

**COMMUNITY COUNCILS**

A voice for your community



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

**Date: Thursday 08 May 2008**

**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 the previous meeting held on 3 April 2008  
(see pages 6 – 9)

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

Item 6/1 – Recommendation: grant – Heber Primary School, Heber Road, London SE22 9LA (see pages 16 – 22)

Item 6/2 – Recommendation: refuse – 2A Bawdale Road, London SE22 9DN (see pages 23 – 33)

Item 6/3 – Recommendation: refuse – 77 Beckwith Road, London SE24 9LQ (see pages 34 – 40)

Item 6/4 – Recommendation: approve – Outside 83 Norwood Road, London SE24 9AA (see pages 41 – 46)

### **7. Non DC item:**

Consultation for proposed designation of the Sunray Estate Conservation Area (see pages 47 – 79)

### **8. 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.”

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### **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](mailto:beverley.olamijulo@southwark.gov.uk)

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

## Language Needs

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

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## 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.

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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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## 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

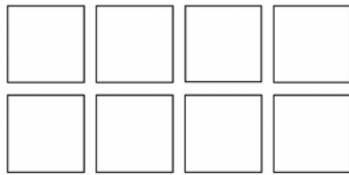
Si tiene necesidades o requisitos específicos, como es transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7514

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

Minutes of Dulwich Community Council Planning meeting held on Thursday April 03, 2008 at 7.00pm at Herne Hill Baptist Church, Half Moon Lane, London SE24 9HU

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### **Present**

Councillor Nick Vineall (Chair)

Councillors, James Barber, Toby Eckersley, Robin Crookshank Hilton, Jonathan Mitchell, 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, Michelle Holford and Kim Humphreys.

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

None were disclosed.

### **4. Urgent Items**

The chair agreed to accept as late and urgent the addendum report which contained late observations, consultation responses, information and revisions.

### **5. Minutes of the previous meeting on March 13 2008 (pages 5 – 8)**

Minutes of the planning meeting held on March 13 2008 were approved as an accurate record of the proceedings. 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 9 – 44)

**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:**

**Item 6/1 – Recommendation: refuse – 21 Lordship Lane, London SE22 8EW**  
(see pages 15 – 27)

**Proposal:** Rear extension to wine bar/restaurant and air conditioning plant at roof level.

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

Members referred to the addendum report which contained two further letters of objection and one letter in support of the application.

Officers discussed the site visit which took place on 28.3.08 from the objector's property and the bar.

The acoustics officer was present and addressed the meeting.

Members asked questions of the acoustics officer.

Further discussion and questions took place about the noise equipment on the roof and if this could be controlled by condition. The acoustics officer confirmed that the noise reports submitted demonstrated that the noise level would not be worsened by the application and could be controlled by conditions.

No objectors were present.

The applicant and applicant's agent addressed the meeting and responded to questions from Members.

A supporter (local resident) who lives next door addressed the meeting. A ward member (Cllr James Barber) also spoke in support of this application.

Members took further advice from the legal officer about there being no live music in the extension area. The planning officer also stated that this could be included as a condition.

- RESOLVED:** That planning permission be granted subject to the following suggested conditions:
- (i) Three conditions from the acoustics officer to deal with plant noise, noise from the extension and no amplified or live music in the extension area.
  - (ii) Roof lights to be sealed shut and maintained as such for the duration of the use and opened only for maintenance purposes.
  - (iii) The materials for the plant enclosure shall match the colour of the existing roof.

**Items 6/2 & 6/3– Recommendation: grant – 96 – 98 Dulwich Village, London SE22** (see pages 28 – 44)

**Item 6.2**

**Proposal:** Alterations to existing ductwork and alterations to existing garden party wall to form new brick parapet.

**Item 6.3**

**Proposal:** Removal of existing aluminium edge flashing with waterproofed upstand and leaded parapet to existing party wall within garden area, and the addition of 5 courses of brick work to this existing wall, including capping of the top of the parapet with a section of clay tiles and brick on edge to match existing materials.



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

Representations were heard from an objector representing residents in Mitchell's place.

At 8.40pm the meeting adjourned for 5 minutes to give the objectors, applicant and officers an opportunity to discuss the applications.

Officers suggested to Members that the applicant could lower the height of the duct work to the level at which it was approved. It would then be painted to blend with the roof and the aluminium strip would be removed from the edge of the wall.

**RESOLVED:** That DCC agreed to defer planning applications for 96 – 98 Dulwich Village, London SE21.

The meeting closed at 9.30pm

**CHAIR:**

**DATE:**

<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> 8 May 2008	<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 May 23 2007 and amended on January 30 2008. 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.

## 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 currently the Southwark Plan (UDP) 2007 adopted by the council in July 2007 and the London Plan (consolidated with alterations since 2004) published in February 2008. 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) 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Council Assembly Agenda May 23 2007 and Council Assembly Agenda January 30 2008	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

<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) Constitutional Support Officer	
<b>Version</b>	Final	
<b><u>Dated</u></b>	April 29 2008	
<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
Strategic Director of Legal and Democratic Services	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Control	No	No

**ITEMS ON AGENDA OF THE DULWICH CC**  
**on Thursday 08 May 2008**

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**Appl. Type** Council's Own Development - Reg. 3  
**Site** HEBER PRIMARY SCHOOL, HEBER ROAD, LONDON, SE22 9LA

**Reg. No.** 08-CO-0014  
**TP No.** TP/2593-A  
**Ward** East Dulwich  
**Officer** Rachel Gleave

**Recommendation** GRANT

***Item /1***

**Proposal**

New pedestrian entrance off Heber Road, new single storey building to act as a contact centre, accessed off Jennings Road and internal alterations to form new accessible w.c. within main building

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**Appl. Type** Full Planning Permission  
**Site** 2A BAWDAL ROAD, LONDON, SE22 9DN

**Reg. No.** 07-AP-2365  
**TP No.** TP/2633-A  
**Ward** East Dulwich  
**Officer** Neil Loubser

**Recommendation** REFUSE

***Item /2***

**Proposal**

Retrospective application for retention of additional second storey extension to be used as ancillary to existing office, with associated rear window and solar panels on side.

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**Appl. Type** Full Planning Permission  
**Site** 77 BECKWITH ROAD, LONDON, SE24 9LQ

**Reg. No.** 08-AP-0375  
**TP No.** TP/2106-77  
**Ward** Village  
**Officer** Rachel Gleave

**Recommendation** REFUSE

***Item /3***

**Proposal**

Basement alteration and the creation of a lightwell to the front of a dwelling house. (Further alterations detailed in plans consist of 'construction of rear dormer over outrigger altering roof to rear bay window, and single storey rear extension' this is apart of a separate application 08-AP-0235).

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**Appl. Type** Prior Approval  
**Site** OUTSIDE 83 NORWOOD ROAD, LONDON, SE24 9AA

**Reg. No.** 08-PA-0016  
**TP No.** TP/2008/BT/GEN  
**Ward** Village  
**Officer** Neil Loubser

**Recommendation** PRIOR APPROVAL REQUIRED - APPROVE

***Item /4***

**Proposal**

To resite one KX100 style telephone kiosk

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<b>Item No.</b> 1	<b>Classification</b> OPEN	<b>Decision Level</b> DULWICH COMMUNITY COUNCIL	<b>Date</b> 8/5/08
<b>From</b> Head of Development Control		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (08-CO-0014) New pedestrian entrance off Heber Road, new single storey building to act as a contact centre, accessed of Jennings Road and internal alterations to form new accessible w.c. within main building.		<b>Address</b> HEBER PRIMARY SCHOOL, HEBER ROAD, LONDON, SE22 9LA  <b>Ward</b> East Dulwich	
<b>Application Start Date</b> 05/02/2008		<b>Application Expiry Date</b> 01/04/2008	

## PURPOSE

- 1 To consider the above application, which requires a committee decision as its a councils own development to which an objection has been received.

## RECOMMENDATION

- 2 Grant planning permission.

## BACKGROUND

### 3 Site location and description

The site is located on the south side of Heber Road approximately 65m west of the junction with Crystal Palace Road. Surrounding the site there are residential properties characterised by terrace, 2 storey, Victorian appearance. The site backs onto Jennings Road and has properties for Heber Road, Crystal Palace Road and Jennings Road adjoining its boundaries.

Currently occupying the application site, there is an attractive, Victorian, 4 / 5 storey School Building, featuring original materials, timber sash windows and architectural detailing to the front facade.

A 2.4m gap currently exists between the front elevation to the building and the front boundary line adjoining the public footpath for Heber Road. Along this boundary cast iron railings are located, most likely an original feature of the site.

To the side and rear of the school towards the west boundary, playground space is located, as well as the old school house building. The west boundary wall for the playground area here is adorned with colourful illustrations as part of its inclusion within the play amenity space for the school children in attendance here.

### 4 Details of proposal

The proposal details the alteration of the front entrance, to improve security to the building, provide access for the disabled, and provide a more prominent image and

identity for the school. It is proposed to comprise an entrance lobby with stair and accessible platform lift to a new reception area.

Internal alterations are also proposed as part of the new entrance with the existing administration area being stripped out and refurbished to accommodate the existing classroom which is to be relocated. Minor modifications to accommodate a new accessible toilet are also proposed.

The new entrance is proposed to be located adjacent to the existing entrance door 1m east of this existing entrance. A section of the existing iron fence is proposed to be removed as part of the locating of the entrance here. It has an angled roof, sitting 2.25m high at its lowest point, attached to the original front elevation of the wall, below the windows here, and 3.1m high at its highest point as it projects away from the building. Above this, a new sign for the school is positioned, 0.4m high lettering stating 'HEBER SCHOOL'. The entrance is 3.6m wide and is constructed of glass supported by powder coated steel columns.

To the rear of the school, within the existing playground area, the existing two storey unoccupied school house is proposed to be refurbished and extended to provide a new Contact Centre, providing facilities for parent meetings and training, as well as visitor WC facilities – including an accessible WC. The proposed extension is attached to the rear wall and measures 11.5m deep, 3.9m high to the ridge, 2.7m high to the ridge and 8.9m wide.

The contact centre will effectively close off the area between the existing school house and the boundary wall on Jennings Road. However, there is a small courtyard area proposed. The contact centre will incorporate six rooflights within a rheinzink standing seam roof covering. The facing wall is proposed to be rendered, this blank external wall to the Contact Centre will provide a surface for artwork which the school is enthusiastic about, there is art work currently exhibited to the west boundary wall for the playground.

The Contact Centre has a 0.65m set back from the existing building before it exhibits its full width.

The work for the contact centre nearest to the residential neighbour on Jennings Road comprises a new roof, set off the retained boundary wall, to enclose an access walkway and the courtyard. The boundary wall remains as existing.

5 **Planning history**  
No planning history.

6 **Planning history of adjoining sites**  
None of relevance.

## **FACTORS FOR CONSIDERATION**

7 **Main Issues**

The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] the design of the proposal.

c] the impact upon the amenity of surrounding occupiers.

d] the impact upon the provision of educational facilities.

## 8 **Planning Policy**

Southwark Plan 2007 [July]

2.3 Enhancement of Educational Establishments

3.2 Protection of Amenity

3.12 Quality in Design

3.13 Urban Design

## 9 **Consultations**

Site Notice:

14-12-2008

Press Notice:

N/A

Internal Consultees

Design Surgery

Access Officer

Statutory and non-statutory consultees

None

Neighbour consultees

Heber Road

Ground Floor Flat no.1; First Floor Flat no.1; Second Floor Flat no.1;1; 2A; 2; Flats A-G no.3; 3; 4; 6; 6A; 8; 10; 12; 14; 14A; 14B; 16; 18; 20; 22; 24; 26; 28; 30; 32; 34; 34A; Ground Floor Flat no.34; First Floor Flat no.34; School House.

Crystal Palace Road

250A; 250B; 252; 254; 256; 258A; 258B; 260; Ground Floor Flat no.260; 262; Top Floor Flat no.262; 264; 264A; 264B; 266; 268

Jennings Road

1; 2; 2A; First Floor Flat no.3; 4; 5; 6; 7; 9; 11; 13; 15; 17; 19; 21; 23; 25; 29; 31; 33; 35; 37

Re-consultation

N/A

## 10 **Consultation replies**

Internal Consultees

Design and Conservation Team

No objections to the proposal.

Access Officer

No objections to the proposal.

Statutory and non-statutory consultees

N/A

### Neighbour consultees

One response received from 2/2A Jennings Road detailing the following:

“I most definitely do not support this application. The proposed building work will block out the very little sunshine and light that my garden gets. My back garden is surrounded by buildings and this proposed building will block the tiny part of my garden and back of my house which is not surrounded. My living space at the back of my house is very dark and cold because of the lack of light and sun and this will make the situation worse. Added to this, I do not want my kitchen, bedroom and living area overlooked – it will be an invasion of my privacy. I object most strongly.”

### Re-consultation

N/A

## **PLANNING CONSIDERATIONS**

### **11 Principle of development**

In principle there is no objection to the proposal which seeks to improve accessibility and services available to students, parents and the wider community.

### **12 Impact of proposed development on amenity of adjoining occupiers and surrounding area**

The proposed contact centre is single storey and is proposed to be located within an area where single storey elements and high boundary treatments in the form of walls are currently exhibited. Therefore it is not considered that there would be any further overshadowing or overdominant impacts created by this proposal.

