

**COMMUNITY COUNCILS**

A voice for your community

# Dulwich Community Council Planning meeting

Thursday 18 March 2010  
at 7.00 pm

Dulwich Grove United Reform Church, East Dulwich Grove,  
London SE22 8RU

## 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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## INFORMATION FOR MEMBERS OF THE PUBLIC

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### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

### Babysitting/Carers allowances

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

### Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: [www.southwark.gov.uk](http://www.southwark.gov.uk) or please contact the person below.

**Contact** Beverley Olamijulo

on 020 7525 7234 or email: [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)

Webpage: <http://moderngov.southwarksites.com/mgCommitteeDetails>

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Members of the committee are summoned to attend this meeting

**Annie Shepperd**

Chief Executive

Date: 9 March 2010



## **Dulwich Community Council Planning meeting**

Thursday 18 March 2010 at 7.00 pm  
Dulwich Grove United Reform Church, East Dulwich Grove, London SE22 8RU

### **Order of Business**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
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- 1. INTRODUCTION AND WELCOME [CHAIR]**
- 2. APOLOGIES**
- 3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**
- 4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

#### **MATTERS FROM PREVIOUS MEETING(S)**

- 5. MINUTES OF THE PREVIOUS MEETINGS**

To approve the Minutes of the previous Planning meetings held on 3 December 2009 and 7 January 2010.

#### **MAIN BUSINESS**

- 6. DEVELOPMENT CONTROL ITEMS** 1 - 61

**DISCUSSION OF ANY OTHER ITEMS AS NOTIFIED AT THE START OF THE MEETING.**

**DATE OF DESPATCH: 9 MARCH 2010**

#### **DULWICH COMMUNITY COUNCIL MEMBERSHIP**

Councillor Nick Vineall (Chair)	Councillor Robin Crookshank Hilton (Vic Chair)
Councillor James Barber	Councillor Toby Eckersley
Councillor Michele Holford	Councillor Kim Humphreys
Councillor Jonathan Mitchell	Councillor Lewis Robinson
Councillor Richard Thomas	

## **ADDITIONAL INFORMATION**

### **EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

### **INFORMATION TO MEMBERS OF THE PUBLIC**

#### **Access to information**

You may request copies of minutes and reports on this agenda.

**For a large print copy of papers, please telephone 020 7525 7187.**

#### **Deputations**

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

#### **Carers' allowances**

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

#### **Transport assistance for disabled members of the public**

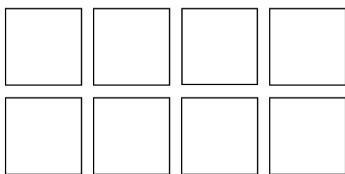
Members of the public with a disability who wish to attend community council meetings and who require transport assistance in order to access the meeting, are requested to call the meeting clerk. The clerk will arrange for a driver to collect the person and provide return transport after the meeting.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

#### **Wheelchair access**

Wheelchair access is available. For further information please call the meeting clerk.



# Agenda Item 5 Open Agenda<sup>1</sup>



**COMMUNITY COUNCILS**  
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## **DULWICH COMMUNITY COUNCIL PLANNING MEETING**

MINUTES of the Dulwich Community Council Planning meeting held on Thursday 3 December 2009 at 7.00 pm at Dulwich Grove United Reform Church, East Dulwich Grove, East Dulwich London SE22 8RU.

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**PRESENT:** Councillor Nick Vineall (Chair)  
Councillor Toby Eckersley  
Councillor Jonathan Mitchell  
Councillor Lewis Robinson

**OFFICER SUPPORT:** Sonia Watson, planning officer  
Gavin Blackburn, legal officer  
Beverley Olamijulo, constitutional officer (community councils)

### **1. INTRODUCTION AND WELCOME [CHAIR]**

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

### **2. APOLOGIES**

Apologies for absence were submitted on behalf of Cllrs, James Barber, Michelle Holford, Kim Humphreys, Robin Crookshank Hilton and Richard Thomas.

### **3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**

None were disclosed.

### **4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

There were no urgent items of business.

## 5. MINUTES OF THE PREVIOUS MEETING

Deferred until the next meeting.

### RECORDING OF MEMBERS' VOTES

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

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

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

## 6. DEVELOPMENT CONTROL ITEMS (SEE PAGES 2 - 20)

### RESOLVED:

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

**Item 6/1 Recommendation: Grant – 103 Overhill Road, London SE22 0PR** (See pages 8 – 20)

**Proposal:** Retention of a 4-storey building comprising 10 self contained flats (Use Class C3).

The planning officer introduced the report, circulated plans of the scheme and responded to Members' questions.

Representations were heard from the objectors who spoke against the application citing the following reasons for the objection:

- Overdevelopment of the site
- Noise – referred to nos. 10 -12 which have noise problems
- Concern for refuse collection, which at 10 -12 was always overflowing
- Concern about impact of the first floor extension

The applicants were present to make representations at the meeting.

Members felt the design was unsightly and that there were inadequate details on waste, the density was too high there would be disamenity arising from noise transference arising from the change of use. Lastly the applicants have not demonstrated how the application would not affect the vitality of the parade.

- RESOLVED:** That planning permission be **refused** on the following grounds:
1. The applicant has failed to demonstrate that the loss of an active ground floor use would not result in harm to the vitality and viability of the local shops in the area which provide a valuable amenity to local residents. The proposal is therefore considered to be contrary to Policy 1.10 part ii of the Southwark Plan 2007.
  2. The proposal, by reason of the location of the bin, recycling and cycle storage immediately behind the front boundary wall, together with the detailed design of the front elevation in particular the single ground floor window to no. 16 Upland Road, would fail to respond positively to its surroundings. The inappropriate design of the front elevation and the cluster of storage in front of the building would represent an incongruous feature within the street detrimental to the visual amenity of adjoining properties and other people in the local area. As such the proposal is contrary to Policy 3.2 Protection of Amenity, 3.7 Waste Reduction, 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.
  3. The proposed accommodation represents a cramped and over converted development offering a poor standard of accommodation for future residents by reason of the undersized studio unit the limited depth of the front light well with the cluster of structures in front resulting in a poor level of light and ventilation to the basement dwellings, the lack of private outdoor space and the high density arising from the number of proposed habitable rooms within the building., adversely affecting the amenity of neighbouring occupiers and of future occupiers of the building by virtue of noise transmission The proposal is therefore contrary to Policies 3.2 Protection of Amenity, 3.11 Efficient Use of Land, 3.12 Quality in Design, 4.1 Density and 4.2 Quality of Residential

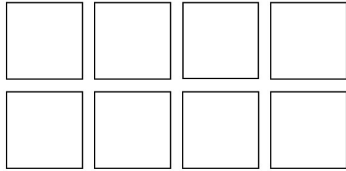


Accommodation of The Southwark Plan 2007 and  
the Residential Design Guidance in the  
Supplementary Planning Document 2008

The meeting closed at 8.30pm

**CHAIR:**

**DATE:**



**COMMUNITY COUNCILS**  
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**DULWICH COMMUNITY COUNCIL  
PLANNING MEETING**

MINUTES of the Dulwich Community Council Planning meeting held on Thursday 7 January 2010 at 7.00pm at Dulwich Grove United Reform Church, East Dulwich Grove, London SE22 8RU

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- PRESENT:** Councillor Nick Vineall (Chair)  
Councillor James Barber  
Councillor Robin Crookshank Hilton  
Councillor Michelle Holford  
Councillor Jonathan Mitchell  
Councillor Lewis Robinson
- OFFICER SUPPORT:** Sonia Watson, planning officer  
Gavin Blackburn, legal officer  
Beverley Olamijulo, constitutional officer (community councils)

**1. INTRODUCTION AND WELCOME [CHAIR]**

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

**2. APOLOGIES**

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

**3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**

None were disclosed.

**4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

There were no urgent items of business.

**5. MINUTES OF THE PREVIOUS MEETING HELD ON 10 NOVEMBER 2009**

The Minutes of the planning meeting held on 10 November 2009 were agreed as an accurate record of the proceedings which the Chair signed.

## **RECORDING OF MEMBERS' VOTES**

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

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

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

## **6. DEVELOPMENT CONTROL ITEMS (SEE PAGES 7 - 39)**

### **RESOLVED:**

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

**Item 6/1 – Recommendation: Grant – 549 Lordship Lane, London SE22 8LB (See pages 13 – 39)**

**Proposal:** Refurbishment and conversion of the existing building to provide 5 residential units (3 x1 bedroom and 2 x 2 bedroom flats) with external alterations, including cycle parking and associated car parking accessed from Lordship Lane.

The planning officer introduced the report, circulated plans of the scheme and responded to Members' questions

Members expressed concern about the permanent chaining open of the access gates and the impact this would have on the safety for future residents. It was considered that there should be a more better method to ensure the highway was kept clear but which still made the site secure.

It was noted that neither the applicants or objectors were present at the meeting.

Cllr Robinson spoke in support of the scheme in his capacity as a Ward Councillor.

**RESOLVED:** That planning permission and listed building consent be granted subject to a revision of condition 15 of the planning permission which would now read:

Prior to commencement of works on site details of the vehicular access gates on Lordship Lane shall be submitted to and approved by the Local Planning Authority. Such details shall ensure that the gates can remain closed when not in use and that vehicles can enter and exit the site without impacting on the flow of traffic on the trunk road.

Reason  
As per the officer's report.

The meeting closed at 7.35 pm

**CHAIR:**

**DATED:**

<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> 18 March 2010	<b>Meeting Name:</b> Dulwich Community Council
<b>Report title:</b>		<b>Development Control</b>	
<b>Ward(s) or groups affected:</b>		All within [Village, College and East Dulwich ] Community Council	
<b>From:</b>		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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
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**

<b><u>Lead Officer</u></b>	Deborah Collins, Strategic Director of Communities, Law & Governance	
<b>Report Author</b>	Principal Planning Lawyer Constitutional Support Officer	
<b>Version</b>	Final	
<b>Dated</b>	Aug 26 2009	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	Comments included
Strategic Director of Legal and Democratic Services	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Control	No	No

**ITEMS ON AGENDA OF THE DULWICH CC**  
**on Thursday 18 March 2010**

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**Appl. Type** Full Planning Permission  
**Site** LAND ADJOINING 114 WOODLAND ROAD, LONDON, SE19 1PA

**Reg. No.** 09-AP-2130  
**TP No.** TP/2575-114  
**Ward** College  
**Officer** Sonia Watson

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT  
**Proposal**

***Item 1/1***

Construction of a three / four storey block consisting of twelve new homes (5 x 4 bedroom houses, 1 x 4 bedroom maisonette, 5 x 2 bedroom flats and 1 x 1 bedroom flat) with associated landscaping and cycle parking.

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**Appl. Type** Full Planning Permission  
**Site** 40A LACON ROAD, LONDON, SE22 9HE

**Reg. No.** 09-AP-2403  
**TP No.** TP/2627-40  
**Ward** East Dulwich  
**Officer** Ronan O'Connor

**Recommendation** GRANT PERMISSION  
**Proposal**

***Item 1/2***

Single storey side/rear extension to ground floor flat, providing additional residential accommodation .

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**Appl. Type** Full Planning Permission  
**Site** 7A MELBOURNE GROVE, LONDON, SE22 8RG

**Reg. No.** 09-AP-2240  
**TP No.** TP/2125-7  
**Ward** East Dulwich  
**Officer** Daniel Davies

**Recommendation** GRANT PERMISSION  
**Proposal**

***Item 1/3***

Proposed parapet wall and railings (retrospective)(Use Class C3).

