

Item no. 7.1	Classification: OPEN	Date: 9 September 2014	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/1720 for: Full Planning Permission Address: 18A GROVE PARK, LONDON SE5 8LH Proposal: Retention of re-built works and completion to form a new 4-bed family dwellinghouse within the original volume over lower ground, ground and first floors with associated landscaping		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 28/05/2014		Application Expiry Date 23/07/2014	
Earliest Decision Date 06/07/2014			

RECOMMENDATION

- 1 That Members consider this application due to the interest of Ward Councillors; and that Members grant planning permission subject to Condition.

BACKGROUND INFORMATION

Site location and description

- 2 The application site relates to the rear of the building known as no.18 Grove Park. The site at no.18 is occupied by two properties dividing the rear garden into two sections. The front house has been converted into 6 flats, which was granted under permission 12-AP-1305 and in this instance is named no.18 Grove Park.
- 3 The area that is the subject of this application is where a chapel had previously existed, which was connected to the main building via a vestibule to the rear. The chapel has been demolished and this part of the site is now known as no.18A Grove Park.
- 4 The site slopes down towards the rear garden, which has a maximum depth of 45metres (m).
- 5 The surrounding area is all residential characterised by larger family dwellings and some flats opposite. The site is within the Camberwell Grove Conservation Area.

Details of proposal

- 6 It is proposed to redevelop the rear part of the site at no.18A Grove Park to provide a 4 bedroom detached house. There was previously a mortuary chapel on the site (that was no longer used or occupied as such) and this was demolished during the construction of a scheme consented under ref 12-AP-1305.

- 7 It was observed during the site visit and at the time of the submission that the new house was being built in the same area as the now demolished chapel, and the height of the walls (constructed with reclaimed bricks of the demolished chapel) have been erected to approximately a third of the height of the original building. Works have stopped on site pending the outcome of this application.
- 8 This application seeks planning permission to retain the existing works on site and complete the erection of a new 4-bed family dwellinghouse over lower ground, ground and first floors with associated landscaping. The proposed building would measure 15.2m deep, 7.6m wide and 8.8m high to the roof ridge from the finished lower ground level on the east elevation. The height to the ridge is 7.9m from the finished ground level adjoining no. 17 Grove Park. It is proposed to be built to the same volume, footprint and height as the now demolished chapel. The ground floor would accommodate the living room and kitchen and the first and second floors would accommodate the bedrooms.
- 9 Following amendments to the proposed scheme from the applicant, the design of the building would emulate the arched windows, brick piers and roof form of the demolished chapel. The design would appear similar to that approved under the consented scheme 12-AP-1305. The house would be built with reclaimed bricks from the demolished chapel, and timber windows and slate roof tiles would be used.
- 10 Access to the house would be to the south of no.18 where a gated access is provided, and associated refuse and cycle store would be located to the front.

Planning history

- 11 11-AP-0225: Planning permission was **granted** on 17/06/11, for the:
Conversion of existing building from hostel (Sui Generis) into 4 no. self-contained flats (2x3 bedroom and 2x2 bedroom), extension of basement with lightwells to front and rear, erection of a single storey rear extension, loft extension, replacement of timber sash windows and installation of new windows to rear elevation.

Conversion of existing chapel into 4 bedroom single family dwelling house extension of basement, replacement of timber windows, installation of windows and French doors to basement and installation of 6 rooflights.

Erection of front boundary wall and provision of 3 no. car parking spaces at the front.

- 12 11-AP-0226: Conservation Area Consent was **granted** on 17/06/11, for the partial demolition of rear wall and removal of existing UPVC conservatory to no.18, demolition of chapel vestibule, single storey extensions to north and east elevations, and removal of chapel external brick piers.