The contact centre will only have windows looking out over school ground and as the new addition is also at ground floor, it is not considered that there would be any adverse impact in terms of overlooking of the adjoining property at no.2 Jennings Road. The existing boundary wall between 2 Jennings Road and the school grounds is to be retained with the roof over the covered walkway rising slightly above. Whilst this will probably be visible by the neighbour its impacts on amenity are not considered so significant as to justify refusal.

The new reception and entrance area is located solely within school grounds, only overlooking the vehicular highway on Heber Road. It is a relatively small addition here and is not considered to create any cause for concern in terms of adverse impact upon the amenity of adjoining occupiers. While there is an increase in visual prominence, it is expected for the entrance to a school building to be visual, and the current appearance of this area is slightly unusual in its discrete form, reflective of its original design.

### **13 Design issues**

The new contact centre is hidden from streetscene view, behind existing boundary wall treatments and the original buildings.

The contact centre is proposed to incorporate a blank external wall to provide a surface for artwork, which is reflected in the appearance of an existing boundary wall to the playground area here. This is therefore considered an acceptable finish to the contact centre.

While the new entrance is proposed to come forward of the established building line here, it is considered that the school is a prominent building on Heber Road, differing greatly to the residential uses surrounding, and therefore it would not be unusual or disruptive to the appearance of the streetscene here, to have the entrance element of

the school forward of the building line. Further to this, the materials being predominantly glass, ensure that the entrance is lightweight in appearance and has a subtle visual impact. It is also a subservient addition to the school, the main building being of substantially greater in size and brick built.

Overall, the design of the new elements is considered satisfactory.

**14 Other matters**

It is also worthy of note that this new entrance seeks to address access issues and legibility of the existing entrance to the school. It is clear that the entrance is currently wholly inadequate, difficult to navigate as well as impassable for those with the more serious mobility problems. These works will improve access arrangements for the users of the school building.

**15 Conclusion**

The proposal is considered acceptable in terms of land-use and design and no significant adverse effect upon amenity of surrounding occupiers has been identified. The development is therefore accords with policy and a recommendation of approval is concluded.

**16 COMMUNITY IMPACT STATEMENT**

In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above.

**17 SUSTAINABLE DEVELOPMENT IMPLICATIONS**

The continued improvement of educational facilities aids the establishment of sustainable communities. The development seeks to identify the schools position and relationship with the surrounding community, providing support and accessible services for all, ensuring that the development is sustainable for present and future users of the various services to be offered here.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Rachel Gleave	Planner - Development Control [tel. 020 7525 5597]
CASE FILE	TP/2593-A	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Ms S. Fuller Southwark Council	<b>Reg. Number</b> 08- <u>CO</u> -0014
<b>Application Type</b>	Council's Own Development - Reg. 3 (Council's Own Development)	
<b>Recommendation</b>	Grant	<b>Case Number</b> TP/2593-A

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### Draft of Decision Notice

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**Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:**

New pedestrian entrance off Heber Road, new single storey building to act as a contact centre, accessed of Jennings Road and internal alterations to form new accessible w.c. within main building

**At:** HEBER PRIMARY SCHOOL, HEBER ROAD, LONDON, SE22 9LA

**In accordance with application received on 05/02/2008**

**and Applicant's Drawing Nos.** 3512-302-01 rev A, 3512(E)-306-01 B, 3512(E)-306-02 A, 3512(E)-320-01 C, 3512(E)-325-01 C, 3512(E)-325-02 C, 3512(E)-340-01 C, 3512(E)-345-01 C, 3512(E)-345-02 C, 3512(E)-345-03 C, 3512(E)-345-04 A, 3512(E)-355-01 A, 3512(CC)-306-101 B, 3512(CC)-306-102 A, 3512(CC)-320-101 C, 3512(CC)-325-101 C, 3512(CC)-340-101 C, 3512(CC)-345-101 B, 3512(CC)-345-102 B, 3512(CC)-345-103 B, 3512(WC)-365-201 B, 3512(WC)-365-202 B

#### **Schedule**

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

Reason

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

- 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 Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

#### **Reasons for granting planning permission.**

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

- a] Policies 2.3 Enhancement of Educational Establishments, 3.2 Protection of Amenity, 3.12 Quality in Design, 3.13 Urban Design of the Southwark Plan [July 2007].

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.



<b>Item No</b>  2	<b>Classification</b>  OPEN	<b>Decision Level</b>  DULWICH COMMUNITY COUNCIL	<b>Meeting Date</b>  08-05-2008
<b>From</b>  HEAD OF DEVELOPMENT CONTROL		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (07-AP-2365)  Retrospective application for retention of additional second storey extension to be used as ancillary to existing office, with associated rear window and solar panels on side.		<b>Address</b>  2A BAWDAL ROAD, LONDON, SE22 9DN  <b>Ward</b> East Dulwich	

## PURPOSE

- 1 To consider the above application which has been referred to Dulwich Community Council for determination by virtue of the number of objections received.

## RECOMMENDATION

- 2 Refuse Planning Permission.

## BACKGROUND

### Site location and description

- 3 The application site is described as '2A Bawdale Road' although its main frontage is in fact onto Whateley Road. The site is 'L-shaped' and bounded by the rear of No.2 Bawdale Road, the rear of Nos.165-171 Lordship Lane and the rear of Nos.80-84 Whateley Road. The building which is the subject of this application is located immediately adjoining No.84 Whateley Road.
- 4 The character of the surrounding area is mixed, with commercial (mainly retail) premises along Lordship Lane, some with residential flats above, and residential properties in the surrounding streets of Whateley Road and Bawdale Road. A roofing/builders' yard adjoins the application site to the north (this is related to premises on Lordship Lane).
- 5 Access is taken to the application premises via an accessway sited adjacent to 2 Bawdale Road. This involves access through the roofing/builders yard referred to above. It is understood that rights of access over this accessway have been the subject to private legal action in the past and that the applicant may not have a legal right of access over this land. This is, however, a private matter that does not involve the Council. Access is also possible via gates on the Whateley Road frontage.
- 6 The application site contains a motor vehicle repair workshop at ground floor level, with construction work to extend the building to the upper levels at an advanced stage at the time of the planning case officer's visit to the site on 18 March 2008. Access to the development site was denied so observations were made on aspects visible from Bawdale Road.
- 7 The site is not within a conservation area and there are no listed buildings on the application site or within the immediate vicinity.



## **Details of proposal**

### 8 Background of Submission

This retrospective application was submitted following the refusal of a similar planning application (06-AP-0903), which had been refused and an Enforcement Notice (APP/A5840/C/07/2035141) served for the planning breach. The Enforcement Notice was appealed and dismissed by the Planning Inspectorate. The works carried out at the application property at the time of the Enforcement Appeal did not benefit from planning permission and varied considerably from a scheme granted permission in 2003 (the 'Planning history' section of this report refers).

### 9 Permission sought for the following works

Permission is sought for the retention of a second floor extension to be used as ancillary to existing office, with associated rear window and solar panels on the front.

10 The second floor level is set back from the front of the building, in line with the adjoining No.84 Whateley Road, and projecting no further than the rear wall of No.84. It would also have a partially flat & partially pitched roof and reach a maximum height of 8.6m which positions it approximately half-way between the eaves and pitch of the roof of No.84.

### 11 Plan discrepancies

Several discrepancies and missing details are noted on the submitted plans, including:

- There is no staircase shown on the sections or floor plans to provide access to the second floor office.
- The stairs leading from ground to first floors are shown on the ground floor plan to be positioned in front of the roller shutter thus precluding access to the building.
- The internal partition walls and door shown on the first floor plan are not shown on the section drawing.
- Drawings marked as Proposed and Existing do not relate to the current built form (as seen from Bawdale Road).

### 12 Current Works

It is noted that the plans submitted as part of this current application do not reflect what is being built on site. As observed at the time of the site visit, the extension currently under construction is significantly different than that shown on the drawings submitted as part of this planning application. The position of windows facing Bawdale Road differ to those shown (they are set higher than on the elevation drawings).

## **Planning history**

13 82-AP-1634: Change of use to general storage purposes. (**Permission Refused**) dated 22/11/1982

14 95-AP-1134: For the storage of building materials. (**Certificate of Lawfulness Refused**) dated 13/02/1996, due to lack of evidence of continuous use for 10 years or more.

15 96-AP-0251: For the continued use for the storage of building materials. (**Permission Granted**) dated 29/04/1996.

16 96-AP-1144: Use of premises for car repairing. (**Permission Refused**) dated 9/1/1997, this Certificate was refused due to lack of evidence that the use had been begun and subsequently carried out continuously for more than 10 years.

- 17 99-AP-0573: Variation of Condition 1 of planning permission dated 26/4/96, LBS Reg No 9600251- Operational hours from 07.30 to 18.00 hours Monday to Friday, 08.00 to 13.00 on Saturdays and no operations on Sunday or Public Holidays. (**Permission Granted**) dated 20/07/1999.
- 18 02-AP-1851: Construction of a mezzanine floor to create a new office. (**Permission Refused**) dated 03/12/2002, the application was refused due to the detrimental impact on the amenity of the occupiers of No.84 Whateley Road by reason of overlooking and loss of privacy.
- 19 03-AP-1533: Construction of a first floor extension to provide a new office (Class B1). (**Permission Granted**) dated 06/11/2003, conditions required the submission and approval of facing and roofing materials, and for the flank wall facing No.84 Whateley Road to be white rendered. This extension projected forward of the adjoining terrace (84 Whateley Road onwards) to reach the same level as the flank wall of 171 Lordship Lane. The first floor level was sloped back from the front and also at the rear. To the rear, the first floor extension projected approximately 2.5m beyond the rear wall of the adjoining dwelling No.84 Whateley Road, although this was all sloping form (the maximum height of the flat roof stopped 0.5m before the rear wall of No.84). A single storey element was sited to the rear.
- 20 06-EN-0120: An Enforcement Notice was served for the breach of planning control for the construction of a first and second floor extension with new stair access to the rear contrary to planning permission 03-AP-1533, dated 20/12/2006. This Enforcement Notice was subsequently appealed on grounds (b) and (c), which was dismissed, with the planning permission refused and the Enforcement Notice upheld (**Appeal Dismissed**) with a correction, dated 4/7/2007. Enforcement prosecution has been held in abeyance until the determination of this current planning application.
- 21 06-AP-0903: Construction of a first and second floor extension for use as offices with new stair access to rear, together with refurbishment of existing ground floor/garage and new roller shutters (the site is located to the rear of 2 Bawdale Road, rear of 165-171 Lordship Lane, rear of 80-84 Whateley Road, and includes the building adjacent to 84 Whateley Road). (**Permission Refused**) dated 20/6/2006.

#### **Planning history of adjoining sites**

- 22 No relevant planning history.

#### **FACTORS FOR CONSIDERATION**

##### **Main Issues**

- 23 The main issues in this case are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
  - b] the impact on the amenity of adjoining occupiers;
  - c] the design and appearance of the building and its visual impact on the streetscene;
  - d] highway implications.

##### **Planning Policy**

- 24 Southwark Plan 2007 [July]  
 3.2 Protection of Amenity  
 3.11 Efficient Use of Land  
 3.12 Quality in Design  
 3.13 Urban Design  
 5.2 Transport Impacts  
 5.3 Walking and Cycling
- 25 London Plan 2004  
 N/A
- 26 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]  
 N/A

### **Consultations**

- 27 Site Notice:  
 12/10/2007
- 28 Press Notice:  
 N/A
- 29 Internal Consultees  
 Planning Enforcement
- 30 Statutory and non-statutory consultees  
 N/A
- 31 Neighbour consultees  
 1 to 3 (odds, including flats) Bawdale Road  
 2 to 8 (evens, including flats) Bawdale Road  
 155 to 171 (odds, including flats) Lordship Lane  
 76 to 86 Whateley Road
- 32 Re-consultation  
 N/A

### **Consultation replies**

- 33 Internal Consultees  
 Planning Enforcement objects to the retrospective application and their comments are:  
 The first floor extension, by reason of its excessive height together with its projection forward of and rear depth along the full length of the boundary with the adjoining residential dwelling, No.84 Whateley Road, would have an overbearing impact on this neighbouring dwelling, increasing the sense of enclosure and resulting in an unacceptable loss of daylight/sunlight and loss of outlook to windows in the front and rear elevation of the dwelling and to the rear garden, causing significant harm to the amenity of occupiers of this dwelling.
- 34 The building, by reason of its incongruous height, bulk, detailed design and overall appearance in relation to the surrounding area and particularly to the terrace houses to which it adjoins, is out of keeping with the scale, character and appearance of the surrounding area, is an overdevelopment of this small

site and to the detriment of the appearance of the streetscene.

35 The building, by reason of its forward projection in advance of the established building line of Whateley Road and encroachment onto the public footway, fails to respect the traditional street layout and results in an obstruction in the public highway, to the detriment of the appearance of the streetscene and to highway safety.

36 Statutory and non-statutory consultees  
N/A

37 Neighbour consultees  
84 Whateley Road  
Objects strongly if wall adjoining boundary with No.84 is to increase in height as have already lost light; increasing the height of the wall would block all daylight from bathroom and kitchen windows as well as the garden. Raises issue of encroachment. Concerned about increased pressure on parking and that the design is totally unsympathetic to the adjoining Victorian terrace.

38 6A Bawdale Road  
Raises concerns that the height of the building will reduce light to 6A Bawdale Road (basement flat). Raises the issue of noise associated with the garage and congestion in Bawdale Road from builders' vehicles (from the roofing contractors).

39 Basement Flat 4 Bawdale Road  
Concerned about the increase in the use, and that the larger building would result in a reduction of light to the basement flat. Apprehensive that there is a general increase in buildings being built higher in East Dulwich which is out of character with the area.

