

Open Agenda



COMMUNITY COUNCILS

A voice for your community

Dulwich Community Council

Planning

Tuesday June 16 2009

7.00 pm

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

Membership

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

Reserves

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Contact Beverley Olamijulo on 020 7525 7234 or

Email: beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd
Chief Executive
Date 08 June 2009



Dulwich Community Council

Tuesday June 16 2009
7.00 pm
Herne Hill Baptist Church, Half Moon Lane, London SE24 9HU

Order of Business

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Date: June 08 2009

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

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Beverley Olamijulo
Phone: 0207 525 7234
E-mail: beverley.olamijulo@southwark.gov.uk
Council Website: www.southwark.gov.uk

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Yoruba

Item No. 6	Classification: Open	Date: 16 June 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	Nagla Stevens, Principal Planning Lawyer Constitutional Support Officer	
Version	Final	
<u>Dated</u>	June 8 2009	
<u>Key Decision</u>	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Legal and Democratic Services	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Control	No	No

ITEMS ON AGENDA OF THE DULWICH CC
on Tuesday 16 June 2009

Appl. Type Full Planning Permission
Site 120 BARRY ROAD, LONDON, SE22 0HP

Reg. No. 09-AP-0242
TP No. TP/2596-120
Ward East Dulwich
Officer Victoria Lewis

Recommendation GRANT PERMISSION
Proposal

Item 1/1

Erection of rear extension at lower ground and ground floor level (Use Class C3).

Appl. Type Outline Planning Permission
Site 11A FOUNTAIN DRIVE, LONDON, SE19 1UW

Reg. No. 08-AP-1267
TP No. TP/2345-1
Ward College
Officer Ronan O'Connor

Recommendation GRANT
Proposal

Item 1/2

Redevelopment of site to provide a detached dwellinghouse with access from Fountain Drive (application for outline planning permission with Access and Scale to be determined at this stage). Illustrative plans show a 3 storey building with undercroft parking for 2 cars.

Appl. Type Full Planning Permission
Site 17 CHESTERFIELD GROVE, LONDON, SE22 8RP

Reg. No. 09-AP-0416
TP No. TP/2294-17
Ward East Dulwich
Officer Rachel Gleave

Recommendation REFUSE PERMISSION
Proposal

Item 1/3

Retrospective application for retention of raised ridge height to roofslope and associated rear dormer addition.

Appl. Type Full Planning Permission
Site 21 NORTH CROSS ROAD, LONDON, SE22 9ET

Reg. No. 08-AP-0356
TP No. TP/2630-21
Ward East Dulwich
Officer Victoria Lewis

Recommendation GRANT PERMISSION
Proposal

Item 1/4

Continued use of ground floor as shop (Use class A1).

Appl. Type Council's Own Development - Reg. 3
Site KINGSWOOD HOUSE, SEELEY DRIVE, LONDON, SE21 8QN

Reg. No. 08-CO-0116
TP No. TP/H2027
Ward College
Officer Rachel Gleave

Recommendation GRANT PERMISSION
Proposal

Item 1/5

Renewal of planning permission 05-CO-0193 for the erection of two portacabins, due to a condition attached to the previous consent requiring either the removal of the portacabin or renewal of permission in 2 years from the date of that permission.

ITEMS ON AGENDA OF THE DULWICH CC

on Tuesday 16 June 2009

Appl. Type Council's Own Development - Reg. 3
Site KINGSDALE SCHOOL, ALLEYN PARK, LONDON, SE21 8SQ

Reg. No. 08-CO-0060
TP No. TP/2549-B
Ward College
Officer Sonia Watson

Recommendation GRANT PERMISSION

Item 1/6

Proposal

Conversion of hard and soft landscaped north playground into all-weather youth football pitch and 60 metre sprint running track with limited quantity of retaining walls, grass haunchings and ramps to form level site plus surrounding mesh fence and gates to pitch; associated hard and soft landscaping.



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1.1	Classification	Decision Level	Date
	OPEN	DULWICH COMMUNITY COUNCIL	16/06/09
From		Title of Report	
HEAD OF DEVELOPMENT MANAGEMENT		DEVELOPMENT MANAGEMENT	
Proposal: Erection of rear extension at lower ground and ground floor level (Use Class C3).		Address	
		120 BARRY ROAD, LONDON, SE22 0HP	
		Ward East Dulwich	
Application Start Date 17/02/2009		Application Expiry Date 14/04/2009	

PURPOSE

- 1 For consideration by the Dulwich Community Council due to the number of objections received.

RECOMMENDATION

- 2 Grant, subject to conditions.

BACKGROUND

Site location and description

- 3 The application site is a mid terrace property with basement which makes it 4 levels from the rear elevation but 3 storeys when viewed from the front. It is located on the western side of Barry Road, approximately 25 metres from the junction with Underhill Road.
- 4 The site is bounded by properties of similar character and the area is predominantly residential in nature. The property has an existing single storey lean-to extension which goes up to the boundary of No 122 but set back from the boundary of No 118 by approximately 2.5m.
- 5 The site forms part of the urban density zone and an air quality management area.

Details of proposal

- 6 Full planning permission is sought for the erection of a part single, part 2-storey rear extension at lower ground and ground floor level, following demolition of the existing structures at the rear of the site. At lower ground floor level the extension would span the full width of the rear elevation and would measure 6.680m deep and 3.7m high with a flat roof. At ground floor level it would be L-shaped and would measure 3.5m wide, 1.1m deep and 3.1m high, and would then turn the corner and project 4.2m along the boundary with 122 Barry Road and would measure 3.1m high with a flat roof.

7 Materials proposed are as follows:

- Render to the external walls;
- metal framed windows;
- sedum and glazed roofs.

8 Amended plans

The following amendments have been made to the plans:

1. Side door at ground floor level onto flat roof omitted.
2. Sliding ventilation panel shown on the right hand side of the rear window at ground floor level (with clarification that there is a void on the inside of this panel).
3. Balustrade to flat roof omitted;
4. Flat roof amended to a green roof.

Planning history

9 08-AP-2193 - Extension at rear basement (garden) level to single family dwelling house to provide additional residential accommodation - Lawful development certificate GRANTED in November 2008.

10 08-AP-0237 - Extensions at rear basement and ground floor levels to dwellinghouse to provide additional residential accommodation - Lawful development certificate GRANTED in March 2008.

11 07-AP-2723 - Extensions at rear basement and ground floor levels to dwellinghouse to provide additional residential accommodation - Lawful development certificate REFUSED in January 2008 for the following reasons:

1. The proposed extension is not considered to be lawful because it exceeds 4 metres in height within 2 metres of the boundary contrary to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995.

2. The proposed development is not considered to be lawful because the rear boundary wall with no. 122 Barry Road measures 4 metres high contrary to Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995.

Planning history of adjoining sites

No relevant history.

FACTORS FOR CONSIDERATION

Main Issues

12 The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies;
- b] amenity;
- c] design.

Planning Policy

Southwark Plan 2007 [July]

- 13 3.2 - Protection of amenity
3.12 - Quality in design
3.13 - Urban design

Residential Design Standards SPD (September 2008)

14 **Consultations**

Site notice date: 25/02/09

Press notice date: N/A.

Neighbour consultation letters sent:03/03/09

Case officer site visit date: 16/03/09

15 Internal consultees

N/A.

16 Statutory and non-statutory consultees

N/A.

17 Neighbour consultees

Notification letters have been sent to properties on Barry Road and Hindmans Road.

18 Re-consultation

No re-consultation undertaken.

Consultation replies19 Internal consultees

N/A.

20 Statutory and non-statutory consulteesThames Water

Request that the applicant incorporates a non-return valve within their proposal (informative recommended).

21 Neighbour consultees

Three representations have been received objecting to the proposals on the following grounds:

- Design out of keeping with the remainder of the terrace;
- Extension overly large and contrary to section 3.4 of the SPD;
- Loss of light and tests set out in the SPD not applied properly;
- Use of flat roof as a terrace;
- Noise and disturbance from use of flat roof as terrace;
- Loss of privacy from use of flat roof as a terrace;

- Loss of view (not a material planning consideration);
- Sense of enclosure / tunnel effect;
- query why the garden boundaries need to be extended;
- impact upon the structural stability of the adjoining properties (not a material planning consideration, covered separately under the Building Regulations);
- query the length of time it will take to complete the development (not a material planning consideration).

22 Re-consultation

N/A.

PLANNING CONSIDERATIONS

Principle of development

- 23 The proposal is to extend an existing house to provide additional living accommodation and this does not raise any landuse issues.

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

- 24 Policy 3.2 of the Southwark Plan seeks to ensure that developments provide an acceptable standard of amenity.
- 25 Concerns have been raised that the size of the proposed extension would result in loss of light, loss of outlook, a sense of enclosure and loss of privacy to 118 Barry Road, and would be contrary to guidance within the Residential Design Standards SPD.
- 26 118 Barry Road essentially mirrors the application site, having a 2-storey rear projection at lower ground and ground floor level, located approximately 3m off the boundary. There is a reception room window facing down the rear garden and a kitchen window in the side return, directly facing the site; there is also a half-glazed door to the kitchen, facing down the rear garden.
- 27 The proposed lower ground floor extension would bisect a 45 degree line taken from the centre point of the reception room window and a 25 degree line taken from the centre of the kitchen window, therefore it is likely that both rooms would experience some loss of light. They would certainly experience an increased sense of enclosure, and the orientation of the site is such that shadow from the extension would be cast in the direction of number 118 throughout the day.
- 28 However, the most recently approved lawful development extension would extend 5.8m along the boundary and measure 3m high. It too would bisect the 25 and 45 degree lines and would therefore potentially result in some loss of light to these windows, an increased sense of enclosure and additional shadow (reference: 08-AP-2193). This LDC application was determined under the October 2008 permitted development regulations.
- 29 The extension for which planning permission is now sought would only measure 0.7m deeper than permitted development extension, and 0.7m higher. It is not considered that the increase in depth would have a significant impact above and beyond what would be built under permitted development, although the 0.7m increase in height would be discernible to the occupiers of 118. However, given that the permitted development regulations would allow for a structure measuring 4m high on the boundary (0.3m higher than the extension for which permission is sought), it is not

considered that planning permission could be refused on this basis. It is however, recommended that a condition be attached to any forthcoming planning permission that the render to side elevation facing number 118 be painted a light colour, in order to reflect more light.

- 30 The proposed extension at ground floor level would be modest in size, measuring only 1m deep and would therefore have a very limited impact upon levels of light to ground floor windows at the rear of number 118. The ground floor window in the side return is understood to serve a bathroom and is obscure glazed, and the proposed ground floor extension would not extend in front of this window.
- 31 In terms of overlooking, concerns have been raised regarding use of the roof of the extension as a terrace, and potential noise, disturbance and loss of privacy. To overcome this, the plans have been amended to omit a door leading directly onto the flat roof, to remove a balustrade around the edges, and to sedum plant it. The only door onto the roof would be accessed from a void at lower ground floor level, and could likely only be reached by a ladder for maintenance purposes. However, a condition preventing use of the roof as a terrace is recommended, together with a further condition preventing the insertion of any windows or doors in the side elevation of the extension at ground floor level facing number 118, to ensure no loss of privacy.
- 32 122 Barry Road has a 2-storey rear extension at lower ground and ground floor level with terrace over, located on the boundary with the application site. The extension at lower ground floor level would not project beyond the main rear wall (containing windows) of this extension. It would be 0.8m higher on the boundary than the existing structure but given that it would not project beyond the rear windows to number 122, no significant loss of light would occur; shadow from the extension would be cast away from this property throughout the day.
- 33 In terms of privacy, the removal of general access onto the flat roof of the extension ensures that no loss of privacy would occur to this property. There may be views from number 122's rear terrace down through the glazed roof into the extension, but the extension itself would not reduce privacy to the roof terrace or rear windows at number 122.

