



**COMMUNITY COUNCILS**

A voice for your community



\*PLEASE NOTE VENUE\*

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

**Date: Thursday 05 June 2008**

**Time:** 7.00 PM

**Place:** Herne Hill Baptist Church, Half Moon Lane, Herne Hill,  
London SE24 9HU

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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 (to follow)

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

Item 6/1 – Recommendation: grant – 52 Lordship Lane, London SE22 8HJ  
(see pages 13 – 21)

Item 6/2 – Recommendation: grant – 34 East Dulwich Grove, London  
SE22 8PP (see pages 22 – 32)

Item 6/3 – Recommendation: grant – 72 Lordship Lane, London  
SE22 8HF (see pages 33 – 41)

Item 6/4 – Recommendation: grant – 42 Beckwith Road, London SE24  
9LG (08-AP-0250) (see pages 42 – 47)

Item 6/5 – Recommendation: grant – 42 Beckwith Road, London SE24  
9LG (08-AP-0249) (see pages 48 – 52)

Item 6/6 – Recommendation: grant – 103 – 105 Barry Road, London SE22  
0HW (see pages 53 – 64)

Item 6/7 – Recommendation: grant – 11 – 15 Melbourne Grove, London  
SE22 8RG (see pages 65 – 75)

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

## ADDITIONAL INFORMATION

### **Dulwich Community Council Membership**

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

### **Carers' Allowances**

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

### **Exclusion of Press and Public**

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

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

### **Transport Assistance for Disabled Members of the Public**

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### **Wheelchair facilities**

Wheelchair access to the venue is through the 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

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

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

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

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

## Bengali

Kendi dilinizde Toplum meclisleri hakkønda bilgi almak için 020 7525 7514'nolu telefonu arayønøz.

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

## Turkish

Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku

turjuman af Soomaali fadlan tilifoon u dir 020 7525 7514

Si aad noogu sheegto haddii aad leedahay baahi gaar ama wax gooni kuu ah sida

gaadiid, af celiyaha dadka indha la' fadlan tilifooni 020 7525 7514

## Somali

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

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

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

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

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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

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

<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> 5 June 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>	May 27 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 05 June 2008**

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**Appl. Type** Full Planning Permission  
**Site** 52 LORDSHIP LANE, LONDON, SE22 8HJ

**Reg. No.** 07-AP-2843  
**TP No.** TP/2315-52  
**Ward** East Dulwich  
**Officer** Kristy Robinson

**Recommendation** GRANT

***Item 1/1***

**Proposal**

Change of use from an amusement arcade (sui generis) to use as a wine bar (Class A4) and alterations to the shopfront to provide a smoking area.

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**Appl. Type** Full Planning Permission  
**Site** 34 EAST DULWICH GROVE, LONDON, SE22 8PP

**Reg. No.** 08-AP-0114  
**TP No.** TP/2124-34  
**Ward** East Dulwich  
**Officer** Kristy Robinson

**Recommendation** GRANT

***Item 1/2***

**Proposal**

Demolition of existing 3 storey residential property/garage to allow for the construction of a 3 storey residential property with accommodation within the roof [3 x 2 bed and 2 x 1 bed units] and associated car-parking, bin and cycle store and amenity space.

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**Appl. Type** Full Planning Permission  
**Site** 72 LORDSHIP LANE, LONDON, SE22 8HF

**Reg. No.** 08-AP-0575  
**TP No.** TP/2315-72  
**Ward** East Dulwich  
**Officer** Terence McLellan

**Recommendation** GRANT

***Item 1/3***

**Proposal**

Erection of a ground floor rear extension to provide increased floorspace to bar use (Class A4); repositioning of external stair access to first floor to rear.

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**Appl. Type** Full Planning Permission  
**Site** 42 BECKWITH ROAD, LONDON, SE24 9LG

**Reg. No.** 08-AP-0250  
**TP No.** TP/2106-42  
**Ward** Village  
**Officer** Amy Lester

**Recommendation** GRANT

***Item 1/4***

**Proposal**

Basement extension to dwellinghouse, with creation of lightwell and steps down to both front and rear elevations, to provide additional residential accommodation.

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**Appl. Type** Full Planning Permission  
**Site** 42 BECKWITH ROAD, LONDON, SE24 9LG

**Reg. No.** 08-AP-0249  
**TP No.** TP/2106-42  
**Ward** Village  
**Officer** Amy Lester

**Recommendation** GRANT

***Item 1/5***

**Proposal**

Basement extension to dwellinghouse, with creation of front lightwell with steps down, to provide additional residential accommodation.

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## ITEMS ON AGENDA OF THE DULWICH CC

on Thursday 05 June 2008

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**Appl. Type** Full Planning Permission  
**Site** 103-105 BARRY ROAD, LONDON, SE22 0HW

**Reg. No.** 08-AP-0433  
**TP No.** TP/2596-103  
**Ward** East Dulwich  
**Officer** Terence McLellan

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT AND GLA

*Item 1/6*

**Proposal**

Demolition of existing timber yard and construction of six three storey residential dwellings (ground and first floors plus roofspace); parking and amenity space.

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**Appl. Type** Full Planning Permission  
**Site** 11-15 MELBOURNE GROVE, LONDON, SE22 8RG

**Reg. No.** 08-AP-0579  
**TP No.** TP/2125-11  
**Ward** East Dulwich  
**Officer** Rachel Gleave

**Recommendation** GRANT

*Item 1/7*

**Proposal**

Demolition of existing commercial and residential unit and the construction of Class A3 commercial space at ground floor with 3 x 1 bedroom and 1 x 2 bedroom flats and a studio flat over ground, first and second floors within newly constructed three storey building with associated bicycle storage and refuse storage to front of premises

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Item No.	Classification	Decision Level	Date
1	OPEN	DULWICH COMMUNITY COUNCIL	05/06/2008
<b>From</b> Head of Development Control		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> Change of use from an amusement arcade (sui generis) to use as a wine bar (Class A4). and alterations to the shopfront to provide a smoking area. 07-AP-2843)		<b>Address</b> 52 LORDSHIP LANE, LONDON, SE22 8HJ  <b>Ward</b> East Dulwich	
<b>Application Start Date</b> 07/03/2008		<b>Application Expiry Date</b> 02/05/2008	

## PURPOSE

- 1 To consider the above application, which is referred to Dulwich Community Council at the request of Members.

## RECOMMENDATION

- 2 Grant planning permission.

## BACKGROUND

### Site location and description

- 3 The site comprises three storey building with basement at 52 Lordship Lane. The building is currently occupied by an amusement arcade on the ground floor with staff facilities and amenities on the upper floor and storage in the basement. The site backs onto a residential property No. 1 Matham Grove. On Lordship Lane the site is adjacent to a restaurant 'Dulwich Tandoori' and a greeting card/gift shop 'Greetings'. The site is in proximity to a Somerfield supermarket.

- 4 The site is not located in a conservation area and the building is not listed. Lordship Lane is designated a Protected Shopping Frontage. The area is characterised by retail and commercial uses on the ground floor typically with residential above with residential uses to the rear along Matham Grove. The site is located within the Lordship Lane Opportunity Area and Lordship Lane Neighbourhood Area.

### Details of proposal

- 5 Change of use from an amusement arcade (sui generis) to use as a wine bar (Class A4) and alterations to the shopfront to provide a smoking area to the front of the premises.

### Planning history

- 6 Planning permission was granted 7th November 1980 for installation of a new shopfront.

### Planning history of adjoining sites

- 7 None relevant.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 8 The main issues in this case are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
  - b] amenity of neighbours
  - c] traffic and parking

### **Planning Policy**

- 9 Southwark Plan 2007 [July]  
3.2 Protection of Amenity  
3.11 Efficient Use of Land  
3.12 Quality in Design  
5.2 Transport Impacts  
5.6 Car Parking

### **Consultations**

- 10 Site Notice:  
18/03/2008  
08/05/2008 (re-consultation)
- 11 Press Notice:  
N/A
- 12 Internal Consultees
- Transport
  - Waste
  - Public Protection
- 13 Statutory and non-statutory consultees  
None
- 14 Neighbour consultees  
Letters were sent to the adjoining neighbours to notify of the proposal for a 21 day period. See attached list of neighbour consultees.
- 15 Re-consultation  
The application was placed on re-consultation for 14 days to notify neighbours of the amended description in relation to the proposed external alterations to the shopfront.

### **Consultation replies**

- 16 Internal Consultees
- Transport  
No objections as it poses no negative impact on the public highway. There are parking bays in front of the premises here servicing can take place.
  - Waste

No comments received - condition for details of waste storage to be provided before occupation.

- **Public Protection**

The acoustic officer's comments are summarised as follows:

- the Applicant would need to seek a 'premises license' therefore certain matters need to be addressed in the planning stage.
- the proposal is likely to attract increased clientele compared to the present use however the proposed hours of operation until 23:00 Monday , 00:00 Fri-Sat and 22:30 Sun appear to be acceptable in terms of preventing public nuisance.
- the applicant needs to be clear about the intended use of the front area in terms of being a central seating area for customers and restricted to smokers, this will influence dwell time of patrons and potential for public nuisance.
- the use of the rear garden may need to be conditioned to ensure it is not part of the application.
- sound containment - The Applicants state in their letter that the ground floor and basement would be soundproofed, however, no details have been provided as to what extent and for what purpose.
- there is no indication of whether any music is proposed - may need to condition.
- concerned that the ground floor fire escape door is located close to the public bar which may need to be lobbied to prevent sound escape.
- further details are required on how the basement and ground floor are to be ventilated in conjunction with sound containment.
- As there is no kitchen ventilation system - recommend condition restricting sale of snack foods only.

17 Neighbour consultees

There were no objections received only one letter in support of the proposal. The resident supports the wine bar though they are concerned about noise as the property backs onto residential gardens, however they think a wine bar would be preferable to an amusement arcade.

During the re-consultation period there were two letters received - one letter of objection and one letter in support (provided the venue did not stay open after midnight). The objector wishes to remain anonymous. The issues raised in the objection may be summarised as follows:

- loud music playing till 11pm at night causing disturbance to the neighbours
- smoking area out the front
- does not want the back garden be used as it would disturb the neighbours
- de-valuation of her property.

In total there is 1 objection and 2 letters of support.

## **PLANNING CONSIDERATIONS**

### **Principle of development**

- 18 The proposed change of use from an amusement arcade (sui generis) to use as a wine bar (Class A4) is supported in principle. There are no Council policies restricting a change of use from sui generis to A4 use-class. The use of considered suitable for the site which is within a commercial frontage.

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

- 19 The application site backs onto residential properties to the rear in Matham Grove

which could potentially be affected by the proposal, particularly no. 1 Matham Grove adjoining the rear boundary. The site adjoins a restaurant and retail shop at ground floor level with what appears to be residential flats above. The proposal would have minimal impact on the adjoining properties though could potentially affect the amenity of the residential occupiers on the upper levels. Conditions restricting the hours of operation as well as sound insulation measures and details of ventilation within the building should ameliorate any impacts to properties within or adjoining the building

- 20 The use of the wine bar has been restricted to the ground floor and basement with use of a room on the first floor as a kitchen. It is noted that the plans refer to staff room and store on the first and second floor levels, however the written submission refers to staff accommodation being provided on the upper floors. For clarity a condition has been added restricting the A4 use to the basement and ground floors with staff accommodation on the upper floors.
- 21 There are minimal openings at the ground floor level and therefore minimal opportunity for sound escape. There are no windows or openings on the rear projection. There is only the one door on the rear at ground floor level and this door is for fire escape purposes only. Council's acoustic officer has recommended this door may need to be lobbied to prevent sound escape due to its proximity to the public bar. It is suggested that this is also conditioned as part of any approval.
- 22 The use of the front area as a smoking area would have minimal impact on the amenity of neighbouring properties. The area would not provide seating and this would reduce dwell times and therefore minimise any public nuisance.

#### **Traffic issues**

- 23 Council's Transport Officer has no objections to the proposal on transport grounds.

#### **Design issues**

- 24 The proposal involves external alterations to the shopfront to create a smoking area at the front. The existing entrance door is setback 1m behind a glazed shopfront. The proposal is to bring the shopfront back in line with the entrance door to provide a 1m deep area for smokers. The area would be for standing patrons only. The external alterations are considered satisfactory as they are not considered to harm the character of the building or the quality of the streetscene. However, appropriate conditions would need to be included in any consent to ensure that the area is used as a smoking area only and to prohibit the placement of any tables and chairs.

#### **Conclusion**

- 25 The proposal subject to conditions is supported as it generally satisfies Council policies. The proposal has been appropriately designed and subject to further details being provided should have minimal impact on the amenity of neighbouring properties. As such, approval is recommended.

#### **COMMUNITY IMPACT STATEMENT**

- 26 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**

- 27 The proposal would retain a commercial use within the shopping frontage.



LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Kristy Robinson	Planner - Development Control [tel. 020 7525 5330]
CASE FILE	TP/2315-52	
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** Mr P. Reilly  
**Application Type** Full Planning Permission  
**Recommendation** Grant

**Reg. Number** 07-AP-2843

**Case Number** TP/2315-52

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### Draft of Decision Notice

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

Change of use from an amusement arcade (sui generis) to use as a wine bar (Class A4) and alterations to the shopfront to provide a smoking area.

**At:** 52 LORDSHIP LANE, LONDON, SE22 8HJ

**In accordance with application received on** 13/12/2007

**and Applicant's Drawing Nos.** 3176-PD-01, 3176-PD-02, 3176-PD-03, design and access statement

**Subject to the following conditions:**

- 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 use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse have been submitted to (2 copies) and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 Protection of Amenity and 3.12 Quality in Design of the Southwark Plan [July] 2007.

- 3 The outdoor area at the front of the shopfront is to be designated as a smoking area only and appropriate signage provided to inform patrons accordingly. This area may not be occupied by any table or chairs.

Reason:

To protect public amenity in accordance with Policies 3.2 Protection of Amenity of the Southwark Plan [July] 2007.

- 4 The external space to the rear of the main building shall not be used as a sitting out area by customers to the business at any time.

Reason

In order to ensure that the use of the premises does not cause a loss of amenity to the adjoining occupiers by reason of noise and disturbance, in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan [July] 2007.

- 5 The use hereby permitted for wine bar purposes shall not be begun until full particulars and details of a scheme to insulate the premises against the transmission of airborne and impact sound has been submitted to (2 copies) and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given. Any such scheme shall be so designed that noise from the use does not, at any time, increase the ambient equivalent noise level measured immediately outside any of the adjoining or nearby premises (or in the case of separate units of occupation within the same building then inside those units).

Reason

In order to protect neighbouring occupiers from noise nuisance thereby protecting the amenity of neighbouring occupiers in accordance with Planning Policy Guidance 24 Planning and Noise and Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 6 As there is no kitchen ventilation duct proposed as part of this application, no primary cooking of unprepared food shall be carried out within the premises. Only re-heated food that has been prepared elsewhere shall be served within the premises.

Reason:

To prevent a loss of amenity to adjoining residential properties in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan [July] 2007.

- 7 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse have been submitted to (2 copies) and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

- 8 The use hereby permitted as an A4 drinking establishment shall not be carried on outside of the hours 10:00 to 23:00 on Monday to Thursday and 11:00 to 00:00 Fridays and Saturdays and 11:00 to 22:30 on other Sundays and Public Holidays.

Reason

To safeguard the amenities of neighbouring residential properties in accordance with Policy 3.2 Protection of Amenity of The Southwark Plan 2007

- 9 The use hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy 3.2 Protection of Amenity of The Southwark Plan 2007 and Planning Policy Guidance 24 Planning and Noise.

- 10 The proposed use as an A4 drinking establishment shall occupy the ground and basement floors with a kitchen on the first floor back addition. The remainder of the first and second floors shall be used to provide class C3 residential accommodation for staff.

Reason

The use of the upper floors as A4 premises would be contrary to the objectives of Policy 4.6 Loss of residential accommodation the Southwark Plan which seeks to retain residential floorspace. In addition a general A4 use throughout the building could potentially give rise to noise nuisance to the adjoining residential properties contrary to Policy 3.2 Protection of amenity of the Southwark Plan 2007.

- 11 Notwithstanding the submitted ground floor plan 3176-PD-02 the proposed emergency access door opening to the rear of the site shall be kept closed at all times and lobbied before access to the main bar area is gained.

Reason

To prevent noise nuisance being carried through to the rear of the premises and in the interests of the amenity of the adjoining residential properties in accordance with Policy 3.2 Protection of amenity 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 3.2 Protection of Amenity, 3.11 Efficient Use of Land, 3.12 Quality in Design, 5.2 Transport Impacts and 5.6 Car Parking 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>  <b>2</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  DULWICH COMMUNITY COUNCIL	<b>Date</b>  5/06/2008
<b>From</b>  Head of Development Control		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> Demolition of existing 3 storey residential property and existing double garage to allow for the construction of a 3 storey residential property with accommodation within the roof [3 x 2 bed and 2 x 1 bed units] and associated car-parking, bin/cycle store and amenity space. (08-AP-0114)		<b>Address</b>  34 EAST DULWICH GROVE, LONDON, SE22 8PP  <b>Ward</b> East Dulwich	
<b>Application Start Date</b> 17/01/2008		<b>Application Expiry Date</b> 13/03/2008	

## PURPOSE

- 1 To consider the above application which requires a community council consideration due to the number of objections received.

## RECOMMENDATION

- 2 Grant planning permission.

## BACKGROUND

### Site location and description

- 3 The is located at 34 East Dulwich Grove on the corner of East Dulwich Grove and Elsie Road in Dulwich. The site currently comprises a two storey detached dwelling house with an attic and detached double garage. The property was in use as two residential flats, however, it is currently vacant as the building is in a state of disrepair. The area is characterised by residential dwellings. The application site is one of three uniform villas with nos. 32 and 30 East Dulwich Grove that appear to have been built at the same time with identical design and features. There is a community hall opposite the site.
- 4

- 5 The site is not located in a conservation area and the building on the site is not listed, however, the hall opposite the street is a listed building.

### Details of proposal

- 6 Demolition of existing 3 storey residential property and existing double garage to allow for the construction of a 3 storey residential property with accommodation within the roof [comprising 3 x 2 bed and 2 x 1 bed units], 3 associated car-parking spaces, a small bin/cycle chamber and amenity space.
- 7 The scheme differs from the previous scheme in application 07-AP-2071 whereby the roof extension facing onto the adjoining property no. 32 East Dulwich Grove and the double garage/bin/cycle store has been removed from the proposal. The bin and cycle store is now provided in smaller outbuilding behind 3 car spaces.

## **Planning history**

8

- Planning application 07-AP-2071 was withdrawn 07/11/2007.
- Planning permission was refused on 29/9/2003 for 'demolition of the existing two storey with attic house and construction of a three storey building with roof extension consisting of 6 x 2 bedroom flats.

Reasons for refusal are summarised as follows:

1. Overdevelopment of the site and over dominant form of development within the streetscene;
2. Loss of light and amenity to neighbouring residents;
3. Development would result in high density development with insufficient amenity space to meet the needs of future occupiers.
4. Insufficient on site parking and excessive number of units would have adverse impact on parking in street.

The application was the subject of an appeal which was subsequently dismissed. The main issues raised by the Inspector were in relation to the effect of the development on the character and appearance of the area and its effect on the living conditions of nearby residents.

- Planning permission 06-AP-0753 was refused on 18/9/2006 for 'demolition of existing single dwelling house and construction of a three storey apartment building comprising of 6 x 2 bedroom flats.

Reasons for refusal may be summarised as follows:

5. Overdevelopment of the site and over dominant form of development within the streetscene and out of character with the area.
6. Impact to the amenity of neighbours – loss of outlook and increase sense of enclosure.
7. Insufficient parking and excessive number of units – impact on parking in the street.

- Planning permission was refused on 2/7/1998 for 'change of use to house in multiple occupation.'

The application was refused as the scheme proposed substandard non-self contained accommodation.

## **Planning history of adjoining sites**

9

- 32 East Dulwich Grove - None
- 36 - 38 East Dulwich Grove - Planning application withdrawn 05/12/2007 for demolition of existing garage, conversion of two existing houses into 9 flats (5 x two bedroom flats and 4 x one bedroom flats) with new three storey purpose built extension in rear garden to replace existing three storey garden block, 4 new parking spaces, cycle store and bin store to replace existing garage.
- 35 Elsie Road - Planning permission 07-AP-2564 granted for proposed reconstruction of side extension on ground and first floor of dwelling house.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

10 The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] design and appearance
- d] impact on neighbours
- e] impacts on streetscape
- f] traffic and parking
- g] quality of residential accommodation

### **Planning Policy**

- 11 • Southwark Plan 2007 [July]
  - 3.2 Protection of amenity
  - 3.4 Energy efficiency
  - 3.9 Water
  - 3.7 Waste reduction
  - 3.11 Efficient use of land
  - 3.12 Quality in design
  - 3.13 Urban design
  - 4.2 Quality of residential accommodation
  - 4.3 Mix of dwellings
  - 5.2 Transport impacts
- Draft Residential Design Standards (January 2008)

### **Consultations**

- 12 Site Notice:  
29/01/2008
- 13 Press Notice:  
N/a
- 14 Internal Consultees
  - Transport
  - Waste
  - Design and Conservation
- 15 Statutory and non-statutory consultees  
East Dulwich Society
- 16 Neighbour consultees  
Letters were sent to the adjoining neighbours to notify of the proposal. Refer to list of neighbour consultees attached.
- 17 Re-consultation  
N/a

### **Consultation replies**

- 18 Internal Consultees  
Transport:

- Minimum of 5 cycle spaces required, however only 4 shown on the plans.
- The proposed car park is blocking access to the cycle store and refuse store.
- Please have Council's Waste Officer agree to the scheme.

Waste:

Revised scheme requirements are 355l of recycling bins and 532l of residual waste bins for 3 x 2 and 2 x 1 bedroom units. This equates to 2 recycling bins and 3 waste bins (240l).

19 Neighbour consultees

A total of 4 objections were received and the issues raised have been summarised as follows:

1. 40 Elsie Road
  - Size and scale - development is too large and should be one flat less - extensive projection of the roofline along Elsie Road.
  - Circular window is out of keeping with the design of local properties.
  - Loss of light - the rear extension although it has been stepped in should not exceed single storey.
  - Loss of privacy - windows overlooking the adjoining property at 32 East Dulwich Grove
  - Parking
  - Elsie Road elevation - new front door, 3 new windows, porch and roof extension - all of which are too close to the fence and pavement.
  - Sustainability - no attempt made.
  - Prefer the house was restored rather than demolished and rebuilt or restored to match the adjacent villas.
2. 30 East Dulwich Grove
  - Size and scale - development is too big for the site as it is wider and deeper than the current building.
  - Loss of light - to 32 East Dulwich Grove
  - Excessive height of roof of garage and bins store
  - Elsie Road elevation out of keeping with the area.
  - Round window is out of keeping with the area.
  - Parking - double driveway results in the loss of one on-street parking space would result in parking problems in surrounding streets due to the number of flats proposed.
  - Materials - concerned that they would be out of keeping with neighbouring properties.
3. 32 East Dulwich Grove:
  - Size and scale - Building is too large for the site (overdevelopment).
  - Overbearing presence due to three storey rear extension. Building is wider and deeper than the existing building.
  - Loss of light into kitchen, upstairs bedrooms and garden.
  - Loss of privacy - kitchen windows to side elevation although they are opaque glass they could be opened and when shut would see shadows.
  - Noise - kitchen windows
  - Elsie Road - roof too large and out of keeping with the area.
  - Round window and bay at front not in keeping with 30 and 32 East Dulwich Grove.
  - Height of garage/bin store excessive.
  - Parking - double driveway would remove one on-street parking space.



- Materials - should be London Stock.
  - Plans are an improvement on the previous proposal however, the building is still too large and will affect quality of life.
4. 27 Elsie Road:
- The site has been deliberately neglected by the owner to maximise its chance of gaining planning permission.
  - Size, height, scale and design - overdevelopment of the site and over dominant form of development within the streetscene.
  - Out of character and harm the visual amenity of the area.
  - Impact on the quality of life of adjoining residents - visual domination, loss of outlook, sense of enclosure and enjoyment of garden.
  - Parking problems and impact on pedestrian and road safety.

20

#### Statutory and non-statutory consultees

1. Barry Mason (Southwark Cyclists)

Recommend increasing cycle storage to 130%, and provided in a covered, secure, sub-divided lockable spaces.

2. Dulwich Constutional Club:

- The pleasant and aesthetic grouping and appearance of the group of properties between Zenoria and Elsie road would be destroyed by a development of this nature.
- Parking is inadequate - each flat should have one parking space.
- Loss of on-street parking.

## **PLANNING CONSIDERATIONS**

### **Principle of development**

- 21 The proposed demolition and rebuild is discouraged as it would result in the loss of an attractive building that is currently part of a set of three uniform properties no. 30, 32 and 34 East Dulwich Grove. The Council would prefer the existing building be refurbished, however, the property is in a state of disrepair and Council would support a redevelopment if refurbishment is unfeasible but it would need to be of similar scale development as the existing dwelling house to relate to the streetscene.

