

Item No. 7.5	Classification: Open	Date: 5 April 2016	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/2957 for: Full Planning Permission Address: REAR OF 60 DULWICH VILLAGE, LONDON SE21 7AJ Proposal: Demolition of existing garage and the erection of two three bedroom semi-detached three storey houses including basement; with associated off-street parking and private gardens.		
Ward(s) or groups affected:	Village		
From:	Director of Planning		
Application Start Date 18/09/2015		Application Expiry Date 13/11/2015	
Earliest Decision Date 21/10/2015			

RECOMMENDATION

1. Grant planning permission subject to conditions.

BACKGROUND INFORMATION

2. The application is reported to Planning Sub-Committee following a referral request by members.

Site location and description

3. The application site relates to the rear garden of a two storey dwellinghouse that is one of a pair of Georgian houses which are both grade II listed and falls within the Dulwich Village Conservation Area. Both properties have been substantially altered since they were originally built and various architectural styles have been added to both properties to reflect the period in which they were extended; Victorian bay front windows at lower ground, ground and first floors, adhoc side extensions and large 20th Century extensions have added side wings to both houses.
4. As a pair, the houses differ slightly. The large side wings are not of the same size and the setting of these houses has been altered with the reduction in the size of the rear garden to number 62 where there is a large detached house that was built in the 1980's.
5. The rear garage is currently accessible from Boxall Road at present, and there are a number of established large trees of which one is proposed for removal.
6. The buildings within the Dulwich Village are predominantly large properties that are two to three stories in height with pitched roofs and an array of gables, hipped and detailed roofs.

7. Boxall Road has a very different feel with much smaller houses, less planting and fewer gardens. Here the street feels much more urban in character with the long run of terraced houses which are closer to the street, narrow pavements, and a greater feeling of enclosure. The northern side of the street, which is where the application site lies, has several garages and parking forecourts which somewhat detract from the character of the road and the character of this part of the Dulwich Village Conservation Area. Elsewhere the back gardens of number 60 and 64 Dulwich Village present high fences along the pavement creating a hard edge to the street.
8. The houses along Boxall Road are generally of two storeys in height with a mixture of styles, with predominantly late Victorian/Edwardian terraced houses opposite the site and a post-war property to the north-west of the site with garages immediately adjacent.
9. Listing Description for 60 and 62 Dulwich Village: Date first listed: 27-Sep-1972; amended 17-Sep-1998:
TQ3374SW DULWICH VILLAGE 636-1/56/295 (West side) 27/09/72 Nos.60 AND 62 The Laurels (No.60) and The Hollies (No.62) (Formerly Listed as: DULWICH VILLAGE (West side) Nos.60 AND 62). Pair of semi-detached houses, Mid C18 with later alterations. Red brick with hipped, tiled mansard roof with dormers and central chimney stack behind coped parapet. 2 storeys, half-exposed basement and attic, 1 main bay each, with recessed 1-bay entrance extensions to sides. Steps up to doors in timber doorcase with alternate block surround, No.60 with porch and iron rail. Main section has later, full-height canted bay windows with slated roofs. Plate-glass boxed sash windows, those on ground floor with cast-iron guards. INTERIOR: not inspected

Details of proposal

10. Planning permission is sought for the demolition of the existing garage and the erection of two new houses to be built in the rear garden of number 60 Dulwich Village and accessed via Boxall Road.
11. The houses will be two storeys above ground level with south west facing windows on the front elevation and a full basement. The basement is lit with northeast/southwest facing lightwells. The basement also features a double height space with a void through to the ground floor at the rear of both properties to increase light into this area.
12. The houses are 3 bedrooms each, although they also feature study rooms at first floor that could potentially be used as additional bedrooms with private rear and front gardens. The front gardens allow for one parking space per house in order to leave sufficient green and soft landscape for planted gardens and trees.
13. **Basement**
The basement would have a total floor area of approximately 43.5 m² and would consist of a kitchen/diner to the rear with a lightwell terrace to provide natural daylight into this room. A lightwell is also proposed to the front elevation to allow for natural daylight and ventilation into the basement bedroom.
14. **Ground Floor**
The ground floor would have a total floor area of approximate 43.5 m² and would contain the main living space for the dwellings and a lavatory.
15. **First Floor**
The first floor would have a total floor area of approximately 50.3m² and would provide two bedrooms, one with en-suite, a study and main bathroom.