Design issues

- 34 Policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments achieve a high standard of design.
- 35 Concerns have been raised that the design and size of the proposed extension would be out of keeping with the remainder of the terrace.
- 36 The proposed extension would sit comfortably below the existing first floor windows and although large in footprint, would appear as a clearly subservient addition to the rear of the building, in accordance with SPD guidance. It would adopt a simple, contemporary design and the use of render would help the structure to blend in with the original building. A condition requiring all work of making good to match existing is recommended, to ensure a satisfactory finish.

Other matters

- 37 There are no other matters arising from the proposal.

Conclusion

38

The size of the lower ground floor extension is such that it would undoubtedly impact upon the amenities of 118 Barry Road, but not to a significant extent over and above what could be built under permitted development rights, and the ground floor level extension would be modest in size therefore, on balance, it is recommended that conditional planning permission be granted.

COMMUNITY IMPACT STATEMENT

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

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

SUSTAINABLE DEVELOPMENT IMPLICATIONS

40 The flat roof of the lower ground floor extension will be planted which will help to absorb some of the rainwater.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Victoria Lewis	Senior-Planner- [tel.020 7525 5410]
		Development Management
CASE FILE	TP/2596-120	
Papers held at:	Regeneration and neighbourhoods dept., 160 Tooley Street SE1 2TZ	
	tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk	

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 & Ms S. Packer
Application Type Full Planning Permission
Recommendation Grant permission

Reg. Number 09-AP-0242

Case Number TP/2596-120

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of rear extension at lower ground and ground floor level (Use Class C3).

At: 120 BARRY ROAD, LONDON, SE22 0HP

In accordance with application received on 06/02/2009

and Applicant's Drawing Nos. 4162/LP-01A, PH-01, 01-01A, 01-02A, 01-03A, 01-04A, 01-05A, 01-08A, 01-09A, 01-10A, 01-11A, 01-12A, 02-01D, 02-02E, 02-03D, 02-04D, 02-05D, 02-06E, 02-07E, 02-08D, 02-09D, 02-10E, 02-11E, 02-12D, Design and Access Statement.

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 roof of the extensions hereby permitted shall not be used other than as a means of escape or for maintenance purposes, and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason

In order that the privacy of 118 Barry Road may be protected from overlooking from use of the roof area in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking and / or re-enacting that Order) no windows or doors shall be inserted in the north elevation (facing 118 Barry Road) of the ground floor extension hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the privacy of 118 Barry Road may be protected from overlooking, in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 4 Unless otherwise specified on the drawings, the facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan 2007.

- 5 The side elevation of the extension on the boundary with 118 Barry Road shall be painted a light colour and shall be retained as such hereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To reflect additional light towards the rear elevation of 118 Barry Road, in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

Reasons for granting planning permission.

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

a] Policies 3.2 - Protection of amenity, 3.12 - Quality in design and 3.13 - Urban design of the Southwark Plan [July 2007].

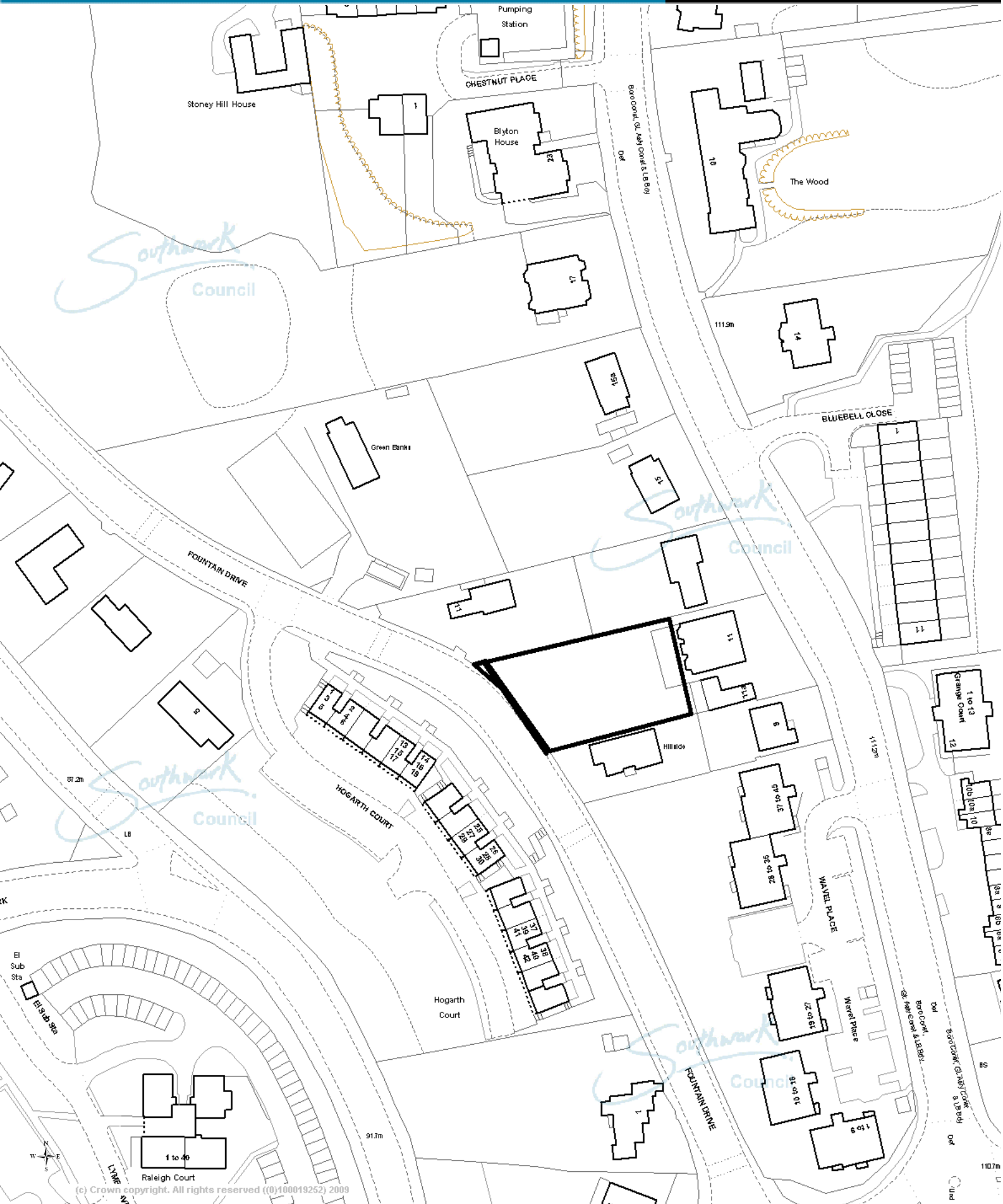
Particular regard was had to the impact upon the amenities of 118 Barry Road that would result from the proposed development, but given the size of extension that could be constructed under permitted development rights and for which a lawful development certificate has been obtained, it was not considered that there would be any demonstrable harm over and above the impact of a permitted development extension. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Informative

Thames Water requests that the property be protected by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Ordnance Survey

Date 5/6/2009



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Item Number 1.2	Classification OPEN	Decision Level Dulwich Community Council	Date 16/06/09
From Head of Development Management		Title of Report DEVELOPMENT MANAGEMENT	
Proposal (08-AP-1267) Redevelopment of site to provide a detached dwellinghouse with access from Fountain Drive (application for outline planning permission with Access and Scale to be determined at this stage). Illustrative plans show a 3 storey building with undercroft parking for 2 cars.		Address 11A FOUNTAIN DRIVE, LONDON, SE19 1UW Ward College	
Application Start Date 25/06/08		Application Expiry Date 20/08/08	

1. PURPOSE

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

2. BACKGROUND

2.1 Site location and description

0.106ha site located on the eastern side of Fountain Drive in the College area of the borough. The site subject would originally have formed the large rear garden of 11 Sydenham Hill, which is located to the east; this property has recently been converted to flats. The land is currently vacant and is situated between 11 Fountain Drive and a property known as Hillside, both of which are detached dwellinghouses. The site has a moderate slope, and although much of the area is grassed, there are numerous mature trees located around the site boundaries.

The surrounding area is characterised by a combination of large detached dwellinghouses located on individual sites, with some more recent terraced housing located opposite on Fountain Drive. The subject site is not located within a Conservation Area and there are no statutory listed buildings in the vicinity.

2.2 Details of proposal

This application seeks outline planning permission for the redevelopment of the site to provide a detached dwellinghouse with access from Fountain Drive. Scale and Access only are to be determined at this stage with all other matters reserved. The Design and Access Statement indicates that this would be a 6 bedroom dwelling with double height spaces throughout.

Illustrative plans show a three-storey building with a maximum height of 9m to be sited centrally within the site. The building would have a maximum depth of 18.5m on its northern elevation and would be set back from the road by approximately 12m. The frontage of the building would be slanted to follow the curve of the road and would be 13.5m wide. Overall the building would have a footprint of 218sqm.

Car parking has been illustrated in the form of an undercroft parking area to accommodate 2 vehicles which 3 cycle parking spaces would be provided.

2.3 Planning history

The application site has been subject to the following relevant planning applications:

07-AP-1328

Planning permission **refused** under delegated powers for the erection of a two-storey detached house with double garage, 2 parking space and 6 bike parking spaces (outline application) for the following reasons:

1. The siting and layout of the dwellinghouse due to its extensive footprint, in particular the 18 metre frontage parallel to the road, is considered to have a harmful visual impact upon the character of the local area, which is for buildings to be more subservient to the mature gardens. The development would therefore be contrary to policies 3.2 'Protection of Amenity' , 3.11 'Efficient Use of Land' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.

2. The development would require the removal of mature vegetation, the extent of clearance and impact on the health and vitality of retained vegetation has not been assessed, and likewise there is no detail of avoidance, protection or mitigation measures. There are potentially significant adverse effects on the natural environment, habitat, streetscene and public amenity from these works, and therefore it is considered that the development would be contrary to policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of The Southwark Plan [UDP] July 2007.

3. There is an overall lack of detailed information provided in support of the outline planning application, and therefore it is not possible to assess accurately the likely impacts on privacy, overlooking, character of the area, streetscape, transport, waste, and general amenity of the site and wider neighbourhood. Therefore it has not been demonstrated that the development would have acceptable impacts and as such it is considered to be contrary to policies 3.1 'Environment Effects', 3.2 'Protection of Amenity', 3.11 'Efficient Use of Land', 3.12 'Quality in Design', 4.2 'Quality of Residential Accommodation', 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of The Southwark Plan [UDP] July 2007.

