

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 (back hall), 263 Barry Road, London SE22 0JT

Supplemental Agenda

- 7. Non development control Item:
Sunray Estate Conservation Area (see pages 1 - 24)**

Date of despatch: 3 October 2008

Item No 7	Classification Open	Date: 8 October 2008	Committee: Dulwich Community Council
Title of Report		Consultation for proposed designation of the Sunray Estate Conservation Area	
Wards		South Camberwell and Village	
Proposal From		HEAD OF DEVELOPMENT CONTROL	

RECOMMENDATIONS

- 1 That following local consultation (agreed by Members in the Dulwich Community Council of 8 May 2008) Members consider the map of the proposed conservation area (Appendix 1) with alternative additional areas, and which of those areas have their support for inclusion in the designated conservation area. These alternative areas arose as a result of that consultation.
2. That, if Members recommend a change in the area of the proposed conservation area, the revised proposal plan be submitted for further consultation and presented to Planning Committee to consider ratifying the designation.

RESULT OF CONSULTATION

- 3 A report proposing consultation on, and designation of, the Sunray Conservation Area was submitted to the Dulwich Community Council on the 23 April 2008, at which it was agreed that the proposal should go to consultation. The subsequent consultation included the posting of letters informing local residents of the proposed designation with a map attached and an invitation to attend a public meeting at St Faiths Community Centre.
- 4 At the public meeting approximately 40 people attended over a period of 3 hours and all were offered the opportunity to make comment and recommendation on a consultation form. This meeting, together with written and emailed comments resulted in a total of 30 consultation responses. Amongst these responses there were the following breakdown of views:
 - 16 people were in favour
 - 4 people were against
- 5 Of those that expressed views on the boundary all but one suggested increasing the area, especially to include Sunray Gardens. Of those that gave their views:
 - 10 were in favour of extending the boundary to include Sunray Gardens
 - 1 was in favour of extending the boundary to include St Faith's Vicarage

- 1 was against St Faith's Church, Community Centre and Vicarage being included.

Conservation Area Boundary

- 6 Following the consultation there are several options for the boundary limits to be recommended to the Planning Committee when they determine the final extent of the adopted area. The changes to the area of the Conservation Area as suggested by consultees are all shown in the attached map (Appendix 1). One, all or some of the four areas shown in the map could be included in Sunray Conservation Area. They are:
- a. The green area which was part of the area seen by the Community Council in April and has very strong support with 80% for its designation,.
 - b. The blue area which is the Sunray Gardens which 10 consultees requested should be included and no one has said that it should not.
 - c. The pink (St Faith's Church and Community Hall) area which was part of the area included in the April report and recommended as part of the designation, but there has been one objector to this being included.
 - d. The yellow area (St Faith's Vicarage) which one consultee has requested be included, but another has asked that it be excluded.
- 7 There are good historic reasons for including Sunray Gardens in the Conservation area as it formed part of the estate's original green amenity resource. It is therefore recommended that both the green and blue areas on the map are accepted as part of the designated conservation area.
- 8 St Faith's Church, Community Hall and Vicarage are not part of the estate developed by London County Council and it can be argued that they should be excluded if the conservation area is only to include what was part of a single historic development of social housing. However, they share the local quality of this distinctive suburban environment and also show some of the early twentieth century and arts and crafts design elements that complement the character of the estate. The Church and the Hall were previously included in the report in April, but the Vicarage was not.
- 9 The appraisal (Appendix 3) is the draft prepared for the April Community Council and does not include the Vicarage or the gardens. This will be amended in accordance with Member's decision.

BACKGROUND INFORMATION

- 10 The Sunray Estate is recognised as an area that is important in the development of early twentieth century housing. It was built as part of an effort to re-house veterans of the Great War and was built in the traditions of the "Garden Suburbs" movement of this period. In 1982, the area was identified by the Council as an "Area of Special Character". However, this designation is not one that conveys any additional protection within the planning system, and in order to preserve the special character of this very homogeneous area an Article 4 Direction was approved.

