

COMMUNITY COUNCILS

A voice for your community

PLEASE NOTE VENUE

Dulwich Community Council Agenda Planning Meeting

Date: Thursday 19 March 2009

Time: 7.00 PM

Place: Kingswood House, Seeley Drive, London SE21 8QR

-
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 11 December 2008 (see pages 5 – 8) and 14 January 2009 (see pages 9 – 15)

6. Development Control Items:

Item 6/1 – Recommendation: Grant – 120 Court Lane, London SE21 7EA (see pages 22 – 32)

Item 6/2 – Recommendation: Full planning permission – 112 Court Lane, London SE21 7EA (see pages 33 – 41)

7. Closing comments by the Chair

ADDITIONAL INFORMATION

Dulwich Community Council Membership

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

Carers' Allowances

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

Deputations

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

Exclusion of Press and Public

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

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

Transport Assistance for Disabled Members of the Public

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

Wheelchair facilities

Wheelchair access to the venue is through the 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 5 7187. To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 7525 7187.

আপনি যদি আপনার ভাষায় কমিউনিটি কাউন্সিল সম্বন্ধে তথ্য চান তাহলে অনুগ্রহ করে **020 7525 7187** নম্বরে টেলিফোন করুন

কোন বিশেষ প্রয়োজন সম্বন্ধে জানতে চান যেমন ট্রান্সপোর্ট অথবা সংকেত দ্বারা অনুবাদক/ইন্টারপ্রেটার তাহলে **020 7525 7187** নম্বরে টেলিফোন করুন

Bengali

Kendi dilinizde Toplum meclisleri hakkında bilgi almak için 020 7525 7187'nolu telefonu arayınız.

Özel gereksinimlerinizi bize bildirmek için 020 7525 7187'nolu telefonu çeviriniz.

Turkish

Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku turjuman af Soomaali fadlan tilifoon u dir 020 7525 7187

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 7187

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 7187**

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 7187**

Mandarin

Se você quiser informações nos conselhos comunitários traduzidas em sua língua por favor ligue para 020 7525 7187

Para-nos informar de quaisquer necessidades especiais ou requisitos , tipo transporte, linguagem dos sinais/ intérprete, por favor ligue para 020 7525 7187.

Portuguese

Si vous désirez avoir l'information sur les Conseils de la Communauté (Community Councils) traduite en votre langue téléphonez SVP au 020 7525 7187

Pour nous informer de tout besoin ou condition spéciale, telles que le transport ou le signataire / interprète, téléphonez SVP au 020 7525 7187

French

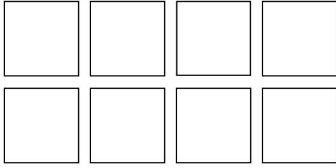
Si precisa información sobre los departamentos sociales (Community Councils) traducida a su idioma, por favor llame al número de teléfono 020 7525 7187

Si tiene necesidades o requisitos específicos, como es transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7187

Spanish

Lati bēre fun itumọ irohin nipa Council agbegbe re (Community Council) ni ede abini re, jowo pe tilifoonu 020 7525 7187. Lati je ki a mo nipa iranlowo tabi idi pato, gegebi oko (moto) tabi olutumọ, jowo pe tilifoonu 020 7525 7187.

Yoruba



COMMUNITY COUNCILS
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Dulwich Community Council Planning Meeting

(Minutes to be formally agreed at the next meeting)

Minutes of Dulwich Community Council Planning meeting held on Thursday December 11 2008 at 7.00pm held at Herne Hill Baptist Church, Half Moon Lane, London SE24 9HU

Present

Councillor Nick Vineall (Chair)
Councillors, Robin Crookshank Hilton (Vice Chair), Toby Eckersley, Kim Humphreys, Jonathan Mitchell and 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

Apologies for absence were submitted on behalf of Cllrs James Barber, Michelle Holford and Lewis Robinson

3. Disclosure of Members' interests and dispensations

None were declared.

4. Urgent Items

There were no urgent items.

5. Minutes of the previous meeting

Minutes of the planning meetings held on October 8 and November 6 2008 were agreed as accurate records of the proceedings which the chair signed.

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 17 – 63)

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 planning items were considered in the order set out below.

Item 6/2 – Recommendation: grant – 68A Crawthow Grove, London, SE22 9AB (see pages 30 – 46)

Proposal: Erection of a new two storey building incorporating two self contained flats.

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

Representations were heard from an objector.

The key objections were overcrowding, loss of privacy, overdevelopment, design impact, quality of the work, height and mass excessive, inappropriate design, roofscape negatively impacted, future maintenance and poor quality frontage.

The applicant was present to address the meeting and responded to Members' questions on the guttering and maintenance for no. 68, the lack of cycle parking and the lack of amenity to the upper maisonette.

The applicant advised that he could possibly make cycle parking spaces available and that in terms of sizes the units exceeded the minimum requirements and the ground floor flat would be to lifetime homes standards.

Members acknowledged the need for the site to be redeveloped but felt that this scheme would for a number of reasons fail to provide a suitable scheme.

RESOLVED: That planning permission be refused on the following grounds:

1. The roof form of the proposed new building by reason of its mass, bulk and detailed design, would fail to respond positively to its surroundings, its inappropriate scale and design particularly when viewed straight on would appear incongruous within the street scene. As such the proposal is contrary to Policies 3.2 Protection of amenity, 3.11 Efficient use of land, 3.12 Quality in design and 3.13 Urban design of the Southwark Plan 2007.
2. The quality of the upper maisonette would be unduly compromised in the absence of any external private space. As such the proposal is contrary to Policies 3.11 Efficient use of land and 4.2 Quality of Accommodation of the Southwark Plan 2007 and the Residential Design Standards Supplementary Planning Document (2008).
3. The proposed units would fail to provide or identify a suitable area for the secure storage of bicycles as such the proposal is contrary to Policy 5.3 'Walking and Cycling' of the Southwark Plan (2007) and the Transport Planning for Sustainable Development Supplementary Planning Document (2008).

Item 6/4 – Recommendation: grant – 182 Overhill Road, London, SE22 0PS
(see pages 53 – 63)

Proposal: Demolition of existing building and garage block. Construction over three and four storeys of seven two bed flats and two one bed flats with 6 parking spaces, cycle and refuse storage and associated amenity space.

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

Representations were heard from an objector.

The applicant's agent was present to respond to questions. None were raised.

RESOLVED: That planning permission be granted subject to a S106 legal agreement.

Item 6/1 – Recommendation: grant – 27 Turney Road, London SE21 8LX
(see pages 23 – 29)

Proposal: Erection of new extension and bike/buggy storage, including the demolition of an existing conservatory on site to make way for the new proposal.

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

No questions were raised.

RESOLVED: That planning permission be granted.