4. The proposed building height shown on the plans has been taken from the top of the boundary fence rather than at true ground level. This combined with the lack of a topographical survey or heights shown on other (side) elevations results in an inaccurate building height, in particular the height relationship with the adjacent buildings along Fountain Drive. Insufficient information has been provided to demonstrate that the indicated height of the building would not cause harm to the amenity of the neighbouring properties or to the streetscape, therefore the development is considered to be contrary to policies 3.2 'Protection of Amenity' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.

07-AP-1303 (11 Sydenham Hill)

Planning permission **granted** at Dulwich Community Council for the Conversion of main house to form 8 flats, with alterations to the windows and doors in all elevations and the provision of two new front dormers, a new dormer to each side roof plane and three new rear dormers, creating new accommodation within the basement, ground, first and second floors. Single storey rear extension and refurbishment of lodge (to remain a single dwelling), removal of rooflights from side roof plane and the replacement / provision of new doors and windows to side elevations. Provision for landscaping, 6 car parking spaces, 9 cycle parking spaces and refuse store to front. All in association with the creation of additional residential accommodation.

3. FACTORS FOR CONSIDERATION

3.1 Main Issues

The main issues in this case are:

- a] The principle of the development in terms of land use and conformity with strategic policies.
- b] Scale, massing and impact on the character of the Fountain Drive streetscene.
- c] Residential amenity.
- d] Neighbour amenity.
- e] Access, Transportation and Parking.

3.2 Planning Policy

Southwark Plan 2007 [July]

SP11- Amenity and Environmental Quality

SP13 - Design and Heritage

SP14 - Sustainable Buildings

SP17 - Housing

SP18 - Sustainable Transport

SP19 - Minimising the Need to Travel

3.2 - Protection of Amenity

3.11 - Efficient Use of Land

3.12 - Quality in Design

3.13 - Urban Design

3.14 - Designing Out Crime

4.1 - Density of Residential Development

4.2 - Quality of Residential Accommodation

5.2 - Transport Impacts

5.3 - Walking and Cycling

5.6 - Car Parking

London Plan 2004

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

3A.2 - Borough housing targets

4B.1 - Design principles for a compact city

4B.3 - Maximising the potential of sites

4B.6 - Sustainable design and construction

4B.7 - Respect local context and communities

4C.8 - Sustainable drainage

6A.5 - Planning Obligations

3.3 Consultations

Site Notice: 31/07/08

Site Visit: 31/07/08 - unaccompanied

Internal Consultees

Arboriculturalist

Access Officer

Transport Group
Waste Management

Neighbour Consultees
As list in Acolaid.

3.4 Consultation replies

Internal Consultees

Access Officer:

Raises no objections to the proposed development.

Transport Planning:

Raise no objections to the principle of providing an additional dwelling in this location. Note that 2 parking spaces is considered over provision however do not feel that it would be expedient to object due to the provision of just 1 additional space.

Neighbour Consultees

The Council has received 3 objections from the neighbouring residents at 11 Fountain Drive (2 letters and e-mail), 5 Fountain Drive and 'Hillside', Fountain Drive raising the following planning concerns:

- lack of detail in the proposals
- Overlooking, loss of privacy and overshadowing of existing neighbouring properties.
- A three-storey building would have a harmful impact on the character of the road. The height should not exceed the adjacent properties.
- Unacceptable increase in population density.
- Loss of trees.

In addition the Council has received 5 letters of support from the neighbouring residents at Flats 2, 5 & 7 - 11 Sydenham Hill, 'Woodside Lodge', Sydenham Hill and 13 Sydenham Hill citing the following reasons:

- The site is currently empty and the area would benefit from new family housing.
- The scheme is low impact with a high quality design.
- The development would be shielded by trees and shrubs.
- A condition should be that all the trees must be retained and the height of the building should not exceed the adjacent buildings.

Dulwich Society:

Object to the proposed development and raise concerns over the lack of detail contained within the application. In particular concerns are raised with regard to the following issues:

- The height and footprint would be out of scale with the surrounding properties.
- Highway safety.
- Loss of amenity to neighbouring properties, in particular loss of garden from 11 Sydenham Hill.
- Impact on trees.

4. PLANNING CONSIDERATIONS

4.1 Principle of development

The London Plan requires that provision should be made to accommodate 1480 new households yearly within the borough and reiterates this need for housing to be provided within London as a whole. Although the proposed development is only for a

net increase of 1 additional unit of accommodation this will go towards the required housing provision and will provide additional diversity in the housing stock in the surrounding area. The new unit would also not be developed at the expense of other important land uses thereby meeting the requirements of Policies SP14 and SP17.

Concern has been raised by the Dulwich Society with regard to the loss of amenity space for the existing property at 11 Sydenham Hill as the application plot of land would have originally formed the rear garden for the house. Planning permission was granted in 2007 for the conversion of this property into flats, this was granted on the basis of the reduced plot size and did not include the application site. The level of amenity space was therefore considered acceptable and will not be affected as a result of the current application.

The lack of detail contained within the application has also been questioned. It should be noted however that this application seeks outline planning permission with only scale and access to be considered at this stage. If planning permission were granted all other matters, including appearance, landscaping and layout, would be considered at the reserved matters application stage, which would require further public consultation and consideration by the Council.

4.2 Design, Appearance and Impact on Streetscene

Development proposals are expected to achieve high standards of design and urban design objectives by responding to and reinforcing locally distinctive patterns of development. As previously noted this application is in outline form and the Council is only able to consider the scale and massing of the development in the context of the surrounding area.

The previous application cited inappropriate impact on the streetscene as a reason for refusal with the width and height of the building considered overly dominant and out of character. The current application has been reduced in width to 13m and would be set back from the road by 12m. The building line now more closely follows that of the adjoining properties by creating a stagger as the road bends.

The height has been reduced to a maximum of 9m to the top of the set back third floor. This would be approximately the same height at 11 Fountain Drive and would be lower than Hillside to the south. As the building is set centrally within the site this has also allowed the retention of the majority of the trees, which would greatly shield the property from the road and the neighbours.

The pattern of development in the surrounding area is made up of a wide variety of building types with no one form of development prevailing. Therefore although the width of the building would be larger than the adjoining properties, this not considered to be detrimental to the character and appearance of the streetscene given the variety of development in the area. The width of the building is in proportion with the width of the plot and appropriate gaps are maintained between the new building and adjoining houses. 13m would be maintained to the north between the application building and 11 Fountain Drive, while 9m would be maintained to the south between the application building and Hillside.

The Design and Access Statement indicates a contemporary style of building would be provided, and it is considered that a suitable design within the massing indicated could appropriately sit within the context of the streetscene. The immediate vicinity is characterised by the two 1960s dwellings either side of the application site, whereas the wider area is a mixture of both modern and period buildings. Number 11 Fountain Drive and Hillside offer no particular form of architectural merit or historical significance that should dictate future construction on the application site. They were themselves secondary buildings constructed in the contemporary style of the time in

the large rear gardens of those properties on Sydenham Hill to the east. Therefore provided that the scale and proportions are respected, which has been demonstrated as acceptable, and subject to detailed design consideration, a contemporary building is considered appropriate in this location.

Maintaining the character and appearance of the area would be subject to the retention of the existing trees within the site, which are significant within the streetscene. This could be ensured through the imposition of an appropriate condition. See section 5.3 below for further evaluation of impact on trees.

4.3 Trees

The submitted tree appraisal details one tree for removal, this is an apple tree in poor condition. The other trees located along the perimeter of the site would be retained subject to appropriate tree and root protection methods during construction and by the use of suitable construction methods. The Tree Appraisal concludes that this could be achieved, within the context of the scale and massing, and should permission be granted this could be ensured through the imposition of appropriate conditions.

Subject to those trees being protected and retained as detailed, it is considered that the proposed development would not have a detrimental impact on the character of the surrounding area. Should permission be granted this would be on the basis that landscaping be considered at the reserved matters stage where an appropriate landscaping and planting plan be considered which would seek to enhance and improve the existing site.

4.4 Standard of Accommodation and Amenity Space

The footprint of the building is proposed at 218sqm; split over 3 storeys as proposed this would give an approximate floor area of 600sqm. The Design and Access Statement indicates that this would provide a luxury and unique 6 bedroom dwelling with double height voids and facilities such as a private cinema and a pool/spa. It is considered that the development could provide an appropriate standard of internal accommodation, with generous room sizes to meet the needs of future occupants.

Amenity space would be provided in the form of a private garden surrounding the application building and taking advantage of the mature vegetation on the site. To the rear of the building a level area of approximately 10 m in depth would be provided with this then sloping upwards to the rear boundary of 11 Sydenham Hill. It is considered that this, combined with the wider garden, would be more than adequate to meet the needs of future residents, while appropriately relating to the scale of the building and the size of the application plot.

4.5 Neighbour Amenity

The proposed building could be appropriately designed to ensure the development would not have a detrimental impact on the amenity of neighbouring residential properties through loss of sunlight/daylight, visual intrusion or loss of privacy.

The building would be to a no greater height than those buildings located on either side of the application premises. While appropriate separation gaps of 13m would be maintained to the north between the application building and 11 Fountain Drive, and 9m maintained to the south between the application building and Hillside as previously mentioned. Furthermore both boundaries are currently screened by mature vegetation which would be maintained as part of the proposed development.

Due to the curve in the road and the substantial set back from the front of the site the front elevation of the building is set-back to a level beyond that of the rear elevation of no. 11 Fountain Drive. Outlook from the side windows of this dwelling would therefore continue to look straight along Fountain Drive without interruption from the proposed

building. Hillside to the south of the application building also has its principle outlook south and away from the application site.

The orientation of the site and the siting of the building ensures that there would be no loss of sunlight or daylight experienced as a result of the proposed development.

Any potential for overlooking being experienced at a result of the building and any roof terraces could be carefully controlled at the detailed design stage when the appearance is considered through a reserved matters application.

4.6 Access, Transportation and Parking

The application site is located within an area of medium access to public transport with a PTAL of 3. The subject development proposes the provision of 2 parking spaces which is considered an over provision in this location. It is not considered reasonable however to refuse permission on this basis as it relates only to the addition of 1 additional space on a very large plot of land for a substantial property. Any future areas of parking within the site could be restricted at the reserved matters stage through detailed consideration of landscaping.

The principle of the access arrangements to the site are considered acceptable and would not have a detrimental impact on the safe operation of the surrounding highway or road network. This is subject to the detailed consideration of landscaping at the reserved matters stage.

4.7 Planning obligations [S.106 undertaking or agreement]

It is recognised that new housing developments create increased pressure and demand on local services. However the provision of just 1 additional unit of accommodation would not meet those thresholds outlined within the SPD. As such should permission be granted the applicants would not be required to enter into an agreement.

4.8 Conclusion

The Council would welcome the redevelopment of the application site for residential purposes. The applicant has demonstrated that a development of this scale and with this access could be effectively accommodated without detriment to the surrounding residential properties or road network.

Subject to the imposition of appropriate conditions and the submission of reserved matters applications for appearance, landscaping and layout there is no reason to withhold outline planning permission in this instance.

