

COMMUNITY COUNCILS

A voice for your community



Dulwich Community Council Agenda Planning Meeting

Date: Monday 25 February 2008

Time: 7.00 PM

Place: Christ Church, 263 Barry Road, London SE22

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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 the previous meeting held on 15 January 2008
(see pages 6 – 10)

6. Development Control Items:

Item 6/1 – Recommendation: grant – 171-173 Crystal Palace Road, London, SE22 9EP (see pages 17 – 25)

Item 6/2 – Recommendation: grant – 78 Alleyn Road, London SE21 8AH
(see pages 26 – 33)

Item 6/3 – Recommendation: grant – 182 Overhill Road, London SE22
0PS (see pages 34 – 44)

Item 6/4 – Recommendation: grant – 14 North Cross Road, London SE22
9EU (See pages 45 – 51)

Item 6/5 – Recommendation: refuse – 3B Matham Grove, London SE22
8PN (See pages 52 – 57)

Item 6/6 – Recommendation: grant – 37 & 38 Seeley Drive, London SE21
8QR (See pages 58 – 66)

Item 6/7 – Recommendation: refuse – 21 Lordship Lane, London SE22
8EW (See pages 67 – 74)

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

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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.”

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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 entrance to Dulwich Library and there is a disabled toilet and passenger lift 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
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

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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 hakkønda bilgi almak için 020 7525 7514'nolu telefonu arayønøz.

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

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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 désirer 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

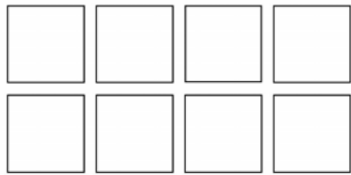
Si tiene necesidades o requisitos específicos, como es transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7514

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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DRAFT COPY

Minutes will be formally agreed at the next meeting if accurate

Dulwich Community Council Planning Meeting

Minutes of Dulwich Community Council Planning meeting held on Tuesday January 15, 2008 at 7.00pm held at Dulwich Library, 368 Lordship Lane, London SE22 8NB

Present

Councillor Nick Vineall (Chair)

Councillors, James Barber, Toby Eckersley, Robin Crookshank Hilton, Kim Humphreys, Lewis Robinson and Richard Thomas.

1. Introduction and welcome by the Chair

Councillor Nick Vineall welcomed those that were present at the meeting.

2. Apologies for absence

Apologies for absence were received on behalf of Cllrs, Jonathan Mitchell and Michelle Holford.

3. Disclosure of Members' interests and dispensations

Cllr Robin Crookshank Hilton declared a non personal prejudicial interest concerning item 6/4, stating that she attended a site meeting with Network Rail.

4. Urgent Items

The chair agreed to accept supplementary agenda item 6/4, North Dulwich Railway Station, Red Post Hill, SE21 7BX as late and urgent.

5. Minutes of meetings on 29 November and 10 December 2007

(see pages 6 – 13)

The minutes of the planning meetings held on 29 November 07 and 10 December 07 were both approved as accurate records of the proceedings subject to a minor amendment to the 10 Dec minutes. Cllr Crookshank Hilton withdrew from the meeting and did not speak on item 6/2, 161 Lordship Lane. The chair signed the minutes.

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 14 – 50)

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 Items:

The chair agreed to consider the planning items in the following order:

Item 6/4 – Recommendation: grant listed building Consent – North Dulwich Railway Station, Red Post Hill, London SE21 7BX
(see pages 40 – 50)

Proposal: Demolition of existing road bridge superstructure and replace with new [precast concrete] superstructure. Removal of parapet between two central pilasters on Red Post Hill over bridge.

The planning officer drew Members attention to the addendum report and additional information comprising of a letter of objection from 48 Red Post Hill and officer comments on the revised plans.

During questions Members asked for clarification on the derogation. The officer explained that Network Rail could seek an exemption so that the parapet detail remains the same and the recess in the brickwork could be increased.

A spokesperson for the objectors - a resident from Red Post Hill Residents' Cttee spoke against the application mainly in terms of the traffic implications.

Members were advised that the application for Listed Building Consent could not take into account traffic issues raised by objectors.

The applicant (from Network Rail) was in attendance to make representations at the meeting. Members questioned the applicant concerning the reasons for the small recess and parapet detail. The applicant explained that this was to prevent people from walking across the parapet.

- RESOLVED:**
1. That listed building consent be granted but requested that additional notes be placed on the decision notice.
 2. The following information was also noted:
 - (i) The applicant should in consultation with the Council's Conservation and Design officer investigate the possibility of carrying out the following additional work;
 - a) painting the heraldic devices on the railway side of the bridge and
 - b) recessing the brick panels on the railway side of the bridge
 - (ii) The applicant is advised that the Council accept the relevant health and safety requirements for the scheme and do not consider it necessary to seek a derogation for any variation to the proposed works.

Item 6/1 – Recommendation: full planning permission – 80, Dulwich Village, London SE21 7AJ (see pages 19 – 24)

Proposal: External alterations to the front and rear of the premises and use as a delicatessen.

Item 6/2 – Recommendation: listed building consent – 80, Dulwich Village, London SE21 7AJ (see pages 25 – 29)

Proposal: Alterations including widening of opening between the front and middle rooms, creation of doorway with rear aspect in middle room, replacing Victorian sash window, replace rotten sash window in top floor room with replica window and additional repairs.

The chair agreed to consider items 6/1 and 6/2 together.

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

There were no objectors present.

The applicant's agent was present and made representations at the meeting.

Concern was raised as to whether the use was strictly A1 if alcohol was served on the premises. Officers advised that if the use operated out of the use class category enforcement action could be pursued.

