

<b>Items No.</b>	<b>Classification:</b>	<b>Date:</b>	<b>Meeting Name:</b>
6.1, 6.2 & 6.3	OPEN	26 March 2013	Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b>		
	<p><b>Address:</b> THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ</p> <p><b>1. Application for Full Planning Permission</b>      Reference: <b>12-AP-2620</b></p> <p>Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1).</p> <p><b>2. Application for Listed Building Consent</b>      Reference: <b>12-AP-2621</b></p> <p>Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and internal and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1).</p> <p><b>3. Application for Conservation Area Consent</b>      Reference: <b>12-AP-2775</b></p> <p>Partial demolition of rear extensions of the public house and buildings within its curtilage.</p>		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 28/08/2012		<b>Application Expiry Date</b> 27/11/2012	

## RECOMMENDATION

- 1
  - i) That in respect of application 12-AP-2620 planning permission is granted subject to conditions and the applicant first entering into a legal agreement by no later than the 15 April 2013.
  - ii) That in respect of application 12-AP-2621, listed building consent is granted subject to conditions.
  - iii) That in respect of application 12-AP-2775, conservation area consent is granted subject to conditions.
- 2 In the event that the legal agreement is not entered into by 15 April 2013 then the head of development management be authorised to refuse planning permission reference 12-AP-2620 for the reasons set out in paragraph 156 of this report, and to refuse listed

building consent 12-AP-2621 and conservation area consent 12-AP-2775 due to the absence of an agreed planning permission.

## **BACKGROUND INFORMATION**

### **Site location and description**

- 3 The subject site is the Crown and Greyhound Public House, a four-storey detached building located on the eastern side of Dulwich Village. The building is currently used as a pub on the ground floor with ancillary function rooms on the first floor. Staff accommodation is located on the upper levels.
- 4 Constructed around 1900 the building is Grade II Listed and is situated in the Dulwich Village Conservation Area. Its scale and architectural treatment make it a prominent landmark at the centre of the Village. There is a cobbled unloading area to the front of the pub and a side driveway to a rear garage.
- 5 There are a number of redundant ancillary buildings to the rear of the site including a former brick stable block and what is believed to be a former skittle alley. There is also a circa 1920 -1930 garage, and modern conservatory extension.
- 6 To the east of the site is a large garden area that provides outdoor seating area ancillary to the bar and a segment of currently unmanaged land referred to as the 'Wilderness Garden'. To the south lie 75-79 Dulwich Village (Rocca restaurant) with a residential unit above and an off street car park. To the north lies a terrace of residential dwellings. The surrounding area includes a mix of uses including retail, restaurant and residential uses.

### **Details of proposal**

- 7 The proposal under consideration is for the refurbishment and extension of the existing building comprising the erection of extensions at basement, ground and first floor levels, external alterations to the main building, demolition of existing rear garage and erection of 2-storey building in its place to provide a restored public house and function rooms, and 20 bedroom hotel with associated landscaping and car parking.

Three separate applications have been made:

### **Conservation area consent**

- 8 The conservation area consent application proposes the demolition of structures on the site including:
  - The partial demolition of the 1920's-1930's garage, retaining the front facade and boundary walls.
  - The 1990's rear conservatory
  - The ground and first floor rear toilet blocks.
  - The single toilet to the skittle alley.
  - Modern garage to the rear 75-79 Dulwich Village (Rocca restaurant).

### **Full planning application**

- 9 The application under consideration is for the refurbishment, alteration and extension of existing buildings to form a restored public house, function rooms and new 20 bedroom hotel. The hotel bedrooms will be distributed within the existing site buildings and new extensions. Guest accommodation will provide for a mix of occupation types ranging from 1 to 3 beds per room for a variety of users including families. The main

hotel access and reception will be created in the northern flank with level access and canopy over the entrance.

- 10 The existing building will be extended at basement, ground and first floors. The basement will be excavated to provide a new motor room and lift pit. At ground floor, a new single storey rear extension in brick and timber cladding will provide a new restaurant kitchen, and a glazed circulation space is proposed beside the hotel reception and former skittle alley. The existing kitchen flue extract and rear metal stairway will be removed and replaced by a new flue which will rise up the building from the new kitchen in a colour to match the existing brickwork. A further timber clad single storey restaurant building will replace the existing 1980's conservatory.
- 11 A new first floor rear extension will project approximately 12.5m atop the existing rear dining room to provide three hotel bedrooms. It would have a tiled hipped roof form with a flat central green roof. The facades are a regular arrangement of red cedar panels and timber framed windows. A lift will be installed adjacent to the ground floor dining area that will terminate within the new first floor extension and provide disabled access to the first floor function rooms. An existing first floor doorway serving the existing fire escape will be returned to a window.
- 12 A new two storey rear building will occupy a similar footprint to the 1930's garage. It will incorporate the retained garage front facade, existing boundary walls and along with coach house will create 6 double height family rooms and a manager's flat at first floor. The building would, at its maximum height, match the coach house, an increase over the current garage, and will be arranged around a central courtyard to provide a balanced composition. Full height windows will face into the courtyard reflecting the double height spaces and arrangement of mezzanine levels. The materials for the new building will be weathered brick, plain tiles, and timber cladding.
- 13 An ancillary staff (manager's) flat will be located on the first floor of the converted former coach house. Floorspace data (in square metres) for the staff flat is set out in the table below relative to the Residential Design Standards Supplementary Planning Document (SPD).

	<b>Open plan living/kitchen/diner</b>	<b>Bedroom</b>	<b>Bathroom</b>
Staff flat	26m <sup>2</sup>	13.2m <sup>2</sup>	3.8m <sup>2</sup>
SPD	24m <sup>2</sup>	12m <sup>2</sup>	3.5m <sup>2</sup>

- 14 The design of proposed extensions has evolved from previous submissions. The current design is a modern interpretation of the arts and crafts style with simple forms and materials similar to those of the existing buildings.
- 15 The existing skittle alley and coach house are to be retained and brought into beneficial use. Currently, they are in a poor state of repair with subsidence issues and acro-props supporting the roof trusses. Information submitted indicates these structures may require some level of underpinning and rebuilding in places. The skittle alley will be converted into two hotel bedrooms that have level access from reception. New windows will be formed in the north and south elevations and the partial removal of the south facade of the coach house is proposed.
- 16 Vehicular access to the development is from Dulwich Village via existing crossovers both north and south of the application site. The proposed delivery arrangement and waste storage will thus be similar to the current arrangement. Refuse will be stored and collected from the side access to the south of the public house. Deliveries will be via the cobbled unloading area to the front of the pub or side driveway.

- 17 A total of twelve car parking spaces are proposed, an uplift of 11 over the existing, including two disabled spaces and one for the hotel manager. Ten spaces will be allocated to the hotel from the proposed 23 spaces located in the car park behind 75-79 Dulwich Village. The existing car park will be expanded marginally eastwards into the adjoining open area. An existing garden wall will be demolished and rebuilt. Two new bicycle racks are proposed to complement the existing provision situated at the front of the public house.

### **Listed building consent**

- 18 An associated listed building consent application was submitted with the application for the internal and external works to the listed building in association with conversion to a hotel. The key external works were outlined above and the main internal works are described below:

19 Basement

- Excavation to create motor room and lift pit
- Install new partitions to form staff room.

20 Ground & first floors

- The plan form and interior features at ground and first floors will be retained largely intact.
- Removal of internal partitions between wash room and female toilets and dining room and kitchen.
- Reconfiguration of walls around the main staircase to allow extension to second floor.
- Fittings from the demolished toilet block and etched glass door in function room to be salvaged and reused.
- Reconfiguration of plan form to create new managers office, toilet and circulation. Existing function and ante room retained.

21 Second & Third Floors

- Removal of existing partitions and reconfiguration of these existing domestic spaces to facilitate hotel accommodation and circulation spaces. Existing chimney breasts retained in bedrooms 12, 14, 15 & 19.
- Main stairs extended to the second floor in matching design and materials.
- Removal of secondary staircases and install replacement staircases.

### **Revisions**

- 22 During the course of the application, and in response to a number of issues and concerns raised from officers and neighbours, a series of additional information and revisions and were made to the scheme. In summary, these changes comprise of the following:

- Revised proposed parking arrangements, where the incursion into the adjoining wilderness garden is reduced.
- Two disabled parking spaces will be provided close to the entrance of the proposed hotel, the manager's space is now in the south car park. Ramped access is thus no longer required from the south car park.
- A hotel market appraisal was provided to demonstrate the hotel would not lead to

an over dominance.

- A room by room analysis was submitted identifying historical significance and explaining the impact of the proposal to these areas.
- A section drawing was submitted to show the relationship of the garden block on number 67 Dulwich Village and additional information on sunlight impacts.
- The submission of a tree survey and accompanying Tree Protection Zone drawing.
- A bat emergence survey was submitted.
- The submission of a BREEAM assessment.

### **Planning history**

- 23 Planning, listed building consent and conservation area (Ref: 11-AP-3606, 11-AP-3607 & 3831) consent applications were withdrawn in January 2012 for the refurbishment of existing building involving the erection of a part ground, part first floor rear extension and the erection of lift shaft to rear elevation of building. Development would create a public house, restaurant, function room and 20 en-suite hotel rooms with associated 2-bedroom manager's accommodation (Use Class A4/C1). Together with hard and soft landscaping, and an extension to the existing car park to provide 20 dedicated car parking spaces for the hotel and 1 manager's car parking space. The applicants were advised the proposals were unlikely to receive consent in light of the impact of the proposal on the listed building and wider conservation area.
- 24 Listed building consent (Ref: 08-AP-2281) was granted 02/12/2008 for the replacement of slated pitched roof to external store building within curtilage of public house. Rebuild part of external brick wall damaged by failed roof structure. Roof repairs and profile to match the existing.
- 25 Planning and listed building consent (Ref: 05-AP-1355 & 0923) was approved 08/09/2005 for installation of an extractor fan and supply air fan to the flat roof at rear ground floor level.
- 26 Planning permission (Ref: 97-AP-1632) was granted 26/01/1998 for the construction of new ground floor conservatory at rear of public house, and removal of tree.
- 27 Enforcement Investigation (1990) in respect of the beer garden being a potential breach of planning control. A Section 106 was drafted to allow operation of the beer garden with a 'buffer zone' incorporated, separating the beer garden and surrounding properties. Seemingly, the s.106 was not agreed by all parties and thus left unsigned.

### **Relevant planning history of adjoining sites**

- 28 67 Dulwich Village  
Planning permission (Ref: 02-AP-1139) was granted for construction of a three storey rear extension 17/09/2002.
- 29 75-79 Dulwich Village  
Planning permission (Ref: 11-AP-0453) was refused 21/04/2011 for the placement of six tables and twenty chairs on pavement to the front of the licensed premises. The reason for refusal was:
- *The placement of tables and chairs at this location well forward of the commercial premises, would create a cluttered appearance and an undesirable precedent in Dulwich*

*Village and would have a detrimental impact on the character and appearance of the Dulwich Village Conservation Area. As such the proposal is contrary to saved Southwark Plan Policy 3.2 Protection of Amenity and Policy 3.16 'Conservation Areas', Core Strategy Policy 12 Design and Conservation and advice in PPS 5 Planning for the Historic Environment.*

- 30 Planning permission (Ref: 10-AP-3193) was granted 30/12/2010 for the construction of a ground floor single storey conservatory to the rear of the existing restaurant ([providing additional Class A3 restaurant accommodation) and use of the remaining outside area for dining.
- 31 Planning permission & conservation area consent (Ref: 10-AP-2168 & 10-AP-2169) was granted 22/09/2010 for the demolition of the existing single storey rear extensions and construction of a new single storey rear extension and conservatory with increased dining space. Installation of glazed concertina doors across the front elevation with the raised decked area extended across the full width of the frontage. The installation of new windows on both side elevations at ground floor level. Installation of a new kitchen extract to the rear of the premises.

#### 85-87 Dulwich Village

- 32 Planning permission (Ref: 06-AP-0395) was granted 26/04/2006 for the erection of a rear ground and first floor extension (including first floor terrace area) and change of use of ground floor residential area to be incorporated as part of existing shop and use of first floor extension as part of existing flat.
- 33 Planning permission was refused on 24/06/2004 (Ref: 04-AP-1723) for the construction of a rear ground and first floor extension to the property. A re-submission was refused on 13/10/2005 (Ref: 05-AP-1197). Both applications were refused as it was considered the proposal would be unacceptable in terms of size, massing bulk in addition to detailed design considerations.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

- 34 The main issues to be considered in respect of this application are:
- principle of the proposed development in terms of land use, including provision of a hotel;
  - design and heritage issues, including demolition of historic fabric (Conservation Area Consent) and impact on the listed building (Listed Building Consent);
  - impact on the amenities of occupiers of adjoining properties;
  - quality of accommodation;
  - traffic issues, including servicing and level of car parking;
  - trees and ecology;
  - sustainable development implications;
  - archaeology;
  - planning obligations.

#### **Planning policy**

- 35 The site lies within the air quality management area, Dulwich Village archaeological priority zone, suburban density zone South, Dulwich Village Conservation Area and Dulwich Village Local Town Centre. It has a public transport accessibility level of 2 (on a scale where 1 represents low accessibility and 6b represents the highest public transport accessibility).