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**Appl. Type** Full Planning Permission  
**Site** 35 WOODWARDE ROAD, LONDON, SE22 8UN

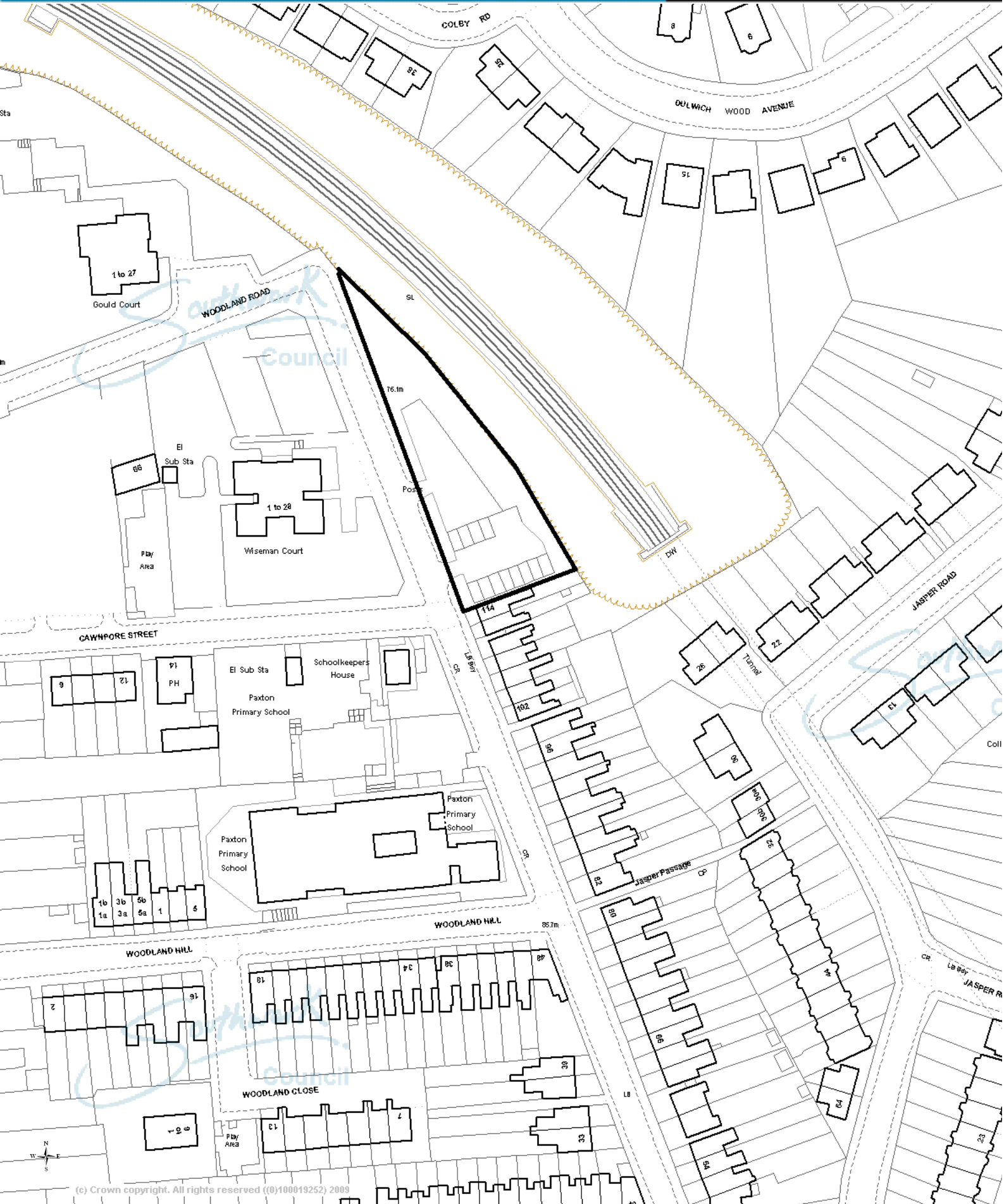
**Reg. No.** 09-AP-2791  
**TP No.** TP/2587-35  
**Ward** Village  
**Officer** Jeremy Talbot

**Recommendation** GRANT PERMISSION  
**Proposal**

***Item 1/4***

Single storey ground floor rear extension and loft conversion with rear dormer window extension and rooflights to side and rear, providing additional residential accommodation.

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ITEM NUMBER	Classification	Decision Level	Date
1	OPEN	Dulwich Community Council	18/03/2010
<b>From</b> Head of Development Management		<b>Title of Report</b> DEVELOPMENT MANAGEMENT	
<b>Proposal</b> (09-AP-2130) Construction of a three / four storey block consisting of twelve new homes (5 x 4 bedroom houses, 1 x 4 bedroom maisonette, 5 x 2 bedroom flats and 1 x 1 bedroom flat) with associated landscaping and cycle parking.		<b>Address</b> LAND ADJOINING 114 WOODLAND ROAD, LONDON, SE19 1PA  <b>Ward</b> College	
<b>Application Start Date</b> 29/09/2009		<b>Application Expiry Date</b> 29/12/2009	

### PURPOSE

- 1 To consider the above application, which is recommended for approval and has received more than 3 objections.

### RECOMMENDATION

- 2 Grant planning permission subject to an agreement that allows the applicants to make a contribution to secure funding for local improvements.

### BACKGROUND

#### Site location and description

- 3 The application site is located on the north eastern side of Woodland Road and is of an irregular shape with a total area of approximately 0.2ha. The site is currently overgrown with derelict garages to the southern section of the site. The site falls away fairly steeply leading down towards the railway embankment and there is an area of land to the rear of the site which can not be developed.
- 4 To the south of the site is a row of residential terraces ranging between two and three storeys in height. Immediately to the north and east of the site is the main rail line and across Woodland Road to the west is a seven storey high Council housing block.
- 5 The area is characterised by residential uses with the exception of a school located to the south west of the site.
- 6 The site does not lie within a Conservation Area. However, Gipsy Hill Conservation Area which lies in LB Lambeth is a short distance away, but does not adjoin the site. There are no listed buildings in the immediate vicinity.

It should be noted that Woodland Road is the boundary between Southwark and Lambeth Borough Council Areas.

#### Details of proposal

- 7 Planning permission is sought for the redevelopment of the site for the construction of a part 3, part 4 storey building which would comprise a total of 12 residential units.
- 8 The proposal consists of a mix of houses and flats, all of which will be set back from the pavement maintaining the existing building line of the street.

- 9 The building would take the form of a modern terrace with variation in the roof form to include intermittent gables with a variation in height. The bulk of the building would be towards the end of the terrace, taking advantage of the slope in the hill.
- 10 The proposed building would incorporate a variety of material types including brick and render. A number of the dwellings will have juliette style balconies on the front elevation.
- 11 The development does not extend across the full width of the site and a triangular section of land immediately opposite the car parking area of Wiseman Court would be landscaped to form a garden for the flatted element of the scheme.

### **Planning history**

- 12 The site has been subject of a number of planning applications dating back to 2002.
- 13 02/CO/0530 Planning permission was refused at planning committee on 24/07/2002 for the demolition of existing derelict garages & construction of 3 storey building to provide temporary residential accommodation and a 2 storey care takers house, lay out one parking space and hard and soft landscaping. The application was refused for the following reason;
- The proposed development by reason of its appearance and extent of site coverage would be detrimental to the Gipsy Hill Conservation Area (L.B. Lambeth).
- 14 07/AP/2165 Planning permission was refused under officers delegated powers on 3/1/2008 for redevelopment of the site for provision of a terrace houses and a block of flats on part 3 and part 4 storeys, total of 13 units, and communal garden to north of site for new development. The reasons for refusal were as follows;
- Insufficient information has been provided to justify that the development would be incapable of making a reasonable level of financial contribution based on a 35% affordable housing scheme, such that would mitigate the resulting impacts from the development.
  - Insufficient information has been submitted to fully assess the sustainability aspects of the proposal and the impact they may have on the amenity of adjoining and future occupiers.

### **Planning history of adjoining sites**

- 15 3-5 Cawnpore Street - 99-107 Woodland Road and land to the rear of 72 - 88 Gipsy Hill - redevelopment of the site involving the demolition of the existing buildings and erection of two buildings ranging from 3 to 5 storeys in height with basement level to provide 268sqm of Class B1 Office floorspace and 54 self-contained flats comprising 7 x 1 bedroom, 35 x 2 bedroom 10 x 3 bedroom and 2 x 4 bedroom dwellings, together with provision of 30 car parking spaces and 10 motorcycle spaces at basement level, surface level cycle storage, landscaping and boundary treatment.
- 16 Whilst not adjoining the site, this development has been granted permission (1/11/2007) by London Borough of Lambeth and is currently under construction.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 17 The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] density;
- c] housing tenure and mix;
- d] amenity;
- e] traffic and parking;
- f] design;
- g] planning obligations;
- h] energy;
- i] trees;
- j] biodiversity.

### **Planning Policy**

- 18 Southwark Plan 2007 [July]
- SP1 - Sustainability, equality and diversity
  - SP3 - Quality and accessibility
  - SP10 - Development impacts
  - SP11 - Amenity and environmental quality
  - SP12 - Pollution
  - SP13 - Design and heritage
  - SP14 - Sustainable buildings
  - SP17 - Housing
  - SP18 - Sustainable transport
- 2.5 - Planning obligations
  - 3.2 - Protection of amenity
  - 3.3 - Sustainability assessment
  - 3.4 - Energy efficiency
  - 3.5 - Renewable energy
  - 3.7 - Waste reduction
  - 3.11 - Efficient use of land
  - 3.12 - Quality in design
  - 3.13 - Urban design
  - 3.14 - Designing out crime
  - 3.28 - Biodiversity
  - 4.1 - Density of residential development
  - 4.2 - Quality of residential accommodation
  - 4.3 - Mix of dwellings
  - 4.4 - Affordable housing
  - 4.5 - Wheelchair affordable housing
  - 5.2 - Transport impacts
  - 5.3 - Walking and cycling
  - 5.6 - Car parking
  - 5.7 - Parking standards for disabled people and the mobility impaired

Section 106 Planning Obligations SPD (July 2007)  
 Residential Design Standards SPD (September 2008)  
 Affordable Housing SPD (September 2008)  
 Sustainable Design and Construction SPD (February 2009)

London Plan consolidated with alterations since 2004

- 19 2A.1 Sustainability criteria  
 3A.1 Increasing London's supply of housing  
 3A.2 Borough housing targets  
 3A.3 Maximising the potential of sites  
 3A.5 Housing choice  
 3A.6 Quality of new housing provision  
 3A.9 Affordable housing targets  
 3A.11 Affordable housing thresholds  
 3A.18 Protection and enhancement of social infrastructure and community facilities  
 3A.20 Health objectives  
 3C.1 Integrating transport and development  
 3C.3 Sustainable transport in London  
 3C.23 Parking strategy  
 3D.8 Realising the value of open space and green infrastructure  
 4A.1 Climate change  
 4A.3 Sustainable design and construction  
 4A.4 Energy assessment  
 4A.7 Renewable Energy.  
 4A.9 Adaptation to Climate Change  
 4A.14 Sustainable drainage  
 4A.16 Water supplies and resources  
 4A.19 Air quality  
 4A.22 Waste management  
 4A.28 Construction, excavation and demolition waste  
 4B.1 Design principles for a compact city  
 4B.5 Creating an inclusive environment  
 4B.6 Safety, Security and fire prevention and protection  
 4B.8 Respect local context and communities  
 4B.11 London's built heritage

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

- 20 PPS1: Delivering Sustainable Development (January 2005)  
 PPS3: Housing (November 2006)  
 PPG13: Transport (April 2001)  
 PPG15 Planning and the Historic Environment  
 PPG24: Planning and Noise (October 1994)

**Consultations**

- 21 Site notice date:09/10/2009 Press notice date:08/10/2009

Neighbour consultation letters sent:08/10/2009

Case officer site visit date:09/10/2009

Internal consultees

- 22 Access  
 Arboricultural Officer  
 Ecology Officer  
 Environmental Protection  
 Transport

## Waste management

Statutory and non-statutory consultees

- 23 Lambeth Council  
Natural England - London Region  
Thames Water  
Southwark Cyclists  
Railtrack Southern

Neighbour consultees

- 24 See Appendix 1.

Re-consultation

- 25 Following the first round of consultations the applicant arranged a meeting with some of the residents to go through the concerns raised. As a result of this meeting amendments were made to the scheme which included alterations to the front elevation and a small reduction in the overall height of the buildings. A further letter was sent to residents on 5 January 2010.

**Consultation replies**Internal consultees

- 26 Access - Raise no objections to the lack of wheelchair units due to the location.  
Arboricultural Officer - Raise no objections subject to conditions  
Ecology Officer - Raise no objections subject to conditions.  
Environmental Protection - Raise no objections subject to conditions to reduce noise to rear bedroom windows and with respect to soil contamination  
Transport - Raise no objections  
Waste management - No comments received.

