

Item No. 6.1	Classification: OPEN	Date: 11 April 2012	Meeting Name: Camberwell Community Council
Report title:	Development Management planning application: Application 11-AP-3590 for: Conservation Area Consent Address: 18 GROVE PARK, LONDON, SE5 8LH Proposal: Demolition of existing chapel (in connection with provision of a building within the same envelope to provide single family dwelling house).		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 4 November 2011		Application Expiry Date 30 December 2011	

RECOMMENDATION

- 1 Grant Conservation Area Consent.

BACKGROUND INFORMATION

Site location and description

- 2 The application site relates to two existing buildings on this site known as No.18 Grove Park. The existing detached building fronting the road was formerly a house, which has been converted into 4 self-contained units and then was used by Social Services to house distressed families (Sui Generis).
- 3 To the rear of this main building is a former chapel, which was once connected to the main building via a vestibule. The chapel has never been consecrated and has not been used for religious purposes since late 1970's. It has been used by the Council's Social Services department. Both buildings have been vacant since June 2007.
- 4 The site slopes down towards the rear garden, which has a maximum depth of 45 metres (m), but this area is broken up by the existing chapel occupying the central area of the site.
- 5 There are a number of trees along the side boundaries and larger mature trees to the rear, in particular a cherry tree located in the garden of 19 Grove Park.
- 6 The surrounding area is all residential characterised by larger family dwellings and some flats opposite.
- 7 The site is within the Camberwell Grove Conservation Area.

Details of proposal

- 8 This application accompanies a planning application for a Minor Material Amendment

to a Planning Consent already granted, and set out below in the planning history section.

- 9 The proposal now involves full demolition of the chapel located in the garden of 18 Grove Park, rather than partial demolition and refurbishment as previously granted.
- 10 The new building would be within the same envelope as the chapel, and constructed from brick to match existing. There would be a new slate, apex roof and the existing chimney would be repaired and reinstated.

Planning history

- 11 11-AP-0225: Planning permission was granted on 17/06/11, for the conversion of existing building from hostel (Sui Generis) into 4 No. self-contained flats (2x3 bedroom and 2x2 bedroom), extension of basement with lightwells to front and rear, erection of a single storey rear extension, loft extension, replacement of timber sash windows and installation of new windows to rear elevation.
- 12 Conversion of existing chapel into 4 bedroom single family dwelling house extension of basement, replacement of timber windows, installation of windows and French doors to basement and installation of 6 No. rooflights.
- 13 Erection of front boundary wall and provision of 3 No. car parking spaces at the front.
11-AP-0226: Conservation Area Consent was granted on 17/06/11, for the partial demolition of rear wall and removal of existing UPVC conservatory to No. 18, demolition of chapel vestibule, single storey extensions to north and east elevations, and removal of chapel external brick piers.
- 14 11-AP-3208- Accompanying application for planning permission.
- 15 11-AP-3136: Approval was granted on 17/11/11 for approval of a landscaping scheme in respect of condition 8 of planning permission dated 17.06.2011 (LBS Reg No:11-AP-0225). This included the removal of 4 trees along the boundary with number 19 Grove Park, retention of 4 trees in the garden of 18 Grove Park and the planting of 12 new trees.

Planning history of adjoining sites

17 Grove Park

- 16 Planning permission was granted in 1991 for the change of use from children's home (C2) to a hostel for homeless families (C3).
- 17 Planning permission was granted 17th Sept 2010 (ref 10-AP-1130) for: Conversion of existing hostel (Sui Generis) into four dwelling houses involving; partial demolition of the existing building and removal of fire escape, erection of three storey rear extension, external and internal modifications and alterations, replacement timber sash windows, new slate roof, new hard and soft landscaped areas, car parking provision at the front, new front boundary wall, cycle and bin storage. Removal of link bridge and infill flank wall to No. 18 Grove Park.
- 18 Associated Conservation Area consent for the above permission was also granted 17th Sept 2010 (ref 10-AP-1285) for: Partial demolition of the existing building and removal of fire escape. Removal of link bridge to No. 18 Grove Park.
- 19 Since the original permission was granted 26th Jan 2011 under 10-AP-1130, the Applicant had submitted a planning application for minor amendment (ref 10-AP-3533). The variation of Condition No. 2 (approved plans) was to: increase the

basement area by adding lightwells to the front and rear of the property and amendments to the location of one of the parking bays.

