

# Planning Committee (Smaller Applications)

Monday 9 September 2024

7.00 pm

GO2 meeting rooms, 160 Tooley Street, London SE1 2QH

## Supplemental Agenda No.1

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	Addendum report and Members pack.	

<b>Meeting Name:</b>	Planning Committee (Smaller Applications)
<b>Date:</b>	9 September 2024
<b>Report title:</b>	<b>Addendum report</b> Late observations and further information
<b>Ward(s) or groups affected:</b>	Dulwich Village & Surrey Docks
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	Noted below
<b>From:</b>	Director of Planning and Growth

### **PURPOSE**

1. To advise members of clarifications, corrections, consultation responses and further information received in respect of the following items on the main agenda.

### **RECOMMENDATION**

2. That members note and consider the additional information and consultation responses in respect of each item in reaching their decision.

### **FACTORS FOR CONSIDERATION**

3. Late observations, consultation responses, information and/or revisions have been received in respect of the following items on the main agenda:

**ITEM 6.1: 23/AP/3428 for: Full Planning Application - 67 Plough Way, London, Southwark, SE16 2LS**

### **Corrections and clarifications on the main report**

### **Compliance Condition**

1. The finished ground floor level must be set no lower than 3.38 metres above Ordnance Datum (mAOD), in line with the submitted Flood Risk Assessment (FRA) by Evans Rivers & Coastal Ltd (dated November 2023 with reference 2386/RE/10-19/01).

2. This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangement. The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason**

*To reduce the risk of flooding to the development and occupants, in line with the London Borough of Southwark's Local Plan (Policy P68).*

**ITEM 6.2: 23/AP/2919 for: Full Planning Application – 29 Eastlands Crescent, London, Southwark, SE21 7EG**

**Corrections and clarifications on the main report**

**Paragraph 37:**

The applicant provided clarification stating that an engineers' report details the scope of work necessary to resolve the very serious subsidence that affects the property and estimates the cost for remedial underpinning would be in the region of £540,000.

This is a point that was accepted in relation to the earlier approval.

**Paragraph 45:**

4. The Design and Conservation Team previously confirmed that they are satisfied that the proposal will preserve the character and appearance of the Dulwich Village conservation area. Having reviewed the proposal the Design and Conservation Team are satisfied that 'a new building of this design will also enhance the character and appearance of the conservation area. It is set back from the street to reflect the established building line. With its 2-storey eaves heights, which matches the prevailing heights in the area, coupled with its design, materiality and picturesque asymmetry, that is typical on Eastlands Crescent, it will complement and enhance the conservation area.'

**Paragraph 49:**

5. The applicant clarified in the addendum that , 'it was Insurers that made the applications and subsequent appeal for tree removal between 2013 and 2017. There has not been an application relating to trees since 2015. Insurers made the applications on behalf of the previous owners - once the previous owners had notified them about the subsidence. Their appeal failed in March 2017. The current applicant's structural engineer argued against the proposed tree removal.' This proposal therefore does not include the removal of trees.

**Paragraph 51:**

6. The applicant clarified that a 'basement impact assessment was undertaken in 2018, and it was accepted in relation to the earlier application for the site -

which was granted planning permission. Nothing has changed in the interim, and that report remains up to date. To suggest that the report concludes that the proposal may result in negligible to very slight damage to neighbours only tells half of the story. It states that the proposal may cause negligible to very slight damage depending on the quality of workmanship. The quality of the workmanship will be ensured through the imposition of Condition 3, which requires details of 'special engineering or construction details required in order to facilitate demolition, construction and excavation'.

**Paragraph 52:**

7. The applicant clarified that the neighbours are afforded protection via the Party Wall Act.

**Appendix 1 – condition 3 amended:**

8. Prior to commencement, the following details shall be submitted to and approved in writing by the local planning authority:
  - cross sections of the lay of the land showing surface and other changes to levels;
  - special engineering and construction details required in order to facilitate demolition, construction and excavation;
  - all foundation depths in accordance with NHBC 4.2.13; or as engineer designed if below these depths.

**Reason:**

To ensure that the proposed development will not adversely impact the structural integrity of neighbouring properties; as well as ensuring that the visual amenities of the locality is preserved and enhanced in accordance with the National Planning Policy Framework 2023, Policies G1 (Green Infrastructure), G5 (Urban greening) and G7 (Trees and woodlands) of the London Plan 2021 and Policies P56 (Protection of amenity), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

**Conclusion of the Director of Planning and Growth**

9. Having taken into account the additional information, following consideration of the issues raised, the recommendation remains that planning permission should be granted, subject to conditions and completion of a s106 agreement.

**Reason for urgency**

10. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Planning Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

### Reason for lateness

11. The new information and corrections to the main reports and recommendations have been noted and/or received since the committee agenda was printed. They all relate to items on the agenda and members should be aware of the comments made.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Environment Neighbourhoods and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403

# Welcome to Southwark Smaller Planning Committee

9 September 2024

## MAIN ITEMS OF BUSINESS

**Item 6.1**  
**23/AP/3428**  
67 Plough Way, London SE16 2LS

**Item 6.2**  
**23/AP/2919**  
29 Eastlands Crescent, London, Southwark, SE21  
7EG



Councillor Cleo Soanes (Chair)



Councillor Jane Salmon (Vice Chair)



Councillor Richard Livingstone



Councillor Sabina Emmanuel



Councillor Sam Dalton



Councillor Adam Hood



Councillor Sam Foster

Southwark Free Wi-Fi Password  
**Fr33Wifi!**

## Item 6.1

**23/AP/3428**

67 Plough Way, London SE16 2LS

Construction of a single-storey, one-bedroom house fronting Greenland Quay and Cunard Walk.

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# Site location plan and aerial image





## Constraints and designations

- Action Area – Canada Water
- Adopted Highways
- Air Quality Management Area
- Archaeological Priority Zone
- CIL Zone 3
- Controlled Parking Zones
- Flood Zone 2
- Flood Zone 3
- Neighbourhood Plan - Rotherhithe And Surrey Docks
- Opportunity Area- Canada Water

∞

# Existing site



**View from 67 Plough Way**



**View from Greenland Quay**

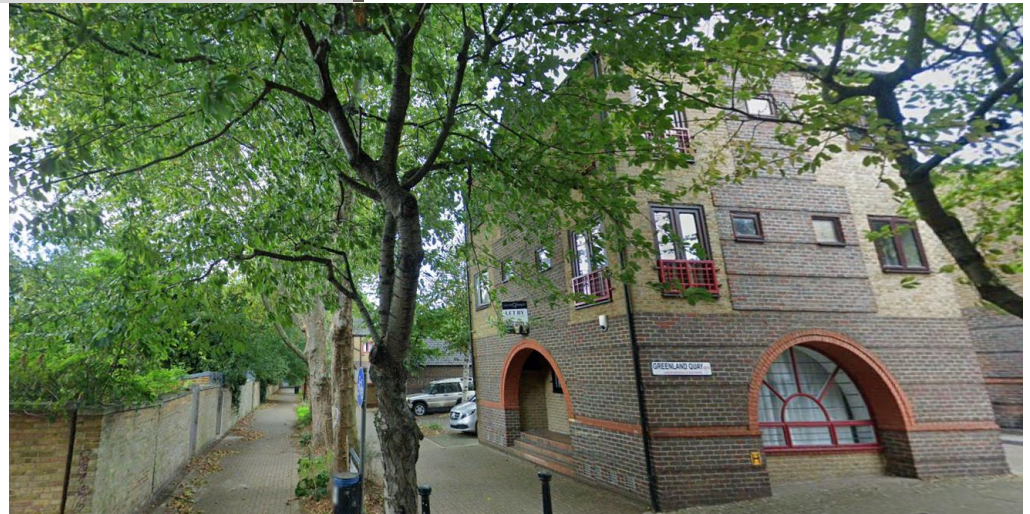


**View from Cunard Walk**

# Surrounding area



View from Greenland Quay



View from Cunard Walk

## Consultation responses

17 objections were received and raise the following material planning considerations:

- Design – inappropriate height, scale and massing
- Neighbour amenity – loss of privacy
- Overdevelopment and uncharacteristic
- Noise
- Negative impacts on ecology
- Increase in traffic
- Increased chance of flooding
- Inadequate parking provision
- Strain on existing community facilities

## Reasons for refusal:

- **Neighbour amenity**

The development would incur a risk of noise and disturbance from the first floor level roof terrace, a reduction in privacy due to the introduction of new windows to habitable rooms, reduction in outlook and an undue sense of enclosure from introduction of a new two-storey building volume all in unacceptably close proximity to existing neighbouring residential occupiers. The development would therefore harm the amenity of the adjoining occupiers and would not be in conformity with saved Southwark Plan policy 3.2 'Protection of amenity,' Core Strategy Strategic Policy 13 'High environmental standards' and the 2015 Technical Update to the Residential Design Standards SPD.

