

COMMUNITY COUNCILS

A voice for your community



Dulwich Community Council Agenda Planning Meeting

Date: Wednesday 8 October 2008

Time: 7.00 PM

Place: Christ Church, 263 Barry Road, London SE22 0JT

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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 meetings held on 19 August 08 and 9 September 2008 (see pages 5 – 16)

6. Development Control Items:

Item 6/1 – Recommendation: grant – 86, Underhill Road, London, SE22 0QU (see pages 24 – 29)

Item 6/2 – Recommendation: grant – Land adjacent to 48 Barry Road, London, SE22 0HP (see pages 30 – 40)

Item 6/3 – Recommendation: grant – East Dulwich Community Centre, 46 – 64 Darrell Road, London SE22 9NL (see pages 41 - 46)

Item 6/4 – recommendation: grant – 8 – 10 Lordship Lane, SE22 8HN (see pages 47 – 54)

7. Planning enforcement update report (see pages 55 – 58)

8. 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

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

Deputations

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

Exclusion of Press and Public

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

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

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Wheelchair facilities

Wheelchair access to the venue is through the entrance to Dulwich Library and there is a disabled toilet and passenger lift at the venue.

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

Beverley Olamijulo

Phone: 0207 525 7234

E-mail: beverley.olamijulo@southwark.gov.uk

Council Website: www.southwark.gov.uk

Language Needs

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

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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

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

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Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku

turjuman af Soomaali fadlan tilifoon u dir 020 7525 7514

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

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

Somali

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

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

Chinese

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

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

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

Portuguese

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

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

French

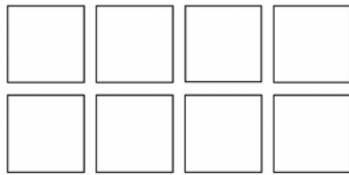
Si precisa información sobre los departamentos sociales (Community Councils) traducida a su idioma, por favor llame al número de teléfono 020 7525 7514
Si tiene necesidades o requisitos específicos, como es transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7514

Spanish

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

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

Yoruba



COMMUNITY COUNCILS
A voice for your community



Dulwich Community Council Planning Meeting

Minutes of Dulwich Community Council Planning meeting held on Tuesday August 19, 2008 at 7.05pm held at Dulwich Library, 368 Lordship Lane, London SE22 8NB (To be agreed at next meeting)

Present

Councillor Robin Crookshank Hilton (Vice Chair), In the chair
Councillors, James Barber, Jonathan Mitchell and Lewis Robinson.

1. Introduction and welcome by the Chair

Councillor Crookshank Hilton welcomed those present at the meeting and asked officers and members to introduce themselves.

2. Apologies for absence

Apologies for absence were submitted on behalf of Cllrs, Toby Eckersley, Nick Vineall, Michelle Holford, Kim Humphreys and Richard Thomas.

3. Disclosure of Members' interests and dispensations

None were disclosed.

4. Urgent Items

There were no urgent items however the chair agreed to accept the addendum report which contained late observations, consultation responses information and revisions.

5. Minutes of the previous meeting

Minutes from the July 3 2008 – to be considered at the next meeting.

Recording of Members' votes

Council Procedure Rule 1.9 (4) allows a Member to record her/his vote in respect of any Motions and amendments.

Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

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

6. DEVELOPMENT CONTROL (see pages 6 – 57)

RESOLVED:

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

Item 6/1 – Recommendation: refuse – 124 Woodwarde Road, London, SE22 8UT

Proposal: Single storey side and rear extension and loft conversion including dormer extension over outrigger to provide additional residential accommodation.

The planning officer introduced the report and circulated plans of the scheme.

Members were given copies of the approved scheme, and a copy of the refused scheme was also circulated.

No objectors were present.

The applicant made representations at the meeting.

Members were given copies (examples) of other roof extensions in the area by the agent.

RESOLVED: That planning permission be granted subject to the following conditions:

1. Standard time condition.
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

3. The windows of the proposed roof extension shall match the critical style windows of the original dwelling.

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

Item 6/2 – Recommendation: grant – 22 Underhill Road, London, SE22 0AH

Proposal: Demolition of existing Mission Hall and construction of a new four Storey residential block to consist of 5 flats and associated landscaping works and insertion of car dock staked parking system at front of premises.

The planning officer introduced the report and circulated plans of the scheme.

Officers explained that permission was sought to increase the no. of units in a scheme granted planning permission last year from 4 units to 5 units. The mix of units would result in the proposal not increasing in density from the approved scheme which included larger units but had the same level of habitable rooms.

Officers explained that the application now included a car dock parking system to provide the 3 spaces required for the numbers of units proposed.

An objector was present to address the meeting stating that he objected on the grounds of lack of parking and overdevelopment of the site.

The applicant was present to make representations.

Cllr Robinson spoke in his capacity as a ward councillor stating that Members needed to be mindful of the previous reasons for refusal of the earlier application and to ensure that issues such as overlooking had been addressed. Overall the scheme had overcome most of the earlier reasons for refusal.

Members reviewed the car doc information provided and the acoustic report.

Officers stated that the scheme had not increased in physical size and the nos. of habitable rooms and density were as previously approved.

RESOLVED: That the planning application be deferred to allow further information on the car doc system to be presented and for the Council's acoustic officer to be present at the meeting to respond to some of the concerns raised.

Item 6/4 – Recommendation: grant – 36 Whateley Road, London SE22 9DD

Proposal: Erection of a single storey plus two storey rear extension to dwellinghouse, to provide additional residential accommodation.

The planning officer introduced the report and circulated plans of the scheme.

Officers advised that two further letters had been received since the report had been written, one from the neighbour at 48 Bawdale objecting to the size of the bedroom window on the rear elevation and the loss of privacy to her kitchen and dining area at the rear. Officers advised that the distance between the two properties exceeded the minimum distance standards of the Southwark Plan. The other letter was from the neighbour at 38a Whateley Road objecting to the loss of outlook and light to his kitchen window.

The objector from 38a was present to address the meeting and distributed copies of his letter which included photos from the kitchen window.

The applicants were present to address the meeting. They produced further photographs showing other first floor extensions along that stretch of Whateley Rd and a copy of the signed party wall agreements.

RESOLVED: That planning permission be granted.

Item 6/6 – Recommendation: grant – 325 Lordship Lane, London SE22 8JH

Proposal: Convert a single dwellinghouse into four separate units, including single storey extension to the lower ground floor to the rear of the property and adding an external staircase at the side, bike storage unit and waste and recycling facilities.

The planning officer introduced the report and circulated plans of the scheme.

Members were also given copies of the appeal decision for a scheme for 5 units which was refused by the planning inspectorate in March this year.

An objector was present to address the meeting. The objector said she lived in the house adjoining the site and raised concerns about the staircase in respect of the bedroom window which was described as being on the flank wall on the boundary with the side access of 325 Lordship Lane where the metal staircase was to be located. Concerns were also raised about the lack of parking which would increase pressure for on street parking spaces.

Members also raised concerns about a metal staircase on such a narrow gap and felt that the proposal for 4 units was too many. In response as to whether the application complied with the new residential SPD in terms of room sizes officers advised that it would not.

RESOLVED: That planning permission be refused on the grounds that the proposed development would have an impact on the amenity of the neighbour, design of the metal stair case and size of units within the development contrary to policies mentioned below:

1. The proposed metal staircase at the side of the building would due its width, height and location occupy a substantial part of the gap between no. 325 and no. 327, the first in an adjacent row of 8 terraced dwellings, thereby infilling an important gap between two house types. The proposal is considered contrary to Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.
2. The proposed external metal staircase due the material and proximity to the adjoining property at no. 327 is liable to give rise to noise nuisance by reason of the comings and goings of the occupants of the flats on the first and second floors of the proposed conversion. As such the proposal is contrary to Policy 3.2 Protection of Amenity of the Southwark Plan 2007.
3. The proposed one bedroom units on the first and second floors would fail to provide an adequate level of accommodation for future occupants by reason of their overall size being under the 45 square metre minimum floorspace area contrary to the

Southwark Plan Policy 3.11 Efficient use of land and 4. 2 Quality of residential accommodation and the adopted SPG Standards, controls and guidelines for residential development 1997 and in respect of the internal room sizes and overall flat size would be contrary to the Draft Residential design standards 2008.

Item 6/3 – Recommendation: grant – 77 Beckwith Road, London SE24 9LQ

Proposal: Basement alteration and the creation of a light well to the front of an existing dwelling house, to provide additional residential accommodation.

The planning officer introduced the report and circulated plans of the scheme.

An objector from the adjoining property was present to address the meeting. The objector outlined concerns related to flooding locally stating that it was common for neighbours' cellars to flood.

The applicant was not present.

RESOLVED: That planning permission be granted subject to an amendment of condition 2 and a new condition on drainage.