16. Materials proposed:

The materials to be used in the construction of the development consists of:

- a) Walls: Yellow bricks;
- b) Roof: Red-brown clay tiles
- c) Windows: Dark grey aluminium frames;
- d) Doors: Timber
- e) Hardstanding: Permeable pavers

Amendments to the proposal

17. The proposed changes include the reduction in the height of the building to now incorporate a flat green roof and changes to the windows to the front and rear elevations to prevent any light pollution.

18. The previous proposal had a pitch roof of approximately 8.089 metres in height, whilst the revisions propose flat roofs which result in a maximum height for the houses approximately 5.800 metres. This is a reduction in height of approximately 2.29 metres from the previous proposal.

19. It must be noted that the applicant has submitted an application for Listed Building Consent for the demolition of the garage at the rear of No.60 Dulwich Village ref:16/AP/0312.

20. **Planning history**

All of the planning history at the site, as listed below, relates to the main house at No. 60 Dulwich Village.

Planning application(10-AP-3755) was dismissed on appeal for the demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation.

Reason for dismissal;

It is the conclusion of the inspector that the proposal would fail to preserve the special interest of the listed building and would have unacceptably affect its significance

Listed Building Consent (10-AP-3756) was dismissed on appeal for the demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation.

Reason for dismissal;

It is the conclusion of the inspector that the proposal would fail to preserve the special interest of the listed building and would have unacceptably affect its significance

Planning application (11-AP-3246) was dismissed on appeal for the demolition of 20th Century additions, together with internal and external alterations including the provision of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation.

Reason for dismissal

It is the conclusion of the inspector that the proposal would fail to preserve the special interest of the listed building and would unacceptably affect its significance

Listed Building Consent (11-AP-3247) was dismissed on appeal for the demolition of 20th Century additions, together with internal and external alterations including the

provision of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation.

Reason for dismissal

It is the conclusion of the inspector that the proposal would fail to preserve the special interest of the listed building and would unacceptably affect its significance

Planning application (12-AP-3013) was refused for the demolition of existing single storey 20th Century rear kitchen extension to allow the construction of a new enlarged single storey extension at garden level; providing additional residential accommodation for dwellinghouse.

Reason for refusal

The proposed single storey extension, by reason of its overall width which is further increased by the reflective pool would result in an incongruous addition, overwhelming to the existing built proportions of dwelling. As such the proposal is considered out of character with the existing Grade II listed building and with the Dulwich Village Conservation Area

Listed Building Consent (12-AP-3014) was refused for the demolition of existing single storey 20th Century rear kitchen extension to allow the construction of a new enlarged single storey extension at garden level; providing additional residential accommodation for dwellinghouse.

Reason for refusal

The proposed single storey extension, by reason of its overall width which is further increased by the reflective pool would result in an incongruous addition, overwhelming the existing built proportions of dwelling. As such the proposal is considered out of character with the existing Grade II listed building

Planning application (12-AP-4045) was granted for the demolition of the existing raised 20th Century side extension and single storey rear extension and construction of a new two storey side / rear extension together with other external works associated with the refurbishment of the existing dwelling

Listed Building Consent (12-AP-4046) was granted for the demolition of the existing raised 20th Century side extension and single storey rear extension and construction of a new two storey side / rear extension together with other external works associated with the refurbishment of the existing dwelling

Listed Building consent (13-AP-1869) was granted for Alteration to the existing roof pitch, removal of render to side and rear of property, restoration and replacement of existing brickwork, alterations to entrance gate

Planning application (13-AP-2181) was granted for the Alteration to the existing roof pitch, removal of render to side and rear of property, restoration and replacement of existing brickwork.

Planning history of adjoining sites

21. 54 Dulwich Village Planning application (97-AP-1104) was granted for the erection of single storey ground floor kitchen/dinning extension to rear of property and ground floor infill extension to front
22. Planning application (98-AP-0590) was granted for a Single storey ground floor kitchen/dining extension to rear of property and single storey ground floor hall/cloaks