5. COMMUNITY IMPACT STATEMENT

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

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

6. SUSTAINABLE DEVELOPMENT IMPLICATIONS

No details of materials or other matters around the sustainability of the proposed building have been provided with the application. However as this is an outline

application to establish the principle of a house on the site it is considered that conditions could be added to deal with the energy efficiency measures to be provided within the proposed dwelling.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Amy Lester	Senior-Planner- [tel. 020 7525 5461] Development Management

CASE FILE	TP/2345-1
Papers held at:	Regeneration & Neighbourhoods 160 Tooley Street London SE1 2TZ [tel. 020 7525 5403]

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Akuma Ltd	Reg. Number 08-AP-1267
Application Type	Outline Planning Permission	
Recommendation	Grant	Case Number TP/2345-1

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Redevelopment of site to provide a detached dwellinghouse with access from Fountain Drive (application for outline planning permission with Access and Scale to be determined at this stage). Illustrative plans show a 3 storey building with undercroft parking for 2 cars.

At: 11A FOUNTAIN DRIVE, LONDON, SE19 1UW

In accordance with application received on 19/05/2008

and Applicant's Drawing Nos. 019_039; 019-040; 019-041; 019-043; 019_047 (received 19/05/08)

Tree survey info and tree survey plan (received 28/5/08)

Tree appraisal & protection (received 08/07/08)

019-037; 019-038 rev A; 019-042; 019-044 rev D; 019-048 (received 10/11/08)

019-045 rev A; 019-051 rev D; 019-052 rev A; 019-053 rev A (received 29/12/08)

Subject to the following condition:

- 1 Details of the appearance, landscaping and layout, (hereinafter called "the reserved matters") shall be submitted to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990 as amended.

- 2 Details including samples where appropriate of the 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 appearance of the building in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 3 Details of the means of storage of refuse and recycling waste shall be provide prior to occupation of the dwelling. Such details shall be submitted to (2 copies) and approved by the local planning authority and the facilities approved shall be made available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

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

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

Reason

In order that the amenity of the adjoining properties are not compromised and in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 5 The tree protection methods detailed within the ACS Consulting Arboricultural Implications Report shall be implemented in accordance with the details therein. Prior to the commencement of works a site meeting should be held between the developers arboricultural consultant the and Local Authority Arboriculturist to ensure that the protective tree fencing has been properly erected and affords adequate protection to the root protection zones.

Reason

In order that the Local Planning Authority may be satisfied with the details of the scheme in accordance with Policy 3.12 'Quality in Design' and 3.2 'Protection of Amenity' of the Southwark Plan 2007

- 6 Details for the arrangements for the parking of vehicles associated with the dwelling shall be submitted to and approved prior to occupation and the scheme, the approved details shall be implemented prior to occupation of the dwelling.

Reason

To ensure the permanent retention of the parking spaces, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties in accordance with Policy 5.2 Transport Impacts of The Southwark Plan 2007.

- 7 Details of a scheme to demonstrate what energy efficiency measures including water reduction and grey water recycling would be incorporated within the development shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site. Such details to be implemented as approved.

Reason

To ensure the new dwelling includes energy efficiency measures within the design in compliance with Policies 3.4 Energy Efficiency and 3.9 Water of the Southwark Plan 2007.

Reasons for granting planning permission.

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

a] Policies SP11 'Amenity and Environmental Quality', SP13 'Design and Heritage', SP14 'Sustainable Buildings', SP17 'Housing', SP18 'Sustainable Transport', SP19 'Minimising the Need to Travel', 3.2 'Protection of Amenity', 3.11 'Efficient Use of Land', 3.12 'Quality in Design', 3.13 'Urban Design', 3.14 'Designing Out Crime', 4.1 'Density of Residential Development', 4.2 'Quality of Residential Accommodation', 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of the Southwark Plan [July 2007].

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

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.



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Item no. 1.3	Classification OPEN	Decision Level DELEGATED	Date 16/06/2009
From HEAD OF DEVELOPMENT MANAGEMENT		Title of Report DEVELOPMENT MANAGEMENT	
Proposal (09-AP-0416) Retrospective application for retention of raised ridge height to roofslope and associated rear dormer addition.		Address 17 CHESTERFIELD GROVE, LONDON, SE22 8RP Ward East Dulwich	
Application Start Date 06/03/2009		Application Expiry Date 01/05/2009	

PURPOSE

- 1 To consider the above application at Community Council as there are six letters in support of the application and the officer is recommending refusal.

RECOMMENDATION

- 2 Refuse Planning Permission – ***Refer to Enforcement Team to determine whether to pursue further action.***

BACKGROUND

3 Site location and description

The site is located on the north side of Chesterfield Grove, approximately 75m west of the junction with Lordship Lane. The site forms part of a terrace row of two storey dwellings all of a similar style and appearance.

A slight change in levels to the lay of the land requires the alteration of ridge heights as the terrace ascends up the street, this occurs in a defined pattern to every set of houses, is an original feature of the terrace and is a usual practice and appearance to properties of this type.

4 Details of proposal

The proposal details a retrospective application for the raising of the ridge height to no.17 Chesterfield Grove, as well as the incorporated rear dormer addition within this.

The ridge height has been raised by 0.5m from no.15 Chesterfield Grove, 0.3m from no.19 Chesterfield Grove. A natural alteration between these ridge heights at no.'s 15 and 17 Chesterfield Grove occurred previously due to the lay of the land, however no.'s 17 and 19 would have originally matched.

A rear dormer has also been incorporated, being L-shaped and measuring 2.4m high, 4.4m wide and 3.5m deep within the main roofslope and 2.95m wide, 2.3m high and 2.85m deep within the rear outrigger projection roofslope.

5 Planning history

No planning history.

6 Planning history of adjoining sites

Various applications for alterations to properties here – none to raise the ridge of a dwelling.

FACTORS FOR CONSIDERATION

7 Main Issues

The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] the impact upon the amenity of adjoining occupiers;
- c] the design of the proposal.

8 Planning Policy

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

Supplementary Planning Document for Residential Design Standards 2008

9 Consultations

Site notice date:
 03-04-2009

Press notice date:
 N/A

Neighbour consultation letters sent:
 27-03-2009

Case officer site visit date:
 03-04-2009

Internal consultees
 N/A

Statutory and non-statutory consultees
 N/A

Neighbour consultees
 15, 17, 18, 19, 20, 22 Chesterfield Grove

Re-consultation
 N/A

10 Consultation replies

Internal consultees

N/A

Statutory and non-statutory consultees

N/A

Neighbour consultees

Six responses in support of the application from 74A Landcroft Road, 17 Ashbourne Grove, 35 Nutfield Road, 11 Stories Mews, 335a Underhill Road and 22 Chesterfield Grove. They make the following comments:

- While the alteration to the roof came as a shock, it would probably be excessive to ask for changes to it now;
- The alteration to the front roof is noticed but the height does not seem to be out of proportion with the height of the roof ridge of other houses on the street;
- Not all the roof slopes are all uniform on Chesterfield Grove or many of the streets in East Dulwich;
- There are several houses on Nutfield Road where the roof line has visibly changed as a result of approved loft conversions whereas the change at 17 Chesterfield Grove is not obviously visible;
- The works have been carried out to a high standard;
- Does not cause harm to neighbours.

One response received in objection to the application from Chesterfield Grove in objection to the proposal making the following comment:

- The alteration is in contradiction the Southwark Plan and Supplementary Planning Document;
- The increased ridge height is aesthetically intrusive on a street of largely uniform roofline;
- The rear dormer is visible form the roadway and is even more obtrusive when viewed from the 1st floor of properties;
- The rear extension unduly affects the privacy and amenity of the adjoining properties, blocking light from the west;
- The massing is not inkeeping with adjoining properties;
- The application cites a number of properties on Chesterfield Grove where roofline has been amended in attic space conversion works, none of those extend beyond the highest part of the existing Party Wall height and therefore do not set a precedence for the scale and raised ridge level of this development;
- Planning application at no.1 Chesterfield Grove was refused;
- Drawings completed prior to completion of works showed an increase in ridge height.

Re-consultation

N/A

PLANNING CONSIDERATIONS

11 Principle of development

In principle there is an objection to this application which is contrary to policy 3.12 Quality in Design and related guidance within Supplementary Planning Document for Residential Design Standards 2008.

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

The proposal details the raising of the ridge of this premises above that of both the adjoining properties at no.'s 15 and 19 Chesterfield Grove. This creates an incongruous feature within the streetscene here, completely disproportionate to the adjoining houses and unbalancing the rhythm and flow of the pattern to rooflines

here. The rear dormer proposed in practise amounts to a third storey extension, completely engulfing the roof plane to the rear of the property here. Again this is consider disproportionate to the building and entirely inappropriate to the context of site, it is acknowledged however that the extension work to the roof falls within the criteria of permitted development and subject to the reduction in the ridge height would not require planning permission.

While a number of consultation responses have been received in support of the application, they do not demonstrate that the alteration is acceptable in policy terms and merely state that the works have been completed to a high standard and that the alteration is not visible. It is considered following an officer visit to the site, that the alteration is highly visible from the streetscene, and clearly conflicts with the visual impact of the streetscene here, generated from roofslopes prior to the alteration.

13 **Design issues**

Supplementary Planning Guidance for Residential Design Standards clearly stipulates that extensions should harmonise with the character of the area, respecting the historic pattern and established grain of the surrounding area. The proposal details a roof alteration which is alien to the established appearance of roof planes here. While the applicant contends that there are other properties within the street where there are altered roof planes, this is an original feature of the terrace, with a change in ridge heights as properties ascending the street accommodating the change in levels to the lay of the land. Other alterations in the form of rear dormer extensions have been completed under permitted development rights, which it is likely that the application property would have been able to exercise had they not raised the ridge to the property. What the development has created is an impact in conflict with these existing patterns and rhythms to the streetscape here, raising the ridge in isolation to both adjoining properties.

Furthermore, guidance insists that extensions remain subordinate to the original dwelling, playing a supporting role. It is clear that the raising of the ridge to this property becomes the dominate feature to the house, and therefore cannot reasonably be described as being subordinate.

14 **Other matters**

No other matters identified.

15 **Conclusion**

The proposal is contrary to policies in the Southwark Plan 2007 and guidance in the Supplementary Planning Document for Residential Design Standards 2008, therefore it is recommended that this application be refused.

16 **COMMUNITY IMPACT STATEMENT**

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

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

b] The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c] The likely adverse or less good implications for any particular communities/groups

have been also been discussed above.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Rachel Gleave	Planner Officer - Development Control [tel. 020 7525 5597]
CASE FILE	TP/2294-17	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email: planning.enquiries@southwark.gov.uk	

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 M. Toro
Application Type Full Planning Permission
Recommendation Refuse permission

Reg. Number 09-AP-0416

Case Number TP/2294-17

Draft of Decision Notice

Planning Permission was REFUSED for the following development:

Retrospective application for retention of raised ridge height to roofslope and associated rear dormer addition.

At: 17 CHESTERFIELD GROVE, LONDON, SE22 8RP

In accordance with application received on 06/03/2009

and Applicant's Drawing Nos. CHFG/02

Reason for refusal:

The development exceeds the ridge height of the adjoining properties altering the appearance of the existing roof line. The interruption to the roof form along this stretch of road appears visually overbearing and overdominant to the existing dwelling. As such, the proposal is contrary to Policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan 2007 and contrary to Supplementary Planning Document Residential Design Standards 2008.