Condition 2 -

Within 3 months of this decision notice detailed drawings of a landscaping scheme (2 copies), providing permeable hard surfaces and a more dense planting scheme around the perimeter of the light well and on all the property boundaries shall be submitted to and approved by the Council. 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 with the details of the scheme in accordance with Policy 3.12 'Quality in Design' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

Condition 3 -

Within 3 months of this decision notice a sustainable urban drainage system (SUDS) shall be submitted to and approved by the Council. The submitted details (2 copies) should include the provision for the removal of surface water within the front garden area and the light well. The approved details shall be implemented within 3 months of the decision notice which discharges this condition.

In order that the Local Planning Authority may be satisfied, that having taken into account potential storm rainfall over a hundred year period, the proposal will not increase the surface water run off

from the site, in accordance with Policies 3.1 Environmental Effects and 3.9 water of the Southwark Plan 2007 and Draft SPD Sustainable Design and Construction.

Item 6/5 – Recommendation: grant – 8 – 10 Lordship Lane, London, SE22 8HN

Proposal: Erection of two fascia and one projecting sign (projecting sign and one fascia illuminated).

The planning officer introduced the report.

RESOLVED: That the planning application be deferred so officers obtain further information to check whether the applicant/s are willing to turn off the signage lighting at 11pm and to investigate recent signage consents on Lordship Lane (in the last year) and any restriction made on the hours of illumination etc. In addition, the report reference to be made to the Sustainable Design and Construction SPD.

The meeting closed at 10.00 p.m.

CHAIR:

DATE:

Dulwich Community Council Planning Meeting

(Minutes to be formally agreed at the next meeting)

Minutes of Dulwich Community Council Planning meeting held on Tuesday September 9, 2008 at 7.00pm held at Dulwich Library, 368 Lordship Lane, London SE22 8NB

Present

Councillor Nick Vineall (Chair)

Councillors Robin Crookshank Hilton (Vice Chair), James Barber, Toby Eckersley, Kim Humphreys, Jonathan Mitchell, Lewis Robinson, Richard Thomas.

1. Introduction and welcome by the Chair

Councillor Vineall introduced himself and welcomed those present at the meeting and asked officers and members to introduce themselves.

2. Apologies for absence

An apology for absence was submitted on behalf of Cllr Michelle Holford.

3. Disclosure of Members' interests and dispensations

Councillor Kim Humphreys declared a personal interest in respect of item 6/2, and Cllr Robin Crookshank Hilton also declared a personal interest in respect of 6/1. They withdrew themselves from the meeting when the items were considered.

4. Urgent Items

There were no urgent items. The chair agreed to accept the addendum report which contains late observations, consultation responses information and revisions.

5. Minutes of the previous meeting held on July 3 and August 19 2008

Minutes of the planning meetings held on July 3 2008 were agreed as an accurate record of the proceeding which the chair signed. The Minutes for 19 August 2008 were deferred to seek further clarification item 6/3 - condition 3.

Recording of Members' votes

Council Procedure Rule 1.9 (4) allows a Member to record her/his vote in respect of any Motions and amendments.

Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

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

6. DEVELOPMENT CONTROL (see pages 18 – 71)

RESOLVED:

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

The chair agreed to vary the order of business on the agenda.

Item 6/4 – Recommendation: grant – 22 Underhill Road, London, SE22 0AH
(see pages 49 – 60)

Proposal: Demolition of existing Mission Hall and construction of a new four storey residential block to consist of 5 flats and associated landscaping works and insertion of car dock stacked parking system at front of premises.

The planning officer gave a full introduction to the scheme following deferral from the previous meeting.

The acoustic officer was present to make representations at the meeting stating that he viewed the property and monitored the ambient noise levels from the site. The officer added that the mechanical car docking system would not have a negative impact on the amenity of adjoining or future occupiers.

An objector who lives opposite the development was present to address the meeting.

The applicant and his agent were present to make representations at the meeting and responded to questions from Members.

RESOLVED: That planning permission be granted subject to conditions relating to the following:

- Regular maintenance of the car dock stacked parking system
- Times and hours of operation
- Impose strict condition on visual amenity
- Noise levels
- Sustainable urban drainage
- Ensure car parking is in accordance with planning policy 5.6 of the Southwark Plan

Item 6/5 – Recommendation: grant – Land adjacent to 48 Barry Road, London SE22 0HP (see pages 61 – 71)

Proposal: Erection of a 3/4 storey detached 3 bed dwelling house fronting Barry Road.

The chair advised the meeting that the applicant spoke with the planning officer to ask for deferral of this application. Objectors at the meeting expressed concern as they felt they would be adversely affected by the development.

RESOLVED: That the planning application be deferred at the applicants' request to allow their daylight and sunlight expert to attend the meeting.

Item 6/2 – Recommendation: refuse – 5 Dulwich Village, London SE21 7BU (see pages 33 – 40)

Proposal: Erection of a single storey rear extension and a first floor side extension, erection of 3 brick piers, installation of roof dormer to rear roof slope, installation of 4 rooflights to side roof and 2

rooflights to top roof, all to provide additional residential accommodation.

The planning officer introduced the report and circulated plans of the scheme. No objectors were present.

Members referred to the addendum report which included some minor changes to the report and a late objection letter.

The applicant addressed the meeting stating that she had followed the advice given by officers and the Dulwich Estate in respect of the application. The applicant added that the proposal would not be harmful to the conservation area.

A supporter (neighbour at no 3) addressed the meeting.

RESOLVED: That planning permission be granted subject to conditions on the materials.

Item 6/3 – Recommendation: grant – 52 Lordship Lane, London SE22 (see pages 41 – 48)

Proposal: Change of use from an amusement arcade (Sui Generis) to use as a wine bar (Use Class A4) alterations to the shop front to provide a smoking area and insertion of a window to the rear elevation at ground floor level.

The planning officer introduced the report and circulated plans of the scheme.

The applicant was present to address the meeting.

It was noted that the concern about refuse collection had been assessed and that there was adequate room for the refuse bins to access the side staircase and be taken through the premises for collection from the street.

Members expressed some concern about the smoking area to the front and particular concern was raised about the recess and impact upon the street scene.

The applicant confirmed that the recess was only up to the door and the glazing above and the fascia would remain in the line of the existing terrace.

RESOLVED: That planning permission be granted.

ADD NOTE

In respect of the first floor kitchen this shall not be used in conjunction with the A4 use approved until a suitable means for transferring food from the first and ground floor has been provided. You are advised to contact the food section of the Council's Environmental Health Team.

**Item 6/1 – Recommendation: grant – 96 - 98 Dulwich Village, London, SE21
7AQ (see pages 24 – 32)**

Proposal: Removal of existing aluminium edge flashing with waterproofed upstand and leaded parapet to existing party wall within garden area, and replacement with lead capping.

The planning officer introduced the report.

RESOLVED: That the planning application be deferred so officers obtain

Any other business (closed session)

Members received information regarding the listed wall on Red Post Hill adjoining 19, Village Way SE21. DCC requested an officer from the planning enforcement team be in attendance at the next meeting.

The meeting closed at 10.35 p.m.

CHAIR:

DATE:

Item No. 6	Classification: Open	Date: 8 October 2008	Meeting Name: Dulwich Community Council
Report title:		Development Control	
Ward(s) or groups affected:		All within [Village, College and East Dulwich] Community Council	
From:		Strategic Director of Regeneration and Neighbourhoods	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

- 4 The council's powers to consider planning business are detailed in Article 8 which describes the role and functions of the planning committee and Article 10 which describes the role and functions of community councils. These were agreed by the constitutional meeting of the Council on 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

Background Papers	Held At	Contact
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

<u>Lead Officer</u>	Deborah Collins, Strategic Director of Legal & Democratic Services	
Report Author	Amma Boateng, Principal Planning Lawyer Constitutional Support Officer	
Version	Final	
<u>Dated</u>	Sept 30 2008	
<u>Key Decision</u>	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	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 Wednesday 08 October 2008

Appl. Type Full Planning Permission
Site 86 UNDERHILL ROAD, LONDON, SE22 0QU

Reg. No. 08-AP-1969
TP No. TP/2561-86
Ward College
Officer Jeremy Talbot

Recommendation GRANT

Proposal

Single storey rear extension replacing existing single storey rear conservatory which will be demolished prior to start of new construction; to provide additional residential accommodation.

Appl. Type Full Planning Permission
Site LAND ADJACENT TO 48 BARRY ROAD, LONDON, SE22 0HP

Reg. No. 08-AP-1538
TP No. TP/2596-48
Ward East Dulwich
Officer Amy Lester

Recommendation GRANT

Proposal

Erection of a 3/4-storey detached 3 bed dwelling house fronting Barry Road

Appl. Type Council's Own Development - Reg. 3
Site EAST DULWICH COMMUNITY CENTRE, 46-64 DARRELL ROAD, LONDON, SE22 9NL

Reg. No. 08-CO-0029
TP No. TP/2598-E
Ward East Dulwich
Officer Germaine Asabere

Recommendation GRANT

Proposal

Installation of five road lighting type lanterns with 140 watt white lamps mounted on 5.0m high hinged columns on the site comprising community centre building. Lighting to be switched off at 9:30pm.

