. The visual appearance of the building and proposed facades is a clear improvement over the previous scheme and is now considered acceptable.
- 26 The design also incorporates natural light to the stairs and into the kitchen from above. Although there is an outline ventilation strategy this should still be conditioned both in terms of environmental health and to safeguard the appearance of the building and setting of the listed buildings.
- 27 In all the design is much improved and is considered a high quality of architectural design, one that conserves and enhances heritage assets and their settings. Indeed, the proposed building, alongside the Mulberry building would form a harmonious group and is therefore consistent with both HE 7.5 and Policy HE10.1 of PPS 5.

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

- 28 The proposed development is acceptable within the context of the listed buildings at the St Pauls Church and The Vicarage (Main School Building) and will have no detrimental impact on its character or setting. As such the proposal complies with Saved Policy 3.17 – Listed Buildings and 3.18 – Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan 2007 (July) and SP12 – Design and Conservation of The Core Strategy 2011 (April).

Impact on trees

- 29 The proposed basement excavation and close proximity to mature trees requires a tree protection condition to ensure that existing trees both on site and on the boundary with the Denesmead Estate are not damaged. The proposed photovoltaic cells should be positioned so that they are not in conflict with existing tree canopies or result in tree loss.

Planning obligations (S.106 undertaking or agreement)

- 30 No planning obligations or Section 106 Agreements are required for an application of this nature.

Sustainable development implications

- 31 The use of photovoltaic cells will provide electricity through renewable energy and improves the sustainability of the school and the proposed development.

Other matters

- 32 The Environmental Protection Team have recommended that conditions be imposed on the operating hours of the hall outside of school hours, ventilation/extraction equipment, noise and the submission of an Environmental Management Plan. The relevant conditions will be imposed on any consent issued.

Conclusion on planning issues

- 33 The proposed development is considered acceptable in terms of design and the impact on the visual and residential amenity of the area. The new building will enhance the setting of the listed buildings and will provide a much needed facility for the school. The potential adverse impacts identified regarding noise and operating hours can be adequately mitigated by planning conditions and as such the development complies with the saved policies of The Southwark Plan 2007 (July) and the strategic policies of The Core Strategy 2011. It is therefore recommended that detailed planning permission be granted subject to conditions.

Community impact statement

- 34 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) There are no issues relevant to particular communities/groups.

c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 37 All comments received from internal and statutory consultees have been summarised and addressed below;

- 38 Design and Conservation - No objections subject to conditions regarding materials.

Response - Noted and agreed, the relevant conditions will be imposed on any consent issued.

- 39 Environmental Protection - No objections subject to conditions relating to ventilation/extraction equipment, opening hours, noise and the submission of an Environmental Management Plan.

Response - Noted and agreed, the relevant conditions will be imposed on any consent issued.

- 40 Transport - No objections, the proposed development is unlikely to have an adverse impact in transport terms.
Response - Noted and agreed.
- 41 Urban Forester - The proposed basement excavation and close proximity to mature trees requires a tree protection condition to ensure that existing trees both on site and on the boundary with the Denesmead Estate are not damaged. The proposed photovoltaic cells should be positioned so that they are not in conflict with existing tree canopies or result in tree loss.
Response - Noted and agreed, the relevant condition will be imposed on any consent issued.
- 42 English Heritage - No comment, the application should be decided in line with local policy.
Response - Noted, the proposed development will be decided in line with saved Southwark Plan and Core Strategy Policies.
- 43 Following neighbour consultation, two letters of support and three letters of objection have been received in response to the proposed development. The main points of the letters received have been summarised and addressed below;
- 44 Objection - The proposal will increase traffic and parking problems on Ruskin Walk and will result in an increase in noise. The proposal will also limit the playground area.
Response - The surrounding area is covered by a controlled parking zone and given that there will be no increase in pupil numbers enrolled at the school it is not considered that there will be a significant issue with regards to parking or transport. The Councils transport Team has been consulted on the proposed development and have raised no objections to the proposal. Conditions will be imposed to protect residents from excessive noise outside of school hours however noise from the playground which is only used at break times throughout the school day is not considered to be a significant issue as the school has been operating at this site in excess of 30 years, it is an established use and there will be no overall increase in pupil numbers. The development will still allow a sufficient area for playground and the nature area will be retained.
- 45 Objection - Noise within the playground is very disruptive to residents in Ruskin Walk and this will get worse with the increase in pupils. Conditions should be used to limit noise impacts and operating hours outside of the school day.
Response - Operating hours outside of the school day will be restricted by planning condition and issues with regards to noise are covered by existing Environmental Health Legislation. Conditions will also be attached regarding noise from any ventilation/extraction equipment. With regards to playground noise, pupil numbers enrolled at the school will not increase as a result of the proposed development and as such it is not considered that there will be a significant increase in noise. Noise associated with the playground which is only used at certain times throughout the day is not considered a sufficient reason to warrant refusal of the planning application.

