



COMMUNITY COUNCILS
A voice for your community



Dulwich Community Council Agenda Planning Meeting

Date: Tuesday 21st June 2005

Time: 7.00 PM

Place: Christ Church, 263 Barry Road, SE22

1. Introduction and welcome [*Chair*]
2. Apologies
3. Disclosure of Members' interests and dispensations
4. Items of business that the Chair deems urgent
5. Development Control Items

Item 1/1- Full Planning Permission – Sir Ernest Shackleton PH, 122 Bowen Drive, London SE21

Item 1/2 – Full Planning Permission – 115 Alleyn Park SE21

Item 1/3 – Full Planning Permission – Herne Hill School, 127 Herne Hill SE24

Item 1/4 – Full Planning Permission – 47 Wood Vale SE22 (part of rear garden fronting Melford Road)

6. **Closing Comments by the Chair**

ADDITIONAL INFORMATION

Dulwich Community Council Membership

Cllr Toby Eckersley - Chair

Cllr Lewis Robinson - Vice Chair

Cllr David Bradbury

Cllr Norma Gibbes

Cllr Kim Humphreys

Cllr Michelle Pearce

Cllr William Rowe

Cllr Charlie Smith

Cllr Sarah Welfare

Carers' Allowances

If you are a Southwark resident and have paid someone to look after your children, or an elderly dependant or a dependant with disabilities, so that you can attend this meeting, you may claim an allowance from the Council. Please collect a claim form from the clerk at the meeting.

Deputations

For information on deputations please ask the clerk for the relevant hand-out.

Exclusion of Press and Public

The following motion should be moved, seconded and approved if the Community Council wishes to exclude the press and public to deal with reports revealing exempt information.

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in paragraphs 1-15, Access to Information Procedure Rules of the Constitution.”

Transport Assistance for Disabled Members of the Public

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Wheelchair facilities

Wheelchair access to the venue is through the main entrance to Christ Church and there is a disabled toilet at the venue.

For further information, please contact the Dulwich Community Council clerk:

Andrea Allen

Phone: 0207 525 7234

E-mail: andrea.allen@southwark.gov.uk

Council Website: www.southwark.gov.uk

Language Needs

If you want information on the Community Councils translated into your language please telephone 020 7525 57514

To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 752 57514

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Si aad noogu sheegto haddii aad leedahay baahi gaar ama wax gooni kuu ah sida gaadiid, af celiyaha dadka indha la' fadlan tilifooni 020 7525 7514

Somali

如果你需要有關社區委員會的訊息翻譯成中文，請致電提出要求，號碼：020 7525 0640

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Si vous désirez avoir l'information sur les Conseils de la Communauté (Community Councils) traduite en votre langue téléphonez SVP au 020 7525 7514

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Si precisa información sobre los departamentos sociales (Community Councils) traducida a su idioma, por favor llame al número de teléfono 020 7525 7514

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Spanish

Lati bẽre fun itumọ irohin nipa Council agbegbe re (Community Council) ni ede abini rẹ, jọwọ pe telifoonu 020 7525 7514.

Lati jẹ ki a mọ nipa iranlọwọ tabi idi pato, gegẹbi ọkọ (mọto) tabi olutumọ, jọwọ pe telifoonu 020 7525 7514.

Yoruba

Item No.	Classification Open	Date: 31 July 2003	Meeting Name: Dulwich Community Council
Report title:		Development Control	
Ward(s) or groups affected:		College and Village ward in Dulwich Community Council area	
From:		Strategic Director of Regeneration	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The Council's powers to consider planning committee business detailed in Article 8 under Role and Functions of the Committee were agreed by the Constitutional Meeting of the Council on 24th February 2003. This function was delegated to the Planning Committee.

KEY ISSUES FOR CONSIDERATION

5. Members are asked to determine the attached applications in respect of site(s) within the Community Council boundaries.
6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to the Secretary of State for the Environment against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred through employing Counsel to present the Council's case. The employment of Counsel is generally limited to complex inquiries or for very major proposals.

8. The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.
10. All legal/Counsel fees and costs as well as awards of costs against the Council are borne by the Regeneration budget.

EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED

11. **Equal opportunities considerations are contained within each item.**

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Borough Solicitor & Secretary

12. A resolution to grant planning permission shall mean that the Development & Building Control Manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the Committee and issued under the signature of the Development & Building Control Manager shall constitute a planning permission.
13. A resolution to grant planning permission subject to legal agreement shall mean that the Development & Building Control Manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Borough Solicitor and Secretary, and which is satisfactory to the Development & Building Control Manager. Developers meet the Council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Borough Solicitor and Secretary. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 requires the Council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 54A of the Town and Country Planning Act 1990 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently the Southwark Unitary Development Plan adopted by the Council in July 1995.
15. Section 106 of the Town and Country Planning Act 1990 introduced the concept of planning obligations. Planning obligations may take the form of

planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:

1. restrict the development or use of the land;
2. require operations or activities to be carried out in, on, under or over the land;
3. require the land to be used in any specified way; or
4. require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.

16. Government policy on planning obligations is contained in the Department of the Environment's circular 1/97. Provisions of legal agreements must fairly and reasonably relate to the provisions of the Development Plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties, can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement Members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda 29 th May 2002	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	Beverley Olamijulo 020 7525 7222
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case Officer as listed or John East 020 7525 5437

APPENDIX 1

Audit Trail

<u>Lead Officer</u>	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Glen Egan, Acting Head of Legal Beverley Olamijulo, Constitutional Support Officer (Executive)	
Version	Final	
Dated	11/02/03	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBERS		
Glen Egan Acting Head of Legal	No	Yes
Paul Evans Strategic	No	No
Director of Regeneration		
John East Development & Building Control Manager	No	Yes

ITEMS ON AGENDA OF THE DULWICH CC
on Tuesday 21 June 2005

Appl. Full Planning Permission
Sit Sir Ernest Shackleton PH, 122 Bowen Drive SE21

Reg. 05-AP-0605
TP TP/2805-122
Ward Colleage
Office Holly Foster
Item 1/1

Recommen GRANT
Propos
Demolition of public house and erection of a three storey building to provide 10 flats together with 7 car parking spaces cycle

Appl. Full Planning Permission
Sit 115 Alleyn Park SE21

Reg. 05-AP-0358
TP TP/2549-115
Ward Colleage
Office Karli Flood
Item 1/2

Recommen GRANT
Propos
Erection of a two storey rear extension, single storey extensions to the side and front, and a loft conversion with dormer

Appl. Full Planning Permission
Sit Herne Hill School, 127 Herne Hill SE24.

Reg. 05-AP-0091
TP TP/2545-G
Ward Village
Office Andre Verster
Item 1/3

Recommen GRANT
Propos
Erection of two storey rear extension to existing school building [The Mulberry Building] to provide additional nursery

Appl. Full Planning Permission
Sit 47 Wood Vale SE22 (part of rear garden fronting Melford Road)

Reg. 05-AP-0455
TP TP/2565-A
Ward Colleage
Office Simon Taylor
Item 1/4

Recommen GRANT
Propos
Demolition of existing pre-fab garage and construction of two single family dwelling houses on ground first and second floors

MAP 1

Item No. 1	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 21.6.05
From DEVELOPMENT & BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-0605) Demolition of public house and erection of a three storey building to provide 10 flats together with 7 car parking spaces, cycle parking, garden areas and landscaping.		Address Sir Ernest Shackleton PH, 122 Bowen Drive SE21 Ward College	

PURPOSE

- 1 To consider the above application, which is for Committee consideration due to the number of objections received.