- **Design**

The development of a new two storey building would be of an excessive scale, height and massing relative to the backland nature of the host rear-garden site and would not appropriately respond to the site's constraints or its context contrary to saved Southwark Plan policy 3.12 'Quality in design,' 3.13 'Urban design,' Core Strategy Strategic Policy 12 'Design and Conservation' and the supporting guidance within the 2015 Technical Update to the Residential Design Standards SPD.

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# Previous appeal decision APPEAL/20/0049

## Reasons for dismissal:

- **Character and appearance**

- Dual angled roof siting its overall height/mass result in loss of openness and visual separation between two types of housing
- Overall mass appears as prominent and juxtaposed feature in the streetscape, failing to respect the existing pattern of development as seen along the rear of Plough Way.
- Obtrusive loss of spaciousness resulting in cramped relationship of the proposal to the highways.

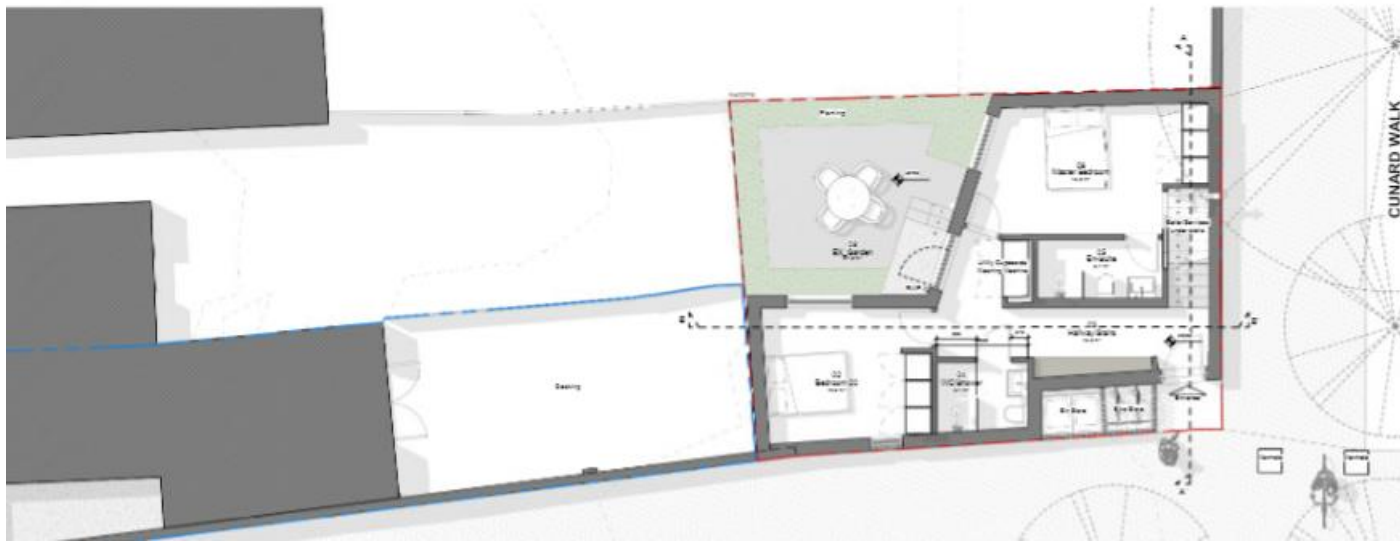
- **Living conditions**

- Screened terrace above at first floor.
- Distance between rear elevation of no. 67 and proposal means occupiers of no. 67 would experience overbearing sense of enclosure due to solid brick wall FURTHER PRONOUNCED by the first-floor terrace directly overlooking. First floor overlooking particularly obtrusive.
- Garden area overlooking and enclosure to no.63 arising from the siting and mass.
- Balcony and rear facing upper living room window invasive to neighbouring privacy.
- Mutual overlooking and loss of privacy between first floor on Cunard Walk and proposed upper window.

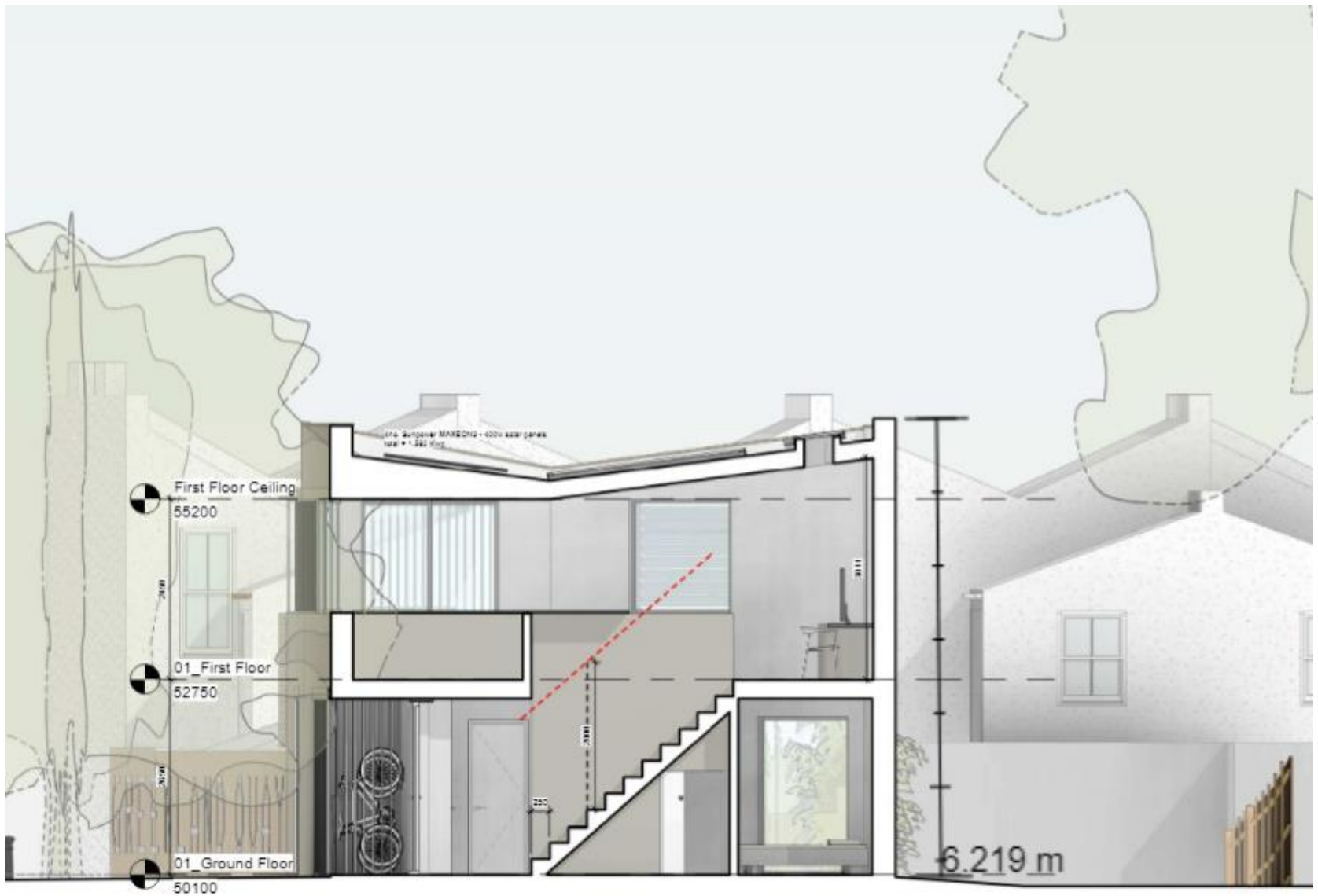
# Previous appeal decision APPEAL/20/0049 – proposed floor plans