in fill extension to front of property

23. 62 Dulwich Village Listed Building Consent (95-AP-0971) was granted for the alterations to existing rear addition to house, with the erection of a new bay with French doors, installation of new windows to match existing, and a 1 metre high metal balustrade to roof garden
24. Planning application (95-AP-0972) was granted for Alteration to existing rear addition to house, with the erection of a new bay with French doors, and a metal balustrade to roof garden
25. Listed Building consent (06-AP-0458) was granted for the opening up of chimney breast in lower ground floor kitchen.
26. Planning application (09-AP-1791) was granted for the replacement and alteration of windows/glazing to front and rear of the dwellinghouse
27. Listed Building consent (09-AP-1792) was granted for the replacement and alteration of windows/glazing to front and rear of the dwellinghouse
28. Listed Building Consent (13-AP-3268) was granted for the remove existing flat roof to 1960's extension, renew with reinforced bitumen membrane incorporating insulation to comply with current building regulations and protect with a sedum blanket.
29. 64 Dulwich Village Planning application (98/AP/1797) granted for the erection of single storey extension to provide garden room, hobbies room and entrance hall with WC. to dwellinghouse
30. Planning application (03/AP/0394) granted for construction of a single storey glazed extension at rear of dwellinghouse.
31. Planning application (14/AP/4737) granted for the relocation of front door and installation of additional 4 windows to NE elevation; convert garage to living room, replacement of garage door with two windows, replacing rear garage door with sliding folding window, new rooflight, blocking 2 doorways to SE elevation.
32. 266 Turney Road Planning application (14/AP/0520) granted for demolition of existing garages and flat and erection of a two-storey, two-bedroom dwelling house.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

33. The main issues to be considered in respect of this application are:
 - a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) The impact of the development on the amenity of the adjoining properties.
 - c) Design quality and impact on the setting of nearby listed buildings and the Dulwich Village Conservation Area.
 - d) Quality of accommodation.
 - e) All other relevant material planning considerations.

Planning policy

National Planning Policy Framework (NPPF) 2012

34. Section 1 – Sustainable development
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 12 - Conserving and enhancing the historic environment

London Plan - Further Alterations to the London Plan (2015)

35. Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.9 Mixed and balanced communities
Policy 3.8 Housing choice
Policy 4.1 Developing London's economy
Policy 4.3 Mixed use development and offices
Policy 5.3 Sustainable design and construction
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.21 Trees and woodlands

Core Strategy 2011

36. Strategic Policy 1 - Sustainable Development
Strategic Policy 2 – Sustainable transport
Strategic Policy 5 – Providing new homes
Strategic Policy 6 – Homes for people on different incomes
Strategic Policy 7 – Family homes
Strategic Policy 12 - Design and Conservation
Strategic Policy 13 - High Environmental Standards
Strategic Policy 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

37. 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 3.1 Environmental Effects
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 3.17 - Listed Buildings
Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
Policy 3.19 Archaeology

- Policy 4.2 Quality of accommodation
- Policy 5.2 Transport impacts
- Policy 5.3 Walking and Cycling

Supplementary Planning Documents

- 38. 2015 Technical Update to the Residential Design Standards (2011) October 2015
- Section 106 Planning Obligations and Community Infrastructure Levy (CIL) April 2015
- Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Dulwich SPD 2013
- Dulwich Village Conservation Area Appraisal (February 2006)

Summary of consultation responses

- 39. Six letters of objection received and two letters of support.
- 40. Common reasons for objection include:
- 41. Impact on the Dulwich Village Conservation Area

Response: It is considered that the proposed development would not have a detrimental impact on the Dulwich Village Conservation Area as the proposed development has been reduced in height and the previous large triangular feature windows removed to a more modest scale which is appropriate at this location. Furthermore the proposed materials in the context of the streetscape are considered to be acceptable. As such, it is considered that the proposal would preserve the setting of the listed buildings and the character and appearance of the conservation area.

- 42. Garden grabbing

Response: The planning policy and guidance for considering backland development is set out within the planning considerations below and this development is considered to meet the criteria in the Dulwich SPD. The existing land to the rear of No.60 Village Dulwich equates to approximately 600m² of which it is proposed to utilise approximately 344m² of the garden area leaving sufficient amenity space for the existing house at No.60 Dulwich Village. It must be noted that there are similar backland developments at the rear of No.62 Dulwich Village (the development appears under No. 64) and on the corner of Turney Road and Boxall Road.

- 43. Infilling of a green space

Response: As mentioned above, there are other such developments located to the rear of existing property in Dulwich Village. Furthermore it complies with the Dulwich SPD in regards to back-land development (See Principle of Development section).