RECOMMENDATION

Grant Planning Permission

BACKGROUND

The application site is a two storey detached building currently used as a public house. The surrounding area is made up primarily of residential properties. The site borders the rear gardens of properties on Little Bornes directly to the west, and the nearest house is approximately 19m away from the main part of the existing building. The neighbouring properties to the north and south are also residential and the buildings directly adjacent are three and four storey Council owned flats. The area is not designated for any particular use within the adopted or emerging UDP. The site does not fall within a Conservation Area nor is the building listed. The site is defined as a 'Suburban Zone' in terms of density calculation.

History

1962- Planning Permission granted for the erection of a public house with living accommodation;

1981- Advertisement consent refused for a double sided internally illuminated roundel sign 700mm in diameter to be fixed above the existing illuminated pictorial sign;

1982- Planning permission granted for the installation of three new windows in the front elevation;

2004- Application for 'Demolition of public house and erection of a three storey building to provide 11, two bedroom flats together with surface car parking of 8 car parking spaces with access through the building, together with associated gardens and landscaping' was withdrawn by the agent by letter dated 27th January 2005 due to the fact that the application was being recommended for refusal.

Having met with the architect and a member of the Conservation and Design Team, the application was amended in light of the Council's concerns.

Consent is now sought for the demolition of the public house and the erection of a new three storey flat roof building to provide 10 two bedroom flats, 7 car parking spaces to the rear of the site, which will be accessed through the building. Eleven cycle storage spaces will be provided, which will be secured within the development, along with refuse storage on the ground floor. One disabled flat has been provided on the ground floor along with one disabled car parking space. The three ground floor flats will each have its own garden and there will be a communal garden located to the rear of the site for all other flats. The building will incorporate an access through the building which will be gated by a remote controlled electric powered zinc coated security gate.

FACTORS FOR CONSIDERATION

Main Issues

The main issues in this case are the principle of residential use in this location, the appearance of the new building, the loss of the public house, the impact upon the amenity of neighbouring properties, the standard of accommodation proposed and any transport impacts the scheme may have.

Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

E.1.1 Safety and Security in the Environment- complies- the proposed electric gates and high fencing will prevent the unlikely event of the access through the building- a point raised by objectors to the previous scheme

being used as a thoroughfare

E.2.3 Aesthetic Control- complies

E.2.4 Access and Facilities for People with Disabilities- complies- provides disabled accommodation

E.3.1 Protection of Amenity- complies

H.1.3 New Housing- complies

H.1.5 Dwelling Mix of New Housing- complies- provides majority of two bedroom accommodation

H.1.7 Density of new Residential Development- does not comply

H.1.8 Standards for New Housing- complies- provides satisfactory standard of accommodation for future occupiers

T.1.2 Location of Development in Relation to Transport Network- complies

T.1.3 Design of Development and Conformity with Council Standards-

complies

T.6.3 Parking Space in New Development- complies

Standards, Control and Guidelines for Residential Development SPG- complies- provides satisfactory standard of accommodation for future occupiers

The Southwark Plan [Revised Draft] February 2005

1.11 Protecting the Range of Services Available- partly complies- new use would not have adverse impact on neighbours amenity; use that will be lost is not the only one of its kind within a 600m radius. However applicant has not provided information that pub has been vacant for 12 months or not made a profit over a two year period.

3.2 Protection of Amenity- complies

3.10 Efficient Use of Land- complies- meets required criteria

3.11 Quality in Design- complies

3.13 Urban Design- complies

3.14 Designing Out Crime- complies- the proposed electric gates and high fencing will prevent the unlikely event of the access through the building being used as a thoroughfare- a point raised by objectors to the previous scheme

4.1 Density of Residential Development- does not comply

4.2 Quality of Residential Accommodation- complies- provides satisfactory standard of accommodation for future occupiers

4.3 Mix of Dwellings- complies- provides majority of two bedroom accommodation

5.2 Transport Impacts- complies

5.6 Car Parking- complies

Access and Facilities for Peoples with Disabilities SPG- complies- provides disabled accommodation

Residential Design Standards SPG- complies- provides satisfactory standard of accommodation for future occupiers

Consultations

Site Notice: posted 12/05/05
expires

19/05/05

Consultees: sent 28/04/05
expire 19/05/05

Press Notice: 28/04/05

02/06/05

Conservation and Design

Traffic Group

Archeology Officer

Access Officer

6, 8, 10, 12, (Units 1-4), 12-14, 16, 18, 20, 22, 24, 26, 28, 30, Little Bornes, SE21 8SE

106, 108, 110, 112, 114, 116, 118, 120 Bowen Drive, SE21 8PG

122, 124, 126, 128, 130, 132, 134, 136, 138 Bowen Drive, SE21 8PL

Flats 1-12 Holberry House, Kingswood Estate SE21 8PJ

Flats 13-28 Holberry House, Kingswood Estate SE21 8QH

Flats 1-28 Kinsey House, Kingswood Estate, SE21 8PH

Kingswood Youth Project, Kingswood Estate, SE21 8PH
Kingswood Estate Sub Estate, Kingswood Estate, SE21 8PH

Replies from:

Traffic group (03/05/05)

- No objection on highway and traffic grounds.

Archeology Officer (06/05/05)

- This area does not lie in an archeology Priority Zone nor an area of archeological potential;
- No objections and no requirement to attach conditions to any consent granted.

Conservation and Design (03/05/05)

- This is a resubmission of a previous application, following comments from the design and conservation team regarding the following:
- Second floor set back; Materials particularly render and zinc; Roofline and eaves line; Entrance porch/ door/bin store/ vehicular access;
- It is the consideration of this team that the previously raised issues have been adequately addressed and that this application is acceptable in principle;
- Recommend the attaching of a condition requesting further info regarding doors to bin store: recommend zinc treatment?
- With the above in mind recommend for conditional approval.

The Dulwich Society (01/06/05)

- The revised application has done nothing to make the dulwich society change its mind over its objection to the original scheme. Our two concerns remain:
- The deleterious affect of the development on adjoining properties. The current pub is two stories high, as are the adjoining houses, and allowing a three storey development will seriously impact upon the amenity of the houses to the rear;
- The loss of a public house in this location. The Kingswood estate is already short of facilities, as most of the shop units are no longer functioning, and this proposal will make the situation worse as the nearest pubs are some way away;
- The society objects to the proposal but would be prepared to review its position on a two storey development which retained the pub use.