Proposed



# Previous appeal decision APPEAL/20/0049 – Section



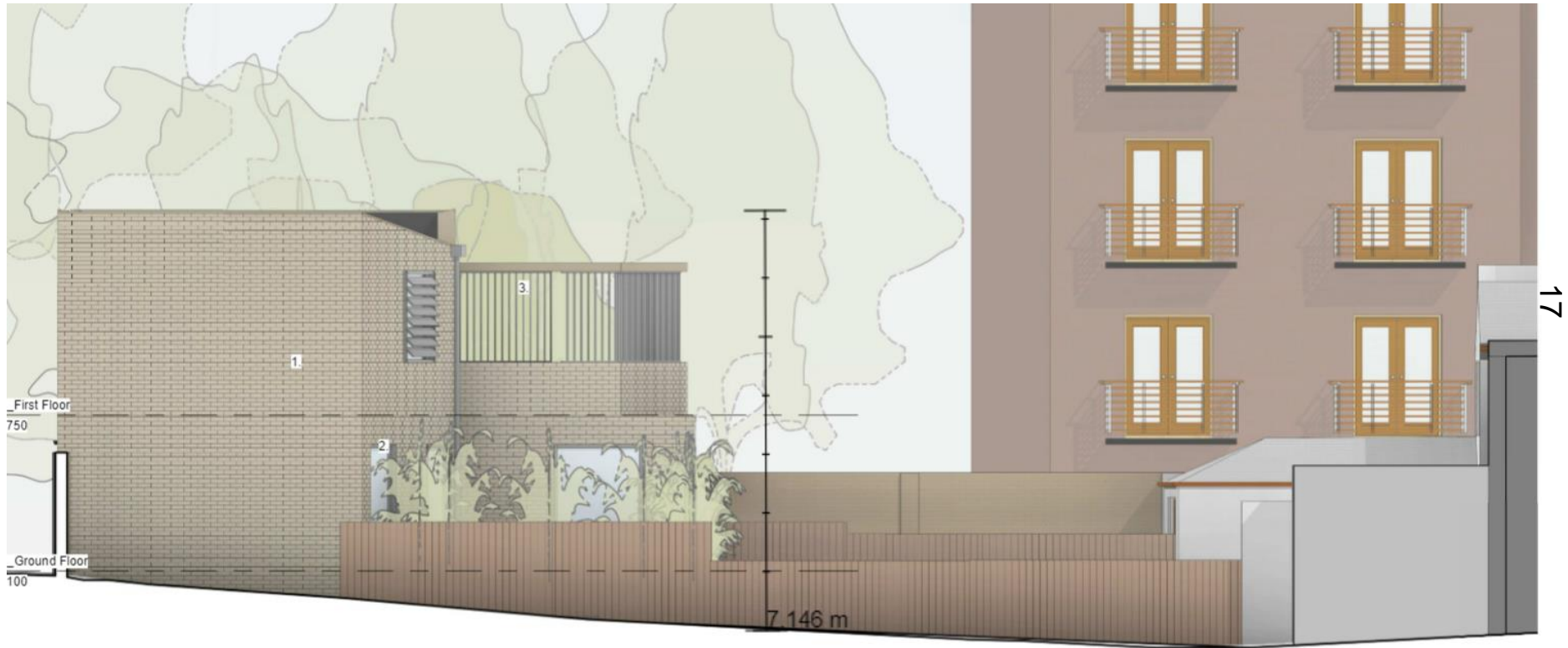
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# Previous appeal decision Section - APPEAL/20/0049