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

- 22 The previous scheme was unacceptable as it was found to affect the amenity of neighbouring properties through loss of light, loss of outlook and sense of enclosure to the garden. The revised scheme still proposes a three storey extension to the rear though the garage which was the main concern has now been deleted from the proposal (three car spaces are proposed in its place).
- 23 The three storey extension projects 2.9m beyond the rear building line of the neighbouring property at 32 East Dulwich Grove to a height of three storeys 7m to the eaves or 10.6m to the ridge). The impact of the extension has been somewhat mitigated as it has been stepped in from the boundary by 2.5m. The neighbours have raised concerns regarding the size and scale of the extension in terms of loss of light and overbearing dominance. The 45 degree light tests show that the building would not affect the light into the adjoining property as only the ground floor of the flank wall would be affected and there are no windows to the flank wall. There would be no impact to the windows on the rear elevation. The size and scale of the extension is considerably larger than the existing building though as it has been setback from the boundary it is considered it would not be visually dominant for the neighbouring residents.

- 24 The neighbours have raised concern regarding the kitchen windows facing the side boundary. The proposal is considered to have adequately addressed these concerns as the side windows are opaque glass and openable at the top section only to allow ventilation and maximise privacy. An appropriate condition would be included in the planning permission.
- 25 The neighbours also raised concerns regarding the excessive size of the garage and bin store. This concern has been addressed as the plans have been amended whereby the bin and cycle store has now been downsized.

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

- 26 The scheme should provide quality living standards for future occupiers of the development. The scheme has been assessed against the guidelines contained within the Draft Residential Design Standards.
- 27 Minimum floor areas:

Unit	No. of bedrooms	Proposed	Required	Comply
1 (front ground floor)	2 bedroom	61.5sqm	60sqm	YES
2 (rear ground floor)	1 bedroom	50sqm	45sqm	YES
3 (front first floor)	2 bedroom	61.5sqm	60sqm	YES
4 (rear first floor)	1 bedroom	50sqm	45sqm	YES
5 (loft)	2 bedroom	76.33sqm	60sqm	YES

- 28 All units meet the minimum size requirements. The individual room sizes in each unit also satisfy Council's requirements.

- 29 Internal layout:  
Each unit is adequately self-contained as required by Council. The internal layout of each unit generally meets Council's requirements. The units are appropriately stacked with living rooms above living rooms. All habitable rooms have natural light and ventilation. None of the bathrooms in the development are naturally ventilated, however, building regulations would ensure they were mechanically ventilated. The units have adequate internal storage space.

- 30 Outdoor amenity space:  
The Draft Residential Design Standards requires at least 50sqm of communal amenity space per development and ideally an additional 10sqm of private amenity space per units with 2 bedrooms or less. The scheme provides 37sqm of communal amenity space as well as approximately 17sqm of private amenity space for the rear ground floor unit which if combined would comply with Council's guidelines for the communal amenity space. There was a greater amount of outdoor amenity space proposed, however, the Applicant amended the plans to provide a clear path between the bin/bike store to provide access onto the street as they would have previously been obstructed by car parking. There is also private amenity space provided for the front ground floor unit though as this is located in the front of the property the space would provide little privacy for the residents and therefore is not considered to be useable private amenity space. The amount of outdoor amenity space does not meet Council's requirements, however, the units are all larger than the minimum size required and it is considered the shortfall in private amenity space is not considered detrimental to the amenity of future occupiers and therefore not worthy of a reason to refuse the application.

- 31 Daylight/sunlight:  
The development would ensure sufficient daylight into the building thus ensuring the

building is energy efficient.

Privacy:

- 32 In order to prevent overlooking and loss of privacy Council normally requires a minimum distance between windows of properties. The flank wall of the property at 35 Elsie Road is adjacent to the rear boundary of the application site. Council normally requires a minimum distance of 21 metres at the rear of properties to avoid overlooking. The existing dwelling does not comply as the site is located on a corner site and is currently only 16m to the flank of the property at 35 Elsie Road and the proposed dwelling would reduce this separation distance to only 12m. Although this does not comply the flank wall of 35 Elsie Road only contains one small window at first floor level which is to a bathroom and as this is not a habitable room it is not considered worthy of refusal of the application.

- 33 Waste storage:

The scheme provides a bin storage area in a bin/bike store at the rear of the car parking spaces. The application states that the bin store provides sufficient capacity for 6 x 240l bins including both refuse and recyclables. Council's Waste Officer estimates the revised scheme would be required to provide at least 355l capacity or recycling and 532l for residual waste per unit. This would equate to about 5 x 240l bins. The scheme therefore satisfactorily meets this requirement.

**Traffic issues**

- 34 The revised scheme has removed the previous double garage from the scheme due to its bulk and scale and instead proposes to provide 3 car spaces accessed from a double crossover from Elsie Road. The Transport Officer has no objections with the parking provided as it would meet Council's minimum requirements. The number of cycle spaces were increased to 5 as requested by Council's Transport Officer. The Transport Officer also raised concerns regarding the lack of access provided for the movement of bins and bicycles in and out of the site as they would have been obstructed by parked cars. This matter has been addressed as the plans were amended whereby a pathway was added to the side of the car parking bays providing unobstructed access to and from the bin/bike store.

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

- 35 The community hall opposite the site is a listed building. The application site has no direct relationship with the listed building and as such is unlikely to impact on the listed building.

**Design issues**

- 36 The existing development on the site comprises a detached dwelling house that is uniform with the adjacent properties at 32 and 30 East Dulwich Grove. It appears they were built at the same time and have the identical features and roof form. The standard pitched roof, bay window to the ground floor and the window design are distinct features on all three properties.
- 37 The new building proposes to enlarge the existing dwelling through a three storey rear extension, side extension and roof extension in order to accommodate the proposed five units. The previous scheme was considered excessive in size as it proposed significant alterations that would have resulted in the loss of uniformity between 30 and 32 East Dulwich Grove and affect the quality of the streetscene. The previous scheme proposed significant roof extensions that changed a single pitched roof to one with intersecting roof pitches which added significant bulk to the roof form. The revised scheme has removed the roof extension facing 32 East Dulwich Grove and proposes a more modest roof extension facing Elsie Road. The roof extension is considered satisfactory as it would no longer be overly dominant or bulky on the roof form and is considered to harmonise with the adjacent properties at 30 and 32 East

Dulwich Grove. The proposed 3 storey rear extension to the rear although it changes the elevation to Elsie Road is considered satisfactory. It does not project more than 3m beyond the adjoining property and architecturally would be in keeping with the proposed dwelling. The extensions are considered to be of an appropriate size and scale for a corner site. The extensions are unlikely to be visually dominant for neighbouring properties. The proposal overall is considered to be in keeping with the character of the area and would not cause adverse harm to the streetscene.

### **Conclusion**

- 38 The proposed redevelopment of the site is supported. The proposal would have minimal impact on the amenity of adjoining occupiers and provide quality living accommodation for the future occupiers of the flats. The proposed extensions are considered appropriate design and would not harm the character of the area or the streetscene. The parking, cycling and waste requirements have been adequately addressed in the application. The proposal satisfies Council's policies. As such, the application is recommended for approval.

### **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.

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

### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

- 40 The proposal uses energy efficient light bulbs, dual flush toilets, draught proofing and water metres will be integrated into the scheme wherever possible.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Kristy Robinson	Planning Officer [tel. 020 7525 5330]
CASE FILE	TP/2124-34	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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** DML Contracting  
**Application Type** Full Planning Permission  
**Recommendation** Grant

**Reg. Number** 08-AP-0114

**Case Number** TP/2124-34

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### Draft of Decision Notice

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

Demolition of existing 3 storey residential property/garage to allow for the construction of a 3 storey residential property with accommodation within the roof [3 x 2 bed and 2 x 1 bed units] and associated car-parking, bin and cycle store and amenity space.

**At:** 34 EAST DULWICH GROVE, LONDON, SE22 8PP

**In accordance with application received on** 14/01/2008

**and Applicant's Drawing Nos.** 1290 011, 013, 014, 16 Rev A, 18 Rev C, 22 Rev A, 26, 27, 28, 29, Design & Access Statement dated 15/12/2007

**Subject to the following conditions:**

- 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 Samples of the facing and roofing materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of facing and roofing materials in the interest of the appearance of the building in accordance with Policy 3.12 Quality in Design of the Southwark Plan [July] 2007.

- 3 The whole of the car parking shown on the drawings hereby approved, or approved subsequently in accordance with any condition of this permission, shall be made available, and retained for the purposes of car parking for the occupiers of the residential flats.

Reason

To ensure the permanent retention of the parking areas, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties. In accordance with Policy 5.6 Car Parking of the Southwark Plan 2007.

- 4 Details of the means of enclosure for all site boundaries shall be submitted to and approved by the local planning authority and the development shall not be carried out otherwise than in accordance with any approval given. The development hereby permitted shall not be occupied until the works approved pursuant to this condition have been carried out.

Reason

In order that the Local Planning Authority may be satisfied as to the details of boundary treatment and in the interest of the appearance of the building in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

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

Reason

In order that the Local Planning Authority may be satisfied as to the details of landscaping in the interest of the appearance of the building in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

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

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

- 7 The cycle storage facilities as shown on drawing 1290/18/C shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Policy 5.3 'Walking and Cycling' of the Southwark Unitary Development Plan 2007

- 8 No meter boxes, flues (including balanced flues), vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevation[s] of the building[s] without the prior written approval of the Local Planning Authority.

Reason

Such works would seriously detract from the appearance of the building (s) and be injurious to visual amenity in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design.

- 9 Details of facilities for the composting of organic waste and the collection of rainwater for recycling shall be submitted to and approved by the Local Planning Authority. No occupation shall take place until any provision as may have been approved is in place.

Reason

In order to reduce waste and in accordance with the the Council's policies for recycling 3.7 Waste reduction 3.9 Water 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 3.2 Protection of Amenity, 3.7 Waste Reduction, 3.11 Efficient Use of Land, 3.12 Quality in Design, 3.13 Urban Design. 4.2 Quality of Residential Accommodation, 4.3 Mix of Dwellings, 5.2 Transport Impacts 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</b>  <b>3</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  DULWICH COMMUNITY COUNCIL	<b>Date</b>  05.06.08
<b>From</b>  HEAD OF DEVELOPMENT CONTROL		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal (08/AP/0575)</b> Erection of a ground floor rear extension to provide increased floorspace to bar use (Class A4); repositioning of external stair access to first floor to rear.		<b>Address</b>  72 LORDSHIP LANE, LONDON, SE22 8HF  <b>Ward East Dulwich</b>	
<b>Application Start Date</b> 19/03/2008		<b>Application Expiry Date</b> 14/05/08	

## PURPOSE

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

## RECOMMENDATION

- 2 Grant Detailed Planning Permission, subject to conditions.

## BACKGROUND

### Site location and description

- 3 The application site refers to the building and plot located at 72 Lordship Lane, East Dulwich, London. The existing building is a mid terrace property currently in Class A4 Use - pubs and bars. The application site forms part of the commercial area of Lordship Lane with commercial use on the ground floor and residential use on all upper floors, there is an area of garden ground located to the rear of the premises. The application site is not listed and does not refer to any conservation areas.
- 4 The site is designated as a Primary Shopping Frontage, Lordship Lane Opportunity Area and Lordship Lane Neighbourhood Area under the provisions of the Southwark Plan 2007 (July). The is located in the Lordship Lane District Town Centre which provides a wide range of local services and goods that meet the needs of the local community. The area is characterised by small niche business, cafes and restaurants.
- 5 The application site is bounded to the north by the East Dulwich branch of Barclays Bank, to the east by Lordship Lane and the adjacent commercial and residential properties, to the south by the adjoining commercial and residential properties and bounded to the west by the rear/side garden ground of the dwellings on Ashbourne Grove.

### Details of proposal

- 6 Planning consent is sought for the erection of an extension to the rear of the premises

to provide increased floorspace for the existing A4 Class Use (pubs and bars). The proposed alterations will also necessitate the re-alignment of the external stairway that provides access to the first floor flat immediately above the application site.

- 7 The proposed extension will extend to the boundary of the application site within the side return, a distance of 2800mm. The extension will then project from the rear building line of the existing building at an angle, and will measure 7000mm at its deepest point. The total height of the extension will be 2900mm at its highest point, reducing in height to 2000mm along the boundary from the existing rear building line.
- 8 The roof of the extension will feature a walkway to maintain access to the first floor flat as a result of the relocation of the external staircase to accommodate the proposed extension. The external staircase and walkway will be constructed from iron and steel whilst the extension will employ materials such as stone render, asphalt roofing and brick. There will be ramped access from the rear extension to the outdoor space and the proposed development will not include the installation of any new windows. In order to retain amenity, a 2000mm high fence will be erected along the entire boundary between the application site and the rear of Barclays Bank.

#### **Planning history**

- 9 01/AP/0343 - Change of use from offices to a restaurant and erection of extraction duct to the rear.  
Granted - 14.06.01

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

- 10 74 Lordship Lane - 07/AP/1621 - Erection of rear extension to enlarge the existing ground floor shop area together with new external staircase and railings providing access over flat roof to existing first floor level.  
Granted - 17.09.07

### **FACTORS FOR CONSIDERATION**

#### **Main Issues**

- 11 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 visual and residential amenity of the area.
  - c] All other relevant material planning considerations.