Little Bornes Residents Association (19/05/05)

- Residents object to the proposal in its current form;
- occupational density should be reduced to sustain character of area;
- potential for occupants to use roof will impact on our privacy;
- Building should be in keeping with existing architecture;
- Design of fence is unsustainable;
- Covenants to limit the likelihood of nuisance from use of garden and vehicle disturbance should be a condition;
- Stormwater will be direct towards Little Bornes and whether there will be adequate safeguards to avoid risk of flooding;

- Cause loss of privacy
- It is proposed to secure additional panelling to existing concrete fence on Little Bornes boundary. The fence has been in situ for about 30 years, however in some places it has been removed where it has become unsafe. residents are concerned whether this is a sustainable option and would like assurances that the design would help minimise nuisance;
- Welcome downlights in car park areas and would like clarification that they would not cause nuisance;
- Will ridge line correspond with existing structure? If this is the case it suggests the ridgeline of no's 114-120 and 124-130 Bowen Drive are incorrect on the drawings to the east and west elevations. Our observations suggest that the ridgelines of 114-120 and 124-130 are significantly below that of the existing structure. The plans have reversed this position by putting them substantially above the proposed ridgeline of the new development.

22 Little Bornes (27/05/05)

- Support the application providing that the new building is built on the same footprint and is no taller than the existing building ie no closer to any boundary fence and follows the same ridge height as the adjacent buildings to the left and right;
- Fence height should be increased as the boundary drops around 2 ft between Little Bornes and Bowen Drive. Also the boundary would need reinforcing;
- No car park in the back garden as that would be an extra noise nuisance.

12 Little Bornes (09/05/05) Two letters from this address, one supporting one objecting to proposal.

- Support the application, the reason being is that from time to time there is noise from the customers from the pub and if flats are built, I am sure they would be more suitable to myself and my family.
- Object to application for reasons of height, density, use of balcony, design of fence, covenants to limit likelihood of nuisance from use of garden and car park, water run off causing flooding, roofline to correspond to existing structure.

136 Bowen Drive (17/05/05)

- We would rather have flats there than the noise from the pub.

108 Bowen Drive (16/05/05)

- Am very happy about the application for the demolition of the pub and think that flats would be a good replacement.

25 Kinsey House (10/05/05)

- Support the application.

130 Bowen Drive (11/05/05)

- Fully in favour of the demolition of the pub. I think the time is right for a change.

13 Little Borne's (25/05/05)

- Wish to endorse the objections to this application that you have already received from the Chairman of Little Borne's Residents Association. Although the development would not have a visual impact on me;
- Am particularly concerned about the possibility of water running off toward Little Borne's and causing flooding.

28 Little Borne's (24/05/05)

- All existing buildings in Bowen drive behind numbers 6-44 Little Borne's are 2 storey, although the proposed 3 storey building has a flat roof, any new building should be 2 storey in keeping with existing architecture;
- Density will be increased, cause noise disturbance, especially with regard to use of vehicles in the proposed parking spaces and gardens- would be increased if the flat roof is used for socialising;
- Using rear garden as car parking may cause storm water to run off toward Little Borne's;
- Would like assurance that adequate safeguards will be put into place to avoid the risk of flooding.

6 Little Borne's (01/06/05)

- Over development of site;
- Detrimental to peaceful occupation of 16 to 24 Little Borne's;
- Unsympathetic to its context;
- Out of scale.

26 Little Borne's (23/05/05)

- Height out of keeping;
- Density should be reduced to maintain character of area;
- Traffic problems;
- Roof may be used as balcony which will affect our privacy and outlook;
- Fence is not acceptable;
- Covenence to limit the likelihood of nuisance from occupants use of garden and car park should be a condition;
- Safeguards to avoid risk of flooding;
- Roofline should correspond with the current structure.

124 Bowen Drive (03/06/05)

- The balcony would overlook my property, undermining my privacy and would cause overlooking;
- balcony could cause a nuisance in terms of increased noise and disturbance;
- Will alter character of neighbourhood;
- design does not fit in with the surrounding buildings;
- No similar or comparable buildings in this street and would be out of character;
- The building uses more of the available space than any of the surrounding buildings to excessive efficiency;

- In the context of the smaller and much more discreet neighbouring buildings my concern is that it will have an imposing aggressive appearance and overpowering presence ;
- the building stands a mere three feet away from the fence at the edge of my garden and will considerably overlook it;
- Would be more comfortable with a building that respected the traditional distances between buildings;
- The existing plan will noticeably upset the line, balance and proportions of the existing streetscene.

126 Bowen Drive (08/06/05)

- Design of the building is out of keeping, the estate is currently fairly open with a 'country feel', materials may cause glare from the sun and is out of context with existing area;
- The proposed building has a modern feel, again out of context with surrounding area with most of the residents being elderly;
- High fences and steel doors destroys community atmosphere that is currently existing;
- Internal layout will create noise issues along with the proposed balconies- the whole environment of gardens will change;
- Density is a problem in terms of parking, as very few car parking spaces already available;
- Will scheme prevent mobility bus being able to stop outside, which it currently does;
- Back garden car park is not acceptable- parking is currently at the front of the building. Cars will cause fumes and will be unsightly- out of character;
- The building will jut out and as there is a slight curve to the road I will only be able to see the fence and the building, my outlook is currently open.

PLANNING CONSIDERATIONS

Principle of the Use

It is considered that the principle of the residential use is acceptable and in line with policy 1.11 'Protecting the Range of Services Available', which states that a change from an A use class will only be acceptable where the proposed use would not detrimentally impact upon the amenities of surrounding occupiers and the use that will be lost is not the only one of its kind within a 600m radius and its loss would not harm the vitality and viability of nearby shops or shopping parades. There is another public house within approximately 350m of this site at 255 Gipsy Road.

It is considered, given that the area is made up primarily of residential properties, that a residential use would be acceptable in this location and the actual use would not have a detrimental impact upon the amenity of the area.

Dwelling Mix and Density

The plans illustrate the development will consist of ten two bedroom flats.

Council policy states that the majority of units should have two or more bedrooms and development of 15 or more dwellings should be expected to provide 10% of units with three or more dwellings. Given that this scheme proposes 10 units, the provision of a three bedroom unit is not mandatory and as such the dwelling mix is acceptable.

In terms of density, the site does not comply with council policy. The site is within a suburban zone which requires a density of 200-350 habitable rooms per hectare, and this scheme provides 443 habitable rooms per hectare. This however is a decrease from the previously submitted scheme.

Whilst density is a guideline, in keeping with policy 10.7 of the emerging plan, higher densities will be allowed subject to design and planning criteria being met for the efficient use of land. It is considered that the scheme provides a decent standard of accommodation and outdoor amenity space for future occupiers, it does not have an unduly detrimental impact upon the amenity of surrounding neighbours, and is of a high quality design and form. It therefore meets the criteria contained in policy 3.10 of the emerging plan for making efficient use of urban land and it is reasoned, on balance, that the issue of density would not constitute a reason to refuse this scheme.

Residential Design Standards and Internal Layout

All flats measure over the required floorspace set out in Council policy, and each flat provides some external amenity space, with six flats having private amenity space. The internal layout of each property is acceptable and provides adequate living accommodation for the future occupiers of these flats in terms of light, outlook and ventilation.

As already stated the scheme includes the provision of some private and communal outdoor amenity space. Council policy requires, wherever practicable, 50 square metres per block and 10 square metres per flat. The communal area measures approximately 68 square metres, flat 1's garden area measures approximately 21 square metres, flat 2- 25 square metres, flat 3- 17 square metres. The majority of the top floor flats have approximately 10 square metres of outdoor space in the form of balconies. The only flats not to have private amenity space are the first floor flats, however it is considered that the communal garden space provided is more than adequate for these units.