# Previous appeal decision Section - APPEAL/20/0049



# Proposed site plan



# Proposed ground floor



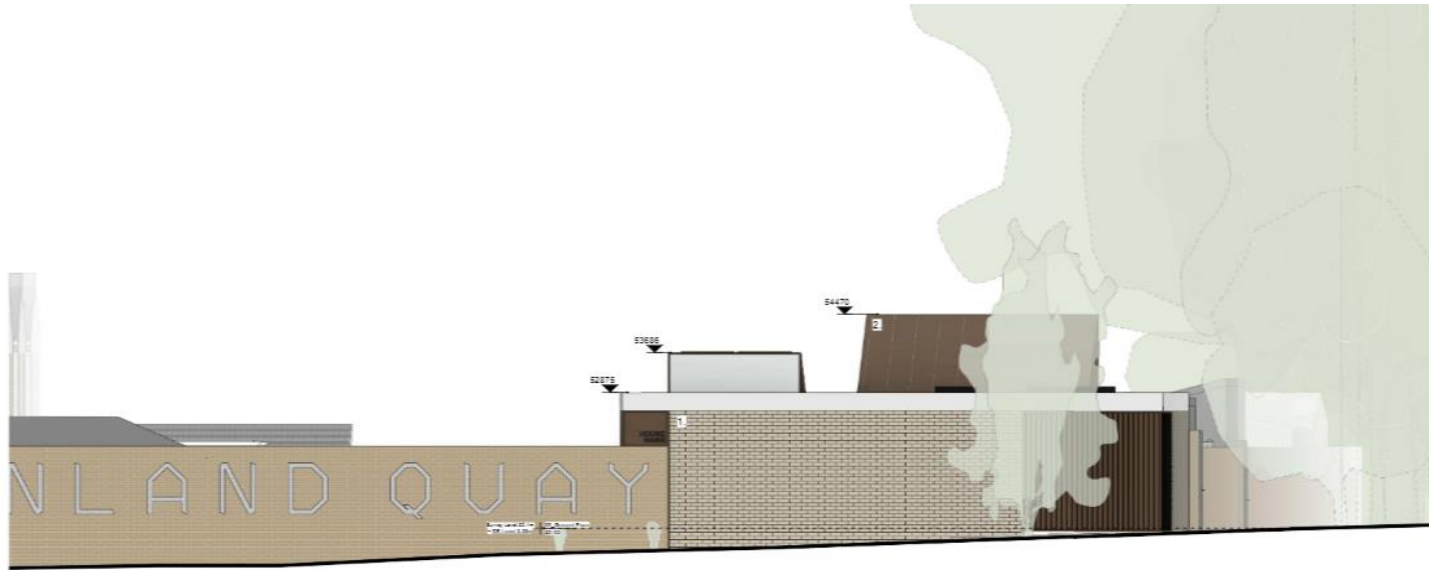
1 00\_Ground Floor Proposed  
1:50

Entrance point

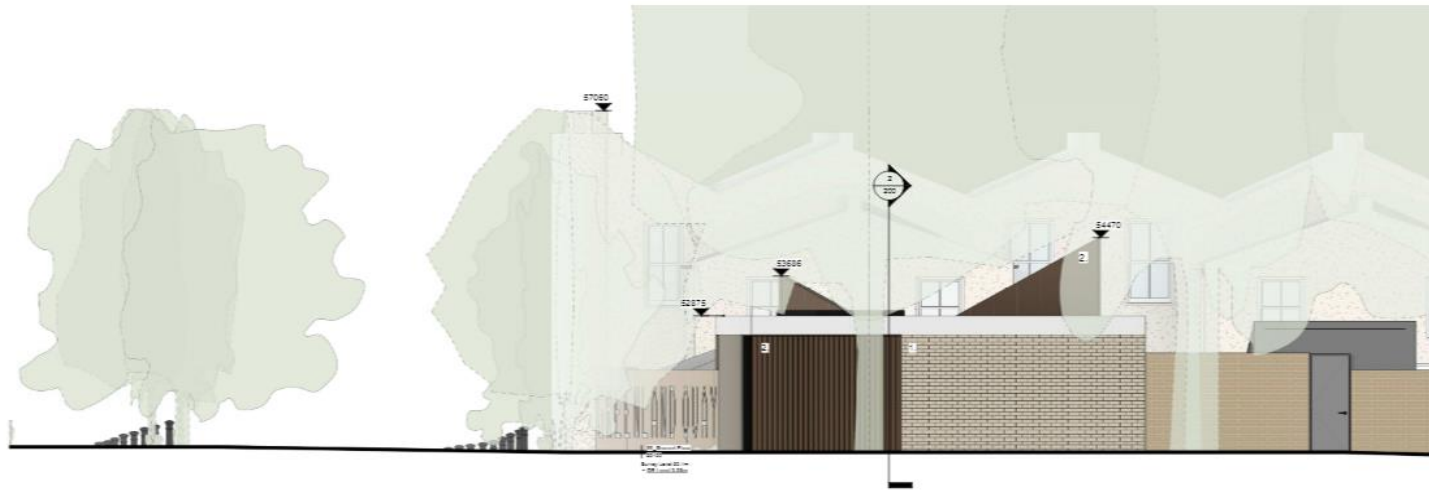
# Proposed roof plan



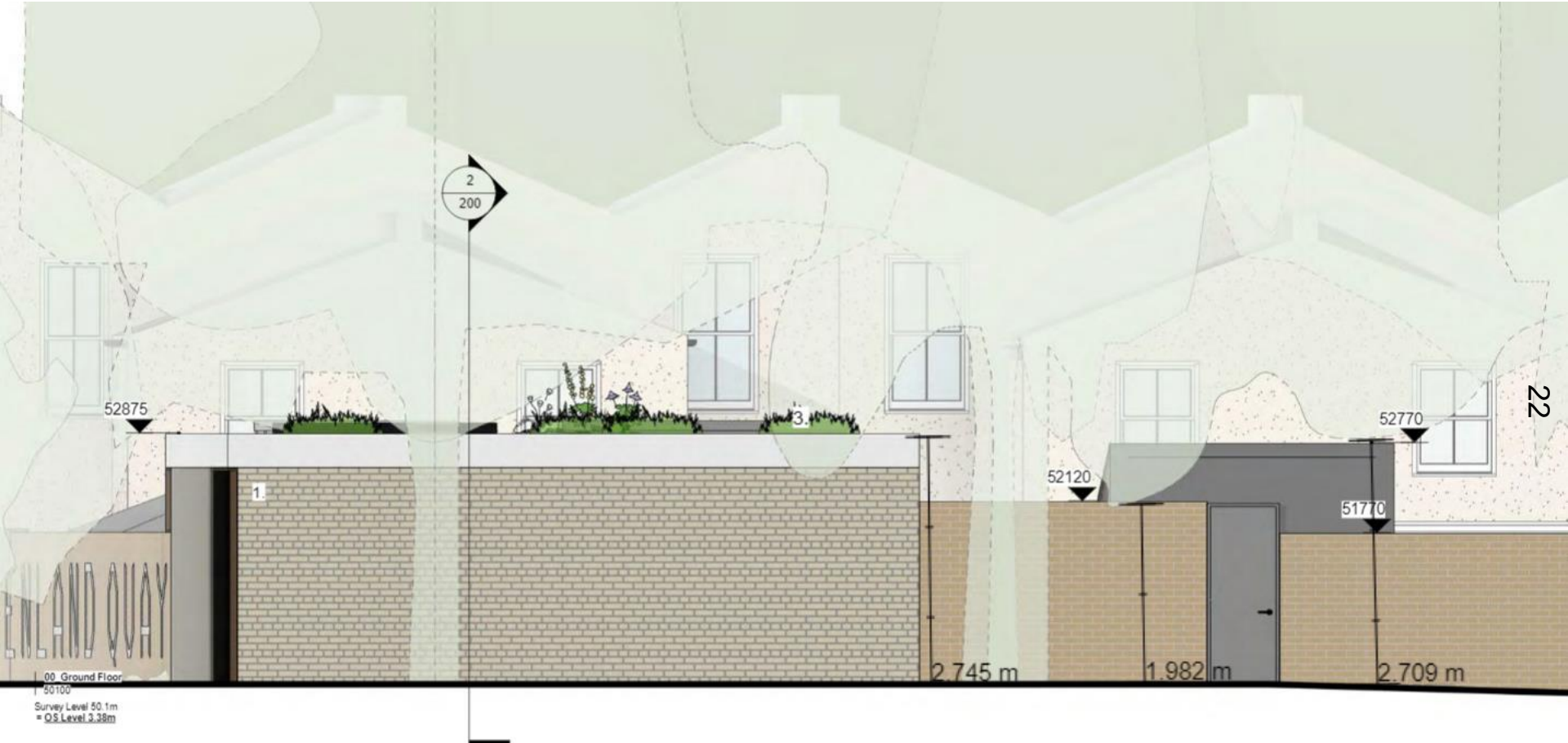
# Superseded plans



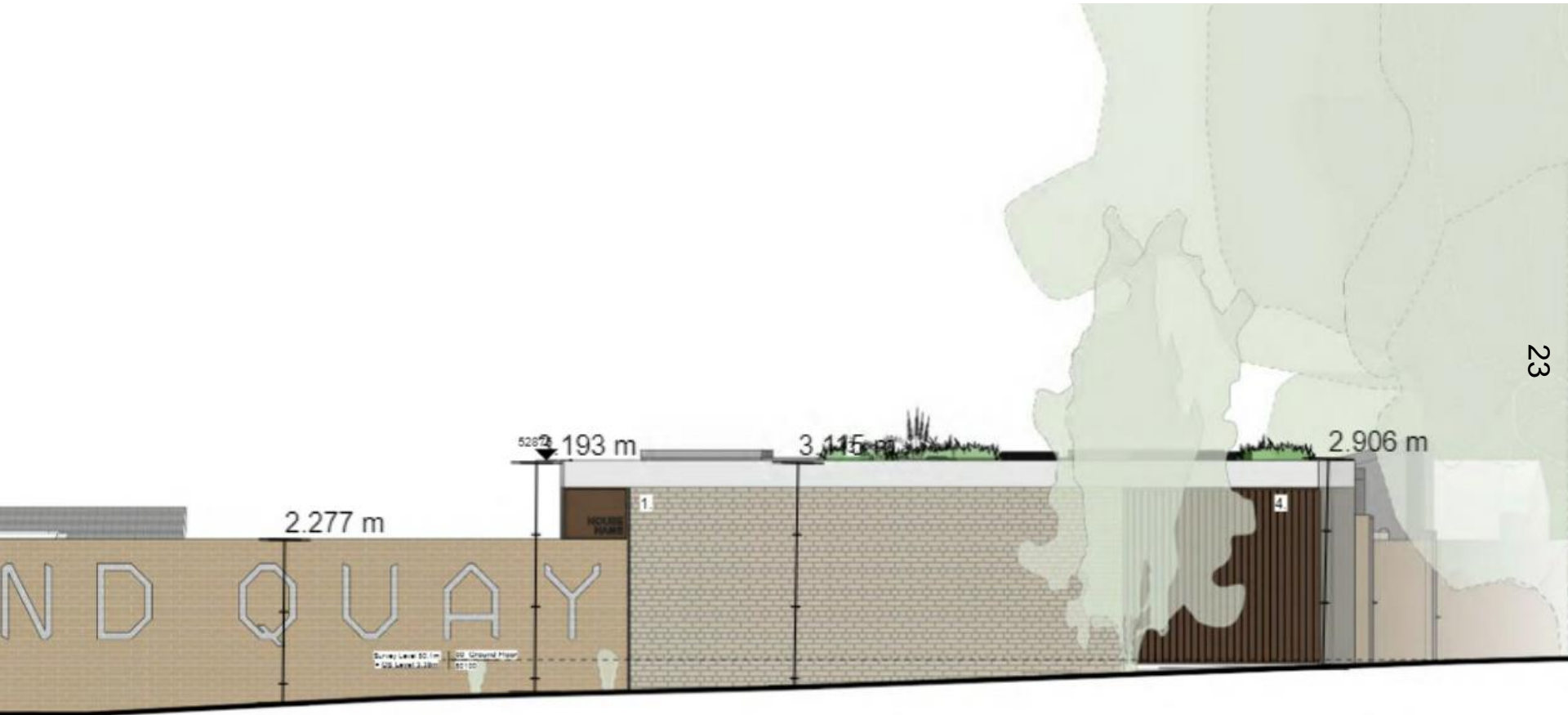
1 East Elevation Proposed  
1:50



# Proposed elevations/height – north rear



# Proposed elevations/height – east side





# Proposed elevations/height – South front



# Proposed Elevation – west side



# Proposed distances – 65 and 67 rear



# Proposed distances – 63 Plough Way garden



# Changes from appeal proposal

Appeal proposal	Current proposal
Two storeys in height	One storey proposed
Roof terrace	No roof terrace proposed
Pitched roof	Pitched roof removed and replaced with flat roof and rooflights
Balcony on first floor	No balcony proposed only outdoor amenity space on ground floor

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## Other matters

### Design

- Proposal is appropriate in terms of height, scale and massing and incorporates design features and materials prevalent in the area. Access is positioned on Greenland Quay to avoid disruption to the quiet, modest character of Cunard Walk.

### Quality of accommodation

#### Internal

- All rooms meet space requirements. GIA is 50.1sqm.

#### External

- Shortfall of outdoor amenity space will be mitigated through a financial contribution. This will be in place of the remaining 37.4sqm shortfall, £7,667 in total.
- In relation to the outdoor amenity space for existing dwellings 65 and 67 Plough Way, the amenity spaces for each dwelling would remain the same given that the application site is located to the rear of these dwellings.

### Transport

- The proposed development includes the provision of 2 cycle parking spaces which complies with policy in terms of quantity. Condition for updated details.