#### **Planning Policy**

- 12 Southwark Plan 2007 [July]  
Policy 3.2 - Protection of Amenity  
Policy 3.12 - Quality in Design  
Policy 3.13 - Urban Design

#### **Consultations**

- 13 Site Notice:  
04.04.08



- 14 Press Notice:  
No press notice required.
- 15 Internal Consultees  
Access Officer  
Environmental Protection
- 16 Statutory and non-statutory consultees  
No consultations required.
- 17 Neighbour consultees  
Ashbourne Grove: Nos. 1, 2, 3, 4, 5, 6, 8, 8 Flat-1 and 8 Flat-2.
- 18 Lordship Lane: Nos. 64, 66, 66A, 68, 70, 70A, 70B, 72A, 74, 75, 76, 77, 77A, 77B, 78, 78A, 79, 81, 83, 83A, 85, 87, 87A and 87B.
- 19 Re-consultation  
Re-consultation not required.

### **Consultation replies**

- 20 Internal Consultees  
All responses received from internal consultees in response to the proposed development have been summarised and addressed below;
- 21 Access Officer: No objections.  
**Response:** Noted.
- 22 Environmental Protection:No objections. The Environmental Protection Team would like to point out that the rear garden should not be included within the proposed use.  
**Response:** Noted and agreed, a condition will be imposed on the planning consent to ensure the rear garden remains as private amenity space not to be used in conjunction with the Class A4 Use.
- 23 Statutory and non-statutory consultees  
Not applicable.
- 24 Neighbour consultees  
Following consultation with neighbours, six letters of objection have been received from the residents at Nos. 3, 5, 11, 15 and 20 Ashbourne Grove, the main points of which have been summarised and addressed below;
- 25 Objection: If the application includes the use of the rear garden in relation to the pub/bar use there will be disturbance in Ashbourne Grove in terms of noise.  
**Response:** The proposed development is for the extension of the existing building into the rear garden area, the proposal does not include the use of the rear garden ground as A4 use, a condition will be attached to this planning consent to secure this issue.
- 26 Objection: The door on the rear of the extension will allow noise to escape and disturb the residents of Ashbourne Grove.  
**Response:** The door of the proposed extension leads to the rear garden area from the bar store and toilets. The bar area itself will be concentrated within the front area of the building and will include noise insulation. The rear door is to be used only in the case of an emergency and for access to the refuse storage area. It is not considered that this will have an adverse impact on the residents of Ashbourne Grove in terms of

noise disturbance.

- 27 **Objection:** The rear door of the extension will cause noise disturbance in terms of in terms of customers entering and leaving the premises and using the rear garden ground as a smoking area.  
**Response:** Customers will have no access to the rear garden and the rear garden will not be used as a smoking area. As previously stated, the door on the rear elevation of the extension is to be use in the case of emergencies and to access the refuse storage area.
- 28 **Objection:** The extension will increase the number of customers and as such will exacerbate noise levels.  
**Response:** The proposed extension will accommodate a bar store and toilet facilities. The main bar area will continue to be at the front of the premises which will be insulated to provide noise attenuation. The achievement of adequate noise levels will be a conditioned requirement of this planning consent.
- 29 **Objection:** The extension will increase car parking problems within the area.  
**Response:** The proposed extension is modest in size and will increase the floorspace of a pub/bar, a facility which people do not normally drive to. Given the excellent public transport connections of the area and the fact the premises is in Class A4 Use, it is not considered that the proposed development will have an adverse impact on the traffic/parking conditions of the area.
- 30 **Objection:** The extension will exacerbate litter problems.  
**Response:** The existing premises is a bar and this use is set to continue. There will be no food or alcohol for sale on the premises for takeaway purposes. It is therefore not anticipated that the proposed extension will generate problems in terms of litter. Any issues local residents have with litter/noise disturbance should be referred to the Councils Environmental Protection Team.
- 31 **Objection:**Smokers on the pavement outside are intimidating, the proposed extension will worsen these problems.  
**Response:** People are free to smoke in the street and outside the premises, this is not a planning consideration and there is the potential for people smoking on Lordship Lane with or without the proposed extension.
- 32 **Re-consultation**  
Not applicable.

## **PLANNING CONSIDERATIONS**

- 34 **Principle of development**  
The proposed development would extend the rear of the existing building out towards the alleyway behind the site. The use of the extension would be in Class A4, which would match the existing use of the ground floor of the building. As the proposed development would not result in any change of use it is considered that the development of the rear extension, in principle, is acceptable.
- 35 **Environmental impact assessment**  
The proposed development lies outwith the scope of The Town and Country planning (Environmental Impact Assessment) Regulations 1999 and as such will not warrant the completion of an environmental impact assessment.
- 36 **Impact of proposed development on amenity of adjoining occupiers and**

### **surrounding area**

The proposed development will have no adverse impact upon any adjoining residents in terms of a loss of daylight/sunlight, loss of outlook, loss of privacy or indeed the creation of a sense of enclosure. There is a concern that the proposed extension will lead to increased disturbance on Ashbourne Grove in terms of noise pollution. As previously discussed the proposed extension will accommodate a bar store and toilets, the main bar area will still be concentrated to the front of the premises and will be encompassed by sound insulation. The toilet area and bar store provide a buffer from the main bar area that will alleviate any noise disturbance in tandem with the proposed sound insulation. Planning conditions relating to noise levels that must be achieved have been attached to this planning consent in order to secure the level of amenity currently enjoyed by the residents of Ashbourne Grove. On all planning terms the proposed extension is acceptable and is consistent with other rear extensions along this section of Lordship Lane.

37 There will be no adverse impact on the resident of the dwelling immediately above the application site as access will be maintained through the introduction of an improved external stairway and walkway.

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

As the proposed rear extension would be consistent with the existing use of the ground floor of the site it is not considered that the development would be impacted on by the adjacent uses.

### **39 Traffic issues**

The parade is located on a major transport route, accessible from bus and bicycle routes. The extension at the rear of the site is not considered to impact on the safety and efficiency of the highway network.

### **40 Design issues**

The proposed extension is at the rear of the site and screened from views from the surrounding public spaces. It is single storey in scale and would be similar to the extension at No. 74 Lordship Lane in terms of scale massing and configuration. It is therefore considered that the development would be in general accordance with the surrounding area and would maintain the streetscape.

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

The proposed development will have no adverse impact upon either the character or setting of any listed buildings or conservation areas.

### **42 Planning obligations [S.106 undertaking or agreement]**

No planning obligations or Section 106 agreements are required as part of this planning application.

### **43 Other matters**

No other matters have been identified that are of relevance in the determination of this planning application.

### **44 Conclusion**

With the appropriate safeguarding conditions, the proposed single storey rear extension due to its adequate size and design would be considered acceptable as it would be a similar depth to the existing extension on the site in the parade, the proposed use of the extension is the same as the use of the existing ground floor area, traffic safety is not compromised and provision is maintained for the access to the upper floors residential dwelling and rubbish storage. The living conditions of the adjoining occupiers are not significantly harmed and the streetscene qualities are

maintained. It is therefore considered in accordance with policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) and 3.13 (Urban Design) of The Southwark Plan 2007. Given the above, it is recommended that detailed planning permission be granted subject to conditions.

### **COMMUNITY IMPACT STATEMENT**

45 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] There are no issues relevant to particular communities/groups.

c] There are no likely adverse or less good implications for any particular communities/groups.

### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

46 The proposed extension is modest in size and does not instigate any significant sustainable development implications.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Terence McLellan	Planning Officer - Development Control [tel. 020 7525 5365]
CASE FILE	TP/2315-72	
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>	Adventure Battersea Ltd	<b>Reg. Number</b>	08-AP-0575
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2315-72
<b>Recommendation</b>	Grant		

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### Draft of Decision Notice

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

Erection of a ground floor rear extension to provide increased floorspace to bar use (Class A4); repositioning of external stair access to first floor to rear.

**At:** 72 LORDSHIP LANE, LONDON, SE22 8HF

**In accordance with application received on** 06/03/2008

**and Applicant's Drawing Nos.** 08782/1 Rev A, 08782/2, 08782/3, 08782/4 Rev A, 08782/5 Rev A, 08782/6, 08782/7 Rev A, 08782/8, 08782/9

**Subject to the following conditions:**

- 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 (July).

- 3 Details of the proposed sound insulation (2 copies) to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of sound insulation in the interest of the amenity of the surrounding area in accordance with Policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July).

- 4 The doors to be provided on the rear elevation elevation of the proposed extension shall not be used other than for purposes as an exit in the case of emergency and for staff to access the refuse storage area and shall not be used as a general means of access into and/or exit from the building by users of the building.

Reason

In order to safeguard the amenity of nearby residents from potential noise nuisance associated with persons using these doors as a general means of access to and exit from the building in accordance with policy 3.2 Protection of Amenity of The Southwark Plan 2007 (July).

- 5 The rated noise level from any plant, together with any associated ducting, shall be 10 dB(A) or more below the measured  $L_{A90}$  level at the nearest noise sensitive premises – a positive indication that complaints are unlikely. The method of assessment shall be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.  
Within one month of the installation of the plant and equipment, you are required to submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate

compliance with the above requirements. The supplementary acoustic report must include:

- (a) A schedule of all plant and equipment installed;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of all most affected noise sensitive receptor locations and the most affected windows;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) The lowest existing  $L_{A90, T}$  measurement as already established.
- (g) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan and PPG24- Planning and Noise.

- 6 The rear extension shall be designed and constructed to ensure that it's minimum acoustic performance shall be  $R_{w} 38dB$ . A test shall be undertaken following completion of works and prior to the rear extension's use in order assess the level of sound insulation achieved. A report shall be submitted to the local planning authority for approval within one month of the completion of works.

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan and PPG24- Planning and Noise.

- 7 There shall be no loudspeakers located in the ground floor rear extension and no amplified or live music shall be played for the benefit of customers in the ground floor rear extension.

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan and PPG24- Planning and Noise.

- 8 The external space to the rear of the main building shall not be used as a sitting out area by customers to the ground floor Wine Bar at any time.

**Reason**

In order to ensure that the use of the premises does not cause a loss of amenity to the adjoining occupiers by reason of noise and disturbance, in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan [July] 2007.

**Reasons for granting planning permission.**

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

- a] Policies 3.2 - Protection of Amenity, 3.12 - Quality in Design and 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.

**Informative**

You are reminded that Advertisement Consent under the Control of Advertisement Regulations will be required for the display of the advertisement and external signage shown on the approved drawings.

<b>Item No.</b>  4	<b>Classification</b>  OPEN	<b>Decision Level</b>  Dulwich Community Council	<b>Date</b>  05/06/08
<b>From</b>  Head of Development Control		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> 08-AP-0250  Basement extension to dwellinghouse, with creation of lightwell with steps down to both front and rear elevations, to provide additional residential accommodation.		<b>Address</b>  42 BECKWITH ROAD, LONDON, SE24 9LG  <b>Ward</b> Village	
<b>Application Start Date</b> 30/01/08		<b>Application Expiry Date</b> 26/03/08	

## 1. PURPOSE

- 1.1 To consider the above application which is for Community Council consideration due to the recent interest in/decisions regarding the construction of basement extensions in the surrounding area.

## 2. RECOMMENDATION

- 2.1 Grant Permission subject to conditions.

## 3. BACKGROUND

### 3.1 Site location and description

The application site is a two/three-storey mid terrace dwelling located on the eastern side of Beckwith Road in the North Dulwich area of the borough. The property is currently as original with a two-storey rear projection and no existing extensions or major alterations. The surrounding area is characterised by large terraced dwellings, similar to the subject site, many of which have been altered and extended over the years.

- 3.2 A number of neighbouring properties along Beckwith Road have existing original basements, including lightwells to the front of the house. These can be seen at 20, 22, 24, 26, 32, 24, 33, 35, 36 and 37. Please see application file for photographs.

- 3.3 The subject site is not situated with a Conservation Area and the application property is not subject to any statutory listing.

### 3.4 Details of proposal

This application seeks planning permission for the provision of a basement extension to create approximately 96m<sup>2</sup> of additional living accommodation and an ancillary storage room.

- 3.5 A new internal staircase would be provided from the hallway of the existing ground floor. At basement level a games room, utility room, shower room, arts room and wine

storage would be provided.

- 3.6 At the front of the property a lightwell would project 1.1m from the front of the existing bay window with stairs giving access to the front garden. Under the remaining front garden a storage room would be provided with access doors from the lightwell. Surrounding the lightwell at ground level a 1.1m high glass balustrade with stainless steel handrail is proposed.
- 3.7 To the rear of the property a lightwell would project 1.8m from the rear bay window with a glass bridge providing access from the existing ground floor rear room to the garden. A staircase then wraps round the proposed lightwell to provide access to the garden from the basement level. The lightwell, staircase and bridge will again be surrounded by a 1.1m high glass balustrade with stainless steel handrail.