Statutory and non-statutory consultees

- 27 Lambeth Council - Raise no objections.  
Natural England - London Region - Raise no objections subject to conditions to ensure mitigation measures are put into place should badger habitats being found.  
Thames Water - Raise no objections.  
Southwark Cyclists - Request condition for 130% cycle parking.  
Railtrack Southern - No comments received.  
Crystal Palace Community Association - Object to the application on the following grounds:

- The proposal does not attempt to pay regard to context.
- The previous schemes were both refused, the earlier scheme for its contemporary style and for being out of keeping with the area. The reason of dominance given in the 2002 refusal is equally applicable in this case.
- The current proposal is a pastiche of poor quality.
- The end buildings are too high and will create an unacceptable degree of overshadowing to the communal gardens at the side.
- The main street facade is poorly designed.
- Taken together the banal front, visually prominent front elevations, excessive and dominant height, the poor quality amenity space and lack of parking are each on their own sufficient to warrant refusal of the scheme.

Neighbour consultees

- 28 A list of addresses from residents commenting on the application is given below. A total of 24 objections and 1 letter of support were received in response to the initial round of consultation and a further 16 objections were received to the second



consultation. A list of addresses, (where given, of comments received are at Appendix 2).

29 The comments raised are listed below;

30 Support - It will improve the tone of the neighbourhood as well as provide some much needed housing.

31 • Density, height and bulk

The strip of land is too narrow and too short to be developed. The building is too high at 4 storeys and the solid flat end of the lower block will be seen immediately rounding the bend in the road. The density of 31 bedrooms on such a small site would exceed the density levels for this area.

32 • Parking

There is no parking and with the school nearby will be dangerous. There will be an influx of children in the area which is already overcrowded. Woodland Road and the surrounding streets are heavily parked with very few spaces in the evening and weekends. The parking survey is not an accurate reflection of average parking conditions.

33 • Design

The 4 storey element is out of scale with this part of Woodland Road. The properties immediately adjoining are 2 and 3 storey. The highest part of the roof is more than the ridge of the 3 storey properties several houses away. This will be unattractive when viewed from the northern end of Woodland Road, but also noticeable from the southern end at the edge of the conservation area. The size, design and materials are completely out of keeping with others in this part of Woodland Road. Full height patio door style windows with protective balcony coverings cannot be found anywhere on this side of the road. The proposed variation of materials along the frontage fails to adequately break up the design of the block. The new units would be very close to the road giving a bulky and overbearing feel to the streetscape. The heights of the building look questionable and the slope shown on the drawings does not appear to reflect the existing situation, consequently the buildings are taller than some of the tallest buildings on this side of the road.

34 • Daylight and sunlight

The proposal will block sunlight and daylight coming into my flat, as the sun only comes in from that side.

35 • The area will be noisier.

36 • Loss of trees close to the conservation area and impact on wildlife.

37 • Woodland Road cannot sustain more development and will overload the area and infrastructure.

38 • The consultation by HTA was for a different design and pre-Cawnpore St.

39 • The new plans do not reflect the haphazard irregularities of the existing buildings on Woodland Road, and the slope is not used to mitigate the height impact. The artist's impression of the road gives a misleading idea of the width which is very narrow, the proximity of the buildings to the road will make them overbearing and dominant.

40 A letter was received from Cllr Andrew Gibson who is a ward councillor for the Gipsy Hill Ward, he objects as follows

- Housing density will give rise to many problems and as such the application represents an attempt at over intensive development.
- Parking stress, the area suffers from commuter parking and the peak parking stress has not been identified properly and will worsen with the Cawnpore Street development
- The applicant is trying to get onto a cramped site sloping next to a railway line, the internal proportions are not very generous, fewer dwellings should be proposed.
- The design is out of keeping with the area, the height design and massing of the proposed development are incongruous and unsightly. The roofline is out of kilter with the surroundings.

#### Re-consultation

- 41 The objections received as part of the reconsultation reiterated the original concerns on overdevelopment, poor design, congestion and parking stress, not a mixed development (100% social housing).

### **PLANNING CONSIDERATIONS**

#### **Principle of development**

- 42 The site is not subject to any designation in the Southwark Plan. The prevailing character of the surrounding area is residential, and as such there are no objections to the principle of the proposed development in landuse terms.
- 43 The Council's housing needs survey was updated in 2006 and found that there is a significant shortfall of housing in the Borough, a general need for more family housing, the greatest need in the private housing sector is for 1 and 2 bedroom properties and the greatest need in the affordable housing sector is for 3-bedroom properties. The proposal would be in accordance with the aims and objectives of PPS3: Housing and the London Plan in providing residential accommodation on an vacant site, and the provision of 100% affordable housing is welcomed. Given the limited number of units, it is not considered that this would lead to an overconcentration of housing in one tenure type in this area.
- 44 The redevelopment of the site for residential purposes is generally accepted and this is reflected in earlier refusals which did not determine that the site was unsuitable for residential purposes and this was never given as a reason for refusal of planning permission.

#### **Environmental impact assessment**

- 45 Not required for a scheme of this type or size.

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

#### Outlook and privacy

46 The proposal would adjoin no.114 Woodland Road and this would be the property most affected by the physical impacts of the scheme. The proposal would not sit immediately on the boundary with no. 114 whose flank wall extends on the boundary with the application site. The plot adjoining 114 would be a single dwelling house with a side access gate leading out to the rear garden. The dwelling would not extend out as far as the outrigger of no 114 and no windows are proposed on the flank elevation. Due to the orientation of no 114 and the location of the long blank wall on the

boundary it is not considered that the proposal would impact on the general outlook and privacy to this dwelling.

47 Daylight and Sunlight

Objections have been received in respect of loss of sunlight to dwellings in Wiseman Court. The development site would be located approximately 23 metres from Wiseman Court and lies in a north easterly direction to this building. It is unlikely that the proposal will have any negative impact to the daylight and sunlight received to this property.

In terms of the impacts on neighbours, it is considered that the proposal is compliant with Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

Design (see paragraphs 56 - 59)

48

Parking (see paragraph 52 - 55)

50

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

51 The proposal is for housing in an area which is residential in character. Whilst there has been some concern raised around the provision of an entirely social housing scheme, the use remains residential and is not seen to conflict with the residential nature of the area.

**Traffic issues**

52 The site lies within an area with a high public transport accessibility level (PTAL) rated 5. No car parking is provided with the proposal and this has raised a lot of local concern. The Council's transport officer has not raised any objections to the absence of any off street parking in respect of the proposal due to the location.

53 Local residents are concerned that the demand for on street parking as a result of this development and combined with the development in Lambeth would place undue parking stress on the local streets.

54 The concern raised is noted, however in the consideration of this case the lack of parking would not be a justifiable reason for refusal, as the site is not being over developed as reflected in the low density and the generous level of outdoor space provided. Further it is noted from the historic plans of the site the terrace along Woodland Road contained a further 14 houses none of which would have had any off street parking.

Cycle parking

55 Storage for a total of 13 bicycles would be provided. Ten would be accessed off the ground floor internal corridor for the flats. Cycle storage is not provided in the front of the building for the houses as this would add clutter to the front of the dwellings. The end properties have a side gate and external access to side/rear storage which would accommodate the additional 3 spaces. It is recommended that a condition be imposed to ensure that the cycle storage is provided.

**Design issues**

56 In terms of height, scale and massing, this proposal has been through a series of amendments and it is now considered that it has reached an acceptable solution. The variety of three and four storey blocks stepping-down the hill marks an acceptable response to the scale and variety of houses that are evident in the existing eastern side of Woodlands Road. The scale of the four-storey block at the lower northern end

of the site has been questioned, but it is felt that this provides a strong termination to the terrace and is an adequately contextual response.

- 57 The height needs to be carefully controlled, as no heights are indicated on the plans. For this reason the benchmark should be the closest 3-storey semi-detached houses in the existing streetscape [No.s 108+110] relative to which no eaves or ridge level on the proposal should be equal or exceeding.
- 58 The proposal has sought to introduce a level of variety in the design that reflects the house plot-widths on the existing streetscape, either by physical stepping-down or gabled frontages and changes in facing materials. It is recommend that sample-boards be submitted to show the quality of materials and finishes, and to demonstrate how they respond to their context. Some variety is also achieved in the fenestration and door patterns, but there is still a repetitive quality in their distribution that could have been more imaginative and interesting. It is unfortunate that the rear facades have (apparently) received much less consideration than the streetscape, displaying a lack of character and architectural interest.
- 59 On balance it is considered that this proposal has reached an acceptable level of design and contextual response for this site, and can now be supported when assessed against policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

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

- 60 The proposal does not lie within a conservation area, although it is close to the Gipsy Hill Conservation area in Lambeth. Lambeth Council were consulted on this application and have written that they have no objections. Lambeth have previously raised objections to earlier schemes on the grounds of the impact on the conservation area. Southwark officers do not believe that the proposal would impact negatively on the Gipsy Hill Conservation Area, which would be more affected by the Cawnpore Street development.

As such, it is considered that the proposal would preserve the character and appearance of the Conservation Area, in accordance with the guidance in PPG15.

**Impact on trees**

- 61 Objections have been raised in relation to the loss of trees on site. The site is heavily vegetated however the trees are primarily located along the eastern and north western boundaries. On advice given by officers as part of the pre-application process, the proposal has been designed to ensure that the three trees fronting the street are retained. Many of the other trees on the site were self-seeded and have grown too close to each other. Additional tree planting within the site could be included as a landscape condition and no objections are raised on these grounds.
- 62 Further discussions with the applicant have determined that it may be possible to retain the Ash tree which lies close to the boundary with 114 Woodland Road, (labelled T14 on the Trees to be removed plan).
- 63 No objections have been raised by the arboriculturalist subject to suitable tree protection measures and conditions to ensure suitable replacement species.

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

- 64 The applicants have submitted an economic development appraisal, which demonstrates that the proposal would not be able to withstand any form of monetary contribution. This information has been examined by the Council's valuers and they have agreed the conclusions reached by the applicant that the scheme is likely to result in a loss, even with grant. Notwithstanding this the applicant has agreed to

make a contribution of £30,000.

- 65 Under Policy 2.5 of the Southwark Plan the authority will seek to enter into planning obligations to mitigate against development impacts which cannot be dealt with by conditions. Officers have calculated that the total contribution would have been £44,363 to be provided as follows;
- 66 £ 7,957 Employment during construction  
 £ 645 Employment during construction management fee  
 £16,099 Public open space, children's play equipment and sports development  
 £ 7,259 Strategic transport  
 £11,534 Health  
 £ 870 Admin fee

Given the sum of money offered would not fully meet the total contribution, officers suggest that the cost for strategic transport and public open space and children's play equipment and sports development are met, (total £23358) and the remainder (£6642) put towards the health contribution.

### **Other matters**

#### Density

- 67 Policy 4.1 of the Southwark Plan limits the density of developments to prevent overdevelopment of the site from occurring. As the site is located within a suburban zone a density of between 200 and 350 habitable rooms per hectare is permissible. The density of the proposal is 266 habitable rooms per hectare which is compliant with this policy.

#### Dwelling Mix

- 68 Policy 4.3 of the Southwark Plan 'Mix of dwellings' states that all major residential developments should provide a mix of dwelling sizes and types to cater for the range of housing needs in the area. Further guidance is contained within the Residential Development Standards SPD which states that for major residential schemes, the majority of units should have two or more bedrooms, in developments of 15 or more dwellings at least 10% should have direct access to private outdoor space and at least 10% should be suitable for wheelchair users.
- 69 The scheme would provide 6 x 4-bed units (50%), 5 x 2-bed units (49%) 1x 1-bed unit (1%).
- 70 The proposal, whilst meeting lifetime homes standards for the proposed dwellings would not provide any wheelchair housing, due to the location of the development at the bottom of a fairly steep hill. Whilst this would not meet the requirements of Policy 4.3 the appropriateness of the site is a valid consideration. The access officer was consulted on this and considers that it would not be appropriate in this location to seek the usually provision of wheelchair housing.

#### Housing Tenure

- 71 The application proposes 100% affordable housing, all of which would be social rented. Policy 4.4 of the Southwark Plan generally requires a tenure split of 70:30 social rented to intermediate housing, although paragraph 5.4 of the adopted Affordable Housing SPD permits a move away from the 70:30 tenure split for schemes proposing 100% affordable housing, which are generally put forward in order to meet a specific need. As such, there are no objections in this regard.