Item 6/3 – Recommendation: grant – 101 Woodwarde Road, London, SE22 8UP (see pages 47 – 52)

Proposal: Loft conversion of existing roof to include rooflight in flank and rear roof slope and the erection of a dormer roof extension on the rear back addition roof, all to provide additional residential accommodation for dwelling house.

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

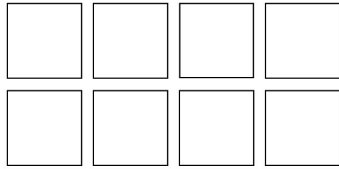
The applicant and applicant's agent were present to answer questions.

RESOLVED: That planning permission be granted.

The meeting closed at 9.10 p.m.

CHAIR:

DATE:



COMMUNITY COUNCILS
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Dulwich Community Council Planning Meeting

(Minutes to be formally agreed at the next meeting)

Minutes of Dulwich Community Council Planning meeting held on
Wednesday January 14, 2009 at 7.00pm held at Dulwich Library,
368 Lordship Lane, London SE22 8NB

Present

Councillor Nick Vineall (Chair)
Councillors, Robin Crookshank Hilton (Vice Chair), Toby Eckersley, Kim
Humphreys and Richard Thomas
(Cllr Thomas was present for items 6.1 and 6.3)

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

Apologies for absence were submitted on behalf of Cllrs James Barber, Michelle
Holford, Jonathan Mitchell and Lewis Robinson.

3. Disclosure of Members' interests and dispensations

Councillor Vineall declared a personal interest in item 6.3 and took no part in that
item. Councillor Crookshank-Hilton would chair item 6.3.

4. Urgent Items

There was an addendum report related to item 6.2.

5. Minutes of the previous meeting

These would go to 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

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 opted to take item 6.2 followed by 6.1 then 6.3

Item 6/2 – Recommendation: Grant – 181 Denmark Hill, London, SE5 8DX
(see pages 21 – 33)

Proposal:

Alteration and conversion of existing 2-storey property at front of site to provide two 4-bedroom houses and erection of two new 4-bedroom houses to the rear with associated car parking, amenity space and landscaping. The proposal includes demolition of a 2-storey former coach house to provide access to the dwellings at the rear and demolition of a single storey rear extension. Associated tree works.

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

Members asked questions of the planning officer.

The objector made a statement.

The applicant made a statement.

Members asked questions of the applicant.

RESOLVED:

That planning permission be granted subjected to the following conditions:

1. The development hereby permitted shall be begun before the end of three years from the date of this permission.
2. Samples of the timber panels, window frames, brick and roof covering to be used for the construction of the new buildings and the bricks for the boundary and enclosures (front and rear) in respect of the existing building shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.
3. No meter boxes, flues (including balanced flues), vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevation[s] of the building[s] without the prior written approval of the Local Planning Authority.
4. Notwithstanding the provisions of Schedule 2, Part 1 Classes A, B, C, D, E and G of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the 4 new houses without the prior written consent of the Council, to whom a planning application must be made.
5. Details of the means of enclosure for all site boundaries shall be submitted to and approved by the local planning authority and the development shall not be carried out otherwise than in accordance with any approval given. The development hereby permitted shall not be occupied until the works approved pursuant to this condition have been carried out.
6. The windows on plan 0980/111 rev C marked as opaque or frosted to the original building and the houses to the rear shall be obscure glazed and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.
7. Detailed drawings of a landscaping scheme (2 copies), detailing planting positions, size and species of trees shrubs, and plants as well as details of

the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

8. Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision or arising from a condition imposed as part of this decision, that is found to be dead, dying, severely damaged or seriously diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced by specimens of similar or appropriate size and species and the first suitable planting season.
9. No development shall take place until all of the following steps are taken:
 - i) The tree protection measures set out in the Pro Active Arboriculture Ltd report of 28 June 2008 are implemented to retain trees T1 to T7 inclusive, T8, T11, T12 to T16 inclusive and groups of trees G2 and G3 listed in that report.
 - ii) No cutting, pruning, looping, reduction or felling shall be carried out to the trees identified as retained by condition 9(i) without the written approval of the Local Authority Arboriculturalist, regardless of the recommended action within the Pro Active Arboriculture Ltd report of 28 June 2008.
 - iii) A Construction Method Statement is to be submitted to and approved by the Local Planning Authority. The approved statement to be adhered to throughout the construction period. The Statement shall provide for:
 - a) all piling, foundation construction and engineering operations to take place outside of the tree protection zones identified in the Pro Active Arboriculture Ltd report of 28 June 2008.
 - b) a plan for the loading, unloading and storage of plant and materials outside of the tree protection zones identified in the Pro Active Arboriculture Ltd report of 28 June 2008.
 - c) that on the site there will be no shortage of chemicals, or mixing of cement, or washing operations, other than on existing hard standing and that adequate water run off exists to prevent soil contamination.
 - iv) The Local Authority Arboriculturalist inspects the site to ensure the adequacy of the tree protection in place and confirms in writing his approval of that protection.

10. The refuse storage arrangements shown in respect of house 1 and house 2 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 the local planning authority.
11. Notwithstanding the refuse storage enclosure detailed on the approved plans for the dwellings to the rear (house 3 and house 4) prior to occupation of these units details of a revised enclosure for the storing of domestic refuse/recycling shall be submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.
12. No vehicles shall enter or leave the site other than in a forward direction, and a sign reading 'No Reversing into Street' shall be erected in a prominent position adjoining the exit before the use commences and retained for the duration of the use.

Item 6/1 – Recommendation: Grant – Land to the rear of 8 Whateley Road, London SE22 9DB (see pages 12 – 20)

Proposal:

Excavation of site and erection of 2-storey dwelling with terrace at first floor level fronting Ulverscroft Road (Class C3)

The planning officer introduced the report.

Members asked questions of the planning officer.

There were no objectors present.

The applicant made a statement.

Members asked questions of the applicant.

RESOLVED:

That planning permission be granted subjected to the following conditions:

1. The development hereby permitted shall be begun before the end of three years from the date of this permission.
2. Prior to the occupation of the dwelling, details of privacy screens to the first floor terrace (scale 1:20) shall be submitted to and approved in writing by the Local Planning Authority. The approved screens shall be provided prior to occupation of the dwelling and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
3. Notwithstanding the provisions of Schedule 2, Part 1, Classes A-H of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwelling without the prior written consent of the Local Planning Authority, to whom a planning application must be made.
4. The refuse and recycling 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.
5. The cycle storage facilities as shown on drawing number 8177-A3-A(20) P1-C shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.
6. Samples of the timber cladding to be used in the carrying out of this permission and details of its weathering properties shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.
7. The materials to be used in the implementation of this permission shall not be otherwise that 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.

**Item 6/3 – Recommendation: Make Tree Preservation Order – works related
47 Alleyn Park, London, SE21 8AT (see pages 34 – 41)**

Proposal:

Fell the Oak tree referenced as T1 and situated to the front of 47 Alleyn Park to ground level and treat stump

The arboricultural officer introduced the item.