- 13 11-AP-3208: Planning permission was **refused** on 13/04/12 for:

Variation of condition no. 2 of planning permission 11-AP-0225 dated 17/06/11 (for Conversion of existing building from hostel (Sui Generis) into 4 no. self-contained flats (2x3 bedroom and 2x2 bedroom), extension of basement with lightwells to front and rear, erection of a single storey rear extension, loft extension, replacement of timber sash windows and installation of new windows to rear elevation; conversion of existing chapel into 4 bedroom single family dwelling house with extension of basement, replacement of timber windows, installation of windows and French doors to basement and installation of 6 rooflights; erection of front boundary wall and provision of 3x car parking spaces at the front) comprising:

Demolition of existing chapel and rebuild chapel within the same envelope to provide

single family dwelling house, increase the chapel lightwell; alterations to chapel window configuration; alterations to the front garden area; delineation of private amenity space for the maisonettes and erection of new brick front garden wall

- 14 The reason for refusal was:

The scheme fails to be considered as a minor material amendment as its nature results in a development which is substantially different from the one which was approved, for the reason that the design of the replacement chapel building is not of a high quality, has not been designed with appropriate regard to local context and would fail to make a positive contribution to the area, and would fail to preserve or enhance the character and appearance of the conservation area. In these regards the scheme would be contrary to Part 12 of the National Planning Policy Framework, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, and Saved Policies: 3.12 Quality in Design, 3.13 Urban design, 3.15 Conservation of the Historic Environment, and 3.16 Conservation Areas of The Southwark Plan 2007, and Policies 3.5 Quality and design of housing developments and 7.6 Architecture of the London Plan 2011.

- 15 11-AP-3590: Accompanying application for conservation area consent was **refused** on 01/05/12, for the following reason:

The design of the replacement chapel building would fail to preserve or enhance the character and appearance of the conservation area, and the benefits from the development would not outweigh the harm arising from the demolition of this building. In these regards the scheme would be contrary to Part 12 of the National Planning Policy Framework, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, and Saved Policies: 3.15 Conservation of the Historic Environment and 3.16 Conservation Areas of The Southwark Plan 2007.

- 16 12-AP-1305: Planning permission was **granted** on 07/09/2012 for the:

Conversion of existing building from hostel (Sui Generis) into 6 no. self-contained flats (4x2 bedroom and 2x3 bedroom), extension of basement with lightwells to front and rear, erection of a single storey rear extension, loft conversion addition of 3 no. dormer windows, replacement of timber sash windows and installation of new windows to rear elevation.

Conversion of existing chapel into 4 bedroom single family dwelling house extension of basement, replacement of timber windows, installation of windows and French doors to basement and installation of 6 rooflights.

Erection of front boundary wall and provision of 3x car parking spaces at the front.

Officer comment: *Whilst it might be argued that this consent has been implemented in part, it is incapable of being completed due to the demolition of the chapel. The demolition of the chapel is the subject of a separate planning enforcement investigation.*

- 17 13-AP-2719: Planning application submitted, but **withdrawn** 11/11/2013 for: Demolition of chapel building and construction of new, three storey four bedroom family home.

- 18 13-AP-2720: Associated Conservation Area Consent was also **withdrawn** 11/11/2013 for: Demolition of chapel building

- 19 14-EN-0036: A complaint was lodged in January 2014 for the chapel demolished

without planning permission. It was concluded that as the chapel has now been demolished, its conversion as consented under planning permission ref 12/AP/1305 is no longer capable of being implemented. This planning application has therefore been submitted seeking a further permission on the site of the demolished chapel.

Planning history of adjoining sites

- 20 17 Grove Park
Planning permission was granted in 1991 for the change of use from children's home (C2) to a hostel for homeless families (C3).
- 21 Planning permission was granted 17 Sept 2010 (ref 10-AP-1130) for: conversion of existing hostel (Sui Generis) into four dwelling houses involving; partial demolition of the existing building and removal of fire escape, erection of three storey rear extension, external and internal modifications and alterations, replacement timber sash windows, new slate roof, new hard and soft landscaped areas, car parking provision at the front, new front boundary wall, cycle and bin storage. Removal of link bridge and infill flank wall to no.18 Grove Park.
- 22 Associated conservation area consent for the above permission was also granted on 17 Sept 2010 (ref 10-AP-1285) for: partial demolition of the existing building and removal of fire escape. Removal of link bridge to no.18 Grove Park.
- 23 Since the original permission was granted 26 Jan 2011 under 10-AP-1130, the Applicant submitted a planning application for minor amendments (ref 10-AP-3533) that was agreed. The consented variation (of condition no. 2: Approved plans) allowed an increase to the basement area by adding lightwells to the front and rear of the property and amendments to the location of one of the parking bays.
- 24 There is some planning history for a number of the dwellings directly opposite the site (41-45 Grove Park) relating to alterations to the building and conversion into flats; however, these consents are at least 19 years old and therefore not considered to be directly relevant to this scheme.
- 25 The most relevant and recent history is at 42 Grove Park where planning permission was granted in 2004 (ref 04-CO-0042) for the conversion of 3 storey house into 1x1 bed ground floor flat and 1 x 4 bed maisonette on 1st and 2nd floors, including the demolition and rebuilding of the front bay and porch for underpinning works and demolition of single storey rear addition.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 26 The main issues to be considered in respect of this application are:
- a) Principle of development
 - b) Impact of development on the amenity of adjoining occupiers
 - c) Impact of development on visual amenity and the character and appearance of the conservation area
 - d) Transport issues
 - e) Trees