- 11 The Sunray Estate has been the subject of an Article 4 directive since May 1987 (see Appendix 2) and the Council has issued Design Guidelines to advise owners of buildings in the area what works to buildings are likely to acceptable to maintain its historic character.
- 12 Article 4 directions are normally associated with Conservation Areas, which offer additional protection against alteration of building and restrict the scale of some forms of permitted development including extensions and boundary walls. The Article 4 designation for Sunray Gardens was agreed by Southwark Council on 15 May 1987 and approved by the Secretary of State 13 November 1987. It withdrew permitted development rights in the agreed area, which is the same as that contained in the Conservation Area Appraisal, here attached.
- 13 The Article 4 direction withdraws permitted development rights for the following classes of development:
- *The enlargement, improvement or other alterations of a dwelling house (including changes to fenestration) insofar as such development would alter the external appearance as viewed from a public highway of a dwelling house - the rendering or use of stone or the cladding on external walls.*
 - *The erection or construction of a porch outside any external door at the front of a dwelling house.*
 - *The construction within the curtilage of a dwelling house of a hard standing for vehicles for a purposed incidental to the enjoyment of the dwelling house*
 - *The erection or construction of gates fences or walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic or two metres in height in any other case and the maintenance improvement or other alteration of any gates fences walls or other means of enclosure.*
- 14 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 as “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”, and the only criterion for designation is whether or not the area is of special architectural or historic interest.
- 15 The draft Appraisal follows guidance published by English Heritage in 1997. This sets out the importance of defining and assessing a conservation area’s character and the need to record it in some detail. The purpose is to provide a sound basis for rational and consistent judgements when considering planning applications within conservation areas. When formally adopted by the Council, conservation area appraisals have the status of supplementary planning guidance and therefore can help to defend decisions on individual planning applications on appeal. They may also guide the formulation of proposals for the preservation and enhancement of the area.
- 16 Designation of a conservation area imposes certain duties on planning authorities. These duties are twofold. First, to formulate and publish from time to time proposals for the preservation and enhancement of conservation areas in their district and submit them for public consultation. Secondly, in exercising their planning powers to pay special attention to the desirability of preserving or enhancing the character or appearance of the areas. The formal adoption of appraisals will satisfy these obligations.
- 17 A conservation area imposes additional controls on owners of buildings. In addition to the need for applicants and the Council to pay special attention to the character and appearance of the area consent is required for demolition and for works to trees.

- 18 In addition to the publishing of Conservation Area Appraisals, LPAs have a duty; to draw up and publish management proposals for each conservation area setting out policies of preservation and enhancement that are to be achieved. The management proposal should include a mid to long-term strategy for meeting the objectives and recommendations of the appraisal and identifies further detailed work needed for the implementation of this strategy. There is no Management Plan in place yet for the Sunray Estate Conservation Area. In due course it will be likely to include the following:
- Proposals for Article 4 Directions following detailed survey and justification;
 - Intended action to secure the repair and full use of buildings at risk;
 - Proposed enhancement schemes for the public realm;
 - A strategy for the management and protection of important trees and green spaces;
 - Proposals for an urban design and /or public realm framework, dealing with spaces movement, etc.

KEY ISSUES FOR CONSIDERATION

Historical Context

- 19 The area suggested for designation includes those building buildings which form part of the estate built after the 1914 – 18 War to provide new homes for veterans and their families.
- 20 The houses are built by the London County Council in a vernacular or arts and crafts style in the tradition of the Garden City movement promoted by Ebenezer Howard and Raymond Urwin. The estate was built between 1920 and 1922.
- 21 The potential additional areas that members are considering in this report include the Sunray Gardens which were always part of the development of the estate, the Church (now converted to use as a community hall and built in 1907 and the new church and Vicarage built in the 1950's.
- 22 The character and appearance of the proposed conservation area is described in the Draft Conservation Area Appraisal attached in Appendix 3.

Policy Implications

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

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

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

- 24 **Policy 3.16 – Conservation Areas** of the Southwark Plan states that, *“within conservation areas development should preserve or enhance the character or appearance of the area”.*

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

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

Conclusions

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

It is therefore recommended that Members give their continued support for the designation of the conservation area. And that it should include such additional areas as they consider are of special architectural or historic interest and which are suggested on the map in Appendix 1 and if necessary recommend further consultation and submission to Planning Committee.