Human rights implications

- 46 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.
- 47 This application has the legitimate aim of providing improved nursery accommodation

and school facilities. 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

48 N/A.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--|--|---|
| Site history file: TP/2545-G Application file: 11-AP-3768 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 5365 Council website: www.southwark.gov.uk |

APPENDICES

| No. | Title |
|------------|---------------------------------|
| Appendix 1 | Consultation undertaken |
| Appendix 2 | Consultation responses received |
| Appendix 3 | Neighbour Consultee List |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Lead Officer | Gary Rice, Head of Development Management | |
| Report Author | Terence McLellan, Planning Officer | |
| Version | Final | |
| Dated | 22 March 2012 | |
| Key Decision | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director of Communities, Law & Governance | No | No |
| Strategic Director of Regeneration and Neighbourhoods | No | No |
| Strategic Director of Environment and Leisure | No | No |
| Date final report sent to Constitutional Team | 12 March 2012 | |

Consultation undertaken

Site notice date: 30/11/2011

Press notice date: 24/11/2011

Case officer site visit date: 30/11/2011

Neighbour consultation letters sent: 23/11/2011

Internal services consulted:

Design and Conservation
Environmental Protection
Transport
Urban Forester

Statutory and non-statutory organisations consulted:

English Heritage

Neighbours and local groups consulted:

As detailed in Appendix 3

Re-consultation:

Re-consultation not required.

Consultation responses received

Internal services

Design and Conservation - No objection subject to conditions.

Environmental Protection - No objection subject to conditions.

Transport - No objections.

Urban Forester - No objection subject to conditions.

Statutory and non-statutory organisations

English Heritage - No comment, the application should be decided in line with local policy.

Neighbours and local groups

5 Ardbeg Road - Support.

4 Doctors Close - Support (this Consultee is a member of staff at Herne Hill School).

123 Herne Hill - Objection.

12 Ruskin Walk - Objection.

18 Ruskin Walk - Objection.

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 11-AP-3768

| | | | |
|------------------|--------------------------|-------------|--|
| TP No | TP/2545-G | Site | HERNE HILL SCHOOL 127 HERNE HILL, LONDON, SE24 9LY |
| App. Type | Full Planning Permission | | |

| Date Printed | Address |
|--------------|--|
| 23/11/2011 | 16 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 15 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 18 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 17 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 12 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 11 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 14 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 13 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 24 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 23 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 9 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 20 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 19 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 22 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 21 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 35 CARVER ROAD LONDON SE24 9LS |
| 23/11/2011 | 33 CARVER ROAD LONDON SE24 9LS |
| 23/11/2011 | 125 HERNE HILL LONDON SE24 9LY |
| 23/11/2011 | 123 HERNE HILL LONDON SE24 9LY |
| 23/11/2011 | 27 CARVER ROAD LONDON SE24 9LS |
| 23/11/2011 | 31 CARVER ROAD LONDON SE24 9LS |
| 23/11/2011 | 29 CARVER ROAD LONDON SE24 9LS |
| 23/11/2011 | 18 RUSKIN WALK LONDON SE24 9LZ |
| 23/11/2011 | 16 RUSKIN WALK LONDON SE24 9LZ |
| 23/11/2011 | 10 DENESMEAD HERNE HILL LONDON SE24 9LX |
| 23/11/2011 | 20 RUSKIN WALK LONDON SE24 9LZ |
| 23/11/2011 | 10 RUSKIN WALK LONDON SE24 9LZ |
| 23/11/2011 | 127 HERNE HILL LONDON SE24 9LY |
| 23/11/2011 | 14 RUSKIN WALK LONDON SE24 9LZ |
| 23/11/2011 | 12 RUSKIN WALK LONDON SE24 9LZ |
| 20/06/1837 | 4 Doctors Close Sydenham London SE26 6DL |
| 20/06/1837 | 5 Ardbeg Road London SE24 9JL |