40 Re-consultation  
None

## **PLANNING CONSIDERATIONS**

### **Principle of development**

41 A Certificate of Lawfulness for an Existing Use or Development was granted [98-AP-1373] dated 27/11/1998 for the use of the site and premises for car repairs.

42 The use of the site and premises for car repairs is a B2 use. Without prejudice to any future decision to be taken on this matter, use for MOT testing of motor vehicles would generally fall within the same B2 use class.

43 The principle of an extension at upper floors for an associated office use is therefore considered to be ancillary and acceptable in principle; it is noted that the site does already benefit from planning permission to erect a (smaller) first floor extension.

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

44 As access was denied for a site inspection on 18 March 2008 the author of this report has used Council records including site notes and photo's taken on the previous application (06-AP-0903) in regards to observations made of the existing situation on the site.

45 Council records indicate that the following observations were made at the development site on 26 October 2006:  
Properties on Lordship Lane

While it acknowledged that the lengthy process of construction works and associated disturbance is of inconvenience to the occupiers of adjoining properties on Lordship Lane, the impact of the finished building as shown on the submitted drawings is not considered to result in demonstrable harm to the amenity of occupiers of ground floor commercial premises or upper floor residential flats. The ground floor units are occupied by commercial uses and the extension would be sufficiently far from the windows at first and second floor levels not to result in a loss of light or loss of outlook to these windows which would justify the refusal of planning permission on these grounds.

46 There are no windows shown on the flank elevation therefore impacts on privacy are not considered to occur. However, the building is considered to have a negative impact on the visual amenity of occupiers of upper levels of Lordship Lane due to the poor quality of the finishing materials for this flank elevation.

47 84 Whateley Road

**Front**

The first floor extension to the front is considered to be overbearing to No.84 by reason of its depth and proximity to the front habitable room window. It would also result in a loss of light to this upper ground floor window due to its siting within the 45 degree angle line drawn on plan and elevation.

48 **Rear**

A single storey extension was shown on the approved drawings for 03-AP-1533 although this was not included in the description of development. The extension which was seen on site on 26 October 2006 differs from that approved in that the flank elevation wall has been built straight up rather than with the top section angled away from No.84. This flank elevation wall has also been built over the boundary with No.84 which was not shown on the approved plans.

49 Although this is the flank wall of a single storey building, due to the fall in ground levels between the application site and the rear garden of No.84, this does present a high wall along the full flank of the rear garden of No.84. At the time of the site inspection, the wall had already been built up to close to the top level of the upper ground floor kitchen window at No.84. The closest windows in the rear elevation of No.84 are to a bathroom at basement level, a kitchen at upper ground floor and a bedroom at first floor.

50 The construction of the proposed first floor extension so far beyond the rear building line of No.84 would have a serious negative impact on the levels of natural daylight reaching these windows as it would be sited within a 45 degree angle drawn from the centre of these windows on both plan and elevation, thereby contrary to the BRE and SPG guidance on daylighting.

51 It would also further shadow the rear garden which, as evidenced by the lack of daylight reaching this rear garden at the time of the case officer's site inspection at midday on a clear day, is already substantially shaded for most of the day due to its unfavourable north-facing orientation exacerbated by the presence of the new boundary wall and older existing buildings to the rear (which are also part of the application site).

52 Furthermore, the presence of such a high and deep wall along this boundary would dramatically reduce the outlook from the windows in the rear elevation of No.84 and also significantly increase the sense of enclosure experienced by occupants (both within the dwelling itself and in the rear garden). Its overbearing scale in such close proximity to this residential dwelling would be an oppressive and unneighbourly form of development.

53 The first floor extension would result in material harm to the amenity of occupiers of this adjoining dwelling by reason of loss of light, loss of outlook, overbearing impact and increased sense of enclosure. A wall reaching the full height of the building (No.84) and along the full depth of the garden is considered wholly unacceptable. Matters of encroachment are covered separately later in this report.

Bawdale Road

54 Given the separation distance to properties in Bawdale Road, the building is not considered to result in a loss of light to these properties. A building of the height shown on the submitted plans is also not considered to worsen overlooking that currently experienced from the rear windows in houses of Whateley Road.

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

None

56 **Traffic issues**

There are unlikely to be any significant traffic issues relating to this proposal.

**Design issues and impact on streetscene**

57 The building advances the established building line of the terrace of dwellings it adjoins on Whateley Road.

58 Permission was granted in 2003 for an extension at first floor level projecting approximately 2.25m (as scaled from the plans) to the front of the existing front wall of No.84. This structure would have had a maximum height of 6.55m although it would have been angled back from the Whateley Road frontage.

59 While a certain level of projection forward of No.84 was accepted due to the visual link with the property on the corner of Lordship Lane and Whateley Road (171 Lordship Lane), it is noted that the development has in fact protruded further than the flank wall of this adjoining property and encroached out onto the public footway. In terms of the visual impact, this is considered unacceptable as it fails to respect the established pattern of development and is thus harmful to the appearance of the streetscene.

60 The construction of a second floor level and the use of flat roofs at both first and second floors would create a discordant feature in terms of its design and appearance which would be wholly out of context with the adjoining terrace characterised by 2-storey traditional design Victorian buildings with pitched roofs.

61 The additional bulk of the extended first floor and new second floor, taken together with the projection of the building forward of the terrace to which it adjoins, would amount to a form of development of inappropriate massing, out of scale with and unsympathetic to its surroundings and overdominant in the streetscene. The amount of building proposed on this small site is considered to be an overdevelopment.

62 The size and position of fenestration proposed relates poorly to the surrounding development by reason of its position and size and thus the detailed design of the building is detrimental to the character and appearance of the area.

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

N/A

64 **Planning obligations [S.106 undertaking or agreement]**

N/A

**Other matters**

65 Noise

The construction of an extension for use as an office is not considered to result in increased noise emitting from this site such that would not warrant refusal of this application.

66 Accuracy of plans

The inaccuracies on the submitted plans mean that a full and complete assessment of some aspects of the proposal has not been possible. However, given that despite numerous requests for further information made between the initial receipt of this application and current, which have not been forthcoming, and that there are on-going enforcement issues surrounding this development, it is considered that further requests for detailed proposals not expedient since the proposal has almost been built on site and not acceptable in any case.

**Conclusion**

67 The proposal as built and indicated on the submitted drawings abiet poorly, are unacceptable and this application is therefore being recommended for refusal. It is also clear that the works being carried out on site do not reflect the submitted drawings.

68 Furthermore, the planning officer could not gain access to the site therefore a complete assessment of the proposal could not be carried out. Notwithstanding, this the proposed extension is considered to be excessive in size which results in a significant impact on the amenity of 84 Whateley Road by way of loss of light, loss of outlook and an undue sense of enclosure, it is detrimental to the streetscene in general.

69 The application is recommended for refusal.

**COMMUNITY IMPACT STATEMENT**

70 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above.

b] The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: impacts on neighbours' amenity, the streetscene and highway safety.

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

**SUSTAINABLE DEVELOPMENT IMPLICATIONS**

71 The proposed development has unacceptable impacts on the amenity of occupiers of the adjoining residential dwelling and the streetscene and is therefore not considered to represent a sustainable form of development.

REPORT AUTHOR Neil Loubser Planning Officer [tel. 020 7525 5440]  
CASE FILE TP/2633-A  
Papers held at: Regeneration Department, Council Offices, Chiltern, Portland Street  
SE17 2ES [tel. 020 7525 5403]



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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr I. Djelal
<b>Application Type</b>	Full Planning Permission
<b>Recommendation</b>	Refuse

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**Reg. Number** 07-AP-2365

**Case Number** TP/2633-A

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### Draft of Decision Notice

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**Planning Permission was REFUSED for the following development:**

Retrospective application for retention of additional second storey extension to be used as ancillary to existing office, with associated rear window and solar panels on side.

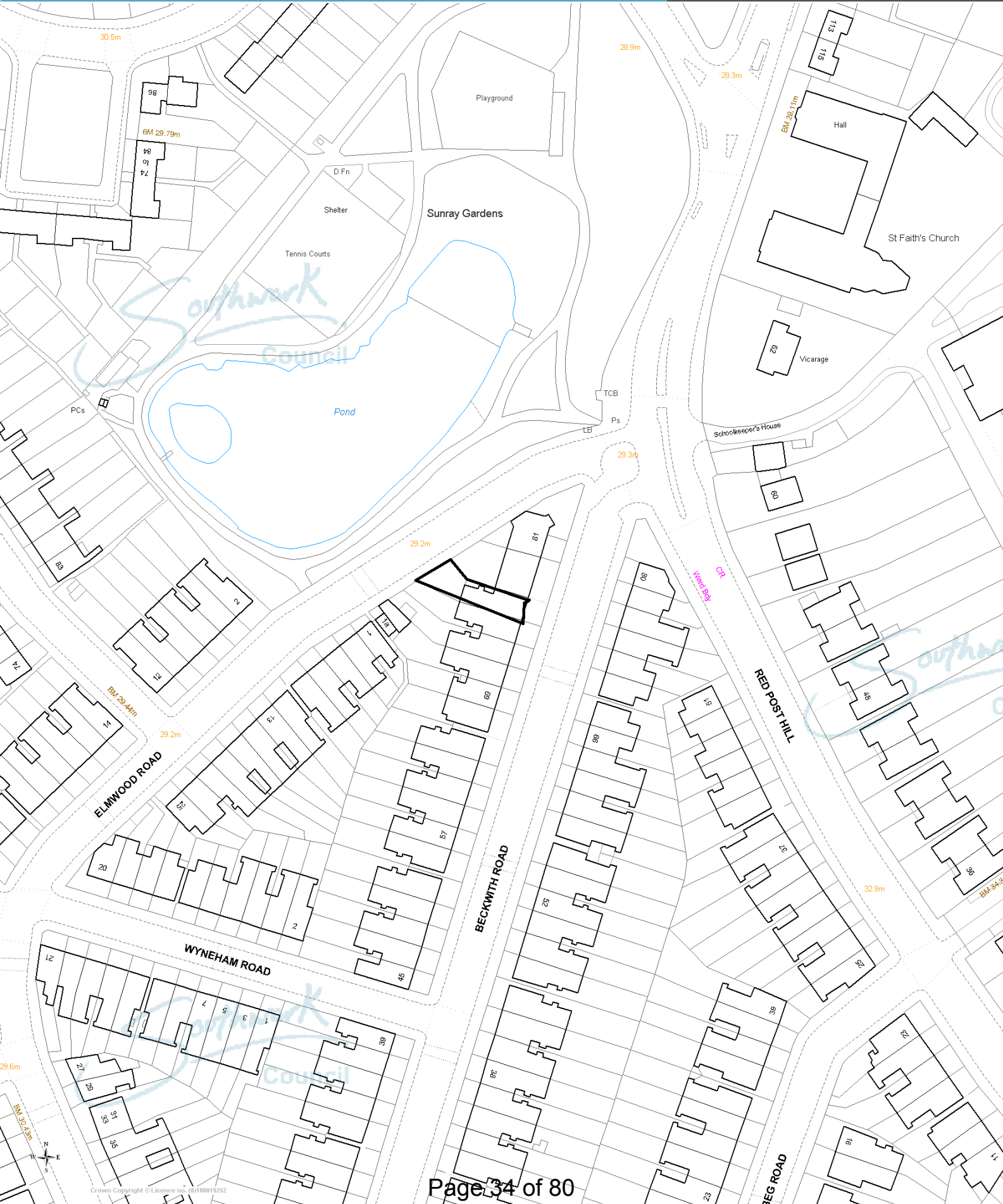
**At:** 2A BAWDAL ROAD, LONDON, SE22 9DN

**In accordance with application received on** 09/10/2007

**and Applicant's Drawing Nos.** Drawing numbers : 05093/04 & 01149/02

**Reasons for refusal:**

- 1 The building, by reason of its incongruous height, bulk, design and overall appearance in relation to the surrounding area and particularly to the terrace houses to which it adjoins, is out of keeping with the scale, character and appearance of the surrounding area, is an overdevelopment of this small site and to the detriment of the appearance of the streetscene. As such, the proposal is contrary to Policies 3.11 'Efficient Use of Land', 3.12 'Quality in Design' & 3.13 'Urban Design' of the Southwark Plan 2007 [July].
  
- 2 The building, by reason of its forward projection in advance of the established building line of Whateley Road and encroachment onto the public footway, fails to respect the traditional street layout and results in an obstruction in the public highway, to the detriment of the appearance of the streetscene and to highway safety. As such, the proposal is contrary to Policies 3.11 'Efficient Use of Land', 3.12 'Quality in Design', 3.13 'Urban Design', 5.2 'Transport Impacts' and 5.3 Walking and Cycling of the Southwark Plan [July] 2007.
  
- 3 The information submitted as part of this application is insufficient and inaccurate. Furthermore, the submitted drawings do not accurately reflect the advanced building works which were still being carried out on site during the processing of this application. In the absence of sufficient and accurate information it has not been possible to carry out a complete assessment of the potential impacts of the development on the amenity of adjoining occupiers and the streetscene. As such the proposal is contrary to Policies 3.2 Protection of Amenity, 3.11 Efficient Use of Land, 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007 [July].