Planning policy

- 27 National Planning Policy Framework (NPPF)
Section 4: Promoting sustainable development
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment
- 28 London Plan July 2011 consolidated with revised early minor alterations October 2013
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 8.3 Community Infrastructure Levy
- 29 Core Strategy 2011
Strategic Policy 5 - Providing new homes
Strategic Policy 7 - Family homes
Strategic Policy 11- Open spaces and wildlife
Strategic Policy 12- Design and conservation
Strategic Policy 13- High environmental standards
- 30 Southwark Plan 2007 (July) - saved policies
The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- Policy 3.2 Protection of Amenity
Policy 3.7 Waste reduction
Policy 3.11 Efficient use of land
Policy 3.12 Quality in Design
Policy 3.13 Urban Design
Policy 3.16 Conservation Areas
Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
Policy 3.28 Biodiversity
Policy 4.2 Quality of residential accommodation
Policy 5.2 Transport impacts
Policy 5.3 Walking and cycling
Policy 5.6 Car parking

Principle of development

- 31 Planning permission was granted in 2012 under ref 12-AP-1305 for:
Conversion of existing building from hostel (Sui Generis) into 6 no. self-contained flats (4x2 bedroom and 2x3 bedroom), extension of basement with lightwells to front and rear, erection of a single storey rear extension, loft conversion addition of 3 no. dormer windows, replacement of timber sash windows and installation of new windows to rear elevation.
- Conversion of existing chapel into 4 bedroom single family dwelling house extension of basement, replacement of timber windows, installation of windows and French doors to basement and installation of 6 no. rooflights.*
- Erection of front boundary wall and provision of 3 no. car parking spaces at the front.*
- 32 Since the granting of this permission works have been completed for the conversion of the previous hostel to residential apartments at no.18. The current application does not seek to carry out any works to this building at no.18 and relates only to the land to the rear of the site associated with the now demolished chapel.
- 33 This current application has been submitted due to the fact that the whole of the chapel was demolished during construction of consented scheme 12-AP-1305. As previously noted in paragraph 7 above: at the time of application submission, the new house was being built in the same area as now demolished chapel, and the height of the walls (constructed with reclaimed bricks of the demolished chapel) have been erected to approximately a third of the height of the original chapel building. Works have stopped on site pending the outcome of this application.
- 34 This application proposes the retention of the partially re-built works and completion to form a new 4 bed family dwellinghouse within the original volume over lower ground, ground and first floors with associated landscaping.
- 35 The principle of the conversion from the chapel (D1 use) to residential use has been accepted by virtue of previous decisions on this site, as it has not been in D1 use (place of worship/community use) since the 1970s. At the time it was considered that the condition of the (now demolished) building was relatively poor and its re-use to provide much-needed family housing was welcomed. The assessment of the principle of the development differs now as the chapel building was demolished in full prior to this submission and therefore a 'gap' exists on the site. The issue is whether the proposed new residential building (albeit to the same footprint, height and appearance of the previous chapel) would be acceptable within the rear gardens of no. 18, which now comprise 6 no. self-contained flats.
- 36 The site is not within any designated area that would restrict residential use. The site is within a primarily residential area, characterised by large single family dwellings, with some residential flats further along Grove Park.
- 37 In this regard, the principle of a residential dwelling within a residential area is considered acceptable in land use terms. It is noted that the building should be deemed and considered as a 'new build'.
- 38 Officers' opinion is that whilst the assessment should be carried out based on current planning policies and the SPD, other material considerations should also be taken into

account including the previously consented scheme.