36 Core Strategy 2011

Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable transport  
Strategic Policy 3 - Shopping, leisure and entertainment  
Strategic Policy 10 - Jobs and businesses  
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

- 37 Policy 1.1 Access to employment opportunities  
Policy 1.7 Development within town and local centres  
Policy 1.12 Hotels and other visitor accommodation  
Policy 2.5 Planning obligations  
Policy 3.1 Environmental effects  
Policy 3.2 Protection of amenity  
Policy 3.3 Sustainability assessment  
Policy 3.4 Energy efficiency  
Policy 3.6 Air quality  
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 3.15 Conservation of the historic environment  
Policy 3.16 Conservation areas  
Policy 3.17 Listed Buildings  
Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites  
Policy 3.19 Archaeology  
Policy 3.28 Biodiversity  
Policy 5.2 Transport impacts  
Policy 5.3 Walking and cycling  
Policy 5.6 Car parking  
Policy 5.7 Parking standards for disabled people and the mobility impaired

London Plan 2011

- 38 Policy 2.15 Town Centres  
Policy 2.18 Green infrastructure  
Policy 4.1 Developing London's economy  
Policy 4.5 London's visitor infrastructure  
Policy 4.7 Retail and town centre development  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.4 Retrofitting  
Policy 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable Drainage  
Policy 6.1 Strategic approach (Transport)  
Policy 6.2 Providing public transport capacity and safeguarding land for transport  
Policy 6.9 Cycling  
Policy 6.10 Walking

Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.21 Trees and woodlands  
Policy 7.3 Secured by design  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.19 Biodiversity and access to nature  
Policy 7.21 Trees and woodlands  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy

### National Planning Policy Framework

- 39 The NPPF came into effect on 27 March 2012 and is a material planning consideration. The following sections are particularly relevant:

Section 1 Building a strong, competitive economy  
Section 2 Ensuring the vitality of town centres  
Section 4 Promoting sustainable transport  
Section 7 Requiring good design  
Section 8 Promoting healthy communities  
Section 11 Conserving and enhancing the natural environment  
Section 12 Conserving and enhancing the historic environment

### Relevant Statements/SPDs/SPGs

- 40 Section 106 Planning Obligations SPD (2007)  
Sustainable Transport SPD (2010)  
Sustainability Assessment SPD (2009)  
Residential Design Standards SPD (2011)  
Dulwich Village Conservation Area Appraisal (2006)  
Dulwich SPD

### **Principle of development**

- 41 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012. Within the framework the Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. A presumption in favour of sustainable development is a new policy designed to ensure that the planning system as a whole focuses on opportunities. The presumption, in practice, means that significant weight should be placed on the need to support economic growth through the planning system, but development should not be allowed if it would undermine the key principles for sustainability in the Framework. The NPPF makes clear that the policies should apply 'unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits'.
- 42 In relation to the vitality and viability of the town centre, Section 2 of the NPPF requires planning policies to be positive and promote competitive town centre environments. This includes recognising town centres as the heart of the community, defining a network of centres and setting policies to be clear on which uses will be permitted. This includes a range of uses such as retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. It also identifies

hotels as being appropriate for town centre uses in Appendix 2 and encourages town centre uses to be located in town centres.

### Hotel Use

- 43 The main issue in land use terms is considered to be the loss of the ancillary A4 pub use to the second and third floors and rear outbuildings, and the acceptability of a hotel use within the local centre. The last known use of the rear garage appears to have been as garaging for a local business (B1 Use Class), however there is no formal planning history associated with this use nor was there any substantiate information submitted to demonstrate that the B1 garage use is the lawful established use. The garage building, according to land registry information, is associated with the A4 Public House and, in the absence of further information to the contrary, is considered ancillary to the pub.
- 44 Policy 1.7 on development within town and local centres states at paragraph 170 that within centres, the LPA will permit developments providing a range of uses, including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment (B1). uses where the following criteria are met;
- i) The scale and nature of the proposal is appropriate to the character and function of the centre and the catchment area it seeks to serve; and
  - ii) The proposal will not harm the vitality and viability of the centre; and
  - iii) A mix of uses is provided where appropriate; and
  - iv) Any floorspace currently in A class floorspace should be retained or replaced, unless the proposed use provides a direct service to the public and would not harm the vitality and viability of the centre.
  - v) The proposal would not materially harm the amenities of surrounding occupiers; and
  - vi) Where developments which are likely to attract a lot of people are proposed, the site should be highly accessible by sustainable modes of transport; and
  - vii) The road network has sufficient capacity to take any additional servicing traffic generated by the proposal without causing adverse effects on the environment, traffic circulation, or air quality; and
  - viii) The development addresses the street, provides an active frontage on pedestrian routes and quality; and
  - ix) The proposal provides amenities for users of the site such as public toilets, where appropriate.
- 45 The proposal would result in the loss of approximately 188 sq metres of A4 floorspace, mainly resulting from works to the upper floors. Notwithstanding, the site will retain an active frontage and direct public use comprising a public bar, function rooms, which together with the hotel accommodation that will continue to contribute to the vitality of the surrounding area.
- 46 Saved policy 1.12 of the Southwark Plan states that smaller hotels will be permitted in areas with good transport accessibility, but that they will not be permitted where they would result in a loss of residential accommodation, or an over dominance of visitor accommodation in the locality. Also, smaller hotels need to be appropriate to the context and location. Strategic Policy 10 - Jobs and businesses of the Core Strategy advises that hotels would be allowed in town centres, strategic cultural areas and places with good accessibility to public transport, providing that there is no harm to local character.
- 47 The site is located within Dulwich Village Local Centre, an appropriate location for small scale hotel accommodation; further the level of accommodation sought is unlikely to undermine the character of the village. The site is accessible to public

transport at North Dulwich train station and via bus routes that pass close to the site, specifically P4, P13 and the 37. The location whilst having a low PTal is still considered to be positioned sufficiently close to public transport modes to offer visitors alternatives to driving.

- 48 Notwithstanding that a hotel on this site may be appropriately located, the requirement for the proposal to not result in an over dominance of visitor accommodation needs to be considered. The proposed 20 bedrooms is a relatively modest number in a local market which appears to comprise a number of smaller independent suppliers of hotel type accommodation within the Dulwich area. A Hotel market appraisal, submitted in support of the application, identifies 16 key providers within a three mile radius of the site, but only two larger premises in Streatham and Peckham.
- 49 Dulwich Village is located within close proximity to local attractions such as the Dulwich Picture Gallery and Dulwich College which would naturally create demand, and in light of the existing small scale local hotel market, there are no concerns raised in terms of over dominance of visitor accommodation. The relatively modest size of the hotel reflects the type of provision offered in the area within a local centre environment. The proposal is therefore considered appropriate to the context and complies with the requirements of saved policy 1.12; the issue of residential amenity is discussed in paragraphs 54-91 below. The provision of a hotel is therefore considered acceptable in principle.

#### Use of first floor function rooms

- 50 The existing function and ante rooms on the first floor of the main public house are ancillary to the use of the public house. They have been at this location since at least 1905, as shown in the original plan in the design and access statement, and will be retained and restored as part of this scheme. Although the submitted information indicates these rooms will achieve a more sustainable level of use for community events and special occasions, no change of use is proposed. Intensification of a use within the same use class has been held by the courts as not to constitute development unless and until its effect is to take the use outside of that class altogether. These rooms, therefore, will remain ancillary to the main public house and any intensification that results from their restoration would not require planning permission, provided it remains ancillary to the main public house use.
- 51 In conclusion, the site meets the location requirements for a hotel. The size of hotel is in keeping with existing provision in the area and raises no concerns about over concentration. The scale of the hotel is not such as to affect significantly affect amenity - see paragraphs 51-76 for more consideration on amenity impacts. The use of the function rooms remains ancillary to the existing use of the public house. The proposal is therefore considered acceptable in principle.

#### **Environmental impact assessment**

- 52 An environmental statement is not required with this application as the development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
- 53 A screening opinion was not requested prior to the submission of the application as the site does not exceed 0.5ha (being 0.3573ha), and therefore the site is not classified as a Schedule 2 'urban development project'. The development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. Further, extensions or changes to existing development will only require

environmental impact assessment if they are likely to have significant negative environmental impact. Therefore, an environmental impact assessment is not required.

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

- 54 Saved Policy 3.2 relates to the protection of amenity and states that permission would not be granted where a loss of amenity to present occupiers would be caused.

#### Daylight/Sunlight , Outlook and Overlooking

- 55 The properties that would be most likely impacted by the proposed development have been identified to the, east and south of the application site as the closest residential accommodation.

#### Number 67 Dulwich Village

- 56 Number 67 Dulwich Village to the north of the application site shares a boundary with the existing 1930's garage. The dwelling has windows serving habitable accommodation in the rear eastern elevation, with non-habitable rooms at basement level and in the south (side) elevation. The current boundary wall and garage building projects a considerable distance to the east of number 67, and is a feature in the outlook from the adjacent garden and windows.
- 57 It is proposed the garage building will be redesigned as two storey hotel accommodation, with the existing garden wall retained. The new hotel accommodation will be set back approximately 1.4m from the shared boundary. The new roof structure will slope upwards away from the boundary at a line approximately 1m higher than the existing roof form. The passive ventilation flue will be set back some 4.5m from the boundary. The bulk and height of development is, therefore, set away from the boundary with an approximate 3m separation to windows, at their closest point, reducing the impact in terms of enclosure and outlook to acceptable levels.
- 58 The increase in height and separation to the rear windows of No.67 would also ensure a negligible effect on the levels of sunlight/daylight to habitable windows. The windows will retain an open aspect to the rear and would not experience a significantly increased level of overshadowing. Employing the site layout requirements for daylight and sunlight as set out in the British Research Establishment (BRE) – A guide to good practice (1991), the proposal would not intersect a 45 degree angle in elevation. Further, as the rear windows at the rear number 67 are facing 90° of due north there is little expectation of sunlight under BRE guidelines. Accordingly, the proposal is not considered to have an excessive negative impact on sunlight/daylight that it would warrant refusal of this application.
- 59 Whilst the garden to No. 67 may experience some minor overshadowing at certain times of day, this will not be to an unacceptable degree given the existing boundary wall and mature tree canopy south of the proposed building.
- 60 Four roof-lights are proposed in the rear roof-slope of the two storey garden (former garage) building. These roof-lights will be obscure glazed to reduce the impacts in terms of overlooking. It is also considered reasonable and appropriate attach a condition to the permission that requires these roof-lights to be fixed shut to ensure no loss of privacy to number 67 Dulwich Village. It should be noted that new north facing windows in the former skittle alley will face the flank of No. 67 towards side windows serving non-habitable rooms.

### Flat above 75-79 Dulwich Village

- 61 There is a residential unit above the restaurant at 75-79 Dulwich Village, accessed by way of steps to the side of the building. It has two east facing windows at second floor level serving habitable rooms. The new first floor rear extension over the existing rear dining room will be some 14m from these windows and therefore would have no impact daylight/sunlight or outlook.
- 62 In order to prevent against harmful overlooking, the residential design standards SPD requires developments to achieve a minimum distance of 21m at the rear. Windows in the south elevation of the proposed first floor hotel extension face in the direction of (rear) east facing second floor windows above 75-79 Dulwich Village. The approximate separation distance of these windows ranges from 14m at its closest point, increasing to 22m at the eastern end of the extension. The windows, however, do not directly face one another nor are they level in height; hence views between windows would be oblique. The viewing angle and separation between these windows is therefore not considered to result in a materially harmful impact in terms of overlooking.

### Court Lane properties

- 63 The closest windows serving the rear of properties on Court Lane are located over 50m from the proposed development and would not experience an impact in terms of daylight/sunlight, outlook or overlooking. The rear gardens, however, may experience minor overshadowing at certain times of day, but it is not considered an undue impact given the existing mature tree canopy.

### Security

- 64 Residents are concerned that bring activity into the site this would jeopardise security. While it is true that the garden wing would abut the shared boundary with Court Lane properties, the proposal is not considered to raise an undue security risk to warrant refusal of the application. The access to the site as a result of the proposal would be through the hotel reception, which should have records of guests/visitors. The garden wing will overlook the footpath closest to the Court Lane properties providing passive surveillance.

### Noise

- 65 The proposal would bring the redundant rear buildings back into re-use with the potential for vehicular and pedestrian movement to and from the site given the hotel use. The objections have commented that there would be an increase the noise levels by bringing accommodation onto the boundary and raising concerns about the impact upon the amenities of the area.
- 66 Whilst the site would be more intensively used, potentially including late night hours, it is not considered that this would be unreasonable or result in significantly greater noise levels than the existing pub use. The site is located in a local centre, where such activities are supported, and some level of noise expected. The use of the site already attracts patrons with some outdoor activity to the rear and experiences vehicular movements in the south car park associated with a nearby restaurant. In addition, the buildings at the rear have remained quiet mainly because they have been left empty or under utilised.
- 67 The redundant buildings to rear of the site will be back into use which may create additional noise impact; however this is not considered unreasonable at this location subject to conditions. The 6 bedrooms proposed in the garden wing, in particular, may result in some additional noise to the rear of the site and near to number 67 Dulwich

Village. Therefore, the council's environmental protection team has recommended conditions for sound insulation to ensure acceptable standards that protect residential occupiers. Further, it is considered reasonable to add a condition limiting hours of use for sitting out in the proposed courtyard area to between 7am and 11pm. The imposition of these conditions is considered to mitigate noise impacts and ensures that neighbouring occupiers would not suffer a loss of amenity.

- 68 It has been confirmed that the accesses shown to the passage in the north side of the new garden wing and adjacent to the boundary with No.67 would be for maintenance only. This safeguards amenity as there will be no lingering by hotel visitors on the boundary with number 67 Dulwich Village.
- 69 Given the new kitchen location and associated plant it is considered appropriate to limit noise generation from commercial plant, extract ventilation & ducting through a condition. Similarly, to safeguard the local residents from the environmental issues arising from the construction phases an environmental management plan is also recommended by way of condition.
- 70 Representations have expressed concern that the existing function and ante rooms on the first floor will result in undue noise and disturbance. These rooms, however, have been on the first floor since at least 1905, as shown in the original plan in the design and access statement, and will be retained and restored as part of this scheme. Submitted information indicates these rooms will achieve a more sustainable level of use for community events and special occasions, but no change of use is proposed. As the rooms will remain ancillary to the main public house any intensification, or impacts thereof, resulting from their restoration would not require planning permission and is therefore not assessed in this report.