<b>Item</b>  3	<b>Classification</b>  OPEN	<b>Decision Level</b>  COMMUNITY COUNCIL	<b>Date</b>  08-05-2008
<b>From</b>  Head of Development Control		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (08-AP-0375)  Basement alteration and the creation of a lightwell to the front of a dwellinghouse. (Further alterations detailed in plans consist of 'construction of rear dormer over outrigger altering roof to rear bay window, and single storey rear extension' this is apart of a separate application 08-AP-0235).		<b>Address</b>  77 BECKWITH ROAD, LONDON, SE24 9LQ  <b>Ward</b> Village	
<b>Application Start Date</b> 27/02/2008		<b>Application Expiry Date</b> 23/04/2008	

## PURPOSE

- 1 To consider the above application due to the level of objection received and at the request of members of the Dulwich Community Council.

## RECOMMENDATION

- 2 Refuse planning permission *refer to Enforcement Team*.

## BACKGROUND

### 3 Site location and description

The application site refers to the dwelling and plot located at 77 Beckwith Road, Herne Hill. The existing building is a two storey, terraced dwellinghouse with roof accommodation and single storey side extension incorporating a mono pitch roof. The dwellinghouse is finished in materials such as red brick, slate roof tiles, timber sash and case windows and timber fascia boards.

The application site lies within a residential area characterised by terraced dwellings and is bounded to the north by an adjoining dwellinghouse, to the east by Beckwith Road, to the south by an adjoining dwellinghouse and bounded to the west by Elmwood Road.

### 4 Details of proposal

The proposal details the formation of a lightwell to the front of the dwelling to allow natural light to penetrate the existing basement utility room through the installation of two new basement windows. Internal excavation is also proposed to increase the internal head height from 1.7m to 2.5m.

At the time of the officers visit to the site, it appeared that work had commenced on the excavation and formation of the basement lightwell to the front elevation.

## 5 **Planning history**

07-AP-2642 – Planning permission refused for the erection of a single storey rear extension and the formation of a dormer window extension to the rear wing of the dwellinghouse to provide increased residential accommodation incorporating the excavation of a lightwell to the front of the dwellinghouse.

07-AP-2563 – Development found to be unlawful for the extension of single storey ground floor section and construction of dormer within rear outrigger section to dwelling, to provide additional residential accommodation.

08-AP-0235 – Development found to be unlawful for the single storey ground floor extension and construction of dormer extension within rear outrigger section to dwelling, to provide additional residential accommodation

## 6 **Planning history of adjoining sites**

08-AP-0308 – 42 Beckwith Road - Basement extension to dwellinghouse, with creation of lightwell and steps down to both front and rear elevations, to provide additional residential accommodation. – decision pending – referred to Community Council for decision.

## **FACTORS FOR CONSIDERATION**

### 7 **Main Issues**

The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] the design of the proposal.
- c] the impact upon the amenity of adjoining occupiers.

### 8 **Planning Policy**

Southwark Plan 2007 [July]

3.2 Protection of Amenity

3.11 Efficient use of Land

3.12 Quality in Design

3.13 Urban Design

### 9 **Consultations**

Site Notice:

13-03-2008

Press Notice:

N/A

Internal Consultees

N/A

Statutory and non-statutory consultees

Thames Water

Neighbour consultees

As detailed in Acolaid

Re-consultation

N/A

10 **Consultation replies**

Internal Consultees

N/A

Statutory and non-statutory consultees

*Thames Water*

Request that the applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Neighbour consultees

13 responses received from the following addresses:

54, 66, 67A, 69, Flat 2 73, 75 (x6), 79, 81 Beckwith Road, detailing the following objections:

- This area of Southwark is very prone to flooding and subsidence.;
- The size of the lightwell is totally out of keeping and unsympathetic to the local area;
- The proposed development will disturb the uniform appearance of these terraces at both the front and the back;
- The lightwell is not discrete (in the sense of blending in);
- The size of the basement windows proposed will leave the property with no front garden;
- The works have commenced without planning permission;
- Represents a safety hazard if too close to the pavement;
- The consequence of the proposal would be unsympathetic to the special uniform, high quality Edwardian character of Beckwith and Elmwood Roads and their surrounding streets;
- The proposed development would be out of harmony with, and detrimental to the visual heritage of the North Dulwich Triangle.

Re-consultation

N/A

**PLANNING CONSIDERATIONS**

11 **Principle of development**

In principle there is an objection to the proposal, which details the creation of a lightwell in an area where such a feature would be alien to the established character.

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

It is considered that the proposal would adversely impact upon the visual amenities of adjoining occupiers. There has been significant response from neighbours concerned about the impact the proposal would have upon the appearance of the street here, specifically because there is no existing examples of lightwell alterations to dwellings here.

13 **Design issues**

The application dwelling is located within a terrace block all exhibiting the same features, appearing as original with few external alterations.

None of these properties have been altered to form a front lightwell. The basement lightwell would introduce a feature that would be alien to the form of the established row of houses of which it is part and would break the symmetry between the application property and those to which it is adjoined. This significant alteration to the buildings' character would be to the detriment of the streetscene of Beckwith Road.

14 **Other matters**

The previous application which included a front lightwell alteration, was refused, however the lightwell was not found to be inappropriate at this time. This current application has taken a different stance on this matter following recent appeal decisions at 67 Friern Road and 64 Glengarry Road which demonstrate that the inclusion of a lightwell within a street where no other such alterations are exhibited, nearby, and was found to be in these cases, harmful to the character of the streetscene.

Recent appeal decision on the refusal to grant planning permission for a front lightwell alteration in a street where no other such alterations existed. Application no. 07-AP-1439 concerning 64 Glengarry Road (appeal ref: APP/A5840/A/07/2056665/WF) was rejected by the Inspectorate and the Councils decision to refuse planning permission upheld.

Summary of Inspectors decision:

The property lies within a Victorian Terrace. All the properties in the street have small areas to the front.

The facade of the property would remain basically unchanged, but it is the setting, which is currently provided by these small frontage areas, that would be lost.

On balance I consider that the loss of this setting, and its replacement by a feature that is not found elsewhere in the locality, would be harmful to the overall character of both the property and the street.

15 **Conclusion**

The proposed development would materially alter the appearance of the front of the dwelling in isolation to the remaining terrace block, to the detriment of the character of the streetscene in Beckwith Road. This is contrary to policy and guidance in Southwark Plan 2007 and Unitary Development Plan 1995, therefore it is recommended this application be refused.

16 **COMMUNITY IMPACT STATEMENT**

In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Rachel Gleave	Planner - Development Control [tel. 020 7525 5597]
CASE FILE	TP/2106-77	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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## RECOMMENDATION

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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.

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**Applicant** Mrs J. Johnston  
**Application Type** Full Planning Permission  
**Recommendation** Refuse

**Reg. Number** 08-AP-0375

**Case Number** TP/2106-77

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### Draft of Decision Notice

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**Planning Permission was REFUSED for the following development:**

Basement alteration and the creation of a lightwell to the front of a dwelling house. (Further alterations detailed in plans consist of 'construction of rear dormer over outrigger altering roof to rear bay window, and single storey rear extension' this is apart of a separate application 08-AP-0235).

**At:** 77 BECKWITH ROAD, LONDON, SE24 9LQ

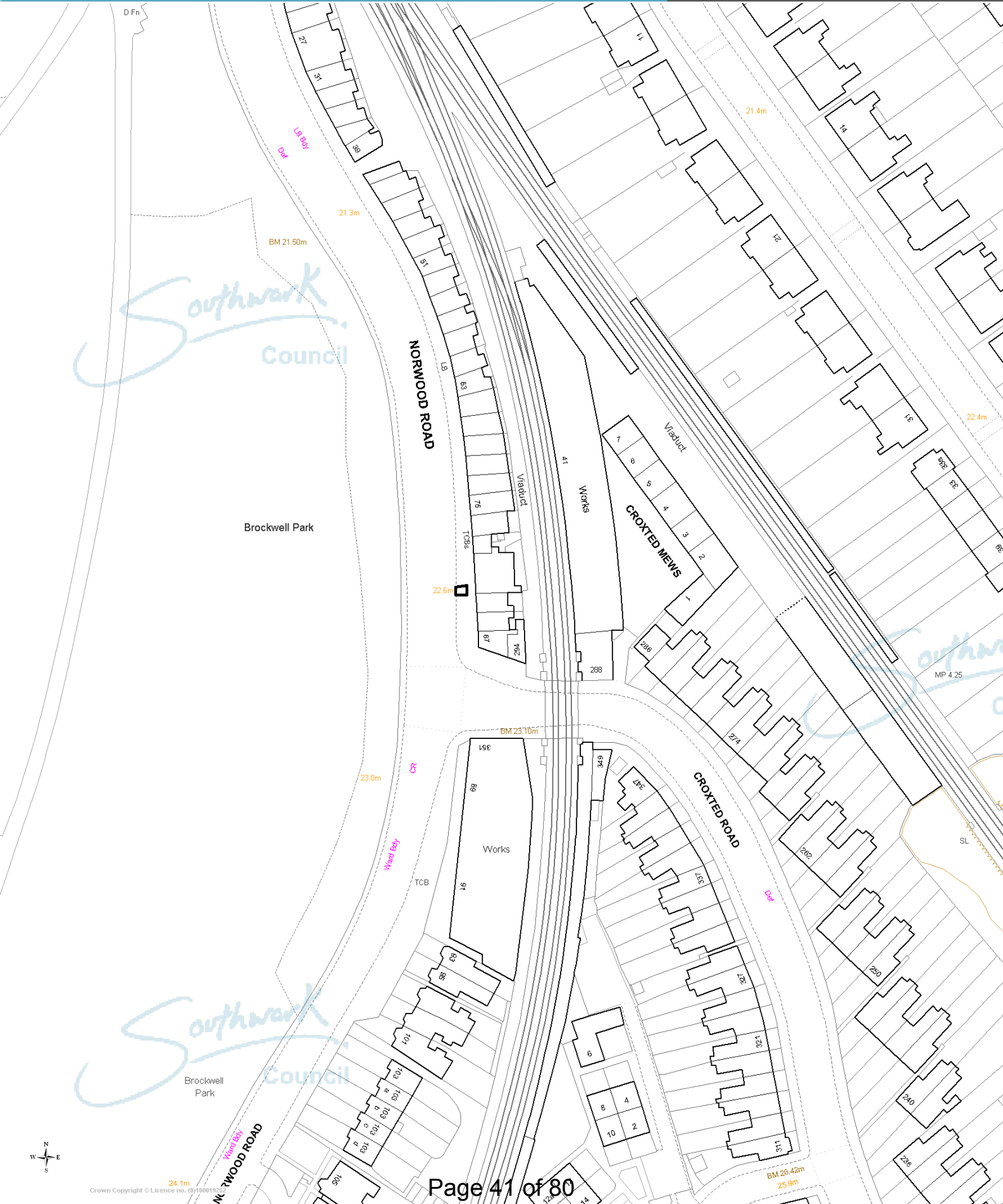
**In accordance with application received on** 14/02/2008

**and Applicant's Drawing Nos.** 0744 Rev 1, 0744/Ex/001 Rev 1, 0744/Ex/006 Rev 1, 0744/Ex/007 Rev 1, 0744/GA/200 Rev 1, 0744/GA/206 Rev 1, 0744/GA/200 REV/1, 0744/GA/204/REV/1, 0744GA/208/REV/1, 0744/GA/206/REV/1, 0744/GA/207/REV/1, 0744/EX/005/REV/1, 0744/EX/006/REV/1, 0744/EX/007/REV/1, 0744/EX/008/REV/1

**Reason for refusal:**

The proposed front basement lightwell would introduce a feature alien to the form of the established row of Victorian houses of which it is part. The proposed lightwell would dominate the front garden and would significantly alter the buildings' character to the detriment of the house and streetscene of Glengarry Road. As such, the proposal is contrary to Policies 3.11 'Efficient Use of Land' and 3.12 'Quality in Design' of The Southwark Plan - 2007 and Supplementary Planning Guidance No.5 'Standards, Controls and Guidelines for Residential Development' (adopted 1997).





<b>Item</b>  4	<b>Classification</b>  OPEN	<b>Decision Level</b>  DULWICH COMMUNITY COUNCIL	<b>Date</b>  08-05-2008
<b>From</b>  HEAD OF DEVELOPMENT CONTROL		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (08-PA-0016)  To resite one KX100 style telephone kiosk		<b>Address</b>  OUTSIDE 83 NORWOOD ROAD, LONDON, SE24 9AA  <b>Ward Village</b>	
<b>Application Start Date</b> 19/03/2008		<b>Application Expiry Date</b> 14/05/2008	

## PURPOSE

- 1 To consider the above application which has been referred to Dulwich Community Council for determination by virtue of the number of objections received.

## RECOMMENDATION

- 2 To grant prior approval - Telecommunications.

## BACKGROUND

### Site location and description

- 3 The site is currently used by a BT payphone kiosk, located on the pavement outside 83 Norwood Road.
- 4 The application site (existing BT kiosk) does not adjoin any listed buildings nor is it located within a conservation area.

### Details of proposal

- 5 The proposal seeks permission for the resiting by approximate 10m to the south of an existing BT Payphone Kiosk.

### Planning history

- 6 No relevant planning history.

### Planning history of adjoining sites

- 7 No relevant planning history.