- 39 Planning consent was granted in 2012 for the partial demolition of the chapel building for the creation of a 4 bedroom dwelling. The current scheme would essentially recreate a building that would be of the same height, volume, footprint and appearance of the chapel and in the same location. The fact that the original chapel building has been demolished in whole does not materially change the officer assessment of the acceptability of residential use on this site.
- 40 Since the granting of permission 12-AP-1305, there are no new buildings apart from the works and extension to the house at no.18 to provide flats. The assessment of the conversion of the detached building (the former chapel) to a 4 bedroom family dwelling was part of that consent. There is therefore no change in the site circumstances or in planning policies or SPDs; and officers consider that the erection of a single residential dwelling (within the same confines of the previous approved chapel conversion) would be acceptable in principle.
- 41 Following consultation with neighbours, discussion and negotiations with the applicant, amended plans have been received to revert back to the design approved under consent 12-AP-1305. It is considered that given the planning history of the site and provided that the replacement building being of same footprint, height, volume and design details as that already approved, then on balance the scheme to rebuild the former chapel in its location is considered acceptable in principle. More detailed assessment of the design and its impact on amenity is discussed below.

Environmental impact assessment

- 42 None required under the regulation.

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

- 43 The proposed replacement building would occupy the same footprint, same location and of the same height, volume and design and appearance as the now demolished chapel building. The position of the windows has been amended to accord with that approved under application 12-AP-1305.
- 44 Neighbours at no.19 Grove Park raise concerns over the building's potential to overshadow their property. The height of the building would be approximately 8.8m from the lowest ground level (38.1m AOD), which is the same as that of the demolished chapel. It would be approximately 10.2m from the rear of the main building no.18 Grove Park. The building would be on a lower ground level than the main building and would therefore not impact on neighbour's natural light or result in a overbearing impact on the neighbours.
- 45 The objections received also relate to the proposed rooflights. The neighbours have indicated that the SPD states:

'The development must not be more intensive than the existing development on the adjoining street frontage. Frequently backland development is a single storey so as not to impose on the surrounding area. Backland development should echo the characteristics of existing neighbours. The degree of overlooking to the neighbouring gardens must be minimised and there should be no windows on the boundary between the backland development and the existing properties to protect the neighbours' privacy.'

- 46 The scheme as originally submitted by the applicant had proposed the living room on

the first floor with the bedrooms on the lower floor. Following discussions with the applicant, the layout has now been amended to that of the dwelling approved under application 12-AP-1305. The bedrooms being placed on the first floor level would be more acceptable since less time is generally spent 'socialising' in bedrooms. The bedroom on the second floor level would be served by roof windows only.

- 47 Neighbours have requested that the brass perforated screens to the side windows be installed as originally proposed by the applicant. It is noted that there are no habitable room windows on the western elevation, as such these openings would not adversely affect the amenity of residents at no.17 Grove Park. On the eastern elevation there will be the narrow arched windows to the bedrooms, but these would not directly overlook the neighbour's habitable room windows at no.19 Grove Park, as these are positioned at an angle from the proposed house. The landscaping proposal includes trees along this eastern boundary that would provide a degree of screening of the first floor windows of the proposed development from the neighbours. This relationship does not differ from that of the previously consented scheme; however should members be minded to grant permission and give greater weight to these privacy concerns, a condition to partly obscure these first floor windows to a height of 1.7m above the floor level could be imposed.
- 48 Objections have been received from neighbours at the rear (Ivanhoe Road) regarding the windows proposed on the south elevation. Neighbours were concerned that this would lead to significant loss of privacy. The windows on the south elevation has again, been amended so that on the ground level and on the lower ground level only one set of windows are proposed. It should be noted however, that the south facade of this new building would be approximately 20.8m to the rear boundary adjoining Ivanhoe properties, almost meeting the minimum 21m distance for window-to-window separation required in the SPD. It is not considered that there would be significant impact on privacy issues to the rear properties.
- 49 Neighbours have raised concerns regarding the rooflights proposed. They state that the proposed roof light directly overlooking properties would cause considerable light pollution to the surrounding properties. Officers have requested the expanse of rooflights be reduced to that consented under 12-AP-1305. In any case, the building would be in domestic use, and it is not considered that significant light pollution would occur as a result of the scheme.
- 50 The proposal would not significantly affect the residents' amenity and complies with saved policies 3.2 and 3.11 of The Southwark Plan 2007 and SP13 of the Core Strategy.