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

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

Community Impact Statement

- 27 The proposed designation will be consulted in accordance with the Statement of Community Involvement. The Statement of Community Involvement sets out how and when the Council will involve the community in the alteration and development of town planning documents and applications for planning permission and was adopted in January 2008.
- 28 The proposed consultation will include a public meeting to consult with local residents, businesses and other local interests over the definition of the boundaries and the conservation area appraisal. Notification of the consultation on the proposed designation

and the supporting documents will be put in the local press, on the council's website and will be made available in the local libraries and the Town Hall.

Resource implications

- 29 Notifying the public of the designation of the Sunray Estate Conservation Area will not result in resource implications for the staffing of the Regeneration Department.
- 30 Other resource implications will be the cost of publishing the Conservation Area Appraisal, which can met within the Regeneration Department's revenue budget. The cover price of the document will be fixed to cover production costs.

Consultation

- 31 The public consultation meeting will be held within 15 weeks of this committee and a report on this and any other consultation responses received will be made back to members of the Planning Committee for their consideration. The report will show how the consultation has complied with the Statement of Community Involvement.
- 32 It is proposed that the constraints placed on permitted development in the Sunray Estate by the Article 4 Direction be retained when the conservation area is designated. During consultation the status of the Article 4 Direction will be reviewed and any comments made by the public on it will be taken into account when the designation of the conservation area and continuance of the Article 4 Direction is considered by the Planning Committee.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Legal Implications

- 33 This report recommends that, subject to public consultation, the Planning Committee be recommended to designate the Sunray Estate Conservation Area to include such areas of the map at Appendix 1 as they consider are of special architectural or historic interest.
- 34 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to determine, from time to time, which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas.
- 35 Government guidance on conservation areas can be found in PPG 15 "Planning and the Historic Environment". This advises that it is the quality and interest of areas, rather than of individual buildings, which should be the prime consideration in identifying conservation areas. The government also advises that the principal concern of a local planning authority in considering the designation of a conservation area should be to form a judgement on whether the area is of special architectural or historic interest the character of appearance of which it is desirable to preserve or enhance.
- 36 There is no statutory requirement to consult on proposals to designate or to cancel the designation of a conservation area, but the guidance advises that consultation with local residents, businesses and other interested local bodies over the identification of areas and their boundaries is highly desirable.
- 37 There are no formal statutory provisions which set out how consultation should be conducted but a number of decided cases establish that proper consultation must satisfy the following criteria:
- Be undertaken when the proposals are at a formative stage;
 - Include sufficient details of proposals to allow those consulted to give intelligent consideration and an intelligent response;

- Adequate time must be allowed for consultation; and
- The results of the consultation must be conscientiously taken into account when making the decision.

38 The approach outlined above is consistent with the Act and the guidance.

39 If the Council believes that the area has the appropriate character or appearance then it should be designated. The effect of that designation, in imposing additional controls, is not a factor that should be taken into account