#### Quality of the proposed accommodation

- 72 The proposed room sizes would comply with the Residential Design Standards SPD minimum, overall, all of the dwellings would exceed minimum floor area requirements

and would receive acceptable levels of light, with all of the units being dual aspect.

- 73 The proposal would provide some defensible space in front of the ground floor windows fronting Woodland Road, enclosed by low boundary walls. This is considered to be sufficient to protect the privacy of future occupiers, subject to a condition that the boundary treatment is provided prior to occupation.
- 74 The Residential Design Standards SPD requires a minimum of 10 sqm of private amenity space for flats plus an additional 50 sqm of communal amenity space and 50 square metres for houses. The proposal would provide all of the 4 bedroom units and the 1 bed unit with over 50 sq. metres of private outdoor amenity space. The 2 bedroom units would have access to 255 sq metres of communal space at the side of the development

#### Biodiversity

- 75 As the site has been undeveloped for some time the area has become overgrown and attracted a variety of wildlife. In order to assess the impact of the proposal on the wild life a habitat study was submitted with the application and separate bat and badger studies were also undertaken. The bat survey found that whilst it was likely that the railway line was used as a commuting route there were no bats within the site. Conditions have been recommended by the Ecology officer to ensure low level lighting so as not to disturb any bats and the use of bat bricks within the new dwellings.
- 76 The badger survey showed that although no evidence of badgers were found in the initial survey a monitoring study would need to be undertaken.
- 77 If evidence of badgers is confirmed from the holes in use then a mitigation strategy will need to be agreed with Natural England.
- 78 The retention of a buffer zone between this development and the railway would go some way towards mitigating for the impact on this site on biodiversity

#### Refuse / recycling

- 78 The plans show adequate refuse storage to serve the proposed development. The houses will have space allocated within the front gardens as will the ground floor end flat unit, which has a separate entrance from Woodland Road. The main entrance to the flat blocks would have an integral storage area to the front of the building. The areas allocated are suitably located for residents and are accessible for collection purposes. There is space for recycling receptacles although these are not marked on the plan. A condition requiring that the details for recycle stores are provided and completed prior to occupation is recommended, to ensure compliance with policy 3.7 of the Southwark Plan 'Waste reduction'.

#### Noise and vibration

- 79 Given the proximity of the site to the railway, a noise and vibration report has been submitted with the application. This has been reviewed by the Council's Public Protection Team who has advised that noise and vibration within the flats would fall within acceptable levels. The team has recommended a condition to control noise levels to rear bedrooms. A request for a condition on soil contamination, has been made given that the site may have been used for fly tipping in past, in order to protect the amenity of existing and future occupiers.

#### **Conclusion**

- 80 The application site has been subject of a number of applications and pre-application discussion. It is considered that the site is appropriate for residential development, the provision of large family units is in demand within the borough and the proposal would provide 6 four bedroom homes. The quality of the residential accommodation would

comply with the Council's residential standards SPD save for the lack of private amenity space for some of the flatted units which would have use of the communal area to the side.

- 81 The mix of the units and the level of development proposed would meet the requirements of Southwark Plan Policies, and the absence of wheelchair units is understandable in the given location and this is not seen as sufficiently justifiable as a reason for refusal.
- 82 The majority of concerns raised by residents have been around design and parking. The design is considered to address the street appropriately, whilst of a modern design it does pick up on elements of the Victorian dwellings further up the road and maintains the established building lines. It is understandable that the scheme may not appeal to all but in the view of officers with the use of sufficiently robust and good quality materials the proposed development will infill this stretch of Woodland Road and offer an improvement to the streetscene compared with the existing hoarded site.
- 83 The lack of parking has not given rise to objections from transport officers; this is due to its location and to the impact of off street parking on the further loss of trees within the site.
- 84 This is a site that has previously been developed with 14 houses. It is acknowledged that the development in neighbouring Lambeth will be significant in its impact on the area, this is not in itself justification to stifle what is a relatively modest scheme. It is therefore recommended that planning permission be granted subject to the completion of the unilateral agreement.

### **COMMUNITY IMPACT STATEMENT**

- 85 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 as parking, design and loss of trees.
- c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are use some of the contribution towards strategic transport, to ensure the materials in respect of the design are submitted for further approval and to ensure the development retains as many trees as possible and provides a good standard of landscaping for the development.

### **HUMAN RIGHTS**

- 86 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. This application has the legitimate aim of providing a residential development for 12 new residential units. 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.

**SUSTAINABLE DEVELOPMENT IMPLICATIONS**

- 87 The proposal would provide an overall reduction of 20% in carbon emissions with the use of photovoltaic panels on the roof to produce electricity for the proposed dwellings. Each solar photovoltaic panel will link to an inverter within each dwelling so that the tenant directly benefits either from direct electrical generation, or by export to the grid. The dwellings will be low energy light fittings, both internally and externally, with timers and sensors on the external lights. The internal water consumption will be restricted through dual flush toilets, 130 litre baths and flow restrictors on taps and showers, water butts will be provided in all of the gardens.
- 88 The proposal is being designed to achieve code level 3. This complies with the minimum standard set out in the Sustainable Design and Construction SPD and a condition to ensure this is carried through to the completed development is recommended.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Sonia Watson	Team Leader - Development Management [tel. 020 7525 5434]
CASE FILE	TP/2575-114	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a>	



## Appendix 1

## Neighbour Consultee List for Application Reg. No. 09-AP-2130

<b>TP No</b>	TP/2575-114	<b>Site</b>	LAND ADJOINING 114 WOODLAND ROAD, LONDON, SE19 1PA
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
08/10/2009	98 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	102 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	108 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	112 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	18 JASPER ROAD LONDON SE19 1SJ
08/10/2009	22 JASPER ROAD LONDON SE19 1SJ
08/10/2009	26 JASPER ROAD LONDON SE19 1SJ
08/10/2009	30 JASPER ROAD LONDON SE19 1SJ
08/10/2009	30B JASPER ROAD LONDON SE19 1SJ
08/10/2009	96A WOODLAND ROAD LONDON SE19 1PH
08/10/2009	96C WOODLAND ROAD LONDON SE19 1PH
08/10/2009	90B WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 1 86 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 16 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 1 82 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 3 82 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 23 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 25 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 27 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 4 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 6 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 8 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 1 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 11 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 13 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 15 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 18 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 2 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 21 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 9 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 1 84-86 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 3 84-86 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 5 84-86 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 28 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 4 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	GROUND FLOOR FLAT 92 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 18 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 16 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 5 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 1 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 23 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 22 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 13 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 15 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	FLAT 27 FORBES COURT GIPSY HILL LONDON SE19 1PJ
08/10/2009	30A JASPER ROAD LONDON SE19 1SJ
08/10/2009	104 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	106 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	110 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	88 WOODLAND ROAD LONDON SE19 1PA
08/10/2009	16 JASPER ROAD LONDON SE19 1SJ
08/10/2009	20 JASPER ROAD LONDON SE19 1SJ
08/10/2009	24 JASPER ROAD LONDON SE19 1SJ
08/10/2009	28 JASPER ROAD LONDON SE19 1SJ
08/10/2009	90A WOODLAND ROAD LONDON SE19 1PA
08/10/2009	96B WOODLAND ROAD LONDON SE19 1PA
08/10/2009	94B WOODLAND ROAD LONDON SE19 1PA
08/10/2009	94A WOODLAND ROAD LONDON SE19 1PA
08/10/2009	FLAT 10 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 12 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
08/10/2009	FLAT 14 GOULD COURT WOODLAND ROAD LONDON SE19 1PH
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 08/10/2009 FLAT 24 GOULD COURT WOODLAND ROAD LONDON SE19 1PH  
 08/10/2009 FLAT 26 GOULD COURT WOODLAND ROAD LONDON SE19 1PH  
 08/10/2009 FLAT 3 GOULD COURT WOODLAND ROAD LONDON SE19 1PH  
 08/10/2009 FLAT 5 GOULD COURT WOODLAND ROAD LONDON SE19 1PH  
 08/10/2009 FLAT 7 GOULD COURT WOODLAND ROAD LONDON SE19 1PH  
 08/10/2009 FLAT 2 82 WOODLAND ROAD LONDON SE19 1PA  
 08/10/2009 FLAT 2 84-86 WOODLAND ROAD LONDON SE19 1PA  
 08/10/2009 FLAT 4 84-86 WOODLAND ROAD LONDON SE19 1PA  
 08/10/2009 FIRST FLOOR AND SECOND FLOOR FLAT 92 WOODLAND ROAD LONDON SE19 1PA  
 08/10/2009 FLAT 10 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 9 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 11 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 6 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 21 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 12 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 17 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 24 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 7 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 25 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
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 08/10/2009 FLAT 2 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
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 08/10/2009 FLAT 8 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 26 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 3 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 FLAT 20 FORBES COURT GIPSY HILL LONDON SE19 1PJ  
 08/10/2009 114 Woodland Road SE19 1PA  
 08/10/2009 Mercury House 1st floor south 109-119 Waterloo Road London SE1 8UL  
 08/10/2009 1 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 1 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 3 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 5 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 7 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 9 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 11 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 13 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 15 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 17 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 19 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 21 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 23 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 25 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 27 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 29 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 31 WOODLAND ROAD LONDON SE19 1NS  
 08/10/2009 33 WOODLAND ROAD LONDON SE19 1NU  
 08/10/2009 35 WOODLAND ROAD LONDON SE19 1NU  
 08/10/2009 37 WOODLAND ROAD LONDON SE19 1NU  
 08/10/2009 39 WOODLAND ROAD LONDON SE19 1NU  
 08/10/2009 2 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 4 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 6 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 8 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 10 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 12 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 14 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 16 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 18 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 20 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 22 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 24 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 26 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 28 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 30 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 32 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 34 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 36 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 38 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 40 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 42 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 44 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 46 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 48 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 50 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 52 WOODLAND ROAD LONDON SE19 1NT  
 08/10/2009 54 WOODLAND ROAD LONDON SE19 1NT

08/10/2009	56	WOODLAND ROAD LONDON	SE19 1NT
08/10/2009	58	WOODLAND ROAD LONDON	SE19 1NT
08/10/2009	60	WOODLAND ROAD LONDON	SE19 1NT
08/10/2009	62	WOODLAND ROAD LONDON	SE19 1NT
08/10/2009	64	WOODLAND ROAD LONDON	SE19 1NT
08/10/2009	1	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	2	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	3	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	4	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	5	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	6	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	7	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	8	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	9	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	10	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	11	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	12	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	13	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	14	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	15	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	16	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	17	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	18	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	19	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	20	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	21	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	22	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	23	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	24	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	25	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	26	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	27	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	28	WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ
08/10/2009	48	WOODLAND HILL LONDON	SE19 1NY
08/10/2009	56	CAMDEN HILL ROAD LONDON	SE19 1NR
08/10/2009	56	CAMDEN HILL ROAD LONDON	SE19 1NR
08/10/2009	56	CAMDEN HILL ROAD LONDON	SE19 1NR
08/10/2009	49	CAMDEN HILL ROAD LONDON	SE19 1NX
08/10/2009	66	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	68	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	70	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	72	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	74	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	76	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	78	WOODLAND ROAD LONDON	SE19 1PA
08/10/2009	80	WOODLAND ROAD LONDON	SE19 1PA

**Appendix 2**  
**Neighbour Consultee Response List for Application Reg. No. 09-AP-2130**

<b>TP No</b>	TP/2575-114	<b>Site</b>	LAND ADJOINING 114 WOODLAND ROAD, LONDON, SE19 1PA	<b>Printed:</b> 10/02/2010	<b>Total:</b> 37
<b>App. Type</b>	Full Planning Permission				

Date Received	Address		
30/10/2009	108 WOODLAND ROAD LONDON	SE19 1PA	
20/01/2010	108 WOODLAND ROAD LONDON	SE19 1PA	
19/11/2009	FLAT 4 GOULD COURT WOODLAND ROAD LONDON	SE19 1PH	Objects
22/10/2009	104 WOODLAND ROAD LONDON	SE19 1PA	General Comments
13/11/2009	37 WOODLAND ROAD LONDON	SE19 1NU	
19/11/2009	39 WOODLAND ROAD LONDON	SE19 1NU	Objects
22/10/2009	42 WOODLAND ROAD LONDON	SE19 1NT	
06/11/2009	42 WOODLAND ROAD LONDON	SE19 1NT	
23/11/2009	44 WOODLAND ROAD LONDON	SE19 1NT	
20/11/2009	2 WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ	Objects
29/10/2009	6 WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ	
13/11/2009	19 WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ	
13/11/2009	20 WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ	
02/11/2009	25 WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ	
19/10/2009	26 WISEMAN COURT WOODLAND ROAD LONDON	SE19 1PQ	