Amenity and Aesthetics

The contemporary exterior of the building differs significantly from the adjacent buildings. The properties to the north and south are two storey buildings with hipped roofs and the buildings directly opposite are three and four storey council flats. The design of the scheme has generated a number of objections from local residents, stating that it is out of keeping with the existing streetscene. Although this is the case, it is considered that the contemporary design will not have an unduly detrimental impact on the surrounding area, due to the high quality external finishes, and the third storey set back, which

reduces the overall impact of the additional level.

Although the scheme proposes an additional third storey, the overall height of the building does not exceed the height of the neighbouring properties to the north and south numbers 114-120 and 124-130. As such it is considered the height will not have a dominant affect on the street or on the amenity of neighbouring properties.

The pub itself does not have an overly positive contribution to the streetscene and as such its demolition is justifiable. In any case, the building is not listed, or does not lie in a Conservation Area, therefore demolition does not require permission.

Council policy states, in order to prevent problems of overlooking and loss of privacy, there should be a minimum distance of 21 metres between habitable windows. Above ground floor level, this scheme provides a distance of approximately 20.5m to the nearest property to the rear which is number 18 Little Borne, which is considered acceptable in terms of impact upon the amenity of properties on Little Borne's in terms of overlooking and loss of privacy. The scheme also proposes landscaping in the form of trees which will provide screening, which may mitigate any possible overlooking issues.

The set back at third floor level allows for a small roof terrace which provides some private amenity space for the top floor flats. Some of the objections received by the Council refer to this terrace area in terms of loss of privacy and increased nuisance. As already stated there is a considerable distance to the closest property to the rear, and at the front of the building, which will minimise any issues of overlooking and loss of privacy that may be a result of this terrace.

In terms of loss of light, the new building may have some impact on the property that lies directly to the north, number 120 Bowen Drive. However, given the height of the proposed building will be no higher than the neighbouring properties or indeed the existing building, it is considered that any impact in terms of light would not be significantly worse than what is currently experienced.

Scale and Form

The footprint of the proposed building will be larger than the existing public house and the building will take up more of the site, leaving approximately 1m to each boundary with the neighbouring properties to the north and south. However the building still leaves approximately 3.5m to the buildings to the north and south, and as such any impact the new building would have on these properties is minimised.

Traffic Implications

The provision of secured cycle storage and the level of off street parking is acceptable and the provision of one disabled bay is welcomed. A number of

objections have been received in relation to the car parking space to the rear of the site and its impact upon the amenity of neighbouring properties. In order to mitigate any harm on amenity, the parking area and garden area to the rear will be largely screened by 2m high fencing and soft landscaping. It is also considered having the parking area to the front of the building would have had a negative impact upon the visual amenity of the street.

Boundary Treatment and Flooding

A number of objections have been received relating to the boundary treatment, its height and whether it would be sustainable. It is considered that the overall height of the fence is acceptable at 2.4m, given that a fence of up to 2m can be built in this location without the benefit of planning permission, the materials used are also considered acceptable.

The issue of storm water run off and the potential risk of flooding was raised as a concern due to the site being on a slight gradient. This issue has been discussed with the Councils Building Control Department who will be consulting Thames Water and as such this issue will be controlled as part of an application for Building Regulations.

Conclusion

It is considered that the scheme proposes a decent standard of living accommodation along with adequate outdoor amenity space for the enjoyment of future occupiers, along with a high quality design that would have a positive contribution to the streetscene as a whole. As such this application is recommended for approval.

EQUAL OPPORTUNITY IMPLICATIONS

Provides disabled residential and parking accommodation

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

None

LEAD OFFICER	Séamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Holly Foster	[tel. 020 7525 5449]
CASE FILE	TP/2805-122	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Heritage Pub Company Trading Ltd	Reg. Number	05-AP-0605
Application Type	Full Planning Permission		
Recommendation	Grant	Case Number	TP/2805-122

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of public house and erection of a three storey building to provide 10 flats together with 7 car parking spaces, cycle parking, garden areas and landscaping.

At: Sir Ernest Shackleton PH, 122 Bowen Drive SE21

In accordance with application received on 04/04/2005

and Applicant's Drawing Nos. 095/01, 095/02B, 095/03A, 095/04A, 095/05B, 095/06B, 095/07B, 095/08B, 095/09B, 095/10B, 095/11

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 and Policies 3.11 'Quality in Design' and 3.14 'Urban Design' of the Revised Deposit UDP, The Southwark Plan, March 2004.

- 3 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved by

the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy E.1.1: Safety and Security in the Environment of Southwark's Unitary Development Plan.

- 4 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 5 A detailed measured site survey showing the position of the proposed building and site boundaries shall be submitted to and approved by the Local Planning Authority before any works to implement this permission are begun and the development shall not be carried out otherwise than in accordance with the approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the precise siting of the building and its relationship with adjoining buildings in the interest of the amenity of the occupiers of those buildings in accordance with Policy E.3.1 Protection of Amenity of the Southwark Unitary Development Plan.

- 6 Details of any external lighting [including design, power and position of luminaires] and security surveillance equipment of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting or security equipment is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with Policies E.1.1 'Safety and Security in the Environment' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 7 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies C.1.3 'Retention of Community Facilities and Public Buildings', E.1.1 'Safety and Security in the Environment', E.2.3 'Aesthetic Control', E.2.4 'Access and Facilities for People with Disabilities', E.3.1 'Protection of Amenity', H.1.3 'New Housing', H.1.5 'Dwelling Mix of New Housing', H.1.7 'Density of new Residential Development', H.1.8 'Standards for New Housing', T.1.2 'Location of Development in Relation to Transport Network', T.1.3 'Design of Development and Conformity with Council Standards', T.6.3 'Parking Space in New Development' and 'Standards, Control and Guidelines for Residential Development' SPG of the Southwark Unitary Development Plan 1995
- b] Policies 1.11 'Protecting the Range of Services Available', 3.2 'Protection of Amenity', 3.11 'Quality in Design', 3.13 'Urban Design', 3.14 'Designing Out Crime', 4.1 'Density of Residential Development', 4.2 'Quality of Residential Accommodation', 4.3 'Mix of Dwellings', 5.2 'Transport Impacts', 5.6 'Car Parking', 'Access and Facilities for Peoples with Disabilities' SPG and 'Residential Design Standards' SPG of The Southwark Plan [Revised Draft] February 2005.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

MAP 2

Item No.	Classification	Decision Level	Date
2	OPEN	Dulwich Community Council	25/04/2005
From Interim Development and Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-0358) Erection of a two storey rear extension, single storey extensions to the side and front, and a loft conversion with dormer window to rear and rooflights to side roof slopes, to provide additional accommodation to existing dwelling house		Address 115 Alleyn Park SE21 Ward College	

1 PURPOSE

- 1.1 To consider the above application. This is presented for determination by the Dulwich Community Council due to the number of objections received.

2 RECOMMENDATION

- 2.1 Grant Planning Permission.

3 BACKGROUND

- 3.1 The application site is a large detached, family dwelling house located in close proximity to West Dulwich Station and Dulwich College. The site has a large rear garden. The general area is largely characterised by detached, residential dwellings.