Members asked questions of the arboricultural officer.
The objector made a statement.

Members asked questions of the objector.

RESOLVED:

Members decided (3-1) against confirming the interim Tree Preservation Order.

Cllr Crookshank Hilton asked that her vote in favour of the TPO be recorded.

The meeting closed at 8.52 p.m.

CHAIR:

DATE:

Item No. 6	Classification: Open	Date: 19 March 2009	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 SE17	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	
Dated	March 10, 2009	
Key Decision	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 Thursday 19 March 2009

Appl. Type Full Planning Permission
Site 120 COURT LANE, LONDON, SE21 7EA

Reg. No. 08-AP-3041
TP No. TP/2563-120
Ward Village
Officer Terence McLellan

Recommendation GRANT PERMISSION

Item 1/1

Proposal

Extension of basement plan area and new rear extension/garden room over, new entrance porch, alterations to first floor rear windows and facade, two new dormers and one rooflight to rear elevation, removal of door and window at ground floor side elevation and installation of a new window, replacement of existing dormer to side elevation, installation of two rooflights and alterations to the roof form. (Re-submission)

Appl. Type Full Planning Permission
Site 112 COURT LANE, LONDON, SE21 7EA

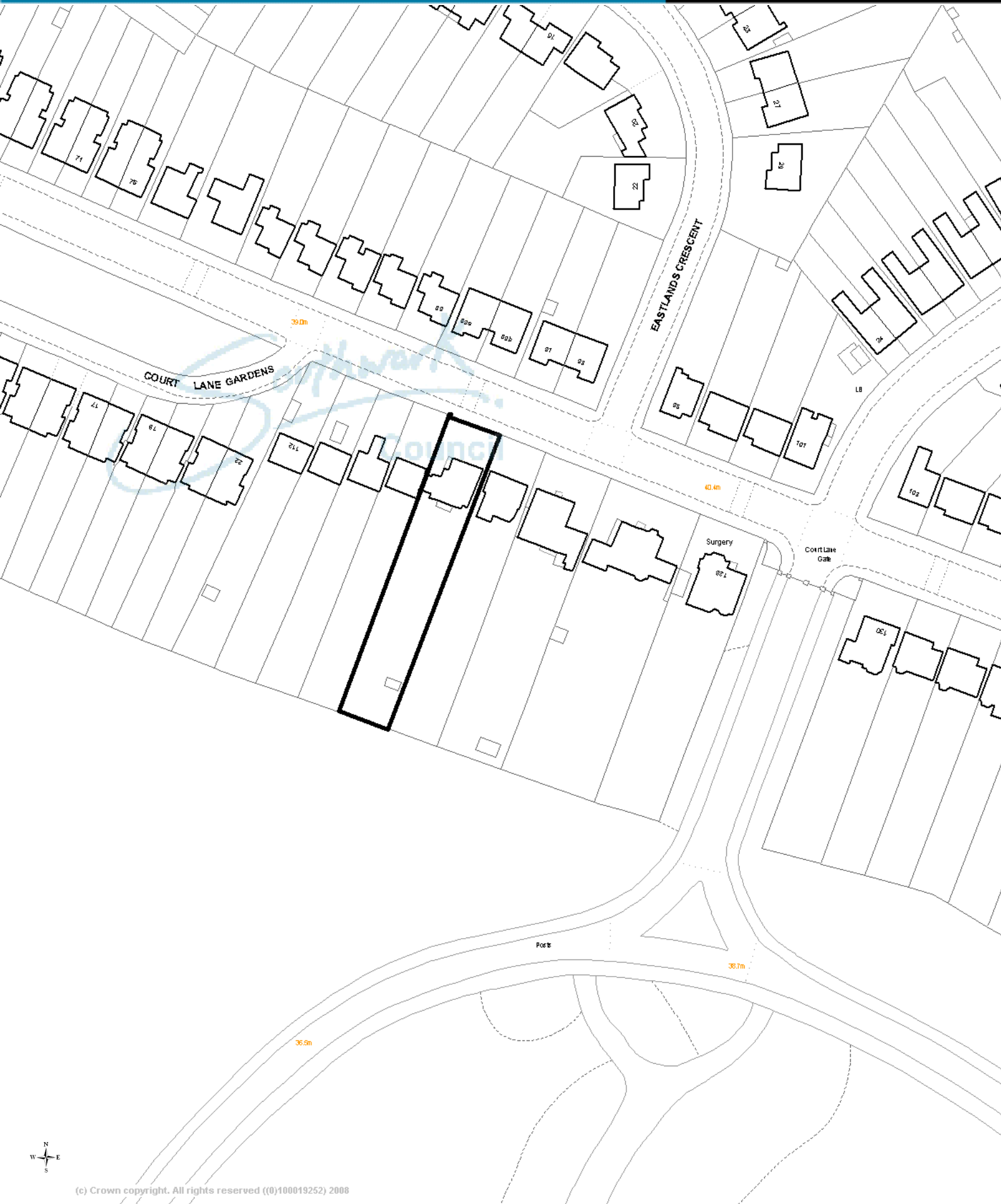
Reg. No. 08-AP-3095
TP No. TP/2563-112
Ward Village
Officer Terence McLellan

Recommendation GRANT PERMISSION

Item 1/2

Proposal

Single-storey rear extension to detached property with hard landscaped terrace stepping down to garden.



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ITEM 1	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 19.0309
From HEAD OF DEVELOPMENT CONTROL		Title of Report DEVELOPMENT CONTROL	
Proposal (08/AP/3041) Extension of basement plan area and new rear extension/garden room over, new entrance porch, alterations to first floor rear windows and facade, two new dormers and one rooflight to rear elevation, removal of door and window at ground floor side elevation and installation of a new window, replacement of existing dormer to side elevation, installation of two rooflights and alterations to the roof form. (Re-submission)		Address 120 COURT LANE, LONDON, SE21 7EA Ward Village	
Application Start Date 17/12/2008		Application Expiry Date 11/02/2009	

PURPOSE

- 1 To consider the above application which has been referred to Dulwich Community Council for determination due to the number of objections received from neighbouring residents.

RECOMMENDATION

- 2 Grant Detailed Planning Permission, subject to conditions.

BACKGROUND

Site location and description

- 3 The application site refers to the building and plot located at 120 Court Lane, Dulwich, London. The existing building is a detached dwellinghouse constructed in the Arts and Crafts style and whilst essentially a detached property it is linked to the adjacent property at No.118 Court Lane by a bunker. The dwelling is set within an extensive area of garden ground with a separation distance of 1600mm from No. 118 Court Lane and 2900mm from No.122 Court Lane.
- 4 This stretch of Court lane is characterised by substantial detached dwellings set within generous areas of garden ground. The existing building is not listed however it is located within the Dulwich Village Conservation Area.
- 5 The application site is located within a predominately residential area and is bounded to the north by Court lane and the adjacent residential properties, to the east and west by adjacent dwellings and bounded to the south by Dulwich Park.