02/11/2009	70 WOODLAND ROAD LONDON SE19 1PA	
12/10/2009	Flat G 3 Dunnage Crescent London SE16 1FJ	
26/10/2009	106 Woodland Road London SE19 1PA	
	114 Woodland Road London SE19 1PA	
11/11/2009	5B WOODLAND HILL LONDON SE19 1PB	Objects
11/11/2009	24 WOODLAND HILL LONDON SE19 1NY	Objects
13/11/2009	BASEMENT FLAT 19 CAMDEN HILL ROAD LONDON SE19 INX	
13/11/2009	Conservative Group Office Lambeth Town Hall London SW2 1RW	
06/11/2009	108 Woodland Road London SE19 1PA	
16/11/2009	44 Woodland Hill London SE19 1NY	
16/11/2009	Conservative Councillor, Gipsy Hill Lambeth Town Hall Brixton Hill London SW2 1RW	
19/11/2009	39 WOODLAND ROAD LONDON SE19 1NU	Objects
24/11/2009	10 JASPER ROAD LONDON SE19 1SJ	Objects
25/11/2009	20 Woodland Hill Upper Norwood London SE19 1NY	Objects
18/01/2010	34 Woodland Hill London SE19	
18/01/2010	9 Grazeley Court Gipsy Hill London SE19 1QR	
18/01/2010	5 Woodland Hill London SE19 1PB	
19/01/2010	Lambeth Town Hall Brixton Hill London SW2 1RW	
19/01/2010	15C Woodland Road London SE19 1NS	
19/01/2010	8 Woodland Hill London SE19 1NY	
20/01/2010	106 Woodland Road London SE19 1PA	
04/02/2010	39 Woodland Road London SE19 1NU	

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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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.

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<b>Applicant</b>	Rydon Construction & Metropolitan Housing Trust	<b>Reg. Number</b>	09-AP-2130
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2575-114
<b>Recommendation</b>	Grant subject to Legal Agreement		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Construction of a three / four storey block consisting of twelve new homes (5 x 4 bedroom houses, 1 x 4 bedroom maisonette, 5 x 2 bedroom flats and 1 x 1 bedroom flat) with associated landscaping and cycle parking.

**At:** LAND ADJOINING 114 WOODLAND ROAD, LONDON, SE19 1PA

**In accordance with application received on 24/09/2009**

**and Applicant's Drawing Nos.** WRD AL (0) 001, 002, 010 Rev A, 011 A, 012 A, 013 C, 015, 020 A, 021 A, 023A

Traffic Survey, Extended Phase 1 Habitat Survey, Sustainable Homes Ecological Assessment, Economic Development Appraisal, Noise Assessment, Design & Access Statement REV A, Initial Bat Survey (November 2009); Initial Badger Survey (January 2010)

**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 development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: AL (0) 010 A; AL (0) 11 A; AL (0) 12 A; AL (0)13 C; AL (0) 20 A; AL (0)21 A; AL (23) A  
  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 3 Details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the local planning authority and the development shall not be carried out otherwise than in accordance with any approval given. All boundary treatment to the development shall be completed in accordance with the approved details prior to the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.  
  
Reason  
In the interests of visual amenity and privacy to future occupiers of the dwellings and in accordance with policies 3.2 'Protection of amenity', 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan 2007.
- 4 Samples of all facing materials, including the brickwork pointing-mortar and landscaping 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; the development shall not be carried out otherwise than in accordance with any such approval given. The brickwork and mortar samples should be made available on site.  
  
Reason:  
In order that the Local Planning Authority may be satisfied as to the design details of the building and in the interest of the impact of the building upon the streetscene in accordance with Policies: 3.12 Quality in Design 3.13 Urban Design of The Southwark Plan 2007.
- 5 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees

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

**Reason**

In the interests of visual amenity and biodiversity, in accordance with policies 3.12 'Quality in design', 3.13 'Urban design' and 3.28 'Biodiversity' of the Southwark Plan 2007.

- 6 Prior to the commencement of any work on site the applicant should carry out a contaminated land assessment to determine the extent of any contamination present. The results of assessment shall be submitted to and approved by the Local Planning Authority.

**Reason:**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 7 An investigation and risk assessment, in addition to any assessment provided under planning condition 6 of this permission, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- 1 • human health,
  - 2 • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - 3 • adjoining land,
  - 4 • groundwaters and surface waters,
  - 5 • ecological systems,
  - 6 • archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

**Reason:**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 8 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Reason:**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 9 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in

writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 11 Prior to commencement of work on site further tests shall be carried out to ascertain whether there is evidence of badgers on the site. The details of such tests shall be submitted to and agreed in writing with the Local Planning Authority. If evidence of badgers is confirmed then no work shall begin until a mitigation strategy agreed by the Council ecologist and Natural England is implemented.

Reason

In order that the development does not harm the habitats of any protected species and in order in accordance with Policy 3.28 'Biodiversity' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 12 Prior to the commencement of work on site a detailed rear elevation plan showing the location of bat bricks within the buildings shall be provided to and approved by the Local Planning Authority to encourage and provide habitats for the local bat population. The plans shall be implemented as approved.

Reason

In order that the scheme encourages local bats where it appears they may already have an existing commuting route in accordance with Policy 3.28 'Biodiversity' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 13 Details of any external lighting [including design, power and position of luminaires] of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area and the impact of any lighting on local wildlife in accordance with Policies 3.2 Protection of Amenity, 3.14 Designing out Crime and 3.28 Biodiversity of the Southwark Plan (2007).

- 14 There is insufficient justification for the felling of the Ash tree identified as T14 in the Preliminary tree report by Landscape Planning. Therefore no works are permitted to the Ash tree (T14) without the submission of further details and the subsequent approval in writing by the Local Planning Authority.

## Reason

In order that the scheme retains as many of the existing trees as possible and in accordance with Policy 3.28 'Biodiversity' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 15 No tree, bush, bramble, scrub, tall grassland or hedges shall be removed during the critical nesting period between 1st April and 31st August, unless the area is thoroughly checked and any work carried out under the supervision of a qualified ecologist.

## Reason

These areas are potential breeding areas for local birds and their removal during the nesting season could affect any breeding birds which are protected by the Wildlife and Countryside Act 1981 as amended. No provisions can be made for the destruction of occupied bird nests, eggs or young for development purposes. This will ensure compliance with Policy 3.28 Biodiversity of the Southwark Plan 2007.

- 16 Notwithstanding the provisions of Part 1 Classes A, B, C D, E and G of the Town and Country Planning General Permitted Development Order 2008 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the 4 single family dwellings hereby approved without the prior written consent of the Council, to whom a planning application must be made.

## Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Policy 3.2 Protection of Amenity and 3.12 Quality in Design of the Southwark Plan 2007

- 17 No meter boxes, flues (including balanced flues), vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevation[s] of the building[s] without the prior written approval of the Local Planning Authority.

## Reason

In order that the Local Planning Authority may be satisfied with the external appearance of the building and in the interest of the appearance of the building in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 18 The proposed buildings shall be built to the ground levels and heights as shown on the approved plans or lower; if the indicated existing ridge and eaves height levels of the neighbouring properties at nos. 108 and 110 Woodland Road should prove to be erroneous, then the ridge and eaves height of the proposed buildings shall be no higher than the relative height differences between the ridge and eaves height of nos. 108 and 110 Woodland Road.

## Reason

To ensure that the proposed buildings are built to the heights relative to adjoining buildings as detailed in the design and access statement, in accordance with Policy 3.2 Protection of amenity and 3.13 Urban design of the Southwark Plan 2007.

- 19 Prior to the occupation of the development, a post construction Code for Sustainable Homes assessment demonstrating how the building has achieved a minimum of Code Level 3 shall be submitted to and approved in writing by the Local Planning Authority.

## Reason:

In order that the Local Planning Authority may be satisfied as to the energy efficiency measures and sustainability of the development, in accordance with policy 3.4 'Energy efficiency' of Southwark Plan 2007.

- 20 A minimum of 20% of the development's predicted energy requirements shall be provided by renewable energy on-site (photovoltaic panels), in accordance with the Sustainability Statement dated September 2009 and the Renewable energy statement by Whites Associates, unless otherwise agreed in writing by the Local Planning Authority.

## Reason

In order that the Local Planning Authority may be satisfied as to the details of the renewable energy proposed, in the interest of the environmental sustainability of the development in accordance with policy 4.7A 'Renewable energy' of the London Plan (2008).

- 21 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter



be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

**Reason**

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

- 22 The cycle storage facilities as shown on drawing number AL (0) 020 Revision A shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

**Reason**

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with policy 5.3 'Walking and cycling' of the Southwark Plan 2007.

- 23 All residential premises shall be designed to attain the following internal noise levels:  
Bedrooms- 30dB LAeq,T\* and 45dB LAfmax  
Living rooms- 30dB LAeq, T\*  
A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results submitted to the Local Planning Authority for approval.  
\*T- Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00.

**Reason**

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007 and PPG 24: Planning and Noise.

- 24 The tree protection methods detailed within the Preliminary Tree Report by Landscape Planning (South) 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

**Reasons for granting planning permission.**

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

**Reasons for granting planning permission**

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

a) **Southwark Plan (2007)**

Policy 2.5 ("Planning Obligations") seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant, in accordance with Circular 05/2005 and other relevant guidance.

Policy 3.1 ("Environmental effects") seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 ("Protection of amenity") protects against the loss of amenity, including disturbance from noise, to present and future occupiers on or in the vicinity of the application site.

Policy 3.3 ("Sustainability assessment") requires major applications to be supported by a sustainability assessment

Policy 3.4 ("Energy Efficiency") states that development should be designed to maximise energy efficiency

Policy 3.5 ("Renewable Energy") states that development should draw on at least 10% of the energy requirements from on-site renewable energy production equipment or renewable energy sources.

Policy 3.6 ("Air Quality") states the permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.11 ("Efficient use of land") states that all developments should ensure that they maximise the efficient use of land

Policy 3.12 ("Quality in design") requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 ("Urban design") seeks to ensure that principles of good urban design are taken into account in all developments.

Policy 3.28 (Biodiversity) seeks to take biodiversity into account in determination of planning applications.

Policy 4.1 ("Density of residential development") provides density ranges for different zones within the borough

Policy 4.4 ("Affordable Housing") seeks to secure affordable housing as part of private development

Policy 5.1 ("Locating developments") states that major developments generating a significant number of trips should be located near transport nodes.