Appl. Type Advertisement Consent
Site 8-10 LORDSHIP LANE, LONDON, SE22 8HN

Reg. No. 06-AP-0324
TP No. TP/ADV/2315-12
Ward East Dulwich
Officer Neil Loubser

Recommendation GRANT

Proposal

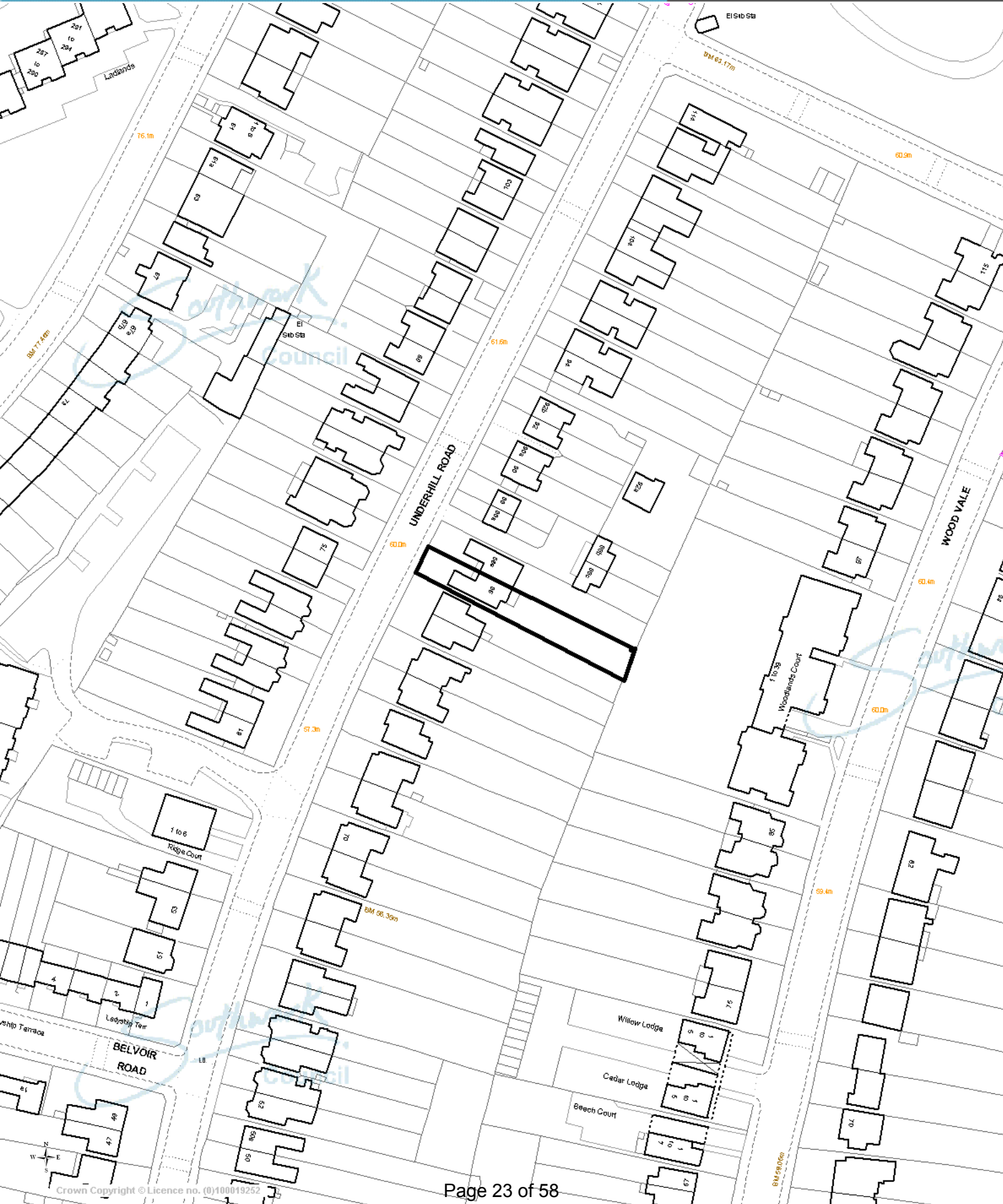
Erection of two fascia and one projecting sign (projecting sign and one fascia illuminated)

Item 1/1

Item 1/2

Item 1/3

Item 1/4



1	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 08/10/2008
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (08-AP-1969) Single storey rear extension replacing existing single storey rear conservatory which will be demolished; to provide additional residential accommodation.		Address 86 UNDERHILL ROAD, LONDON, SE22 0QU Ward College	
Application Start Date 11/08/2008		Application Expiry Date 06/10/2008	

PURPOSE

- 1 The application has been referred to the Dulwich Community Council for consideration as three objections have been received.

BACKGROUND

Site location and description

- 2 The site comprises a three storey, semi detached single family dwellinghouse located on the eastern side of Underhill Road. The dwelling and site have undergone several extensions and additions including a loft conversion with dormer extension and balcony, existing rear conservatory, a garden shed and outbuilding located to the rear of the garden. The surrounding area is characterised by residential activity with a mix of terraced, semi-detached and detached dwellings.
- 3 The building is not listed nor is it located within a conservation area.

Details of proposal

- 4 The construction of a single storey, flat roof, rear extension including a new terrace. The extension will replace the existing conservatory which will be demolished. The new extension occupies approximately the same footprint as the existing conservatory, extending out a further 1m. The total depth of the extension from the original dwellinghouse is 3m, with a width of 6.8m and a maximum height of 3.5m on the southern side and 3.3m on the northern side. Two rooflights are proposed to provide natural lighting. Folding doors and a new window are proposed along the rear elevation, with a single window on the side elevation. To accommodate the new terrace, the existing garden shed will be shifted back 0.721m from its current position.
- 5 Two windows along the side elevation of the original dwelling will also be replaced with narrower windows to match the side window on the extension.
- 6 Materials include:
 - Masonry render finished walls

- Single ply membrane roof with masonry parapet wall and two rooflights (1.5m by 1m)
- Composite timber and aluminium windows, anodised finish
- Composite timber and aluminium doors, anodised finish

Planning history

- 7 Certificate of Lawfulness TP/2561-86/LO granted 16/08/2000 for roof extension and new dormer.
- 8 Enforcement Notice 06-EN-0384 dated 11/01/2007 stating that the rear garden room does not breach planning control as the structure falls within permitted development.

Planning history of adjoining sites

- 9 None available.

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] The impact of the proposal on the amenity of adjoining occupiers.
 - c] The design of the proposal.

Planning Policy

- 11 Southwark Plan 2007 [July]
3.2 Protection of Amenity
3.12 Quality in Design
- 12 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
Residential Design Standards SPD 2008 [January]

Consultations

- 13 Site Notice:
20/08/2008
- 14 Press Notice:
N/A
- 15 Site Visit:
Carried out on 15/09/2008 with myself and the applicant present. The neighbouring property (number 84) was also visited to inspect the subject site.
- 16 Internal Consultees
None.

17 Statutory and non-statutory consultees

None.

18 Neighbour consultees

As listed in Acolaid.

19 Re-consultation

None.

Consultation replies

20 Neighbour consultees

Three responses were received in objection to the proposed development, reasons for objection include:

- Not being directly consulted by the applicant
- Inaccurate drawings
- No public notice displayed for the required time period
- Unattractive conversion
- Loss of light
- Noise and disturbance from construction
- Duration of construction
- Enough development already on the site
- Disturbance to wildlife

PLANNING CONSIDERATIONS

Principle of development

- 21 The proposed extension to a residential property in order to provide additional residential accommodation is supported in principle.

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

- 22 Along the adjoining boundaries the extension will project a total of 3m from the original dwelling, a further 1m than the existing extension. The extension has a flat roof of approximately 3.3 to 3.5m in height on either side. On the northern side the extension is built up to the boundary, on the southern side it is set back 1m.

- 23 Given that the proposed extension is single storeyed and projects 3m from the original dwelling, it is not considered that the amenity of the neighbouring property to either side will be adversely effected by shading or a sense of enclosure. Privacy will be improved as the addition of walls and smaller windows will reduce overlooking to neighbouring properties.

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

- 24 For the same reasons as outlined above, the subject site will not experience closing in, a loss of privacy or loss of natural light from neighbouring properties.