- 20 There is some planning history for a number of the dwellings directly opposite the site (41-45 Grove Park) relating to alterations to the building and conversion into flats. These are however, at least 19 years old and therefore not directly relevant to this scheme.
- 21 The most relevant and recent is at 42 Grove Park - planning permission was granted in 2004 (ref 04-CO-0042) for the conversion of 3 storey house into 1x1 bed ground floor flat and 1 x 4 bed maisonette on 1st and 2nd floors, including the demolition and rebuilding of the front bay and porch for underpinning works and demolition of single storey rear addition.
- 22 There have been a number of planning approvals for adjoining properties to the south (Ivanhoe and Grove Hill Road) for extensions and flat conversions, but these are not directly relevant to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 23 The main issues to be considered in respect of this application are:
- a) Acceptability of the demolition of the existing building in terms of the impact on the character and appearance of the conservation area and whether any harm will be outweighed by the merits of the replacement development as described in report reference 11-AP-3208.

Planning policy

Core Strategy 2011

- 24 Strategic Policy 12 – Design and conservation

Southwark Plan 2007 (July) - saved policies

- 25 3.15 Conservation of the Historic Environment
3.16 Conservation Areas
3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites

Camberwell Grove Conservation Area Appraisal

London Plan 2011

- 26 Policy 7.4 Local character
Policy 7.8 Heritage assets and archaeology
Policy 7.6 Architecture

- 27 NPPF 27/3/2012.
Section 12, Conserving and Enhancing the Historic Environment.
On 27 March 2012, the DCLG published the National Planning Policy Framework with immediate effect. The NPPF replaces previous government guidance including all PPGs and PPSs. Full weight should be given to the NPPF as a material consideration in taking planning decisions.

1. the policies in the NPPF apply from the day of publication and are a material planning consideration;
2. for the purpose of decision-taking, the policies in the Core Strategy, DPDs and SPDs should not be considered out of date simply because they were adopted prior to the publication of the NPPF;
3. for 12 months from the date of publication, decision-takers can continue to give weight to relevant local planning policies such as LDDs adopted in accordance with the PCPA 2004 and those in the London Plan. It should be noted that the weight accorded to saved policies of the Southwark Plan (UDP) should be given according to their degree of consistency with policies in the NPPF.

28 Ministerial Statement Planning for Growth.

Principle of development

- 29 The principle of the demolition of parts of the existing building (comprising the demolition of chapel vestibule, single storey extensions to north and east elevations, and removal of chapel external brick piers) on this site was initially accepted as part of the determination of a planning application (11AP02251 dated 17/6/2011). Consideration was given then to the merits of the retention of those parts of the existing building in the context of the scheme for the redevelopment.
- 30 The application needs to be assessed in relation to the conservation guidance within the Conservation Area Appraisal Document, the Southwark Plan's saved policies; the Core Strategy; and national planning policy PPS5: Planning for the Historic Environment, although officers understand that PPS5 is due to be replaced by the NPPF from 27/3/2012.

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

- 31 Saved Policy 3.15 Conservation of the historic environment requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted. The character and appearance of conservation areas should be recognised and respected in any new development within these areas.
- 32 Saved Policy 3.16 Conservation areas - this states that, Within conservation areas, development should preserve or enhance the character or appearance of the area.
- 33 In relation to demolition: Within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless, in accordance with PPG15 or any subsequent amendments, it can be demonstrated that:
 - i. Costs of repairs and maintenance would not be justified, when assessed against the importance of the building and the value derived from its continued use, providing that the building has not been deliberately neglected; and
 - ii. Real efforts have been made to continue the current use or find a viable alternative use for the building; and
 - iii. There will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the resulting demolition; and
- 34

