

**COMMUNITY COUNCILS**  
A voice for your community



## **Dulwich Community Council Agenda Planning Meeting**

**Date: Thursday 06 September 2007**

**Time: 7.00 PM**

**Place: Dulwich Library, 368 Lordship Lane, London SE22 8NB**

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1. Introduction and welcome [*Chair*]
2. Apologies
3. Disclosure of Members' interests and dispensations
4. Items of business that the Chair deems urgent
5. Minutes of meeting held on Tuesday 17 July 2007  
(see pages 6 – 10)

### **6. Development Control Items:**

Item 6/1 – Recommendation: Grant – 154 Court Lane, London SE21 7EB  
(see pages 16 – 21)

Item 6/2 – Recommendation: Grant – 11 Sydenham Hill, London SE26  
6SH (see pages 22 - 31)

Item 6/3 – Recommendation: Grant – The Plough, 381 Lordship Lane,  
London SE22 8JJ (see pages 32 – 39)

### **7. Closing Comments by the Chair**

## ADDITIONAL INFORMATION

### **Dulwich Community Council Membership**

Cllr Nick Vineall - Chair  
Cllr Michelle Holford - Vice Chair  
Cllr James Barber  
Cllr Toby Eckersley  
Cllr Kim Humphreys  
Cllr Robin Crookshank Hilton  
Cllr Lewis Robinson  
Cllr Jonathan Mitchell  
Cllr Richard Thomas

### **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**

Members of the public with a disability who wish to attend Community Council meetings and who require transport assistance in order to access the meeting, are requested to call the meeting clerk at the number below to give his/her contact and address details. The clerk will arrange for a driver to collect the person and provide return transport after the meeting. There will be no charge to the person collected. Please note that it is necessary to call the clerk as far in advance as possible, at least three working days before the meeting.

### **Wheelchair facilities**

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

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

Beverley Olamijulo

Phone: 0207 525 7234

E-mail: [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)

Council Website: [www.southwark.gov.uk](http://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

আপনি যদি আপনার ভাষায় কমিউনিটি কাউন্সিল সম্বন্ধে তথ্য চান তাহলে অনুগ্রহ করে 020 7525 0640 নম্বরে টেলিফোন করুন

কোন বিশেষ প্রয়োজন সম্বন্ধে যদি আমাদের জানাতে চান যেমন ট্রান্সপোর্ট অথবা সংকেত দ্বারা অনুবাদক/ইন্টারপ্রেটার তাহলে 020 7525 0640 নম্বরে টেলিফোন করুন

## Bengali

Kendi dilinizde Toplum meclisleri hakkında bilgi almak için 020 7525 7514'nolu telefonu arayınız.

Özel gereksinimlerinizi bize bildirmek için 020 7525 7514'nolu telefonu çeviriniz.

## Turkish

Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku

turjuman af Soomaali fadlan tilifoon u dir 020 7525 7514

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

欲想通知我們你有的特別需求或需要，例如接送車輛或手語/傳譯員，請致電通知，號碼：020 7525 0640

## Chinese

Se voce quiser informações nos conselhos comunitários traduzidas em sua língua por favor ligue para 020 7525 7514

Para-nos informar de quaisquer necessidades especiais ou requisitos , tipo transporte,

linguagem dos sinais/ intérprete, por favor ligue para 020 7525 7514.

## Portuguese

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

Pour nous informer de tout besoin ou condition spéciale, telles que le transport ou le signataire / interprète, téléphonez SVP au 020 7525 7514

**French**

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

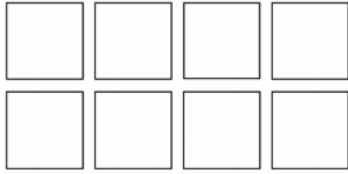
Si tiene necesidades o requisitos específicos, como es transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7514

**Spanish**

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

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

**Yoruba**



**COMMUNITY COUNCILS**  
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## **Dulwich Community Council Planning Meeting**

Minutes of Dulwich Community Council Planning meeting held on Tuesday July 17, 2007 at 7.00pm at Dulwich Library, 368 Lordship Lane, London SE22 8NB

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### **Present**

Councillor Nick Vineall (Chair)

Councillor Michelle Holford (Vice chair)

Councillors, Robin Crookshank Hilton, Jonathan Mitchell, and Richard Thomas.