BACKGROUND DOCUMENTS

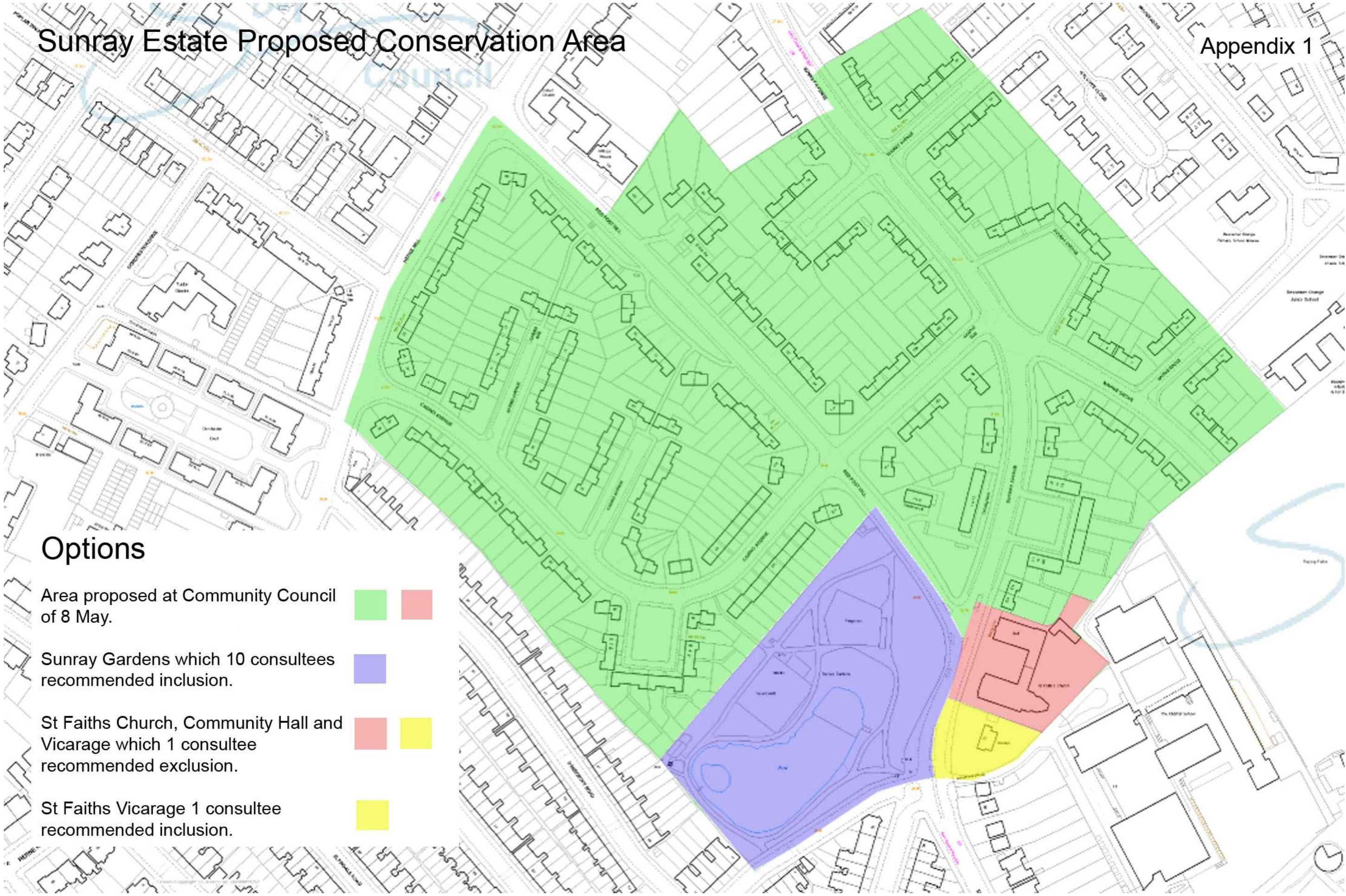
APPENDICES

No.	Title
Appendix 1	Plan showing the proposed boundary for the Sunray Estate Conservation Area.
Appendix 2	Article 4 Direction
Appendix 3	Draft Sunray Estate Conservation Area Appraisal

AUDIT TRAIL

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

Sunray Estate Proposed Conservation Area



Options

Area proposed at Community Council of 8 May.



Sunray Gardens which 10 consultees recommended inclusion.



St Faiths Church, Community Hall and Vicarage which 1 consultee recommended exclusion.



St Faiths Vicarage 1 consultee recommended inclusion.



London Borough of Southwark

TOWN AND COUNTRY PLANNING

GENERAL DEVELOPMENT

ORDER 1977-1985

Article 4 Direction

SUNRAY ESTATE HERNE HILL

LONDON

15 May 1987

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

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

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

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

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

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

SCHEDULE I

Part 1

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

Sunray Avenue

Numbers 17-39 (odd)

Numbers 49-71 (odd)

Numbers 77-79 (odd)

Numbers 112-115 (odd)

Numbers 18-40 (even)

Numbers 58-60 (even)

Casino Avenue

Numbers 9-39 (odd)

Numbers 53-83 (odd)

Part 2

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

Sunray Avenue

Numbers 9-15 (odd)

Numbers 41-47 (odd)

Numbers 73-75 (odd)

Numbers 14-16 (even)

Numbers 42-56 (even)

Nairne Grove

Numbers 1-31 (odd)

Numbers 2-16 (even)

Casino Avenue

Numbers 1-7 (odd)

Numbers 41-51 (odd)

Numbers 85-135 (odd)

Numbers 2-36 (even)

Red Post Hill

Numbers 53-99 (odd)

Numbers 64-102 (even)

Herne Hill

Numbers 1-31 (odd)

SCHEDULE II

THE particular developments included in this Schedule are:

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

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

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

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

SCHEDULE III

THE particular developments included in this Schedule are:

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

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

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

DRAFT CONSERVATION AREA APPRAISAL

SUNRAY ESTATE CONSERVATION AREA

CONTENTS

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 - 5.1 Introduction
 - 5.2 The Sunray Estate Design Guidelines.