- iv. The replacement development will preserve or enhance the character or appearance of the conservation area and has been granted planning permission.
- 35 In this case, officers are of the view that the existing building is not considered to be of an architectural or historic quality that makes a positive contribution to the conservation area. The tests set out at (i) to (iv) of policy 3.16 are therefore not material to consideration of this application.
- 36 The replacement building is considered to be of an acceptable architectural quality, would be unobtrusive and simple in style, and would be of a traditional design using matching brickwork, that is considered to be an enhancement to the general townscape. This matter is assessed more fully in the accompanying report for the planning application, reference 11-AP-3208.
- 37 Strategic Policy 12 – Design and conservation of Core Strategy 2011, requires that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. We will do this by:
- 38 1. Expecting development to conserve or enhance the significance of Southwark's heritage assets, their settings and wider historic environment, including conservation areas, archaeological priority zones and sites, listed and locally listed buildings, registered parks and gardens, world heritage sites and scheduled monuments.
- 39 Policy HE7.2 of PPS5 requires that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.
- 40 On this site, it is considered that the consistency and quality of the Grove Park frontage/streetscape is the particular nature of the conservation area's significance, and this includes the mature trees on/around the site. While the quality of the proposed building is the largest issue, this does sit within the rear garden of 18 Grove Park and is largely hidden from the wider public view. Furthermore the success of this development is in the fact that the proposed building would remain within the envelope of the existing chapel.
- 41 The existing building is considered to have some material character as a brick chapel, but the brickwork is not of high quality and by the standard of the 19th Century buildings around it, this 1920's chapel is considered to be crudely constructed. It is not considered to be a heritage asset of any significance as defined in PPS 5.
- 42 The location of the chapel towards the rear of the site, behind the principal buildings fronting the street, is such that the demolition of the building could be carried out without leaving a 'gap' in an otherwise coherent part of the streetscene. Given the relatively low considered importance of the existing building, and its backland location, no harm would arise to the appearance of the streetscene by its demolition. Accordingly a condition requiring details of a contract for the redevelopment and replacement building to be submitted for approval prior to demolition is not considered necessary in this instance. A condition should be imposed however to ensure that if the demolition is not immediately followed by the redevelopment the subject of the accompanying application reference 11AP3208, the site shall be left in a tidy condition, to prevent harm to the character and appearance of the conservation area.
- 43 As such, there would be benefits from the demolition and redevelopment that would

outweigh the results of the demolition, and as the proposed replacement development is considered to preserve the character and appearance of the conservation area and has therefore been recommended for approval.

Conclusion on planning issues

- 44 Officers consider on balance that the existing building is not a key un-listed building in the conservation area, and allowing the demolition would allow for replacement of the existing building by a building of exactly the same building envelope and within the context of a development that would preserve the character and appearance of the Conservation Area, thereby justifying demolition of the existing building.

Community impact statement

- 45 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 issues relevant to particular communities/groups likely to be affected by the proposal have been identified in the accompanying report for Planning application 11-AP-3208 on this agenda.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

- 48 There were six objections received raising concerns about the following matters:
- scheme would harm the character and appearance of the conservation area
 - concern that the original scheme retained the existing chapel and the conversion of the chapel to residential use, in such close proximity to the existing front building, was acceptable in this context but that if the existing chapel is to be demolished, no justification of re-use of an existing building exists to justify a new house so close to the existing building which is to be converted to four houses
 - impacts on trees
 - existing building should be treated with more care and retained

Human rights implications

- 49 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.

- 50 This application has the legitimate aim of providing for demolition in a conservation area to facilitate redevelopment on the site. 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

- 52 N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2154-17 Application file: 11-AP-3590 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	26 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
Director of Planning	Yes	Yes
Strategic Director of Environment and Leisure	No	No
Date final report sent to Constitutional Team	29 March 2012	

Consultation undertaken

Site notice date: 11/11/11

Press notice date: 12/11/11

Case officer site visit date: 11/11/11

Neighbour consultation letters sent: 15/11/11

Internal services consulted:

Design and Conservation Team

Statutory and non-statutory organisations consulted:

English Heritage

Neighbours and local groups consulted:

19 GROVE PARK LONDON SE5 8LH
44 GROVE PARK LONDON SE5 8LG
FLAT 2 83 GROVE HILL ROAD LONDON SE5 8DF
17-18 GROVE PARK LONDON SE5 8LH
45C GROVE PARK LONDON SE5 8LG
45B GROVE PARK LONDON SE5 8LG
37 GROVE PARK LONDON SE5 8LG
43 GROVE PARK LONDON SE5 8LG
38 GROVE PARK LONDON SE5 8LG
FLAT 1 16 GROVE PARK LONDON SE5 8LH
FLAT 8 16 GROVE PARK LONDON SE5 8LH
FLAT 7 16 GROVE PARK LONDON SE5 8LH
FLAT 3 16 GROVE PARK LONDON SE5 8LH
FLAT 2 16 GROVE PARK LONDON SE5 8LH
FLAT 4 16 GROVE PARK LONDON SE5 8LH
FLAT 6 16 GROVE PARK LONDON SE5 8LH
FLAT 5 16 GROVE PARK LONDON SE5 8LH
45A GROVE PARK LONDON SE5 8LG
42 GROVE PARK LONDON SE5 8LG
8 IVANHOE ROAD LONDON SE5 8DH
20 GROVE PARK LONDON SE5 8LH
79 GROVE HILL ROAD LONDON SE5 8DF
77 GROVE HILL ROAD LONDON SE5 8DF
FLAT 3 83 GROVE HILL ROAD LONDON SE5 8DF
FLAT 1 83 GROVE HILL ROAD LONDON SE5 8DF
2 IVANHOE ROAD LONDON SE5 8DH
THE IVANHOE RESIDENTS AND TENANTS ASSOCIATION 6 IVANHOE ROAD LONDON SE5 8DH
4 IVANHOE ROAD LONDON SE5 8DH
81 GROVE HILL ROAD LONDON SE5 8DF
40C GROVE PARK LONDON SE5 8LG
40B GROVE PARK LONDON SE5 8LG
41A GROVE PARK LONDON SE5 8LG
41C GROVE PARK LONDON SE5 8LG
41B GROVE PARK LONDON SE5 8LG
FLAT A 39 GROVE PARK LONDON SE5 8LG
FLAT B 39 GROVE PARK LONDON SE5 8LG
40A GROVE PARK LONDON SE5 8LG
FLAT C 39 GROVE PARK LONDON SE5 8LG
71 Grove Hill Road SE5
11 Blenheim Grove SE15
19 GROVE PARK LONDON SE5 8LH

Re-consultation:

01/03/12: Clarification of Description.

Consultation responses received

Internal services

Design and Conservation : Comments incorporated into report.

Statutory and non-statutory organisations

LAMAS: Although the chapel appears rather featureless and is an undesignated heritage asset, its conversion may be appropriate. Its replacement however requires proper justification without which this committee would object because of the potential impact on the setting of other buildings and upon the character and appearance of the area.

Neighbours and local groups

There were six objections to the scheme, from Ivanhoe Residents Association, three from addresses in Grove Hill Road, one from an address in Blenheim Grove, and one from a Grove Park address. The objections are summarised below.

Ivanhoe Residents Association: Objection

I strongly object to the continual erosion of the Camberwell Grove Conservation Area. The character of this site will not be enhanced. The developments will conflict with policies 3.12, 3.13, 3.15, 3.16 and 3.18 of the Unitary Development Plan 2007. It will not enhance the special interest or historic character or appearance of areas of historical or architectural interest and conserves or enhances the significance of heritage assets. It will conflict with policy PPS5 which seeks to sustain and enhance heritage assets.