## FACTORS FOR CONSIDERATION

### 8 Main Issues

The main issues in this case are:

- The principle of the development and conformity with strategic policies.
- Siting and appearance

## **Planning Policy**

- 9 Southwark Plan 2007 [July]  
3.2 Protection of Amenity  
3.12 Quality in Design  
3.24 Telecommunications  
5.3 Walking and cycling
- 10 Telecommunications SPG 2004  
London Plan 2004  
N/A
- 11 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]  
PPG8: Telecommunications

## **Consultations**

- 12 Site Notice:  
N/A
- 13 Press Notice:  
N/A
- 14 Internal Consultees  
Traffic Group
- 15 Statutory and non-statutory consultees  
Southwark Cyclists
- 16 Neighbour consultees  
As per Acolaid
- 17 Re-consultation  
N/A

## **Consultation replies**

- 18 Internal Consultees  
Traffic Group - No Objections
- 19 Statutory and non-statutory consultees  
Southwark Cyclists - requests a condition to be placed on the application that the developer provide 4 cycle parking spaces within 30 meters of the BT boxes.
- 20 Southwark Plan 2007 [July] do not make any provision for such a condition.
- 21 Neighbour consultees  
83 Norwood Road  
Objects to the resiting of the BT kiosk. His reasons are that it is an eyesore and that pedestrians urinate in the kiosk during broad daylight. Furthermore that the pavement will be cut in half so that parking bays can be constructed which makes the pavement cluttered with street furniture.
- 22
- 23 81 Norwood Road  
Raises concerns that pedestrians urinate in the kiosk day and night. Furthermore that the BT kiosk will partially obstruct her view of the park.

24 Flat above 81 Norwood Road  
Concerned about the loitering outside the BT box and the using of it as a public toilet.

25 Re-consultation  
None

## **PLANNING CONSIDERATIONS**

### **Principle of development**

26 The resiting of an existing BT Payphone Kiosk. The new kiosk would be resited approximately 10m from its existing position and will be an identical unit (KX100) outside 83 Norwood Road.

27 The concerns of the objectors with regards to the urinating in the phoneboxes is not a material planning consideration and therefore has not been taken in account in determining this application.

28 Under the Town and Country Planning (General Permitted Development) (Amendment) 2001 Part 24, certain works by telecom code systems operators are permitted subject to specific conditions.

29 In this case the works are permitted under Part 24(A) (a) subject to conditions A2 (1) and (2) & (4). Under condition (4) they are permitted subject to A3 (1) and (3) which requires the developer to apply to the LPA for a determination as to whether it wishes to approve the details. The Council can only take into account matters relating to the siting and appearance of the development. These matters are assessed below.

30 **Environmental impact assessment**  
N/A

31 **Impact of proposed development on amenity of adjoining occupiers and surrounding area**  
The resiting by approximate 10m of an existing BT Payphone Kiosk, is unlikely to have a negative impact upon the amenity of the surrounding local, users of the area, or any nearby residents. It is therefore considered to be in accordance with policy 3.2 Protection of Amenity.

32 **Traffic issues**  
As this is the replacement of an existing BT Payphone Kiosk with a clear glass unit, it is considered that pedestrian traffic, traffic circulation or signals would not be affected. As such, the proposal complies with Policy 5.3 Walking and cycling.

33 The Southwark Plan 2007 [July] does not make any provision to condition this type of development to provide cycle parking spaces, as such there is no relevant Policies, and cycle spaces as referred by Southwark Cyclists is not proposed.

34 **Design issues**  
The design of the BT Payphone Kiosk is acceptable and is the same as the existing unit. It is appropriate to achieve the purpose of the BT Payphone Kiosk to be in keeping with the provisions of policy 3.12 Quality in Design.

35 **Impact on character and setting of a listed building and/or conservation area**  
N/A

36 **Planning obligations [S.106 undertaking or agreement]**

N/A

37 **Other matters**  
N/A

38 **Conclusion**  
The proposal is not considered to raise any issues of concern with regard to siting or appearance. It is therefore considered to be acceptable.

#### **COMMUNITY IMPACT STATEMENT**

39 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above.

#### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

40 N/A

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Neil Loubser	Planning Officer - Development Control [tel. 020 7525 5440]
CASE FILE	TP/2008/BT/GEN	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mrs L. Kennedy BT Payphones	<b>Reg. Number</b> 08- <u>PA</u> -0016
<b>Application Type</b>	Prior Approval	
<b>Recommendation</b>	Prior Approval Required - Approve	<b>Case Number</b> TP/2008/BT/GEN

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### Draft of Decision Notice

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**The Southwark London Borough Council hereby give approval for:**  
To resite one KX100 style telephone kiosk

**At:** OUTSIDE 83 NORWOOD ROAD, LONDON, SE24 9AA

**In accordance with application received on** 19/03/2008

**and Applicant's Drawing Nos.** photographs & site plans

**DULWHICH COMMUNITY COUNCIL**  
**CASE OFFICER REPORT RECORD SHEET**

<b>Proposal</b> Sunray Estate Conservation Area	<b>Wards</b> South Camberwell and Village
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**Case Officer:** Lance Penman

**Recommendation proposed by Case Officer:**

Signed \_\_\_\_\_ date \_\_\_\_\_

**Recommendation cleared by Team Leader / Group Manager:**

Signed \_\_\_\_\_ date \_\_\_\_\_

**Recommendation cleared by Development and Building Control Manager:**

Signed \_\_\_\_\_ date \_\_\_\_\_

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**Recommendation NOT cleared by Team Leader / Group Manager OR  
Development and Building Control Manager**

Signed \_\_\_\_\_ date \_\_\_\_\_

**Reason Recommendation NOT agreed:**

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**Decision made by Planning Committee / Community Council**

Signed \_\_\_\_\_ date \_\_\_\_\_

<b>Item No</b>	<b>Classification</b> Open	<b>Date:</b> 8 May 2008	<b>Committee:</b>  Dulwich Community Council
<b>Title of Report</b>		Consultation for proposed designation of the Sunray Estate Conservation Area	
<b>Wards</b>		South Camberwell and Village	
<b>Proposal From</b>		HEAD OF DEVELOPMENT CONTROL	

### RECOMMENDATIONS

1. That the Members consider a proposal that the Sunray Estate be designated as a Conservation Area and to approve a recommendation that consultation should be carried out with local residents.
2. That Members consider the proposal to carry out public consultation with local residents and businesses to obtain their view on the designation of the Sunray Conservation Area.
3. That the Community Council comment on the draft Conservation Area Appraisal and map of proposed boundary as the documents to be considered in that consultation.

### BACKGROUND INFORMATION

- 4 The Sunray Estate is recognised as an area that is important in the development of early twentieth century housing. It was built as part of an effort to re-house veterans of the Great War and was built in the traditions of the "Garden Suburbs" movement of this period.
- 5 In 1982, the area was identified by the Council as an "Area of Special Character". However, this designation is not one that conveys any additional protection within the planning system, and in order to preserve the special character of this very homogeneous area an Article 4 Direction was approved. The boundary of the "Area of Special Character" is shown on the plan that is attached as Appendix '1'. This area is coincident with that of the proposed Conservation Area.
- 6 The Sunray Estate has been the subject of an Article 4 directive since May 1987 (see Appendix 3) and the Council has issued Design Guidelines to advise owners of buildings in the area what works to buildings are likely to acceptable to maintain its historic character.
- 7 Article 4 directives are normally associated with Conservation Areas, which offer additional protection against alteration of building and restrict the scale of some forms of permitted development including extensions and boundary walls. The Article 4 designation for Sunray Gardens was agreed by Southwark Council on 15 May 1987 and approved by the Secretary of State 13 November 1987. It withdrew



permitted development rights in the agreed area, which is the same as that contained in the Conservation Area Appraisal, here attached.

8 The document withdraws permitted development rights for the following classes of development:

- *The enlargement, improvement or other alterations of a dwelling house (including changes to fenestration) insofar as such development would alter the external appearance as viewed from a public highway of a dwelling house - the rendering or use of stone or the cladding on external walls.*
- *The erection or construction of a porch outside any external door at the front of a dwelling house.*
- *The construction within the curtilage of a dwelling house of a hard standing for vehicles for a purpose incidental to the enjoyment of the dwelling house*
- *The erection or construction of gates fences or walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic or two metres in height in any other case and the maintenance improvement or other alteration of any gates fences walls or other means of enclosure.*

9 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 as “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”, and the only criterion for designation is whether or not the area is of special architectural or historic interest.

10 The draft Appraisal follows guidance published by English Heritage in 1997. This sets out the importance of defining and assessing a conservation area’s character and the need to record it in some detail. The purpose is to provide a sound basis for rational and consistent judgements when considering planning applications within conservation areas. When formally adopted by the Council, conservation area appraisals have the status of supplementary planning guidance and therefore can help to defend decisions on individual planning applications on appeal. They may also guide the formulation of proposals for the preservation and enhancement of the area.

11 Designation of a conservation area imposes certain duties on planning authorities. These duties are twofold. First, to formulate and publish from time to time proposals for the preservation and enhancement of conservation areas in their district and submit them for public consultation. Secondly, in exercising their planning powers to pay special attention to the desirability of preserving or enhancing the character or appearance of the areas. The formal adoption of appraisals will satisfy these obligations.

12 A conservation area imposes additional controls on owners of buildings. In addition to the need for applicants and the Council to pay special attention to the character and appearance of the area consent is required for demolition and for works to trees.

## **KEY ISSUES FOR CONSIDERATION**

### **Historical Context**

13 The area suggested for designation includes those building buildings which form part of the estate built after the 1914 – 18 War to provide new homes for veterans and there families.

14 The houses are built by the London County Council in a vernacular or arts and crafts style in the tradition of the Garden City movement promoted by Ebenezer Howard and Raymond Urwin. The estate was built between 1920 and 1922.

- 15 The character and appearance of the proposed conservation area is described in the Draft Conservation Area Appraisal attached in Appendix 4.

### **Conservation Area Boundary**

- 16 The boundary of the proposed conservation area is shown in the attached map (Appendix 1). This area includes only those areas included in the Sunray Estate development and intended to relate only to this one area of coherent architectural character. It does not extend into neighbouring areas to include other buildings, which, though they may be of excellent architectural quality and historic interest, do not form part of this harmonious area of urban development, which is described in the Conservation Area Appraisal. The only exception is St Faith's Church which is a later C20 building, but one which contributes positively to the character of the proposed conservation area.
- 17 The extent of the Sunray Estate Conservation Area extends over both the South Camberwell and Village Wards. It must therefore also be considered by the Camberwell Community Council before it is approved for consultation and the draft appraisal and map are agreed.

### **Policy Implications**

- 18 Policy 3.15 – Conservation of the Historic Environment - of the Southwark Plan (modifications version – 26/6/2006 Executive Version) is as follows: *“Development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that will have an adverse effect on the historic environment will not be permitted.*

*“The character and appearance of Conservation Areas should be recognised and respected in any new development within these areas. Article 4 directions may be imposed to limit permitted development rights, particularly in residential areas.*

*“In this policy the term historic environment includes Conservation Areas, listed buildings, scheduled monuments, protected London Squares, historic parks and gardens and trees that are protected by Tree Preservation Orders, trees that contribute to the character or appearance of a conservation area and ancient hedgerows.”*

- 19 **Policy 3.16 – Conservation Areas** of the Southwark Plan states that, *“within conservation areas development should preserve or enhance the character or appearance of the area”*. After setting out criteria governing proposals for new development or alterations and extensions in conservation areas, this policy continues: *“within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless ... it can be demonstrated that:*

- *The costs of repairs and maintenance would not be justified, when assessed against the importance of the building and the value derived from its continued use, providing that the building has not been deliberately neglected; and*
- *Real efforts have been made to continue the current use or find a viable alternative use for the building; and*
- *There will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the resulting demolition; and*

- *The replacement development will preserve or enhance the character of appearance of the conservation area and has been granted planning permission.”*

## **Conclusions**

2 0 It is considered that the Sunray Estate has a distinctive character that is of special architectural or historic interest. It therefore meets the criteria for designation as a conservation area. Designation complements an extant article 4 designation which already acknowledges the importance of the area and protects against inappropriate development.

It is therefore recommended that the proposed designation and the draft conservation area appraisal be approved for public consultation.

## **21 Local Agenda 21 [Sustainable Development] Implications**

- a. The conservation area initiatives proposed in this report will contribute to sustainability by promoting respect and care for historic buildings and heritage areas in Southwark.
- b. Whilst the draft Appraisal recommends the use of some non-renewable resources, such as lime-based mortars and renders, these materials are acknowledged as appropriate in conservation terms and are recommended by English Heritage.

## **Community Impact Statement**

22 The proposed designation will be consulted in accordance with the Statement of Community Involvement. The Statement of Community Involvement sets out how and when the Council will involve the community in the alteration and development of town planning documents and applications for planning permission and was adopted in January 2008.

23 The proposed consultation will include a public meeting to consult with local residents, businesses and other local interests over the definition of the boundaries and the conservation area appraisal. Notification of the consultation on the proposed designation and the supporting documents will be put in the local press, on the council's website and will be made available in the local libraries and the Town Hall.

## **Resource implications**

24 Notifying the public of the designation of the Sunray Estate Conservation Area will not result in resource implications for the staffing of the Regeneration Department.

25 Other resource implications will be the cost of publishing the Conservation Area Appraisal, which can met within the Regeneration Department's revenue budget. The cover price of the document will be fixed to cover production costs.

## **Consultation**

26 The public consultation meeting will be held within 15 weeks of this committee and a report on this and any other consultation responses received will be made back to members of the Planning Committee for their consideration. The report will show how the consultation has complied with the Statement of Community Involvement.