#### Air Quality

- 71 Policy 3.6 of the Soutwark Plan states that permission will not be granted for a development that would lead to a reduction in air quality. Although the site falls within an Air Quality Management Area (AQMA), the scale, type and nature of the proposals are sufficiently insignificant in terms of air pollution not to warrant an assessment.

#### Light

- 72 The proposal would bring the redundant rear buildings with new windows and roof-lights. Objections have commented that there would be an increase in light pollution as a result of the application.
- 73 The orientation of the proposed hotel accommodation relative to nearby residential accommodation ensures much of the light from windows and glazed roofs are centrally located on the site and away from residents. The area where light may have more of an impact is on the periphery with windows and rooflights.
- 74 The property that would be most likely impacted by the proposed development in terms of light impact would be 67 Dulwich Village given its position and proximity to the garden wing. There was no information submitted to suggest that upward light from the 4 proposed roof-lights would be prevented after dark; however the nearest window to the rear of 67 is separated from the roof-lights by approximately 4m. Given the relatively small area occupied by the roof-lights and separation distance they are not considered to significantly harm the living conditions of neighbouring occupiers.
- 75 The full length glazed corridor window proposed at ground floor in the new garden would, to some extent, illuminate the external passageway on the boundary with No. 67. However, the light is not directed at the windows of the property, being confined at

low level behind a 3m boundary wall. Also, lighting within the corridor will be wall mounted soft-lit down lights positioned above the glazing and focused on the hotel internal doors. They will be controlled by motion sensor and timer switches, and given the corridor only serves four hotel rooms, it is reasonable to expect that the corridor will remain mainly un-lit during the night.

- 76 The separation distances to the flat above 75-79 Dulwich Village and the Court Lane properties would limit any impact in terms of light overspill to acceptable levels.
- 77 It is unclear from the submitted information whether there will be an external light component proposed to the hotel site or car park. It would be expected that any external light would minimise the instances of light overspill and a condition detailing external lighting, including design, posers and position of luminaries, is recommended to safeguard amenity.

#### Traffic Impact – amenity

- 78 Concerns have been raised in representations regarding possible noise and disturbance that could result from the movement of cars and glare from headlights.
- 79 Vehicular access to the car park is from Dulwich village between numbers 75-79 Dulwich Village and 85-87 Dulwich Village. The car park currently contains 14 spaces associated with Rocca Restaurant located on the ground and part first floor of 75-79 Dulwich Village. As a result of this proposal the car park will increase from 14 to 23 spaces an uplift of 9 spaces. The new spaces will be located to the rear of Rocca restaurant. An existing barrier entry will be retained to prevent unauthorised access.
- 80 The applicants have submitted comparable trip generation information taken from TRAVL (a trip generation data base). The information shows the number of daily car trips which are likely to be generated by the hotel use will be 13 arrivals and 13 departures. At peak time this will amount to 2 departures in the morning (0800-0900) and 2 evening arrivals (1700-1800). It does not show how many of these car trips will use the associated car park spaces, however even on the small number of peak time trips, the level of impact is unlikely to result in a significant level of noise and disturbance to nearby properties.
- 81 Given the position of residential properties relative to the car park the most likely addresses affected by headlamp glare from maneuvering vehicles would be the flat above 75-79 Dulwich Village, and nos 85-87 and 89 Dulwich Village. However, the small numbers of trips generated by the hotel use, combined with existing screening by mature planting and boundary fences would ensure any impact would not be significant to warrant refusal on amenity grounds.

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

- 82 The immediate surrounding area contains a mix of uses including restaurants, retail, cultural and residential uses. In this context it is unlikely that any existing use in the locality would be detrimental to the amenities of future users of the proposed development.

#### **Quality of accommodation**

- 83 The proposal would deliver a 20 bedrooms hotel and staff (manager's) flat. There will be 6 family rooms located in the garden wing and 14 one bedroom rooms. The manager's one bedroom flat located above the former coach house.

- 84 The 14 one bed hotel rooms will be located in the upper two floors of the main building and also within building at the rear of the site. The rooms are of a size to accommodate a double bed and are provided with en-suite facilities. Whilst the majority of the rooms are single aspect, this is not uncommon for hotels and will not be considered detrimental in the same way as residential accommodation given the temporary nature of the hotel accommodation. In any case, all the windows are large enough to adequately provide natural light and ventilation to the rooms.
- 85 The family rooms are located in the garden wing and comprise a double bed at ground floor and two singles in a mezzanine level. They will be accessed via a glazed linking corridor from the reception area. The size of this accommodation also falls well below what would normally be considered acceptable for residential accommodation. However the units are only intended to provide short-term accommodation and therefore will not merit the same standards required for residential accommodation.
- 86 London Plan (2011) policy 4.5 'London's Visitor Infrastructure' requires that at least 10% of new hotel bedrooms are wheelchair accessible. The drawings show 10% (2 No.) of the hotel rooms will be wheelchair accessible. These will be located next to the reception area with level access. The corridor serving the units will have an approximate width of 1.4m, which is considered to satisfy requirements for a single wheelchair, but would not provide sufficient space for wheel users to pass each other. There is, however, unobstructed width of over 1.8m at reception, which will allow wheelchair users to pass one another.
- 87 The complexity of development will create bedrooms near to commercial elements and may be exposed to noise source. To ensure that occupiers and users are protected excess noise from environmental and transportation sources a condition is recommended so that all hotel rooms, and ancillary staff flat, achieve acceptable noise insulation.
- 88 The hotel use would be strictly controlled through the Section 106 legal agreement, to ensure that it would provide temporary accommodation for visitors and guests only. If the hotel were to provide a different use or more permanent forms of accommodation, a full planning permission would be required. In this respect the council's policies in relation to the creation of residential accommodation or other uses would apply, and would be enforced.

#### Ancillary residential accommodation (Managers flat)

- 89 Currently, the upper floors of the main public house include ancillary residential accommodation. The principle of ancillary accommodation is therefore established and it is considered reasonable to continue this arrangement.
- 90 It is proposed to retain this type of ancillary accommodation, but relocate it to the first floor of the converted former coach house. A one bedroom residential flat is proposed that would have a floor area of approximately 43m<sup>2</sup>. This falls below the 50m<sup>2</sup> minimum requirements of the Residential Design Standards 2011 for a one bed flat, but this is not considered a critical shortcoming in terms of its ancillary nature.
- 91 The proposed room sizes meet those required within the Residential Design Standards 2011 and the flat benefits from a dual aspect that provides adequate light and ventilation. It is, however, overlooked in the east by hotel accommodation, and would have no private outdoor amenity. The standard of accommodation is not considered to meet the required standards for a standalone unit, but given its ancillary nature and connection with the premises it is considered acceptable. In this instance it is reasonable to apply a condition requiring the residential accommodation to remain ancillary and not to be used as an independent or unconnected residence.

## **Traffic issues**

- 92 Saved Policy 5.1 of the Southwark Plan requires that the location of development is appropriate to the size and trip generating characteristics of the development. Saved Policy 5.2 advises that permission will be granted for development unless there is an adverse impact on the transport network or if there inadequate provision is made for servicing. Saved Policy 5.3 seeks to ensure that provision is made for pedestrians and cyclists within the development and Saved Policies 5.6 and 5.7 concerns car parking. Core Strategy Strategic Policy 2 - Sustainable transport reaffirms the commitment to encouraging walking, cycling and use of public transport rather than travel by car.

### Access and servicing arrangements

- 93 Vehicular access is from Dulwich village via existing dropped kerb arrangements to the front of the public house and car park to the south. Neither of the accesses will need altering in association with the application. The access to the north of the site will be used by disabled users given the two parking spaces near hotel entrance, and service vehicles. The car park access, located between numbers 75-79 Dulwich Village and 85-87 Dulwich Village, will be used by hotel visitor parking and manager parking. The car park access will retain the existing barrier entry to ensure the use of the associated parking spaces for hotel residents.
- 94 The premises has facility to service from an off street location and currently accepts deliveries on a daily basis, except Sunday. Delivery vehicles up to 10m rigid lorries and 10.7m articulated can be accommodated on site, entering and exiting the highway in a forward gear.
- 95 The applicants have submitted comparable trip generation information taken from TRAVL (a trip generation data base). The information shows the number of service vehicles which are likely to be associated with the proposed development. The level of servicing expected is likely no more than 3 deliveries per day in smaller vehicles than currently used. This level can be simply managed so that a negative impact is not generated by service vehicles accessing the site.

### Car parking

- 96 This proposal is located in an area with a public transport accessibility level of 2 (on scale where 1 represents low accessibility and 6b represents the highest accessibility). Developments in areas with this level of PTAL rating are required to provide off street parking facilities to mitigate against the impacts of overspill parking on the road network. This part of the borough is not covered by a controlled parking zone, thus the council cannot control any overspill parking. Nevertheless, a parking survey conducted along all roads within a 400m walk of the site found that during peak times 456 unrestricted spaces were available. This level of capacity is considered sufficient to accommodate any overspill parking generated by the proposal.
- 97 The applicant has provided a total of twelve car parking spaces of which two spaces are disabled parking. This level of car parking is significantly less than the council's maximum parking levels for a hotel (C1) use in this location (a maximum of 1 space per bedroom to be applied flexibly on an individual basis through a transport assessment). Whilst, the submitted information shows the number of vehicular trips generated would increase, this would not be significant peaking at 3 trips in an hour, and given the number of parking spaces identified on the surrounding streets, the level of parking provided is considered acceptable.
- 98 The applicants have provided a designated parking space for the manager. Typically staff parking will not be encouraged, however the provision of a dedicated parking bay

for the manager would not warrant a stand alone reason for refusal. Also, it is understood the manager currently has parking facilities associated with the current use.

- 99 The applicants have provided two disabled parking spaces. Both spaces will be located on the north side of the site convenient to the hotel entrance. The location of the disabled parking was altered in response to consultation comments.

#### Cycle parking

- 100 The transport statement suggests that at present three Sheffield type stands are located within an immediate proximity to the development adjacent to the highway. In association with the proposed development two further cycle stands (four spaces) are being added to the existing cycle parking facilities. While none of the existing or proposed cycle parking is secure or weather proof, there are no objections as a provision has been made where, in policy terms, there are no prescriptive standards for secure cycle parking facilities for hotel use. The facilities provided will go some way to generating and supporting a modal shift toward sustainable modes of transport by staff and hotel and public house visitors.
- 101 The mayors transport strategy suggests an ambitious 400% increase in cycling by 2026, cycle trips will also count for a 5% mode share. These plans to increase cycling in London are in part supported by the provision for cycles made in association with the current application.

#### Trip Generation/Highway impacts

- 102 The trip generation by the proposed development will not be of a sufficient level to impact on the operation of the surrounding highway network. Also, the minor increase in trips generated by the hotel use and utilization of existing accesses does not raise concerns over road safety issues.

#### Travel plan

- 103 A travel plan is not required with this scale of application. Nevertheless, the applicants will ensure that sustainable travel is encouraged to both staff and guests. The transport statement indicates that sustainable travel information will be provided at staff induction and to guests via the website, over the phone and through information packs in hotel rooms.
- 104 In conclusion, there will be no significant negative impact on the performance and safety of the surrounding highway network. Sustainable modes of transport will be encouraged.

### **Design and heritage issues**

#### Demolition of historic fabric (Including Conservation Area Consent 12-AP-2775)

- 105 Strategic Policy 12 of the Core Strategy 2011 expects development to preserve or enhance Southwark's historic environment – an approach consistent with saved Policy 3.15 of the Southwark Plan 2007. With regard to demolition in conservation areas, saved Southwark Plan Policy 3.16 notes that planning permission will not be granted for proposals involving the demolition or substantial demolition of a building that contributes positively to the character or appearance of the Conservation Area unless it can be demonstrated that a range of criteria are met. Similarly, 3.17 Listed Buildings states there is a general presumption in favour of the retention of listed buildings and that planning permission will not be granted for proposals that involve the demolition or

substantial demolition of a listed building unless a number of conditions are met.

- 106 Section 12 of the National Planning Policy Framework (NPPF) 'Conserving and enhancing the historic environment' is of direct relevance. In particular, paragraph 138 notes that loss of a building (or other element) which makes a positive contribution to the significance of a conservation area should be treated as substantial harm under Paragraph 133 or less than substantial harm under Paragraph 134 - taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole. If less than substantial harm, paragraph specifies the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 132 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 107 The subject site is the Crown and Greyhound public house, a grade II listed building located on the eastern side of Dulwich Village and within the Dulwich conservation area. Within its plot are a number of ancillary buildings, including the garage building which probably dates from the 1920's-1930's. It was extended from the original stables and by virtue of it being within the curtilage of a listed building, and having done so since before 1 July 1948, is itself a listed building. There are non-original single storey extensions attached to the rear, an original toilet block atop the dining area at first floor and modern garage to the rear of 75-79 Dulwich Village.

In looking at the architectural and historic qualities of the area, section 3.4.9, of the adopted Dulwich Village conservation area appraisal identifies that Dulwich Village forms the spine of this part of the conservation area, with the tight, informal grouping of shops at the centre, dominated by the Crown & Greyhound public house. Section 3.4.6 refers to the urban scale of the Crown and Greyhound, and its exuberant architectural treatment that makes it stand out as a landmark at the centre of the Village.