Addresses in Grove Hill Rd, Grove Lane, and Blenheim Grove:

- loss of wildlife, trees etc, and loss of heritage assets
- this application will not enhance the Camberwell grove Conservation Area.
- scheme would conflict with policies 3.12, 3.13, 3.15, 3.16 and 3.18 of the Southwark Unitary Plan 2007 and the council should refuse the full and CAC applications as the Planning Inspectorate certainly would
- When the initial planning application for this site went through, my main concern was for the future of the area of garden immediately behind the development, which appeared to be worryingly unaccounted for, and the fact that the short gardens offered with the accommodation in the main building were certainly not in keeping with the conservation area. I welcomed the fact that a new and productive use was being found for the fine historic buildings which were rapidly becoming derelict. The proposal to demolish the other walls of the chapel and replace them with a nondescript and unattractive alternative (presumably to squeeze more living space into the envelope) feels like the last straw.

No doubt repeated re-applications and amendments are perfectly within the law, but as a consultee I feel a victim of deception. The applicants are very experienced in forcing through changes mid-work, but most people don't have the time or the training to wade through complex drawings and descriptions online and work out the impact of 'minor changes' to the original proposals. I think it is quite wrong to try to sneak through something as major as the demolition of a 19th Century chapel as a minor amendment. I feel that this proposal is extremely dishonest and architecturally, quite

out of keeping with the conservation area.

81 Grove Hill Road: Objection

A historic building in a conservation area should be handled much more carefully than the current developers are doing. They seem to have decided to wear down, step by step, application by application, any resistance to their decision to squeeze maximum profit out of this project. They seem to be paying no attention to the essential nature of this conservation area and have ignored its main glory: the vastness and beauty of its gardens. Seemingly unimportant changes of plans obscure the systematic dismantling of anything left of the original building.

19 Grove Park: Objection

At the time application 11-AP-0225 was being considered, we had indicated a preference to the developers to demolish the chapel on site and turn the main house back into a family house with a garden. However the developers informed us that the Council had indicated a preference at the time for the building to be retained. It now seems obvious that 11-AP-0225 was little more than a sham. The developers are proposing a clever shuffle, taking advantage of the existence of a building on site in order to demolish it and build something entirely different. It was a way of squeezing five dwellings into 18 Grove Park when very likely, they would have struggled to get permission for such a density or for building a second house in the garden of the main one.

The developers told us that they were only developing five dwellings *because* they had to work with the chapel; so if the chapel can or should now be demolished, there is no longer any justification for five dwellings. The developers should be obliged to work within the envelope that they themselves created with application 11-AP-0225.

- 19 Grove Park has always been overlooked by the chapel at 18 Grove Park. nevertheless there is a great difference between being overlooked by a chapel that is only used occasionally, and a permanently occupied house.
- It is one thing to convert an existing building into a house, but quite another thing to demolish an existing building and build a house. If a chapel had not been on site, would permission have been given at all to build a house just metres behind the main one? We think almost certainly not.
- The application makes much of building a new house within the existing envelope of the chapel. If a new dwelling can be justified at all, why can it not be built in a different part of the site, further back from the main house and at a reasonable distance from other surrounding houses.
- If the Council will not give permission for a better-situated house on the site, what can be the justification for approving a poorly situated one? There may at one time have been good reasons for building the chapel where it is (allowing nuns to get too and from services without getting wet etc), but it makes no sense to put a house in that location.
- The chapel has church-like Gothic-arch windows to the main elevation which overlooks our garden. They are discreet in size and quite deeply rebated so that looking out of them, one does not get a great vista over our garden. The original application proposed the restoration of these windows in their current size, shape and configuration, so as to preserve our privacy; they even told us they would fit frosted glass. They are now proposing to enlarge these windows. The occupants of the house would therefore have a view over our garden.
- The chapel has a basement which the developers wish to extend to the full footprint of the garden. Why is this essential? It is possible to underpin a building without doing this. The further excavation will destroy the roots of more trees on site.
- If there must be a basement, why not put the lightwell at the southern end of the chapel, where it would get plenty of natural light?
- The developers make much of creating a 'sunken-garden' at basement level

between the chapel and the boundary wall. In reality, the 'sunken garden' would be a narrow, gloomy hole in the ground, 4.3m deep on the side of the boundary wall, and even deeper on the chapel side.

- Four fruit trees have already been destroyed near the chapel. These trees were an important shield between the chapel and our garden and without them we are now dominated by the whole mass of building.