27 It is proposed that the constraints placed on permitted development in the Sunray Estate by the Article 4 Direction be retained when the conservation area is designated. During consultation the status of the Article 4 Direction will be reviewed and any comments made

by the public on it will be taken into account when the designation of the conservation area and continuance of the Article 4 Direction is considered by the Planning Committee.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Legal Implications**

- 28 This report recommends that, subject to public consultation, the Planning Committee be recommended to designate an extension to the Sunray Estate Conservation Area.
- 29 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to determine, from time to time, which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas
- 30 Government guidance on conservation areas can be found in PPG 15 "Planning and the Historic Environment". This advises that it is the quality and interest of areas, rather than of individual buildings, which should be the prime consideration in identifying conservation areas. The government also advises that the principal concern of a local planning authority in considering the designation of a conservation area should be to form a judgement on whether the area is of special architectural or historic interest the character of appearance of which it is desirable to preserve or enhance.
- 31 There is no statutory requirement to consult on proposals to designate or to cancel the designation of a conservation area, but the guidance advises that consultation with local residents, businesses and other interested local bodies over the identification of areas and their boundaries is highly desirable.
- 32 There are no formal statutory provisions which set out how consultation should be conducted but a number of decided cases establish that proper consultation must satisfy the following criteria:
- Be undertaken when the proposals are at a formative stage;
  - Include sufficient details of proposals to allow those consulted to give intelligent consideration and an intelligent response;
  - Adequate time must be allowed for consultation; and
  - The results of the consultation must be conscientiously taken into account when making the decision.
- 33 The approach outlined above is consistent with the Act and the guidance.
- 34 If the Council believes that the area has the appropriate character or appearance then it should be designated. The effect of that designation, in imposing additional controls, is not a factor that should be taken into account

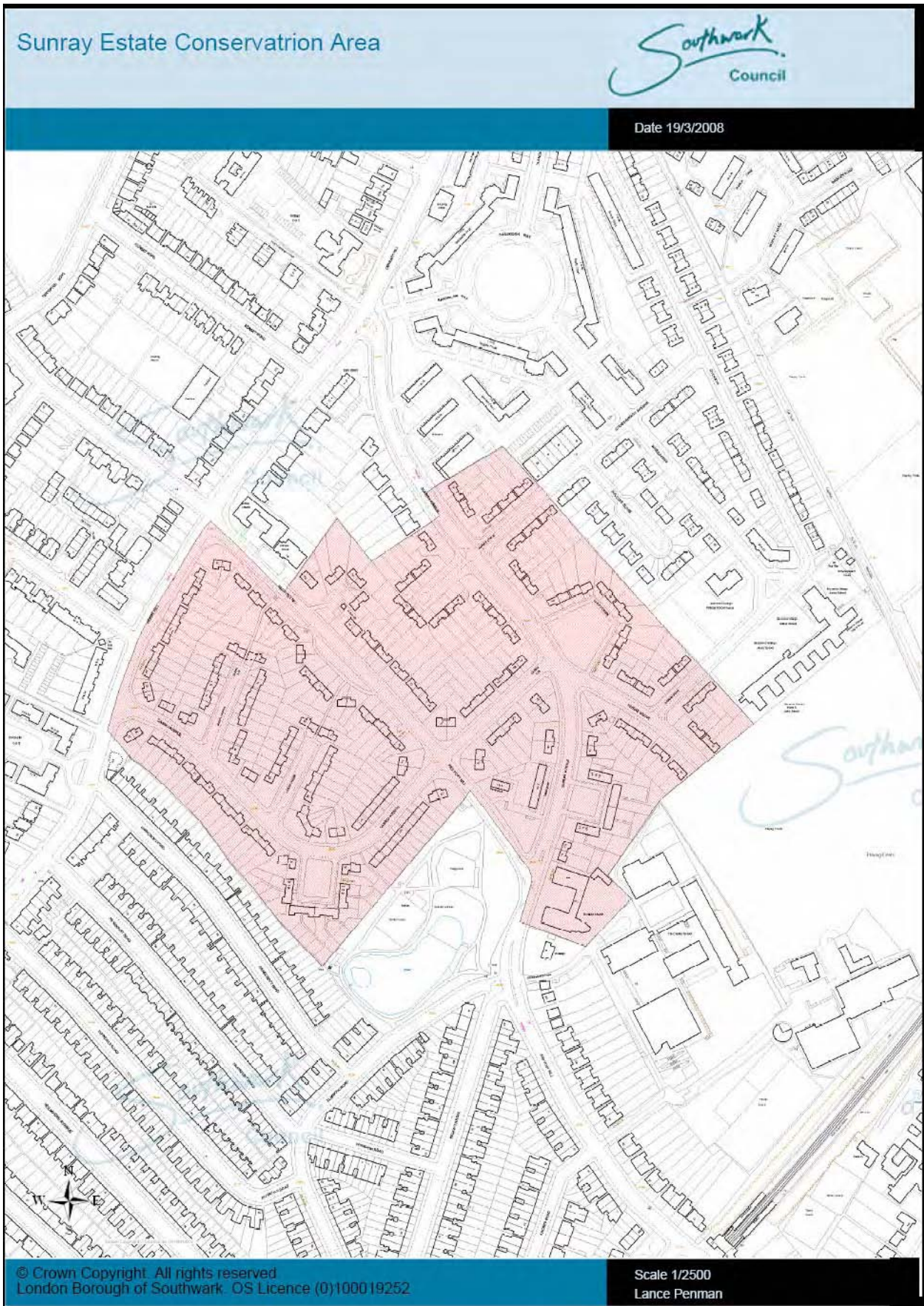
## BACKGROUND DOCUMENTS

### APPENDICES

No.	Title
Appendix 1	Plan showing the proposed boundary for the Sunray Estate Conservation Area.
Appendix 2	Draft Sunray Estate Conservation Area Appraisal
Appendix 3	Sunray Estate Proposed Conservation Area Designation: photographs

### AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice	
<b>Report Author</b>	Lance Penman: Senior Urban Design Officer	
<b>Version</b>		
Dated		
Key Decision	Yes	
<b><i>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES/</i></b>		
<i>Officer Title</i>	<b>Comments Sought</b>	<b><i>Comments included</i></b>
Strategic Director for Legal and Democratic Services	Yes	Yes
Finance Director	No	No
Executive Member	No	No
<b>Date final report sent to Community Council</b>		



London Borough of Southwark

TOWN AND COUNTRY PLANNING

GENERAL DEVELOPMENT

ORDER 1977-1985

Article 4 Direction

SUNRAY ESTATE HERNE HILL

LONDON

15 May 1987

Whereas the Council of the London Borough of Southwark being the appropriate Local Planning Authority within the meaning of the Article 4 of the Town and Country Planning General Development Order 1977-1981 is of the opinion that it is expedient that development of the descriptions set out in Schedule II hereto should not be carried out on the land described in part 1 of Schedule III hereto should not be carried out on the land described in Part 2 of Schedule I hereto unless in either case permission therefore is granted on application made under the Town and Country Planning Development Order 1977-1985

And whereas the said Council is further of the opinion that such development as aforesaid would constitute a threat to the amenities of its area and that the provisions of paragraph 3(b) of the said Article 4 should apply to this direction

Now therefore the said Council in pursuance of the powers conferred upon it by Article 4(3) of the Town and Country Planning General Development Order 1977 hereby directs that the permission granted by Article 3 of the said Order shall not apply to the particular developments specified in

Schedule II hereto (in respect of the land described in Part 1 of Schedule I hereto)  
and

Schedule III hereto (in respect of the land described in Part 2 of Schedule I hereto)  
and

AND IT IS HEREBY STATED that this Direction shall remain in force for a period of six months from the dated hereof and shall then expire unless it has been approved by the Secretary of State before the end of such six month period

### SCHEDULE I

#### Part 1

All those parts of the Sunray Estate Herne Hill London SE24 shown hatched with parallel diagonal lines within the wide black boundary line marked on the plan annexed hereto namely

#### Sunray Avenue

Numbers 17-39 (odd)

Numbers 49-71 (odd)

Numbers 77-79 (odd)

Numbers 112-115 (odd)

Numbers 18-40 (even)

Numbers 58-60 (even)

#### Casino Avenue

Numbers 9-39 (odd)

Numbers 53-83 (odd)

#### Part 2

All that part of the Sunray Estate Herne Hill London SE24 shown within the wide black boundary line other than those parts hatched with parallel diagonal lines on the said plan annexed hereto namely

#### Sunray Avenue

Numbers 9-15 (odd)

Numbers 41-47 (odd)

Numbers 73-75 (odd)

Numbers 14-16 (even)

Numbers 42-56 (even)

#### Nairne Grove

Numbers 1-31 (odd)

Numbers 2-16 (even)



Casino Avenue

Numbers 1-7 (odd)

Numbers 41-51 (odd)

Numbers 85-135 (odd)

Numbers 2-36 (even)

Red Post Hill

Numbers 53-99 (odd)

Numbers 64-102 (even)

Herne Hill

Numbers 1-31 (odd)

SCHEDULE II

THE particular developments included in this Schedule are:

*Class I.1 - the enlargement, improvement or other alterations of a dwelling house (including changes to fenestration) insofar as such development would alter the external appearance as viewed from a public highway of a dwelling house - the rendering or use of stone or the cladding on external walls.*

*Class I.2 - the erection or construction of a porch outside any external door at the front of a dwelling house*

*Class I.4 - the construction within the curtilage of a dwelling house of a hard standing for vehicles for a purposed incidental to the enjoyment of the dwelling house*

*Class II.1 - the erection or construction of gates fences or walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic or two metres in height in any other case and the maintenance improvement or other alteration of any gates fences walls or other means of enclosure being development comprised within Class II referred to in the First Schedule to the said Order and not being development comprised within any other Class*

*SCHEDULE III*

THE particular developments included in this Schedule are:

*Class I.1 - the enlargement, improvement or other alterations of a dwelling house (including changes to fenestration) insofar as such development would alter the external appearance as viewed from a public highway of a dwelling house - the rendering or use of stone or the cladding on external walls.*

*Class 1.2 - the erection or construction of a porch outside any external door at the front of a dwelling house*

*Class 1.4 - the construction within the curtilage of a dwelling house of a hard standing for vehicles for a purposed incidental to the enjoyment of the dwelling house as such*

## **DRAFT CONSERVATION AREA APPRAISAL**

### **SUNRAY ESTATE CONSERVATION AREA**

#### **CONTENTS**

- 1 INTRODUCTION**
  - 1.1 Purpose of the Appraisal
  - 1.2 Planning History
  - 1.3 Planning Policies
- 2 Historical Background**
- 3 The Character and Appearance of the Area**
  - 3.1 Broad Context
  - 3.2 Sub-Areas
- 4 Audit**
  - 4.1 Unlisted Buildings that make a Positive Contribution
- 5 Guidelines**
  - 5.1 Introduction
  - 5.2 The Sunray Estate Design Guidelines.

#### **1 INTRODUCTION**

##### **1.1 The Purpose of the Appraisal**

1.1.1 The purpose of this statement is to provide an appraisal of the Sunray Estate Conservation Area and a clear indication of the Borough Council's approach to its preservation and enhancement. It is intended to assist and guide all those involved in development and change in the area, and will be used by the council in assessing the design of development proposals. This document is meant as a comprehensive report to identify the historic background detail and the unique historic and architectural characteristics, which contribute to the estate's being an area of special interest.

1.1.2 The statutory definition of a Conservation Area is an "area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance." Conservation areas are normally centred on listed buildings and pleasant groups of other buildings, open space, or an historic street pattern. A town space, or features of archaeological interest, may also contribute to the special character of an area. It is, however, the character of areas, rather than individual buildings, that such a designation seeks to preserve or enhance. The most recent legislation dealing with Conservation Area is the Planning (Listed Buildings and Conservation Areas) Act, 1990 (Sections 69 to 78). Guidance to the legislation is given in *Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG15)*,

published by the Departments of the Environment and National Heritage in September 1994.

1.1.3 Planning legislation requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In doing this the emphasis will be on control rather than prevention, to allow the area to remain alive and prosperous but at the same time to ensure that any new development accords with its special architecture and visual qualities.

1.1.4 This statement has been prepared following guidance given by English Heritage in their note "Conservation Area Appraisals".

#### 1.1.5 **Arrangement of this Document**

The boundary of the Conservation Area is shown in figure 1. Following the introduction, Section 2 provides a brief history of the area and its development. Section 3 starts with a broad appraisal of its character and appearance, with reference to the range of materials, details and building types to be found in the area. Section 3 then goes on to describe each sub-area with specific reference to architectural and historic qualities, views and townscape, the character and relationship of public and green spaces, and any elements that detract from the Conservation Area. Section 4 provides an audit of the features of special interest of the area, including significant groups of unlisted buildings of interest, and trees, planting and other streetscape elements. Section 5 provides guidelines for future development and change in the Conservation area.

#### 1.1.6 **Location**

*The Sunray Conservation Area comprises the Sunray Estate, which is located on Denmark Hill within North Dulwich. It encompasses the streets Sunray Avenue, Sunray Gardens, Casino Avenue, Nairne Grove, Red Post Hill, and part of Herne Hill. The area extends downwards to the south towards North Dulwich Station to include St. Faith's Church and vicarage. Red Post Hill evenly bisects the conservation area creating a fork of roads at its base where the southeastern corner contains Sunray Gardens.*

#### 1.1.7 **Topography**

*Topographically this conservation area is situated on the southern side of Denmark Hill at the base of which sits the Sunray Gardens. Notable elements are the slopes of the Hill, which are lined with mature *Plantanus x hispanica* trees and, at the base of the area, the Sunray Gardens Park.*

### 1.2 **PLANNING HISTORY**

1.2.1 *The Sunray Estate is the subject of an Article 4 Direction, confirmed by the Secretary of State on 13 November 1987, under which some categories of external alterations, which would otherwise constitute "Permitted Development", are subject to control. The Conservation Area was designated on [...].*

### 1.3 **PLANNING POLICIES**

#### 1.3.1 **Unitary Development Plan**

*The Unitary Development Plan for the London Borough of Southwark was adopted in 1995. The following policies in the Plan relate to the conservation, protection and enhancement of*

areas of character, buildings, ancient monuments, historic areas, parks and gardens of environmental quality, architectural interest and historical importance.