- 44. Loss of amenity on the neighbours, overlooking, loss of privacy

Response; The revised scheme would result in a reduction in height of approximately 2.28 metres through the introduction of a flat roof and the reduction in size of the windows; therefore given this reduction in scale and with the separation to neighbouring properties it is not considered that there would be an undue impact on neighbours' amenity in terms of overlooking and loss of privacy. The considerations are explored in more detail in paragraphs 64-66.

45. Design not in keeping with the area

Response; The proposed dwellings would be built from materials that would respond to the context and reference some of the materials in the local area. Furthermore it is considered that the proposed development is appropriate in design, bulk and mass for this setting. These impacts are explored in more detail within paragraphs 81-92 below.

46. Materials

Response: The common materials along Boxall Road are London stock brick, red clay hanging tiles, slate and clay tiled roofs. The proposed development would use sandface red tile/brick in response to the clay tile opposite and locally. The scheme does introduce grey aluminium windows, timber cladding and a green roof which are considered to be acceptable in the area and will not detract from the grade II listed buildings and the conservation area. The impact of the proposed materials is explored in more detail in paragraphs 93-94.

47. Loss of trees

Response: There would be a loss of a mulberry tree which appears not to be in a healthy condition. All other established trees such as the Ash trees fronting Boxall Road will be retained. These impacts are addressed further in paragraphs 106-107.

48. Summary of comments in support of application

The proposed houses will be of positive benefit here creating a street frontage on to Boxall Road that is currently lacking.

- a) the redevelopment of garages are a positive,
- b) this proposal respects the setting of the listed property with lots of tall screening to give privacy to and from the surrounding properties,
- c) the proposed houses are small compared with most proposed development in Dulwich Village - much needed for the young and old of Dulwich,
- d) the proposed houses can only be an improvement in Boxall Road,
- e) the sad looking garages do nothing to improve the conservation area.
- f) The whole façade of Boxall Road is in need of architectural improvement.
- g) the proposed houses would help to bring the area much needed improvement.

49. The blocks of garages at either ends of the road do nothing to enhance a conservation area and the designs appear to me to be in keeping but adding a modern touch (just as the 2 new houses at Court Lane have done).

Statutory consultee responses

50. Thames Water – No Objection

51. Transport Planning – Support the application as a precedent already exists in Boxall Road

52. Ecology Officer – Survey considered acceptable.

53. Flood and Drainage Team – Happy with the revised approach in the report

Principle of development

54. The principle of new residential dwellings located within appropriate locations within established residential areas is supported in land-use terms subject to the material considerations below.
55. The National Planning Policy Framework Paragraph 53 states that "Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". Paragraph 3.8 of the Dulwich SPD describes back land development as the development of new houses or garages in back gardens. It states that back land development can have a significant impact on amenity, neighbouring properties and the character of the area, and that Dulwich generally is not considered suitable for back land development owing to its leafy, open and green character, with mainly low-rise suburban buildings. In addition, the Residential Design Standards SPD (para 3.9) recognises that back land development can have a significant impact on amenity, neighbouring properties and the character of the area.
56. However, it is important to note that the policies and guidance referred to above do not place an absolute prohibition on backland development. Rather the emphasis is on preventing such development where there would be harm. Indeed the Dulwich SPD states at para 5.4.3 that back-land development may be acceptable where proposals meet all of the following criteria:
 - i. It is on previously developed land. (Complies, the site has been occupied by garages).
 - ii. The development would not compromise historic plots that reflect the heritage of the area, including the historic patterns of development and the cumulative impact of similar developments. (Complies, see paragraph 51,52 & 53 where there are existing backland developments).
 - iii. There is adequate convenient and safe access, suitable for the entry and egress of vehicles, cyclists and pedestrians. (*Complies, see paragraphs 74-80*).
 - iv. The development would not contribute or add to parking problems in the area (we will usually require a local parking survey to demonstrate this). (Complies, see paragraph 74).
 - v. There is no loss of privacy and amenity for adjoining houses and their back gardens. (Complies, see paragraph 64, 66 & 67).
 - vi. Schemes larger than 1 dwelling will require space for refuse storage and collection and the separation of pedestrian and vehicular access. (Complies, see paragraph 76).
 - vii. Suitable consideration is given to the retention of tree canopy cover and mitigation of any loss. (Complies, see paragraph 104 & 105).
 - viii. It can be demonstrated that proposals sustain and enhance the character and setting of designated or undesignated heritage assets. (Complies, see paragraph 73 & 95).
 - ix. An archaeological assessment has been provided, where appropriate, that demonstrates how the development proposal will preserve in situ, protect and safeguard scheduled ancient monuments and important

archaeological remains and their settings. (Complies, see paragraph 109).