Ordnance Survey

Date 8/6/2009



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1.4	Classification	Decision Level	Date
	OPEN	DELEGATED	19/05/09
From		Title of Report	
HEAD OF DEVELOPMENT MANAGEMENT		DEVELOPMENT MANAGEMENT	
Proposal: (08-AP-0356)		Address	
Continued use of ground floor as shop (Use class A1 - retail).		21 NORTH CROSS ROAD, LONDON, SE22 9ET	
		Ward East Dulwich	
Application Start Date 01/04/2009		Application Expiry Date 27/05/2009	

PURPOSE

- 1 To consider the above application, which is before the Community Council for determination because it is contrary to policies 1.8 and 4.6 of the Southwark Plan 2007.

RECOMMENDATION

- 2 Grant, subject to conditions.

BACKGROUND

Site location and description

- 3 21 North Cross Road is a mid-terrace property within what was previously a parade of retail units, with ancillary residential above. Over the last few years several properties within the parade have been converted into residential or other non-retail uses (including the premises to the east of the application site). The premises to the west of the site is currently used as an Islamic Centre and has a large two storey rear extension which occupies the entire site. The break down of uses is as follows:
- 4
 - 11 North Cross Road - A1
 - 13 " - A1
 - 15 " - C3
 - 17 " - Unclear, possibly C3
 - 19 " - C3
 - 21 " - A1 (application site)
 - 23 " - D1
 - 25 " - C3
 - 27-31 " - A2
 - 33 " - A1
- 5 The area is residential in character, with houses on Fellbrigg Road and Ulverscroft Road, as well as those on North Cross Road, surrounding the application site. Nos.2 and 4 Ulverscroft Road bound the application site to the east, and the southern site boundary is shared with No.1 Fellbrigg Road. To the west is an access way (running along the rear of Nos.21-31 North Cross Road), providing shared access to the rear

of these properties. This access way runs along the full flank boundary of No.1 Fellbrigg Road.

- 6 The site is currently in use as a grocers/butchers shop at ground floor level with a flat above, accessed via a separate entrance from North Cross Road. The site forms part of the urban density zone and an air quality management area.

Details of proposal

Full planning permission is sought for continued use of the ground floor of the premises as a shop (Use Class A1).

Planning history

- 7 07-AP-2620 - Rear single-storey extension to provide additional storage for retail unit to front. Planning permission was REFUSED in January 2008 for the following reason:

1. Notwithstanding access to the site not being made available, from the plans submitted it is considered that the proposal would have a detrimental impact on the amenity of neighbouring occupiers by way of loss of daylight/sunlight, potential loss of outlook and an increase sense of enclosure. The proposal is therefore contrary to Policy 3.2 'Protection of Amenity' of the Southwark Plan UDP 2007 [July].

2. The proposed extension would cover almost the entire rear yard of No.21 North Cross Road and be used to facilitate the unauthorised retail use. For these reasons the proposal would be prejudicial to the future conversion of the property back to its permitted residential use. As such, the proposal is contrary to Policies 3.2 'Protection of Amenity', 3.10 'Efficient Use of Land', 4.2 'Quality of Residential Accommodation' and 4.6 'Loss of Residential Accommodation' of the Southwark Plan UDP 2007 [July].

- 8 06-AP-0005 - erection of a single storey rear extension to number 21 together with the creation of an internal link with number 23, to provide additional floorspace for use as a place of worship in connection with the existing hall/place of worship (Class D1) at 23 North Cross Road. Planning permission was REFUSED in September 2006 for the following reasons:

1. The potential intensification of the use of premises at 21 and 23 North Cross Road as a place of worship, facilitated by the additional floorspace proposed, would result in a loss of amenity to local residents, by reason of the potential increase in noise and disturbance which is likely to be generated by increased numbers of people arriving at and leaving the building as well as activities within the premises. This would be contrary to Policies 2.2 'Provision of New Community Facilities' and 3.2 'Protection of Amenity' of the Southwark Plan 2006 [Modifications Version] and Policies E.3.1 'Protection of Amenity', C.1.1 'Premises for Community Facilities' and C.3.2 'New Religious Buildings' of the Southwark UDP (1995).

2. In the absence of any evidence to the contrary (due to discrepancies on the submitted plans), the proposed extension may result in loss of amenity to the occupiers of neighbouring properties, by reason of potential loss of outlook, loss of daylight/sunlight, and increased sense of enclosure. As such, the proposal is contrary to Policies 2.2 'Provision of New Community Facilities' and 3.2 'Protection of Amenity' of the Southwark Plan 2006 [Modifications Version] and Policies E.3.1 'Protection of Amenity', C.1.1 'Premises for Community Facilities' and C.3.2 'New Religious Buildings' of the Southwark UDP (1995).

3. *The proposed extension would cover the entire rear yard of No.21 North Cross Road and be used for purposes which would be unrelated to the use of No.21. For these reasons the proposal would be prejudicial to the future development of No.21. As such, the proposal is contrary to Policies 2.2 'Provision of New Community Facilities', 3.2 'Protection of Amenity', 3.10 'Efficient Use of Land' and 4.2 'Quality of Residential Accommodation' of the Southwark Plan 2006 [Modifications Version] and Policies E.3.1 'Protection of Amenity', C.1.1 'Premises for Community Facilities', C.3.2 'New Religious Buildings' and H.3.4 'Standards for Conversions' of the Southwark UDP (1995).*

- 9 03-AP-1911 - conversion of shop and upper parts to a 3 bedroom house, alterations to ground floor front elevation and installation of new door and window at rear ground level. Planning permission was GRANTED in December 2003.

Planning history of adjoining sites

23 North Cross Road

- 10 9901254 - a variation of condition to allow for longer opening hours (to between sunset and sunrise on any day of the year). Planning permission was REFUSED in October 2000 owing to concerns regarding disturbance to neighbouring occupiers due to noise from worshippers arriving and leaving the building, including traffic noise and general activity, particularly at unsociable hours of the morning.
- 11 An enforcement notice was served on 23/01/1998, to secure the removal of the external staircase and transparent enclosure.
- 12 9601016 - continued use of the building for teaching, meeting and praying. Planning permission was GRANTED in December 1996.
- 13 9600661 -change of use of the building for the purposes of teaching, meeting and praying and retention of the enclosure of the rear yard and external staircase. Planning permission was REFUSED in June 1996 owing to concerns regarding the enclosure of the rear yard and staircase.

FACTORS FOR CONSIDERATION

Main Issues

- 14 The main issues in this case are:
- a] the principle of the development in terms of land use and conformity with strategic policies;
 - b] amenity;
 - c] transport.

Planning Policy

- 15 Southwark Plan 2007 [July]
- 1.8 - Location of developments for retail and other town centre uses
 - 3.2 - Protection of amenity
 - 3.7- Waste reduction

4.6 - Loss of residential accommodation

5.2 - Transport impacts

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

PPS6: Planning for Town Centres (March 2005).

17 **Consultations**

Site notice date: 30/04/09

Press notice date: N/A.

Neighbour consultation letters sent: 29/04/09

Case officer site visit date: 12/05/09

18 Internal consultees

Transport Group
Waste Management

Statutory and non-statutory consultees

N/A.

19 Neighbour consultees

Notification letters have been sent to properties on North Cross Road, Ulverscroft Road and Fellbrigg Road.

Re-consultation

N/A.

20 **Consultation replies**

21 Internal consultees

Transport Group

Servicing will continue as existing. However, it is requested that an informative be added to the decision notice, making the Applicant aware that any servicing which takes place on street, is subject to local restrictions.

Transport DC have no objections to this application, provided the above issues are addressed.

Waste Management

There are not known to be any waste related problems at this site so as this application is for continued use of the ground floor for A1 use, no objections are raised.

Statutory and non-statutory consultees

N/A.

22 Neighbour consultees

One representation has been received objecting to the proposal on the following grounds:

1. The use of the premises for retail purposes is having an adverse impact upon 2 Ulverscroft Road and will continue to do so if planning permission is granted;
2. The proposals for this site are linked to 23 North Cross Road which is in use as an Islamic centre as both properties are owned by the East Dulwich Islamic Centre;
3. The current retail use of the site is in breach of planning laws and number 21 is in essence a residential property in a residential part of the road;
4. The Council has failed to act following a number of enforcement complaints regarding the unauthorised use as a shop;
5. Granting planning permission would set an undesirable precedent;
6. It is doubtful the premises is profitable and it appears that it is being used as a facility to serve the East Dulwich Islamic Centre;
7. The premises was used for residential purposes when acquired by the East Dulwich Islamic Centre and it is considered that the trustees of the centre are using or seeking to use the premises as an extension of the place of worship next door;
8. Odour and waste from the existing retail use;
9. This application should be considered in the context of the previous refusals for the site;
10. The proposal represents an overdevelopment of a site which is inadequate to accommodate the needs of the East Dulwich Islamic Centre, and a larger site with more room to expand should be sought;
11. Lack of community integration;
12. The proposal would change what is a back garden to a back yard to a shop which would result in the following:

- loss of outlook
- creation of an eyesore;
- if further development were allowed this would result in loss of daylight and sunlight, an increased sense of enclosure, loss of security, loss of wildlife and biodiversity.

13. If planning permission is granted, the ground floor of the premises could not be used as a residence without the grant of further planning permission;
14. increased demand for parking;
15. traffic congestion;
16. increased pollution;
17. the proposal is contrary to the Council's Spatial Strategy which seeks to increase housing in the Borough;
18. the proposal is contrary to policies in the Southwark Plan (SP10, 11, 15);
19. if planning permission is granted it should be subject to conditions which preserve the rear garden as a garden and prevent losses of amenity to the neighbouring residents.

Re-consultation

N/A.

23 **PLANNING CONSIDERATIONS**

Principle of development

- 24 Policy 1.8 of the Southwark Plan seeks to guide retail and other town centre uses to town and local centre locations. It states that outside these locations, retail, leisure, entertainment and other town and local centre uses will only be permitted subject to certain criteria, namely demonstration of need, the carrying out of a sequential test to

establish that there are no suitable sites in town, local and edge of centre locations, no harm to the vitality and viability of town and local centres and accessibility by public transport.

- 25 No information has been submitted to demonstrate how the proposal would comply with policy 1.8. However, when the current occupier purchased the building in 2006 it was already being used as a shop on the ground floor with a flat above, and has been used as such ever since consequently no sequential test has been carried out.
- 26 In December 2003 planning permission was granted for conversion of the shop and upper parts to a 3 bedroom house, alterations to the ground floor front elevation and installation of new door and window at rear ground level (reference:03-AP-1911). The officer's report for this application states that the ground floor was designated as a shop but the planning agent advised that it had been used as residential for approximately 50 years. Council tax records support this to a degree, as the property has been rated solely as residential since 1993 when Council tax was first introduced. It is noted however, that the physical works of removing the shopfront have not been carried out.
- 27 In 2005 the Council received an enquiry regarding use of the ground floor as a halal grocery shop and it was advised at the time that planning permission would be required for this change as it appeared that the property had been in use as a dwelling. In September 2006 an enforcement case was opened regarding the unauthorised use of the ground floor as a shop, but no action was taken (reference: 06-EN-0482).
- 28 The Council did not consider it expedient to take enforcement action in September 2006 and if this application is refused, the Council would be obliged to take action. Although the proposal is contrary to policy 1.8, the site forms part of an informal parade of shops (albeit containing 3 residential properties) therefore the retail use is consistent with the adjoining properties. The retail use appears to have been in place since at least September 2006 and has not caused any harm to the Lordship Lane district town centre which is functioning well; protected shopping frontage 35 is located at the western end of North Cross Road and is functioning very well, with 70% of the units in A1 use and no vacancies. As such, in spite of the lack of a sequential test, it cannot be demonstrated that the proposal is having an adverse impact on the adjacent town centre or protected shopping frontage.
- 29 Policy 4.6 of the Southwark Plan states that development will not be permitted where it results in a net loss of residential floorspace, except where:
- i) the environment is unsuitable for housing or the existing standard of accommodation is unsatisfactory; or
 - ii) the residential accommodation is on a site which is designated for a different use in preference to housing; or
 - iii) the replacement of the existing residential floorspace would otherwise contravene one or more of the criteria i to vi in policy 3.11 Efficient Use of Land and exceeds the current densities in Appendix 2.
- 30 The use of the ground floor for retail purposes has resulted in the loss of 62.2 sqm of residential floorspace since at least 2006. As stated, it was not considered expedient to take enforcement action then, and is not considered expedient to do so now given the limited floorspace involved and the largely retail nature of the parade.
- 31 In spite of the proposal being contrary to policies 1.8 and 4.6 of the Southwark Plan, for the reasons set out above, no objections are raised in principle.