- 108 The conservation area consent has been sought to demolish structures on the site including:
- The partial demolition of the 1920's-1930's garage, retaining the front facade and boundary walls.
  - The 1990's rear conservatory
  - The ground and first floor rear toilet blocks.
  - The single toilet to the skittle alley.
  - Modern garage to the rear 75-79 Dulwich Village (Rocca restaurant).
- 109 The 1920's-1930's garage building, a curtilage-listed structure, is proposed for partial demolition, in order to create space for the new garden wing. This structure is a later addition to the application site and, whilst undoubtedly of some significance in understanding the evolution of the site, it does not have the architectural or historic interest of the main public house or indeed the former skittle alley and coach house. The extent of demolition, in any case, is restricted to the metal sheet roof and trusses and part of the south facing structure. The two boundary walls and main front facade will be retained thereby preserving the area of greatest importance to both the garage building itself and the character and appearance of the conservation area. Furthermore, retaining these elements ensures streetscape views from Dulwich Village towards the public house are largely unchanged, and the historic development of the site can still be read.
- 110 The demolition of the rear conservatory, centrally positioned single storey toilet block, and modern garage to the rear 75-79 Dulwich Village would not harm character and appearance of the conservation area or setting of the listed building. These later

structures have limited importance in the context of the listed building or add little of value to the conservation area; the modern conservatory and garage being incongruous elements. Removing these functional buildings would enhance the character and appearance of the area and setting of the listed building. Replacement buildings, where proposed, would provide an improvement to the rear elevation to the listed building.

- 111 The form and appearance of the first floor toilet block and northerly positioned toilets, while historic elements attached to the listed building, are nevertheless lesser parts of the building with relatively low significance. Architecturally they are of relatively plain brick appearance located to the rear of the site and thus have a neutral contribution to the character and appearance of the conservation area. The internal fittings will be reused to the new toilets created at first floor level. It is considered that these structures are not of such importance that their loss would be damaging to the character and appearance of the conservation area or special interest of the listed building.
- 112 From the above appraisal, the most important elements of the application site would be retained following demolition and therefore the proposals are not viewed as substantial relative to saved Southwark Plan policies 3.16 or 3.17. Indeed, the extent and area of demolition proposed would result in 'less than substantial harm' to the character and appearance of the conservation area and significance of the listed building. The proposal should therefore be treated as falling under NPPF paragraph 134 and weighed against the public benefits of the proposal, including optimum viable use. A planning application has been submitted for redevelopment, which is also for consideration, and has been assessed as an acceptable development that will preserve the character of the conservation area and special interest of the listed building. Also, the development would deliver hotel rooms in a sustainable town centre location which is broadly in line with the government's aims to secure growth and employment. In this respect, it is considered that the proposed demolition can be justified, subject to conditions.
- 113 To ensure that unattractive vacant areas do not appear on the site as a result of demolition far in advance of redevelopment, it is reasonable the conservation area consent should be subject to a condition ensuring that demolition shall not take place until a contract for the carrying out of works for redevelopment had been made. Further, a recording condition will be attached to the consent so that no demolition can take place until a full photographic record survey of the buildings to be demolished and retained walls has been submitted. This is to provide an accurate historical record.
- 114 Further, method statements and schedule of works for the demolition and site clearance should be submitted via condition. Thereafter, demolition and site clearance shall be carried out in strict accordance with approved method statement and schedule of works. The method statements shall include details of the measures to be taken to protect those walls which are to be retained - including any structures required for shoring purposes.
- 115 In summary, the proposal would not constitute substantial demolition in accordance with saved Southwark Plan policies 3.16 or 3.17. It is considered to result in 'less than substantial harm' to the significance of the conservation area and listed building falling under NPPF paragraph 134. Accordingly, the planning benefits of the concurrent planning application would be sufficient to outweigh the limited harm to the significance of the conservation area or listed building by demolition, subject to conditions.

Design, conservation area and listed building issues (Including Listed Building Consent 12-AP-2621)

- 116 Section 7 of the NPPF requires good design. Paragraph 60 indicates that planning

policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. Although paragraph 64 asserts that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Further, in paragraph 129 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

117 Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

118 In terms of local policy, Strategic Policy 12 of the council's Core Strategy 'Design and Conservation' requires development to achieve the highest possible standards of design for buildings and to conserve or enhance the significance of Southwark's heritage assets, their settings and wider historic environment. Saved policies 3.12 and 3.13 of the Southwark Plan require developments to be of a high standard of architectural and urban design, 3.16 requires development to preserve or enhance the character and appearance of conservation areas, 3.17 requires development to preserve the building and its features of special architectural or historic interest and 3.18 requires the setting of listed buildings, conservation areas and world heritage sites to be preserved.

### Significance

119 The grade II listed Crown and Greyhound is a remarkably complete example a large public house. Originally named the Crown Hotel, it has a scale, roof form and lively architectural treatment to the front elevation that provides landmark status at the centre of the Village. To the rear are a series of contemporaneous buildings, former skittle alley, coach house and billiard room, that reflect the original use and form. The former skittle alley and coach house appear to have been left vacant for many years and are in an advanced decay, exacerbated by the probable subsidence caused by nearby trees.

120 The rear suffers from various accretions that are installed at the rear of the building including escape stairs, flue and other plant.

121 A room by room schedule identifying significance and describing the proposed works has been submitted in response to consultation concerns over the level of information submitted. It describes the significance contained in the rooms and implications of the proposal.

122 Internally, the ground and first floors are of predominant significance in plan form and features of interest. The ground floor is subdivided into roughly 4 different rooms which exhibit a spatial quality in the proportions, windows, and detailing that includes panelling, beams, etched glazing and curved bar which is continuous throughout. The first floor has largely retained the original plan form with function room and ante room intact with only marginal adjustment. The main function room retains its decorative ceiling, and both public rooms retain skirting's, cornice and fireplaces. The landing

retains original timber doors with etched glazing and first floor toilet block has some original fittings. The main staircase to first floor is a principle interior feature.

- 123 Internal areas on the second and third floors have not been adequately maintained with water damage and damp evident. In any case, there is little significance in the small domestic rooms other than the cellular nature of the accommodation and fireplaces. Indeed, the historic plan submitted indicates the third floor was not originally used for accommodation. There is little decorative detail at this level and many of the partitions appear non-original.

#### External extensions and alterations

- 124 Extensions under consideration comprise the erection of single storey rear extensions at ground and first floor level. Also proposed is a new two storey garden wing on the footprint of demolished 1920's-1930's garage. Concern over the size and scale of extensions and loss of open character has been raised by neighbours.
- 125 The design and appearance of proposed extensions have evolved from previous applications. The hotel accommodation has been moved from the first floor of the public house and placed in a new garden wing. This has resulted in enhanced preservation of the listed building and retention of the garage facades. It is submitted the proposed design and appearance of extensions are a modern interpretation of the Arts and Crafts style with simple forms and similar materials to the existing buildings.
- 126 The height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately. The new two storey rear garden wing building will sit within the footprint to the 1930's garage and provide 6 double height family rooms. The height and massing would not be significantly enlarged over the existing garage and is informed by the adjoining coach house in the south, stepping downwards closer to the boundary with 67 Dulwich Village. The proposed height thus reflects the immediate context and remains subservient to the main public house and 67 Dulwich Village. The proposed height and scale is therefore in-keeping with the height and scale local context and would preserve the setting of the listed building and conservation area.
- 127 The building will be arranged around a central courtyard which provides a balanced composition. Its simple design and roof form is in keeping with the architectural style of the building. Full height windows will face into the courtyard reflecting the double height spaces and arrangement of internal mezzanine levels. The new building will be in weathered brick using Flemish Bond brickwork, red plain tiles and timber cladding to harmonise to the listed building and character of the area.
- 128 The proposed first floor extension would house three hotel bedrooms and new lift providing disabled access to the function rooms. Its scale and height, despite projecting approximately 12.5m atop the existing dining room, would not appear dominant or incongruous relative to the listed public house or neighbouring properties. It demonstrates subservience in plan by being stepped-in from both sides of the dining room flanks, and in elevation by sitting comfortably below the second floor windows and eaves line of the public house. In terms of appearance and materials, it would have a hipped roof form in plain tiles which echoes the existing roof form, with a flat central green roof. The facades would be a regular arrangement of red cedar panels and timber framed windows with an east facing bay that retains the existing chimney.
- 129 The single storey rear extensions would largely replace unsympathetic existing single storey rear extensions. They would remain subservient to the host dwelling in form, scale, height and cumulative impact. The uncomplicated designs proposed reflect the existing vernacular and is considered acceptable. The 'umbilical' glazed extension is

an appropriate architectural device often used to great effect to connect a contemporary addition to an earlier structure. It will allow the identity and architectural integrity of the host building to be retained. Materials are a mix of brick, wooden cladding and glazing which, subject to material and detailed drawing details, is considered sympathetic to the listed building and wider context.

- 130 It is recognised there are a number of potential heritage benefits that weigh in favour of this proposed scheme. One such is the retention and restoration of the existing skittle alley and coach house, bringing these back into use as hotel and staff accommodation. The skittle alley, in particular, is of significance given the rarity of this building type.
- 131 Currently, these buildings are in an advanced state of decay with probable subsidence. It is noted that acro-props support the skittle alley roof trusses and facades are bowing and partially collapsed in places. Submitted information suggests these structures may require some level of underpinning and rebuilding, however this has not been fully substantiated in a structural engineers report or clarified in an underpinning methodology. This information, however, can reasonably be required via conditions attached to the consent. Underpinning and repairing these buildings would considerably enhance the listed building and its significance by reversing established decay and securing a long-term sustainable use. New windows will be formed in the north and south elevations, however this is not considered to detract from its character or appearance subject to detailed drawings.
- 132 Similarly, removing existing unsympathetic rear accretions such as escape stairs, flue and other plant, and altering a second floor doorway back to a window would rationalise the rear elevation, contributing positively to building's appearance. The new flue would be coloured to match the brick, although further details of colour, material and appearance would be required as a condition.
- 133 The north elevation sees the new hotel entrance and creation of a new fire door from an existing window. This is a significant intervention to the elevation, but is crucial to the workings and internal layout of the hotel. The new entrance would have double doors and a canopy which are acceptable in scale, composition and design, subject to more detailed drawings. The fire door is not considered to disrupt the principles of this elevation and is thus acceptable.
- 134 There is some concern with residents that the proposal would erode the openness intrinsic to Dulwich Village. In this instance the development is predominantly contained within the footprint of existing development with little incursion into greened areas. The proposed building arrangement matches existing development patterns, albeit with an opened south facing frontage for the garden wing. The incursion into greened area is modest being limited garden wing access and minor loss open space to facilitate parking. The majority of the area will be retained as wilderness area. As such the development is not considered to undermine the character and appearance of the Dulwich Village conservation area.

#### Internal works

- 135 The excavation to create motor room and lift pit and installation of new partitions to form staff room at basement level would not substantially alter the plan from its current arrangement or impact features of historic interest and is therefore acceptable. The excavation works is subject to archaeological evaluation at paragraph 151 of this report.
- 136 The plan form and interior features at ground floor will be retained principally intact. The original interior features, fittings and fixtures within the bar areas will be retained. There will be some removal of partitions between wash room and female toilets, and

dining room and kitchen. However, these are non-original and their removal would better reveal the historic layout consistent with paragraph 137 of the NPPF.

- 137 At first floor the main alteration proposed is the removal of existing walls around the main stair case to allow its extension to second floor and removal of the first floor toilet block. While there is no in-principle objection to retaining the original staircase and extending a matching stair to second floor, little detail on this element has been submitted in section drawings or joinery detail. Additional detail will thus be made the subject of a condition to ensure the maximum amount of original material is retained, and that new work and materials match the existing. This will be a significant intervention into a sensitive area, but one that is considered necessary for the hotel's operation. The first floor toilet block is a lesser part of the building with relatively low intrinsic significance, other than the original fixtures which will be reused in the new first floor toilets. Also, existing doors will be retained and reused.
- 138 To the northern side of the building at first floor a reconfigured plan form would create new managers office, toilet and circulation. The existing manager's office, store and utility are largely devoid of historic interest other than a single chimney breast which will be retained. The new layout is not considered to be particularly contentious, although it does constitute the partial loss of historic layout given the compartmental need for the toilets. Importantly, the existing function and ante room will now be retained safeguarding the plan form and historic features.
- 139 The proposal would largely remove the existing partitions, secondary staircases and reconfigure the plan form at second and third floors. The loss of the fabric altered plan form at these levels is justified by the limited historical or architectural value. There is water damage evident and little significance remaining in the small domestic rooms other than the cellular nature of the accommodation and retained fireplaces. Indeed, existing partitions and staircases are identified in submitted information as largely non-original or of low significance, and the historic plan submitted indicates the third floor was not originally used for accommodation. The removal of fabric is thus considered acceptable in this context subject to detailed drawings of the new staircases. The new cellular plan form result somewhat reflects the existing indicating a suitability of use.

#### Conclusion of design and impacts upon the listed buildings

- 140 On balance, the design and impacts on the listed building are considered acceptable. The design of extensions has evolved considerably since the previously withdrawn applications and they are now considered to make a contextual response, with acceptable composition and detailed design, subject to conditions. The proposal will result in redundant buildings being restored and brought back into use, and remove unsightly accretions from the rear elevation, which would be beneficial to the conservation area and interest of the listed building. Internally, the proposal will preserve areas of the greatest significance, while proposing changes to areas of lesser significance. There will be some loss of fabric to upper floors however this is considered less than substantial and outweighed by the wider benefits of the scheme. Accordingly, the proposed development is considered to preserve and enhance the character and appearance of the Dulwich Village Conservation Area and features of special architectural and historic interest of the listed building, provided that the aforementioned details are requested by way of condition.

#### **Trees and biodiversity**

- 141 Many of the residents have objected to the loss of the trees on site and incursion of the parking into unmanaged open land to the east both in terms of ecological impact and on the character of the conservation area. All of the trees on the site are protected by

reason of being within the conservation area and form a characteristic element of the conservation area.