Design issues

- 25 The proposed external materials include masonry rendered walls to match the existing, this will aid the extension in blending with the dwelling and surrounding area. The timber cladding is not considered to relate well to the established character of

nearby dwellings, however given that the existing dormer extension utilises the same material, the use of timber on the ground level balances the building and gives it a more cohesive appearance.

- 26 The glazing includes bi-fold doors and windows along the rear and side elevations with anodised composite frames. Although the placement and appearance of the doors and windows are not in keeping with the rest of the dwelling, the scale and location of these features to the rear of the site mean they do not create a visually obtrusive presence to neighbours and members of the public.
- 27 The dwelling comprises a large rear garden which the proposed extension will not significantly reduce.
- 28 Overall, it is considered that the size of the extension is appropriately scaled, positioned and designed to integrate with the dwelling.

Other matters

- 29 None identified.

Conclusion

- 30 The proposed extension is considered appropriate due to its scale and design ensuring a recessive addition that will avoid any impacts on neighbouring properties. As such the proposal meets the criteria of policies 3.2 - Amenity and 3.12 - Quality in design of the Southwark Plan 2007 [July] and is recommended for approval.

COMMUNITY IMPACT STATEMENT

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

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

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Jeremy Talbot	Planning Officer [tel. 020 7525 5330]
CASE FILE	TP/2561-86	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

RECOMMENDATION LDD MONITORING FORM REQUIRED

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant Mr R. Goldie
Application Type Full Planning Permission
Recommendation Grant

Reg. Number 08-AP-1969

Case Number TP/2561-86

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Single storey rear extension replacing existing single storey rear conservatory which will be demolished prior to start of new construction; to provide additional residential accommodation.

At: 86 UNDERHILL ROAD, LONDON, SE22 0QU

In accordance with application received on 02/08/2008 08:00:20

and Applicant's Drawing Nos. GA001, GA002, GA003, GA004, GA005, GA006, GA007, GA008, GA009
Site Plan & Access and Design 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 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 and 3.12 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.



Item Number 2	Classification OPEN	Decision Level Dulwich Community Council	Date 08/10/08
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (08-AP-1538) Erection of a 3/4-storey detached 3 bed dwelling house fronting Barry Road		Address LAND ADJACENT TO 48 BARRY ROAD, LONDON, SE22 0HP Ward East Dulwich	
Application Start Date 30/06/08		Application Expiry Date 25/08/08	

1. PURPOSE

This item was deferred from the Community Council meeting on 9 September 2008 at the applicants request to allow their daylight and sunlight representative to attend the meeting.

There have been 6 not 5 objections to this application. An objection from 46 A Upland Road was omitted from the officer report. The objector has no objection to a dwelling within the location but feels the current proposal harms the setting of the adjoining Victorian villas as it leaves insufficient space between the buildings. The objector also feels the proposed dwelling is an overdevelopment of the site and the space between the villas is an important townscape and should be retained. Concern is raised around lack of parking, the design being out of character with a flat/ green roof and modern materials and that the proposed dwelling would overlook the objector's property and cause a loss of light, and result in an increase in noise.

A further email response has been received from 48E Barry Road, which reiterates concerns raised on the design and scale of building proposed. Further the author advises that one objector is away and unable to attend the meeting and had a particular concern about the loss of light to an existing kitchen window on the side elevation.

Item Number 5	Classification OPEN	Decision Level Dulwich CC	Date 09/09/08
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (08-AP-1538) Erection of a 3/4-storey detached 3 bed dwelling house fronting Barry Road		Address LAND ADJACENT TO 48 BARRY ROAD, LONDON, SE22 0HP	

1. PURPOSE

To consider the above application, which has been brought before Dulwich Community Council due to the level of objection received from local residents.

2. BACKGROUND

2.1 Site location and description

0.0212ha site situated on the western side of Barry Road in the East Dulwich area of the borough. The site is a narrow plot of land situated between 48 and 50 Barry Road and is currently vacant.

The surrounding area is predominantly residential in nature and is characterised by a mix of detached, semi-detached and terraced dwellings. The immediate properties on each side, being no. 48 and 50 Barry Road, are double fronted, two-storey (plus attic) substantial Victorian dwellings. No 48 Barry Road on the corner with Upland Road has been converted into flats. Opposite the site are a number of similar dwellings, all of which are Victorian and are two-storey with some feature third floor attics/lofts. Diagonally opposite the site is a four-storey block of flats with a mansard style roof.

The subject site is not situated within a Conservation Area and none of the existing buildings in the vicinity are subject to any statutory listing.

3.2 Details of proposal

This application seeks planning permission for the erection of a three/four-storey detached dwelling house fronting Barry Road. The building would occupy the vacant plot of land running between the adjacent houses and would broadly follow the established building lines to the front and rear.

From the front of the site the new dwelling would appear as a three-storey building to a maximum height of 7.69m and a width of 6.27m. To the rear the building would be sunken to provide a lower ground floor level, which would accommodate a kitchen/dining area. From this room access would be gained to a small sunken terrace, which would rise with steps to the remaining garden at existing ground floor level.

The main bulk of the building would be 12.65 metres in depth with the lower ground floor level projecting an additional 3.68m, the roof of which would be 2m above the existing natural ground floor level. A green sedum roofing system would be provided on the roof to this lower ground floor and on the second floor roof. At the highest level the roof would be occupied by rooftop solar panels.

Constructed from brick, with aluminium/timber windows, the building would have an area of feature brickwork on its northern elevation first floor projection. To the front of the dwellinghouse a landscaped front garden would be provided with areas for refuse and cycle storage.

Schedule of accommodation:

Living Room	Kitchen/ Dining	Bed 1	Bed 2	Bed 3	Amenity Space
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25sqm	30sqm	13.5sqm	11.25sqm	9.12sqm	66.5sqm
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3.3 Planning history

The application site has been subject to the following applications:

07-AP-2904

Erection of a dwellinghouse on lower ground, ground, first and second floors with rear garden. Application **withdrawn**.

07-AP-1574

Construction of a two storey and semi basement (three storeys in total) dwelling house. Planning permission **refused**, and subsequent appeal **dismissed**, for the following reasons

- 1. The proposed 2 storey with basement dwellinghouse is considered to be disproportionate in scale to surrounding development and does not relate well to the streetscene, to the detriment of the visual character and appearance of the area. As such, the proposal is contrary to 3.2 Protection of Amenity, 3.11 Efficient Use of Land, 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan (UDP) 1997 and adopted SPG 'Standards, Controls and Guidelines for Residential Development'.*
- 2. The proposed window and door fenestration to the front elevation of the proposed development, by reason of its poor design, would result in an inadequate relationship with surrounding development to the detriment of the aesthetic quality of the streetscene. As such, the proposal is contrary to Policy 3.12 Quality in Design of the Southwark Plan (UDP) July 2007 and SPG 'Standards, Controls and Guidelines for Residential Development' (adopted 1997).*

04-AP-1429

Erection of one dwelling with garage (outline application for access only). Planning permission **refused** for the following reasons:

- 1. The proposed location of the access to the site for a two storey plus loft dwelling would result in a development which is out of character of Barry Road and an over development of the site. The proposal does not accord with Policies E.2.1 - Layout and Building, E.2.3 - Aesthetic Control of the Southwark Unitary Development Plan (1995) and Policies 3.14 - Urban Design and 4.2 - Quality of Residential Accommodation of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.*
- 2. The proposed location of the access for a two storey plus attic dwelling would likely to be detrimental to the amenities of the occupiers No. 48 Barry Road as a result of noise and disturbance from vehicles parking and manoeuvring in close proximity to their windows. The proposal would not accord with the Policies E.3.1 Protection of Amenity of the Southwark Unitary Development Plan 1995 and Policies 3.2 - Protection of Amenity of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.*

96-AP-1086

Construction of a 2 storey dwelling house (Outline planning application). Planning permission **refused**, and subsequent appeal **dismissed**, for the following reasons:

- 1. Overdevelopment of the site due to the likely impacts to neighbouring properties in terms of loss of light and outlook.*
- 2. Likely to deprive occupants of 48 Barry Road the amenity space original provided or car parking which could be provided.*

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] Design, appearance and impact on the Barry Road streetscene.
- c] Residential amenity.
- d] Neighbour amenity.
- e] Traffic and Transportation.

4.2 Planning Policy

Southwark Plan 2007 [July]

SP11- Amenity and Environmental Quality

SP13 - Design and Heritage

SP14 - Sustainable Buildings

SP17 - Housing

SP18 - Sustainable Transport

SP19 - Minimising the Need to Travel

3.2 - Protection of Amenity

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 Development

4.2 - Quality of Residential Accommodation

5.2 - Transport Impacts

5.3 - Walking and Cycling

5.6 - Car Parking

London Plan 2004

3A.1 - Increasing London's supply of housing

3A.2 - Borough housing targets

4B.1 - Design principles for a compact city

4B.3 - Maximising the potential of sites

4B.6 - Sustainable design and construction

4B.7 - Respect local context and communities

4C.8 - Sustainable drainage

6A.5 - Planning Obligations

4.3 Consultations

Site Notice: 04/07/08

Site Visit: 04/07/08 - unaccompanied

Internal Consultees

Access Officer

Conservation Officer

Transport Group

Waste Management

Neighbour Consultees

As list in acoIaid.