1 INTRODUCTION

1.1 The Purpose of the Appraisal

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

1.1.2 The statutory definition of a Conservation Area is an "area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance." Conservation areas are normally centred on listed buildings and pleasant groups of other buildings, open space, or an historic street pattern. A town space, or features of archaeological interest, may also contribute to the special character of an area. It is, however, the character of areas, rather than individual buildings, that such a designation seeks to preserve or enhance. The most recent legislation dealing with Conservation Area is the Planning (Listed Buildings and Conservation Areas) Act, 1990 (Sections 69 to 78). Guidance to the legislation is given in *Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG15)*, published by the Departments of the Environment and National Heritage in September 1994.

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

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

1.1.5 **Arrangement of this Document**

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

1.1.6 **Location**

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

1.1.7 **Topography**

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

1.2 **PLANNING HISTORY**

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

1.3 **PLANNING POLICIES**

1.3.1 **Unitary Development Plan**

The Unitary Development Plan for the London Borough of Southwark was adopted in 1995. The following policies in the Plan relate to the conservation, protection and enhancement of areas of character, buildings, ancient monuments, historic areas, parks and gardens of environmental quality, architectural interest and historical importance.

Policy E.4.1 Conservation Areas

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

Policy E.4.2 Proposals Affecting Conservation Areas

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

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

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

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

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

Policy E.4.9 Article 4 Direction

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

1.3.2 The Second Draft Deposit Southwark Plan

The Unitary Development Plan is currently under review. A First Draft of the new plan has been placed on deposit. It is expected that the new plan will be adopted in 2005. The new draft Unitary Development Plan, also known as "The Southwark Plan", is supported by a number of supplementary planning guidance (SPG) documents relating to different themes – including design and heritage conservation – and for different areas:

Heritage Conservation Supplementary Planning Guidance

Section 4, Conservation Areas:

Section 4.3, Preservation and Enhancement:

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

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

Section 6, Planning Applications Affecting Conservation Areas and Listed Buildings

'6.2 Information Requirements

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

1.4 Further Information

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

2 HISTORICAL BACKGROUND

- 2.1 *By the early 19th century, Denmark Hill contained a number of large, detached houses. One of these was Casino House on the south east side of Herne Hill, which formed part of the Dulwich College estate. This was a substantial, neo-classical villa erected in 1797 to the designs of the architect John Nash for Richard Shaw, who was Warren Hastings' solicitor at the time of his impeachment. The property had extensive grounds stretching down the hill to the south east, which were laid out by the noted landscape gardener Humphrey Repton and which can be seen on the 1894 edition of the 25" to 1 mile Ordnance Survey plan (figure 2). The house was demolished in 1906 but the fish pond at the bottom of the grounds survives and now forms part of Sunray Gardens.*
- 2.2 *By the end of the century the character of the area was changing rapidly. It was proving difficult to find tenants for large houses and their extensive grounds did not always prove attractive to potential developers. The pressure from builders was for higher density, smaller houses for the lower middle classes but this was being resisted by the Dulwich College estate governors, who were concerned to keep property values on the estate high.*