### Trees

- 142 An arboricultural report and tree protection plan produced by consultants has been submitted with the application. The survey dated 14 February 2013 provides a full arboricultural implication assessment of those trees in and around the application site and in close proximity to the application/buildings. It also provides significant detail on proposed tree protection measures.
- 143 The application proposal results in the removal of a number of trees, mainly along the southern frontage of the redundant outbuildings and to the east of the conservatory extension. In total 12 individual trees, of 34 surveyed, are proposed to be removed to allow construction. The trees are made up of a number of different species including Lawson Cypress, Sycamore, Yew, Holly, Atlantic Cedar and Plum. All trees to be removed have are low quality category C for specimens under Table 1 of BS5837:2012, and in themselves are not of such a high quality that preservation would be recommended. The vast majority of trees will be retained on site, including the more important specimens such as the Horse Chestnut in the beer garden and sycamores in the wilderness garden. Further, the Ash tree adjacent to the coach house will remain in-situ. The high number of remaining trees on site along with suitable mitigation, to be provided within a conditioned landscape plan, would ensure the removal of these trees will be acceptable and safeguard visual amenity.
- 144 Facilitative pruning is considered acceptable as it would result in the removal of secondary branches and will be undertaken to British standards. It is noted that this applies to a Sycamore outside of the red line of the proposed development; however attention is drawn in the arboricultural report to the common law right to prune overhanging trees back to boundaries.
- 145 The trees retained on site will be subject to robust protection measures. This includes barriers and ground protection as detailed in the submitted drawings. Also, trees that require protection measures will have a surrounding construction exclusion zone as defined on the tree protection plan. Vertical barriers will be installed before any materials or machinery are brought onto the site, and before demolitions, development or stripping of soil commences. These barriers will be retained as such under notification by the designated arboriculturist or approval of the local planning authority. To ensure these measures are followed and to ensure site supervision is included a condition is recommended.

### Biodiversity

- 146 A Bat emergence survey has been prepared by Arbtech Consulting Ltd and submitted with the application. The survey aimed to determine presence/absence of species, intensity and type of bat activity, to find roosts and emergence of bats from a building or built structure. The survey was conducted on the 6 September 2012 and 19 September 2012 and centered those building to be demolished. On 6 September 2012 between 19.00 and 21.00 two Common Pipistrelles were heard near to the south car park, over the wilderness garden. No other bat activity was detected. No roost was confirmed and no bats emerged. As such, it was concluded the development would not impact a bat roost.
- 147 Representations have suggested that the Bat emergency survey concentrated on the buildings to be demolished, not the skittle alley or coach house. However, the report states it observed widely accepted national standards set out in the Bat Conservation Trust publication Bat Surveys—Good Practice Guidelines (BCT 2012). Further, the

council's ecology officer has confirmed that the submitted report is consistent with best practice. Officers also noted that one surveyor was adjacent to the skittle alley in relatively close proximity.

- 148 As a result of the bat survey the council's ecology officer has recommend bat friendly lighting for the new car park as the bats use this as a commuting route. Any soft landscaping along the east side of the car park would be welcome as would native planting in the screen planting at the rear of the car park; a landscape plan and details of lighting will be conditioned.
- 149 The previously proposed disabled ramp shown on previous architectural drawings is no longer to be constructed and the rationalised parking arrangement is a more efficient use of space. The incursion into the unmanaged open land to the east of the car park has been reduced during the course of the application. The minor loss of this area is to result in an adverse effect on biodiversity or impact negatively on the conservation area setting. The wilderness garden will be retained and managed separately from the public house. The council's ecology officer has raised no concerns over this element. As such, there are no objections to the development as a result of impacts to ecology or biodiversity on or around the site.

### **Archaeology**

- 150 The proposal is located within the Dulwich Village archaeological priority zone; however no archaeological documentation has been supplied to enable an assessment of the impact of this proposal upon buried archaeological remains. The proposal will have an impact upon the fabric of the listed building and associated buildings. As such, it is recommended that a programme of archaeological building recording is undertaken prior to the commencement of development work. The Written Scheme of Investigation for this programme of work will need to include a full assessment of the impacts upon historic fabric to inform the recording. It is further recommended that a programme of archaeological observation and recording is maintained during groundworks on site to ensure that any archaeological remains are appropriately recorded and preserved by record. These recommendations will be secured via appropriate conditions.

### **Planning obligations (S.106 undertaking or agreement)**

- 151 Policy 2.5 of the Southwark Plan and 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its own merits against relevant policy, guidance and other material considerations when assessing planning obligations. Strategic Policy 14 – Implementation and delivery of the emerging Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments.
- 152 The applicant has agreed to section 106 contributions based on the increase in the number of rooms within the building and its location within an Archaeological Priority Zone. This has been discussed with the council's planning obligations manager and is found to be acceptable. The following sums are sought:

<b>Topic area</b>	<b>S106</b>
Employment in the development	£3,886
Employment during construction	£14,377
Employment during construction management fee	£1,166
Public open space	£1,550
Transport Strategic	£8,901
Archaeology	£5,261
Admin charge	£703
<b>Total</b>	<b>£35,844</b>

- 154 The legal agreement would also ensure that occupancy of the hostel rooms is restricted to 90 days.
- 155 In accordance with the recommendation, if the section 106 agreement is not signed by 15 April 2013, the head of development management is authorised to refuse planning permission, if appropriate, for the reason below:
- 156 'In the absence of a signed section 106 agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on the public realm, public open space, sports facilities, the transport network and employment and the proposal would therefore be contrary to Saved Policy 2.5 'Planning Obligations' of the Southwark Plan and Policy 14 – 'Implementation and delivery' of the Southwark Core Strategy, the Southwark Supplementary Planning Document 'Section 106 Planning Obligations' 2007, and Policy 8.2 Planning obligations of the London Plan 2011.

#### Mayoral CIL

- 157 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of Community Infrastructure Levy (CIL) as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. It has been confirmed that the proposed increase in GIA floorspace for the development is 243sqm. Therefore, the total amount of floorspace (243sqm) is CIL liable, and a payment of £8505 is due (£35 x243sqm).

#### **Sustainable development implications**

- 158 Policy 5.2 of the London Plan Minimising Carbon Dioxide Emissions that requires development proposals should make the fullest contribution to minimising carbon dioxide and that they should provide an assessment of their energy demands and demonstrate how they have taken steps to apply the Mayor's energy hierarchy. The policy also states that buildings should deliver a carbon saving of 25% over the Building Regulations 2010. Policy 5.7 Renewable Energy seeks to increase the proportion of energy generated from renewable sources. Saved Policy 3.4 of the Southwark Plan seeks energy efficient development. Core Strategy Strategic Policy 13 - High environmental standards applies a similar energy hierarchy to the London Plan and requires the highest possible environmental standards including requiring major developments to achieve a reduction in carbon dioxide emissions of 20% from low or zero carbon sources of energy, and achieving a BREEAM "excellent" standard. These policies are expanded upon in the council's Sustainable Construction and Design SPD.

A BREEM Assessment has been submitted as part of the application.

- 159 The applicant has submitted a BREEAM assessment statement which concludes that the development can achieve a 64% 'very good' rating. Whilst this is below the 70% 'excellent' rating required by the Core Strategy there are number of mitigating factors:
- The listed building precludes alterations such as replacing single glazed windows;
  - The building will not be thermally model the building to ascertain energy load;
  - The site constraints such as large mature trees blocking sunlight and listed status there is limited scope for renewable energies.
- 160 Given the extensive internal historic fabric, there is limited means in which 'Be Lean' energy efficiency measures can be implemented. However, where possible this will be carried out, most notably in the new garden wing and bedroom extension at first floor.
- 161 In terms of cooling the hotel extensions will be naturally ventilated, and combined with improvements in air tightness and improved insulation levels a simple radiator system would be sufficient to heat the bedrooms in winter. The existing heating system will be replaced by a more efficient system. Also white goods will be replaced with more energy and water efficient units. Other sustainable measures include installation of a green roof atop the flat roofed extensions.
- 162 Given the constraints of the existing listed building and site, the sustainability measures proposed, and BREEM 'very good' rating, are considered acceptable.

#### **Other matters**

- 163 Residents have requested a draft, unsigned, section 106 drawn up as a result of an enforcement investigation in 1990 be revisited as part of this application. The draft agreement proposed, via legal seeks, to create a 'buffer zone' that separates the beer garden and surrounding properties. The current application would, however, largely retain the 'wilderness garden' as a separated area to be managed independently of the public house. As the nature of the land is assured as part of this application, any change from this would require planning permission and would be subject to Council policy. The need for a legal agreement, therefore, is considered unnecessary.
- 164 A representation requested the pub use (A4) be protected by removing permitted development rights to change the use to other use classes (A1, A2, A3). The restriction of the permitted development rights does not appear reasonable in this case given the pub use will be retained as part of this application.

#### **Conclusion**

- 165 The location of the site makes it suitable for hotel use, and criteria in relation to public transport accessibility and town centre location are met. The hotel could not be considered to harm the character of the area as it would remain mixed, with a wide range of uses. The provision of Class C1 use is supported by policy.
- 166 The impacts of the scheme in relation to amenity are considered acceptable as it is considered that no significant harmful impacts would arise, subject to conditions regarding noise. The quality of the hotel accommodation is considered appropriate, however the staff flat is not meet the required standards for a standalone unit, but given its ancillary nature and connection with the premises it is considered acceptable.
- 167 The proposed demolition would result in 'less than substantial harm' to the significance of the conservation area and listed building. The height and form of the extensions are considered acceptable, and would be appropriate for the historic context. The proposal

will result in redundant buildings being restored and brought back into use and remove unsympathetic accretions. Internally, the proposal will preserve areas of the greatest significance, while proposing changes, including some loss of fabric, to areas of lesser significance. However, as less than substantial, the public benefits of the proposal, including securing its optimum viable use is considered to outweigh the limited harm.

- 168 In assessing and determining the application the council has applied the presumption in favour of sustainable development. The application would accord with sustainable principles and would positively promote a sustainable mixed use development and an effective use of land. It is located in an appropriate town centre site and within the Dulwich Village Local Town Centre. It would therefore appear that the proposal would be consistent with the NPPF.
- 169 It is therefore recommended that permission be granted, subject to conditions as set out in the attached draft decision notice and completion of a S106 agreement

### **Community impact statement**

- 170 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.

### **Consultation**

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

### **Consultation replies**

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

### **Summary of consultation responses**

- 173 14 objections received in the initial consultation, 8 objections received in the re-consultation, on grounds of height scale and massing, use as an hotel, objection to increased use of function rooms, concerns over traffic impact including safety and servicing, loss of trees and open space, loss of privacy, increased noise & disturbance, concerns regarding overshadowing and security, objections on impact to conservation area and listed building.

### **Human rights implications**

- 174 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.
- 175 This application has the legitimate aim of providing works of demolition and extension to a grade II listed building, plus the use as a hotel. 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**

**Director of Legal Services - N/A**

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-B  Application file: 12/AP/2620  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5449 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Images
Appendix 4	Images
Appendix 5	Item 1 recommendation
Appendix 6	Item 2 recommendation
Appendix 7	Item 3 recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	David Lane, Conservation Officer	
<b>Version</b>	Final	
<b>Dated</b>	18 February 2013	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		<b>15 March 2013</b>

**Consultation Undertaken**

**Site notice date:** 05/09/2012

**Press notice date:** 06/09/2012

**Case officer site visit date:** Numerous visits, most recent on 19/10/2012. Visit to 67 Dulwich Village also 19/10/2012.

**Neighbour consultation letters sent:** 04/09/2012

**Internal services consulted:**

Archaeology Officer  
Urban Forester  
Ecology Officer  
Environmental Protection Team  
Transport Planning Team

**Statutory and non-statutory organisations consulted**

The Georgian Group  
The Society for the Protection of Ancient Buildings  
Twentieth Century Society  
The Victorian Society  
Council for British Archaeology  
Ancient Monuments Society  
English Heritage  
Thames Water

**Neighbours and local groups consulted**

11 COURT LANE DULWICH LONDON SE21 7DH  
13 COURT LANE GARDENS DULWICH VILLAGE LONDON SE21 7DZ  
258 TURNEY ROAD DULWICH LONDON SE21 7JP  
THE CROWN AND GREYHOUND 73 DULWICH VILLAGE LONDON SE21 7BJ  
67 DULWICH VILLAGE LONDON SE21 7BJ  
65 DULWICH VILLAGE LONDON SE21 7BJ  
93 DULWICH VILLAGE LONDON SE21 7BJ  
75-77 DULWICH VILLAGE LONDON SE21 7BJ  
97 DULWICH VILLAGE LONDON SE21 7BJ  
95 DULWICH VILLAGE LONDON SE21 7BJ  
63 DULWICH VILLAGE LONDON SE21 7BJ  
86 DULWICH VILLAGE LONDON SE21 7AQ  
76 DULWICH VILLAGE LONDON SE21 7AJ  
74 DULWICH VILLAGE LONDON SE21 7AJ  
96-98 DULWICH VILLAGE LONDON SE21 7AQ  
61 DULWICH VILLAGE LONDON SE21 7BJ  
59 DULWICH VILLAGE LONDON SE21 7BJ  
57 DULWICH VILLAGE LONDON SE21 7BJ  
96A DULWICH VILLAGE LONDON SE21 7AQ  
85-87 DULWICH VILLAGE LONDON SE21 7BJ  
94 DULWICH VILLAGE LONDON SE21 7AQ  
89 DULWICH VILLAGE LONDON SE21 7BJ  
89A DULWICH VILLAGE LONDON SE21 7BJ  
73A DULWICH VILLAGE LONDON SE21 7BT  
SECOND FLOOR FLAT 96-98 DULWICH VILLAGE LONDON SE21 7AQ  
FLAT 91 DULWICH VILLAGE LONDON SE21 7BJ  
88 DULWICH VILLAGE LONDON SE21 7AQ