4.4 Consultation replies

Internal Consultees

Access Officer:

Raises no objections to the proposed development and confirms that it meets the requirements of Part M of the Building Regs.

Transport Planning:

Note that off-street parking would normally be required in an area of medium PTAL where it is not in a CPZ. However raise no objection, as the development is likely to displace only one car. Would require the inclusion of an informative about the required highways works and waste management.

Design Officer:

Support the provision of a contemporary building and consider the proposed building and site layout to make efficient use of the land. The vertical proportions of the windows relate well to the surrounding buildings and the feature brick bond work is welcomed. Feel however that the second storey should be further recessed and the front elevation set back from the adjacent building lines. In general consider that the development tries to achieve a high quality in its design and its simplicity will not be harmful to the character of the street or area.

Neighbour Consultees

The Council has received 5 letters of objection from the neighbouring properties of 48 A, C, D, E; and 50 Barry Road raising the following areas of concern:

- Loss of sunlight/daylight, outlook and increased sense of enclosure to adjoining neighbouring windows, gardens and properties.
- The design of the building is out of keeping with the surrounding period properties, would create an eyesore and would diminish the attractiveness of the area.
- Removes the space between dwellings, which is an important townscape feature.
- Increased threat to the security of neighbouring dwellings.
- The proposed building is too large for the application site.
- Overlooking and loss of privacy.
- Lack of parking and increased pressure on existing parking situation.
- Increased disturbance through noise.
- Failure to address the Planning Inspectorate's reasons for dismissal on the previous appeal.

In addition the Council has also received 1 letter of support from 66 Barry Road citing the following reasons:

- The plot of land is currently an eyesore and it be good to see it put to some use.
- The modern style sits well between the period properties, is not too big or imposing and is a clever use of space.
- There is a shortage of housing in London.

5. PLANNING CONSIDERATIONS

5.1 Principle of development

The London Plan requires that provision should be made to accommodate 1480 new

households yearly within the borough and reiterates this need for housing to be provided within London as a whole. Although the proposed development is only for a net increase of 1 additional unit of accommodation this will go towards the required housing provision and will provide additional diversity in the housing stock in the surrounding area. The new unit would also not be developed at the expense of other important land uses thereby meeting the requirements of Policies SP14 and SP17.

5.2 Design, Appearance and Impact on Streetscene

Development proposals are expected to achieve high standards of design and urban design objectives by responding to and reinforcing locally distinctive patterns of development. The proposal achieves a high quality in its design and will be positive addition to the surrounding streetscene in line with policies 3.2 and 3.13.

The surrounding area is predominantly characterised by a mix of late 19th Century houses with the architectural emphasis of the houses being their vertical neo-gothic design. The provision of a carefully designed and sympathetic contemporary building is welcomed as a pastiche gothic structure could appear contrived in contrast to the quality of its neighbouring dwellings. The new house has regard to the general vertical emphasis and proportions of the adjoining buildings with the parapet aligning with the eaves of the neighbours and appropriate gaps on either side maintaining the rhythm of the streetscene.

The set back of the upper storey from the front and northern elevations follows the proportions of the adjacent buildings where feature gables are off-set to the side. The further feature of the faceted brick work adds interest and texture to the front elevation.

At the front of the property the main building line is stepped to align with both 50 and 48 Barry Road. The ground floor front projection then extends to the line of the bay window and porch on each property. These elements break up what would otherwise be a flat front facade by creating interest in the same way as its gothic neighbours do.

The building harmonises with the proportions of the site by creating a well balanced structure which neither obtrudes into the streetscene nor seeks to retreat back. The design of the development is further enhanced with the provision of a traditional front garden which is softened by grass and a raised planting area. This creates an area of defensible space which follows the traditional layout of the properties in the area and which provides purposes built spaces for the storage of waste and bikes. The development therefore sits comfortably on the site and between the neighbouring properties as a high quality and unapologetic modern building.

5.3 Residential Amenity

The proposal would provide a satisfactory standard of accommodation for future occupiers, which would meet adopted SPD minimum standards with a suitable internal layout. The dwelling would have its principle outlook east over the garden and west over the street. All proposed room sizes would be more than adequate for their intended purpose and a private area of amenity space would be provided to the rear of approximately 66m², thus exceeding adopted standards.

5.4 Neighbour Amenity

The front elevation of the proposed houses will be approximately 28m from the front elevation of the properties on the opposite side of Barry Road. This is considered a suitable separation distance to achieve satisfactory levels of privacy between the existing properties and future residents, and meets the adopted SPD guidelines.

The orientation of the dwelling follows the established building lines of Barry Road at the front and rear, and the proposed layout ensures that there is no further potential

for overlooking, visual intrusion or detrimental impact on the daylight or sunlight enjoyed by surrounding residential properties.

At lower ground floor level the rear projection extends to the line of the adjacent property at 48 Barry Road. This is maintained at a maximum height of 2m above the existing ground floor level which is the point at which a wall could be constructed without planning permission. The two storey rear elevation of the building then projects 2.1m from the rear elevation of the adjacent property at 50 Barry Road creating a stepping effect from the deeper property at 48. This minimal projection maintains an appropriate level of outlook from neighbouring properties and would only be viewed from the windows of 48 Barry Road at an oblique angle.

Due to the orientation of the development and its adjacent buildings, there will be no loss of sunlight or daylight to the neighbouring property at 50 Barry Road to the south.

To the north, the south elevation of 48 Barry Road contains 3 windows and 1 glazed door at ground and first floor level, 3 of which sit in line with the main bulk of the proposed development. The room served by the ground floor window is used as a bathroom and the door provides access to a kitchen/dining area which is also served by other windows. It is therefore considered that any loss of light to these windows would not be detrimental to the amenity of the dwelling to which they relate.

The window most likely to be effected therefore is considered to be the first floor bedroom window set towards the front of 48 Barry Road. The applicant has undertaken a sunlight/daylight assessment in line with the Building Research Establishment (BRE) good practice, to establish the likely impact to this window. This window currently receives a level of light which is below the BRE recommended targets. Although this level will be marginally reduced by the proposed development the change is below the level where a noticeable reduction in daylight would be experienced. The proposed development is therefore considered to have an acceptable impact on the available daylight received by the window and will meet the BRE targets.

There would be no access to any of the areas of flat roof of the building and therefore no opportunity for overlooking or loss of privacy. The imposition of an appropriate condition will ensure that these areas are not used for any form of balcony or roof terrace in the future thus ensuring future privacy is maintained.

The proposal will therefore not have a material adverse impact on the environment and quality of life of neighbouring occupiers and thus complies with policies 3.1 and 3.2 of the UDP.

Traffic and Transportation

No provision for off street parking can be made at this site. The London Plan and Government Guidance advocate reduced reliance on the private car, with PPG13 stating that developers need only provide such parking as they consider to be appropriate. While it is acknowledged that the availability of on street parking is at a premium in the local area, it is considered that any additional parking pressure, resulting from the increase of 1 additional unit is likely to be modest, and that to permit this development would not be so damaging to local amenity as to warrant refusal of the application.

The application site is not situated within a CPZ and therefore the Council would be unable to designate this development as car-free.

Planning obligations [S.106 undertaking or agreement]

It is recognised that new housing developments create increased pressure and demand on local services. However the provision of just 1 additional unit of

accommodation would not meet those thresholds outlined within the SPD. As such should permission be granted the applicants would not be required to enter into an agreement.

Conclusion

The proposals to redevelopment the property are in accordance with Adopted UDP Policies and Government guidance as set out in PPS3, which seek to make more effective use of land for housing. The design of the development is considered acceptable and would not be detrimental either in terms of the character or appearance of the surrounding area or neighbour amenity. Proposed room sizes/layouts and the area of amenity space to be provided accord with adopted guidance. The proposal is therefore recommended for approval subject to appropriate conditions.

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.

7. SUSTAINABLE DEVELOPMENT IMPLICATIONS

The application is not considered to be a 'major' application and as such, Sustainability and Energy Statements were not required to be submitted with the application.