- 2.3 *In 1899 the estate governors petitioned the Charity Commissioners for permission to use Casino House as a home for soldiers wounded in the Boer War. They claimed that “the house has been vacant about five years, and is ... unlikely to find a residential tenant on account of its unusual size and the rapidly changing character of the neighbourhood”. The Charity Commissioners would not agree to this and the governors would not entertain the only offer they received for the land, which was for the erection of a large number of “small class property” in terraces of ten houses with 20 foot frontages.*
- 2.4 *Camberwell borough council, which had been established under the London Government Act of 1899 as one of the 28 Metropolitan Boroughs to run local government in the capital, was also at odds with the estate governors. The borough had been one of the first in London to adopt part III of the 1890 Housing of the Working Classes Act, under which they were enabled to acquire land compulsorily to build dwellings. They were conscious that much of the vacant land in the borough was located in Dulwich and in 1901 they wrote to the governors asking for a grant of land to build working class housing.*
- 2.5 *In the event, the governors themselves had a group of working class cottages erected in Dekker Road (now in the Dulwich Village conservation area) and the borough council did not pursue the matter, satisfied that, for the time being additional working class housing had been provided at no cost to the ratepayers.*
- 2.6 *Meanwhile, although Casino House was demolished in 1906, no further progress was made on the redevelopment of the site until 1918 when one of the estate governors, the architect Edwin Hall, presented a scheme for a 45 acre development including the Casino House and Sunray Avenue sites. It was hoped that government help might be available for this scheme, as it was aimed at “the poorer middle classes then in the Army or Navy”. In the event this proved to be over-optimistic and the governors were not in a position to finance the scheme by themselves. Local authorities, however, did have access to subsidies under the 1919 Housing, Town Planning, etc. Act to provide housing for the working classes and to fulfil Lloyd George’s promise to provide homes fit for heroes. In 1920 the borough council threatened the governors with compulsory purchase orders for large portions of their estate, on which they proposed to erect some 2000 small houses. The governors were not in a strong position to resist and were compelled to accept a compromise, under which, if they agreed to lease the Casino House Estate to the council, “it would not be necessary to take any land in the centre of the estate”. Subsequently, the adjacent Sunray Avenue site was also leased to the council. The council, for their part, agreed to adopt Edwin Hall’s road layout and their design was similar to the governors’, with good quality housing under garden city principles but to a higher density.*
- 2.7 *This development comprises the Sunray Estate conservation area. The Sunray Estate is described in the Buildings of England – London 2: South as “one of the most celebrated products of the ‘Homes fit for Heroes’ campaign”. Its construction, between 1920 and 1922, was the result of a unique combination of direct labour and building guild principles, organised by the Office of Works under its director, Sir Frank Baines, who had trained with the visionary Arts and Crafts architect C.R.Ashbee. It is a fine example of a smaller garden suburb development. It embodies the influence of Ebenezer Howard and the theories of Barry Parker and Raymond Unwin on the Garden City, which had first been put into practice at Letchworth from 1903 and developed at, inter alia, Hampstead Garden Suburb, in the pre-1914 cottage estates built by the London County Council, and in the World War I estates for munitions workers at Eltham, which Baines also designed.*
- 2.8 *The 1875 Public Health Act had laid down mandatory standards for the space between houses, the layout of drainage, etc. and had been an effective response to the proliferation of unhealthy, overcrowded “rookeries” during the industrial revolution. However, being concerned with sanitary reform rather than urban design, it had tended to generate very*

monotonous street layouts. It was to the seemingly endless repetition of uniform “by-law” terraces that Howard and his disciples were reacting by encouraging an approach, which, they argued, would combine the benefits of urban civilisation with the aesthetic qualities of the rural picturesque.

- 2.9 *By the time of the 1919 Housing Act, which for the first time required (rather than enabled) local authorities to provide working class housing, Garden City ideas had become widely accepted. They were codified in the “Manual for the Preparation of State-aided Housing Schemes”, which embodied the recommendations of the wartime Committee on Housing, chaired by Sir John Tudor Walters, MP, for the Local Government Board, and advised by Unwin. The overall intention of the Manual was to create housing types that were of a higher standard of design and quality, with a greater emphasis on gardens and green spaces, aimed generally at the “prosperous working class”.*
- 2.10 *The Sunray Estate exemplifies this approach. It comprises some 290 2-storey houses built with steeply-pitched clay tiled roofs and small-paned casement windows set in walls of yellow brick or rough render. Archways and alleys link quiet culs-de-sac to the main routes and the whole area is tied together by a generous planting and landscaping scheme.*
- 2.11 *In 1965 the London Borough of Southwark took over from Camberwell borough council as the local authority responsible for the estate but since the 1980s over a third of the tenants have taken advantage of their “right to buy”.*