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

- 51 The site falls within a residential area and therefore no issues are envisaged. The proposed new dwelling would have adequate outlook, natural light and the rooms all comply with the minimum standards required in the residential design standards SPD. The proposal would provide a good quality of living accommodation.

Transport issues

- 52 No off-street car parking has been proposed for this dwelling. It is not considered that there would be a significant increase in vehicle trips to the site; and therefore, the proposed development would not have an adverse impact on the local highway network.
- 53 This site does have a relatively low public transport accessibility level (PTAL) rating

(Level 2). Residential developments are normally required to provide on-site parking in order to minimise overspill parking on the road network. The applicant had produced a parking survey in the previous application 12-AP-1305. Officers have considered the parking pressure currently experienced on Grove Park, and it is still considered that on balance, the scheme would not place significant excess pressure on street parking such that would warrant a refusal of this planning application and that the potential extra cars may be accommodated within the streets.

- 54 Cycle and refuse stores are proposed to be within the gated front garden and this is considered acceptable and well hidden from the street.

Design issues and impact on character and setting of the conservation area

- 55 The site is within the Grove Park Conservation Area. Saved policy 3.15 states:

"Development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance."

- 56 The proposed building would revert to the design approved under permission 12-AP-1305. The chapel building was not statutorily listed or locally listed, and though it would be within the conservation area it would not be visible from the street. The proposed building is of identical massing, height and footprint to the chapel. Therefore, there would be no changes in the scale of building that would result from the development as amended.

- 57 The neighbours have noted that the exterior buttress columns have been removed, but the revised proposed plans show that columns would be provided.

- 58 It is intended to use reclaimed bricks from the chapel, but it is considered prudent to impose planning condition on the materials. Conditions should ensure that the proposed brickwork is of at least the same quality with sample bricks and panels of brickwork approved on site before work commences. Timber windows should also be approved through a condition.

Loss of the chapel

- 59 The demolished chapel building was an unlisted building located in the Camberwell Grove Conservation Area. The chapel was built as an annexe to the church run retirement home for women, which occupied 17 & 18 Grove Park. Its historic significance is in association with this use and its architectural character complemented this setting. From previous site visits, it was clear that the building was in poor condition and during construction of the scheme the developer found that there was extensive facing damage to the brick work. The photographs in the submitted documents revealed cracks to the window arches, the full height of the south elevation, and cracks radiating from below the windows on the west elevation.

- 60 Saved policy 3.16 states that there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the Conservation Area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the Conservation Area.

- 61 In this particular instance, the demolition of the whole chapel has already occurred (albeit without consent) and all of the saved policy 3.16 cannot therefore be applied. As such, Demolition criterion iv) of saved policy 3.16 applies:

- 62 *"The replacement development will preserve or enhance the character or appearance*

of the conservation area and has been granted planning permission".

- 63 Following consultation with neighbours, discussion and negotiations with the applicant, amended plans have been received to revert back to the design approved under consent 12-AP-1305. It is considered that given the planning history of the site and provided that the replacement building being of same footprint, height, volume and design details as that already approved, then on balance the scheme to rebuild the former chapel in its location is considered acceptable.

Impact on trees

- 64 Neighbours have raised the issue that established fruit trees running along the boundary wall that had screened their view of the chapel were cut down. Works to a number of trees appear to have been granted consent in 2011 (11-AP-2516), which allowed the removal of 2 x Apple Trees and 2 x Pear Trees). The proposed development would not involve any felling of existing trees.
- 65 The applicant has indicated that the landscaping strategy would follow that approved under permission 12-AP-1305. A mix of low shrubs and fruit trees are proposed within this rear garden. It is considered that a condition requiring a comprehensive planting schedule and landscaping plan is reasonable.

Planning obligations (S.106 undertaking or agreement)

- 66 As with the previously consented scheme (12-AP1305), the current proposal falls under the requirement threshold of 10 or more dwelling units for s106 financial contributions.

- 67 CIL
S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of 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.