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

- 32 Policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 33 Concerns have been raised by a neighbouring resident that the current proposal is intrinsically linked with the East Dulwich Islamic Centre at number 23 (place of worship), as both properties are within the same ownership. Concerns are raised that the retail use subject to this application is not actually a retail use but part of the Islamic centre, and that future applications to extend the centre would be harmful to the amenity of neighbouring occupiers. There are also concerns regarding use of the rear garden for storage and that what is essentially a rear garden would become a back yard to a shop.

The application before Members relates solely to the use of the ground floor of the premises for retail purposes. It may well be that applications are submitted in the future for expansion of the place of worship, and these would be assessed on their own merits, and the impacts upon neighbouring residents would be fully considered.

The ground floor retail use has existed since at least 2006 and does not appear to have resulted in any significant loss of amenity to neighbouring residents. There is an overgrown yard at the rear of the building which contains a dilapidated garage / store. The yard is not currently used for storage and the plans do not indicate that it would be. However, in order to safeguard the amenities of 2 and 4 Ulverscroft Road and 1 Fellbrigg Road from adverse impacts in terms of odour and loss of visual amenity, a condition preventing the rear garden from being used for storage is recommended, to ensure compliance with policy 3.2. It is unclear where refuse associated with the shop is stored, therefore a further condition requiring details to be submitted for approval is recommended, to ensure compliance with policy 3.7 'Waste reduction'.

Traffic issues

- 34 Policy 5.2 of the Southwark Plan seeks to ensure that developments would not result in any adverse highway conditions.
- 35 The limited size of the retail unit is such that it is likely to have a very limited catchment, with most people travelling to the site on foot. It is not considered that the continued use of the ground floor for retail purposes would result in any adverse highway conditions.

Other matters

- 36 There are no other matters arising from the proposal.

Conclusion

- 37 The application is for a retail use outside a town or local centre and involves the loss of residential floorspace, contrary to policies 1.8 and 4.6 of the Southwark Plan. However, given the location of the site within an informal parade of shops, because the ground floor has been in retail use since at least 2006 without harming the vitality and viability of the adjacent town centre and protected shopping frontage and owing to the limited loss of residential floorspace, it would not be expedient for the Council to pursue enforcement action, particularly as no action was taken in September 2006. The use has not resulted in any loss of amenity or adverse highway conditions. Therefore, on balance, it is recommended that conditional planning permission be

granted.

38 **COMMUNITY IMPACT STATEMENT**

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

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

SUSTAINABLE DEVELOPMENT IMPLICATIONS

There are no sustainable development implications arising from this proposal.

HUMAN RIGHTS

This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

The rights potentially engaged by this application, including a right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Victoria Lewis	Senior Planner - Development Control [tel. 020 7525 5410]
CASE FILE	TP/2630-21	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email: planning.enquiries@southwark.gov.uk	

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 H. Malik & Dr Shamsuddoha
Application Type Full Planning Permission
Recommendation Grant permission

Reg. Number 08-AP-0356

Case Number TP/2630-21

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Continued use of ground floor as shop (Use class A1).

At: 21 NORTH CROSS ROAD, LONDON, SE22 9ET

In accordance with application received on 11/02/2008

and Applicant's Drawing Nos. Site location plan, unnumbered drawing showing layout plan and front of the shop, letter from Andrew Wright dated 31st March 2009.

Subject to the following condition:

- 1 Within one month of the date of this decision, details of the arrangements for the storing of refuse associated with the retail unit shall be submitted to (2 copies) and approved in writing by the Local Planning Authority. The facilities thereby approved shall be provided within one month of the approval of the refuse storage details and shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

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

- 2 No open storage or display of goods shall take place in the garden at the rear of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure no loss of amenity to 2 and 4 Ulverscroft Road and 1 Fellbrigg Road by virtue of odour and loss of visual amenity, in accordance with policy 3.2 of the Southwark Plan 2007.

Reasons for granting planning permission.

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

- a] Policies 1.8 - Location of developments for retail and other town centre uses, 3.2 - Protection of amenity, 3.7- Waste reduction, 4.6 - Loss of residential accommodation and 5.2 - Transport impacts of the Southwark Plan [July 2007].
- b] Planning Policy Statement 6: PPS6: Planning for Town Centres (March 2005).

Particular regard was had to the lack of a sequential test as required under policy 1.8 and the loss of residential floorspace, but it was considered that given the location of the site within an informal parade of shops, because the ground floor has been in retail use since at least 2006 without harming the vitality and viability of the adjacent town centre and protected shopping frontage and owing to the limited loss of residential floorspace involved, it would not be expedient for the Council to pursue enforcement action, particularly as no action was taken in September 2006. The use has not resulted in any loss of amenity or adverse highway conditions. Therefore, on balance, it was considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.



1.5	Classification	Decision Level	Date
	OPEN	DULWICH COMMUNITY COUNCIL	16-06-2009
From		Title of Report	
Head of Development Management		DEVELOPMENT MANAGEMENT	
Proposal (08-CO-0116)		Address	
Renewal of planning permission 05-CO-0193 for the erection of two portacabins, due to a condition attached to the previous consent requiring either the removal of the portacabin or renewal of permission in 2 years from the date of that permission.		KINGSWOOD HOUSE, SEELEY DRIVE, LONDON, SE21 8QN	
		Ward College	
Application Start Date 08/04/2009		Application Expiry Date 03/06/2009	

PURPOSE

- 1 For Dulwich Community Council to consider the above application, as the original decision was made at Dulwich Community Council and agreed the condition for the structures to be removed on or after a 2 year period.

RECOMMENDATION

- 2 Grant planning permission.

BACKGROUND

3 Site location and description

The site is located to the west of Seeley Drive and south of Lyall avenue, it appears to the north east of Kingswood House and currently occupying the site there is a portacabin (temporary) building being used as a temporary Youth Centre associated with Kingswood House.

The area is residential in nature, with flat blocks surrounding the site to the east and south and houses to the west.

4 Details of proposal

The proposal details the renewal of a temporary planning permission (reference 05-CO-0101) for the locating of a secure storage facility for the Youth Centre. The portacabin building is located at the Kingswood House site temporarily whilst a more permanent location is being agreed.

The building has a floor area of 141.7m² being 12.48m by 12.02m with a height of 3.23m. An attached smaller portacabin building (portastor) is also proposed with a floor area of 8.7m² being 3.89m by 2.82m and 2.8m high.

The smaller building acts as an annex for storage to the main portacabin building.

5 Planning history

05-CO-0101 – Planning Permission Granted for the erection of a stand alone

portacabin and portaloo to the side and rear to provide a temporary accommodation for children at Dulwich Wood Nursery School while school is being rebuilt.

Condition:

The building hereby permitted shall not be retained after the completion and occupation of the new Dulwich Wood Nursery School or after 2 years from the date of this permission, which ever is the earlier.

05-CO-0193 – Planning Permission Granted for the provision of a temporary single storey building (Portacabin) to accommodate a multi-agency youth programme and space for elderly support groups.

00287 – Listed Building Consent Granted by Secretary of State for the replacement of glazed roofing light to central courtyard and the upgrading of lighting conductors and external lighting.

94/760 – Planning Permission Granted for the use of the three upper floors as offices and research library.

94/00426 – Listed Building Consent Granted for the installation of internal fire-security screens for temporary period of 2 years.

04-CO-0129 – Listed Building Consent Granted by Secretary of State for strengthening of floors in the Golden and Jacobean Function Rooms and application of weatherproof system to the basement areas, floors, walls and ceiling.

6 **Planning history of adjoining sites**

None of relevance.

FACTORS FOR CONSIDERATION

7 **Main Issues**

The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] the impact upon the amenity of adjoining occupiers;
- c] the design of the proposal;
- d] the impact upon the characteristics of the listed building.

8 **Planning Policy**

Southwark Plan 2007 [July]

2.01 Enhancement of Community Facilities

3.02 Protection of Amenity

3.12 Quality in Design

3.13 Urban Design

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

3.26 Borough Open Land

9 **Consultations**

Site notice date:
02-05-2009

Press notice date:
23-04-2009

Neighbour consultation letters sent:
22-04-2009

Case officer site visit date:
02-05-2009

Internal consultees
Conservation Officer

Statutory and non-statutory consultees
N/A

Neighbour consultees
Kingswood Estate, Kingswood Library, Kingswood Youth Project, 19, 20, 27, 28, 29, 42, 43, 44, 51, 52, 53 Seeley Drive, 21 Lyall Avenue, Huntley House, Holberry House, Hovenden House, Kinsey House, Julian House and Kingswood House.

Re-consultation
N/A

10 **Consultation replies**

Internal consultees
Conservation Officer

The application is for an extension in the period that a temporary porta cabin can remain on vacant landscaped land adjacent to Kingswood House.
As the site is not listed or within a Conservation Area, and the nature of the porta cabin is such that it can be removed at the end of the agreed period without causing any major implications for the site, Design and Conservation have no objections.

Statutory and non-statutory consultees
N/A

Neighbour consultees
None received.

Re-consultation
N/A

PLANNING CONSIDERATIONS

11 **Principle of development**

In principle there is no objection to allowing the continuation of the location of this portacabin here, where it is temporary in nature.

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

While the use of the portacabin for the community purposes clearly generates an increase in movement around the site and therefore an inevitable level of noise that may be considered disturbance, no objections have been received from neighbours concerning the retention of the portacabin here. The nature of the services that the portacabin provides is positive, encouraging social inclusion and therefore

encouraging sustainable communities. It is considered that the continued location of the portacabin here, for a specified temporary period, will not generate any significant adverse impacts upon the amenity of adjoining occupiers.

13 Traffic issues

It is not considered that the continued location of the portacabin here will have any adverse impacts upon transport in the area as the nature of the use and level of utilisation remains unaltered, and the proposal is temporary in nature.

14 Design issues

The design of the portacabin fails to provide any visual interest and lacks merit, however the purposes of the building and its benefits for the local community are considered to be a material consideration which due to its temporary nature can be considered to mitigate against the poor quality design and appearance of the structure. It is the standard appearance of these temporary type structures, therefore, as the removal of the building can be secured in a further 2 years, or in any case its location here reviewed, it is considered that there are no objections to the design of the proposal.