78 DULWICH VILLAGE LONDON SE21 7AJ  
79 DULWICH VILLAGE LONDON SE21 7BJ  
80 DULWICH VILLAGE LONDON SE21 7AJ  
70 DULWICH VILLAGE LONDON SE21 7AJ  
email X  
91 DULWICH VILLAGE LONDON SE21 7BJ  
84 DULWICH VILLAGE LONDON SE21 7AJ  
82 DULWICH VILLAGE LONDON SE21 7AJ  
72 DULWICH VILLAGE LONDON SE21 7AJ  
88A DULWICH VILLAGE LONDON SE21 7AQ  
GROUND FLOOR 80 DULWICH VILLAGE LONDON SE21 7AJ  
LIVING ACCOMMODATION 73 DULWICH VILLAGE LONDON SE21 7BJ  
10 COURT LANE LONDON SE21 7DR  
16 COURT LANE LONDON SE21 7DR  
14 COURT LANE LONDON SE21 7DR  
FIRST FLOOR 78 DULWICH VILLAGE LONDON SE21 7AJ  
FIRST FLOOR AND SECOND FLOOR 75-77 DULWICH VILLAGE LONDON SE21 7BJ  
87 DULWICH VILLAGE LONDON SE21 7BJ  
84B DULWICH VILLAGE LONDON SE21 7AJ  
2A COURT LANE LONDON SE21 7DR  
FLAT C 91 EAST DULWICH GROVE LONDON SE22 8PU  
FLAT B 91 EAST DULWICH GROVE LONDON SE22 8PU  
FLAT A 91 EAST DULWICH GROVE LONDON SE22 8PU  
18 COURT LANE LONDON SE21 7DR  
4 COURT LANE LONDON SE21 7DR  
36 COURT LANE LONDON SE21 7DR  
34 COURT LANE LONDON SE21 7DR  
6 COURT LANE LONDON SE21 7DR  
62 DULWICH VILLAGE LONDON SE21 7AJ  
60 DULWICH VILLAGE LONDON SE21 7AJ  
8 COURT LANE LONDON SE21 7DR  
32 COURT LANE LONDON SE21 7DR  
22 COURT LANE LONDON SE21 7DR  
20 COURT LANE LONDON SE21 7DR  
2 COURT LANE LONDON SE21 7DR  
24 COURT LANE LONDON SE21 7DR  
30 COURT LANE LONDON SE21 7DR  
28 COURT LANE LONDON SE21 7DR  
26 COURT LANE LONDON SE21 7DR  
Burbage Road Via email XXX  
VIA EMAIL XXXX  
115 DULWICH VILLAGE LONDON SE21 7BJ  
VIA EMAIL XXXX  
155 COURT LANE LONDON SE21 7EE  
112 COURT LANE LONDON SE21  
12 COURT LANE LONDON SE21 7DR  
75 DANECROFT LONDON SE24 9PA  
VIA EMAIL XXXX  
34 MOUNT ADON PARK DULWICH LONDON SE22 0DT  
25 KINGSTHORPE ROAD LONDON SE26 4PG  
ESTATES GOVERNORS' THE OLD COLLEGE GALLERY ROAD LONDON SE21 7AE  
101 DULWICH VILLAGE LONDON SE21  
61 STRADELLA ROAD LONDON SE24 9HL  
166 CROXTED ROAD LONDON SE21 8NW  
EMAIL X  
149 COURT LANE SE21  
258 TURNEY ROAD LONDON SE21 7JP  
BY EMAIL  
71 COURT LANE LONDON SE21 7EF  
41 DOVERCOURT ROAD LONDON SE22 8SS  
BY EMAIL  
BY EMAIL  
59 CALTON AVENUE LONDON SE21 7DF  
170 FRIERN ROAD LONDON SE22  
84 TURNEY ROAD LONDON SE21 7JH

76-80 WHITFIELD STREET LONDON W1T 4WZ  
7 LUDGATE BROADWAY LONDON EC4V 6DX  
19 DEKKER ROAD LONDON SE21 7DL  
C/O 27 DULWICH VILLAGE SE21 7BN  
C/O 27 DULWICH VILLAGE LONDON SE21 7BN  
188 TURNEY ROAD LONDON SE21 7JL  
29 TURNEY ROAD LONDON SE21 7JA  
BY EMAIL  
15 GLANFIELD ROAD BECKENHAM KENT BR3 3JS  
5 GLENGALL ROAD LONDON SE15 6NJ  
39 LAVENGRO ROAD LONDON SE27 9EQ

### **Re-consultation**

Amended plans and new information triggered a neighbour reconsultation on 27/12/2012. Statutory and internal consultees were reconsulted 09/01/2013.

## APPENDIX 2

### Consultation Responses Received

#### Internal services

Ecology: Reviewed this application with regards to ecology. The Bat Survey was submitted and this meets best practice. As a result of the bat survey recommend bat friendly lighting for the new car park as the bats use this as a commuting route. Any soft landscaping along the east side of the car park would be welcome as would native planting in the screen planting at the rear of the car park. Little bat activity so sees no reason not to undertake the proposed development

Archaeology: The proposal is located within the Dulwich Village Archaeological Priority Zone; however no archaeological documentation has been supplied to enable an assessment of the impact of this proposal upon buried archaeological remains. The proposal will have an impact upon the fabric of the listed building and associated buildings. As such, it is recommended that a programme of archaeological building recording is undertaken prior to the commencement of development work. The Written Scheme of Investigation for this programme of work will need to include a full assessment of the impacts upon historic fabric to inform the recording. It is further recommended that a programme of archaeological observation and recording is maintained during groundworks on site to ensure that any archaeological remains are appropriately recorded and preserved by record.

Environmental protection: Approval with conditions. Although the development is within the southern part of the AQMA the proposals are sufficiently insignificant in terms of air pollution, that an assessment is not warranted. There is no supporting document referring to noise issues. The complexity of the development will create bedrooms adjacent to and /or above commercial elements and may also be exposed to external noise source. Sound insulation conditions will be necessary to ensure acceptable standards.

Transport group: Vehicular access to the development is from Dulwich village, the development has two separate accesses from Dulwich village. Neither of the accesses will need altering in association with the above application. The existing barrier will retain the use of the associated car parking spaces for hotel residents. This proposal is located in an area with a low TfL PTAL rating (2), and thus are required to provide off street parking facilities to mitigate against the impacts of overspill parking on the road network. This part of the borough is not covered by a CPZ. As such, the council cannot control any overspill parking.

The applicant has provided a total of twelve car parking spaces, two of the twelve proposed spaces are disabled. This level of car parking is in line with the councils maximum parking levels for a C1 use in this location(a maximum of 1 space per bedroom). The applicants have provided a designated parking space for the manager. Typically staff parking will not be encouraged. While the inclusion of staff parking is not supported by the transport team, the provision of a dedicated parking bay for the manager would not warrant a stand alone reason for refusal, as it is believed the manager currently has parking facilities associated with the current use.

The applicants have provided two disabled parking spaces, the disabled parking space located to the south of the development is located in an area which is within a convenient proximity to the hotel entrance. The second disabled parking space is located in the northern car park, the passage into the hotel/public house are not clear.

The level change and difficult navigation between the northern car park and the hotel entrance will make accessing the hotel of car park difficult for disabled users. Given the proximity of the managers parking space to the entrance to the hotel, the applicants should swap the location of the managers parking space and the disabled space (in the northern car park area) to benefit disabled users of the development.

The development has the facility to service from an off street location. The applicants have submitted comparable trip generation information taken from TRAVL (a trip generation data base). The information shows the number of service vehicles which are likely to be associated with the proposed development. The level of servicing expected can be simply managed, so that a negative impact is not generated by service vehicles accessing the site. Trip generation by the proposed development will not be of a sufficient level to impact on the operation of the surrounding highway network. The proposed development does not raise concerns over any road safety issues.

The transport statement suggests that at present three Sheffield type stands are located within an immediate proximity to the development. These stands look to be located on the highway. In association with the proposed development two further cycle stands (four spaces) are being added to the existing cycle parking facilities. While none of the existing or proposed cycle parking will meet our policy requirements as it is not deemed to be secure or weather proof, the transport team would not object to the proposed or existing spaces as a provision has been made were the council has no standards for secure cycle parking facilities. The facilities provided will go some way to generating and supporting a modal shift toward sustainable modes of transport by staff and hotel and public house visitors.

### **Statutory and non-statutory organisations**

English Heritage: On the basis of information provided we do not consider it necessary for this application to be notified to English Heritage.

Thames Water: On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of fats, oils and grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 0203 577 9963.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Ancient Monuments Society While more detailed plans have been submitted, there is still insufficient information about the significance of the skittle alley and coach house, and the impact their "substantial reconstruction" would have on that significance. This goes against the requirements of Paragraph 128 of the National Planning Policy Framework (NPPF). We therefore re-iterate our previous concerns:

It is proposed to "substantially rebuild" the skittle alley which is attached to the rear of the public house. There is insufficient information for us to assess the impact of this aspect of the proposal. We wonder if the applicant could be asked to supply:

- Detailed plans and elevations of the alley "as proposed", showing the extent of the rebuild.
- A detailed assessment of the significance of the alley;
- Justification for the loss of the building's function as a skittle alley. It is stated that the alley is in poor structural condition, but there is no detailed information to demonstrate this.

The Georgian Group: No response received.

The Society for the Protection of Ancient Buildings: No response received.

Council for British Archaeology: There were no objections in principle to this revised scheme although it was thought that some parts of the elevations needed more thought as in the gabled extension/walkways and garden room roof. The application of a materials condition could resolve these issues.

Twentieth Century Society: No response received.

The Victorian Society: No response received.

CAMRA London Pubs Group:

The Principle of the Development

CAMRA generally supports applications the primary purpose of which are to secure the long-term sustainable survival of public houses. Indeed, CAMRA's Public House Viability Test includes a provision for bringing back into use redundant buildings either for their original purpose or for conversion to other purposes in order to achieve this primary objective. The principle of the creation of viable hotel facilities, and the justification given by the applicants for the hotel use, therefore seems reasonable in

principle. It was not noted from the file whether there was a change of use application for A4 to C1 (drinking establishments to hotel).

It is proposed to make alterations to the Coach House and Skittle Alley and to create new build in a moderately sympathetic manner to house the hotel accommodation.

The application does not supply the necessary information as required under NPPF p128 and p129 to identify the several significances of the listed building and its curtilage structures, or to identify and justify the alterations proposed on conservation grounds. Such a statement would indicate the actual and relative significance(s) of the building as a whole and of the individual elements within it.

### The Skittle Alley

Skittle alleys do not survive in great number anywhere in England. Most surviving examples are in the west and southwest of the country. The only examples known to the writer in the south east include that at the Old Flying Horse, Wye, Kent which was demolished circa 1955; the Bricklayers Arms, Putney, at the Grade II Dukes Head, also Putney; and at the Grade II Black Lion Hammersmith. The skittle alleys at the Dukes Head and Black Lion survive with their historic fixtures and fittings complete. Notably, that at the Black Lion was converted into a restaurant during the 1990s and back to a skittle alley in 2011. That at the Bricklayers Arms was subsumed into the g/f bar in 1928 and is thought to have lost its fixtures and fittings at that time.

Consequently the survival of the skittle alley as a building typology in London and the southeast is relatively very rare. The proposal to largely rebuild it; i.e. effectively to demolish it and 'recreate' it is not supported by the required structural survey and before consent is granted for this aspect of the scheme a structural engineer or chartered building surveyor's report should be provided indicating that rebuilding is essential. Secondly, no method statement was provided, as would normally be expected, to explain how these were to be achieved.

From photographic evidence it can be seen that the skittle alley's long redundancy has led to bowing of the walls. This may be due in part to uncontrolled plant growth, including a relatively mature tree in one corner, or from subsidence, or from other fabric failure due to water ingress due to a failed roof covering and rainwater goods. Or all three, or any two, of course. A structural survey by a qualified conservation accredited engineer or surveyor would identify the causes of the failure and propose remedies, one of which may be that a less drastic economic like-for-like repair rather than rebuilding is feasible, and indeed in conservation terms would be preferable, and may be cheaper. Alan Baxter Associates are widely regarded as leader in the field of conservation-grade structural engineering and surveying advice.

The photographs of the interior clearly show the decorative corbels which probably once supported a timber superstructure for an original or early roof covering, so that it is clear to see that the building has been substantially altered during its life with a new roof of little or no historic merit. The loss of the present roof structure and its replacement would therefore be supported, and given its current failure, encouraged.

### The Coach House

From photographs included with the application and from the plan in the D&AS, it can be seen that the Coach House was part of the original scheme for the design of the new building. The same comments given above relating to structural engineer/surveyors report required to support the proposed rebuilding and underpinning apply here. In terms of its significance, large late C19th/early C20th public houses of the type would all have had coach houses for the convenience of the upper middle and upper class travelling patrons who used them. In total, the Crown & Greyhound appears to be a remarkably complete example of what was once a fairly common type of expensive and commodious public house/hotel and the interventions

proposed for the skittle alley and coach house not sufficiently justified in the supporting documents, as noted above.

#### Alterations

The Design & Access Statement at p20 para 1 Internal Alterations Ground Floor refers to "extensive restoration and refurbishment" of parts of the historic ground floor. No schedule or description of the proposed works was provided with the application, nor any impact assessment or justification for them given. This is a major oversight in the application and we respectfully suggest that the applicants provide a fully detailed schedule and description of the proposed works to the targeted elements of this important historic interior, with full justification for why they are required. Conservation principles suggest that items reaching the end of their useful life should be replaced like for like, but all other work should be sensitive repair and not replacement, using sympathetic materials and methods. Other alterations include the removal of partitions and creation of different spaces on the upper floors without seemingly considering whether the impact is harmful to early or original plan form or materials, or providing proper justification. These ought to be clarified by a professional significance assessment.

#### Other planning grounds

There are other grounds for objection, such as the loss of so many trees from a conservation area which may have an impact on biodiversity. Typically one tree provides habitat, roosting and a food source for up to 80 other species, and the loss of so many mature trees, some described in the arboricultural survey as having positive amenity value, is regrettable.

The bat survey does not seem to have considered the skittle alley, coach house or main pub building in its survey but rather to have concentrated on only those elements subject to demolition, such as toilet extensions.