- 3.2 The site is not within a conservation area and the house is not a listed building.

- 3.3 There have been three applications for single and double storey rear extensions in recent years, the most recent application was approved in 2003 and allowed the erection of a part single, part two storey rear extension with an additional storey on the existing single storey garage and some roof lights. None of the extensions have been implemented and the earliest application
- 3.4 was withdrawn.

- 3.5 No. 117 has permission for single storey extensions and a first floor extension, one of the single storey extensions and the first floor extension appear to have been implemented.

The proposal refers to a two storey rear extension, single storey extensions to the side and front, a loft conversion with dormer window to rear and rooflights to the side roof slopes, to provide additional accommodation to the existing dwelling house. The proposal is slightly different to the already approved extensions.

4 FACTORS FOR CONSIDERATION

4.1 Main Issues

The main issues in this case are the impact of the proposal upon the character and the appearance of the dwelling house and the affect the extension will have on the amenity of surrounding properties.

4.2 Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

E.2.3 'Aesthetic Control' - Complies

E.3.1 'Protection of Amenity' - Complies

T.6.3 'Parking Space in New Developments' - Complies

SPG Standards, Controls and Guidelines for Residential Amenity - Complies.

The proposed rear extension would project greater than 3 metres from the rear wall of adjoining buildings. The rear first floor extension would also be extended by a further 2.4m at the rear. Given that the properties within this area are large and the houses are all detached, it is considered that in this case the size of the extension at the rear is acceptable and will not significantly impact upon the amenity of adjoining properties in relation to overshadowing, overlooking or visual bulk and mass.

The Southwark Plan [Revised Draft] February 2005

3.2 'Protection of Amenity' - Complies

3.11 'Quality in Design' - Complies

4.3 Consultations

Site Notice: 18/03/05

Press Notice: N/A

Consultees:

The application was internally referred to the Conservation Department for comment.

Letters were sent to the following addresses on 21/03/05:

111, 113, 115, 117, 119 Alleyn Park SE21 8AA.

Replies from:

The Conservation Department did not raise any concerns in relation to the proposal. The comments are as follows:

"Rear Extensions

The bulk of the new addition is confined to the rear of this building at ground floor level. The long horizontal run of this element is broken by the strong vertical lines of the hardwood sliding and folding glazed door system. Given the lightweight nature of the materials proposed and their relationship with the rest of the building this aspect of the proposal is accepted.

The provision of a rear addition at first floor level is less obtrusive in terms of the increase in footprint proposed. Careful consideration has been given to the detailed design which is sympathetic to and in keeping with the character of this building. I would suggest the facing brick should be sourced to match the existing.

Side Extension

The provision of a new roof above the garage to accommodate additional space is accepted. The design approach is subtle and in keeping with the stepped pitched roofs of the original building.

I have no objection to the provision of a new entrance porch.

With the above in mind, recommend that conditional permission is granted.

Recommended conditions

- (1) *All new facing brick and roof tiles shall match the colour and finish of the originals adjoining.*

Reason

In order that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' and E.4.3 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design', 3.13 'Urban Design' and 3.15 'Conservation of the Historic Environment' of the Southwark Plan (Revised Deposit Unitary Development Plan) February 2005".

Mr and Mrs D.L Harris of 117 Alleyn Park (objectors) made the following objections:

- 1. The proposed extension is disproportionately large and too high in relation to the size of the house.*
- 2. It will dominate the skyline and spoil our general views from all levels.*

3. *It will adversely affect the light to our rear terrace.*
4. *It will adversely affect the uses, pleasure and amenity benefit of our rear terrace.*
5. *The extension will be incongruous given the disproportionate ratio of additional accommodation to the existing accommodation.*

K.A Jeffries of 119 Alleyn Park (objectors) made the following objections:

This building will be out of balance with nearby buildings which will reduce value of property and obstruct lighting in adjoining buildings.

Jacqueline Wills of 113 Alleyn Park (objector) made the following objections:

I strongly object to the proposed alterations for the following reasons:

- *The proposed new side elevations would mean that there would be views directly into our upstairs bedroom and bathroom, and downstairs bedroom, which is unacceptable.*
- *Our views would be completely spoilt.*
- *The extension is oversized in relation to the existing house.*
- *There would be a loss of light to our property, especially downstairs.*

5 PLANNING CONSIDERATIONS

5.1 It is considered that the proposed extensions are reasonable and should not have a detrimental impact on surrounding properties in relation to overlooking, overshadowing and visual bulk. This is mainly due to the surrounding houses being well separated from the application site and when considering this factor, the extensions should not over dominate the dwelling or the site.

5.2 It is proposed to extend a wall at ground floor level along the south property boundary (TV room and part of the garage). It is considered that the length of this wall would be minimal and as No. 113 is setback from the common property boundary and the only window that would have an outlook to this wall would be a bathroom window, the extension should not have a detrimental impact on No. 113.

5.3 The proposed extension would result in an internal alteration of the dwelling at all levels. These changes will not compromise the internal arrangement as all new and altered rooms would be provided with windows and/or roof lights that would enable good solar access.

5.4 Due to the large size of the existing garden area, the remaining garden would not be significantly reduced as a result of the extension.

5.5 The external materials are proposed to match the existing dwelling and therefore are seen as appropriate and in keeping with the existing neighbourhood character, as are the proposed pitched roofs that will be used for each extension. The roof extension would remain within the existing roof

line of the building, with the exception of a rear dormer window that will not impact on adjoining properties' amenity in terms of overlooking.

5.6

The proposed garage extension will meet the minimum parking dimensions, will not be out of character with the existing Alleyn Park streetscape and will improve the existing car parking situation on the site. The other extensions will not be visible from the street.

5.7

It should be noted that the Conservation Department stated in their comments that the application site was located within the Dulwich Village Conservation Area, however, the site in fact lies just outside this conservation area. Therefore, any reference to conservation areas have been omitted from the

5.8

recommendation.

In relation to the objectors concerns, as already stated above, it is not considered that the proposed extensions are disproportionately large given the overall scale of existing houses and properties in the area. Due to the separation present between dwellings, it is considered that the adjoining properties should not suffer from unreasonable levels of visual bulk and mass

5.9

or overlooking and the adjoining property to the north will not be significantly overshadowed by the proposal.

On balance the application is considered reasonable and warrants a recommendation to grant planning permission.

6 **EQUAL OPPORTUNITY IMPLICATIONS**

None

7 **LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS**

None

LEAD OFFICER	Séamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Karli Flood	Planning Officer [tel. 020 7525 1137]
CASE FILE	TP/2549-115	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr & Mrs A. Patel	Reg. Number	05-AP-0358
Application Type	Full Planning Permission		
Recommendation	Grant	Case Number	TP/2549-115

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a two storey rear extension, single storey extensions to the side and front, and a loft conversion with dormer window to rear and rooflights to side roof slopes, to provide additional accommodation to existing dwelling house

At: 115 Alleyn Park SE21

In accordance with application received on 28/02/2005

and Applicant's Drawing Nos. 439/1/01, 439/1/03B & 439/1/09

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 All new facing brick and roof tiles shall match the colour and finish of the originals adjoining.

Reason

In order that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan (Revised Deposit Unitary Development Plan) February 2005.