Item 6/1

RESOLVED: That planning permission be granted.

Item 6/2

RESOLVED: That listed building consent be granted.

Item 6/3 – Recommendation: approve reserve matters – 19, 21 & 23 Sydenham Hill, London SE26 6SH (see pages 30 – 38)

Proposal: Various applications for approval of reserved matters regarding an alternative facing material (Condition 3) refuse storage (Condition 5), means of boundary enclosure (Condition 7), tree protection (Condition 10) and foundation design (Condition 11), following the outline approval for the demolition of existing buildings and construction of a 4 storey block of 14 flats plus basement parking with vehicular access from Sydenham Hill [03-AP-1093].

The planning officer introduced the report, circulated site plans and drew Members attention to the addendum report where paragraph 33 of the report should state, *both materials would be suitable and would not result in a loss of amenity or poor design.*

Cllr Humphreys pointed out that parking occurring near the site was causing problems with access to and from Chestnut Place and provision of double yellow lines could prevent unsafe parking. Officers noted these concerns and agreed to forward those to the Council's highway section. Ward Cllrs advised that they would make representations directly to highways on this matter.

There were no objectors present.

The applicant was present to respond to questions from Members.

RESOLVED: That the Reserve Matters be approved.

The meeting closed at 8.20 pm

CHAIR:

DATE:

Item No. 6	Classification: Open	Date: 25 February 2008	Meeting Name: Dulwich Community Council
Report title:		Development Control	
Ward(s) or groups affected:		All within [Village, College and East Dulwich] Community Council	
From:		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	[Beverley Olamijulo, Community Council officer] 020 7525 7234
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

Lead Officer	Deborah Collins, Strategic Director of Legal & Democratic Services	
Report Author	Ellen FitzGerald, Principal Planning Lawyer (NZ Qualified) [relevant officer], Constitutional Support Officer	
Version	Final	
Dated	February 15 2008	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Deborah Collins, Strategic Director of Legal and Democratic Services	Yes	Yes
Richard Rawes, Interim Strategic Director of Regeneration and Neighbourhoods	No	No
Gary Rice, Head of Development Control	Yes	Yes

ITEMS ON AGENDA OF THE DULWICH CC
on Monday 25 February 2008

Appl. Type Council's Own Development - Reg. 3
Site 171-173 CRYSTAL PALACE ROAD, LONDON, SE22 9EP

Reg. No. 07-CO-0120
TP No. TP/2598-171
Ward East Dulwich
Officer Terence McLellan

Recommendation GRANT

Item 1/1

Proposal

Three new single floor extensions on the west, north and east elevations with a pitched roof to match existing including a new entrance, additional play areas, an office, a staff room and secondary rooms. Interventions in the existing building 8 new rooflights, demolition and new building of some interior walls. All in connection with increased accommodation for existing nursery.

Appl. Type Full Planning Permission
Site 78 ALLEYN ROAD, LONDON, SE21 8AH

Reg. No. 07-AP-2751
TP No. TP/2080-78
Ward College
Officer Rachel Gleave

Recommendation GRANT

Item 1/2

Proposal

Construction of basement, with lightwell to front elevation and associated windows to front and side; rear and side upper ground floor extensions and reconstruction of existing conservatory; and insertion of new rooflights within rear roofslope of main dwelling. All ancillary to the creation of additional residential accommodation.

Appl. Type Full Planning Permission
Site 182 OVERHILL ROAD, LONDON, SE22 0PS

Reg. No. 07-AP-2852
TP No. TP/2555-186
Ward College
Officer Rachel Gleave

Recommendation GRANT

Item 1/3

Proposal

Demolition of existing two storey house and erection of a part three and part four storey building to accommodate 6 no. 2 bed, 1 no. 1 bed and 1 no. 3 bedroom flats on ground, first, second and third floor levels, incorporating 6 car parking spaces, 10 bicycle spaces and associated refuse, recycling storage areas at ground floor below.

Appl. Type Full Planning Permission
Site 14 NORTH CROSS ROAD, LONDON, SE22 9EU

Reg. No. 07-AP-2817
TP No. TP/2630-14
Ward East Dulwich
Officer Terence McLellan

Recommendation GRANT

Item 1/4

Proposal

Alterations during the course of construction to roof form and rooflight at rear of property (amendments to application ref 04-ap-0165),

Appl. Type Full Planning Permission
Site 3B MATHAM GROVE, LONDON SE22 8PN

Reg. No. 07-AP-2570
TP No. TP/2661-3
Ward East Dulwich
Officer Kristy Robinson

Recommendation REFUSE

Item 1/5

Proposal

Loft conversion comprising dormer window extension to rear roofslope and 3 rooflights in front roofslope, to provide additional residential accommodation to top floor flat.

ITEMS ON AGENDA OF THE DULWICH CC

on Monday 25 February 2008

Appl. Type Full Planning Permission
Site 37 & 38 SEELEY DRIVE, LONDON, SE21 8QR

Reg. No. 07-AP-2762
TP No. TP/2807-37
Ward College
Officer Teresa Gizzi

Recommendation GRANT

Item 1/6

Proposal

Change of use of ground floors to a community facility (Class D1) with installation of shop front and external alterations to the rear including single storey rear extension.

Appl. Type Full Planning Permission
Site 21 LORDSHIP LANE, LONDON, SE22 8EW

Reg. No. 07-AP-2484
TP No. TP/2315-21
Ward East Dulwich
Officer Kristy Robinson

Recommendation REFUSE

Item 1/7

Proposal

Rear extension to wine bar/restaurant and air conditioning plant at roof level