### 3.8 **Planning history**

The application site has no planning history, but in addition to that proposal being considered as part of this report is subject to the following current applications:

08-AP-0249 Basement extension to dwellinghouse, with creation of front lightwell with steps down, to provide additional residential accommodation.

08-AP-0308 Erection of a single-storey ground floor side extension to the rear wing of dwellinghouse, to provide additional residential accommodation (Certificate of Lawfulness for a proposed development).

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

08-AP-0375 - 77 Beckwith Road

Planning permission refused at Dulwich CC for basement alteration and the creation of a lightwell to the front of a dwellinghouse.

## 4. **FACTORS FOR CONSIDERATION**

### 4.1 **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, appearance and impact on the streetscene.
- c] The impact on the amenity of the neighbouring properties.

### 4.2 **Planning Policy**

Southwark Plan 2007 [July]

SP10 - Development Impacts

SP11 - Amenity and Environmental Quality

SP13 - Design and Heritage

3.2 - Protection of Amenity

3.11 - Efficient Use of Land

3.12 - Quality in Design

London Plan 2004

n/a

Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]



n/a

#### 4.3 Consultations

Site Notice: 19/02/08

Press Notice: n/a

##### Statutory and no-statutory consultees

Thames Water

##### Neighbour consultees

As list in Acolaid.

##### Re-consultation

The neighbouring properties were reconsulted on the 25/02/08 following minor amendments to the proposal involving the enlargement of the rear lightwell from 1.6m in depth to 1.8m in depth.

#### 4.4 Consultation replies

Thames Water:

Raise no objections to the proposal and requests the applicant incorporate a non-return valve or other suitable device to avoid the risk of backflow.

Neighbour consultees:

The Council has received no public submissions in connection with this application.

### 5. PLANNING CONSIDERATIONS

#### 5.1 Principle of development

The principle of extending a residential property to increase residential accommodation is acceptable in principle provided the proposed development is in accordance with all other UDP policies.

#### 5.2 Design, Appearance and impact on streetscene

It is considered that the proposed basement extension will not have a detrimental impact on the appearance of the host dwelling or on the character of the surrounding area.

5.3 Those changes proposed to the rear of the dwelling would not be seen from the public domain and would only be visible from the rear garden of the subject dwelling. Suitable access into the rear garden would be maintained with an appropriate area of amenity space remaining to suit the likely needs of the residential occupiers.

5.4 At the front of the application site the front lightwell would be seen by those entering 42 Beckwith Road and those passing close by the front garden. The lightwell is set back from the boundary of the property, thus maintaining an area of front garden typical of this style of property.

5.5 Those materials proposed (glass and stainless steel), would be a contemporary addition to what is otherwise a traditionally maintained property. Although modern in their design and detailing, the balustrading would represent a clear distinction between the original and the new, providing a simple and effective solution. The 1.1m balustrading would be unobtrusive and would maintain the character and detailing of the original property.

5.6 Although the recent refusal of a basement extension at 77 Beckwith Road is noted, it

is considered that due to the difference in style and size of the subject dwellings, this has not established a precedence. 42 Beckwith Road has a wider site frontage with greater detailing to the front elevation, there is a subtle difference in between those properties at the north end of the road and those to the south, which are typically larger. In addition, this section of the road is already characterised by a number of dwellings with front lightwells.

#### 5.7 Neighbour Amenity

The proposed provision of a basement and lightwells to the front and rear of the property are unlikely to have a detrimental impact on the amenity of neighbouring residential properties. There will be no loss of light, privacy or increase in visual intrusion as a result of the development.

#### 5.8 Conclusion

The proposed provision of a basement extension with front and rear lightwells would not have a detrimental impact on the character or appearance of the host building, the surrounding area or a detrimental impact on the amenity of neighbouring properties. The application is in line with adopted Council policy and Guidance and therefore I recommend that planning permission be granted subject to conditions.

### 6. COMMUNITY IMPACT STATEMENT

6.1 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.

### 7. SUSTAINABLE DEVELOPMENT IMPLICATIONS

n/a

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Amy Lester	Senior Planner - Development Control [tel. 020 7525 2547]
CASE FILE	TP/2106-42	
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** Mr & Mrs C. Holmes  
**Application Type** Full Planning Permission  
**Recommendation** Grant

**Reg. Number** 08-AP-0250

**Case Number** TP/2106-42

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### Draft of Decision Notice

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

Basement extension to dwellinghouse, with creation of lightwell and steps down to both front and rear elevations, to provide additional residential accommodation.

**At:** 42 BECKWITH ROAD, LONDON, SE24 9LG

**In accordance with application received on** 30/01/2008

**and Applicant's Drawing Nos.** Site Location Plan received 30/01/08  
EBM/GJ2317/07/01B and EBM/GJ2317/07/02B received 25/02/08  
EBM/GJ2317/07/03A received 20/02/08

**Subject to the following conditions:**

- 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 Policy 3.12 Quality in Design of the Southwark Plan [July 2007]

**Reasons for granting planning permission.**

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

- a] Policies 3.2 Protection of Amenity and 3.12 Quality in 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.

**Informative**

It is recommended by Thames Water that a non-return valve or other suitable device be installed 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.

<b>Item No.</b>  <b>5</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  Dulwich Community Council	<b>Date</b>  05/06/08
<b>From</b>  Head of Development Control		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> 08-AP-0249  Basement extension to dwellinghouse, with creation of front lightwell with steps down, to provide additional residential accommodation.		<b>Address</b>  42 BECKWITH ROAD, LONDON, SE24 9LG  <b>Ward</b> Village	
<b>Application Start Date</b> 30/01/08		<b>Application Expiry Date</b> 26/03/08	

## 1. PURPOSE

- 1.1 To consider the above application which is for Community Council consideration due to the recent interest in/decisions regarding the construction of basement extensions in the surrounding area.

## 2. RECOMMENDATION

- 2.1 Grant Permission subject to conditions.

## 3. BACKGROUND

### 3.1 Site location and description

The application site is a two/three-storey mid terrace dwelling located on the eastern side of Beckwith Road in the North Dulwich area of the borough. The property is currently as original with a two-storey rear projection and no existing extensions or major alterations. The surrounding area is characterised by large terraced dwellings, similar to the subject site, many of which have been altered and extended over the years.

- 3.2 A number of neighbouring properties along Beckwith Road have existing original basements, including lightwells to the front of the house. These can be seen at 20, 22, 24, 26, 32, 24, 33, 35, 36 and 37. Examples are as follows:

The subject site is not situated with a Conservation Area and the application property is not subject to any statutory listing.

3.3

3.4 **Details of proposal**

This application seeks planning permission for the provision of a basement extension to create approximately 74m<sup>2</sup> of additional living accommodation and an ancillary storage room.

3.4 A new internal staircase would be provided from the hallway of the existing ground floor. At basement level a games room, utility room, shower room and wine storage would be provided.

3.5 At the front of the property a lightwell would project 1.1m from the front of the existing bay window with stairs giving access to the front garden. Under the remaining front garden a storage room would be provided with access doors from the lightwell. Surrounding the lightwell at ground level a 1.1m high glass balustrade with stainless steel handrail is proposed.

3.6 **Planning history**

The application site has been subject to the following applications:

08-AP-0308

Certificate of Lawfulness for the erection of a single-storey ground floor side extension to the rear wing of dwellinghouse, to provide additional residential accommodation. Certificate issued under delegated powers 20/03/08.

08-AP-0250

Full planning permission for basement extension to dwellinghouse, with creation of lightwell and steps down to both front and rear elevations, to provide additional residential accommodation. Application currently under consideration.

3.7 **Planning history of adjoining sites**

08-AP-0375 - 77 Beckwith Road

Planning permission refused at Dulwich CC for basement alteration and the creation of a lightwell to the front of a dwellinghouse.

**4. FACTORS FOR CONSIDERATION**

4.1 **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, appearance and impact on the street scene.

c] The impact on the amenity of the neighbouring properties.

4.2 **Planning Policy**

Southwark Plan 2007 [July]

SP10 - Development Impacts

SP11 - Amenity and Environmental Quality

SP13 - Design and Heritage

3.2 - Protection of Amenity

3.11 - Efficient Use of Land

3.12 - Quality in Design

London Plan 2004

n/a

Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]

n/a

#### 4.3 Consultations

Site Notice: 19/02/08

Press Notice: n/a

Statutory and non-statutory consultees

Thames Water

Neighbour consultees

As list in Acolaid.

#### 4.4 Consultation replies

Statutory and non-statutory consultees

Thames Water:

Raise no objections to the proposal and requests the applicant incorporate a non-return valve or other suitable device to avoid the risk of backflow.

Neighbour consultees

The Council has received no public submissions in connection with this application.

### 5. PLANNING CONSIDERATIONS

#### 5.1 Principle of development

The principle of extending a residential property to increase residential accommodation is acceptable in principle provided the proposed development is in accordance with all other UDP policies.

#### 5.2 Design, Appearance and Impact on Streetscene

It is considered that the proposed basement extension will not have a detrimental impact on the appearance of the host dwelling or on the character of the surrounding area.

5.3 At the front of the application site the front lightwell would be seen by those entering 42 Beckwith Road and those passing close by the front garden. The lightwell is set back from the boundary of the property, thus maintaining an area of front garden typical of this style of house.

5.4 Those materials proposed (glass and stainless steel) would be a contemporary addition to what is otherwise a traditionally maintained property. Although modern in their design and detailing, the balustrading would represent a clear distinction between the original and the new, providing a simple and effective solution. The 1.1m balustrading would be unobtrusive and would maintain the character and detailing of the original property.

5.5 Although the recent refusal of a basement extension at 77 Beckwith Road is noted, it is considered that due to the difference in style and size of the subject dwellings, this has not established a precedence. 42 Beckwith Road has a wider site frontage with greater detailing to the front elevation, there is a subtle difference in between those

properties at the north end of the road and those to the south, which are typically larger. In addition, this section of the road is already characterised by a number of dwellings with front lightwells.

#### 5.6 **Neighbour Amenity**

The proposed provision of a basement and lightwell to the front of the property are unlikely to have a detrimental impact on the amenity of neighbouring residential properties. There will be no loss of light, privacy or increase in visual intrusion as a result of the development.

#### 5.7 **Conclusion**

The proposed provision of a basement extension with front and rear lightwells would not have a detrimental impact on the character or appearance of the host building, the surrounding area or a detrimental impact on the amenity of neighbouring properties. The application is in line with adopted Council policy and guidance, and therefore it is recommend that planning permission be granted subject to conditions.

### 6. **COMMUNITY IMPACT STATEMENT**

6.1 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.

### 7. **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

n/a

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Amy Lester	Senior Planner - Development Control [tel. 020 7525 2547]
CASE FILE	TP/2106-42	
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** Mr & Mrs C. Holmes  
**Application Type** Full Planning Permission  
**Recommendation** Grant

**Reg. Number** 08-AP-0249

**Case Number** TP/2106-42

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### Draft of Decision Notice

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

Basement extension to dwellinghouse, with creation of front lightwell with steps down, to provide additional residential accommodation.

**At:** 42 BECKWITH ROAD, LONDON, SE24 9LG

**In accordance with application received on** 30/01/2008

**and Applicant's Drawing Nos.** EBM/GJ2317/07/04, EBM/GJ2317/07/05, EBM/GJ2317/07/06

**Subject to the following conditions:**

- 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 Policy 3.12 Quality in Design of the Southwark Plan [July 2007]

**Reasons for granting planning permission.**

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

- a) Policies 3.2 Protection of Amenity and 3.12 Quality in 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.

**Informative**

It is recommended by Thames Water that a non-return valve or other suitable device be installed 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.



<b>ITEM</b>	<b>Classification</b>	<b>Decision Level</b>	<b>Date</b>
6	OPEN	DULWICH COMMUNITY COUNCIL	05.06.08
<b>From</b> HEAD OF DEVELOPMENT CONTROL		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (08/AP/0433) Demolition of existing timber yard and construction of six three storey residential dwellings (ground and first floors plus roofspace); parking and amenity space.		<b>Address</b> 103-105 BARRY ROAD, LONDON, SE22 0HW  <b>Ward</b> East Dulwich	
<b>Application Start Date</b> 20/02/2008		<b>Application Expiry Date</b>	

## PURPOSE

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

## RECOMMENDATION

- 2 Grant planning permission subject to a legal agreement.

## BACKGROUND

### Site location and description

- 3 The application site refers to the plot located at 103-105 Barry Road, East Dulwich, London. The site is currently occupied by a wholesale timber yard with principle access gained from Underhill Road. The present timber yard consists of a main delivery area and a collection of linear, relatively low rise, poor quality storage sheds and main business area with a large amount of timber stock stored externally against the existing boundary fence.
- 4 The application site lies within a residential area and does not refer to any listed buildings or conservation areas. The site is bounded to the north by Underhill Road and the new residential development at Picketts Terrace, a three storey, staggered terrace development. To the east the site is bounded by another new residential development at Victoria Court, a development of terraced three storey residential dwellings with roof accommodation. The site is bounded to the south by the East Dulwich Tabernacle Baptist Church and associated churchyard. The existing church building is relatively low rise with a pitched roof and finished in red brick, set back 24 metres from Barry Road. On the west elevation the site is bounded by Barry Road and the adjacent three storey, Victorian terraced dwellings.