Reasons for granting planning permission.

This planning application was considered with regard to various policies

including, but not exclusively:

- a] Policies 2.3 'Aesthetic Control', 3.1 'Protection of Amenity' and T.6.3 'Parking Space in New Developments' of the Southwark Unitary Development Plan 1995
- b] Policies 3.2 'Protection of Amenity' and 3.11 'Quality in Design' of The Southwark Plan [Revised Draft] February 2005.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

MAP 3

Item Number	Classification	Decision Level	Date
3	OPEN	COMMUNITY COUNCIL	21/6/05
From Interim Development and Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-0091) Erection of two storey rear extension to existing school building [The Mulberry Building] to provide additional nursery classroom and additional storage area.		Address Herne Hill School, 127 Herne Hill SE24. Ward Village	

PURPOSE

- 1 To consider the above application. It requires a decision from the Community Council due to the number of objections raised.

RECOMMENDATION

- 2 Grant planning permission.

BACKGROUND

- 3 The application site comprises a 2-storey building (Mulberry Building) in use as a day nursery located within the curtilage of a grade II listed building (The Vicarage). St. Paul's Church, also a listed building, is located directly to the north and the character of the immediate vicinity is predominantly residential. There is a public children's play area to the south of the application site.
- 4 The proposed 2-storey rear extension would comprise one additional classroom on the first floor and the existing rooms on the ground floor would be re-configured. Internal alterations forming a new stairway to a useable storage area in the roof (second floor) is also proposed.
- 5 The proposed 2-storey rear extension would be stepped and would have a maximum depth of 6.6 metres, 7.7 meters wide and the roof would be no higher than the existing roof. The slates to the new pitched roof would match those of the existing roof and matching yellow brickwork and red brick soldiers are proposed. New window openings on the ground and first floors of the west and east elevations respectively is also proposed.
- 6 It is not proposed to increase the number of pupils of the day nursery, currently

250, above the maximum of 275 pupils, which was granted at the time of the DfES's Register of Independent Schools.

FACTORS FOR CONSIDERATION

Main Issues

- 7 The main issues in this case are the impact of the proposed extension on:
- the character and appearance of the grade II listed building (the Vicarage) and the immediate area;
 - amenity of neighbouring properties;
 - design of the extension;
 - highway and pedestrian safety; and
 - access and facilities for people with disabilities.

Planning Policy

- 8 Southwark Unitary Development Plan 1995 [UDP]:
E.2.3: Aesthetic Control - would comply.
E.2.4: Access and Facilities for People with Disabilities - would comply.
E.3.1: Protection of Amenity - would comply.
E.4.6: Proposals Affecting Listed Buildings - would comply.
C.1.2: Nurseries and Creches in Residential Areas - would comply.
C.5.2: Protection of Play Spaces and Facilities for Children - would comply.
- 9 Supplementary Planning Guidance
No.1: Design and Layout of Development - would comply.
No.4: Access and facilities for people with disabilities and people with mobility difficulties - would comply.
- 10 The Southwark Plan [Revised Draft] February 2005
3.2: Protection of Amenity - would comply.
3.10: Efficient Use Of Land - would comply.
3.11: Quality in Design - would comply.
3.13: Urban Design - would comply.
3.18: Setting of Listed Buildings, Conservation Areas and World Heritage Sites - would comply.

Consultations

- 11 Site Notice: 21 March 2005 Press Notice: 24 March 2005
- 12 Consultees: Conservation, Traffic and London Borough of Lambeth. Nos. 119-127 (odds only) Herne Hill, SE24 and Flats 1-24 (consecutive) Denesmead, SE24, 10-28 (evens only) Ruskin Walk and 31 Carver Road.

Replies from:

- 13 Twenty two letters of objection have been received from 1, 11, 13, 14, 18, 19, 21, 23 Denesmead, 9, 10, 11, 13, 14, 15, 16, 22 Pynnersmead, 10, 12, 18 and

28 Ruskin Walk and 121, 125 Herne Hill raising the following concerns:

Design:

- 14
- Overdevelopment of a small site;
 - Unacceptable changes to the features of the property.

Amenity:

- 15
- Visually intrusive;
 - Loss of privacy to neighbouring properties;
 - Loss of light;
 - Potentially more noise on the site associated with other proposed activities and increased children;
 - Detrimental to children play area on adjacent site.

Traffic:

- 16
- Parking and access problems;
 - Disruption to Denesmead due to construction traffic.

Trees:

- 17
- Loss of 3 trees.

Other:

- 18
- Additional pressure on infrastructure, i.e. sewers etc.;
 - Noise, dust and dirt throughout the building process;
 - No fire engine access to the site.

19 Two letters of support has been received from 16 and 43 Ruskin Walk.

PLANNING CONSIDERATIONS

Design

20 The proposed 2-storey rear extension within the curtilage of the Vicarage, which is a grade II listed building, would not affect the setting of this listed building. The proposed development would be in keeping with the design of the newer Mulberry building, thereby respecting the existing architectural and historic references of the listed building.

21 The height, scale and massing of the proposed 2-storey rear extension would be appropriate to the local context and would not dominate the existing 2-storey Mulberry building. The proposal would not be overdevelopment of the site as the footprint of the building would only extend 6.6 meters to the rear and a substantial proportion of open space to the rear of the building would be retained.

22 The proposed window openings to the 2-storey rear extension would follow the original pattern on the existing building and would not harm the architectural integrity of the building.

23 Amenity

24 The proposed 2-storey rear extension would not result in nuisance or loss of amenity to adjacent users, residents and occupiers or the surrounding area.

25 Apart from a new window to a new office (on the ground floor) in the west elevation of the existing Mulberry building no openings are proposed in the new 2-storey rear extension on this elevation. It is considered that new aforementioned opening would not result in loss of privacy to residents in Denesmead Court to the west.

26 The proposal would not be visually intrusive and would not result in a loss of light as the closest residential property, Denesmead Court, would be located more than 19 meters to the west.

27 The proposed extension would have no detrimental impact on the children play area to the south of the application site as there would be adequate separation between the two. The proposal would therefore not result in the loss of, or adversely affect the quality, access and safety of this play area.

28 It is unlikely that the proposal would lead to more noise on the site as the current application for a 2-storey rear extension is not associated with other / additional proposed activities on the site. The Mulberry building would be continued to be used as a day nursery, and the maximum number of children is subject to DfES controls. This extension is for improved facilities rather than an increase in capacity.

Transport

29 Although a number of objections have been received regarding parking and traffic problems the proposal does not propose an expansion of the existing day nursery which currently has a capacity of 275 pupils. Therefore it is considered that the proposal would not result in traffic generation and parking that would add to congestion and that would impair pedestrian or road safety, over and above existing conditions. Furthermore, the current servicing, circulation and access to and from the site would not be altered.

Other

Neighbouring properties raised concerns about the loss of trees on the site. However, it is not proposed to fell any trees on the site.