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

The proposal is located a distance away from Kingswood House a listed building here. Due to the separation distance provided, it is considered that the proposal does not have any adverse impacts upon the listed building. No objections have been raised by the conservation team.

16 Impact on trees

No trees are impacted by the proposal.

17 Other matters

No other matters identified.

18 Conclusion

There is a need to retain this facility in the area until a suitable alternative can be found. The facility provides an important community benefit which encourages social inclusion of different groups in the area. Therefore, on balance it is considered that the material planning considerations of the benefits of the facility outweighs the potential visual harm due to its poor appearance, specifically because of the temporary nature of the structure. Therefore it is recommended that this application be approved.

19 COMMUNITY IMPACT STATEMENT

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

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

b] The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

20 **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

The community benefits offered by this facility encourage social inclusion and therefore a sustainable community.

HUMAN RIGHTS

21 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

22 This application has the legitimate aim of providing a development that supports the provision of school services for local citizens. The rights potentially engaged by this application, including a right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Rachel Gleave	Planner Officer -Development Management [tel. 020 7525 5597]
CASE FILE	TP/H2027	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk	

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 W. Jones Southwark Council	Reg. Number 08- <u>CO</u> -0116
Application Type	Council's Own Development - Reg. 3 (Council's Own Development)	
Recommendation	Grant permission	Case Number TP/H2027

Draft of Decision Notice

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

Renewal of planning permission 05-CO-0193 for the erection of two portacabins, due to a condition attached to the previous consent requiring either the removal of the portacabin or renewal of permission in 2 years from the date of that permission.

At: KINGSWOOD HOUSE, SEELEY DRIVE, LONDON, SE21 8QN

In accordance with application received on 24/12/2008

and Applicant's Drawing Nos. Site location plan; TSS008 (REV A); HD/4436/01 (REV D); Design and Access Statement.

Schedule

- 1 The building hereby permitted shall not be retained after 20th March 2012 on or before which date the building shall be removed from the site.

Reason

To ensure the open character and visual amenity value of land designated Borough Open Land and a Site of Nature Conservation Importance is preserved in the long-term pursuant to policies 3.2 'Protection of Amenity' and 3.12 'Quality in Design' of the Southwark Plan 2007.

- 2 On removal of the temporary building hereby approved that land occupied by that building shall be reinstated and made good to a standard that existed prior to the building being located on the land within one month of the date of the removal of the building.

Reasons

To ensure land designated Borough Open Land and a Site of Nature Conservation Importance is not adversely affected to the detriment of the appearance of the open space and to the amenity of users of that space and local residents pursuant to policies 3.2 'Protection of Amenity' and 3.26 'Borough Open Land' of the Southwark Plan 2007.

- 3 No mechanical excavation may take place within the dripline of any tree on, or adjacent to, the site (the dripline is the furthest extent of a trees branches). Any roots found to be present with a diameter over 25mm must be retained and worked around.

Reason:

The above measures will allow the site to be used as described in the proposal, without adversely affecting the health of the trees on the site, in accordance with policies Policies E.2.3 ' Aesthetic Control', E.3.1 'Protection of Amenity' and E.6.4 'Local Nature Reserves and Sites of Nature Conservation Importance' of the Southwark Unitary Development Plan 1995 and Policies of The Southwark Plan 3.2 'Protection of Amenity', 3.11 'Quality in Design' and 3.26 'Borough Open Land' February 2005.

- 5 Notwithstanding the provisions of D1 use class of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) the building hereby permitted shall be used for the purposes of accommodating youth programmes and elderly support groups only and for no other use.

Reason

In the interest of the amenity of nearby residents, in accordance with policy 3.2 'Protection of Amenity', of The

Southwark Plan 2007.

- 6 The temporary building hereby permitted to accommodate youth programmes and elderly support groups shall not be carried on outside of the hours 0800 to 2200 on any day.

Reason

In the interest of the amenity of nearby residents, in accordance with policy 3.2 'Protection of Amenity', of The Southwark Plan 2007.

Reasons for granting planning permission.

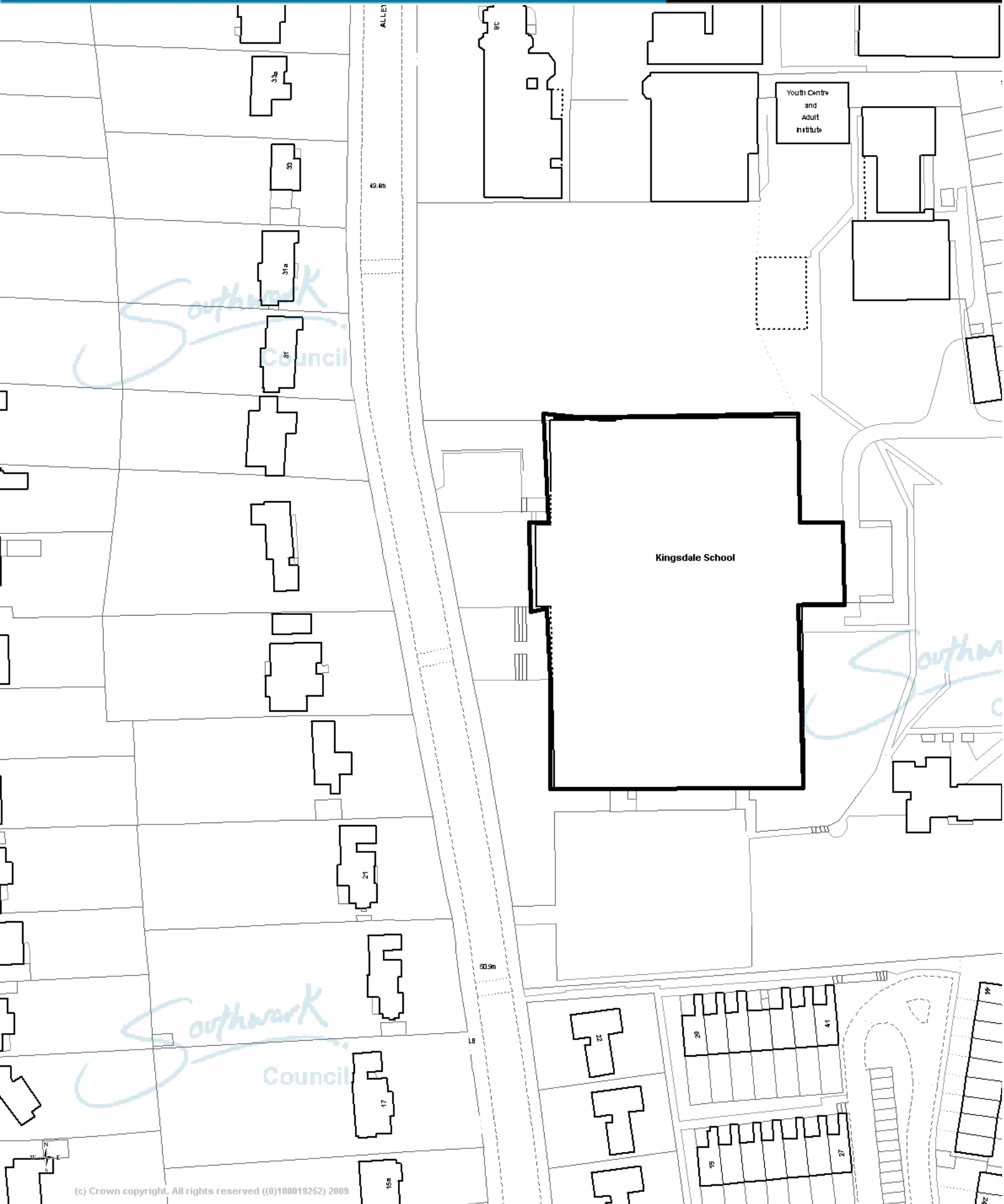
This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies 2.1 Enhancement of Community Facilities, 3.2 Protection of Amenity, 3.12 Quality in Design, 3.13 Urban Design, 3.18 Setting of Conservation Areas, Listed Buildings and World Heritage Sites, 3.26 Borough Open Land of the Southwark Plan [July 2007].

Particular regard was had to the location of the proposal within proximity of the Listed Building and in Borough Open Land, however it was felt that the Community Benefits that this facility provides is of material consideration as well as its temporary nature, and therefore it was considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Ordnance Survey

Date 8/6/2009



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Scale 1/1250
AFY

1.6	Classification	Decision Level	Date
	OPEN	Dulwich Community Council	16/06/2009
From		Title of Report	
Head of Development Management		DEVELOPMENT MANAGEMENT	
Proposal (08-CO-0060)		Address	
Conversion of hard and soft landscaped north playground into all-weather youth football pitch and 60 metre sprint running track with limited quantity of retaining walls, grass haunchings and ramps to form level site plus surrounding mesh fence and gates to pitch; associated hard and soft landscaping.		KINGSDALE SCHOOL, ALLEYN PARK, LONDON, SE21 8SQ	
		Ward College	
Application Start Date 31/07/2008		Application Expiry Date	

PURPOSE

- 1 For decision by the Members of Dulwich Community Council due to the number of objections received to the above application which is a Council's own development.

RECOMMENDATION

- 2 Grant Planning Permission.

BACKGROUND

Site location and description

- 3 The Kingsdale School site has a main frontage and access to Alleyn Park and a secondary frontage and access to Bowen Drive. The site slopes from east to west, a fall of approximately 1.4m from the Bowen Drive boundary to the Alleyn Park boundary.
- 4 The surrounding area is predominantly residential in character, there are also other schools in the locality, with the Dulwich College Preparatory School located the north of the application site, and the Langbourne Primary School opposite Bowen Drive.
- 5 The site is not within a conservation area, contains no listed buildings, and is not designated as Metropolitan, Borough or Other Open Land.

Details of proposal

- 6 Planning permission is sought to convert the existing north playground into an all-weather pitch with surrounding mesh fence and associated landscaping. The proposed pitch would have a synthetic surface. It would be set back from Alleyn Park being located close to the the existing gym block. The mini soccer pitch would measure 50 m x 35 m with 3m perimeter surrounds to the sides and ends. To the southern end of the site it is proposed to provide a synthetic surface 5 lane running track, the total length of which would equal 79 metres. The site slopes east to west by 1.4 metres over the 56 metre long site. The levelling work has been completed for the pitch only as this was granted consent by an earlier permission; 06-CO-0001.

- 7 The main reason for refusal of the previous scheme was around the potential danger to users of the facility as a result of structural damage suffered by existing trees on the site.