Details of proposal

- 6 Planning consent is sought for the erection of a single storey rear extension and extension of the existing basement area incorporating the installation of lightwells on the rear elevation of the proposed extension. The proposal includes the installation of two rear dormer windows and two rooflights, one on the rear elevation between the proposed dormers and one on the side elevation of the dwelling adjacent to No.122

Court lane.

- 7 The proposal involves the removal of the door and windows on the side elevation and installation of a new replacement window. The existing side dormer window will be replaced and a new entrance porch and doorway will be created on the Court Lane elevation. The development will also incorporate general refurbishment of the roof and alterations to the roof form.
- 8 It is proposed to excavate and extend the existing basement to create a study, large family room, WC, store and laundry. Two lightwells to the rear elevation of the proposed extension would allow daylight to penetrate the study and part of the family room whilst a third lightwell to the front elevation (close to the bomb shelter) would provide additional light to the family room.
- 9 At ground level it is proposed to create a new entrance, with a new porch to the front elevation, by converting the previously converted garage (the existing kitchen). The existing mono pitch roof to the front elevation would be replaced by a flat lead roof.
- 10 A portion of the existing rear elevation would be demolished and rebuilt at ground floor level to match the footprint of the proposed extended basement. The ground floor rear extension would not project beyond the existing adjoining extension at No. 122 Court Lane.
- 11 Two rear dormers, measuring 1500mm in width, 1800mm in depth and 1650mm in height, and one velux window are proposed to the rear elevation. One velux window, adjacent to an existing side dormer, is proposed to the side elevation facing No. 122 Court Lane.
- 12 The house will be re-roofed with plain clay tiles and the new rear elevation will be of matching stock face brick laid in English bond with a lime based mortar. It is also proposed to replace the existing windows with new metal casements sub-divided to match the existing windows (to be removed).

Planning history

- 13 03-AP-1011 - In September 2003 an application for a Certificate of Lawfulness (Proposed) was approved to replace the trellis on an existing fence with boarding.
- 14 08-AP-0503 - Alterations and rear extension, extension of basement plan area, new rear extension/garden room over, first floor extension to bedrooms, new and converted roofspace to provide additional bedrooms and bathrooms and new entrance porch.
Refused - 06.05.08 - The bulk of the proposed rear extension at upper floor levels, combined with the almost full width ground floor rear extension to a depth greater than 4m, would not be subordinate to the original building and would be a dominant addition. The replacement of the existing rear facade would be unsympathetic to the 'arts & crafts' design of the house and the design of the proposed two rear dormers would not be in keeping with the design and style of the existing side dormer.

Planning history of adjoining sites

- 15 No. 118 Court Lane: The existing single storey rear extension was constructed under permitted development.
- 16 No. 122 Court Lane: In April 2003 planning permission was granted for the erection of a single storey rear extension (03-AP-0513).

FACTORS FOR CONSIDERATION

Main Issues

- 17 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic policies.
 - b] The impact on the visual and residential amenity of the area.
 - c] The impact on the character and setting of the Dulwich Village Conservation Area.
 - d] Design quality.
 - e] All other relevant material planning considerations.

Planning Policy

- 18 Southwark Plan 2007 [July]
Policy 3.2 - Protection of Amenity
Policy 3.12 - Quality in Design
Policy 3.13 - Urban Design
Policy 3.15 - Conservation of the Historic Environment
Policy 3.16 - Conservation Areas
Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites.
- 19 Supplementary Planning Document - Residential Design Standards
- 20 Dulwich Village Conservation Area Appraisal
- 21 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
PPG15 - Planning and the Historic Environment

Consultations

- 22 Site notice date: 14.01.09 Press notice date: 22.01.09
- 23 Neighbour consultation letters sent: 16.01.09
- 24 Case officer site visit date: 20.01.09
- 25 Internal consultees
Design and Conservation
- 26 Statutory and non-statutory consultees
The Dulwich Society
- 27 Neighbour consultees
As detailed on Acolaid.
- 28 Re-consultation
Re-consultation not required.

Consultation replies

- 29 Internal consultees
All comments received in response to the proposed development have been summarised and addressed below;
- 30 Design and Conservation - No objections subject to compliance with relevant conditions.
Response - Noted and agreed, the relevant conditions will be imposed on any consent that may be issued.
- 31 Statutory and non-statutory consultees
All comments received in response to the proposed development have been summarised and addressed below;
- 32 The Dulwich Society - David Lloyd Roberts of the Dulwich Society has responded to the application and raised the following objections;
- 33 Objection - The statement that the Dulwich Estate have accepted the plans is untrue.
Response - This is not a valid planning consideration.
- 34 Objection - There is an inconsistency on the plans as the proposed ground floor plan details a new side door that is not shown on the proposed side elevation.
Response - The existing side door is being removed and as such is not shown on the proposed side elevation. The architect was made aware of this minor inconsistency and the plans have been amended accordingly. All references to a new door have been removed from the proposed ground floor plan.
- 35 Objection - No information has been submitted as to how pedestrians are to approach the new front door.
Response - Access to the new front door will be possible from the existing gated entrance. It is up to the applicants to reconfigure the pathway within the garden to suit their needs, these works are not required as part of the application and as such do not form a material consideration.
- 36 Neighbour consultees
Following consultation, one letter of support and two letters of objection have been received in response to the proposed development from the residents of No. 20 Court Lane Gardens and Nos. 112, 89B 118, and 114 Court Lane respectively, the main points of which have been summarised and addressed below;
- 37 Objection - On the grounds that the raised roofline will make the front elevation of the house significantly higher and more massive than either of its neighbours when viewed from the road.
Response - The roofline will be raised by approximately 150mm along the existing ridge line. Given the size of the existing house this increase in height is considered quite minor and will have no significant impact on either the host dwelling or indeed adjacent properties in terms of a visual impact from the application site or the surrounding streets.
- 38 Objection - The enlarged front door is too grand and pretentious to be in sympathy with the architectural style of the house.
Response - The proposed front door is not considered excessive given the scale and mass of the existing house. The new door and proposed side glazing panels are of a scale that is consistent with the existing dwelling. The design of the new entrance is considered acceptable and relatively unassuming given the design detail of the host building.
- 39 Objection - The proposed development will result in a virtually new and greatly

enlarged house with little sympathy with the style of the surrounding conservation area.

Response - The proposed rear extension is considered acceptable in terms of scale and massing. The existing dwelling is a large detached property set within extensive grounds and as such can accommodate an extension of the size proposed. Consequently it is considered that the proposed extension is in proportion with the footprint and scale of the existing dwelling and plot. Whilst it is noted that the extension is of a slightly different design to that of the existing house the materials to be employed and the traditional character of the roof light will ensure an adequate level of contextualisation.