### Details of proposal

- 3 Planning consent is sought for the demolition of the existing timber yard and the construction of six semi-detached, two storey family dwellings, with roof accommodation. Four of the dwellings will front Underhill Road with the remaining two dwellings fronting Barry Road. The dwellings will all be four bedroom units with off

street parking and private amenity space.

### **Planning history**

- 4 07/AP/2624 - Demolition of existing timber yard and construction of six, three storey residential dwellings (ground and first floor plus roofspace), parking and amenity space.  
Withdrawn - 09.01.08

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

- 5 New residential development at Picketts Terrace immediately adjacent to the site.
- 6 New residential development at Claude Monet Court on the corner of Underhill Road and Henslowe Road.
- 7 01/AP/0888 - Demolition of existing buildings and construction of 11 three storey townhouse's.  
Granted - 05.12.01

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 8 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 visual and residential amenity of the area.
  - c] The design of the proposed development.
  - d] The quality and standard of the residential accommodation proposed.
  - e] All other relevant material planning considerations.

### **Planning Policy**

- 9 Southwark Plan 2007 [July]  
Policy 1.4 - Employment Sites Located Outside the Preferred Office Locations and Preferred Industrial Locations.  
Policy 3.2 - Protection of Amenity  
Policy 3.4 - Energy Efficiency  
Policy 3.8 - Waste Management  
Policy 3.9 - Water  
Policy 3.11 - Efficient Use of Land  
Policy 3.12 - Quality in Design  
Policy 3.13 - Urban Design  
Policy 4.1 - Density of Residential Accommodation  
Policy 4.2 - Quality of Residential Accommodation  
Policy 5.2 Transport Impacts  
Policy 5.3 - Walking and Cycling  
Policy 5.6 - Car Parking
- 10 Supplementary Planning Document: Residential Design Standards.

## Consultations

- 11 Site Notice:  
27.02.08
- 12 Press Notice:  
No press notice required.
- 13 Internal Consultees  
Transport Group  
Waste Management
- 14 Statutory and non-statutory consultees  
Thames Water  
Southwark Cyclists
- 15 Neighbour consultees  
Picketts Terrace: Nos. 1-8 (inclusive).
- 16 Underhill Road: Nos. 224, 230, 232 and 291-299 (odd).
- 17 Henslowe Road: Nos. 80-90 (even) and 95-103 (odd).
- 18 Victoria Close: Nos. 1-6 (inclusive).
- 19 Claude Monet Court: Nos. 1-14 (inclusive).
- 20 Barry Road: Nos. 95, 95A, 95B 95C, 95 first floor, 95 ground floor, 97, 99, 101, 107, 109, 109A, 109B, 109C, 111, 111A, 111B, 113, 113 botttom, 113 upper, 115, 115 ground floor, 115-1st floor, 115-2nd floor, 116, 116A, 116B, 116C, 116D, 118, 118A, 118B, 120, 120 hall, 120 upper, 120 flat-1, 120 flat-2, 120 flat-3, 122, 122 (all flats), 123, 124A, 124B, 124C, 124D, 126, 126A, 126B, 126C, 126D, 126E, 126F, 128, 128A, 128 flat-1, 128 flat-2, 128 flat-3, 128 flat-4, 128 flat-5, 130, 130B, 132, 132 ground, 132 1st floor, 134, 134A, 134B, 136, 136A, 136B, 136C, 138, 138A, 138B, 138C, 140, 140A, 140B, 142, 142A, 142B, and142C.
- 21 Re-consultation  
Re-consultation not required.

## Consultation replies

- 22 Internal Consultees  
All comments received from internal consultees have been summarised and addressed below;
- 23 Transport Group:No objections subject to the payment of monies to the sum of £5000 in order to create a disabled car parking bay on Barry Road.  
**Response:** Noted and agreed, this sum has been agreed with the applicant and will be a conditioned requirement of this planning consent.
- 24 Waste Management: The Councils Waste Management department have provided waste standards that must be met for this development with a guide to the number of waste receptacles that will be needed.  
**Response:** The standards imposed by waste management can easily be accommodated on site. A condition will be attached to this planning consent in order

to secure a satisfactory level of waste management.

- 25 Statutory and non-statutory consultees  
All comments received from statutory and non-statutory consultees have been summarised and addressed below;
- 26 Thames Water: No objections.  
**Response**: Noted.
- 27 Southwark Cyclists: Request that a condition be imposed upon the planning consent for the applicant to provide 130% cycle parking with a further five cycle spaces immediately outside the application site.  
**Response**: The Councils transport department have been formally consulted on this planning application and have raised no objections to the level of cycle parking proposed. A total of six secure cycle spaces have been provided and therefore complies with the relevant policies of The Southwark Plan 2007 (July). A condition will be attached to this planning consent to secure the details of this cycle parking, however this will not include the provision of five spaces outside the application site as this constitutes the public highway and is outwith the ownership of the applicant.
- 28 Neighbour consultees  
Following neighbour consultation, three letters of support and three letters of objection have been received in response to the proposed development from the residents at 3 Picketts Terrace, 99 Barry Road, East Dulwich Tabernacle and 2 Picketts Terrace, 111A Barry Road and 291 Underhill Road respectively. The main points of the letters of objection and support have been summarised and addressed below:
- 29 Support: The wood yard is not large enough to be competitive as it cannot hold stock in large enough quantities, there are also problems with the fumes emitted when the timber is treated on site.  
**Response**: Noted and agreed, there is no objection to the loss of the commercial premises.
- 30 Support: The proposed development will improve the appearance of the area and increase property values.  
**Response**: Noted, the timber yard appears out of context within its residential locality therefore its replacement with residential use will improve the appearance and legibility of the area. In terms of the impact on property values it must be noted that this is not a valid planning consideration.
- 31 Objection: The proposed development may cause subsidence which would in turn affect the East Dulwich Tabernacle Baptist Church.  
**Response**: Noted, strictly speaking, potential problems with subsidence is not a valid material consideration, however it is worth noting that the proposed development must comply with the relevant building regulations and as such problems with subsidence should be identified at an early stage if they are indeed present.
- 32 Objection: The proposed development will increase the already apparent traffic problems within the area including traffic congestion particularly in the mornings and will reduce the space available for buses.  
**Response**: It is not considered that the introduction of six dwellings will have a significant adverse impact on the traffic of the area. The proposed dwellings will feature off street parking and cycle provision and it is noted that public transport links within the area are comprehensive. The commercial business would have generated significant amounts of traffic and deliveries and the loss of the commercial premises including potential customers travelling by car will offset any increase in traffic as a result of the proposed residential development. It is noted that Barry Road can

become congested with limited manoeuvring space for buses however only two of the proposed six dwellings will have a frontage on Barry Road, the majority of the dwellings are accessed from and front Underhill Road.

- 33 Objection: The development will have an adverse impact on the private area behind 291 Underhill Road through overlooking, noise pollution and invasion of privacy.  
**Response**: The area referred to is not private amenity ground and is therefore afforded no protection, furthermore this area is overlooked more intensely by the surrounding residential dwellings of Victoria Close. The area in question is an access for vehicles associated with Victoria Close and it is not accepted that the proposed development will increase present noise levels in this location as the site is not directly bounded by this land at any point. The current levels of noise created by children playing and cars accessing Victoria Close will not be intensified in any way by the proposed development. The proposed development will therefore have no adverse impact on this area in terms of a loss of privacy, noise pollution or indeed overlooking.
- 34 Objection: The development will have an adverse impact on the rear garden ground of the dwelling at 111A Barry Road.  
**Response**: The proposed development is located approximately 25 metres from the rear garden ground of 111A Barry Road with the East Dulwich Tabernacle Baptist Church providing a buffer between the two sites. It is therefore extremely unlikely that there will be any adverse impact of any nature.
- 35 Objection: Barry Road and Underhill Road are particularly dangerous and Southwark Council are negligent in enforcing speed limits, the extra parking and traffic will exacerbate this problem.  
**Response**: As discussed above, it is not accepted that there will be a detrimental increase in the level of traffic using Barry Road or Underhill Road and parking problems will not be exacerbated to any significant degree as the proposed development incorporates off street parking. In terms of enforcing speed limits, it must be noted that this is not the responsibility of the London Borough of Southwark, any concerns with regards to road safety or speeding vehicles should be referred to the Metropolitan Police Service.
- 36 Re-consultation  
Not applicable.

## **PLANNING CONSIDERATIONS**

- 37 **Principle of development**  
In policy terms the loss of the commercial use is assessed under Policy 1.4 of the Southwark Plan, the main purpose of the policy is to restrict the loss of employment sites that are in good public transport areas, have direct access to a main road are in a designated central activities zone or within a strategic cultural area. This site does not fall within this criteria and is therefore considered suitable for release to contribute to the wider regeneration objectives of the borough, including the need to provide additional housing. There are no objections therefore in policy terms to the redevelopment of the site to provide housing.
- 38 **Environmental impact assessment**  
The proposed development lies outwith the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not warrant the completion of an environmental impact assessment. It should be noted however that as the site is currently in commercial use with timber being treated on site, a soil contamination survey should be completed and submitted to the Council for written approval, this will be a conditioned requirement of any planning consent that may be

issued.

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

The proposed development will have no adverse impact upon either the visual or residential amenity of the area. The surrounding properties on Barry Road, Victoria Court, Underhill Road and Picketts Terrace will experience no adverse impact in terms of a loss of privacy, sense of enclosure or indeed overlooking.

40 The applicant has provided a daylight and sunlight study which confirms officer calculations that the proposed development will have no detrimental impact on the amenity of adjacent occupiers and the surrounding area in terms of a loss of daylight or sunlight. Furthermore, all properties bounding the application site will continue to receive daylight and sunlight that exceed the British minimum standard as specified in the Building Research Establishments guide to daylight and sunlight as the development passes both the 25 degree and the 45 degree tests.

41 The loss of a heavy commercial use within this residential location will have a positive impact on the area as disturbance caused by trade, deliveries, customers and general works will be removed.

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

The proposed development is residential, a use which conforms to the residential nature of the locality. It is therefore not anticipated that there are any nearby or adjoining uses that will have an adverse impact upon occupiers of the proposed development. There may be a concern that noise from the adjacent church will cause a disturbance to potential occupiers of the new dwellings however this is considered unlikely to be of a level or frequency that would sufficiently warrant refusal of the planning application

**43 Traffic issues**

The proposed development provides 90% off street parking, and would provide one disabled on-street parking bay. Six secure cycle parking spaces are provided and the existing redundant crossovers would be removed. This complies with the relevant policies of The Southwark Plan 2007 (July) and as such it is considered that the proposed development will have no adverse impact on the area in terms of traffic generation or indeed that intensification of parking problems, furthermore the Councils Transport Department have raised no objections to the proposed development.

**44 Design issues**

The design and conservation officer have raised concerns regarding the overall design of the scheme. It is the opinion of the design officer that the proposed dwellings are insufficient in terms of layout both internally and externally and it is felt that the corner of the application site at Barry Road and Underhill Road is poorly resolved.

45 In terms of the building line, the proposed development retains the established building line on Barry Road and is set back considerably from the public highway in order to respect the established pattern on this section of Barry Road. The proposed scheme is lower in height than surrounding properties, particularly at the corner with Underhill Road. In terms of the corner being poorly resolved it is considered that the two semi detached dwellings located on the corner are acceptable given the relatively tall development on the opposite side of Underhill Road. Given that this is a residential area, it is not considered that this corner could sustain another development of this size or height in planning terms.