The applicant has however included a green sedum roof as part of this proposal. It will provide a safe habitat for insects and birds, improve air quality, improve acoustic performance, improve thermal performance of the building and improve oxygen levels of the surrounding area.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Amy Lester	Senior Planner - Development Control [tel. 020 7525 5461]
CASE FILE	TP/2596-48	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

RECOMMENDATION LDD MONITORING FORM REQUIRED

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Mr R. Josephs Joel Development	Reg. Number 08- <u>AP</u> -1538
Application Type	Full Planning Permission	
Recommendation	Grant	Case Number TP/2596-48

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a 3/4-storey detached 3 bed dwelling house fronting Barry Road

At: LAND ADJACENT TO 48 BARRY ROAD, LONDON, SE22 0HP

In accordance with application received on 19/06/2008

and Applicant's Drawing Nos. 218/PA/00, 218/PA/01 Rev P2, 218/PA/02 P2, 218/PA/03 B, 218/PA/04 C, 218/PA/05 B, 218/PA/06 B, 218/PA/07 B, 218/PA/08 D, 218/PA/09 D, 218/PA/10 D, 218/PA/11 D, 218/PA/12 B, 218/PA/13 P2

Design & Access Statement Rev A, Daylight & Sunlight Assessment

30/6/08- 218/PA/03, 04, 05, 06, 07, 08 & 09

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 Adopted UDP, The Southwark Plan, 2007.

- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or amendment or re-enactment thereof) no buildings, extensions, or alterations permitted by Classes A, B, C, D and E of Part 1 of Schedule 2 in the 1995 Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To allow the local planning authority the opportunity to control future development having regard to the nature of the site and to ensure adequate protection of the residential amenity of neighbouring occupiers in accordance with policy 3.2 'Protection of Amenity' of the Adopted UDP, The Southwark Plan, 2007.

- 4 The flat roofed area of the building hereby permitted shall not be used other than as a means of escape or for maintenance purposes and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason

In order that the privacy of neighbouring residents may be protected from overlooking from use of the roof area in accordance with policy 3.2 'Protection of Amenity' of the Adopted UDP, The Southwark Plan, 2007.

- 5 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' of the Adopted UDP, The Southwark Plan, 2007.

- 6 The landscaping and planting shown on the drawings hereby approved shall be carried out in the first appropriate planting season following the completion of the building works.

Reason

In the interest of the design and appearance of the development and the visual amenity of the area in accordance with policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Adopted UDP, The Southwark Plan, 2007.

- 7 The cycle storage facilities as shown on drawing 218/PA/04 rev D 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' of the Adopted UDP, The Southwark Plan, 2007.

- 8 Details of the Green Roof System shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced. The development shall be carried out in full accordance with the approved details and it shall be permanently maintained thereafter.

Reason:

To ensure satisfactory treatment of the site, a satisfactory appearance of the development and in accordance with policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Adopted UDP, 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 SP11- Amenity and Environmental Quality SP13 - Design and Heritage, SP14 - Sustainable Buildings, SP17 - Housing, SP18 - Sustainable Transport, SP19 - Minimising the Need to Travel, 3.2 - Protection of Amenity, 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 Development, 4.2 - Quality of Residential Accommodation, 5.2 - Transport Impacts, 5.3 - Walking and Cycling and 5.6 - Car Parking of the Southwark Plan [July 2007].

b] Policies 3A.1 - Increasing London's supply of housing, 3A.2 - Borough housing targets, 4B.1 - Design principles for a compact city, 4B.3 - Maximising the potential of sites, 4B.6 - Sustainable design and construction, 4B.7 - Respect local context and communities, 4C.8 - Sustainable drainage and 6A.5 - Planning Obligations of the London Plan [2004].

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.



Item 3	Classification OPEN	Decision Level Dulwich Community Council	Date 08.10.2008
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (08/CO/0029) Installation of five road lighting type lanterns with 140 watt white lamps mounted on 5.0m high hinged columns on community centre building. Lighting to be switched off at 9:30pm.		Address EAST DULWICH COMMUNITY CENTRE, 46-64 DARRELL ROAD, LONDON, SE22 9NL Ward East Dulwich	
Application Start Date 31/07/2008		Application Expiry Date 25/09/2008	

PURPOSE

- 1 To consider the above application, as it is a Council's own application which has received one letter of objection

RECOMMENDATION

- 2 Grant permission

3.0 BACKGROUND

3.1 Site location and description

The proposal site a Community Centre in the East Dulwich area. The centre is bounded by the Darrell and Crystal Palace Roads on the east and west and by residential properties and a medical centre on the west and east respectively.

3.2 Details of proposal

The proposal seeks the installation of five road lighting type lanterns with 140 watt white lamps; these shall be mounted on 5.0m high hinged columns. Two 5 metre high lamp posts shall be on both the northern and southern elevations and an additional post shall be on the elevation fronting the Crystal Palace Road which is the rear of the building.

- 3.3 It is proposed that the lights will be switched off at 9:30pm.

Planning history

- 3.4 06AP1122 – The replacement of existing wall top metal work with 1m high ball retaining mesh on the Southern boundary of the community centre. Permission was granted in 2006
- 3.5 04AP0375 – Environmental improvement including new 3m high entrance gates, 2.4m boundary fencing to Crystal Palace Road and Darrell Road frontages, landscaping, pergola and planting. Permission was granted in 2004

Planning history of adjoining sites

3.6 None of relevance to this application.

FACTORS FOR CONSIDERATION

4.0 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 of the proposal on residential amenity.

c] the impact of the design in the street scene.

5.0 Planning Policy

Southwark Plan 2007 [July]

SP9 Meeting community needs

2.2 - Provision of new community facilities

3.1 - Environmental effects

3.2 - Protection of amenity

3.12- Quality in design

3.14 - Designing out crime

6.0 Consultations

Site Notice:

18.09.08

Press Notice:

N/A

Internal Consultees

Environmental Protection Team

Statutory and non-statutory consultees

N/A

Neighbour consultees

As detailed on Acolaid

Re-consultation

N/A

7.0 Consultation replies

7.1 Internal Consultees

No response received

7.2 Statutory and non-statutory consultees

N/A

Neighbour consultees

7.3 Barry Area Residents Association (Support)

The proposal will help increase the usage of the grounds and make it safer for children and young people.

7.4 142 Crystal Palace Road (Objects)

We live opposite the playground and already on Sunday mornings a religious group meets and sings and chants very loudly disturbing our peace. In the evenings after school children use the playground after school, which is fine but noisy enough, with the introduction of the lanterns there will bring about light spill onto the road the road and even later unnecessary noise.

7.5 Case Officer's response - The output level and the spacing of the lanterns at the centre is considered to be reasonable. Over spill lighting will be virtually eliminated as each lantern will be fitted with an integral back-light deflector shade. The time given for turning off the lanterns is considered acceptable, and would be both manually and automatically controlled.

7.6 Re-consultation

N/A

8.0 PLANNING CONSIDERATIONS

8.1 Principle of development

In principle the provision of additional services to facilitate the use of a community centre is acceptable. The proposal is for the installation of lanterns and previous allowances in the environmental improvement of the centre scheme - 04AP0375 - have been made at the centre to accommodate the provision of these lanterns. The proposal therefore does not raise any land use issues.

8.2 Impact of proposed development on amenity of adjoining occupiers and surrounding area

The lanterns on the southern elevation bounds a medical centre, which will benefit from the additional security the lights will provide. On the northern elevation, the centre is bounded by residential properties which are 44 Darrell Road and 141 Crystal Palace Road. However, the impact of the lights on the residential properties is not considered to be detrimental. This is because the light is proposed to go out at 9:30pm and at 140 watts and a height of 5 metres high, the output of the lanterns is considered to be reasonable low.

8.3 The Southwark Plan encourages the creation of well lit, overlooked spaces as a step to designing out crime and significantly reducing opportunity to commit crime as well as the fear of crime in a neighbourhood. The provision of the lights is therefore in line with Council policy.

8.4 The proposal will be installed within the boundaries of the centre and shall therefore not encroach on the ownership rights of the neighbouring properties. The installation of the light will help promote the usage of the centre by people of all ages without the fear of crime, this will have a positive effect on the living conditions of the residents.

8.5 Traffic issues

This application will not have any negative impact on the existing traffic situation of the area.

8.6 Design issues

The proposed posts stand at a height of 5 metres, the grounds of the centre are large to prevent the impression of overcrowding. Therefore it is considered that the lanterns will not be detrimental in preserving the amenity of the area.

8.7 **Other matters**

It is worth noting that the Centre is open 7 days in a week and stays open till 11pm on some days. Such facilities are therefore needed to improve quality and effective leisure activities in the community. It is considered that the provision of the lanterns shall be a positive step in ensuring that the centre is accessible and safe for all when it is open.

9.0 **Conclusion**

The proposal for the provision of the lamps for the community centre is not seen to be detrimental to the amenity of the present and future occupiers of the surrounding area and it is in compliance with the relevant policies of the Southwark Plan [2007].