**Policy E.4.1 Conservation Areas**

*'Where appropriate, the Council will designate new Conservation Areas and extend existing Conservation Areas. The Council will seek to preserve and enhance the character and appearance of Conservation Areas. The Council will prepare guidelines to identify their special qualities. Identification of the special architectural and historic qualities of an area will be based on detailed analysis of the area. This will include the architectural and historic quality, character and coherence of the buildings and the contribution which they make to the special interest of the area.'*

**Policy E.4.2 Proposals Affecting Conservation Areas**

*'Conservation Area Consent for demolition in Conservation Areas will not normally be granted except where certain conditions are met. These conditions are as follows.*

- i) Consent will not normally be given for the redevelopment of, or demolition or partial demolition of buildings, or parts of buildings, which make a positive contribution to the character or appearance of the Conservation Area.*
- ii) There are acceptable and detailed plans for the site of the building to be demolished or partially demolished. Demolition is not to be undertaken before a contract for the carrying out of the works of redevelopment has been made, and planning permission has been granted for the development.'*

**Policy E.4.3 Conditions for Planning Permission in Conservation Areas.**

*'Planning permission for proposals affecting Conservation Areas will not normally be granted except where certain conditions are met. These conditions are as follows:*

- i) The design of any new development or alteration demonstrates that a high priority has been given to the objective of positively preserving or enhancing the character or appearance of the Conservation Area;*
- ii) Proposals should pay special regard to historic buildings lines, scale, height and massing, traditional patterns of frontages, vertical or horizontal emphasis, plot widths and detailed design e.g. the scale and spacing of window openings, and the nature and quality of materials;*
- iii) Schemes should be drawn up in detail (outline applications will normally not be accepted);*
- iv) Drawings of the proposals should show the proposed development in its setting and indicate any trees to be retained, lost or replaced;*
- v) A proposal for a site adjacent to or outside a Conservation Area will be unacceptable if it would have a significant adverse impact on the character and appearance of the Conservation Area;*
- vi) The proposed use will not adversely affect the character or appearance of the Conservation Area.'*

**Policy E.4.9 Article 4 Direction**

*'Where appropriate, the Council will make use of its powers under Article 4 of the General Permitted Development Order 1995 to control alterations and additions to residential and other properties, where it is felt that unsympathetic alteration would damage the character of conservation areas or other homogeneous areas, or unlisted buildings of exceptional group value.'*

**1.3.2 The Second Draft Deposit Southwark Plan**

*The Unitary Development Plan is currently under review. A First Draft of the new plan has been placed on deposit. It is expected that the new plan will be adopted in 2005. The new draft Unitary Development Plan, also known as "The Southwark Plan", is supported by a*

number of supplementary planning guidance (SPG) documents relating to different themes – including design and heritage conservation – and for different areas:

### **Heritage Conservation Supplementary Planning Guidance**

#### **Section 4, Conservation Areas:**

##### **Section 4.3, Preservation and Enhancement:**

*'4.3.1 In exercising its powers under the Planning Acts (and Part I of the Historic Buildings and Ancient Monuments Act 1953), the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas. In Southwark this requirement is satisfied in a number of ways including the formulation of conservation policy (UDP), production of supplementary guidance and character assessments, and in assessment of applications for planning permission and Conservation Area Consent.*

*'4.3.2 The Council is required from time to time to formulate and publish proposals for the preservation and enhancement of its conservation areas, and to undertake local public consultation on such proposals.'*

### **Section 6, Planning Applications Affecting Conservation Areas and Listed Buildings**

#### **'6.2 Information Requirements**

- *Outline proposals are not acceptable for any applications affecting listed buildings or conservation areas.*
- *Design statements will be required with all applications affecting listed buildings or conservation areas. The statement should describe how the proposal will preserve or enhance the conservation area or listed building. More information on Design Statements is available in Council's design and sustainability SPGs.*
- *Consent will not be granted for any demolition or alterations without detail proposals for*
  - i) The protection of any retained fabric;*
  - ii) An acceptable replacement scheme*
  - iii) Work requiring listed building consent without a detailed statement setting out the justification, design approach and methods for the work.*

#### **1.4 Further Information**

*This document is not exhaustive. Further advice and information can be obtained from the Planning Department, London Borough of Southwark.*

## **2 HISTORICAL BACKGROUND**

*2.1 By the early 19<sup>th</sup> century, Denmark Hill contained a number of large, detached houses. One of these was Casino House on the south east side of Herne Hill, which formed part of the Dulwich College estate. This was a substantial, neo-classical villa erected in 1797 to the designs of the architect John Nash for Richard Shaw, who was Warren Hastings' solicitor at the time of his impeachment. The property had extensive grounds stretching down the hill to the south east, which were laid out by the noted landscape gardener Humphrey Repton and which can be seen on the 1894 edition of the 25" to 1 mile Ordnance Survey plan (figure 2). The house was demolished in 1906 but the fish pond at the bottom of the grounds survives and now forms part of Sunray Gardens.*

- 2.2 *By the end of the century the character of the area was changing rapidly. It was proving difficult to find tenants for large houses and their extensive grounds did not always prove attractive to potential developers. The pressure from builders was for higher density, smaller houses for the lower middle classes but this was being resisted by the Dulwich College estate governors, who were concerned to keep property values on the estate high.*
- 2.3 *In 1899 the estate governors petitioned the Charity Commissioners for permission to use Casino House as a home for soldiers wounded in the Boer War. They claimed that “the house has been vacant about five years, and is ... unlikely to find a residential tenant on account of its unusual size and the rapidly changing character of the neighbourhood”. The Charity Commissioners would not agree to this and the governors would not entertain the only offer they received for the land, which was for the erection of a large number of “small class property” in terraces of ten houses with 20 foot frontages.*
- 2.4 *Camberwell borough council, which had been established under the London Government Act of 1899 as one of the 28 Metropolitan Boroughs to run local government in the capital, was also at odds with the estate governors. The borough had been one of the first in London to adopt part III of the 1890 Housing of the Working Classes Act, under which they were enabled to acquire land compulsorily to build dwellings. They were conscious that much of the vacant land in the borough was located in Dulwich and in 1901 they wrote to the governors asking for a grant of land to build working class housing.*
- 2.5 *In the event, the governors themselves had a group of working class cottages erected in Dekker Road (now in the Dulwich Village conservation area) and the borough council did not pursue the matter, satisfied that, for the time being additional working class housing had been provided at no cost to the ratepayers.*
- 2.6 *Meanwhile, although Casino House was demolished in 1906, no further progress was made on the redevelopment of the site until 1918 when one of the estate governors, the architect Edwin Hall, presented a scheme for a 45 acre development including the Casino House and Sunray Avenue sites. It was hoped that government help might be available for this scheme, as it was aimed at “the poorer middle classes then in the Army or Navy”. In the event this proved to be over-optimistic and the governors were not in a position to finance the scheme by themselves. Local authorities, however, did have access to subsidies under the 1919 Housing, Town Planning, etc. Act to provide housing for the working classes and to fulfil Lloyd George’s promise to provide homes fit for heroes. In 1920 the borough council threatened the governors with compulsory purchase orders for large portions of their estate, on which they proposed to erect some 2000 small houses. The governors were not in a strong position to resist and were compelled to accept a compromise, under which, if they agreed to lease the Casino House Estate to the council, “it would not be necessary to take any land in the centre of the estate”. Subsequently, the adjacent Sunray Avenue site was also leased to the council. The council, for their part, agreed to adopt Edwin Hall’s road layout and their design was similar to the governors’, with good quality housing under garden city principles but to a higher density.*
- 2.7 *This development comprises the Sunray Estate conservation area. The Sunray Estate is described in the Buildings of England – London 2: South as “one of the most celebrated products of the ‘Homes fit for Heroes’ campaign”. Its construction, between 1920 and 1922, was the result of a unique combination of direct labour and building guild principles, organised by the Office of Works under its director, Sir*

*Frank Baines, who had trained with the visionary Arts and Crafts architect C.R.Ashbee. It is a fine example of a smaller garden suburb development. It embodies the influence of Ebenezer Howard and the theories of Barry Parker and Raymond Unwin on the Garden City, which had first been put into practice at Letchworth from 1903 and developed at, inter alia, Hampstead Garden Suburb, in the pre-1914 cottage estates built by the London County Council, and in the World War I estates for munitions workers at Eltham, which Baines also designed.*

- 2.8 *The 1875 Public Health Act had laid down mandatory standards for the space between houses, the layout of drainage, etc. and had been an effective response to the proliferation of unhealthy, overcrowded “rookeries” during the industrial revolution. However, being concerned with sanitary reform rather than urban design, it had tended to generate very monotonous street layouts. It was to the seemingly endless repetition of uniform “by-law” terraces that Howard and his disciples were reacting by encouraging an approach, which, they argued, would combine the benefits of urban civilisation with the aesthetic qualities of the rural picturesque.*
- 2.9 *By the time of the 1919 Housing Act, which for the first time required (rather than enabled) local authorities to provide working class housing, Garden City ideas had become widely accepted. They were codified in the “Manual for the Preparation of State-aided Housing Schemes”, which embodied the recommendations of the wartime Committee on Housing, chaired by Sir John Tudor Walters, MP, for the Local Government Board, and advised by Unwin. The overall intention of the Manual was to create housing types that were of a higher standard of design and quality, with a greater emphasis on gardens and green spaces, aimed generally at the “prosperous working class”.*
- 2.10 *The Sunray Estate exemplifies this approach. It comprises some 290 2-storey houses built with steeply-pitched clay tiled roofs and small-paned casement windows set in walls of yellow brick or rough render. Archways and alleys link quiet culs-de-sac to the main routes and the whole area is tied together by a generous planting and landscaping scheme.*
- 2.11 *In 1965 the London Borough of Southwark took over from Camberwell borough council as the local authority responsible for the estate but since the 1980s over a third of the tenants have taken advantage of their “right to buy”.*

### **3 THE CHARACTER AND APPEARANCE OF THE AREA**

#### **3.1 Broad Context**

- 3.1.1 *When defining the character of a Conservation Area, one should take into account the built environment and the area’s character including both man-made and natural features. The character is established by the historic layout of property boundaries and thoroughfares, the styles and extent of gardens and greenery, the street furnishings and hard and soft surfaces, routes through the area, views along the streets and notable landmarks within the area, the combination of which have created this area of exceptional character.*
- 3.1.2 *The estate is situated on the southeast-facing side of Denmark Hill leading down from Herne Hill where the area of special interest is concentrated around the Casino Avenue and Red Post Hill intersection. Sunray Estate is a relatively small-scale conservation area, made up of cottage housing that is arranged in a distinctively uniform layout. The cottage character is accentuated by a rather rural setting consisting of mature tree lined streets, culs-de-sac, and very generous front gardens that are set off from the streets. The area’s*



large number of homes that are occupied by single families, instead of being sub-divided into flats, greatly contributes to the cottage atmosphere.

Though a small handful of houses have undergone some alterations, the original layout of the estate is clearly visible. At the bottom corner of the conservation area is the pond and gardens that survive from the grounds of Casino House, which was demolished in 1906. This small park lends a great deal to the character of the conservation area, and contains, among the components mentioned above, groups of trees that are the same age and species as the trees that were planted along the streets prior to the completion of the estate. The contribution these features make to the semi-rural character and appearance of the conservation area is particularly significant.