- 46 The fenestration is considered acceptable and does follow an acceptable pattern, contrary to the comments received from the Councils Design Department. The internal layout and floor plans are acceptable with all rooms meeting the required floorspace and floor to ceiling height as specified in the SPD on Residential Design Standards. It is accepted that some rooms are not of a uniform configuration, however it is not considered that this will reduce their practicality or functionality as there is still sufficient room for movement and positioning of furniture and other necessary household items.
- 47 The materials proposed for the new residential dwellings are consistent with other dwellings within the area and are considered acceptable in principle, however to ensure a quality finish it will be a conditioned requirement of any consent issued that materials be approved in writing by the Council as local planning authority.
- 48 **Impact on character and setting of a listed building and/or conservation area**  
The proposed development will have no adverse impact upon either the character or setting of any listed buildings or conservation areas.
- 49 **Planning obligations [S.106 undertaking or agreement]**  
It has been agreed with the applicant and the Councils Transport department that monies to the sum of £5000 be made payable to the Council in order to provide a disabled parking bay on Barry Road as the off street parking for unit 1 would be unlikely to meet the required visibility splays due to the set back and tree located on the corner of Barry Road and Underhill Road at the north western corner of the application site. Preliminary details for the Unilateral Undertaking have been prepared by the applicants solicitors and will be secured by the Council by way of a unilateral undertaking or Section 106 Agreement.
- 50 **Other matters**  
**Amenity space**  
The proposed development provides private amenity space for all dwellings. The proposed dwellings fronting Barry Road will benefit from quite generous front and rear garden areas. The dwellings accessed from Underhill Road, whilst set back from the public highway will feature only rear garden ground. It is noted that the amenity space provided does not correspond with the guidance contained in the SPD: Residential Design Standards in that the gardens will not have a minimum length of 10 metres and fails to meet the required 50 square meters of amenity space per dwelling. However given the constraints of the site it is not considered that the amenity space provided is of such an unacceptable standard that the planning application should be refused. In addition the permitted development rights restricting the extension of the properties without the prior approval of the local authority would offer the Council control to prevent the reduction in the size of the gardens.
- 51 **Room sizes**  
In terms of room sizes all living/dining rooms meet the required floorspace, however the kitchens on units 3/4 and 5/6 fall slightly below the minimum standard by roughly 1.5 and 1 square metre respectively, although this is not considered a sufficient reason to the refuse the proposed development. All other rooms including main bedrooms, secondary bedrooms, single bedrooms and bathrooms meet the standards specified within the Councils SPD: Residential Design Standards.  
  
It is noted that the floor to ceiling height in some of the attic rooms appears insufficient, however in line with the guidance contained within the SPD Residential Design Standards, all attic rooms have a floor to ceiling height exceeding 2.3 metres over at least half of the habitable floorspace.
- 52 **Density**

The proposal lies within the urban zone which states that densities should be in the range of 200 - 700 habitable rooms per hectare reflecting the character of the area. The proposed development would provide a density of 441 habitable rooms per hectare, which is within this range and is considered to be an appropriate level of development for the site, in addition the proposal would provide 4 bedroom houses, as opposed to flats for which there is demand within the borough.

**53 Conclusion**

The proposed redevelopment of the site at 103-105 Barry Road is considered acceptable in terms of scale, massing and design. Following detailed assessment of the planning application it is considered that there will be no significant impact on the visual or residential amenity of the area. The proposed scheme will provide much sought after family accommodation which there is a need for within the borough. The proposed development complies with the relevant policies of The Southwark Plan 2007 (July) and as such it is recommended that detailed planning permission be granted.

**COMMUNITY IMPACT STATEMENT**

54 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] There are no issues relevant to particular communities/groups.

c] There are no likely adverse or less good implications for any particular communities/groups.

**SUSTAINABLE DEVELOPMENT IMPLICATIONS**

55 The proposed development will provide a variety of options to promote sustainable design including;

- Provision of water butts.
- Implementation of SUDS (Sustainable Urban Drainage Systems).
- Solar hot water collectors.
- Installation of Photovoltaic Panels
- Installation of energy efficient appliances such as light fittings, boilers, security lighting - with all lighting fitted with movement detected shut off devices.

56 Other considerations include the use of recycled aggregates where possible for roads, sub surface and parking areas, 30%of materials sourced within 35 miles of the site, installation of water saving devices, use of non PVCu windows and ensuring all finishes and furnishings will be low emission where practical.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Terence McLellan	Planning Officer - Development Control [tel. 020 7525 5365]
CASE FILE	TP/2596-103	
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. Sean Ryan Dickens Development	<b>Reg. Number</b>	08- <u>AP</u> -0433
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2596-103
<b>Recommendation</b>	Grant subject to Legal Agreement and GLA		

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### Draft of Decision Notice

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

Demolition of existing timber yard and construction of six three storey residential dwellings (ground and first floors plus roofspace); parking and amenity space.

**At:** 103-105 BARRY ROAD, LONDON, SE22 0HW

**In accordance with application received on 20/02/2008**

**and Applicant's Drawing Nos.** Design & Access Statement, Plans:- 06141.01.100, 06141.02.100 Rev A, 06141.02.101 Rev A, 06141.02.102 Rev A, Sustainable desing and construction assessment

**Subject to the following conditions:**

- 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 (July).

- 3 Samples of all external materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of all external materials in the interest of the appearance of the building in accordance with Policy 3.2 Protection of Amenity and Policy 3.12 - Quality in Design of The Southwark Plan 2007 (July).

- 4 The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 - Protection of Amenity and Policy 3.8 - Waste Management of The Southwark Plan 2007 (July).

- 5 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved by the local planning authority before the development hereby approved is commenced and the

premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

**Reason**

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with policy 5.3 - Walking and Cycling of The Southwark Plan 2007 (July).

- 6 Details of the means by which the existing trees on the site and on the public highway are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

**Reason**

In the interests of amenity in compliance with Policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July).

- 7 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

**Reason**

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy 3.2 - Protection of Amenity and Policy 3.11 - Efficient Use of Land of The Southwark Plan 2007 (July).

- 8 Notwithstanding the provisions of Schedule 2, Part 1 Classes A-H inclusive of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the dwellings permitted shall be carried out, without the prior written consent of the Council, to whom a planning application must be made.

**Reason**

In the interests of amenity and to retain effective planning control in accordance with Policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July).

**Reasons for granting planning permission.**

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

a] Policy 1.4 - Employment Sites Located Outside the Preferred Office Locations and Preferred Industrial Locations, Policy 3.2 - Protection of Amenity, Policy 3.8 - Waste Management, Policy 3.11 - Efficient Use of Land, Policy 3.12 - Quality in Design, Policy 3.13 - Urban Design, Policy 4.1 - Density of Residential Accommodation, Policy 4.2 - Quality of Residential Accommodation, Policy 5.2 Transport Impacts, Policy 5.3 - Walking and Cycling and Policy 5.6 - Car Parking of The Southwark Plan 2007 (July).

b] Supplementary Planning Document: Residential Design Standards.

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.

**Informatives**

The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. No permission is hereby granted to carry out these works until all necessary orders and design details have been submitted and agreed by the Highway Authority. You are advised to contact the Senior Engineer, Streetscene Group (020 7525 2047), at least 4 months prior to any works commencing on the public highway.

The applicant is advised to contact The Waste Management Section (Environment and Housing Department), of occupation at least three months prior to completion in order that refuse and recycling receptacles can be

issued to new residents and the address included on the collections schedule.

<b>item</b>  7	<b>Classification</b>  OPEN	<b>Decision Level</b> DULWICH COMMUNITY COUNCIL	<b>Date</b>  5/06/2008
<b>From</b>  HEAD OF DEVELOPMENT CONTROL		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (08-AP-0579)  Demolition of existing commercial and residential unit and the construction of Class A3 commercial space at ground floor with 3x 1 bedroom and 1x 2 bedroom flats and a studio flat over ground, first and second floors within newly constructed three storey building with associated bicycle storage and refuse storage to front of premises.		<b>Address</b>  11-15 MELBOURNE GROVE, LONDON, SE22 8RG  <b>Ward</b> East Dulwich	
<b>Application Start Date</b> 07/03/2008		<b>Application Expiry Date</b> 02/05/2008	

## PURPOSE

- 1 For consideration by Dulwich Community Council at the request of Members and due to the number of objections received to the application

## RECOMMENDATION

- 2 Grant planning permission.

## BACKGROUND

### 3 Site location and description

The application site is located on the south east side of Melbourne Grove approximately 70m south of the junction with Grove Vale. The area is characterised by mixed uses, with single residential dwellings, commercial units and commercial units with residential flats above. The application site is located approximately 75m east of the railway line running through East Dulwich as well as the station.

Properties in the area are characterised by a mix of design, with both period buildings and representations of more modern additions within the vicinity of the site. The application site itself appears a mix of designs. The application site currently appears as a converted terrace, with A3 restaurant use below and residential above, and further restaurant accommodation located at the ground floor attached to the south of the premises. The site is located on a corner plot, reflecting the 'bend' to Melbourne Grove as it goes to meet Grove Vale. This gives the site an irregular shape, with a wider frontage of around 17m, which funnels to a narrow rear boundary of 4m.

A change in levels gives the appearance of a one and two storey premises to the front of the site and a two and three storey premises to the rear of the site. The properties adjoining the application premises feature pitched roofs to both the north east and south of the site. Further to the north east, attached to no.9 Melbourne Grove there is a three storey building, further to this, three storey premises are exhibited opposite the site.

There are a number of commercial premises located on the ground floor of buildings surrounding the site. These show a majority of A1 and A3 uses in the area. The application site currently has a Thai Restaurant located to the ground floor.

#### 4 **Details of proposal**

The application details the demolition of the existing mixed use premises over the plots 11-15 Melbourne Grove, and replacing the current 2 storey and single storey (front elevation), 3 and 2 storey (to rear) with a 3 storey building with front mansard roof accommodating the third storey to the front elevation. This is not proposed to be any higher than the existing ridge line to the 2 storey dwelling currently located on the site.

On the ground floor a new shop front is proposed, together with the flat entrances and storage area. Above this, 4 residential units are proposed, within the first floor, and second floor set within a new mansard roof, and the loft area within the pitched roof adjoining neighbouring properties. A front and rear balcony are proposed to two of the units, with the ground floor residential unit, situated to the rear of the commercial floorspace having sole use of the rear garden amenity area.

The proposal is detailed to be finished in brick, with an off-white render section to the first floor, middle section of the front facade, reflecting the existing render finish to the existing building here. Two small, projecting front windows are proposed within the mansard roof section. The roof is detailed to be finished in slate grey zinc sheeting.

It is proposed to accommodate 60.7m<sup>2</sup> of commercial space and a one bedroom flat at ground floor, a one bedroom and two bedroom flat at first floor and a one bedroom and studio flat at second floor.

#### 5 **Planning history**

11-15 Melbourne Grove 07-AP-2797 – Planning permission refused for demolition of existing commercial and residential unit and construction of a Class A3 (restaurant) at ground floor and 2x 1 bedroom flats and 3x 2 bedroom flats over ground, first and second floors within newly constructed 3 storey building, with associated bicycle storage for 5 bikes and refuse storage to front of premises.

Reasons:

1. The excessive scale, bulk and mass of the proposed development in relation to the adjoining properties would represent an oppressive form of development that would result in an increased sense of enclosure detrimental to the residential amenities of the adjoining occupiers: specifically, to the rear of no.17 Melbourne Grove and to the roofline appearance of no.9 Melbourne Grove.
2. The proposal, by reason of its combined height, mass, bulk and detailed design, would be overly dominant in the context of its surroundings. The inappropriate scale and design of the building would be an incongruous feature within the street scene which would adversely affect the character and appearance of the existing terrace.
3. The proposed building by reason of the form and positioning would result in a poor living environment for future occupiers of the flats due to restricted outlook and levels of natural light to habitable room windows to the rear. Furthermore, the awkward layout of the ground floor flat would provide a poor living arrangement with the main living area forming a corridor to the 2nd bedroom and bathroom within the unit.
4. The proposal would increase the demand for on street parking in an area that is already heavily parked to the detriment of the amenity of existing residents. In the absence of the ability to provide on-street parking on the site it is considered that the numbers of units should be reduced to alleviate any parking pressures.

11-15 Melbourne Grove – Planning permission granted for the change of use from office and storage to restaurant on ground floor no.11 Melbourne Grove, and ground

and first floor no.'s 13 and 15 Melbourne Grove, and provision of new ground floor facade and erection of external duct.

LBS: 92/319 – Planning permission granted for the single storey rear extension to restaurant. 02-11-1992

13-15 Melbourne Grove – TP/2123/13 – Planning permission granted for the erection of a first floor addition for commercial purposes over the existing vehicle store and warehouse.

TP/2123/13 – Planning permission granted for the erection of an extension at second floor level at 13-15 Melbourne Grove and the use for office and storage purposes.

TP/2125-13/TE – Planning permission granted for elevational alterations at 13-15 Melbourne Grove. 02-08-1983

11A Melbourne Grove – 06-AP-2002 – Planning permission granted for a rear roof dormer window extension, converting hipped roof to gable end, front rooflight and single storey side extension to ground floor of dwellinghouse, all to provide additional residential accommodation.

07-AP-0421 – withdrawn application for the conversion of upper residential floors into two self-contained flats (one x 1 bed and one x 2 bed flats).

Reason:

The conversion was dependent upon extensions being carried out. There were extensions approved as part of a previous application 06-AP-2002 which are yet to commence.

## 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 impact upon the amenity of adjoining occupiers.
- c] the design of the proposal.
- d] the impact upon traffic in the area.