Design: no observations are offered on design issues or on the effect of the proposals on the settings of the two affected heritage assets- the building and its associated curtilage structures and the conservation area. Nor have we commented on London Plan 2011 policies resisting the loss of urban green space. This does not mean that we think that the proposals are acceptable in these terms, only that our key concerns relate to the historic plan form, fabric and finishes. We reserve the right to comment further should the application be resubmitted.

#### Conditions:

As noted above, no concomitant application for a change of use from A4 to C1 was noted in the application, but it may be considered permitted development or an ancillary use and not require one. If you are minded to grant consent, or it is consented at committee, and assuming that there is not already an Article 4 Direction in place for the conservation area, CAMRA would respectfully request the consideration of the use of a condition to preserve the A4 use subsequently as follows:

"Notwithstanding the provision of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order), planning permission shall be required in respect of development constituting a change of use to uses within Use Classes A1, A2 or A3 to the Second schedule to the Order".

#### Summary

The proposals as they stand constitute 'substantial harm' to the heritage assets: listed building and its curtilage listed structures and the conservation area and no proper

heritage appraisal or justification in conservation terms appears to have been provided by the applicants for the very substantial interventions proposed or their justification. Skittle alleys are very rare survivals indeed, and both skittle alleys and coach houses are significant to the understanding of the history, evolution and use of public houses of this type and age generally, and the proposed demolition, underpinning and rebuilding not evidenced by the required reports.

### **Neighbours and local groups**

14 objections received in the initial consultation, 8 objections received in the re-consultation.

### **Re-consultation**

#### 62 Dulwich Village

The current application to build a hotel in the middle of Dulwich seems to us to be much too extensive for a residential area, and the building disproportionately large for this conservation area. We believe the negative implications would be considerable and we therefore oppose this application.

#### 93, Dulwich Village

-At the end of my previous submission above, I stated: the planning committee should refuse permission for an extension to the existing car park which already extends a long way into an otherwise pleasant, green area and would present health and safety issues. The latest revision to the car parking proposals has substantially dealt with the environmental (including conservation area) reasons I expressed then for objecting to them, and I would not seek to object based on the modest revision of the line of the car park wall. I would however request that the wall be as high as the existing one for security reasons. There remain the health and safety issues I raised before, and to which I would like the committee to give serious consideration. Again, my previous letter goes into those in detail, but they relate in essence to the increased use of the car park which will result from these proposals, combined with exit on to an often crowded thoroughfare, sometimes with impeded vision from temporarily parked delivery lorries, the proximity of the pedestrian crossing, and a large number of pedestrians at certain times in the day and the week (e.g. the weekend), some less aware after drinking of traffic hazards crossing the pavement, and some including families with small children who could be in danger as cars emerge from the car park. If the drivers are hotel residents and not as familiar with these hazards the risks of injury could be greater. It may be that the committee can think of stipulations which will minimise these risks: one would be to make the exit channel clearly part of the pavement so that cars are more cautious about their crossing of it.

-An apparently new aspect of the latest revision to the car parking facility is the gate in the rear wall at the Northern end. I would appreciate it if this does not allow increased access to the garden areas as there have been periodic burglaries of our garden sheds and those in Court Lane. At the moment it is necessary to climb walls to do this, which has to be an inhibiting factor. It would be a pity if the gate results in increased incidents of this sort, encouraging crime in general in the area, and that is why I am requesting that access other than to the new hotel is restricted by, for example, a fence.

#### 6 Court Lane

-Again we note the timing around the Christmas holiday period and low profile of this application notwithstanding the lasting impact it will have on Dulwich Village and its

conservation area. We would reiterate that we believe this application if granted would have a lasting and detrimental impact on the area and a loss of amenity to the local residents and visitors to the area.

-Our objections, as presented in our previous letter, still stand although we are now even more concerned given the further plans relating to the New Bedroom Wing. The imposing nature of this structure is in our opinion completely contrary to the existing site which consists of relatively low lying roofs and buildings of significant architectural interest which have only fallen into their current state of repair due to a lack of enforcement on the part of the existing owner, the Dulwich Estate, against the current and longstanding tenants of the Crown and Greyhound.

-The building, its height and profile will completely change the open space between The Crown and Greyhound and all neighbouring properties and we would again invite you to view the area from Court Lane, particularly at this time of year when all of the leaves have fallen and the true beauty and tranquility of this open space can be appreciated.

-As an adjoining neighbour – one of the outbuildings forms part of our rear wall - we would have a very significant property construction immediately behind us which will compromise our amenity and also create what can only be described as a “burglar’s alley” right next to our property.

#### 14 Court Lane

-Whereas I welcome the modifications to the initial planning, they cannot be considered a concession to the objections raised. Only now do we have a planning application that could begin to be considered realistic. In general I do not object to the amendment of use within the existing infrastructure and footprint so long as traffic and congestion are properly dealt with. Maximising the commercial value of an enterprise is perfectly reasonable and often beneficial. However these plans develop commercial interest at the expense of the rare South London resource of a urban village setting, which years of planning and diverse local interest have preserved. At this time planning permission should not be granted for the reasons detailed below.

-S106 Agreement: We are in complete agreement with the objections raised in elsewhere covering the s106 agreement regarding the wilderness area. This should be agreed prior to any further planning application. I am particularly concerned that should any of the existing plans (or indeed former plans) be approved, the Beer Garden would be approved by default, contrary to prior Southwark planning. It would further devalue the obligation of developers to seek planning and embolden them to seek commercial gain at the expense of a local community. The pub has already gained the use of a beer garden for the past 10 years employing just such a strategy. Now this has been brought to my attention I as a local resident will endeavour to see that this is pursued.

-Proposed Car Park: In isolation from the rest of the development we do not object to the car park per se as a simple construction, particularly if the wall surrounding is as high as the existing one. We are however concerned about the gradual encroachment of the development into the green spaces of Dulwich, particularly given the blatant disregard for planning for the beer garden and the land grab for new use that resulted. If the s106 agreement could be agreed then the threat to this particular green space would come to an end. On that basis we would not object to the inclusion of the car park.

-Scale of the development -As I noted in my previous email (amended below), we object to the proposal in that the scale of the development is contrary to maintaining

the character of an historic environment described in Appendix 5 of the SPD broadly and specifically Policy E.4.3. The proposals place a pub, hotel and conference facility into the heart of one of the very few urban village settings in London.

-Traffic Congestion and Safety My concerns regarding local traffic and safety detailed in my previous letter have not been addressed, as the number of patrons using the development will be much the same. I'd like to refer to my previous letter particularly the reference to congestion being a top five priority of Dulwich Supplementary Planning Document.

It is unrealistic to believe that most people using the hotel and particularly the conference facility will not require parking. Indeed the initial plan includes parking for the additional patrons. In addition I would note the following impacts:

- Local Businesses - The use of local streets for long term parking (given the developments guests will be there long term) will seriously reduce the amount of short term parking for people using the local businesses in the village. This parking is already limited, especially at weekends given that the very nature of the village attracts people from some distance away.

-Residential Parking - I would be concerned that at least in the streets immediately around the development the introduction of residential parking permits may at a later date need to be introduced to cope with the long term parking of hotel and conference guests. Finding parking in these streets is already an issue. The introduction of bays, signage and enforcement would detract from the character of the village

#### 18 Court Lane

-To accommodate the proposed number of rooms the development of the new bedroom wing we believe will still have a negative impact on the conservation area and compromise the openness of the area and deprive it of its semi-rural character. The proposed wing represents a significant departure from the layout of the existing garage.

-We still insist on the proper implementation of the s106 agreement as per earlier beer garden creation and require proper legal assurances that no expansionary development on the wilderness area.

-We would still require formal agreements as to the extent and limits of the hotel for public functions.

-The revised car parking appears more suitable although we would insist on a proper high walled boundary in the interests of security.

#### 20 Court Lane

-The new car park plan appears to be a far more appropriate layout in the Conservation area. It would be appreciate if the height of the new wall matches that of the existing.

-The proposed garden wing is bulkier than the profile of the existing garage; this is despite the plan to construct some of it beneath ground level. The proposal is therefore radical departure from the existing building. We believe it should be considered a new building rather than conversion.

-The conservation area appraisal makes it clear the infill development in rear gardens will not be permitted unless it is ancillary to an existing building. This development

cannot be considered ancillary.

-We would refer you to Planning Inspectorate decision APP/A5840/A/08/2069211 which makes clear that the scheme at 9 Dulwich College would compromise the openness of the area and deprive it of its semi-rural character. This scheme is similar.

-The proposal also compromises the properties behind Court Lane and Dulwich Village.

-In general we believe too many rooms are being added to the Crown and Greyhound and this is leading to a design that conservation area and amenity to 2 to 8 Court Lane and 67 Dulwich Village.

-The hotel market appraisal indicates a minimum of 15-20 rooms in order to achieve operating efficiency. The application should be rescaled to the lower end. This would reduce the impact of the building conversion/development. It would allow a design that converted the existing garage and outbuildings rather than replacing them with a bulky high-impact building. We are concerned that 15 rooms may simply displace business from other hotel providers in the area.

-Our earlier comments regard the unimplemented s106 agreement dating from the creation of the beer garden still applies.

#### 24 Court Lane

-First, as private individuals without any architectural qualifications, it is difficult fully to appreciate the consequences of the revised plans.

-Second, we can understand, and appreciate, the reduced number of parking places now to be provided. We don't know, but suspect, this number may be increased at a later date.

-Third, the impact of the new bedroom wing on the site of the existing garage is difficult to assess for the reason given in our first point above. However, as it is to be bulkier than the footprint of the existing structure, its presence will be more substantial and therefore more intrusive. The effect of the below-ground structure will surely impact on the water table.

-Fourth, we are not at all convinced that Dulwich needs hotel accommodation. The more rooms provided, the more the pressure will increase 'to achieve operating efficiency'. In this case, 'less is more' would be a good example to follow.

-Fifth, it is not the fault of the residents of Court Lane that these once fine buildings have fallen into decay. That some of us object strongly, however feebly our objections are regarded by the developers and the planning division, should be no surprise.

-Finally, we endorse fully the more detailed comments sent to you by 20 Court Lane.

#### 2 Burgon Street

-There is some measure of improvement in exterior design of the building additions to the Listed Buildings, which are more suited to the Conservation Area; but nothing else has changed for this scheme to become sustainable.

-The new restaurant plan shows 64 covers and the first floor function room plan shows 80 seats, together with its adjoining room for conference refreshments. Therefore there is room for up to 144 seated customers, over and above those using the busy

pub bar, or well above 200 customers on a busy day. Thus, the space for delivery lorries and car parking provision (next door to the Rocca Restaurant) remains grossly inadequate, especially in the high car use area of Dulwich Village. Oddly, Turley Associates refer to “a potential oversupply of parking” which wording is a somewhat misleading error at the best it appears.

-Quite apart from additional customers' cars and delivery vehicles clogging-up the peak hours and school-run through local roads; the competition for limited on-street parking spaces will tend to drive out local shopping customers and as pointed out previously, the local retailers may be persuaded by salestalk. The Hotel Market Appraisal, by a well-known consultant, is dated May 2010, at the economic nadir of the general election and long out-of-date in its context.

-The Applicants have not demonstrated any local or other unmet demand for this class of hotel extension tacked onto a listed building and a good pub in a good setting. In particular, the wording of the Hotel Market Appraisal assumes the entire site to be developable including the garden and the wilderness area. It is however fair enough to admit that there is a critical mass of 15-20 rooms; whereas that Report and the application as a whole ignores the fact of current lack of demand for this type of development scheme and saturation of all sectors of the UK commercial property development market, especially now including hotels. There is an oversupply of unviable projects, to be set in this case against alterations to Listed Buildings in an important Conservation Area. Thus, absent any exceptional and proven local hotel demand, it is unlikely that any outside third party investor would back such a scheme; which appears to have only the financial support of its freeholder owner, catering to its tenants of the Dulwich Estate. This may be coupled closely with investment, believed to be a substantial shareholding (or debenture or whatever) in the Dulwich Estate pub preference for Mitchells and Butlers (and associated companies).

-This size of hotel of 15 to 20 bedrooms, is often known in the trade as a “ma- and-pa” hotel: usually family-run for ordinary people. Whereas chain hotel managers are never that sort of dedicated family owners. The report appears to skate around that substantial difference by well-worded avoidance.

-There are also optimistic assumptions, as to the alleged existence of a firm patronage by a customer base for this assumed minimum 15 rooms and its purported local affinities. Whereas, one might expect to have seen at the very least, expressions of interest, by other potentially occupying hotel operators.

-Furthermore, apart from one-night family stays, for weekend weddings, there is no attraction to stay over a busy pub and car park, especially if one is of a quiet disposition. Equally, the Crown & Greyhound is not related to overnight stays for distant town centre functions. The only local draw may be occasional golf tournaments and for those seeking cheap overnight accommodation.

-The market share would seem to come back to transient week night building workers, as mentioned in the report and other commercial out-of-towners; who are able to pay £30 per night elsewhere. This is as far removed from the locally talked-up and misleading boutique hotel sales talk as can be imagined.

-The local retailers are misled as to benefits, especially as all hotel chains have supplies dropped-off by large lorries and source labour from all over Europe.

-Finally, I return to my repeated objections to the series of connected planning applications. Attention was and is drawn to attachment of poor additions to the listed buildings, which attachment is improved but geared to minimum 15-20 rooms on a now properly reduced site, but with totally inadequate parking.

## **Initial Consultation**

### 67 Dulwich Village

-Sunlight/Daylight: The new accommodation block will be built within 1.5m of the boundary wall and will rise to 5m. This will inevitably lead to some sunlight loss at certain times.

-The chimney/ ventilators will be more obtrusive than the existing structure impacting outlook.

-Although the roof window lights will be obscurely glazed, it is not yet clear whether or not they will be operable. If so there could be a risk to privacy

-A block designed for family use, although orientated away from the boundary wall, will still increase the noise level over the existing situation.