40 **Objection** - On the basis that the proposed extension will dominate the rear of No. 118 Court Lane and lead to a loss of daylight/sunlight and outlook.

Response - The proposed rear extension will project 2000mm from the bay window on the rear elevation of No.118 Court Lane and 3000mm from the main rear wall. The Supplementary Planning Document: Residential Design Standards states that extensions should not project more than 3000mm from the rear building line of adjacent properties in order to safeguard amenity. In this case the proposed extension, whilst 4000mm in depth, will not project more than 3000mm from the rear building line of No.118 Court Lane and as such is considered acceptable. The proposed extension will therefore not dominate the rear elevation of the dwelling at No. 118 Court Lane and will not adversely affect outlook. Whilst outlook will not be affected it should be noted that residents are not legally entitled to a view over a third parties land. Having conducted daylight and sunlight tests as specified by the Building Research Establishment it is clear the No. 118 Court Lane will not experience a detrimental loss of daylight or sunlight and will continue to receive daylight and sunlight levels in excess of the British minimum standard.

41 **Objection** - The proposed development will lead to a loss of privacy to the house, terrace and garden of No. 118 Court Lane due to the raised stair entry to the extension.

Response - The provision of a raised stair access to the proposed extension will afford a certain degree of overlooking to the garden ground of No. 118 Court Lane however the stairway is to provide access from the extension to the garden area and is not a usable space. It is therefore not considered that the level of perceived and actual overlooking would be to such an extent that it would warrant refusal of the application. In any case, the proposed extension will not intensify the level of overlooking already established from the existing first floor windows of the dwelling.

42 **Objection** - The proposed dormer windows will overlook the garden and terrace of No. 118 Court lane.

Response - The proposed dormer windows will not intensify the current level of overlooking from the upper floor windows of the existing building to any significant degree.

43 **Objection** - The proposed extension will detract from the pleasant design of the existing house presenting a bland, modern brick building with modern windows and a long protruding flat roof leading to a loss of character of the existing house.

Response - Whilst it is noted that the extension is of a slightly different design to that of the existing house the materials to be employed and the traditional character of the roof light will ensure an adequate level of contextualisation. The provision of a large, traditional roof light will serve to break up the flat roof and provide a degree of animation suitable on the rear elevation of this dwelling.

44 **Objection** - Approval of the proposed extension would set a very undesirable precedent within the area for this type of development.

Response - Each application requires to be assessed on a site specific basis with a

recommendation based on individual merits, material considerations and site specific issues.

- 45 Objection - The proposed development would result in the loss of an attractive tree (Weeping Ash Fraxinus Excelsior Pendula Wentworthii) which also has an extensive root system, the removal of which may result in subsidence to No.118 Court Lane and impact on the water table.

Response - The Arboricultural Officer was consulted on the previously refused application (08-AP-0503) and it was considered that the tree in question is not worthy of protection by way of a formal TPO. Given that the tree is not protected the applicant is free to remove it without the prior written consent of the Council and the consequences of the tree removal are not considered a material consideration.

- 46 Objection - The proposed basement extension may affect the water table and surrounding properties.

Response - It is unlikely that the proposed basement would alter the water table to the detriment of the surrounding properties/area and the application site does not lie within the flood risk area. Any issues with regards to the water table and drainage would be dealt with as part of the assessment by Building Control in line with current building regulations.

- 47 Re-consultation
Not applicable.

PLANNING CONSIDERATIONS

- 48 **Principle of development**

In principle there are no objections to extending a dwellinghouse for residential purposes and there will be no conflict of use. The proposed development complies with the relevant policies of The Southwark Plan 2007 (July) namely Policy 3.2 - Protection of Amenity, Policy 3.12 - Quality in Design, Policy 3.13 - Urban Design, Policy 3.15 - Conservation of the Historic Environment, Policy 3.16 - Conservation Areas and Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites. As the proposal is in accordance with the development plan it is considered acceptable in principle.

- 49 **Environmental impact assessment**

The proposed development lies outwith the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not warrant the submission of an environmental impact assessment.

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

The proposed development will have no adverse impact upon adjacent occupiers or the surrounding area in terms of a loss of daylight/sunlight, loss of outlook, loss of privacy or indeed the creation of a sense of enclosure.

- 51 The Supplementary Planning Document: Residential Design Standards states that extensions should not project more than 3000mm from the rear building line of adjacent properties in order to safeguard amenity. In this case the proposed extension, whilst 4000mm in depth, will not project more than 3000mm from the rear building line of No.118 Court Lane and as such is considered acceptable. The proposed extension will therefore not dominate the rear elevation of the dwelling at No. 118 Court Lane and will not adversely affect outlook.

- 52 Having conducted daylight and sunlight tests as specified by the Building Research

Establishment it is clear the No. 118 Court Lane will not experience a detrimental loss of daylight or sunlight and will continue to receive daylight and sunlight levels in excess of the British minimum standard.

53 The proposed dormer windows will have no adverse impact on adjacent occupiers or the surrounding area and will not intensify the level of overlooking currently established by the upper floor windows of the application dwelling. The lightwells to the rear of the proposed extension will also have very limited impact on the amenity of neighbouring properties and the wider area.

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

The proposal is residential and as such conforms to the residential nature of the locality. It is therefore considered that there will be no conflict of use detrimental to the amenity of the occupiers of the development.

55 **Traffic issues**

The proposed development is for the extension of a dwellinghouse and as such raises no significant transport issues. It is not considered that the proposed development will result in an increase in traffic generation or the intensification of parking problems.

56 **Design issues**

The proposed rear extension is considered acceptable in terms of scale and massing. The existing dwelling is a large detached property set within extensive grounds and as such can accommodate an extension of the size proposed. Consequently it is considered that the proposed extension is in proportion with the footprint and scale of the existing dwelling and plot. Whilst it is noted that the extension is of a slightly different design to that of the existing house the materials to be employed and the traditional character of the rooflight will ensure an adequate level of contextualisation.

57 Whilst it is noted that the extension is of a slightly different design to that of the existing house the materials to be employed and the traditional character of the rooflight will ensure an adequate level of contextualisation. The provision of a large, traditional rooflight will serve to break up the flat roof and provide a degree of animation suitable on the rear elevation of this dwelling.

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

The proposed development will have no significant adverse impact upon the character or setting of the Dulwich Village Conservation Area and is considered acceptable in terms of design, scale, massing and materials. The character of the host dwelling will be retained.

59 **Impact on trees**

The Arboricultural Officer has been consulted on the previous application (08/AP/0503) Arboricultural Officer and has confirmed that the existing weeping ash is not worthy of a Tree Protection Order (TPO) and three new semi mature specimens (minimum 22cm girth) would be adequate as replacement. Locations of these replacement trees will be required by way of condition.