### Trees

- No trees would be removed. Conditions have been recommended to ensure that the works permitted are carried out in accordance with tree protection measures outlined in the submitted Arboriculture Impact Assessment (AIA), as well as details of a schedule of site supervision to be submitted prior to occupation of the residential dwelling.

### Flood

- Condition is recommended for ground levels in accordance with the applicant's flood risk assessment.

### PD rights

- Condition has been recommended no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved.

## Conclusion

- The proposal seeks to implement 1 new single storey dwellinghouse on the application site.
- The proposed dwellinghouse is relative to its surrounding context, reflecting the predominant Use Class C3.
- The proposal is an improvement on the previous appeal scheme, reducing the proposed dwelling in height and scale. This provides a sufficiently low-scale and low-key development to sit comfortably within its context, remaining respectful of its neighbours and streetscape from a design perspective.
- The proposed development would not raise any overlooking issues due to the single storey nature of the proposed development and the boundary treatment. There would not be any direct overlooking or sense of enclosure caused. No issues of daylight/sunlight are raised.
- No issues with design, quality of accommodation, transport, trees or flooding raised.
- PD condition recommended (no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved).

## **Item 6.2- 23/AP/2919**

29 Eastlands Crescent, London, Southwark, SE21 7EG

Demolition of existing two storey detached dwelling, and replacement with a new dwelling house and ancillary 2 bed annex, with basement, single storey side extension and dormers within the rear roof slope.

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# Site location plan



## Existing dwelling



# Proposed front elevation



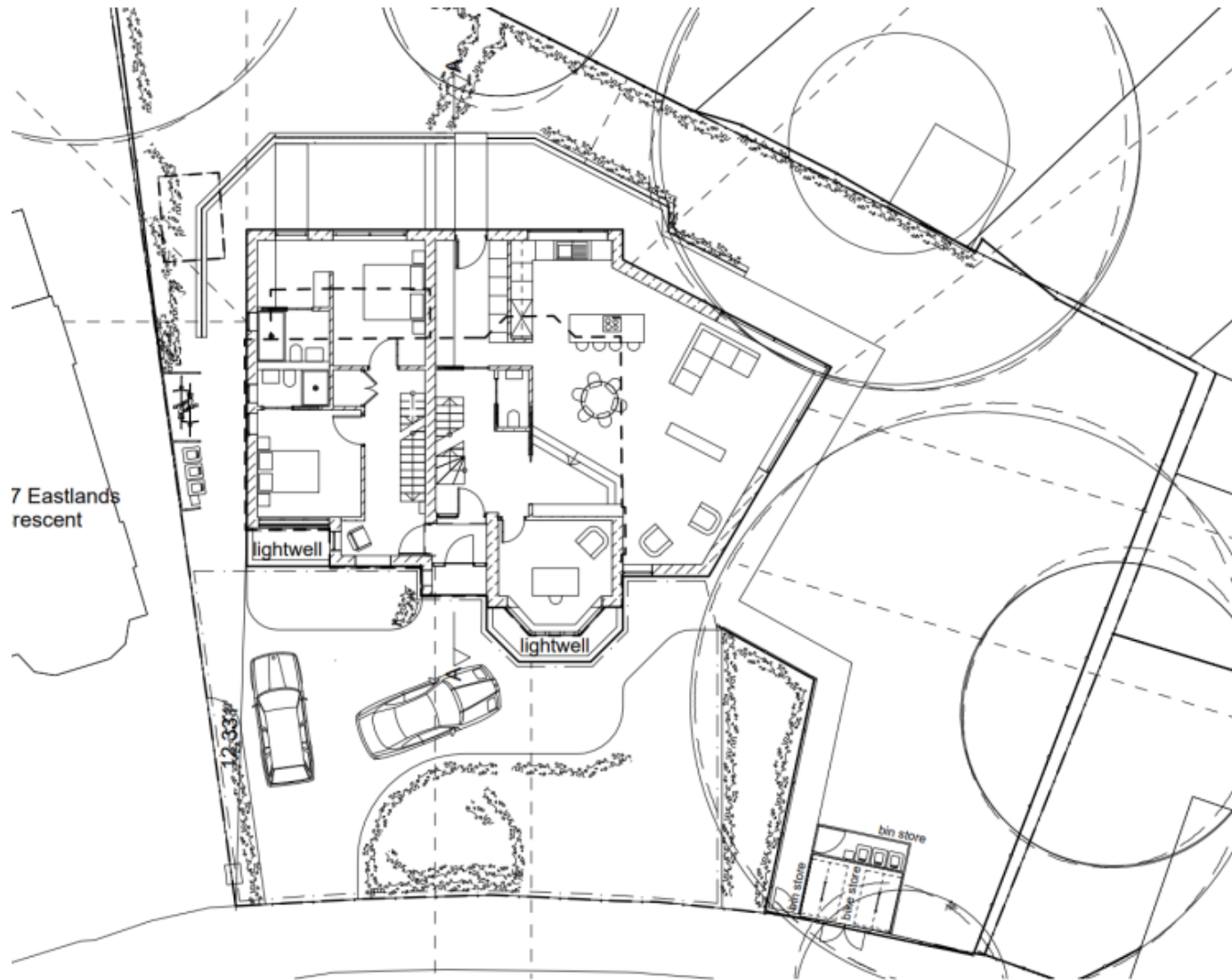
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# Proposed rear elevation



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# Proposed ground floor



## Consultation

28 comments have been received in response to the neighbour notification, comprising 25 objections, 2 support comments and 1 neutral comment.