EQUAL OPPORTUNITY IMPLICATIONS

30 The proposed development would provide access to the ground floor of the building for people with disabilities and mobility difficulties.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

31 N/a.

LEAD OFFICER Séamus Lalor Interim Development and Building
Control Manager
REPORT AUTHOR Andre Verster [tel. 020 7525 5457]
CASE FILE TP/2545-G
Papers held at: Regeneration Department, Council Offices, Chiltern, Portland
Street SE17 2ES [tel. 020 7525 5402]

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Herne Hill School	Reg. Number	05-AP-0091
Application Type	Full Planning Permission	Case Number	TP/2545-G
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of two storey rear extension to existing school building [The Mulberry Building] to provide additional nursery classroom and ancillary storage accommodation.

At: Herne Hill School, 127 Herne Hill SE24.

In accordance with application received on 21/01/2005

and Applicant's Drawing Nos. 3037-10B, 11A, 12C, 13C, 14A, 15B, 16C, 17 and submitted design statement and traffic assessment.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 The facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan and Policy 3.11 'Quality in Design' of The Southwark Plan [Revised Draft] February 2005).

- 3 Detailed drawings of the two new access ramps on the southern elevation (2 copies) to a scale of 1:50 shall be submitted to and approved by the Local

Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the premises shall be accessible to disabled persons and to ensure that the new access ramps blend in with the existing building in the interest of the design and appearance of the building in accordance with Policies E.2.3 'Aesthetic Control' and E.2.4 'Access and Facilities for People with Disabilities' of the Southwark Unitary Development Plan, Policy 3.11 'Quality in Design' of The Southwark Plan [Revised Draft] February 2005) and the Adopted Supplementary Planning Guidance (1997) No.4 'Access and facilities for people with disabilities and people with mobility difficulties'.

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies E.2.3 Aesthetic Control, E.2.4: Access and Facilities for People with Disabilities, E.3.1 Protection of Amenity, E.4.6 Proposals Affecting Listed Buildings, C1.2 'Nurseries and Creches in Residential Areas' and C.5.2 'Protection of Play Spaces and Facilities for Children' of the Southwark Unitary Development Plan 1995 and adopted Supplementary Planning Guidance No.1 'Design and Layout of Development' and No.4: Access and facilities for people with disabilities and people with mobility difficulties.
- b] Policies 3.2 Protection of Amenity, 3.10 'Efficient Use Of Land', 3.11 Quality in Design, 3.13 Urban Design and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites', of the Southwark Plan [Revised Deposit Unitary Development Plan] February 2005.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

MAP 4

Item No. 4	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 21/6/05
From DEVELOPMENT & BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-0455) Demolition of existing pre-fabricated garage and construction of two dwelling houses with associated amenity space		Address 47 Wood Vale SE22 (part of rear garden fronting Melford Road) Ward College	

PURPOSE

1. To consider the above application, which is for Community Council consideration due to the number of objections received.

RECOMMENDATION

2. To grant planning permission.

BACKGROUND

3. The application site comprises part of the rear garden of 47 Wood Vale - a property on the western side of Wood Vale. The rear garden fronts onto Melford Road.
4. 47 Wood Vale is a two-storey detached building in use as five flats, an open area for parking vehicles immediately to the rear of the dwelling, a small garden area, and a single-storey detached garage. To the west of the site is Deans Court, Melford Road - a three storey block of flats.
5. This planning application is seeking planning permission for the demolition of the existing pre-fabricated garage at the rear of 47 Wood Vale, and the erection of two dwelling houses with associated amenity space.
6. This application is further to two others which were submitted in 2004. Application 04-AP-0842 (Demolition of existing garage lock-up and erection of a 3 storey house with parking space) was withdrawn in June 2004. Application 04-AP-1113 (Demolition of existing garage and erection of a three storey dwellinghouse with parking space) was approved at the Dulwich Community

Council on the 21st of December 2004.

FACTORS FOR CONSIDERATION

Main Issues

7. The main issues in this case are the overall design of the development, the proposed accommodation standards, and the impact on the amenity of neighbouring occupiers, and on the character of the area.

Planning Policy

8. Southwark Unitary Development Plan 1995 [UDP]:
 - E.1.1 - Safety and Security in the Environment - Details of a survey and investigation of the soil conditions of the site are required.
 - E.2.1 - Layout and Building Line - Achieved and maintained satisfactorily.
 - E.2.2 - Heights of Buildings - Proposed height of development considered appropriate.
 - E.2.3 - Aesthetic Control - Standard of design achieved satisfactorily.
 - E.2.5 - External Space - Details of landscaping to be provided.
 - E.3.1 - Protection of Amenity - Demonstrates that nuisance or significant loss of amenity to adjacent users would not occur.
 - H.1.3 - New Housing - Considered to be a suitable site for development.
 - H.1.8 - Standards for New Housing - Standards, controls and guidelines achieved.
 - T.1.3 - Design of Development and Conformity with Council Standards and Controls - Standards and controls achieved satisfactorily.
 - Supplementary Planning Guidance Note 1 - Design and layout of development - Satisfactory design and layout of development.
 - Supplementary Planning Guidance Note 5 - Standards, Controls and Guidelines for Residential Development - Standards, controls and guidelines achieved.
9. The Southwark Plan [Revised Draft] February 2005
 - 3.2 - Protection of Amenity - Demonstrates that nuisance or significant loss of amenity to adjacent users and future occupiers would not occur.
 - 3.10 - Efficient Use of Land - Demonstrates that nuisance or significant loss of amenity to adjacent users and future occupiers would not occur. Design would not compromise the local character.
 - 3.11 - Quality in Design - Standard of design achieved satisfactorily.
 - 3.13 - Urban Design - Principles of good urban design achieved.
 - 4.2 - Quality of Residential Accommodation - Would provide a good quality living environment.
 - 5.2 - Transport Impacts - Would not have a material adverse impact on transport network.
 - 5.3 - Walking and Cycling - Cycle parking would be provided.
 - Supplementary Planning Guidance Note 16 - Design - Satisfactory design and layout of development.
 - Supplementary Planning Guidance Note 29 - Residential Design Standards - Standards, controls and guidelines achieved.

Consultations

10. Site Notice: 21/04/2005 Press Notice: N/A
11. Consultees:
Conservation & Design
Environmental Health
Traffic & Transport
Flats 1 to 5 (inclusive), 47 Wood Vale, SE23 3DT
Garden Flat, 47A Wood Vale, SE22
49 & 53 Wood Vale, SE23 3DT
45A & 51 Wood Vale, SE22
Flats 1 to 8 (inclusive), Deans Court, Melford Road, SE22
41A, 41B, 43A, 43B, 45, 48, 48A, 48B, 50, 52, 54, 56 & 58 Melford Road, SE22
- Replies from:**
12. Conservation & Design - The general mass of the building is accepted and the front building line is unchanged from that approved under the previous permission (04-AP-1113). The proposal produces a design solution which is cohesive, whilst remaining distinct. Samples of the main facing materials should be reserved by condition, along with detailed drawings (showing a typical window, external door, balustrading to windows and boundary treatment, in particular the dwarf walls, railings and bike sheds).
13. Environmental Health - No objections. Details of a survey and investigation of the soil conditions of the site are required.
14. Traffic & Transport - It is considered that the surrounding highway network has the ability to sustain parked vehicles that would be connected with the development. The proposed refuse and cycle storage facilities are acceptable as proposed.
15. Flat 3, 47 Wood Vale - The development would a) result in a loss of light; b) increase parking problems, noise and pollution levels in the immediate area; and c) result in overcrowding of the area.
16. 49 Wood Vale - The development would a) result in the loss of trees; b) be located closer to their boundary than shown on the drawings (i.e. claims the submitted proposed plan is inaccurate); c) result in a loss of privacy; d) result in a loss of light; and e) increase parking problems and noise levels in the immediate area.
17. 51 Wood Vale - The development would a) increase parking problems and noise levels in the immediate area; b) result in a loss of privacy; and c) result in the loss of trees.
18. 24 Cottingham Road, Penge - The development would a) result in overcrowding of the area; b) increase parking problems, noise and pollution levels in the immediate area; and c) result in a loss of light.