Based on a floor area of 264 sq m of chargeable floorspace, there would be a charge of £9,737.00.

Sustainable development implications

- 68 The applicant has committed to achieving a Code for Sustainable Homes Level 4 standard, and this will be secured by condition.

Other matters

- 69 Neighbours have commented that the council should impose conditions of work, working hours and enforce them. However, other environmental health legislation exists that would adequately control any undue noise and disturbance arising from construction (normal working hours would be 08:00-18:00 Monday to Saturdays and 08:00-13:00 Sundays).
- 70 A neighbour has requested that a wall should replace the existing boundary treatment with no.19 Grove Park as this is currently a half-collapsed concrete wall. This is considered a private civil matter between the developer and the neighbour and not a material planning consideration.

- 71 A neighbour has requested that conditions are imposed to ensure that no vehicles and skips are allowed to be parked on the street (Grove Park), but as separate licences are required that fall outside of planning control, officers consider that conditions are not necessary.
- 72 A neighbour has requested that a condition be imposed to require the road in front of Nos. 17-18 to be finished where the tarmac on the southern side of the road does not go up to the pavement edge. This area is outside of the site boundary of the application and cannot be controlled by condition.

Conclusion on planning issues

- 73 The scheme is considered acceptable as the proposed building would revert to the design approved under permission 12-AP-1305. The demolished chapel building was not statutorily listed or locally listed, and although the site is within the conservation area it would not be visible from the street. The proposed building would be of identical massing, height and footprint to the chapel and in this regard would repair the harm to the setting of this part of the conservation area resulting from the loss of the chapel.
- 74 Further, it is considered on balance, that the impact of the scale of development from that previously consented has not significantly changed; and that the detailed design, appearance and materials of the proposed development (suitably controlled by condition) would largely mitigate the loss of the chapel; and that the proposed new build would reasonably preserve the character and appearance of this part of the conservation area.
- 75 The proposal would not significantly affect the residents' amenity and would not harm the local highway network. Details including materials and landscaping would be conditioned to ensure a high quality environment for future and neighbouring residents. The proposal would provide a good quality family sized dwelling.
- 76 Therefore, the scheme is recommended for approval subject to conditions.

Community impact statement

- 77 In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: None.

Consultations

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

Consultation replies

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

- 79 Summary of consultation responses

There are in total 3 neighbouring properties that have objected to the scheme (including the Ivanhoe Residents and Tenants Association) and 4 letters of support.

These responses are detailed in Appendix 2.

Human rights implications

- 80 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.
- 81 This application has the legitimate aim of providing residential accommodation. 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

- 82 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2154-17 Application file: 14/AP/1720 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 5729 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Wing Lau, Senior Planning Officer	
Version	Final	
Dated	26 August 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director Of Regeneration	No	No
Date final report sent to Constitutional Team	27 August 2014	

APPENDIX 1

Consultation undertaken

Site notice date: 13.06.2014

Press notice date: 12.06.2014

Case officer site visit date: 13.06.2014

Neighbour consultation letters sent: 10.06.2014

Internal services consulted:

Design and Conservation

Statutory and non-statutory organisations consulted:

Thames Water

Neighbours and local groups consulted:

10/06/2014	19 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	37 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	43 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	38 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 2 83 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	17-18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FIRST FLOOR FLAT 22 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FIRST FLOOR FLAT 21 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	71B GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	44 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	5 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	4 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	7 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	6 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	1 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	71A GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	3 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	2 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	FLAT 5 THE LIMES GROVE PARK LONDON SE5 8LN	10/06/2014
10/06/2014	FLAT 4 THE LIMES GROVE PARK LONDON SE5 8LN	10/06/2014
10/06/2014	FLAT 6 THE LIMES GROVE PARK LONDON SE5 8LN	10/06/2014
10/06/2014	FLAT 1 THE LIMES GROVE PARK LONDON SE5 8LN	10/06/2014
10/06/2014	8 THE BIRCHES GROVE PARK LONDON SE5 8LL	10/06/2014
10/06/2014	FLAT 3 THE LIMES GROVE PARK LONDON SE5 8LN	10/06/2014
10/06/2014	FLAT 2 THE LIMES GROVE PARK LONDON SE5 8LN	10/06/2014
10/06/2014	FLAT 1 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	GROUND FLOOR FLAT 21 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	BASEMENT FLAT 22 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	SECOND FLOOR FLAT 21 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	GROUND FLOOR FLAT 22 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 7 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 7 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 8 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 8 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	SECOND FLOOR FLAT 22 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 3 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 2 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 3 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 3 36 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 1 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 1 36 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 2 36 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 2 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 5 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 5 36 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 6 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 6 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 4 36 GROVE PARK LONDON SE5 8LG	10/06/2014