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

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

61 **Other matters**

The revised scheme that forms this application has been arrived at following correspondence between the design officer, planning case officer and the applicant. Several revisions to the previous plans have been undertaken including reducing the

size of the dormer extensions, reducing the depth of the extension to 4000mm and pulling the extension in from the sides of the dwellinghouse. The proposed scheme is now considered to be of a suitable design and subordinate to the host dwelling. Having regard to Southwark Council Planning Policies and all material considerations it is not considered that consent can be withheld.

62 Conclusion

The proposed extension is considered acceptable in terms of scale, massing, detailed design and materials. The development will have no adverse impact on either the visual or residential amenity of the area or the character and setting of the Dulwich Village Conservation Area. The proposed development complies with the relevant policies of The Southwark Plan 2007 (July) and as such it is recommended that detailed planning permission be granted subject to conditions.

COMMUNITY IMPACT STATEMENT

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

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

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

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

SUSTAINABLE DEVELOPMENT IMPLICATIONS

64 The proposal raises no sustainable development implications.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Terence McLellan	Planning Officer - Development Control [tel. 020 7525 5365]
CASE FILE	TP/2563-120	
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 Mr & Mrs E Watson
Application Type Full Planning Permission
Recommendation Grant permission

Reg. Number 08-AP-3041

Case Number TP/2563-120

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Extension of basement plan area and new rear extension/garden room over, new entrance porch, alterations to first floor rear windows and facade, two new dormers and one rooflight to rear elevation, removal of door and window at ground floor side elevation and installation of a new window, replacement of existing dormer to side elevation, installation of two rooflights and alterations to the roof form. (Re-submission)

At: 120 COURT LANE, LONDON, SE21 7EA

In accordance with application received on 17/12/2008

and Applicant's Drawing Nos. 08/95/1250, 07/07/EX1/A, 07/07/EX2, 07/07/EX3, 07/07/EX4, 08/95/SK1, 08/95/SK2, 08/95/SK3, 08/95/SK4, 08/95/SK5, 08/95/SK6, 08/95/SK7, 08/95/SK8.

Subject to the following condition:

- 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 Revised Deposit UDP, The Southwark Plan, February 2005.

- 3 All new external works and finishes and works of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition(s) attached to this consent. This in particular applies to brickwork, brickwork bond, and pointing mix and finish.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; of The Southwark Plan (UDP) July 2007.

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

Reason

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

- 5 Detailed drawings showing the location of the three required replacement weeping ash trees (semi mature specimens with a minimum of a 22cm girth) (2 copies) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be

carried out in the first appropriate planting season following completion of the building works.

Reason

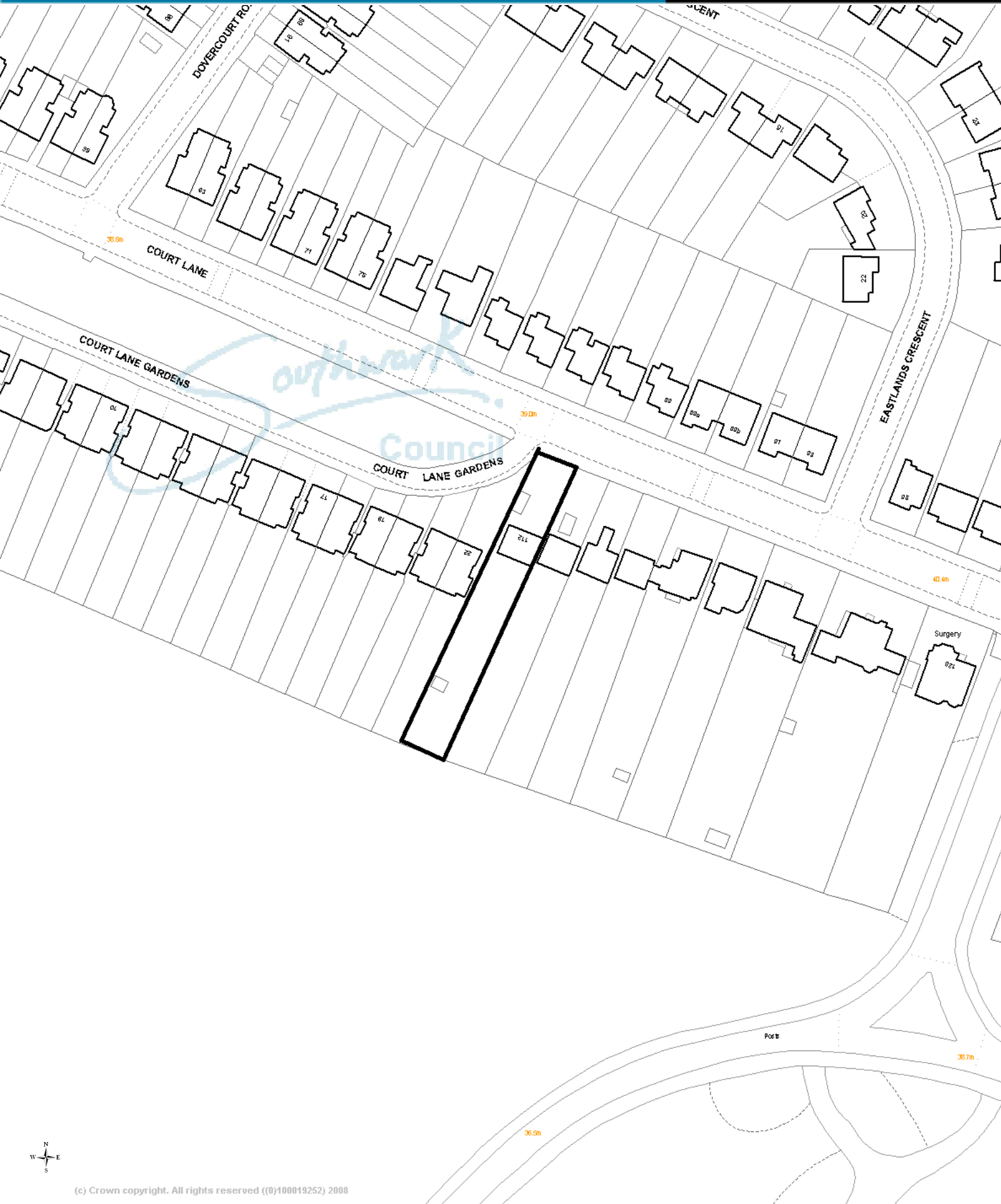
In the interests of amenity and to retain effective planning control in accordance with Policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July).

Reasons for granting planning permission.