Policy 5.2 ("Transport Impacts") states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.6 ("Car parking") requires all developments requiring car parking to minimise the number of spaces provided

b] The London Plan 2008 (Consolidated with Alterations since 2004):

3A.1 Increasing London's supply of housing, 3A.13 Special needs and specialist housing, 3B.3 Mixed use development, 3C.21 Improving Conditions for Walking, 3C.22 Improving Conditions for Cycling, 3C.23 Parking Strategy, 4A.3 Sustainable Design and Construction, 4A.4 Energy assessment, 4A.7 Renewable energy, 4A.14 Sustainable Drainage, 4A.16 Water Supplies, 4A.19 Improving Air Quality, 4A.20 Reducing Noise, 4B.1 Design Principles for a Compact City, 4B.2 Promoting World Class Architecture and Design, 4B.3 Enhancing the quality of the Public Realm, 6A.5 Planning Obligations

c] Planning Policy Statements

PPS 1: Planning for Sustainable Communities; PPG 13: Transport; PPG 16: Archaeology; PPS 22: Renewable Energy; PPG 23: Planning and Pollution Control; PPG 24: Planning and Noise; PPS 25: Development and Flood Risk; Design and Access Statements SPD (2007); Section 106 Planning Obligations SPD (2007); Residential Design Standards SPD 2008

- Particular regard was had to the principle of the residential development on this site.
- It is considered that the new building has been designed in a manner that integrates with the surrounding area, subject to conditions of consent in particular in relation to materials and detailing. The development is not considered to harm the amenities of surrounding residents, including but not limited to considerations of sunlight and daylight, outlook and privacy, and noise and disturbance.
- The proposal is considered to provide for sustainable development through the appropriate consideration of measures such as energy efficiency, waste management and use of renewable energy.
- Transport and highways impacts of the scheme are considered to be acceptable given the location of the site within an area with good access to public transport.
- Effects of the scheme on the surroundings of the site and public realm have been addressed satisfactorily, subject to conditions of consent relating to submission and implementation of a landscape plan.
- Other policies have been considered, but in this instance were not considered to have such weight as to

justify a refusal of permission. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

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<b>ITEM No.</b>  <b>2</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  Dulwich Community Council	<b>Date</b>  18/03/2010
<b>From</b>  HEAD OF DEVELOPMENT MANAGEMENT		<b>Title of Report</b>  DEVELOPMENT MANAGEMENT	
<b>Proposal</b> (09-AP-2403) Single storey side/rear extension to ground floor flat, providing additional residential accommodation .		<b>Address</b>  40A LACON ROAD, LONDON, SE22 9HE  <b>Ward</b> East Dulwich	
<b>Application Start Date</b> 30/10/2009		<b>Application Expiry Date</b>	

## PURPOSE

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

## RECOMMENDATION

- 2 Grant Permission

## BACKGROUND

### Site location and description

- 3 The site is located on the western side of Lacon Road. On site is a two-storey terraced dwelling with an outrigger to the rear. There is an existing single storey extension to the rear of the outrigger and this extension extends approximately 4.2m beyond the original extent of the property.
- 4 There is an existing set of rear doors which are accessed via steps from garden level. The site slopes slightly from east to west.
- 5 No. 38 Lacon Road has 3 windows which face directly towards the application site. All of these windows serve the kitchen/dining room of No. 38. In addition a rear window serving a living room has indirect views over the area of the proposed extension.

### Details of proposal

- 6 It is proposed to construct a single storey rear extension to the side/rear of No. 40a Lacon Street. The maximum height of the extension is 2.8m and this drops to 2.2m at the boundary. The depth of the extension along the boundary is 8.8m. The extension is set off the boundary somewhat and steps in approx. 0.6 m from the boundary approximately halfway along it's length. The roof is a sloping roof save for a flat roof element directly adjoining the main rear elevation and adjacent to the rear outrigger elevation. The height of the flat roof element adjacent to the boundary with No. 38 is approximately 2.4m. Two rooflights are proposed for the sloping element of the roof. Two roof lights are also proposed for the flat roof elements of the proposed extension. Amended drawings were received on the 11/02/10 indicating additional dimensions and indicating the existing staircase accurately. An existing and proposed roofplan was also received.
- 7 Proposed materials are London Stock Brick to match existing and pitched slate roofing.

**Planning history**

- 8 40a Lacon Road - planning permission was REFUSED for the following development:  
Erection of a single storey rear/side conservatory to ground floor flat for one reason  
'The extension, by reason of its length and proximity to the neighbouring ground floor windows, would be an unneighbourly and overbearing form of development harmful to the amenities of the occupiers of the neighbouring property. The proposal is contrary to Policy E3.1 [Protection of Amenity] of the Southwark Unitary Development Plan'.
- 9 40 Lacon Road - TP/2627-40/DF  
Permission granted for the Conversion of a single dwelling house into 2 self-contained flats at 40 Lacon Road, East Dulwich, London SE22.

**Planning history of adjoining sites**

- 10 No history on file.

**FACTORS FOR CONSIDERATION****Main Issues**

- 11 The main issues in this case are:
- 12 a] the principle of the development in terms of land use and conformity with strategic policies.
- 13 b] impact on the amenity of neighbouring residential properties
- 14 c] design issues

**Planning Policy**

- 15 Southwark Plan 2007 [July]  
Policy 3.2 'Protection of Amenity'  
Policy 3.12 'Quality in Design'  
Policy 3.13 'Urban Design'
- 16 Residential Design Standards: Supplementary Planning Document (Sep 2008).

**Consultations**

- 17 Site notice date: 11/11/09 Press notice date: n/a
- 18 Neighbour consultation letters sent: 4/11/09
- 19 Case officer site visit date: 11/11/09
- 20 Internal consultees  
None
- 21 Statutory and non-statutory consultees  
None
- 22 Neighbour consultees

As per Appendix A

- 23 Re-consultation  
None

**Consultation replies**

- 24 Internal consultees  
n/a

- 25 Statutory and non-statutory consultees  
n/a

- 26 Neighbour consultees  
6 separate objections were received in relation to this application.

- 27 38 Lacon Road:  
[The applicant has also submitted photographs to support his objection]
- Proposal is in breach of Residential Design Standards SPD
  - Depth of the proposal is 4.4m from the rear of the main building therefore is 1.4m longer than the rear extension guidelines
  - Creation of a sense of enclosure
  - loss of daylight- reduction of light into the breakfast dining room
  - loss of privacy
  - loss of outlook to the main living dining and entertaining areas which face the proposed extension
  - security concerns- proposed extension would create an easy point of access
  - destruction of the mature pyracantha tree within the boundary of No. 38- Q16 on application form answered inaccurately
  - light from velux windows would cause a nuisance to rear upstairs bedroom light from the skylight above the new toilet/bathroom shining into living room would create a visual nuisance
  - There is an existing rear extension to the main building
  - Rear section of 40 is already significantly longer than the rear of 38
  - Windows to the side face the proposed extension
  - Impact would be visually overbearing
  - Overlooking will result from the extension
  - Aspect from the dwelling is best feature of the house - would be obscured by the extension
  - Previous refusal on this site
  - The applicant has made reference to a previous application at 291 Lordship Lane to support this application. The objection letter sets out reasons why application is not similar.

- 28 20 Beauval Road  
extension depth is greater than set out in the Residential Design Standards SPD  
would create precedent  
lack of parking - impact of construction traffic

- 29 118a Lordship Lane  
extension depth is greater than set out in the Residential Design Standards SPD  
would create precedent

- 30 36 Lacon Road  
would create precedent for larger extensions  
building of such extensions threatens to disturb privacy and results in overlooking

31

3 Lacon Road  
 traffic concerns  
 extension depth is greater than set out in the Residential Design Standards SPD  
 would create precedent

32

250a Crystal Palace Road  
 concerns in relation to depth of the extension  
 would create precedent

33

The applicant has submitted a response to the objections and the main issues raised are as follows:

proposal does not add additional length to extension

- current kitchen window is to be removed so overlooking will be reduced
- no adverse impact on daylight/sunlight levels
- extension is below line of site of living room
- security will not be worsened as there are timber stair to the rear of No. 40 that could allow access to the rear window of No. 38
- have offered to replace tree
- toilet window can be fully obscured
- previous application - proposal should be considered on it's merits

34

Re-consultation

None

## **PLANNING CONSIDERATIONS**

### **Principle of development**

35 The principle of a residential extension is acceptable in this case subject to compliance with relevant policies.

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

36 In relation to the impact on No. 38 Lacon Road, it is noted that there is an existing extension of 4.2m in depth to the rear of 40A Lacon Road. The proposed extension does not extend beyond this existing extension, although it is coming closer to the boundary. While it is stated in the Residential Design Standard Supplementary Planning Document that extensions should not extend more that 3m beyond the rear elevation it is not considered feasible or practical to apply this standard in this instance given the fact the existing extension extends a total of 4.2m in depth.

Loss of Sunlight/Daylight.

37

In relation to the living room which has a window facing to the rear of the property it is not considered that this room will suffer a loss of daylight/sunlight due to it's elevated position relative to the proposed extension.

38

In relation to the impact on the kitchen/dining room, it is likely that the two windows serving this room closest to the main rear elevation will experience some loss of daylight as a result of this extension. However there are three windows serving the dining room/kitchen on this side elevation as well as the patio doors serving the dining room to the rear. As such it is considered that the room would still be sufficiently served by daylight/sunlight.

39

Regard is had to the limited height of the extension at these locations. The flat roof element is 2.4m close to the boundary and the sloping roof element is 2.2m at eaves level. It is noted that the existing boundary treatment is 'see-through' in nature and



allows rather more light though than a boundary wall would do. It is further noted that the a boundary wall of am in height would be permitted in this instance without the need for planning permission which is only marginally lower that the height of the extension in this instance.

#### Creation of a sense of enclosure

40 It is not considered that such a sense of enclosure would be created in this instance so as to warrant a refusal. While the greater proportion of the extension runs close to the boundary in this instance (for 4.6m) , the extension steps away from the boundary for the remainder of it's length (4.2m). In addition the height of the extension is limited to 2.4m (flat roof portion) and drops to 2.2m for the sloped roof portion. Again it is noted that a boundary wall of 2m could be erected here without planning permission and this would have a similar impact that the proposed extension.

#### Loss of outlook

41 At present there are three windows that face directly towards No. 40a Lacon Road. As noted above, all three of these windows serve the dining room/kitchen of No. 38 Lacon Road. These windows face toward the existing rear outrigger of No. 40a, although the existing site layout allows for oblique views from these windows towards the rear gardens of properties on Lacon Road and Archdale Road. The proposed extension would be closer to these windows than the existing rear outrigger and will be visible from these windows. However having regard to the limited outlook from these windows at present and having regard to the limited height of the extension it is not considered that any loss of outlook will be material and would not have a detrimental impact on the residential amenity of No. 38. In addition the proposed extension steps away from the boundary and as such it not considered that there will be any loss of outlook from the furthest window from the main rear elevation.

#### Loss of Privacy

42 It is not considered that a loss of privacy will occur in this instance given that no additional windows are proposed for the side elevation of the proposed extension. In fact will result in the removal of the existing window at No. 40a which will serve to decrease the level of overlooking. The rooflights proposed at roof level are to be obscured.

#### **Impact of Light from the proposed rooflights**

43 Rooflights such as those proposed in this instance are not an unusual feature in extensions of this nature and while the light from these proposed rooflights will be visible from the living room of No. 38 Lacon Road, there is sufficient distance between the living room window and the rooflights to ensure that the impact will be limited.

#### **Traffic issues**

44 It is noted that a number of objector's have pointed to the impact of construction traffic. This is not considered to be a material planning consideration.

45 It is not considered that there will be additional parking requirement in the area as a result of this extension.

#### **Design issues**

46 In relation to design the Residential Design Supplementary Planning Document states that all extensions should:

47 • Harmonise with the scale and architectural style of the original building

48 This has been achieved in this instance.

49 • Harmonise with the character of the area, including respecting the historic pattern

and established grain of the surrounding area

- 50 • Be successfully integrated with their surroundings. The extension should read as if it were part of the original dwelling.
- 51 It is not considered the proposed extension would be an incongruous addition to the main dwelling nor would it be out of character with the area as a whole.
- 52 • Not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight
- 53 This is discussed above (residential amenity)
- 54 • Not be of a size or scale that would visually dominate neighbouring properties
- 55 It is considered that the limited height of the extension and the fact that it does not extend beyond the existing rear extension, as well as the stepping in of the extension off the boundary, serves to limit the visual impact on the neighbouring property.
- 56 • Be subordinate to the original building. The extension should play a “supporting role” to the original dwelling in terms of location, form and scale. Any extension should not dominate the original building and should be set back from the principal elevations.
- 57 This has been achieved in this instance. The proposed extension is limited in scale and demonstrates subservience to the existing building.
- 58 • Not compromise any rooms in the existing house. No habitable room should become completely internal without a window.
- 59 No room in the existing dwelling has been completely internalised in this case.
- 60 • Use materials that match those in the original house and the surrounding areas. Windows and doors should be of a similar pattern and align with existing windows and door openings where possible.
- 61 Proposed materials are to match existing and it is not considered the proposed extension would be an incongruous addition to the main dwelling nor would it be out of character with the area as a whole. The proposed patio doors are not of a design that would render them out of keeping with the dwelling nor with the area as a whole.

#### **Impact on trees**

- 62 It is noted that No. 38 Lacon Road has pointed to the impact on the existing mature pyracantha tree located within the boundary of his property. However this tree does not have a TPO attached to it nor is it located within a Conservation Area. As such the Planning Authority has no means of protecting this tree.