### 8 **Planning Policy**

Southwark Plan 2007 [July]

3.2 Protection of Amenity

3.4 Energy Efficiency

3.7 Waste Reduction

3.9 Water

3.11 Efficient use of Land

3.12 Quality in Design

- 3.13 Urban Design
- 3.14 Designing out Crime
- 4.1 Density of Residential Accommodation
- 4.2 Quality of Residential Accommodation
- 4.3 Mix of Dwellings
- 5.3 Walking and Cycling
- 5.6 Car Parking

Supplementary Planning Guidance: Standards, Controls and Guidelines for Residential Developments

## 9 Consultations

### Site Notice:

18-03-2008

### Press Notice:

N/A

### Internal Consultees

Transport Group

Access Officer

Waste Management

### Statutory and non-statutory consultees

N/A

### Neighbour consultees

1, 1A, 1B, 1C, 2, 2A, 3, 4, 4A, 4B, 5, 6, 7, 8, 8A, 9, 10A, 10B, 11A, 12, 12A, 12B, 12C, 14, 14A, 16, 16A, 16B, 17, 19, 21, 23, 25, 25A, 25B, 27, 29, 31 Melbourne Grove;  
5-6 Melbourne Terrace, Melbourne Grove;  
2, 4, 6, 8, 10, 10A, 10B, 12, 14, 16, 18, 18A, 18B, 20A, 20B, 22, 24 Derwent Grove;  
1, 3 Jarvis Road;  
Flat G 3 Dunnage Crescent.

### Re-consultation

N/A

## 10 Consultation replies

### Internal Consultees

#### *Transport Group*

'This part of Melbourne Grove has a PTAL of 4-5 and is not within a CPZ, therefore we would normally require some off street parking provision. However, given the location of the site; which is on a bend in the road, on a bus route and near a bus stop, it is not a suitable location to have a new vehicle access point. As such i recommend that we do not object the application on transport grounds BUT request s106 monies to go toward a CPZ review of the local area.'

#### *Access Officer*

No objections.

#### *Environmental Protection Team*

No objections, however recommend a PPG 24 noise survey be submitted as well as details of any ductwork to be used in conjunction with the A3 ground floor use.

### *Design Surgery*

No objections following revised plans.

### Statutory and non-statutory consultees

#### *Thames Water*

No objections.

### Neighbour consultees

5 responses received from: 38 Vardens Road (owner of no.17 Melbourne Grove; 2, 10a, 12 Derwent Grove; 27 Melbourne Grove. Detailing the following objections:

- The design is out of keeping with the mainly Victorian surroundings;
- The bulk and mass is too dense given the existing visual amenity adjoining occupiers currently have;
- The amenity space is inadequate;
- The amenity space for no.5 is large enough to sit out on and will allow overlooking into gardens and bedrooms and will generate noise from the kitchen / living room;
- The level of refuse storage space is inadequate;
- No details of ductwork, concern of smells and visual impact from this;
- Excessive bulk and mass proposed;
- Density of occupation is a concern;
- Concerned that the waste bins will be kept on the pavement;
- Parking is at a premium in Melbourne Grove and the increase in occupancy will increase the difficulties in parking here;
- The proposed height to the rear represents an oppressive form of development to adjoining occupiers;
- The form and positioning of the development would result in a poor living environment for the future occupiers of the flats, and lack of light to the ground floor units;
- The proposal does not meet residential design standards for amenity space requirements of 50m<sup>2</sup>;
- No details of materials;
- Request condition to prevent takeaway use at ground floor.

### Re-consultation

N/A

## **PLANNING CONSIDERATIONS**

### **11 Principle of development**

The principle of ground floor commercial use with residential use above in this location is acceptable, however it is necessary to ensure that the proposal is compliant with all relevant policies within the Southwark Plan and does not have a significant adverse impact upon the amenity of surrounding residents.

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

#### Increased bulk and mass of the premises

The previous application raised concerns regarding the increased bulk and mass resulting for the incorporation of a flat roof which created a three storey building, as well as the depth over the 3 storeys. The current application has substantially reduced the impact caused by incorporating pitch roofs and a central mansard roof to the front elevation, while substantially reducing the depth over all levels.

The front facade now reflects a much improved relationship with the adjoining



properties, with pitched roofs to either end adjoining the terrace blocks, and a central mansard which is in keeping with the mass of surrounding properties.

The proposed building actually now represents a reduction in depth to the existing building on the site. Therefore it is considered that the impact on adjoining occupiers will be improved. While neighbours have raised concerns of overshadowing and overdominance caused by the proposal to the rear, it is clear from the plans that the proposal actually results in a reduction to the rear depth, and this coupled with the fact that there is a substantial decrease in depth at 3<sup>rd</sup> floor, minimising the impact caused by the slight increase in height here, from 7.8m for the existing outrigger at ridge level to 8.6m, will ensure that there is minimal impact.

#### Location of refuse storage on the site

The location of refuse storage to the front of the site has been raised as a concern by neighbouring residents. While the location is not ideal, there is precedent within Melbourne Grove that this area is an accepted location for the storage of refuse. There is space to the front of the premises where refuse can be adequately stored without resulting in the obstruction to pedestrians. Currently a small 0.5m fence is located along the frontage border to the site, although the proposal projects along a different path to that of the existing footprint to the building, space does exist between the front elevation for the site and this fence, before the public highway is reached.

Further to this, Waste Management and the Transport Group have not logged any objection to the proposed location for the refuse / recycling. Therefore there is no objection raised over this aspect of the application.

#### Mixed use of site

While it is not entirely clear from the planning history of the site detailed above, a site visit of the premises revealed that the current use of the property is ground floor A3 restaurant with self-contained residential accommodation above. Therefore there is no objection to the continued use of this site for mixed use A3 restaurant and C3 residential.

### 13 **Standard of Residential Accommodation**

#### Size of accommodation

The design and access statement submitted with this application details the density of the development to be 500 habitable rooms per hectare, however officer calculations find the density to be 465 habitable rooms per hectare. The site is located within the urban density zone and this requires sites to have a density of 300-700 habitable rooms per hectare, therefore the density of the proposal is appropriate for this location.

The size of the individual flats is considered acceptable, with the floorspace meeting those requirements specified in Supplementary Planning Guidance for Residential Development. The previous application for this site raised concern regarding the level of natural light received by the accommodation, it is now considered that this has been improved. All of the habitable accommodation now has clear access to natural light and therefore there is no longer an objection on this point.

#### Layout of flats

The previous application resulted in an awkward layout to the flats, largely resulting from the shape of the site. With the decrease in depth and re-arrangement of the living space within the flats, it is now considered that the accommodation provides practical living space which has responded well to the site constraints resulting for the shape of the plot.

#### Amenity space

There is significant amenity space provided for flat no.1 in the rear garden area. Flat no.5 has a large rear terrace situated above the first floor, on the flat roof with screening provided (1.8m high) ensuring that there is no increase in overlooking here. Flat no.3 has a small front balcony area, while flats 2 and 4 have no amenity space.

Previously concern was raised regarding the lack of amenity space on the site. There is now an increase for flat no.5, resulting in the reduction in depth here, and while flats 2 and 4 have no amenity space, they are a one bedroom flat and a studio apartment, and it is not unusual to have accommodation in the borough, of this small size, without associated amenity space. It is apparent that a family would not be expected in these units, and therefore there is no objection raised to the level of amenity space at the site.

#### 14 **Traffic issues**

Covered and secure cycle storage is proposed for five bicycles at ground floor level.

Previously transport raised concerns regarding the lack of parking on this site. Following a re-calculation of the PTAL level in this area, it is clear that the location actually has a higher PTAL than previously assessed, being 4-5 rather than 4. There has also been a reduction in the level of accommodation provided at the site, which in turn reduces the potential occupancy and associated car usage for the site.

However, while transport have not objected to the application, they have suggested that monies be secured for a CPZ review in the area. It is not considered that this would be appropriate for this case, further to this, there has been no agreement or timetable developed for any future CPZ review in the area.

While transport have removed their objection due to the reduction in the size of units on the site and the increase in PTAL level, this is dependant upon the contribution towards a CPZ review. It is considered that this re-submission has sufficiently addressed the previous concerns regarding the lack of parking on the site, by reducing the potential level of occupancy. Coupled with the re-assessment of the PTAL level to be higher, and the location with a bus stop directly in front of the development and a train station nearby, there is no objection to the development based on the lack of parking provision, and it is not intended to seek any contribution towards a CPZ review.

The Agent has submitted a parking survey which demonstrates that there is capacity in the area for parking. For the indicated usage in the area, it would seem that the majority of users are not local occupiers, therefore capacity increases in the evening / night time period, when occupiers would be most likely to need a parking space.

#### 15 **Design issues**

The previous application for the re-development of this site raised concerns regarding the design, due to the poor relationship between the roof forms to the front of the premises, and the large mass proposed to the rear of the building.

This current application has responded well to those previous concerns raised. The front elevation now demonstrates pitched roof styles to either end, ensuring that the established appearance of the terrace is reflected. To the middle section a mansard roof is proposed, due to the existing appearance of the site, it is considered that this is an appropriate design solution. The eaves level flows from the existing terrace and is reflected in the design of the proposal, while the ridge height also follows that of the established buildings here.

The proposal is actually an improvement upon the existing appearance of the site which has poor aesthetic value and does not sit comfortably amongst the adjoining

buildings. The proposal will re-establish the visual relationship between these buildings, filling what currently appears as a gap in the terrace row. Therefore it is considered that the proposal has a desirable design and there are no objections raised on this point.

16 **Other matters**

No other matters identified.

17 **Conclusion**

The proposal has responded well to those previous reasons for refusal for the re-development of the site, and results in a building which will improve the appearance of the terrace block here. Therefore it is recommended that this application be approved.

18 **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.

19 **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

The development proposed will endeavour to be an environmentally sustainable scheme. The construction materials used will be reclaimed where possible and all timber used in the windows, doors, flooring and structure will be FSC (The Forest Stewardship Council) sourced where practicable. The glazing and wall construction will be designed and specified for maximum thermal efficiency.

All rainwater will be harvested and all paving to the rear will be porous to reduce load to the drainage system.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Rachel Gleave	Planner - Development Control [tel. 020 7525 5597]
CASE FILE	TP/2125-11	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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** Thai Pavillion  
**Application Type** Full Planning Permission  
**Recommendation** Grant

**Reg. Number** 08-AP-0579

**Case Number** TP/2125-11

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### Draft of Decision Notice

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

Demolition of existing commercial and residential unit and the construction of Class A3 commercial space at ground floor with 3 x 1 bedroom and 1 x 2 bedroom flats and a studio flat over ground, first and second floors within newly constructed three storey building with associated bicycle storage and refuse storage to front of premises

**At:** 11-15 MELBOURNE GROVE, LONDON, SE22 8RG

**In accordance with application received on** 07/03/2008

**and Applicant's Drawing Nos.** E326/PP/001, E326/PP/002 Rev -4, E326/PP/003 Rev -4

**Subject to the following conditions:**

- 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 Details of the facing and roofing material including samples where appropriate (2 copies) to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of external appearance of the building in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 3 Notwithstanding the provisions of Class A3 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the use hereby permitted shall not include any use as a takeaway A5 use.

Reason

To protect the amenity of adjoining occupiers in accordance with policy 3.2 Protection of Amenity of the Southwark Plan 2007.

- 4 The use hereby permitted for mix residential C3 and commercial A3 purposes shall not be begun until full particulars and details of a scheme to insulate the premises against the transmission of airborne and impact sound has been submitted to (2 copies) and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given. Any such scheme shall be so designed that noise from the use does not, at any time, increase the ambient equivalent noise level measured immediately outside any of the adjoining or nearby premises (or in the case of separate units of occupation within the same building then inside those units).

Reason

In order to protect neighbouring occupiers from noise nuisance thereby protecting the amenity of neighbouring occupiers in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and Planning Policy Guidance 24 Planning and Noise.

- 5 The use hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan 2007, and Planning Policy Guidance 24 Planning and Noise.

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

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 Protection of Amenity and 3.7 Waste Reduction of the Southwark Plan 2007.

- 7 The refuse storage arrangements shown on the approved drawings for the ground floor A3 use, shall be provided and available for use by the occupiers of the premises before the use of the premises is commenced and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 Protection of Amenity and 3.7 Waste Reduction of the Southwark Plan 2007.

- 8 The works of demolition hereby permitted shall not be begun until contracts have been entered into by the developer to ensure that the demolition is, as soon as possible, followed by the erection of the building permitted by the planning permission dated June 2008 and the Local Planning Authority have given their agreement in writing to those contracts.

Reason

In order to ensure that the site is not left derelict and unsightly in accordance with policies 3.2 Protection of Amenity, 3.12 Efficient use of land and 3.13 Urban Design of the Southwark Plan 2008.

- 9 The cycle storage facilities as shown on drawing E326/PP/003 shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Policy 3.2 Protection of Amenity and 5.3 Walking and Cycling 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 3.2 Protection of Amenity; 3.4 Energy Efficiency; 3.7 Waste Reduction; 3.9 Water; 3.11 Efficient use of Land; 3.12 Quality in Design; 3.13 Urban Design; 3.14 Designing out Crime; 4.1 Density of Residential Accommodation; 4.2 Quality of Residential Accommodation; 4.3 Mix of Dwellings; 5.3 Walking and Cycling; 5.6 Car Parking; 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.

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