-The ancient Pub wall, which forms the boundary with our property, is extremely fragile. The demolition of the rear garage which is fastened onto the south side of the wall will be difficult to achieve without damage. We would need to have some reassurance that damage which occurs on either side will be made good.

### 93 Dulwich Village

-The objector takes no issue with the principle of revitalising a property and business at the core of Dulwich Village, which could bring useful economic benefits to the area.

-The demolition of the existing rear garage does not appear contentious, but that building is well beyond the building line of the other residential and commercial buildings nearby, and it is therefore questionable whether permission should be given to the erection of an apparently larger building, both in terms of floor plan and in height. Arguably this area should be returned to green space to enhance the character of Dulwich Village. If a qualified permission is given, however, on the basis of existing footprint, then it is difficult to argue that a larger building "preserves or enhances the character or appearance of the conservation area".

- The application shows that some substantial and mature trees would be retained in order to mitigate the impact of the new building, but they appear to be very close to it. It seems likely either that the construction process will damage or remove much of their root systems, or that within a few years the trees may interfere with the building's foundations, particularly if the root barrier fails.

-The smaller car park still makes a significant incursion into the wilderness area. Even if there is some planting in the car park, it is difficult to conceive of the necessary hard paving or tarmac preserving or enhancing the character of the area. The enjoyment of our garden would be reduced by slamming doors, car engines, and possibly headlights too on certain occasions, particularly as the usage of the driveway would increase.

-The driveway opens out into a busy part of Dulwich Village, close to the pub forecourt and within the hazard area of the pedestrian crossing. This presents a significant risk of accidents, exacerbated by the fact that visiting hotel residents are less likely to be aware of such hazards when they exit. The exit view of approaching traffic tends to be impeded by traffic – often large delivery lorries – being parked nearby where it is legal to do so.

### 2 Court Lane

-Understand that the amenities change over the years but are concerned that the

extensive changes proposed will change the nature of the Crown and Greyhound and therefore detract from the local atmosphere.

-In order to make a commercial success of the new hotel its management will be organising function that will inevitably increase the volume of traffic in the area. This will significantly jeopardise the safety of local children travelling to local schools.

Currently as a public house the Crown and Greyhound has some control over noise levels created by its patrons this will not be the case with hotel residents staying for functions and people using the car park throughout the night.

-All residents backing onto the pubs premises have concerns about security. Our garden and house will be overlooked by windows in the new building. It is unacceptable to have transient members of the general public having a direct view of our premises. Not only is this a risk to the safety of our children but am genuinely concerned about general security. This is exacerbated by having a walkway near the boundary wall.

#### 4 Court Lane

-The garage is directly behind my garden. The demolition of the garage and replacement with an accommodation block will be detrimental to me and my neighbours.

-The garage is currently in use by SG Cars and has no pub or related use and has been like this for many years. This business has no impact on me whatsoever.

-If it is used as pub and hotel there is bound to be an increase in noise and light pollution as well as loss of decades of privacy. There is certain to be an increase in noise at night with comings and goings at all hours.

-I do not believe this should be approved as it is against Council policy to approve plans that are detrimental to the amenity to neighbours.

-Concerned about security – the proposed design of the walkway is almost an invitation to burglars to access the rear of my property from Dulwich Village- something that is comparatively difficult at the moment.

#### 6 Court Lane

-The Crown and Greyhound fulfils an important social function and the village should not lose its landmark and most used meeting place at the centre of the village.

-This proposal brings unwelcome practical change as well as planning change. A small hotel is a 24/7 operation with intended peaks for weekday and weekend events such as conferences, weddings and parties for which there is no shortage of supply in the area of Dulwich.

-The public house as it currently stands and is used by the local community is not compatible with the economic requirements of a small hotel which will need to create demand for its rooms by hosting as many events as possible. The local community and passing trade would be neither attracted to nor welcomed by the owners during these times.

-The public house is not currently used by car drivers. The use of a core 80 seater (only 40 is submitted in the preamble) conference facility under the premise of a hotel as opposed to the current arrangement is likely to present a major change and

intrusive use of this facility and the planning authority should look at this and its attendant parking requirements most carefully. This proposal will seriously add to congestion near the schools and shops within the village.

- This proposal opens up the south east quadrant, currently occupied by the garage, and brings use and access right to the perimeter. This will cause noise nuisance and erosion of the noise buffer. In addition to the noise there will be considerable light pollution caused by the proposed bedrooms and external lighting on walkways and the like in this area. As an adjacent property to the application with a shared boundary we have specific objection to this design.

-This proposal will significantly increase the dangers to young children and property as there will be obscured access behind the proposed building in the south east quadrant running adjacent to the lower numbered properties in Court Lane and also allowing access to the current wilderness area and beyond. We do not believe that any parents of adjoining properties will feel as comfortable leaving their children to play outside unsupervised again.

-The application by the Dulwich Estate seems to be at odds with the standards that they apply to the residents on the Estate where trees cannot be simply removed, car parking on private land is generally refused or restricted and buildings are required to be maintained and kept in good order.

- The obscured access behind the proposed building would become by design or otherwise a congregation for smokers which would drift into the private gardens affecting health. Cigarette ends and other refuse will inevitably find its way into the private gardens.

-There are a number of charming, architectural outbuildings behind the Crown and Greyhound which are certainly not beyond repair and which should not be demolished. These contribute to the character of the conservation area which will be completely changed by the proposed development.

-There are a number of trees that contribute to the character of Dulwich Village within the affected area. The untended areas also provide a natural habitat for wild life which would be lost if they were tended in any way or reduced in size by the proposed car park. There are beyond question bats living in this area and they can be seen flying around in the summer evenings.

-Light Pollution would also be a disturbance to wild life as a result of the proposed extension and annex to the rear of the main building.

-It is clear that an Environmental Impact Study should have been undertaken which would have identified all of the objections above. Should Southwark Council not be minded to reject this application out of hand then, as a matter that involves highways, the fulcrum of six schools, an iconic and landmark site, this matter should be considered by a full public enquiry and transport assessment.

-Whilst we cannot predict the future intentions and development of this proposed site it would appear that the use of the currently designated wilderness and the site currently occupied by Rocca restaurant would be open to future "stepped" development of this proposal

-This proposal carefully does not draw attention to the existence of additional car parking spaces already in existence next to the proposed new spaces and they will undoubtedly be annexed by the hotel at some future point.

-Future owners will be able to hold events for up to 500 people without special licence 12 -15 times a year so it is entirely reasonable to speculate as to the future use and its impact on Dulwich Village.

-There was considerable objection to the previous planning application (11-AP-3831; 11-AP-3606 and 11-AP-3607) and this application has been made with the minimum amount of publicity considering the profound and lasting impact it will have for Dulwich.

#### 8 Court Lane

-In 1981 Southwark Council agreed with our objections to plans submitted which opened up the area behind the Crown and Greyhound on the grounds that increased traffic in an area which contains so many schools was likely to cause a dangerous situation. Further escalation caused by more development would only exacerbate the situation.

-As the owner of a property, which backs onto the proposed extension, the subsequent loss of security from premises adjacent to our boundary and the noise and light pollution, which they would produce are to be avoided at all costs. The fences shown in the plans are not sufficiently high to prevent easy access to the wilderness area.

-The current state of the Crown and Greyhound does not demonstrate the care and cleanliness of former times. It is a splendid building, which demands appreciation. I am aware of at least two organisations of local inhabitants, which have withdrawn their patronage because of the run down state of the function rooms. Any future developments should surely be for the benefit of the local community, to make the Crown and Greyhound a centre for the village rather than an amorphous hotel complex with its associated problems.

#### 18 Court Lane

-The apparent failure to implement the S106 agreement and the absence of a formal agreement to protect the wilderness area as a buffer zone remains a concern. The site is vulnerable to development and will object until there is a legal agreement in place.

-The issue of the abandonment for the car storage business and the need for planning consent is noted. The potential construction of the extension and proximity of neighbouring properties leads to objection until the situation is clarified.

-The proposed car park will compromise the openness and semi-rural nature of Dulwich Village.

#### 20 Court Lane

-The amendment to retain the wilderness area is a significant improvement to the plans. However, there does not seem to be any acknowledgement that the planning committee intended to protect the entire site by a s106 agreement between Southwark Council, The Dulwich Estate and the operators of the public house.

-The planning committee had authorised enforcement action to be taken to remove the beer garden, which in the opinion of Southwark Council required planning consent. The enforcement action was suspended while a proposed s106 agreement was drawn up. The draft s106 agreement, with a plan, is on the planning history file for the site, dating from around 1990.

-This agreement was designed to protect the wilderness area as a buffer zone, to prevent outside music on the site and control other activities. Unfortunately the negotiations to implement the s106 agreement became protracted and it was never implemented. This oversight was compounded by the failure to take enforcement action. Consequently the site has the benefit of a beer garden due to 10 years uninterrupted use, but the residents did not get the additional protection of the formal agreement authorised by the planning committee. We believe this planning application is the ideal time to correct this oversight and implement the formal agreement. Planning consent should not be granted until the s106 agreement is signed and registered.

-The site as it stands consists of multiple planning units. In particular, the area occupied by the garage is a car storage business and has been for many years. This area is also a separate unit of occupation and any pub related rights have long since been abandoned. In our view the situation satisfies the legal tests for abandonment and there is no possibility of mere suspension of pub-related use. We believe the Dulwich Estate requires planning consent to use this area of their freehold for a hotel/pub business and cannot rely on the established use of the rest of the site.

-The boundaries of the neighbouring properties are currently separated from pub related activities by the buffer zone formed by the wilderness area and the garage storage business. The construction of the hotel extension in this area brings pub/hotel related activities up against the boundaries of neighbouring properties. This is contrary to Council policy with respect to protection of amenity.

-The amendment to reduce the size of the car park is welcome. However, we wish to make the comment that there is a gradual 'eating away' of the green space behind the businesses on Dulwich Village. We remind the parties of the comments of the Planning Inspector in the appeal related to 07-AP-2037.

-The car park extension also compromises the openness and semi-rural character of Dulwich Village

-The submitted plans still do not show all the spaces available in the existing car park and the proposed access to the new car park actually removes existing spaces. Removing the small garage would presumably create additional spaces. We believe that the existing car parking area can be remodelled to accommodate the hotel parking and that the applicant has failed to demonstrate that this is not the case.

#### 24 Court Lane

-We are writing to express our appreciation of the reworked plans with its reduced car parking area and the retention of the cordon sanitaire or buffer zone between the proposed development and the garden boundaries of the affected area in Court Lane.

-However, we are in total agreement with the more detailed comments made in Nigel Bottomley and Michelle Skinner's letter to you of 16 September covering the s106 agreement, the existing car storage business and the proposed car park. We realise the need for change but are anxious that the 'blight' should not be transferred from the neglected buildings to the garden boundaries of the affected houses in Court Lane.

#### 7 Ludgate Broadway

-The description concedes to those wanting to keep their traditional English pub and village focal point, the plans belie that. The drawings show a fairly standard ground floor motel style bedrooms block which seems architecturally unrelated and squeezed into the south east corner with few 'green' features.

-the replacement of the pub function room with a conference facility is an

intensification and change of use. This will result in late night weddings with unsocial hours for staff. Little to gain for local shops as hotel operators has their own suppliers.

-Parking provision is insufficient for the number of visitors and guests including the restaurant and conference facility. This would cause overflows of cars all-over Dulwich Village and beyond. Land could be released to rebalance parking. The surrounding alleyway is invitation to nuisances and burglars.

-Lack of disabled parking. The conference facility as planned for 80 seats need 40-60 spaces with at least 10% disabled bays close at hand. The bedrooms would require 1.2 spaces per room and at least three disabled bays. Further, to avoid car conflict barrier control is required for patron only tickets or paid for separately.

- It is believed that Dulwich Independent Schools Charity owns a shareholding in Mitchells and Butlers which manages pubs and commercial hotels. Therefore there is a monopoly and dominance of the local pubs, restricting commercial competition and residents' choice.

- Refurbishment is merely jargon for periodic proper repair and maintenance, after leaving it too long in many cases. Neglect leading to disrepair is no ground for demolition and there is clear cut, long term evidence of tolerating disrepair of Listed Buildings in the hands of accepted lessees.

-The current fashion for 'green' roof etc is all well and good, but should be a given and not treated as a selling point. If the plans are approved they should be incorporate the best green practices nonetheless.

#### Ms Cordery by e-mail

-The proposed construction is too intense for the small area of land on which it sits. Dulwich Village has always maintained a village feel but I believe that this build will result in a property which will be far too big and overwhelming in this small area.

-Concerned about the noise and traffic which will arise from a 20 bedded hotel in this tranquil village. The noise from the pub can already be disturbing of an evening, particularly around closing time and am concerned that this noise will be greatly increased and could extend later into the night.

-The forecourt can be busy with cars, bicycles as well as pedestrians and small children run around in the area. I am concerned that vehicle traffic will greatly increase and this will make adjacent pavements unsafe for pedestrians.

#### 15 Glanfield Road

- It would still mean the loss of the traditional pub, which is a focus for the village community. Original objections still apply as the scheme is the same as the original proposal.

#### 5 Glengall Road

-As a Southwark resident and frequent visitor to Dulwich I would like to raise my objection to the planning applications listed above, on the grounds that the local area and the village will lose a focal point - a traditional pub, the Crown and Greyhound, this pub is still used by the local residents and for a much larger clientele around the area as well as a meeting place for people who used to live the area.

#### 39 Lavengrow Road

-The Crown and Greyhound Public House as it stands today is the central focus of Dulwich Village. It is a well run, well patronised, profitable public house and has been so for many years. It is attractive to all age groups within the Dulwich Community and the immediate surrounding area. Changes to the character and use of this amenity would not be in the general interest and this application only serves the financial interests of the property owner.