The objections raise the following material planning considerations:

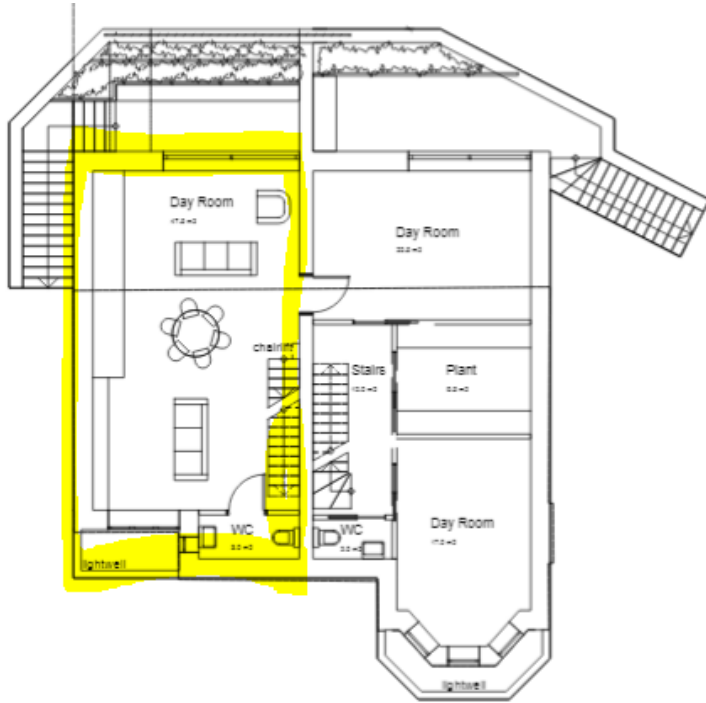
- Noise and dirt impacts
- Impact of basement on neighbours and flooding
- Impacts to trees and the environment
- Impact on privacy of neighbours by overlooking
- Demolition in a conservation area
- Proposed dwelling house is too large
- Proposed architecture is not cohesive

## Planning History

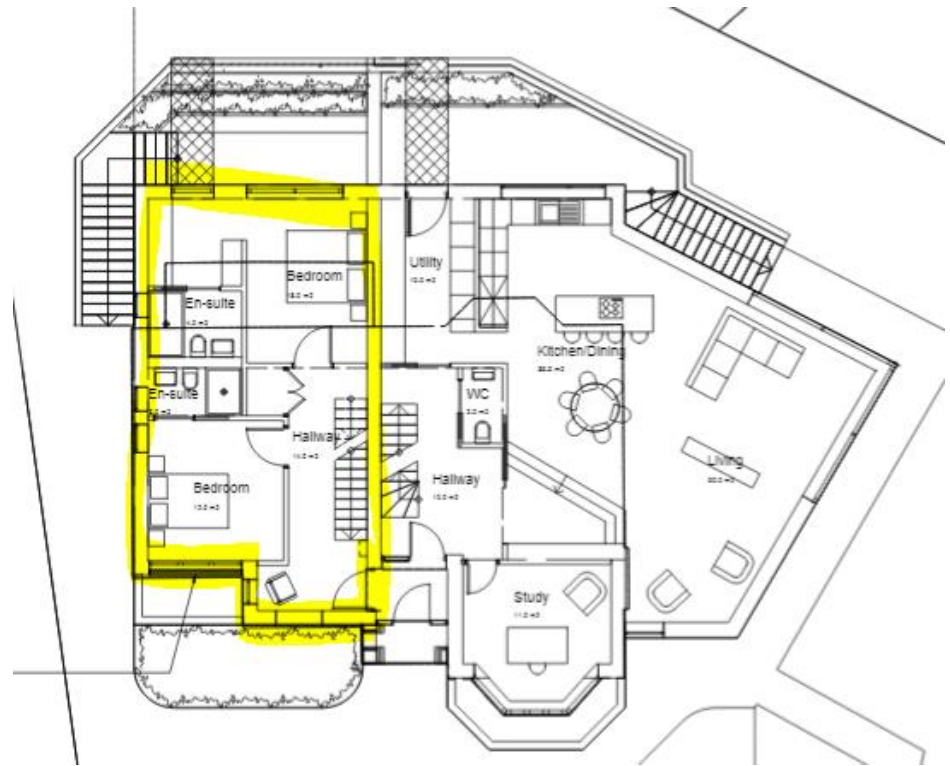
Planning permission (19/AP/0946) was granted on 01/10/2020 for 'Demolition of existing two-storey detached dwelling and construction of x2 two storey semi-detached dwellings comprising ground, first, attic and basement floor level accommodation with associated car parking and landscaping.' The planning permission has since lapsed.



# Dwelling and annex



Basement



Ground floor



# Demolition

## P20 Conservation areas

1. **Development** relating to conservation areas will only be granted where it **preserves** or enhances the **character or appearance** of conservation areas and their settings, taking into account their significance, views into and out of the conservation area and its positive characteristics identified in Conservation Area Appraisals and Conservation Area Management Plans.
2. The demolition of buildings or structures that make a positive contribution to the historic character and appearance of a conservation area will not generally be permitted. Any replacement buildings or structures must conserve and enhance the conservation area's historic character and distinctiveness.
3. Any harm to the significance of the conservation area or its setting that results from a proposed development must be robustly justified.