- 3.1.3 *The types of open spaces found within this estate owe much to Ebenezer Howard and the central ideas of the garden suburb movement, where houses with gardens were offset from parks, which were considered a necessary component for 'healthy cities'. Within the Sunray Estate most of these components are visible in the pockets of elongated, landscaped, strips of open space, and the substantial verges that characterise specific sub-areas of the conservation area.*

*The sub-areas that make up Sunray can be characterised by the variation in housing (design, size, detached, semi-detached or flat) and landscape referred to earlier.*

## **3.2 Sub-Areas**

### **3.2.1 Sub-Area 1 – The Enclaves**

*One of the sub-area types is characterised by open spaces articulated by an enclave of houses offset from the main network of streets. These open spaces are carefully landscaped and protected by the use of posts and chains that separate them from the narrow one-way lane that circumnavigates the enclave around which the houses are set quite closely. Within this type of layout the housing types include flats and groups of attached dwellings, which are smaller units and form the higher density pockets of the conservation area. A distinctive detail found in the enclaves is that they are mostly faced with brickwork (in Flemish bond) in comparison to the main streets, which have a rendered finish. This sub-area type includes:*

*Nos. 36-86 Casino Avenue,  
Nos. 49-71 Sunray Avenue, and  
Nos. 81-111 Sunray Avenue.*

### **3.2.2 Sub-Area 2 – The Main Thoroughfare**

*In contrast with Sub-Area 1, this Sub-Area is situated along the main routes through the estate, which have much larger vehicular capacity offset by generous landscaped verges and extensive front gardens. Red Post Hill is an example of this Sub-Area type, consisting of larger, single and semi-detached domestic architecture. The houses found on Red Post Hill are in fact different from the other housing types, which are of a more artisan scale. The exterior of the dwellings along Nairne Grove, Sunray Avenue, Herne Hill and the even addresses along Casino Avenue all share the rendered finish mentioned previously.*

### **3.2.3 Sub-Area 3 – The Cul-de-Sac**

*A key element of garden suburb planning is the cul-de-sac. Within the Sunray Estate this particular layout contrasts with that described in Sub-Area 1, whereby a bay for parking not a thoroughfare replaces the green space that dominates the centre of the enclave. The housing within the cul-de-sac has the strongest cottage likeness. Though the distinctive elements found throughout the Sunray Conservation area are all present, the culs-de-sac contain subtle changes such as a stepping plan form that is articulated by a number of*

*gabled elements to the front elevation, as well as an articulated archway located at the centre of the group. This sub-area type includes:*

*Nos. 9-45 Casino Avenue,  
Nos. 53-85 Casino Avenue,  
Nos. 88-98 Red Post Hill, and  
Nos. 18-40 Sunray Avenue.*

#### **4 AUDIT**

##### **4.1 Unlisted Buildings that make a Positive Contribution**

4.1.1 *There are no buildings in the conservation area that are included on the statutory list of buildings of special architectural or historic interest. However, most of the original houses on the estate still survive and the completeness of this survival is an important characteristic of the conservation area.*

4.1.2 *A number of the properties in the estate have been altered in detail. However, there are significant groups in the conservation area that remain in keeping with its original appearance, notably:*

- Nos 31- 37 Sunray Avenue*
- Nos 41- 63 Sunray Avenue*
- Nos 81 – 115 Sunray Avenue*
- Nos 38 – 94 Casino Avenue*
- Nos 102 – 114 Casino Avenue*
- Nos 63 – 77 Casino Avenue*
- Nos 99 – 109 Casino Avenue*
- Nos 64 – 102 Red Post Hill*
- Nos 85 – 95 Red Post Hill*
- Nos 19 – 25 Herne Hill*

*These are examples of groups that have not been excessively compromised by modifications and could therefore be considered exemplary.*

4.1.3 *Individual buildings that make a positive contribution to the character and appearance of the area are:*

- St. Faith's Church, Church Hall and Vicarage, Red Post Hill.*

#### **5 GUIDELINES**

##### **5.1 Introduction**

###### **5.1.1 The Purpose of this Guidance Section:**

*This section of the report draws out from the appraisal those details that are essential to preserve the conservation area's historical character, to which new development and improvements should pay heed. It is not intended as a prescriptive methodology for new design in the area nor to exclude innovation.*

###### **5.1.2 Consulting the Council**

*The Council's design and conservation team should be consulted prior to undertaking any alterations to the exterior of buildings within the conservation area and it is likely that Planning Permission and/or Conservation Area Consent to demolish will be required for most significant works. Where a building is listed as being of special architectural or historic interest, there are stricter controls on what the owner can and cannot do but in this conservation area there are no listed buildings. If unauthorised work is carried out the Council can enforce against it.*

## **5.2 The Sunray Estate Design Guidelines**

5.2.1 *The following guidance provides some indication of the most appropriate approach to common problems and development pressures within the area. It is always wise to seek advice from the Council's planning and conservation officers before considering any building work.*

*The appeal of the Sunray Estate lies partly in its buildings and partly in its setting. The use of privet hedging, grass verges, street trees and the provisions of small 'cottage gardens' is an essential part of the 'garden suburb' image. The houses themselves also possess features, which evoke a cottage image: the widespread use of mullioned windows, steeply pitched, hipped or gabled roofs, and panelled doors.*

*Variety is provided between the groups of houses rather than individual properties, either by the constant use of yellow brick and rough rendered facades or by difference in the elevational treatment such as hipped or gabled roofs and canted bays.*

*Formerly, all of the houses on the Estate were in Council ownership and essential repairs and external alterations undertaken by the Council were carried out in materials in keeping with the original design. Since 1980 however, tenants of houses and flats in Council ownership have had the 'right to buy' their homes and, once they have purchased them, the right to extend, alter or improve their homes – (subject to the normal town planning restrictions). The danger is that if such alterations or improvements are not in keeping with the original design, then the Estate will lose most of the features, which make up its special character.*

*The Architectural homogeneity of the Estate is the most important factor, for although the facades are relatively simple, recent unsympathetic changes have begun to disrupt not only the buildings themselves but the whole street due to the uncharacteristic nature and prominent location of these changes.*

### **5.2.2 Planning Controls**

*Sunray Garden's Article IV Direction was confirmed on 13 November 1987, affecting 252 properties, in an effort to control unsympathetic alterations. Though the council is not opposed in principle to alterations and improvements it is, however, seeking to preserve or enhance the special architectural and historical interest of the area.*

*Under the terms of the Direction, planning permission must be obtained before any of the following works may be carried out:*

- 1) The enlargement, improvement or other alteration of a dwelling house (including changes to windows, doors, and front boundary hedges) insofar as such development would alter the external appearance of the house*
- 2) The rendering or use of stone or other cladding to external walls.*
- 3) The erection or construction of a porch outside any external door at the front of a dwellinghouse.*
- 4) The construction within the curtilage of a dwelling house of a hardstanding for vehicles.*

- 5) *The erection or construction of gates, fences or walls or other means of enclosure.*
- 6) *The painting of external walls*

### 5.2.3 **Roofs:**

*Roofs are mainly of plain clay tile, and often these are hand made. It is important in all work to use materials of the same style, texture and colour as the existing roof tiles or preferably to use second-hand and weathered tiles. Concrete tiles and artificial slates are not suitable. Protective coating should not be applied to tiles as this may detract from their natural appearance.*

### 5.2.4 **Walls:**

*Original facing brickwork should be preserved un-rendered and un-painted. Any repairs, or additional brickwork should match existing in quality and colour, and be laid in the same face bond as the original, (generally Flemish bond). Any changes, such as reducing or enlarging window openings should be avoided. Many of the houses on the Sunray Estate have original rendering, which may be painted with a good quality exterior masonry paint, which allows the wall to “breathe”. However, it is important that adjoining houses in a particular terrace are painted the same (or similar) colour, in order to avoid an unattractive ‘patchwork’ of colours.*

*Use of any of the following colours will not require consent from the Council:*

- 1) *Pale beige (BS 08C 31)*
- 2) *Magnolia (BS 08B 15)*
- 3) *Mushroom (BS 08B 17)*
- 4) *Acorn (BS 08B 21)*

### 5.2.5 **Windows:**

*Windows are wooden casements painted white, with small panes forming a uniform feature in the composition of terraces and the street scene. Decay can cause problems in the frames and cills, but complete renewal is seldom necessary. Repairs can be made by removing decayed wood and grafting in a new piece to match the existing.*

*Decay can be minimised by maintaining the putty to the glazing and regular painting. However, if complete replacement can be shown to be unavoidable, the replacements should be timber casements matching the originals. These windows should match the cottage style with white wooden glazing bars dividing the window into 4, 6 or 8 panes. To ensure that future window replacements are in keeping with the appearance of the original the following is recommended:*

- 1) *The design and materials of replacement windows should precisely match the original;*
- 2) *The size and proportions of window openings should not be altered in any way;*
- 3) *Secondary double glazing (involving installation behind the original window) is preferable to replacement double glazing, (involving removal of the original window frames)*

*New mullions and glazing bars should match the design of the original window. Aluminium or uPVC windows and “picture windows” without glazing bars are therefore not suitable. The use of proprietary sealants to poorly fitting windows and secondary glazing behind existing windows is preferred to new double glazed windows with a different design in aluminium or uPVC frames.*

### 5.2.6 **Doors:**

*Doors are normally panelled, painted and partially glazed, with six panes of glass at the top. These should be preserved, being replaced, only if demonstrably beyond repair, with doors of a similar design. On some houses there are small flat or pitched canopies over the front door. In most cases the canopy to the front door is an integral feature of the house,*

*providing some relief in an otherwise uninterrupted façade. The retention and repair of original canopies is strongly recommended.*

#### **5.2.7 Front Gardens:**

*The extensive use of privet hedging and wooden gates (approximately one metre high) is an important feature of the Sunray Estate's character and charm. Loss of either element and / or their replacement with fences, walls or gates of a different size or pattern will radically change the estate's character and is not recommended.*

***Hard standing** in front gardens is not appropriate to the character of the estate. It should only be provided for cars belonging to registered disabled persons, in which case gates should be provided and the maximum amount of privet hedging retained, in order to reduce the impact on the streetscape. Any vehicular crossing over the footway requires consent from the Council. It can be illegal to drive over a footway without a properly constructed crossing. However, where there is no reasonable alternative site, proposals are only likely to be accepted if:*

- 1) Hard standings do not exceed 50% of the front garden area*
- 2) Hard standings are constructed of a material suitable to the area, such as gravel, gravel rolled in tar, stone slabs, brick or clay paviors (not glazed engineering bricks) or a suitable mix of these materials. Other materials will be considered on their merits, but it is important to avoid brightly coloured concrete slabs, crazy paving, tarmac or concrete.*

*Existing hedges should be retained where possible and the replacement of walls and fences should always match or blend with the original. Materials which are not suitable include concrete panel fencing, dwarf and coloured stone walls, York stone walls or ranch style rail fencing.*

#### **5.2.8 Extensions:**

*Extensions should not dominate the existing house or be conspicuous from the road and, therefore, materials, doors and windows should match the existing house.*

*All extensions that would alter the appearance of a property require planning permission and it is advisable to contact a planning officer before submitting an application. Extensions that significantly reduce sunlight and daylight to adjacent windows are less likely to gain approval and should be limited to no more than 3 metres depth maximum. Short rear extensions will be favoured due to the minimal impact they will have on the rear garden space.*

*By far the most common form of **roof addition** is the dormer window although other extensions may occasionally be proposed. Within the estate there are at present very few dormers and the area generally presents a very homogeneous roofscape. Because of this, there is very little scope for dormer window additions. However, if an exception is to be contemplated, it is most important to determine first, whether the roof is large enough to accommodate a well-designed dormer or any other external extension in scale with the existing building and secondly whether the external appearance of any dormer window or roof extension is appropriate to the locality. There are, however, very few dormers or roof extensions in the entire conservation area and the roofscape is mostly repetitive, therefore they are unlikely to be acceptable.*

*In considering proposals for **rear extensions**, the Council will be concerned to protect the amenities of the neighbouring dwellings. Particular attention will be paid to protecting privacy and maintaining reasonable periods of sunlight and a pleasant outlook from these adjoining properties.*

*Unless well removed from side boundaries, a two-storey rear extension is less likely to satisfy the criteria for good neighbourliness. However, if otherwise satisfactory, its roof*

*should be set at right angles to the existing roof with matching hip and must be designed to match the existing house and conservation area characteristics.*

*In the case of a semi-detached house, it is unlikely that these criteria will be met. However, where they can, the proposed extension should not be any closer than 2.5 m from the common party boundary.*

*Individual site conditions and setting may enable good neighbourliness and appropriate design to be achieved even if some of the following criteria are exceeded, but as a general guide, rear extensions will only be acceptable if:*

- 1) They are within the rearward projected lines of the flank walls of the house.*
- 2) They are no deeper than 3.50m from the house.*

#### **5.2.9 Chimneys**

*Chimneystacks are tall and have a simple design, forming an important skyline feature. They are built in brick to match the house with plain pots set in a mortar bed. Repairs may be necessary to stabilise the chimney, but reduction in the height of the stack will not generally be acceptable. Even if the stack no longer serves a fireplace, ventilation to the flues should be maintained. Chimney pots should be re-bedded if loose. They should not be removed.*

#### **5.2.10 Installation of Satellite Television Dishes**

*It is a condition of installing a dish that you must site it in such a way that minimises its impact on the external appearance of the building and remove it when it is no longer needed. Should the antenna or satellite dish exceed 70cm and be placed in a visible location to the front elevation or on the chimney, planning permission will always be required. However, should the location be:*

- 1) concealed behind parapets and walls below ridge level;*
- 2) set back on side and rear extensions;*
- 3) set back on rear roofs below ridge level;*
- 4) located on the rear garden elevation;*
- 5) such as to minimise the visual impact of the equipment on the Conservation Area character in terms of the size, siting and appearance of the proposed installation;*

*planning permission will not be required.*

#### **5.2.11 Rainwater Goods:**

*Gutter and downpipes are of a standard style, originally in cast iron. Problems may occur with cracked pipes, blockages and broken fixings. Regular maintenance will minimise these defects. Repairs and renewal should preferably be in cast iron. This is readily available and provides a better long-term investment than fibreglass or plastic substitutes.*

#### **APPENDIX: Further Reading:**

*More detailed information and advice is contained in three short books, which residents may wish to read;*

*Lander, Hugh, The Do's and Don'ts of House and Cottage Restoration, (Acanthus Books, 1979)*

*Pike, Beverly, The Good Looking House (The Redcliffe Press, 1980)*

*Prizeman, John, Your House, The Outside View, (Hutchinson 1975)*

*Also of interest:*

*Ashurst, J and N, Practical Building Conservation, Vols. 1-5 (1988)*  
*Brereton, C, The Repair of Historic Buildings: Advice on Principles and Methods (English Heritage, 1991)*  
*Cherry, B and Pevsner, N, The Buildings of England – London 2: South (1983)*  
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