Planning history

8	DC	06/CO/0001	Conversion of existing hard and soft landscaped north playground into all weather football pitch with retaining walls, grass haunchings and steps to form level site, plus surrounding mesh fence and gates and associated hard and soft landscaping	GRA	22/03/2006
	DC	06/CO/0009	Approval of details pursuant 2 'detailed drawings' LBS Reg 05-CO-0054 d/d 18/07/05 for demolition of existing caretakers house, and erection of a two storey sports and music building fronting Bowen Drive (music school comprising classrooms, performance space, practice rooms, pupil/staff wc's and associated offices and storage; new sports hall comprising sports courts, changing rooms, disabled wc's/showers, multi use mezzanine, associated offices and stores arranged over two floors and basement).	GRA	18/04/2006
	DC	06/CO/0043	Conversion of existing hard and soft landscaped north playground into all weather youth football pitch with limited quantity of retaining walls, grass haunchings, steps and ramps to form level site plus surrounding mesh fence and gates. Construction of associated hard and soft landscaping (REVISED APPLICATION)	REF	17/09/2007
	DC	06/CO/0062	Conversion of existing hard and soft landscaped north playground in all weather youth football pitch with limited quantity of retaining walls, grass haunchings, steps and ramps to form level site plus surrounding mesh fence and gates. Construction of associated hard and landscaping. (REVISED APPLICATION)	GRA	29/08/2006
	DC	06/AP/2042	Details of Non-ambulant Disabled Access pursuant to condition 3 of planning permission dated 18.7.05 (LBS Reg No: 05-CO-0054) for demolition of existing caretakers house, and erection of a two storey sports and music building fronting Bowen Drive (music school comprising classrooms, performance space, practice rooms, pupil/staff wc's and associated offices and storage; new sports hall comprising sports courts, changing rooms, disabled wc's/showers, multi use mezzanine, associated offices and stores arranged over two floors and basement).	GRA	18/04/2007
	DC	06/AP/2047	Detail of a landscaping scheme (2 copies) pursuant to condition 5 of planning permission dated 18.7.05 (LBS Reg No: 05-CO-0054) for demolition of	GRA	19/03/2008

		existing caretakers house, and erection of a two storey sports and music building fronting Bowen Drive (music school comprising classrooms, performance space, practice rooms, pupil/staff wc's and associated offices and storage; new sports hall comprising sports courts, changing rooms, disabled wc's/showers, multi use mezzanine, associated offices and stores arranged over two floors and basement).		
DC	06/CO/0159	Approval of details pursuant to Cond 11 'provision of a travel plan' LBS Reg 05-CO-0054 d/d 18/07/05 for demolition of existing caretakers house, and erection of a two storey sports and music building fronting Bowen Drive (music school comprising classrooms, performance space, practice rooms, pupil/staff wc's and associated offices and storage; new sports hall comprising sports courts, changing rooms, disabled wc's/showers, multi use mezzanine, associated offices and stores arranged over two floors and basement).	GRA	03/09/2007
DC	05/CO/0054	Demolition of existing caretakers house, and erection of a two storey sports and music building fronting Bowen Drive (music school comprising classrooms, performance space, practice rooms, pupil/staff wc's and associated offices and storage; new sports hall comprising sports courts, changing rooms, disabled wc's/showers, multi use mezzanine, associated offices and stores arranged over two floors and basement).	GRA	18/07/2005

9

Application 06-CO-0043 above was refused for the following reason;

The tree reports submitted as part of this application are inaccurate as they neglect to refer to significant structural defects to a number of trees located in close proximity to the proposed MUGA and running track. Failure to give due consideration to the poor condition of these trees could be potentially dangerous for users of the MUGA/running track. Loss of these trees without replacement would also be to the detriment of visual amenity.

Planning history of adjoining sites

10 None relevant.

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 of the proposed landscaping upon the existing trees

c] the impact on the amenity of neighbouring residents.

d] the impact on visual amenity

Planning Policy

- 12 Southwark Plan 2007 [July]
 2.3 'Enhancement of Educational Establishments'
 3.2 'Protection of Amenity'
 3.11 'Efficient Use of Land'
 3.12 'Quality in Design'
 3.13 'Urban Design'
- 13 London Plan 2004
 3A.24 - Education facilities.
- 14 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
 PPG 17 - Planning for Open Space, Sport and Recreation

Consultations

- 15 Site notice date: 13/08/2008 Press notice date: N/A
- 16 Neighbour consultation letters sent:
 13/08/2008
- 17 Case officer site visit date:
 13/08/2008
- 18 Internal consultees
 Arboricultural Officer
- 19 Statutory and non-statutory consultees
 N/A
- 20 Neighbour consultees
 17 - 33 (odd) Alleyn Park
 22 Alleyn Park
 38 - 44 (even) Alleyn Park
 28 - 44 (consec) Little Bournes
 18 - 40 (even) Bowen Drive
 70 - 100 (even) Bowen Drive
- 21 Re-consultation
 N/A

Consultation replies

- 22 Internal consultees
 Arboricultural Officer - Raises no objections.
- 23 Statutory and non-statutory consultees
 N/A

24 Neighbour consultees

Dulwich College Preparatory - Concern that the height of the pitch at the southern end close to the boundary between the two premises would permit overlooking into the ground floor classrooms in the main teaching block. Following further discussion between the two schools an understanding has been reached as to the increase in finished ground levels which has addressed the concerns raised.

25 31A Alleyn Park - Concern over the opening hours for the pitch stated as 9pm on the application form, no objection to the use but strong objection to the provision of floodlighting. Therefore request that an earlier closing time be agreed.

26 25 Alleyn Park - Concern raised about hours of use and floodlighting.

27 Re-consultation

N/A

PLANNING CONSIDERATIONS

Principle of development

28 There are no objections to the provision of improved sports facilities

Environmental impact assessment

29 Not required for a scheme of this scale.

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

30 Visual Amenity

The main issues with regard to the impact on visual amenity are the scale and appearance of the proposed fencing and possible loss of trees along the Alleyn Park boundary.

31 The approved scheme was not previously considered to have a negative impact on the appearance of the site or the area in general, subject to a condition requiring details of the appearance of the mesh fencing and rebound boarding, and tree protection.

32 It is considered that the amended MUGA would be an improvement in visual terms as it would be reduced in scale. The impressioned/overall height of the fencing when viewed from Alleyn Park would now be 5.2m above the adjoining (non-raised) ground level, compared to the approved 5.95m. The design would be similar to that previously approved.

33 No rebound boards are proposed as part of the current application, therefore a condition requiring details of the mesh fencing only would be recommended should permission be granted.

34 The running track is a new feature; the previously approved scheme incorporated a 60m running track within the boundary of the pitch. The revised scheme locates a separate running track to the south of the pitch, and closer to the Alleyn Park boundary. It would be made of the synthetic carpet material similar to that to be used for the sports pitch. The introduction of this pitch is not considered to be to the detriment of visual amenity of the school site or wider area.

35 Disturbance to Local Residents

After-school sports clubs are a facility common to many schools and provide an

important educational and recreational role within the local community. Of course, the need to provide such facilities must be balanced against the amenity of local residents.

36

In the consideration of the previously approved scheme, the use of the proposed facilities outside of 'normal' school hours or by non-school groups was not in itself considered to result in harm to amenity, provided the pitch would not be used at unsociable hours so that local residents would not suffer from undue noise and disturbance at times they could reasonably be expected to enjoy peace and quiet. Specifically, the pitches were not be used outside of the hours of 08.30 to 21.00 Monday to Friday and 09.00 to 19.00 on weekends and Public Holidays).

37

The current proposal would not worsen the situation and therefore, the imposition of the same condition is considered adequate for this proposal should permission be granted.

38 **Traffic issues**

The Council's Traffic Group raised no objection to the approved scheme 06-CO-0062 which was considered to be acceptable in traffic terms. The issue of the use of the pitch outside of school hours was also considered, and it was resolved to restrict the use by the imposition of a condition controlling hours of use. The current proposal would not change the impact on the traffic situation beyond the scheme already approved and thus this current application is considered acceptable from a traffic point of view, subject to the inclusion of a similar condition should permission be granted.

39 **Design issues**

Subject to a condition in respect of the mesh fencing there are no other design issues raised.

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

The proposal is not within a conservation area and not close to any listed building such that the setting of the building would be affected by the proposal.

41 **Impact on trees**

The arboriculturalist has met with the contractors and overseen works to make the damaged trees which would have impacted on the safety of users of the MUGA and track. The required works to the existing trees have taken place. The outstanding issue is the protection of the trees during the construction, which can be dealt with by way of condition.

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

Not required for a scheme of this size.

43 **Other matters**

Concern has been raised about the hours of operation for the proposed facilities and the need for floodlighting. The current application states the proposed use would operate between the hours of 08:30 to 21:00 Monday to Friday and 09:00 to 19:00 at the weekend and during public holidays. These hours were previously approved in the earlier applications. It is likely that a further application for floodlighting will be forthcoming, however it is not part of this application, and these hours will allow the facilities to be utilised in the summer months. A condition to ensure the use is kept to the stated hours is however recommended.

44 **Conclusion**

This proposal now addresses the concerns raised on the previous scheme. It is in compliance with the relevant planning policies for this type of application and is therefore recommended for approval subject to conditions.

COMMUNITY IMPACT STATEMENT

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

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

b] No issues relevant to particular communities/groups likely to be affected by the proposal have been identified.

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

46 The proposal would improve sports facilities within the site and would provide a valuable amenity to the school and the local community.

HUMAN RIGHTS

47 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

48 This application has the legitimate aim of providing a development that supports the provision of school services for local citizens. The rights potentially engaged by this application, including a right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Sonia Watson	Team Leader - Development Control [tel. 020 7525 5434]
CASE FILE	TP/2549-B	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk	

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	Southwark Council	Reg. Number 08-CO-0060
Application Type	Council's Own Development - Reg. 3 (Council's Own Development)	
Recommendation	Grant permission	Case Number TP/2549-B

Draft of Decision Notice

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

Conversion of hard and soft landscaped north playground into all-weather youth football pitch and 60 metre sprint running track with limited quantity of retaining walls, grass haunchings and ramps to form level site plus surrounding mesh fence and gates to pitch; associated hard and soft landscaping.

At: KINGSDALE SCHOOL, ALLEYN PARK, LONDON, SE21 8SQ

In accordance with application received on 10/07/2008

and Applicant's Drawing Nos. SK15 Rev A, SK259, 183:005, 183:100 Rev E, 183:200 Rev Z, Design and Access Statement

Schedule

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

Reason

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

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

Reason

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

- 3 Measures for the protection of the existing trees along the Alleyn Park boundary of the site, as shown on drawing number 183:100 Rev E, shall be installed and retained throughout the period of the works.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area and in accordance 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 4 The facilities hereby approved shall not be used outside of the hours of 08.30 to 21.00 Monday to Friday and 09.00 to 19.00 on weekends and Public Holidays.

Reason

In the interest of the amenity of the adjoining residential properties and in accordance with Policy 3.2 'Protection of Amenity' of The Southwark Plan 2007.

Reasons for granting planning permission.

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

- a] Policies 2.3 'Enhancement of Educational Establishments', 3.1 'Environmental Effects', 3.2 'Protection of Amenity', 3.12 'Quality in Design', 3.13 'Urban Design' of The Southwark Plan 2007
- b] Policies 3A.24 - Education facilities. of the London Plan.

- c] Planning Policy Statements [PPS] and Guidance Notes [PPG] PPG 17 - Planning for Open Space, Sport and Recreation

Particular regard was had to the impact both visual and in terms of the use that would result from the proposed development but it was considered that this would be outweighed by the provision of educational and social benefits that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

DISTRIBUTION LISTMUNICIPAL YEAR 2009/10**COUNCIL: DULWICH COMMUNITY COUNCIL**

NOTE: Original held by Constitutional Support Unit; amendments to Beverley Olamijulo
(Tel: 020 7525 7234)

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