#### **Other matters**

- 63 Previous Refusal on Site  
It is noted that a previous application for an extension has been refused on this site (decision date 24/10/2000). No records of the drawings were available for inspection however. It is also noted that this application is considered under current guidance (i.e. the Southwark Plan (2007) and the Residential Design Standards Supplementary Planning Document (2008).

#### **Conclusion**

- 64 The proposed development is on balance considered to be acceptable due to it's

limited height at the boundary and due to the fact it does not extend beyond the existing rear extension. As such the proposal complies with Policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13. 'Urban Design' of the Southwark Plan (2007) as well as conforming to guidance as set out in the Residential Design Standards Supplementary Planning Document (Sep 2008).

### **COMMUNITY IMPACT STATEMENT**

- 65 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.
- 66 a] The impact on local people is set out above.

### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

- 67 None

### **HUMAN RIGHTS ISSUES**

- 68 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.
- 69 This application has the legitimate aim of providing a development that supports the provision of additional residential accommodation, meeting the needs of Londoners. 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	Ronan O'Connor	Planning Officer [tel. 020 7525 5420]
CASE FILE	TP/2627-40	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk	

**Appendix A**  
**Neighbour Consultee List for Application Reg. No. 09-AP-2403**

<b>TP No</b>	TP/2627-40	<b>Site</b>	40A LACON ROAD, LONDON, SE22 9HE
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
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04/11/2009	19 LACON ROAD LONDON SE22 9HE
04/11/2009	21 LACON ROAD LONDON SE22 9HE
04/11/2009	38 LACON ROAD LONDON SE22 9HE
04/11/2009	42 LACON ROAD LONDON SE22 9HE
04/11/2009	2 ARCHDALE ROAD LONDON SE22 9HJ
04/11/2009	4 ARCHDALE ROAD LONDON SE22 9HJ
04/11/2009	40B LACON ROAD LONDON SE22 9HE

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## RECOMMENDATION

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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.

<b>Applicant</b>	Mr T. Jones	<b>Reg. Number</b>	09-AP-2403
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2627-40
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Single storey side/rear extension to ground floor flat, providing additional residential accommodation .

**At:** 40A LACON ROAD, LONDON, SE22 9HE

**In accordance with application received on** 28/10/2009 08:00:17

**and Applicant's Drawing Nos.** Dwg No. 1 Rev A; 2 Rev B; 3 Rev B; 4 Rev A; 5 Rev A

**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 development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: Dwg No. 1 Rev A; 2 Rev B; 3 Rev B; 4 Rev A; 5 Rev A

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan 2007.

- 4 The rooflights on the proposed extension shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at No. 38 Lacon Road and to protect the proposed occupiers from undue overlooking 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 on the residential amenity of No. 38 Lacon Road that would result from the proposed extension but it was considered that the proposed development would not be so harmful as to warrant refusal due to the limited height of the extension on the boundary. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

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<b>Item No.</b> <b>3</b>	<b>Classification:</b> OPEN	<b>Date:</b> 18 March 2010	<b>Meeting Name:</b> DULWICH COMMUNITY COUNCIL
<b>Report title:</b>	<b>Development Management planning application:</b> Application 09-AP-2240 for Full Planning Permission  <b>Address:</b> 7A MELBOURNE GROVE, LONDON, SE22 8RG  <b>Proposal:</b> Proposed parapet wall and railings (retrospective)(Use Class C3).		
<b>Ward(s) or groups affected:</b>	East Dulwich		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 27/10/2009		<b>Application Expiry Date</b> 22/12/2009	

**PURPOSE**

- 1 To consider the above application which is for Community Council consideration due to the number of objections received.

**RECOMMENDATION**

- 2 GRANT planning permission

**BACKGROUND INFORMATION****Site location and description**

- 3 The site is a dwelling house located on the eastern side of Melbourne Road near the junction of Grove Vale. It is located next to a post office which forms part of a short row of local retail outlets. Adjacent and across the road from the site is the Melbourne Road protected shopping frontage (No. 1 - 6).
- 3 The area is predominantly residential, but is located close to Lordship Lane and East Dulwich Station.
- 4 The site is not in a conservation area is not a listed building.

**Details of proposal**

- 5 The application seeks retrospective planning permission for erection of a parapet wall and railings to a balcony to the rear of dwellings at 7 Melbourne Grove. Prior to the construction of the parapet, the railings to the flat roof area were constructed with planning consent under permission 03-AP-0884. This proposal would not change the height of the railings, or allow its use as a balcony, but would alter the appearance of the flat roof area through the erection a parapet wall and the 'squaring' of a corner forming part of the single storey extension. These works have been carried out in order that the flat roofed area would comply with health and safety requirements as specified by Southwark Council's Community Housing Services Department details of which have been appended to this report.



### **Planning history**

- 6 09-AP-01222 FULL planning permission was REFUSED on 19/08/2009 for a proposed single storey extension with parapet wall and railings (retrospective) and removal of condition 2 of planning permission 03-AP-0884 to use flat roof area as a balcony. The REASON for REFUSAL was that the use of the flat roof as a roof terrace is considered to result in an unacceptable impact on the residential amenity of surrounding occupiers, having regard to overlooking and noise which would be contrary to policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and guidance set out in the Residential Design Standards SPD (2008).
- 7 09-EN-0182 Enforcement investigation into the alleged breach of planning condition 2 restricting use of the flat roof as a balcony and the unauthorized construction of parapet wall and railings. Ongoing.
- 8 03-AP-0884 FULL planning permission was GRANTED on 30/06/2003 for a proposal to erect a single storey rear extension with a flat roof enclosed by railings and french doors in rear elevation at first floor level.

### **Planning history of adjoining sites**

- 9 TP/2125-7A FULL Planning permission was GRANTED on 14/11/1978 for the change of use of the ground floor of 7 Melbourne Grove, SE22 from a shop to residential purposes to be used as a private garage associated with the existing residential accommodation in the remainder of the building, to form a single dwelling house.
- 10 On the site visit it was observed that there were two first floor balconies/ and flat roofed areas to the rear of dwellings on Derwent Grove which look on to the rear of this part of Melbourne Grove.
- 11 Number 8 and 10A Derwent Grove. Both are understood to be immune from enforcement action and an application for existing lawfulness is expected to be received shortly for the terrace at 10A Derwent Grove 08-EN -0460

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

- 12 The main issues to be considered in respect of this application are:
  - a) the principle of the development in terms of land use and conformity with strategic policies.
  - b) the impact of the proposal on the amenity of adjoining and nearby occupiers
  - c) the design of the scheme

#### **Planning policy**

- 13 Southwark Plan 2007 (July)
  - 3.2 'Protection of amenity'
  - 3.11 'Efficient use of land'
  - 3.12 'Quality in design'
  - 3.13 'Urban design'

### **Principle of development**

- 14 There is no objection to the principle of erecting a parapet wall and railings to the flat roofed area to the rear of this dwelling house provided it would not harm the standard of amenity of adjoining and nearby neighbours and would be of a good standard of design in accordance with policies 3.2 'Protection of amenity', 3.11 'Efficient use of land', 3.12 'Quality in design' and 3.13 'Urban design'.

### **Environmental impact assessment**

- 15 No significant environment effects are anticipated to arise from this proposal and so no Environmental Impact Statement is required.

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

- 16 Policy 3.2 'Protection of amenity' and 3.11 'Efficient use of land' seek to protect the standard of amenity of adjoining and nearby occupiers.

- 17 3 letters of objection were received from neighbouring occupants at 5 Melbourne Grove indicating that the proposal would result in the loss of privacy for adjoining occupiers.

18 Privacy

The current proposal would not alter the views or outlook from 7A Melbourne Grove to No. 5 Melbourne Grove, or any of the nearby adjoining properties. Although the proposal would improve the safety of the roof area, a decision to grant approval for this scheme would not confer any rights to existing or future occupants to use the flat roof as amenity space without the approval of the Local authority and so in this respect there is no concern that the scheme would result in the loss of privacy.

- 19 Each objector raised the concern that use of the roof area would be discouraged if planning permission for this proposal would be refused. However, the existing consent (03-AP-0884) grants permission for a railing to the rear of the extension and so in the event the planning permission be refused this railing would be required to be reinstated for the scheme to be in accordance with the approved plans. Notwithstanding this, condition 2 on permission 03-AP-0884 restricts the use of the roof area for use as amenity space and a similar condition is recommended should planning permission be granted, in this way the situation should remain unchanged to the current arrangement.

20 Visual amenity

The parapet wall has been constructed with brick to match the existing dwelling and extension. The railings are made of a black coated metal which in combination are considered to be appropriate materials in the context of the site and surrounding dwellings. For this reason there is no objection to the visual impact of the proposal.

21 Daylight and sunlight

The proposal has brought about very minor changes to the original planning permission and not considered to impact on the level or quality of daylight and sunlight to adjoining and nearby occupiers.

- 22 Based on this analysis, the proposal would be in accordance with policies 3.2 'Protection of amenity' and 3.11 'Efficient use of land' of the Southwark Plan 2007.

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

- 23 Surrounding uses are generally residential which would not conflict with the existing use at the application site. The impact of nearby flat roof and balcony areas at 10A and 8 Derwent Road were given due consideration but were not considered to impact on the use of the flat roof at the application site as a means of escape or for maintenance.

#### **Traffic issues**

- 24 No traffic issues are anticipated to arise from the proposal and so there are no concerns regarding traffic impacts.

#### **Design issues**

- 25 Policies 3.12 'Quality in design' and 3.13 'Urban design' seek to ensure development is of a good quality.
- 26 The proposal would alter the appearance of the flat roofed area by erecting a parapet wall and squaring off a corner of the single storey extension. This level of development is considered likely to have a marginal visual impact to neighbouring properties. The materials would be brick for the parapet and a black coated steel for the railing which would sufficiently harmonise with the surrounding context which is of brick built buildings.
- 27 Although concern was raised regarding the use of the terrace as an amenity space, there are considered to be sufficient restrictions and deterrents in place to prevent this as its use. The scheme, would however, improve the safety of the roof area to comply with the council's safety requirements as indicated in Appendix 3 and so in this regard the scheme would improve the quality of this space as a means of escape or for maintenance.
- 28 Based on this analysis, the proposal would accord with policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan.

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

- 29 The proposal would not impact on a conservation area or the setting of or a listed building.

#### **Impact on trees**

- 30 The proposal would not impact on any trees.

#### **Planning obligations (S.106 undertaking or agreement)**

- 31 No legal agreement is required to secure any part of this proposal.

#### **Sustainable development implications**

- 31 None.

#### **Other matters**

- 32 None.

#### **Conclusion on planning issues**

- 33 The proposal would regularise the erection of a parapet wall and railings to the rear of the single storey extension at 7A Melbourne Road. The scheme has been designed to be in accordance with policies 3.2 'Protection of amenity', 3.11 'Efficient use of land', 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan. A condition restricting the use of the terrace should ensure that residential amenity remains unchanged. For this reason it is recommended that this proposal be approved.

### **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.

- 34 a) The impact on local people is set out above.

### **Consultations**

Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

35

### **Consultation replies**

Details of consultation responses received are set out in Appendix 2.

- 36 Summary of consultation responses  
3 objections received.

The objections relate to the use of the flat roofed area as an amenity area by occupants at the 7A Melbourne Grove contrary to the condition restricting its use as a means of escape and for maintenance. The objectors would like the council to refuse this application to regularise the works to discourage what is perceived to be the continued use of the flat roof as an amenity area in the interest of preserving the standard of privacy for neighbouring occupiers.

### **Human rights implications**

- 37 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.
- 38 This application has the legitimate aim of improving the safety of a flat roofed area to comply with safety regulations. The rights potentially engaged by this application, including the 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.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

- 39 N/A.

### **REASONS FOR LATENESS**

40 N/A.

**REASONS FOR URGENCY**

41 N/A.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2125-7  Application file: 09-AP-2240  Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone:: 020 7525 5461 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Copy of Community Housing Services Inspection Report, in connection with 7A Melbourne Grove, East Dulwich, London SE22.

**AUDIT TRAIL**

<b>Lead Officer</b>	Head of Development Control.	
<b>Report Author</b>	Daniel Davies	
<b>Version</b>	1.0	
<b>Dated</b>	24/02/2009	
<b>Key Decision</b>	No.	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No.	N/A.
Strategic Director of Regeneration and Neighbourhoods	No.	N/A.
Strategic Director of Environment and Housing	No.	N/A.
<b>Date final report sent to Constitutional / Community Council / Scrutiny Team</b>		

**Consultation undertaken**

**Site notice date:** 02/12/2009.

**Press notice date:** N/A.

**Case officer site visit date:** 05/01/2010 (accompanied).

**Neighbour consultation letters sent:** 02/12/2009.

**Internal services consulted:**

Enforcement Team.