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# First floor rear bedroom



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# Trees

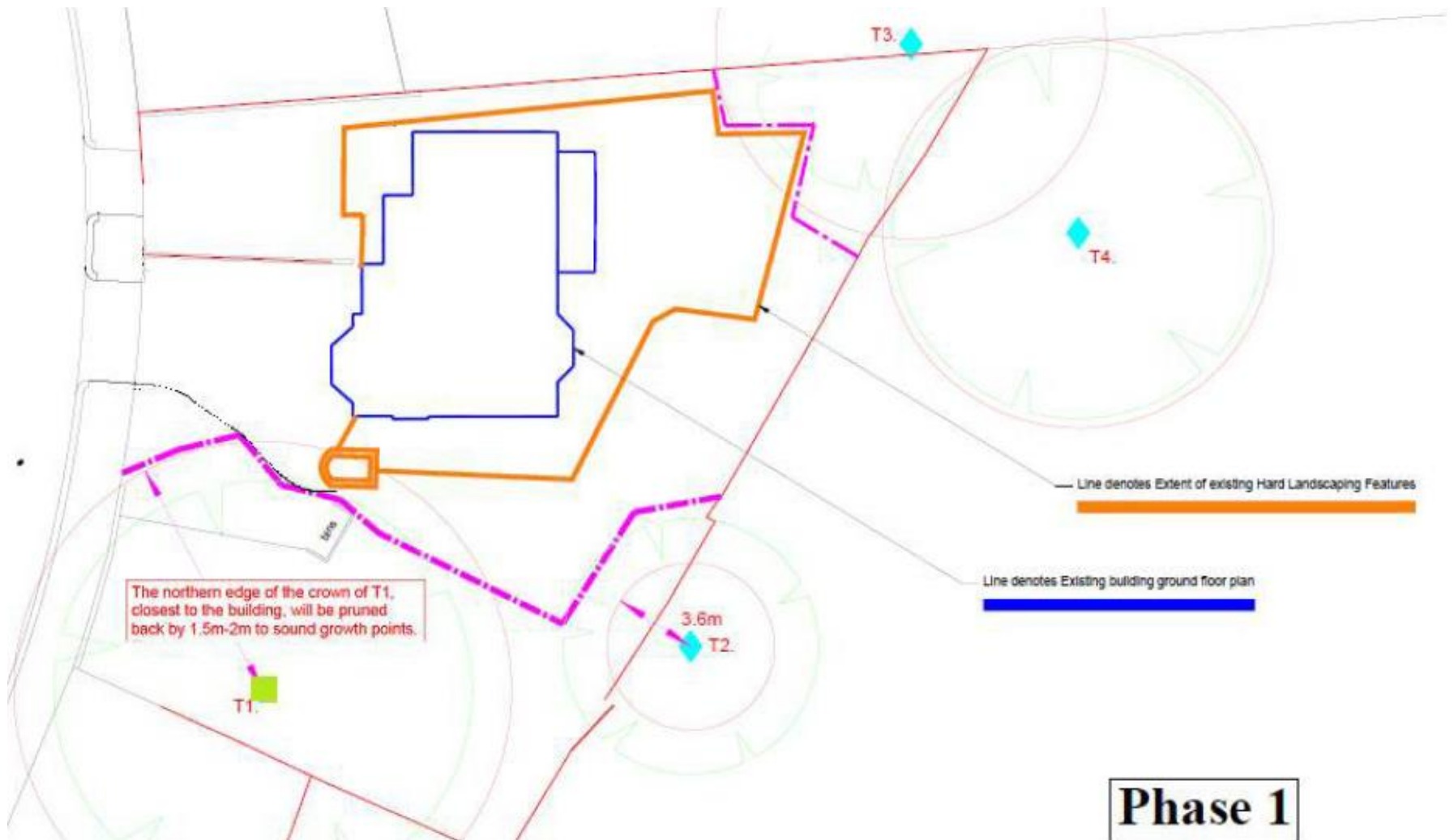


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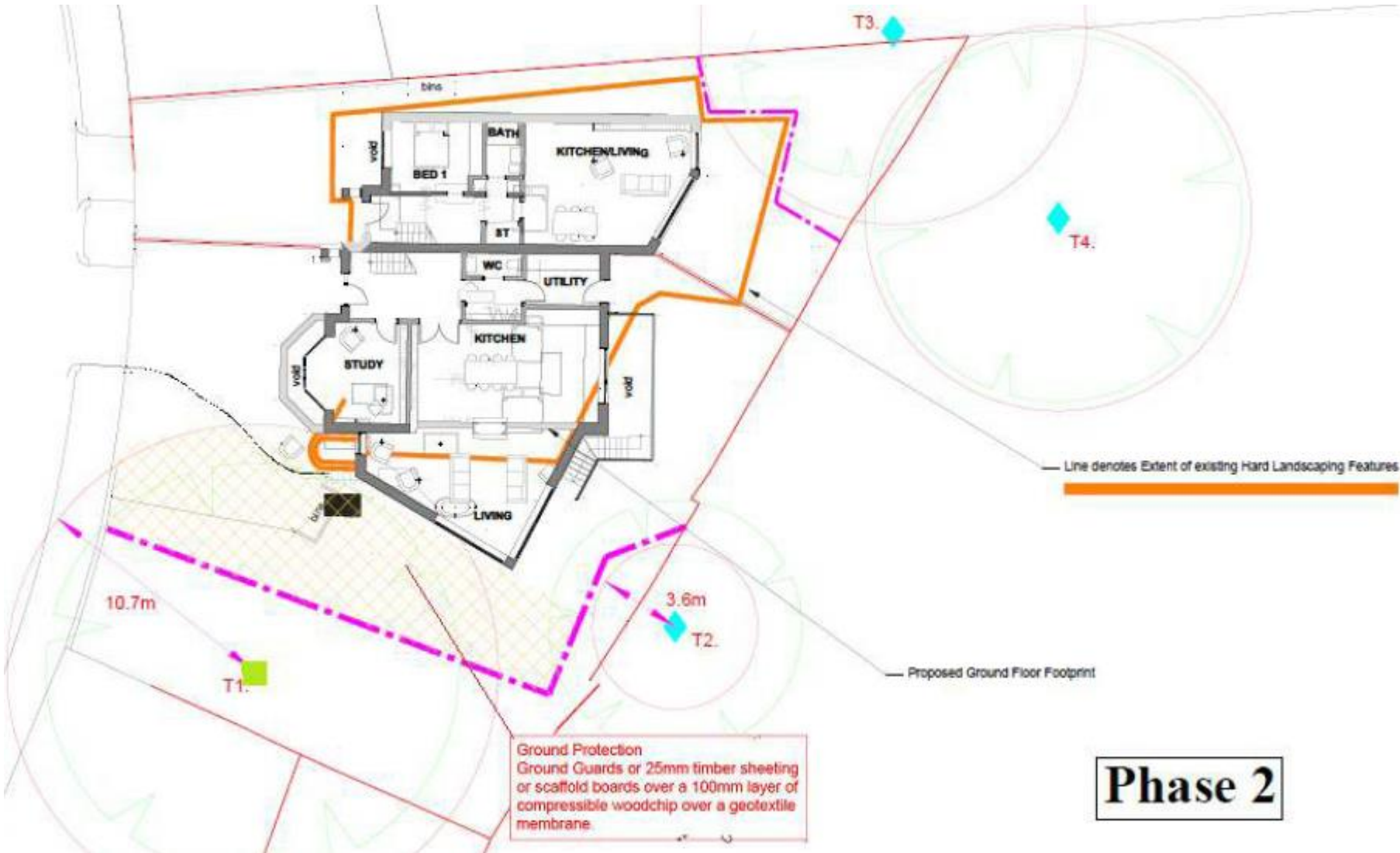
## Root Protection Area

1. Foundations: In accordance to drawing number -29 EC/01 -Cross Sections.
2. The excavated soil faces within a RPA will be kept as vertical as possible to retain the maximum of undisturbed soils and shuttered if required to avoid any soil face collapse.
3. If any living roots are uncovered from retained trees during excavation works, any roots smaller than 25mm diameter may be pruned back, preferably to a side branch using sharp tools such as bypass loppers or hand saws.
4. If significant larger roots (above 25mm diameter) or large amount of smaller roots are found then a best practice of root retention and protection will be adopted at the recommendations of the arborist.
5. Where possible, roots to the edge of the excavations will be left in place and carefully re-directed back into the surrounding soil.
6. Roots larger than 25mm shall only be cut following consultation with the on site arborist as these may be essential to the trees health or stability, otherwise they are to be retained.
7. Any roots exposed shall be protected from any bark damage and prevented from drying (desiccation) and from rapid temperature change by wrapping them in clean, dry Hessian sacking. The protected roots will then be re-covered as soon as possible by un-compacted, clean, local top soil.
8. The soil levels from the excavations towards the trees will be retained and not graded or battered to a lower level.
9. This protection will be an ongoing process, revised and amended as the works progress to best accommodate and protect any rooting system that may be uncovered.