57. Accordingly, given the compliance with the criteria set out within the Dulwich SPD, and the position within what is already a residential curtilage, this proposal is considered to be acceptable in principle subject to consideration against amenity, design and heritage and transport issues, as set out below.
58. Furthermore, the creation of new residential dwellings is also supported by Section 6 of the NPPF and Strategic Policy 5 of the Core Strategy which seeks to provide more housing opportunity for residents across the borough.

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

59. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD 2011 also sets out the guidance for new developments which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.
60. The proposed development is not considered to result in a significant loss of amenity for the occupiers of adjoining sites. The proposed 2 x two storey plus basement semi-detached dwellings would not generate noise levels which would be inappropriate / excessive and the development would not be overbearing upon or likely to result in overshadowing of any neighbouring rooms or gardens to any significant extent.

Loss of privacy or overlooking

61. The proposed development is approximately 24m and 27m away from the rear of numbers 54 & 60 Dulwich Village, 18m and 22m from numbers 17 & 21 Boxall Road, and 6m from 64 Dulwich Village. It is not considered that there would be a significant loss of privacy or overlooking on the surrounding properties as the distances of the windows from any habitable rooms exceeds the requirement of 12 metres to the front of a property and 21 metres at the rear as advised by the 2015 Technical Update Residential Design Standards 2011. Furthermore there would be no windows proposed that would directly overlook 64 Dulwich Village. In addition, there would be ample screening provided as well as existing planting to the front, rear and sides of the application site to alleviate any additional loss of privacy.
62. Given the above, it is not considered that the proposed development would result in any harmful loss of privacy or overlooking.

Loss of daylight/sunlight

63. As a result of the site's location and the reduction in scale and massing of the development through the introduction of a flat roof, its separation from neighbouring properties, and the existing trees and proposed planting (screening) to the front, rear and sides of the development, it is considered that the proposed development would not result in a detrimental impact on the amenity of nearby neighbours in regards to loss of daylight / sunlight and overshadowing.

Noise

64. Whilst it is noted that the proposal would result in some intensification of the site with

new residential dwellings to the rear, it is considered that these units would have a detrimental impact on residential amenity as a result of the minor increase in the residents' comings and goings to the houses at the rear of Dulwich Village and Boxall Road as noise levels should not be too dissimilar to existing neighbouring occupants.

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

65. The area is predominantly in residential use. As such the proposal is not considered to be more sensitive to these uses than other surrounding residential dwellings and will not suffer any loss of amenity from noise or general disturbance.

Quality of accommodation

66. Saved policy 4.2 requires new residential developments to provide a good standard of accommodation.
67. The details of the proposed schedule of accommodation are shown below:

	Total internal floor area	Bed 1	Bed 2 (master)	Bed 3	Kit/ Dining	Living Room	Study	Terrace	Garden
House 1	150m² (3 b/6p)	11.05 m ²	12.21 m ²	12.0 m ²	26.0 m ²	30.27 m ²	8.04 m ²	15.15 m ²	35.37 m ²
House 2	142m² (3 b/6p)	11.05 m ²	12.21 m ²	12.0 m ²	26.0 m ²	30.27 m ²	8.04 m ²	15.15 m ²	27.16 m ²

68. The floor areas of the proposed residential units are shown above. The proposed units have floor areas above the minimum set out in the Residential Design Standards (RDS) for both three bedroom and four bedroom properties split over three floors and the new national standards. All of the rooms have room sizes above the minimum room sizes.
69. Both of the units are shown to be dual aspect and would have access to appropriate levels of sunlight, daylight and outlook. There are no facing habitable room windows so each of the units will have acceptable levels of privacy. The internal floor heights for the proposed units are above 2.3m. This is considered to be generous provision and will help create a high quality of accommodation for prospective residents

Transport issues

70. Saved Policy 5.2 seeks to ensure new development would not have a significant transport impact and makes adequate provision for servicing, circulation and access to and from the site.
71. The application site is not within a controlled parking zone. The proposed development would have off-street parking for each proposed unit. Whilst it is noted that the proposal would result in some loss of garage parking for the dwelling at no.60 Dulwich Village, officers are satisfied that given the context of the area, as described, that this should not result in undue parking stress on neighbouring roads such as to warrant refusal. Therefore it is not considered that the residential units would have an adverse impact upon parking in the local area as the proposal accords with the Council's policies which set maximum and not minimum standards.
72. Cycle parking
The proposed site plan (DV-PL-GA-03) indicates that 4 cycle parking spaces would be provided to the front of the development site. This level of provision would meet

the London Plan cycle parking standards and would be supported.