### **1. Introduction and welcome by the Chair**

Councillor Nick Vineall introduced himself, Members of Dulwich Community Council, officers and welcomed people to the meeting.

### **2. Apologies for absence**

Apologies for absence were received on behalf of Councillors, James Barber, Toby Eckersley, Kim Humphreys and Lewis Robinson.

### **3. Disclosure of Members' interests and dispensations**

Cllr Nick Vineall declared a personal non prejudicial interest in respect of item 6/2, he intends to live within close proximity of the proposed development.

Cllr Michele Holford declared a personal prejudicial interest in respect of item 6/3 as she intends to buy a property on the same road and agreed to withdraw from the meeting for this item.

### **4. Urgent Items**

None were disclosed however the chair agreed to consider an item on cleaner greener safer under any other business.

### **5. Minutes of meeting on Tuesday 12 June 2007**

The Minutes of the planning meeting held on June 12, 2007 were agreed as an accurate record of the proceedings and signed by the chair.

### **Recording of Members' votes**

Council Procedure Rule 1.9 (4) allows a Member to record her/his vote in respect of any Motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Community Council considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

## **6. DEVELOPMENT CONTROL** (see pages 10 – 53)

### **RESOLVED:**

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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 the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

## **6. Development Control Item**

**Item 6/1 – Recommendation: grant – The Moorings, Townley Road, SE22 8SW** (see pages 16 – 23)

**Proposal:** Erection of part single, part 2 storey side extension including alterations to the existing roof structure and rear extension, replacement of boundary wall to front garden area.

The planning officer introduced the report, circulated plans and responded to questions from Members.

Members took into account additional correspondence received from the

applicant a). plans for application submitted, b) appeals scheme, c) current application and letter of support.

Representations were heard from the applicant and supporter for the application.

No objectors were present.

**RESOLVED:** That planning permission be granted.

**Item 6/2 – Recommendation: grant – Kingsdale School, Alleyn Park SE21**  
(see pages 24 – 31)

**Proposal:** Over-clad the existing external spandrel panels on the first and second floors with polished stainless steel panels, replace vertical pressure beads with the same and re-decoration of the ground floor.

The planning officer introduced the report, circulated plans and responded to questions from Members.

Representations were heard from the applicant's agent and deputy head of the School. They explained Alleyn Park residents were consulted and are in favour of the proposed design.

No objectors or supporters were present at the meeting.

**RESOLVED:** That planning permission be granted subject to conditions.

**Item 6/3 – Recommendation: grant – 154 Court Lane, London SE21 7EB**  
(see pages 32 – 37)

*Cllr Holford withdrew from the meeting for this item.*

**Proposal:** Erection of a single storey rear extension to dwelling house, to provide additional residential accommodation.

The planning officer introduced the report, circulated plans and responded to questions from Members.

An objector, accompanied by her architect expressed concerns about there being no consultation and that the scheme had not changed that significantly since its last submission. Also concerns about the height of the rear extension wall.



Representations were heard from the applicant who submitted a letter of support from resident at 152 Court Lane.

The applicant addressed the meeting.

**RESOLVED:** That planning permission be delegated to officers subject to conditions if no more than three objections are received after the consultation expiry date on July 22, 2007.

*The chair agreed to vary the running order of agenda items.*

**Item 6/5 – Recommendation: grant – 22 Underhill Road, London SE22 0AH**  
(see pages 45 – 54)

**Proposal:** Redevelopment of site by the erection of a 4 storey block of 4 flats comprising of 2 x 3 bed and 2 x 2 bed units, including two off-street car parking spaces and refuse facilities to the front and cycle storage to the rear.

The planning officer introduced the report, circulated plans and responded to questions from Members.

Representations were heard from two objectors and the applicant.

**RESOLVED:** That planning permission be granted.

**Item 6/4 – Recommendation: grant – 362 Upland Road, London SE22 0DP**  
(see pages 38 – 44)

**Proposal:** Erection of a building containing 3 residential units at lower ground Ground and first floors comprising 2 x two-bedroom units and 1 x one bedroom unit (adjacent to the side of 360 Upland Road); 2 off street parking spaces and bin and bike store.

The planning officer introduced the report, circulated plans and responded to questions from Members.

The applicant addressed the meeting.