10/06/2014	FLAT 4 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 5 16 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 4 23 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	67B GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	FLAT 6 18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 5 18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	11 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	1 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	FLAT 2 18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 1 18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 4 18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 3 18 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	4 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	3 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	6 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	5 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	15 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	13 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	2 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	17 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	35A GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 1 83 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	35C GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 1 47 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	35B GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	DUMELOW HOUSE 18A GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	GARDEN FLAT 21 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 2 47 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	MULBERRY HOUSE 17B GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	DAMSON HOUSE 17A GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	QUINCE HOUSE 17D GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	MYRTLE HOUSE 17C GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	FLAT 3 83 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	FLAT 3 47 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	7 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	FLAT 3 48 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT C 39 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	40B GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	40A GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 1 48 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT A 39 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT 2 48 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	FLAT B 39 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	45B GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	45A GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	67A GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	45C GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	41A GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	40C GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	41C GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	41B GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	65 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	20 GROVE PARK LONDON SE5 8LH	10/06/2014
10/06/2014	69 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	9 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	8 IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	46 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	42 GROVE PARK LONDON SE5 8LG	10/06/2014
10/06/2014	81 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	79 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	1A IVANHOE ROAD LONDON SE5 8DH	10/06/2014
10/06/2014	73 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	77 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014
10/06/2014	75 GROVE HILL ROAD LONDON SE5 8DF	10/06/2014

Re-consultation:

23.07.2014

APPENDIX 2

Consultation responses received

Internal services

Design and Conservation - The scheme originally submitted for this application is 'dumbing down' design. Should the new building revert to look like the chapel building approved previous consent 12-AP-1305 it would be more acceptable.

Statutory and non-statutory organisations

Thames Water - No objections.

Neighbours and local groups

A number of objection letters were sent from residents at 4 Ivanhoe Road and 19 Grove Park and these are summarised below. A number of letters of support were also received.

Objections

A letter received from neighbours at no. 4 Ivanhoe Road raising the following points:

Much reference is made in the Application to the previously granted applications 11/AP/0225 and 12/AP/1305, but these planning permissions are no longer valid and therefore are not relevant to the new Application; there is no longer a chapel to convert which makes the previous granted planning applications even more irrelevant; the application is materially different to the previously granted applications in that this is now an application for an entirely new building within a garden, sited within a conservation area; it is an application for a back land/back garden development in a conservation area; the developer has also shown a complete lack of respect for and adherence to planning regulations, the council's requests and neighbours concerns; the developer has removed protected trees without consent, illegally demolished the Chapel and, further, operated in breach of health and safety requirements; any south facing windows and openings should therefore not be permitted; the height of the building will overshadow and have an impact on the levels of light into our property due to its close proximity; concerns about the potential loss of light that could be caused by the planting of trees and shrubs in such close proximity to our property in order to provide screening to address privacy issues; due to the proposed roof light, and by the fact that the living area will be situated on the first floor, directly overlooking on Ivanhoe Road and Grove Park properties this will cause considerable light pollution to the surrounding properties; if granted, this would set a dangerous planning precedent as other applications will be made for similar new houses to be built at the end of gardens, overlooking neighbouring properties, which will increase the density and character of this important conservation area.

Following reconsultation, a second letter has been received from no. 4 Ivanhoe Road raising similar points regarding privacy to their rooms; in order to preserve the important character and architecture of the original chapel, windows and doors should only be permitted in locations where they originally stood; the proposal would significantly alter the appearance and character of the building that has historic interest; overshadowing; light pollution; health and safety standards; the development does not meet the definition of sustainable development under the NPPF; the construction should be of one level only; no excavations to be permitted; no further no additional borders, fencing planting etc to the south end of the garden bordering Ivanhoe Road.