10.0 **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.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

The proposal will be powered by electricity not generated from a renewable resource, notwithstanding this the proposed lighting will not be kept on beyond 21:30 and there would be provision for an automatic switch off at this time.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Germaine Asabere	Planning Officer [tel. 020 7525 5452]
CASE FILE	TP/2598-E	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Ms A. Allen Southwark Council	Reg. Number 08- <u>CO</u> -0029
Application Type	Council's Own Development - Reg. 3 (Council's Own Development)	
Recommendation	Grant	Case Number TP/2598-E

Draft of Decision Notice

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

Installation of five road lighting type lanterns with 140 watt white lamps mounted on 5.0m high hinged columns on the site comprising community centre building. Lighting to be switched off at 9:30pm.

At: EAST DULWICH COMMUNITY CENTRE, 46-64 DARRELL ROAD, LONDON, SE22 9NL

In accordance with application received on 18/04/2008

and Applicant's Drawing Nos. 07-2720-P001A & 07-2720-P002A; Six pages of supporting information annotated: 1. Suggested column/bracket options, 2. Wall brackets, 3. Raising & lowering columns, 4. Spring operated, 5. Flange plate, 6. Stratum.

Schedule

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

Reason

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

- 2 The lighting hereby permitted shall be switched off by 21:30 hours every day.

Reason

In the interest of the amenity of neighbouring properties and 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 [SP9 'Meeting community needs', 2.2 'Provision of new community facilities', 3.1 'Environmental effects', 3.2 'Protection of amenity', 3.12 'Quality in design' and 3.14 'Designing out crime'] 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.



18.3m

no Const & Ward Bdy

ZENORIA STREET

SPURLING ROAD

LORDSHIP

East Dulwich Tavern (PH)

The Bishop (PH)

TCB

OXONIAN STREET



4	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 08-10-2008
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (06-AP-0324) Erection of two fascia and one projecting sign (projecting sign and one fascia illuminated)		Address 8-10 LORDSHIP LANE, LONDON, SE22 8HN Ward East Dulwich	

PURPOSE

- 1 To consider the above application which has been referred to Dulwich Community Council for determination by virtue of the number of objections received.
- 2 The application was deferred by Dulwich Community Council on 19 August 2008 for officers to:
 1. Ask the applicants if they would be willing to turn off the signage lighting at 11pm
 2. Check whether other recent signage consents on Lordship Lane (in the last year) have been conditioned in relation to hours of illumination
 3. Depending on outcome of 2 above, if on signage on Lordship Lane is lit generally through the night, would the applicants consider switching off signage lights fronting Zenoria Street frontage at 11pm
 4. Where possible check signage illumination on nearby corner sites. Is the lighting switched off late at night. Reference to be made to the Sustainable Design and Construction SPD

Dealing with each of the points in turn:

1. The Agents have advised that they foresee no objection from their clients, Cafe Nero to switching illumination off at 11.00pm, but further clarification was being sought. Their formal response will be reported verbally to Committee
2. The following sites have been granted advert consent for illuminated signage in the past year. None of the consents are conditioned with regard to periods of illumination.

364-366 Lordship Lane (07AP0312) Granted 05/04/07
72 Lordship Lane (08AP/1291) Granted 15/07/08
26 Lordship Lane (07AP2548) Granted 05/02/08
28-30 Lordship Lane (07AP0270) Granted 24/06/08

3. Agents have advised that they foresee no objection by their clients Cafe Nero, to switching the lighting off on the Zenoria frontage
4. On a survey of other corner sites on Lordship Lane, the closest and more dominant signage, that was illuminated after 11pm was the corner site opposite Cafe Nero, at number 6 Lordship Lane.

By restricting illumination to the proposed signage on the Zenoria fascia frontage, this

will help reduce potential disturbance from artificial light to nearby residents, and addresses paragraph 4.2 of the Sustainable Design and Construction Supplementary Planning Document September 2007

RECOMMENDATION

3 Grant Advertisement Consent

5	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 19-08-2008
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (06-AP-0324) Erection of two fascia and one projecting sign (projecting sign and one fascia illuminated)		Address 8-10 LORDSHIP LANE, LONDON, SE22 8HN Ward East Dulwich	

PURPOSE

- 1 To consider the above application which has been referred to Dulwich Community Council for determination by virtue of the number of objections received.
- 2 The application was deferred by Dulwich Community Council on 1 March 2007 for the officers to seek further clarification on the level of energy consumption and confirmation on how many hours a week the signs were left on (see paragraph 31).

RECOMMENDATION

- 3 Grant Planning Permission

BACKGROUND

Site location and description

- 4 Application premises comprise a three storey building located to the northern end of Lordship Lane at its junction with Zenoria Street. The ground floor of the premises are currently used for commercial purposes with the upper floors in what appears to be commercial use also. The ground floor unit has the benefit of a return frontage onto Zenoria Street.

Details of the proposal

- 5 The proposal under consideration is for the display of internally illuminated fascia signs and a projecting box sign.

Planning history

- 6 Planning permission was granted in July 1978 for the continued use of the ground floor for the wholesale and retail of electrical goods. In November 2004 planning permission was refused for partial change of use of the front area of the shop (A1) to a licensed Bookmakers (use class A2).
- 7 Planning permission was also refused on 29/07/2005 for change of use of ground floor from retail (Class A1) use to restaurant/winebar (Class A3 use) together with the installation of a new shop front, and an extract flue to rear (**05-AP-0729**).
- 8 Planning permission was granted on 18/04/2006 for the retention of a new shopfront (**06-AP-0325**).
- 9 Planning permission was granted on appeal on 08-04-2008 for change of use of ground floor from retail (Class A1) use to coffee shop (mixed Use Class A1/A3 retail/restaurant)(**APP/A5840/C/07/2046890**).

Upper Floors 8 -10 Lordship Lane

- 10 An application for conversion of upper floors from existing 1 x 3 bedroom and 1 x 2 bedroom flats to form 1 x 1 bed and 3 x 2 bed flats with alterations to the rear and the construction of an additional (fourth) floor in a mansard roof was withdrawn in May 2005
- 11 Planning permission was refused in October 2005 (**05-AP-1776**) for erection of an additional floor at third floor level over roof of front part of building and conversion of existing upper first floor and second floor levels to form 4 flats (3 x 2 bed and 1 x 1 bed), together with associated alterations to elevations and formation of roof terrace.
- 12 An application for conversion of existing 1 x 2 bed and 1 x 3 bed flats at upper first floor and second floor and use of new roofspace to form 1 x 1 bed flat and 3 x 2 bed flats (a total of 5 flats including an existing studio flat at lower first floor) together with new roof with 2 dormers in rear roof slope and elevational alterations (including new windows and door) to rear and both side elevations, and creation of bin/bike store at ground floor to be associated with the residential use of the upper floors (**06-AP-0252**) was approved 02/08/2006.

Planning history of adjoining sites

Rear of 8 -10 Lordship Lane

- 13 Planning permission was granted in November 1976 for the retention of a single storey rear extension for use as a loading bay in connection with the use of 8-10 Lordship Lane (ground floor) and 1-3 Zenoria Street for the storage, wholesale and retail of electrical goods.
- 14 Planning permission was refused on 29/06/2006 (**06-AP-0523**) for change of use of warehouse building to Class D2 (Leisure) to accommodate gymnasium and physiotherapy together with alterations to front elevation.

FACTORS FOR CONSIDERATION

Main Issues

- 15 The main issues in this case are the impact on:
- the appearance and character of the surrounding area;
 - highway and pedestrian safety issues;
 - amenity of neighbouring properties; and public safety and security.

Planning Policy

- 16 Southwark Plan 2007 [July]
3.2: Protection of Amenity
3.11: Efficient Use of Land
3.12: Quality in Design
3.13: Urban Design
3.23: Outdoor Advertisements and Signage
5.3: Walking and Cycling
- 17 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
PPG 19: Outdoor Advertisement Control
- 18 Supplementary Planning Guidance
Supplementary Planning Guidance No: 8 Outdoor Advertisements and Signage (April 1997)
- Supplementary Planning Guidance on Outdoor Advertisements and Signage (November 2004)

Consultations

- 19 Site Notice: 22/02/2006
Press Notice: not required
- 20 Internal Consultees
None
- 21 Statutory and non-statutory consultees
None
- 22 Neighbour consultees
Refer to Acolaid consultee list
- 23 Re-consultation
None

Consultation replies

- 24 Internal Consultees
None
- 25 Statutory and non-statutory consultees

None

26 Neighbour consultees

10 Zenoria Street - object on grounds that the sign on the return frontage along Zenoria Street would be detrimental to the visual identity and character of the residential area

18 Zenoria Street - object on grounds of impact of illuminated sign on amenity of residential street

12 Zenoria Street - object on grounds of light pollution and disturbances detrimental to the residential character of the area

27 Re-consultation

None

PLANNING CONSIDERATIONS

Principle of proposal

- 28 The display of internally illuminated fascia and projecting signs raise no policy issues and accords with the Council's standards on control of advertisements. Furthermore the proposed signage is in association with the existing business and replaces the signs from the previous business. A recent site visit indicate that the fascia signs have already been erected.