3 THE CHARACTER AND APPEARANCE OF THE AREA

3.1 Broad Context

3.1.1 *When defining the character of a Conservation Area, one should take into account the built environment and the area’s character including both man-made and natural features. The character is established by the historic layout of property boundaries and thoroughfares, the styles and extent of gardens and greenery, the street furnishings and hard and soft surfaces, routes through the area, views along the streets and notable landmarks within the area, the combination of which have created this area of exceptional character.*

3.1.2 *The estate is situated on the southeast-facing side of Denmark Hill leading down from Herne Hill where the area of special interest is concentrated around the Casino Avenue and Red Post Hill intersection. Sunray Estate is a relatively small-scale conservation area, made up of cottage housing that is arranged in a distinctively uniform layout. The cottage character is accentuated by a rather rural setting consisting of mature tree lined streets, culs-de-sac, and very generous front gardens that are set off from the streets. The area’s large number of homes that are occupied by single families, instead of being sub-divided into flats, greatly contributes to the cottage atmosphere.*

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

3.1.3 *The types of open spaces found within this estate owe much to Ebenezer Howard and the central ideas of the garden suburb movement, where houses with gardens were offset from*

parks, which were considered a necessary component for 'healthy cities'. Within the Sunray Estate most of these components are visible in the pockets of elongated, landscaped, strips of open space, and the substantial verges that characterise specific sub-areas of the conservation area.

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

3.2 Sub-Areas

3.2.1 Sub-Area 1 – The Enclaves

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

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

3.2.2 Sub-Area 2 – The Main Thoroughfare

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

3.2.3 Sub-Area 3 – The Cul-de-Sac

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

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

4 AUDIT

4.1 Unlisted Buildings that make a Positive Contribution

4.1.1 *There are no buildings in the conservation area that are included on the statutory list of buildings of special architectural or historic interest. However, most of the original houses*

on the estate still survive and the completeness of this survival is an important characteristic of the conservation area.

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

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

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

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

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

5 GUIDELINES

5.1 Introduction

5.1.1 The Purpose of this Guidance Section:

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

5.1.2 Consulting the Council

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

5.2 The Sunray Estate Design Guidelines

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

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

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

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

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

5.2.2 Planning Controls

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

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

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

5.2.3 Roofs:

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

5.2.4 Walls:

Original facing brickwork should be preserved un-rendered and un-painted. Any repairs, or additional brickwork should match existing in quality and colour, and be laid in the same

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

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

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

5.2.5 **Windows:**

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

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

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

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

5.2.6 **Doors:**

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

5.2.7 **Front Gardens:**

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

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

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

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

5.2.8 Extensions:

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

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

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

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

Unless well removed from side boundaries, a two-storey rear extension is less likely to satisfy the criteria for good neighbourliness. However, if otherwise satisfactory, its roof should be set at right angles to the existing roof with matching hip and must be designed to match the existing house and conservation area characteristics.

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

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

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

5.2.9 Chimneys

Chimneystacks are tall and have a simple design, forming an important skyline feature. They are built in brick to match the house with plain pots set in a mortar bed. Repairs may

be necessary to stabilise the chimney, but reduction in the height of the stack will not generally be acceptable. Even if the stack no longer serves a fireplace, ventilation to the flues should be maintained. Chimney pots should be re-bedded if loose. They should not be removed.

5.2.10 **Installation of Satellite Television Dishes**

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

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

planning permission will not be required.

5.2.11 **Rainwater Goods:**

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

APPENDIX: Further Reading:

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

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

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

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

Also of interest:

Ashurst, J and N, *Practical Building Conservation*, Vols. 1-5 (1988)

Brereton, C, *The Repair of Historic Buildings: Advice on Principles and Methods* (English Heritage, 1991)

Cherry, B and Pevsner, N, *The Buildings of England – London 2: South* (1983)

Department of the Environment / Department of National Heritage, *Planning Policy Guidance Note 15: Planning and the Historic Environment* ["PPG 15"] (HMSO, Sept. 1994)

Edwards, A.M., *The Design of Suburbia* (1981)

Nurse, Bernard, *Planning a London Suburban Estate: Dulwich 1882-1920* (in *The London Journal*, Vol. 19, No. 1, 1994, pp. 54-70)

Swenarton, Mark, *Homes fit for Heroes* (1981)

Home Sweet Home: Housing designed by the LCC and GLC architects 1888-1975 (London Architectural Monographs, in association with the GLC, 1976).

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