**RESOLVED:** That planning permission be granted subject to conditions.

**ANY OTHER BUSINESS**

Members noted:

1. Cleaner greener safer:  
That available under spends of £13,500 from completed schemes be allocated to Lytcott Grove estate as agreed at DCC on 10 July 2007.
2. TPO report – Alleyn School: Chair to circulate legal advice to DCC members for their views about tree in question and structural report considered at DCC planning meeting on 12 June 2007.  
In addition, refer the matter to officers in legal to ensure advice is accurate and request a supplementary report with the TPO item which should include comments from the Council surveyor concerning the submitted structural report.

The meeting closed at 10.10pm

**CHAIR:**

**DATE:**

<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> 06 Sept 2007	<b>Meeting Name:</b> Dulwich Community Council
<b>Report title:</b>		<b>Development Control</b>	
<b>Ward(s) or groups affected:</b>		All within [Village, College and East Dulwich] Community Council	
<b>From:</b>		Strategic Director of Regeneration and Neighbourhoods	

### 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 business are detailed in Article 8 which describes the Role and Functions of the Planning Committee and Article 10 which describes the Role and Functions of Community Councils. These were agreed by the Constitutional Meeting of the Council on 23 May 2007. The Matters Reserved to the Planning Committee and Community Councils Exercising Planning Functions are described in Part 3F of the Southwark Council Constitution 2007/08. These functions were delegated to the Planning Committee and Community Councils.

### KEY ISSUES FOR CONSIDERATION

5. Members are asked to determine the attached applications in respect of site(s) within the borough.
6. Each of the following items is 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. The draft decision notice will detail the reasons for any approval or refusal.

7. Applicants have the right to appeal to the First Secretary of State 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.
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 and Neighbourhoods budget.

#### **EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED**

11. Equal opportunities considerations are contained within each item.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Strategic Director of Legal and Democratic Services**

12. A resolution to grant planning permission shall mean that the Head of Development Control 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 Head of Development Control shall constitute a planning permission. Any additional conditions required by the Committee will be recorded in the Minutes and the final planning permission issued will reflect the requirements of the Community Council.
13. A resolution to grant planning permission subject to legal agreement shall mean that the Head of Development Control 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 Strategic Director of Legal and Democratic Services, and which is satisfactory to the Head of Development Control. 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 Strategic Director of Legal and Democratic Services. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended 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 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
15. The development plan is the Southwark Plan (UDP) 2007 adopted by the council on July 28 2007 and the London Plan adopted by the Mayor of London in February 2004. The enlarged definition of "development plan" arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) of the Planning and Compulsory Purchase Act 2004).
16. 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.

17. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligations 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 23 May 2007	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	[relevant Community Council officer] 020 7525 ----
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case Officer as listed or Gary Rice 020 7525 5447

### APPENDIX 1 Audit Trail

<b><u>Lead Officer</u></b>	Deborah Collins, Strategic Director of Legal & Democratic Services	
<b>Report Author</b>	Ellen FitzGerald, Principal Planning Lawyer (NZ Qualified) [relevant officer], Constitutional Support Officer	
<b>Version</b>	Final	
<b><u>Dated</u></b>	August 1 2007	
<b><u>Key Decision</u></b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	Comments included
Deborah Collins, Strategic Director of Legal and Democratic Services	Yes	Yes
Paul Evans, Strategic Director of Regeneration and Neighbourhoods	No	No
Gary Rice, Head of Development Control	Yes	Yes

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MUNICIPAL YEAR 2007/08

**COUNCIL: DULWICH COMMUNITY COUNCIL**

**NOTE:** Original held by Constitutional Support Unit; amendments to Beverley Olamijulo (Tel: 020 7525 7234)

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Cllr Michelle Holford (Vice Chair)		GLA Building	
Cllr James Barber		City Hall	
Cllr Toby Eckersley		Queen's Walk	
Cllr Robin Crookshank Hilton		London SE17 2AA	
Cllr Kim Humphreys			
Cllr Jonathan Mitchell		<b><u>TRADE UNIONS</u></b>	
Cllr Lewis Robinson		Euan Cameron, UNISON Southwark Branch	1
Cllr Richard Thomas		Roy Fielding, GMB/APEX	1
		Alan Milne TGWU/ACTS	1
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