# Tree protection plan phase 1



# Tree protection plan phase 2



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**Phase 2**

# Basement impact

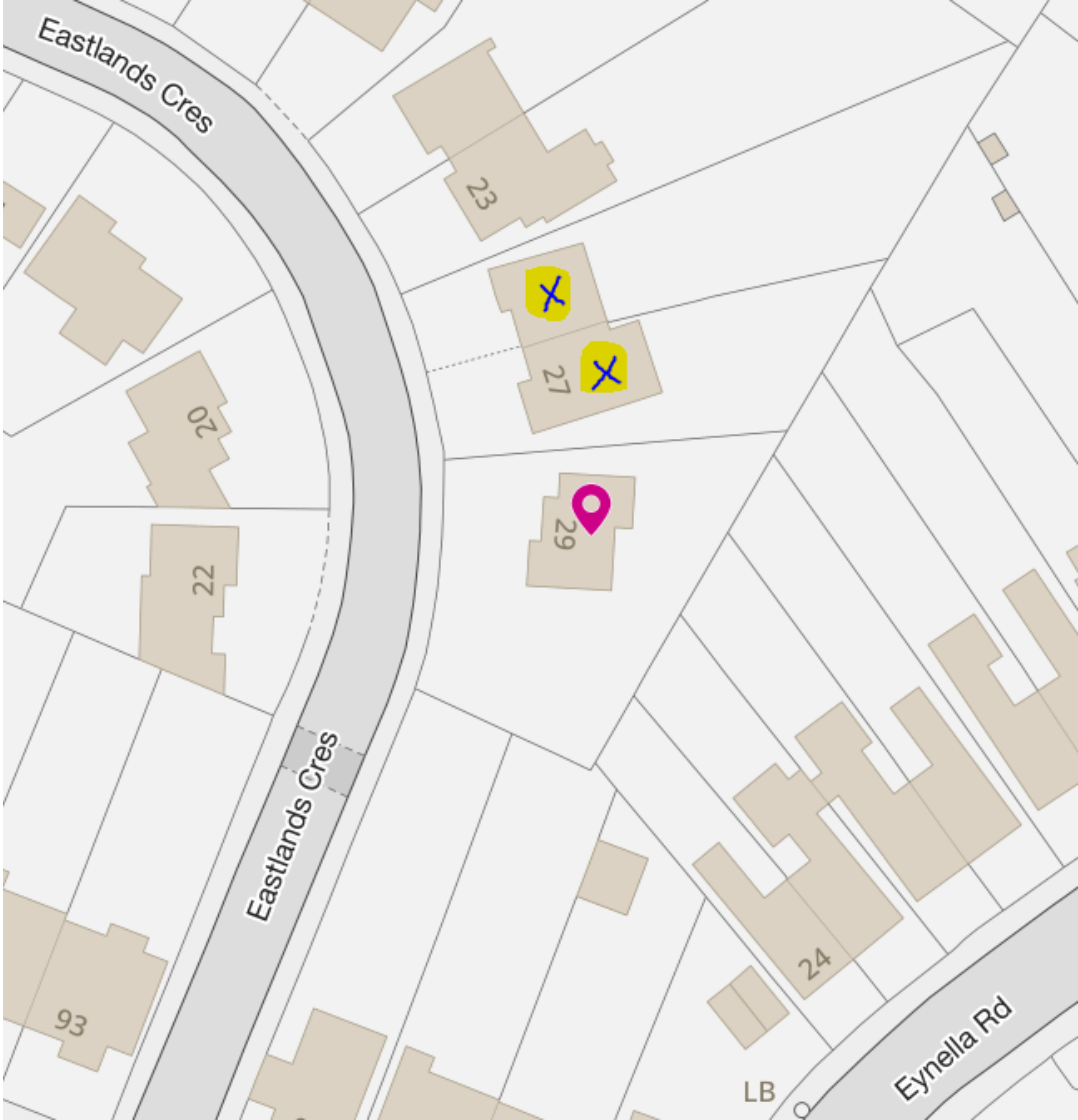


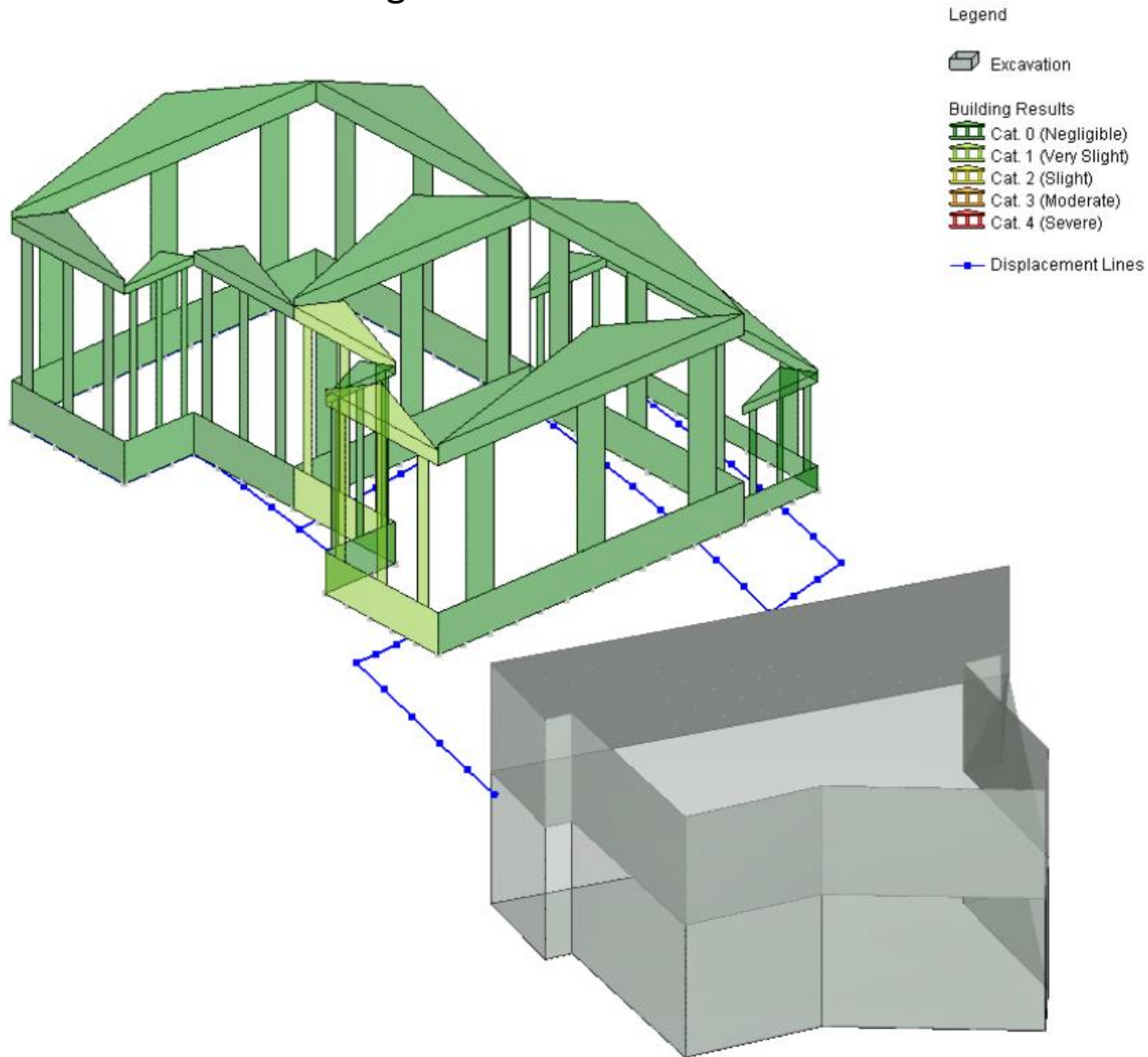
Table: Calculated Horizontal Strains and Deflection Ratios

Adjacent Property	XDISP Reference	Deflection Ratio (%)	Horizontal Strain (%)	Damage Category
27 Eastlands Crescent	27a-1	0.0032671	0.0494410	1 (Very Slight)
	27a-2	0.0020918	-0.0304000	0 (Negligible)
	27a-3	0.0054318	0.0580160	1 (Very Slight)
	27a-4	0.0020298	-0.0022550	0 (Negligible)
	27a-5	0.0055323	0.0442580	0 (Negligible)
	27a-6	0.0000000	0.0000000	0 (Negligible)
	27b-1	0.0000000	0.0000000	0 (Negligible)
	27b-2	0.0048420	0.0428290	0 (Negligible)
	27b-3	0.0000931	0.0075343	0 (Negligible)
25 Eastlands Crescent	25a-1	0.0000000	0.0000000	0 (Negligible)
	25a-2	0.0000000	0.0000000	0 (Negligible)
	25a-3	0.0007302	0.0329750	0 (Negligible)
	25a-4	0.0002848	-0.0010675	0 (Negligible)
	25a-5	0.0000000	0.0000000	0 (Negligible)
	25a-6	0.0000000	0.0000000	0 (Negligible)

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# Model: following basement construction



## Condition 3 amended

Prior to commencement, the following details shall be submitted to and approved in writing by the local planning authority:

- cross sections of the lay of the land showing surface and other changes to levels;
- special engineering and construction details required in order to facilitate demolition, construction and excavation;
- engineering method statement of the structural and retaining structure design for the proposed basement;
- all foundation depths in accordance with NHBC 4.2.13; or as engineer designed if below these depths.

Reason:

To ensure that the proposed development will not adversely impact the structural integrity of neighbouring properties; as well as ensuring that the visual amenities of the locality is preserved and enhanced in accordance with the National Planning Policy Framework 2023, Policies G1 (Green Infrastructure), G5 (Urban greening) and G7 (Trees and woodlands) of the London Plan 2021 and Policies P56 (Protection of amenity), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

## CONCLUSION

The design is consistent with the surrounding area and would contribute to the character of the Dulwich Village Conservation Area. A high quality of internal and external accommodation would be achieved, exceeding minimum policy requirements. There would be no adverse impacts on the amenity of neighbouring occupiers. It is therefore recommended that the application is approved, subject to conditions.