73. Refuse storage

The refuse stores for both houses are located within close proximity to the front doors of the dwellings and would provide 1 x 240 litre wheeled bin for mixed dry recycling and 1 x 240 litre wheeled bin for refuse per dwelling. This is in line with the council's waste management requirements and as such is considered acceptable.

74. Crossover / vehicular access

The proposed houses would have their access driveway via Boxall Road at 3.2 metres wide and include drop kerbs. Both drives will have parking for only one vehicle and would have ample space to manoeuvre to and from the site.

75. All of the above issues are therefore considered to be satisfactory in transport terms and in accordance with the relevant Development Plan policies set out above.

Design issues

76. Saved Policy 3.11 states that all developments should maximise the efficient use of land, whilst, amongst other things, ensuring a satisfactory standard or amenity for future occupiers and not unreasonably compromising the development potential of neighbouring sites. It goes on to state that the LPA will not grant permission for development that is considered to be an unjustified underdevelopment or overdevelopment of a site.

77. The NPPF stresses the importance of good design and states in paragraph 56 that: *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."*

78. Policy SP12 of the Core strategy states that *"Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in."*

79. Saved Policy 3.13 of the Southwark Local Plan asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.

Local context

80. The local area is predominantly residential as noted in the Conservation Area Appraisal. The housing stock is made up predominantly of large Victorian, Edwardian and early 20th century terraced and semi-detached houses of various designs. There are some newer properties which have been inserted into this setting, such as the 1980s built property at the rear of No. 62, and the post-war property to the north west of the site.

81. The houses along Boxall Road are generally of two storeys in height with a mixture of terraced houses opposite and more idiosyncratic individual properties on the northern side of the road.

82. The application is for two x three bedroom (plus study) semi-detached houses of contemporary design to be built in the rear garden of number 60 Dulwich Village accessed off Boxall Road. This will reduce the size of the rear garden of No. 60 Dulwich Village, although as set out below in the consideration of the heritage impacts of the scheme, this reduction in the current garden size of No. 60 is not considered to harm its setting, and indeed a deeper rear garden will be retained than

is the case at No. 62 Dulwich Village.

Site layout and design

83. The houses will be 2 storeys above ground level with south west facing windows on the front elevation and a full basement. The basement is lit with large northeast facing windows on the rear elevation which would allow natural sunlight and daylight into the main living spaces. The top part of the double height space at ground floor level will have side windows to further allow daylight into the main living spaces at both ground and basement floor levels.
84. The houses each provide access to private rear and front gardens. The front gardens allow for one parking space per house in order to leave sufficient green and soft landscape for planted gardens and trees.
85. While the design approach is quite different from the large Victorian, Edwardian and early 20th Century semi-detached houses within the area, as the site is a backland development where there is no consistent design or form to the buildings on this side of Boxall Road it would not appear visually discordant with the surrounding area and the proposal has taken into account the overall proportions or neighbouring properties in term of their height and design.
86. Concerns have been raised by a neighbouring resident that the development will result in overdevelopment and that the design of the buildings would result in loss of privacy and overlooking of neighbouring properties and should be refused.
87. Subsequent to the concerns, the applicant has submitted a revision to the scheme. Given consideration to the revisions the height, scale and massing, and the separation between neighbouring buildings, it is not considered that development would result in overdevelopment of the site and any overlooking that would occur would be limited and would not be sufficient grounds for refusing planning permission. Furthermore, the proposed development would equate to 349.85 habitable rooms per hectare and would therefore comply with policy in terms of density

Materials

88. The materials proposed for this development would be acceptable and would consist of London Stock brick walls up to first floor level and Sandfaced red tiled/brick to the first floor and a green roof. The aluminium windows are clearly a contemporary feature as is the timber cladding, however it is considered that these materials support the modern design approach and are acceptable in this location.
89. Overall it is considered that the proposal would achieve a good level of external design that strikes an appropriate balance with the character of surrounding development whilst offering a successful and contemporary addition to the immediate streetscene.