Environmental impact assessment

- 29 There are no environmental impact assessment in so far as the proposed signs are concerned.

Impact on amenity

- 30 The application premises are located within a shopping area where commercial uses and advertisement signs are expected to be found. Furthermore these are replacement sign associated with the Cafe Nero use since the cessation of the previous retail use. Although the application property is within close proximity of residential properties on Zenoria Street, it is considered that it is sufficiently distant to avoid any amenity problems associated with light pollution in particular. Furthermore the ground floor of the premises have been in commercial use for a considerable period and have always had the benefit of internally illuminated fascia signs along Lordship Lane and on the shopfront return on Zenoria Street.
- 31 The level of energy consumption is acceptable as the Electronic LED converter (24 V) generates an output power of 70W. The illumination of the signage will be controlled by a light sensor and will only come on during hours of darkness. This means that the sign will be illuminated depending on the time of the year. The applicant used the following examples: during summer from approximately 21:00 to 05:00 and in the winter from approximately 16:00 to 07:00 depending on the weather.

Traffic issues

- 32 There are no traffic implications in so far as the proposed signs are concerned.

Design issues

- 33 The proposed signs accord with the Councils' standards in so far as display of advertisement signs are concerned they provide well proportioned, good quality signs appropriate to the host building, making a positive contribution to the streetscene.

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

- 34 The proposed signs would not affect the character or setting of a listed building or a conservation area as they do not adjoin a listed building and are not in a conservation area.

Planning obligations [S.106 undertaking or agreement]

- 35 There are no S.106 implications in so far as the proposed signs are concerned.

Other matters

- 36 None specific

Conclusion

- 37 In conclusion, the proposed signs are considered acceptable as they accord with the Council's standards on control of advertisements, and do not conflict with the policies of the Southwark plan 2007.

COMMUNITY IMPACT STATEMENT

- 38 The proposal would not result in any significant impact on local people to warrant a refusal of planning permission in this instance.
- 39 There are no communities significantly affected by the proposal.
- 40 There are no significant adverse implications on the community as a result of the proposed development.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

- 41 None

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Neil Loubser	Planning Officer [tel. 020 7525 5440]
CASE FILE	TP/ADV/2315-12	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant Caffe Nero Plc
Application Type Advertisement Consent
Recommendation Grant

Reg. Number 06-AP-0324

Case Number TP/ADV/2315-12

Draft of Decision Notice

EXPRESS CONSENT has been granted for the advertisement described as follows:

Erection of two fascia and one projecting sign (projecting sign and one fascia illuminated)

At: 8-10 LORDSHIP LANE, LONDON, SE22 8HN

In accordance with application received on 20/02/2006

and Applicant's Drawing Nos. 72049, CN230/012

Subject to the following condition:

Consent is granted for a period of 5 years and is subject to the following standard conditions:

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as to otherwise render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason:

In the interests of amenity and public safety as required by Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992 as amended.

Item No. 7	Classification: Information Only	Date: 08 October 2008	Meeting Name: Dulwich Community Council
Report title:	PLANNING ENFORCEMENT UPDATE REPORT		
From:	<u>01/07/08 - 30/09/08</u>		

Summary and purpose

1. The purpose of this report is to provide Members of Dulwich Community Council with a report on progress of the Planning Enforcement Service. This report advises on enforcement performance for the periods July to September 2008. The report sets out current issues impacting on the Enforcement Service. It is intended to inform Members as to the progress of cases.
2. Please note that this report is for information purposes only. The determination of planning enforcement investigations and conduct of enforcement appeals is delegated to officers under the Southwark Constitution 2008. Part 3F Note (a). Members are advised that they do not have a decision making function in relation to Enforcement Cases.

Performance Data

3.1.1 Table 1 below shows performance in dealing with investigations and overall performance on cases received in the previous year.

	Previous Year 07/08	July – September 2008
Cases Received	12	19
Investigations completed	9	8
Live cases	-	93
% Investigated within 8 weeks	Currently Unavailable	Currently Unavailable
Cases closed	9	8
Notices Pending	0	10
Successful Prosecutions Pen	0	1 (14-16 Underhill – unauthorised railings)

3.2 Appeals

Address	Breach	Type of Notice served	Date Notice expires	Further action needed
Land at rear yard and shed areas 55-63 (odd) Upland Road, 65 Upland Road, ground floor and rear inclusive of yard area and shed, 67 Upland Road	Without planning permission, change of use of the site from A1 retail with storage to a commercial plant hire business with storage (sui generis/B8)	Enforcement Notice - 27/05/08	26/06/08	Public Inquiry 03/12/08

3.3 There has been a borough wide general increase in the number of planning enforcement enquiries received by the Council. Over the reporting period, there was a 58% increase in the number of enforcement enquiries within Dulwich CC compared to the same period last year.

Pro-Active Projects

4. The Council has a number of proactive enforcement initiatives to ensure:
 - i. the removal of inappropriately located and unsightly advertisement hoardings in the Borough. The main area where this initiative is concentrated is in conservation areas, displays close to and attached to listed buildings and major thoroughfares.
 - ii. that the unauthorised use of buildings as places of worship by various faith groups ceases.
 - iii. the removal of inappropriately located and unsightly satellite dishes within conservation areas and on listed buildings.

At present there are no specific issues to be reported to Dulwich Community Council with regards pro-active projects.

5. Listed Wall on Red Post Hill Adjoining 19 Village Way Way, London, SE21 7AN

- 5.1 A Listed Building Consent (LBC) is in place for the dismantling and reconstruction of the partially collapsed and unstable sections of the wall. This decision was issued on the 12 December 2007 (reg 07-AP-2410) the applicants being The Dulwich Society.
- 5.2 The LBC was subject to condition that, before the wall is reconstructed a survey plan at a scale of 1:100 of the existing and proposed sections of the wall, and scaled drawings at 1:20 of detailed sections of the wall are submitted to the Local Planning Authority (LPA).
- 5.3 This condition was discharged on the 25 September 2008.
- 5.4 The Council are now in the process of drafting a 'Section 215 Notice' to ensure that works are implemented as set out in the LBC decision for the repair of the wall.
- 5.5 It is anticipated that the notice will be served by mid October 2008, and will allow 6 months for the works to be completed.

6. 549 Lordship Lane, SE22

- 6.1 549 Lordship lane is a Grade II listed property currently vacant, in a state of disrepair and considered to be in a dangerous condition.
- 6.2 A dangerous structure notice was served under Building Control Regulations outlining steps to secure the building.
- 6.3 The owner of the site failed to comply with the notice and was subsequently successfully prosecuted against the offence of failing to comply with the Dangerous Structure Notice.
- 6.4 Members will be provided with further information in respect of this site, within a closed report, not for publication by virtue of categories 3, 5 & 7 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

7. Other Matters

- 7.1 On 1st October 2008 major changes to the permitted development rights applicable to dwellinghouses [it does not apply to flats] come into force. For ease of reference an extract of the relevant sections from the amended GPDO is appended at the back of this guidance note. Permitted development is development requiring planning permission but which can be undertaken without the need to apply for planning permission as that permission has already been granted by the GPDO.

The GPDO allows householders to make improvements or alterations to their homes without the need to apply for planning permission.

- 7.2 The changes have been made for two main reasons. Firstly, to overcome difficulties of interpretation and various anomalies that allowed as permitted development some proposals that had a significant impact on neighbours whilst requiring some that didn't have an adverse effect on neighbours to go through the formal planning application process. Permitted development was assessed on the basis of the volume of an extension and the cumulative total volume of extensions to a dwelling house. It will now, with the exception of roof extensions, be assessed to an impacts based approach. This will include the impacts on overlooking [and the loss of privacy [and overshadowing [and the loss of daylight] expressed in terms of readily assessed measurements in terms of heights, distances areas and other clear limits.
- 7.3 The second reason is to relax the planning regime in order to keep the number of householder planning applications to a minimum.

Although one of the objectives of the changes is to improve clarity and make things simpler there are a number of areas where new criteria are introduced without being specifically defined. There is some discretion left to the Local Planning Authority as to their interpretation. Members are asked to be aware of the changes and seek assistance from Planning Officers in respect of any queries they have.

Delegated Officer	Gary Rice	Head of Development Control
REPORT AUTHOR	Dennis Sangweme	Group Manager – Planning Enforcement
Contact Officer	Dennis Sangweme	0207 525 5419
		Email:
		dennis.sangweme@southwark.gov.uk

Community Council	Dulwich Council	Community
Reports	Council	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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Tessa Jowell M.P.			
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OTHERS			
Geoffrey Bannister			
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Town Hall	1		