A number of letters have been received from the same address at no. 19 Grove Park raising the following points: object to the construction of a new building to the volume of the chapel that was previously on the site; the building will impact on the quality of life of

surrounding neighbours in Grove Park and Ivanhoe Road; the overall design is a poor compromise for both the prospective new owners and the neighbours; as a new building it fails to meet the criteria required for a backland development; the drawings supplied by the architects make it difficult for a lay person to assess the impact of the proposed home; the features of the original chapel have been whittled away to such an extent that the proposed new building is little better than a bulky shed; the exterior buttress columns have been removed; the eaves have also been reduced, restoring light to the house at Number 17 but contributing to the boxy look of the structure; the roof line has been retained to the original and maximum height of the chapel and fitted with long glazed sections that will cause light pollution to all neighbouring homes; loss of privacy to surrounding properties; the proposed floor levels and revised use of the space within the building would cause maximum loss of privacy to the neighbours.

Second letter from 19 Grove Park:

This is a new development in a rear garden in a conservation area and the developers cannot justify their latest application with references to past planning applications and approvals and by their own actions in demolishing the chapel, 12/AP/1305 and all other prior approvals are defunct and it is subject to the backland development rules; the application for a new structure on the site must be considered on its own merits under current planning rules and policy applicable to new structures in rear gardens; there was no consultation with the community and believe that the developers have lodged a sufficiently complete and accurate package of drawings and dimensions with their application; insufficient light for new residents; light pollution from the roof lights; landscaping and tree planting is not a solution and established fruit trees running along the boundary wall that had screened our view of the chapel, were cut down; the developers propose landscaping and tree-planting as part of their solution to the problem of overlooking but they are not a practical solution; refuse from the new building (a large family house) will be added to the refuse bins at the front of 18 Grove Park which are already regularly over-full; there is no vehicular access to the site; insist that the Council impose conditions of work and enforce them to make the plight of neighbours bearable.

Following reconsultation, a second letter has been received from no. 19 Grove Park; - there should be conditions restricting the internal layout of the house so that the bedrooms remain at first floor and the living area on the ground floor levels; there should be conditions requiring the first floor windows to the east and west and south to be screened as previously proposed; overlooking to neighbouring properties; light pollution from the rooflights;; possible damage to trees on adjoining site and request conditions to ensure there is no further excavation on the east and south-east sides; requests that the four fruit trees that were removed by the developer to be replaced to their original position; condition that there should be no weekend working; request that the developers replace the dividing fence with no. 19 Grove Park.

Two letters of objection received from the Ivanhoe Residents and Tenants Association raising the following points: trees were cut down from the site; the chapel was demolished without planning permission; prosecution should take place first; building houses in back gardens in conservation areas should not be permitted.

Support

One representation received from no. 17D Grove Park supporting the scheme and raises the following points: wish that permission to be granted for the work to proceed as speedily as possible; have found the contractors to be considerate and to run a well ordered and tidy site and have no concerns to raise in that regard; would appreciate a speedy resolution so that the works can be completed.

One representation received from no. 17B Grove Park supporting the scheme and

raises the following points: keen to see the build completed to the same high standard that have been seen at both 17 and 18 Grove Park (completed by the same company); having seen the work to date, involving the re-use of the original bricks and reinstatement of the arched windows, believe the design and quality of the build to contribute positively towards the area; the original building was clearly in a precarious state of decay and an eyesore to all who overlooked it; its completion as a high-quality family home is much welcomed.

One representation received from no. 17C Grove Park supporting the scheme and raises the following points: the proposal would turn what has for many years been a derelict building and curtilage into a home of high quality design that will preserve and enhance the conservation area; condition that the perforated brass screens to be fitted to the windows; otherwise condition requiring obscured glass to be provided; condition that there should be no construction vehicles parked on Grove Park during construction works; no skips to be placed on Grove Park during construction works; restrict working hours; condition or planning obligation that the road in front of Nos. 17-18 Grove Park to be finished.

One representation received in support from a resident at no. 18 Grove Park raising the following points: has observed the careful reuse of the original materials when constructing the new house; the new house sits exactly on the footprint of the old chapel and maintains its character such as is reasonable to be expected of a newly built house; their own property was built by John Smarts Architects and can confirm the quality and craftsmanship that went into the construction and design to be of a very high standard.