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

90. Saved Policy 3.16 'Conservation areas' asserts that within conservation areas, development should preserve or enhance the character or appearance of the area. Saved Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites', states that Permission will not be granted for developments that would not preserve or enhance:
 - i. The immediate or wider setting of a listed building; or
 - ii. An important view(s) of a listed building; or

iii. The setting of the conservation area.

91. Paragraph 126 of the NPPF requires that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment.
92. Paragraph 128 requires that 'local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'.
93. Paragraph 131 requires that 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets'.
94. Paragraph 132 to goes onto advises that '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 As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.
95. NPPF sets out the presumption in favour of the conservation of designated assets and the aims of the policies within the NPPF are to conserve these assets, for the benefit of future generations. Any harmful impact on the significance of the designated asset needs to be justified on the ground set out in paragraph 133 (substantial harm or total loss) or paragraph 134 (less than substantial harm).
96. The significance of the listed buildings at Nos. 60 and 62 Dulwich Village are considered to be primarily the houses themselves, as explained in the listing description. The front gardens are more important to the setting of the properties than the rear given the greater importance of the views of the front of the houses with their large bay windows. The rear garden at No. 60 is longer and not of the same importance to the setting of the house as the front garden. Therefore, as the part of the garden which it is proposed to subdivide to create this development is at the far end of the rear garden and not more adjacent to the main houses at 60 & 62, the significance of this part of the site to the overall setting and importance of the house is considered to be relatively low.
97. Whilst the works proposed would involve the demolition of a dis-used garage within curtilage of a Grade II listed building, this garage is not considered to be of any architectural or historical significance in itself. The demolition of the garage would result in no loss of important historic fabric to the listed building nor is its loss considered to harm the setting of the listed buildings or the character and appearance of this part of the Dulwich Village Conservation Area. The demolition of the existing garage is considered in more detail under listed building consent application 16AP0312, as it is listed as a curtilage structure, which is also on the agenda for the 5th April Plans sub Committee A.
98. In this context the proposed development, with its subservient form and appropriate design, as set out in preceding paragraphs, is not considered to cause harm to the significance of these heritage assets, being the setting of Nos. 60 and 62 and the Dulwich Village Conservation Area. It is considered that the setting of the listed buildings will be preserved through this development and the character and appearance of this part of the conservation area will be preserved or potentially enhanced through creating these well designed new properties which will address Boxall Road appropriately.
99. The proposed development therefore accords with Part 12 'Conserving and Enhancing the Historic Environment' of the NPPF, saved policies 3.16 'Conservation

Areas' and 3.18 'Setting of Listed Buildings' of the Southwark Plan 2007, and strategic policy 12 'Design and Conservation' of the Southwark Core Strategy 2011.

Impact on trees

100. The council's urban forester comments had initially raised concerns with the application as it was thought that two large Ash trees to the front of the new development would be removed, however; this is not the case. Those established trees will be retained but will have suitable trees surgery to allow clearance for vehicles access to and from the new development as well as preserving their health and longevity. As such no concerns are raised in this regards, subject to conditions.
101. However; the applicant has suggested that there would be a loss of a single Mulberry Tree which is in relatively poor condition. The council's urban forester had no objection to the loss of this tree even though it has historical significance with a recumbent growth form which is characteristic of the species.

Landscaping

102. The front and rear gardens will be predominantly lawn to give good large areas of amenity space with access directly off all the living areas of the houses. The areas of lawn to each house will be contained with trees, box hedges and planting beds to give colour and variety.

Archaeology

103. Whilst an archaeological impact assessment has been submitted with the application that notes that there is a low/moderate chance of buried medieval or post medieval material, the Cuming Museum archives previously held the results of archaeological works, of an unknown type, undertaken at either 50 or 60 Dulwich Village in 1968. This work revealed a large volume of post-medieval finds together with some Roman material. It is therefore recommended that a programme of archaeological observation and recording is maintained during groundwork on site. These works should be secured by condition, and a condition requiring the timely submission of an archaeological report is also recommended.

Bat / ecology

104. The ecology survey is acceptable, unless lighting is installed that illuminates the trees no further surveys are required.