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

- a] Policy 3.2 - Protection of Amenity, Policy 3.12 - Quality in Design, Policy 3.13 - Urban Design, Policy 3.15 - Conservation of the Historic Environment, Policy 3.16 - Conservation Areas and Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites of the Southwark Plan [July 2007].
- b] SPD: Residential Design Standards and the Duvlich Village Conservation Area Appraisal.
- c] PPG15 - Planning and the Historic Environment.

Particular regard was had to the impact of the development on the host dwelling and adjacent properties but it was considered that this would be outweighed by other material considerations. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.



ITEM	Classification	Decision Level	Date
2	OPEN	DULWICH COMMUNITY COUNCIL	19.03.09
From Head of Development Management		Title of Report DEVELOPMENT CONTROL	
Proposal (08/AP/3095) Single-storey rear extension to detached property with hard landscaped terrace stepping down to garden.		Address 112 COURT LANE, LONDON, SE21 7EA Ward Village	
Application Start Date 19/01/2009		Application Expiry Date 16/03/2009	

PURPOSE

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

RECOMMENDATION

- 2 Grant Detailed Planning Permission, subject to conditions.

BACKGROUND

Site location and description

- 3 The application site refers to the dwelling and plot located at 112 Court Lane, Dulwich, London. The existing dwelling is a handsome, two storey detached dwellinghouse located on the south side of Court Lane and within the Dulwich Village Conservation Area, however the existing dwelling is not listed. There appears to have been some previous development to the rear of surrounding properties both in terms of dormer windows and rear extensions. Extensions are typically single storey in height and spanning half the house width with the characterful bays retained.
- 4 The application site lies within a residential area and is bounded to the north by Court Lane and the adjacent residential properties, to the east and west by adjacent dwellings and bounded to the south by Dulwich Park, a park of special historic interest, situated within the Dulwich Village Conservation Area.

Details of proposal

- 5 Planning consent is sought for the erection of a single storey rear extension to provide additional residential accommodation to the dwellinghouse incorporating hard landscaping to increase the size of the rear patio and to provide steps down to garden level.

Planning history

- 6

Reg. No.	Type	Description	Summary	End Date
08/AP/3096	CAC	Single-storey rear extension to detached property.	UNK	

		The proposal includes a hard landscaped terrace stepping down to garden. Proposal involves demolition of lower portion of splayed bay and structural openings in rear wall at ground level.(re-submission)		
08/AP/3095	FUL	Single-storey rear extension to detached property with hard landscaped terrace stepping down to garden.	DEL	
08/AP/0979	FUL	Single-storey rear extension to dwellinghouse including a hard landscaped terrace stepping down to garden.	REF	10/09/2008
08/AP/0980	CAC	Single-storey rear extension to detached property. The proposal includes a hard landscaped terrace stepping down to garden. Proposal involves demolition of lower portion of splayed bay and structural openings in rear wall at ground level.	UNK	06/06/2008

Planning history of adjoining sites

- 7 9700212 - Erection of a single storey rear extension.
Granted - 29.04.97 - 114 Court Lane.
- 8 06/AP/0196 - Removal of front dormer window, alterations to rear windows at first and second floor level and erection of a ground floor rear extension to dwellinghouse.
Refused - 31.03.06 - 172 Court Lane.
- 9 06/AP/2258 - Demolition of garage and timber pergola on the front elevation and bay window on the rear elevation. Construction of a new two storey rear extension, conversion of roofspace with rear dormer window to form additional residential accommodation and construction of a new basement garden room to rear.
Refused - 28.02.07 - 116 Court Lane.
- 10 07/AP/1591 - Erection of single storey rear extension, loft conversion comprising dormer window extension to rear roofslope and rooflights in side roofslope, installation of spiral cellar beneath existing staircase, and decking to rear of dwellinghouse.
Granted - 03.09.07 - 116 Court Lane

FACTORS FOR CONSIDERATION

Main Issues

- 11 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic policies.
 - b] The impact on the visual and residential amenity of the area.
 - c] The impact on the character and setting of the Dulwich Village Conservation Area.
 - d] All other relevant material planning considerations.

Planning Policy

- 12 Southwark Plan 2007 [July]
Policy 3.2 - Protection of Amenity
Policy 3.12 - Quality in Design
Policy 3.13 - Urban Design
Policy 3.15 - Conservation of the Historic Environment
Policy 3.16 - Conservation Areas

Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites.

- 13 Supplementary Planning Document: Residential Design Standards
- 14 PPG15 - Planning and the Historic Environment
- 15 Dulwich Village Conservation Area Appraisal

Consultations

- 16 Site notice date: 30.01.09 Press notice date: 29.01.09
- 17 Neighbour consultation letters sent: 20.01.09
- 18 Case officer site visit date: 30.01.09
- 19 Internal consultees
Design and Conservation
- 20 Statutory and non-statutory consultees
No consultations required.
- 21 Neighbour consultees
As detailed on Acolaid.
- 22 Re-consultation
Re-consultation not required.

Consultation replies

- 23 Internal consultees
All comments received in response to the proposed development have been summarised and addressed below;
- 24 Design and Conservation - No objections subject to the use of timber frames on the rear bay window.
Response - Noted and agreed, the agent has been informed of the required changes and the drawings have been revised accordingly. An additional condition has been imposed to secure a high quality of finish from the aluminium sliding doors.
- 25 Statutory and non-statutory consultees
Not applicable
- 26 Neighbour consultees
Following consultation, one letter of support and three letters of objection have been received from the residents of Nos. 120, 118 and 114 Court Lane respectively and 21 Court Lane Gardens. The main points of the letters of objection have been summarised and addressed below;
- 27 Objection - Objection on the grounds that granting consent to the proposed development will establish an unwelcome precedent within the area that will result in similar developments
Response - All planning applications must be dealt with on a site specific basis on their own merits.

- 28 **Objection** - On the basis that the proposed extension is of an unsuitable design and will detract from the appearance of the existing house.
Response - The proposed extension is considered acceptable in terms of scale, massing and detailed design. The proposed extension covers half the width of the rear of the house and follows the established line of development of the adjacent dwellings on Court Lane such as Nos. 114, 116 and 118. The design of the extension and materials to be employed are also considered acceptable.
- 29 **Objection** - On the grounds that the extension will have an adverse impact on adjoining neighbours in terms of a loss of privacy, loss of outlook and a loss of daylight/sunlight.
Response - The proposed extension will be located on the boundary adjacent to the flank elevation of No. 20 Court Lane Gardens away from the boundary with No. 114 Court Lane. The extension will therefore not impact upon privacy or outlook as the main impact will be on the flank elevation of No. 20 Court Lane Gardens. The proposed development will have no adverse impact in terms of a loss of daylight or sunlight and passes all daylight and sunlight tests specified by the Building Research Establishment. As such it is considered that the adjacent properties will experience no adverse impact in terms of a loss of amenity.
- 30 **Objection** - The proposed terrace will impact upon the amenity of No. 114 Court Lane.
Response - As detailed above the scale of the extension is considered acceptable as is its location on the boundary away from the dwelling at No. 114 Court Lane. The extension will therefore not impact upon privacy or outlook as the main impact will be on the flank elevation of No. 20 Court Lane Gardens. The proposed development will have no adverse impact in terms of a loss of daylight or sunlight and passes all daylight and sunlight tests specified by the Building Research Establishment. As such it is considered that the adjacent properties will experience no adverse impact in terms of a loss of amenity.
- 31 **Re-consultation**
Not applicable.