**Statutory and non-statutory organisations consulted:**

None.

**Neighbours and local groups consulted:**

As listed in acolaid.

**Re-consultation:**

Not required for this proposal as no significant changes were made.

## **Consultation responses received**

### **Internal services**

No formal comments received but a joint site visit was carried out by the Enforcement and Development Management Team on January 5th 2010.

### **Statutory and non-statutory organisations**

None received.

### **Neighbours and local groups**

3 letters of objection received :

Mark W Dorell (5 Melbourne Grove)  
Mrs M D Luckings (5 Melbourne Grove)  
Ryan O'Rourke (5 Melbourne Grove)

The concerns raised were that:

The occupants have been using the flat roof area as a roof terrace for recreational purposes contrary to condition 2 of the permission 03-AP-0884.

The use of the flat roof space as a roof terrace would cause a loss of privacy for adjoining occupiers

The parapet wall and railings should be removed to ensure that the flat roof cannot be used as a roof terrace in the future.



**APPENDIX 3**

**Copy of Community Housing Services Inspection Report, in connection with  
7A Melbourne Grove, East Dulwich, London SE22.**

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr Josiah	<b>Reg. Number</b>	09-AP-2240
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2125-7
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Proposed parapet wall and railings (retrospective)(Use Class C3).

**At:** 7A MELBOURNE GROVE, LONDON, SE22 8RG

**In accordance with application received on** 08/10/2009 08:00:14

**and Applicant's Drawing Nos.** 2246.1A.

**Subject to the following condition:**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 2246.1A

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 The terrace shall not be used other than as a means of escape 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 occupants of adjoining residential properties 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.

**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', 3.11 'Efficient use of land', 3.12 'Quality in design' and 3.13 'Urban design of the Southwark Plan [July 2007].

Particular regard was had to the perceived loss of privacy that would result from the proposed development but it was considered that there would be no impact that would arise as a direct result of this proposal, which sought to modify the design of an existing flat roofed area. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.



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<b>Item No.</b>  <b>4</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  Dulwich Community Council	<b>Date</b>  18/03/2010
<b>From</b>  Head of Development Management		<b>Title of Report</b>  DEVELOPMENT MANAGEMENT	
<b>Proposal</b> (09-AP-2791)  Single storey ground floor rear extension and loft conversion with rear dormer window extension and rooflights to side and rear, providing additional residential accommodation.		<b>Address</b>  35 WOODWARDE ROAD, LONDON, SE22 8UN  <b>Ward Village</b>	
<b>Application Start Date</b> 15/12/2009		<b>Application Expiry Date</b> 09/02/2010	

**PURPOSE**

- 1 To consider the above application which has been brought before Dulwich Community Council at the request of Members.

**RECOMMENDATION**

- 2 To grant planning permission.

**BACKGROUND****Site location and description**

- 3 The site contains a two storey semi detached residential dwellinghouse, located on the southern side of Woodwarde Road. Surrounding the site are similar residential properties.
- 4 The site is located within the Dulwich Village conservation area.

**Details of proposal**

- 5 Single storey ground floor rear extension and loft conversion with rear dormer window extension and rooflights to side and rear, providing additional residential accommodation.
- 6 The rear extension measures 3m deep and 3m high and occupies the majority of the width of the rear elevation, leaving a 0.6m gap between the extension and boundary with the adjoining neighbour to the west (No. 37 Woodwarde Road). Materials include recycled yellow stock bricks and aluminium framed folding doors. Amended drawings were received indicating the omission of a rooflight and a reduced scale dormer.
- 7 The bay window dormer measures 2.29 wide and 1.85m high, occupying approximately 20% of the roof area.

**Planning history**

- 8 09-AP-1826: Planning permission refused 14/10/2009 for a single storey rear extension and rear dormer roof extension, providing additional residential accommodation for dwellinghouse. Reasons for refusal were:
- 9 The proposed rear extension, as a result of it's depth and height and proximity to the rear windows of No. 37 Woodwarde Road, would have a detrimental impact on the

outlook enjoyed by the occupiers of this property. As such, the proposal is contrary to Policies 3.2 'Protection of Amenity' of the Southwark Plan (2007) and is contrary to guidance as set out in the Residential Design Standards Supplementary Planning Document (Sep 2007).

- 10 The proposed dormer window is excessive in scale and is of a style that is not in keeping with the character and appearance of the Dulwich Village Conservation Area. As such, the proposal is contrary to Policies 3.12 'Quality in Design' and 3.16 'Conservation Areas' of the Southwark Plan (2007) and is contrary to guidance as set out in the Residential Design Standards (Sep 2007) and the Dulwich Village Conservation Area Appraisal (Feb 2006).

#### **Planning history of adjoining sites**

- 11 33 Woodwarde Road:  
06/AP/2447 Permission granted for single storey rear extension  
06/AP/1326 Certificate of Lawfulness refused for rear extension  
04/AP/0271 Certificate of Lawfulness Granted for rear extension and dormer window
- 12 It is also noted that in September 2008 the Council granted planning permission for a single storey rear extension and dormer window at No. 31 Woodwarde Road (08-AP-1625). The bulk and mass of the rear extension from that application exceeds that as proposed by this application.

#### **FACTORS FOR CONSIDERATION**

##### **Main Issues**

- 13 The main issues in this case are:
- 14 a] The principle of the development in terms of land use and conformity with strategic policies.
- 15 b] Impact on the amenity of residential properties
- 16 c] Design and conservation.

##### **Planning Policy**

- 17 Southwark Plan 2007 [July]  
Policy 3.2 'Protection of amenity'  
Policy 3.12 'Quality in design'  
Policy 3.16 'Conservation areas'
- 18 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]  
Residential Design Standards SPD [2008].

##### **Consultations**

- 19 Site notice date: 07/01/2010 Press notice date: 07/01/2010
- 20 Neighbour consultation letters sent: 04/01/2010
- 21 Case officer site visit date: 13/01/2010 accompanied by the applicant.

##### Internal consultees

- 22 N/A

##### Statutory and non-statutory consultees

- 23 None.

Neighbour consultees

24 As listed in Acolaid.

Re-consultation

25 None.

**Consultation replies**

Internal consultees

26 N/A

Neighbour consultees

27 One response was received (by e-mail and letter) in opposition to the proposal from the occupier of No. 37 Woodward Road, reasons for opposition were the same as for previous application 09-AP-1826 and included:

- note that on paper the modifications reduce the bulk of the extension slightly, however in reality the bulk of the building will block light to the windows in the sitting room
- properties are a pair and have features the reverse parallel of each other
- proposed extension would replace the current modest fence with a high blank brick wall abutting directly on to the property.
- would reduce significantly light coming into the sitting room
- outlook would be badly impaired
- all that would be seen from the sitting room would be a high brick wall
- patio area would be similarly dominated and overshadowed the high brick wall
- extension extends beyond the line of existing extension at No. 37.
- would have no objection to an extension of the kitchen/outhouse area

**PLANNING CONSIDERATIONS**

**Principle of development**

28 The principle of a residential extension and dormer window can be acceptable.

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

29 It is worth noting that the rear extension as proposed would qualify as permitted development, however a full planning application has been submitted therefore a full planning assessment must be undertaken. The rear extension meets supplementary planning guidance that rear extensions should be a maximum of 3m deep and 3m high in order to minimise the impact on amenity of neighbouring properties.

30 In terms of impacts on the amenity of neighbouring occupiers, the relationship between the proposed extension and the detached neighbour to the east (No. 33 Woodward Road) would be minimal. No. 33 has constructed a rear extension at a similar height to that proposed by this application. This coupled with the gap between the extensions and the fact there are no side windows that will suffer a loss of light or enclosure, means the impacts on amenity here are considered acceptable.

31 The relationship of the extension to No. 37 has been improved in terms of impacts on amenity from the previous application. The placement of the flank wall of the extension 0.6m away from the shared boundary will reduce the impact on access to daylight and feeling of dominance and enclosure. The 45deg light test indicates a sufficient level of daylight will reach the windows on the rear elevation and the gap between the extension and shared boundary will also reduce the dominance of the extension to an acceptable degree.

32 In relation to the dormer window, it is noted that there are windows to the side elevations of the dormer. It is considered that these windows should be obscured to

avoid adverse impacts on privacy from overlooking and this is recommended as a condition of any planning permission

**Design issues and the impact on character and setting of a listed building and/or conservation area**

- 33 Policy guidance from the Dulwich Village Conservation Area Appraisal, 5.4.9, states that 'Roof extensions and changes to the basic roof form are generally likely to be intrusive and unacceptable. In those few cases where the roof is already altered or hidden from view, some alterations may be possible. In such cases the Council will normally seek low-key solutions minimizing any adverse impact through the use of sympathetic designs and appropriate materials'.
- 34 The Residential Design Guidelines state that dormer windows should not occupy more than 20% of the roof space and should not be wider than they are high.
- 35 The dormer window has been reduced from the previous application and now occupies 20% of the roofspace. In terms of scale this is considered to be sufficiently subservient to avoid adverse impacts on the appearance of the dwellinghouse. The dormer is obscured from public viewpoints so will have no apparent visual impact on the character of the Dulwich Village conservation area.
- 36 The rear extension will also be obscured from public viewpoints, thereby having no impact on the appearance of the conservation area.

**Other matters**

- 37 None identified.

**Conclusion**

- 38 The proposed dormer window and rear extension have been appropriately designed to avoid adverse impacts on the amenity of adjoining properties, as well as the appearance of the dwellinghouse and Dulwich Village conservation area. For these reasons the proposal is in accordance with Council Policy and recommended for approval.

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

**SUSTAINABLE DEVELOPMENT IMPLICATIONS**

- 41 None identified.

**HUMAN RIGHTS ISSUES**

- 42 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.
- 43 This application has the legitimate aim of providing a development that supports the provision of additional residential accommodation, meeting the needs of Londoners. 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	Jeremy Talbot	Planning Officer [tel. 020 7525 5330]
CASE FILE	TP/2587-35	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a>	



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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr D Panuccio	<b>Reg. Number</b>	09-AP-2791
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2587-35
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Single storey ground floor rear extension and loft conversion with rear dormer window extension and rooflights to side and rear, providing additional residential accommodation.

**At:** 35 WOODWARDE ROAD, LONDON, SE22 8UN

**In accordance with application received on 15/12/2009**

**and Applicant's Drawing Nos.** 145-01, 145-02, 145-03, 145-04, 145-05, 145-06, 145-07, 145-08, 145-11E, 145-12E, 145-13E, 145-14E, 145-15E, 145-16E, 145-17E, 145-18E, 145-19E, Design and Access Statement, Site Plan

**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 development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 145-11E, 145-12E, 145-13E, 145-14E, 145-15E, 145-16E, 145-17E, 145-18E, 145-19E

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with policy 3.12 'Quality in design' and 3.16 'Conservation areas' of the Southwark Plan [July 2007].

- 4 The windows on the side elevations of the bay window dormer shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises from undue overlooking in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan [July 2007].

- 5 Prior to the commencement of any work on site detailed drawings to a scale of 1:5/10 through:
- Dormer
  - the facades;
  - parapets;
  - roof edges;
  - junctions with the existing building; and
  - heads, cills and jambs of all openings,

shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure that the design of the extension is of sufficient quality in accordance with policy 3.12 'Quality in design' and 3.16 'Conservation areas' of the Southwark Plan [July 2007].

**Reasons for granting planning permission.**

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

- a] Policies 3.2 'Protection of amenity', Policy 3.12 'Quality in design' and Policy 3.16 'Conservation areas' of the Southwark Plan [July 2007].

Particular regard was had to the impacts on the amenity of neighbouring occupiers as well as the visual impacts on the dwellinghouse and Dulwich Village conservation area that would result from the proposed development. However following careful consideration it was concluded that these impacts would be acceptable and there would be no significant loss of amenity for adjoining occupiers, nor would the proposal lead to adverse impacts on the appearance of the dwellinghouse or Dulwich Village conservation area. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

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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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