Basement impact statement

105. The applicant has provided a London geotechnical report as part of a basement impact assessment statement, including any structural impacts upon neighbouring properties. The report considered the impact as acceptable and would not cause significant impact on neighbouring properties. The council's flood and drainage team reviewed in detail both reports provided by the applicant and are satisfied that the structural impact from the proposed basement is acceptable and can be managed to protect the amenity of neighbouring properties.

Other matters

106. CIL

Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial

consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration; however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.

107. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to £9,073.00 and the Southwark CIL is amount is £49,200.00.

108. Density

Strategic Policy 5 (Providing New Homes) of the Core Strategy locates the site within the Suburban Density Zone which has a density range of 200-350hr/ha.

109. The density of the proposed development would equate to 349.85hr/ha.

Community impact statement

110. The impacts of this application have been assessed as part of the application process with regard to local people in respect of the "protected characteristics", as set out in the Equality Act 2010, the Council's Community Impact Statement and Southwark Council's approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.

111. In assessing this application, the Council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal.

a) The following protected characteristics or groups have been identified as most likely to be affected by this proposal: None

b) The issues relevant to these particular groups are as follows: None

Consultations

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

Consultation replies

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

Human rights implications

114. 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.

115. This application has the legitimate aim of providing two new houses. 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.

Conclusion on planning and other issues

116. The proposed development in terms of design, scale, massing and materials would be suitable for this site within the streetscape. The development will have no significant adverse impacts on the amenity of any adjoining occupiers or the surrounding area and will provide high quality accommodation in the form of two new homes. The proposal provides appropriate parking for vehicle and cycles within the site and is acceptable in respect of highway safety and amenity.
117. The proposed subdivision of the rear garden and development in the form proposed would not harm the significance of local heritage assets being the setting of the listed buildings at 60 and 62 Dulwich Village and this part of the Dulwich Village Conservation Area. Furthermore, as set out under listed building consent application 16AP0312, the demolition of the existing detached garage on the site will not result in any significant architectural or historic loss.
118. The proposal will be sympathetically designed in this context and will remain subservient to the listed buildings adjacent. For these reasons the proposals are considered to preserve the setting of the listed buildings and preserve, or indeed enhance, the character and appearance of this part of the conservation area.
119. The scheme complies with the relevant saved policies of The Southwark Plan 2007, The Core Strategy 2011, the Dulwich SPD 2013 and the NPPF 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2597-163A Application file: 15/AP/3761 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 5458 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Anthony Roberts, Graduate Planner	
Version	Final	
Dated	16 March 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		18 March 2018

APPENDIX 1

Consultation undertaken

Site notice date: 04/09/2015

Press notice date: 13/08/2015

Case officer site visit date: 16/09/2015

Neighbour consultation letters sent: 07/09/2015

Internal services consulted:

Building Control
Ecology Officer
Flood and Drainage Team

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

21b Boxall Road London SE21 7JS
21c-21d Boxall Road London SE21 7JS
50 Dulwich Village London SE21 7AJ
15a Boxall Road London SE21 7JS
17a Boxall Road London SE21 7JS
21a Boxall Road London SE21 7JS
62 Dulwich Village London SE21 7AJ
64 Dulwich Village London SE21 7AJ
First Floor Flat 266 Turney Road SE21 7JP
52 Dulwich Village London SE21 7AJ
54 Dulwich Village London SE21 7AJ
60 Dulwich Village London SE21 7AJ
13a Boxall Road London SE21 7JS

11 Boxall Road London SE21 7JS
13 Boxall Road London SE21 7JS
15 Boxall Road London SE21 7JS
268 Turney Road London SE21 7JP
27 Boxall Road London SE21 7JS
29 Boxall Road London SE21 7JS
11a Boxall Road London SE21 7JS
17 Boxall Road London SE21 7JS
23 Boxall Road London SE21 7JS
25 Boxall Road London SE21 7JS
266 Turney Road Dulwich SE21 7JP
90 Upland Road East Dulwich SE22 0DE
By Email
89 Woodwarderoad London se228ul

Re-consultation: 16/09/2015

APPENDIX 2

Consultation responses received

Internal services

Flood and Drainage Team

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

Email representation

266 Turney Road Dulwich SE21 7JP

52 Dulwich Village London SE21 7AJ

54 Dulwich Village London SE21 7AJ

64 Dulwich Village London SE21 7AJ

89 Woodwarderod London se228ul

90 Upland Road East Dulwich SE22 0DE