PLANNING CONSIDERATIONS

Design and Appearance

19. The proposed development would be set forward of the established building line of properties along Melford Road (by approximately 1-2m) but it is not considered that this degree of forward projection would be detrimental to the character of the surrounding area. It must be noted that the proposed projection of the dwelling houses would approximately be the same as the already approved projection (04-AP-1113).
20. It is considered that the scheme represents a satisfactory standard of design. It is recommended that samples of materials (to be used in construction), be submitted and approved prior to construction.
21. There is a variety of buildings in the immediate area, with examples of differing designs, shapes, sizes and orientation. It is therefore considered that the proposed development would not result in a detrimental impact to the character of the streetscene, and would not set an unwelcome precedent.

Standard of Accommodation

22. The minimum requirements for habitable room sizes are satisfied in this application (in accordance with Adopted Supplementary Planning Guidance Note 5 'Standards, Controls and Guidelines for Residential Development', and Draft Supplementary Planning Guidance Note 29 'Residential Design Standards'). Therefore the quality of accommodation provided for future occupiers would be considered acceptable. Whilst the proposed garden sizes would be small in comparison to others in the immediate area, it is considered that the amenity space provided for future occupiers would be adequate.

Amenity Issues

23. The proposed houses would not project beyond the rear of the neighbouring block of flats (Deans Court). This block of flats has blank walls (i.e. no windows in this elevation) facing the application site so there would be no loss of light or outlook to sensitive windows in this building. There would be some overshadowing of the end of the garden of 49 Wood Vale but this would not be significant enough to warrant refusing planning permission.
24. There would be potential for overlooking of the rear of 49 Wood Vale but the windows at second floor level would be obscure glazed, and the windows at first floor level would be at an angle that would ameliorate any concerns of a loss of privacy for the occupiers of 49 Wood Vale. The angled windows at first floor level would overlook the blank side elevation wall at Deans Court, Melford Road, but no direct overlooking of sensitive windows would occur.

Other Issues Raised by Objectors

25. The application form states that the proposed development does not involve the felling of and/or works to trees, however existing trees are not shown on the submitted drawings. These trees are not protected by a preservation order, nor does the application site fall within a conservation area, therefore this is not considered to be a reason for refusing planning permission. However, the plans do show landscaping and planting so a condition should be imposed requiring details of this to be submitted and approved before the development commences.
26. An increase in noise levels has been raised as an issue by some objectors. It is not felt that the noise created either from the construction nor the presence of the dwelling houses on this site would ever be sufficient to justify refusing planning permission.
27. Objections have also been received on parking grounds. It is considered that the lack of any off-street parking spaces, would not result in a noticeable worsening of parking conditions in the surrounding streets. Refuse and cycle storage would be provided.
28. Conclusion
In light of the above it is considered that the proposed development is acceptable. Accordingly, it is recommended that planning permission be granted.

EQUAL OPPORTUNITY IMPLICATIONS

29. The dwelling houses would not be accessible to mobility disabled people due to internal stairs.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

30. Re-use of a brownfield site for much needed housing development.

LEAD OFFICER	Séamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Simon Taylor	Planning Officer [tel. 020 7525 5521]
CASE FILE	TP/2565-A	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr P Patrick	Reg. Number	05-AP-0455
Application Type	Full Planning Permission		
Recommendation	Grant	Case Number	TP/2565-A

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing pre-fab garage and construction of two single family dwelling houses on ground, first and second floors with associated amenity space.

At: 47 Wood Vale SE22 (part of rear garden fronting Melford Road)

In accordance with application received on 11/03/2005

and revisions/amendments received on 04/05/2005

13/05/2005

31/05/2005

and Applicant's Drawing Nos. 05/655/P100 Revision B (received 31/05/05), 05/655/P120 Revision B (received 13/05/05), 05/655/P121 Revision C (received 31/05/05), 05/655/P180 Revision B (received 13/05/05), 05/655/P190 and 05/655/P191 (both received 11/03/05).

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 Samples of the following facing materials (panel mounted) shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

- (i) zinc cladding
- (ii) painted render
- (iii) red/brown facing brick
- (iv) obscure glazing
- (v) window frames

(vi) balustrading to windows

Reason

In order that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 and Policy 3.11 'Quality in Design and Policy 3.13 'Urban Design' of the Southwark Plan [Revised Draft] February 2005.

- 3 Detailed drawings at a scale of 1:10, including sections at a scale of 1:5, showing a typical window, external door and balustrading to windows shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the detailed design in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 and Policy 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan [Revised Draft] February 2005.

- 4 Detailed drawings at a scale of 1:20 showing the boundary treatment, in particular the dwarf walls, railings and bike sheds, shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the detailed design in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 and Policy 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan [Revised Draft] February 2005.

- 5 All windows on the rear and side elevations of the building at second floor level shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 49 Wood Vale and Deans Court, Melford Road from undue overlooking in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan 1995, and Policy 3.2 'Protection of Amenity' of the Southwark Plan [Revised Draft] February 2005.

- 6 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal,

or remove the contaminating substances, shall be submitted to and approved by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy E.1.1 'Safety and Security in the Environment' of the Southwark Unitary Development Plan 1995.

- 7 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

To ensure that landscaping enhances the area and is in keeping with the street scene, in accordance with Policies E.2.3 'Aesthetic Control' and E.2.5 'External Space' of the Southwark Unitary Development Plan 1995, and Policies 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan [Revised Draft] February 2005.

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:

- a) Policies E.1.1 'Safety and Security in the Environment', E.2.1 'Layout and Building Line', E.2.2 'Heights of Buildings', E.2.3 'Aesthetic Control', E.2.5 'External Space', E.3.1 'Protection of Amenity', H.1.3 'New Housing', H.1.8 'Standards for New Housing' and T.1.3 'Design of Development and Conformity with Council Standards and Controls', and Supplementary Planning Guidance Notes 1 'Design and Layout of Development' and 5 'Standards, Controls and Guidelines for Residential Development' of the Southwark Unitary Development Plan 1995.
- b) Policies 3.2 'Protection of *Amenity*', 3.10 'Efficient Use of Land', 3.11 'Quality in Design', 3.13 'Urban Design', 4.2 'Quality of Residential Accommodation', 5.2 'Transport Impacts' and 5.3 'Walking and Cycling', and Supplementary Planning Guidance Notes 16 'Design' and 29 'Residential Design Standards' of the Southwark Plan [Revised Draft] February 2005.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

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NOTE: Original held by Constitutional Support Unit; amendments to Andrea Allen (Tel: 020 7525 7234)

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