PLANNING CONSIDERATIONS

- 32 **Principle of development**
In principle there are no objections to extending a dwellinghouse for residential purposes and there will be no conflict of use. The proposed development complies with the relevant policies of The Southwark Plan 2007 (July) namely Policy 3.2 - Protection of Amenity, Policy 3.12 - Quality in Design, Policy 3.13 - Urban Design, Policy 3.15 - Conservation of the Historic Environment, Policy 3.16 - Conservation Areas and Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites. As the proposal is in accordance with the development plan it is considered acceptable in principle.
- 33 **Environmental impact assessment**
The proposed development lies outwith the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not warrant the completion of an environmental impact assessment.
- 34 **Impact of proposed development on amenity of adjoining occupiers and surrounding area**
The proposed development will have no adverse impact on the residential amenity of adjacent properties in terms of a loss of privacy, loss of outlook or the creation of a sense of enclosure. Having conducted light tests as specified by the BRE Guide to Site Layout Planning (Daylight and Sunlight) it is clear that the proposed extension will

not overshadow any adjacent properties to any significant degree, it is therefore considered that there will be no detrimental loss of daylight and sunlight to the property at 114 Court Lane and levels of daylight/sunlight received will still be in excess of the minimum British Standard as specified by the BRE.

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

The proposed development is residential, a use which conforms to the residential nature of the locality. It is therefore considered that there will be no conflict of use that will have an adverse impact on the occupiers of the proposed development.

36 Traffic issues

The proposed development raises no traffic issues and as such it is considered that there will be no increase in traffic generation or intensification of parking problems that will have an adverse impact on the amenity of the area.

37 Design issues

The Council are not adverse in principle to a rear extension at this site, provided that the proposal is sympathetic to, and has regard for, both application property and conservation area in terms of context, scale, design and materials. This scheme is an improvement on the previous application for a full width rear extension and has been significantly reduced in footprint.

38 Guidance contained within the Conservation area appraisal asserts that extensions should be clearly subservient and not add appreciably to the buildings bulk. The scale of this particular development, 5000mm width and 4800mm projection is considered acceptable on the host dwelling. Whilst it is noted that the proposed extension exceeds the 3000mm depth specified within the SPD: Residential Design Standards it should be noted that previous development to surrounding properties is typically dormer windows and rear extensions projecting more than 3000mm. Rear extensions are characteristically single storey in height spanning half the house width, with rear bay(s) retained. Given the pattern of development and the area of garden ground/separation distance, a projection exceeding 3000mm is considered acceptable in this case.

39 The proposal has been revised following the previous refusal on the grounds of its excessive scale and uncharacteristic roof-form. The amended scheme proposes a single storey extension that projects approximately 5m from the dwellinghouse rear and has a width of 5m, roughly half the house width. The rear bay will be retained, and new doors inserted with steps into the garden. The proposed hipped roof form relates to the existing dwelling and reduces its visual impact.

40 Design officers consider the proposed scale of development subservient to the application building, and given neighbouring properties have similar sized extensions, would be in keeping with development patterns of the area.

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

Policy 3.16 Conservation Areas of the Southwark Plan 2007 asserts that planning permission will be granted for development provided the proposal respect the context of the conservation area, having regard to the context of Conservation Area Appraisals and other adopted Supplementary Planning Guidance.

42 In terms of extensions The Dulwich Village Conservation Area Appraisal, paragraph 5.2.8 states that "Where extensions are proposed, they should normally be no more than one storey in height, be low key in design and as unobtrusive as possible. Full width rear extensions will normally prove unacceptable. Extensions should be clearly subservient to the main part of a building and not add appreciably to the building's

bulk. In some cases it may not be possible to devise an acceptable scheme to extend a property, although each case will be judged on its individual merits.”

43 Overall the proposal respects the host dwelling and the established pattern of development evident along this section of Court Lane. As such the proposal is considered appropriate to its context with no significant adverse impact on the character and appearance of both dwellinghouse and Dulwich Village Conservation Area.

44 **Impact on trees**

The proposed development will have no adverse impact on any trees.

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

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

46 **Other matters**

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

47 **Conclusion**

The proposed extension is considered acceptable in terms of scale, massing and detailed design. The development will have no adverse impact on either the visual or residential amenity of the area. The rear extension will have no detrimental impact on either the character or setting of the Dulwich Village Conservation Area and complies with the relevant policies of The Southwark Plan 2007 (July). Given the above it is recommended that detailed planning permission be granted subject to conditions.

COMMUNITY IMPACT STATEMENT

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

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

b] There are no issues relevant to particular communities/groups likely to be affected by the proposal.

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

SUSTAINABLE DEVELOPMENT IMPLICATIONS

49 The proposal raises no sustainable development implications.

LEAD OFFICER	Gary Rice	Head of Development Control
REPORT AUTHOR	Terence McLellan	Planning Officer - Development Control [tel. 020 7525 5365]
CASE FILE	TP/2563-112	
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 Mr Ford
Application Type Full Planning Permission
Recommendation Grant permission

Reg. Number 08-AP-3095

Case Number TP/2563-112

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Single-storey rear extension to detached property with hard landscaped terrace stepping down to garden.

At: 112 COURT LANE, LONDON, SE21 7EA

In accordance with application received on 25/12/2008 08:02:45

and Applicant's Drawing Nos. 46-E000, 46-E001, 46-E002, 46-E003, 46-P001 RevF, 46-P002 RevF, 46-P003 RevG, 46-P004 RevF, 46-P005 RevA.

Subject to the following condition:

- 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 E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 and Policies 3.11 'Quality in Design' and 3.13 'Urban Design' of the Revised Deposit UDP, The Southwark Plan, February 2005.

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

Reason

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

Reasons for granting planning permission.

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

- a] Policy 3.2 - Protection of Amenity, Policy 3.12 - Quality in Design, Policy 3.13 - Urban Design, Policy 3.15 - Conservation of the Historic Environment, Policy 3.16 - Conservation Areas and Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites of the Southwark Plan 2007 (July).
- b] Supplementary Planning Document: Residential Design Standards and The Dulwich Village Conservation Area Appraisal.
- c] PPG15 - Planning and the Historic Environment

Particular regard was had to the impact on the development on adjoining properties and the surrounding area

but it was considered that this would be outweighed by the design quality of the development and its compliance with the development plan. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

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