

Dulwich Community Council Planning

Wednesday 17 November 2010 7.00 pm Christ Church, 263 Barry Road, London SE22 0JT

Membership

Councillor James Barber (Chair)
Councillor Helen Hayes (Vice-Chair)
Councillor Robin Crookshank Hilton
Councillor Toby Eckersley
Councillor Jonathan Mitchell
Councillor Michael Mitchell
Councillor Lewis Robinson
Councillor Rosie Shimell
Councillor Andy Simmons

Members of the committee are summoned to attend this meeting **Annie Shepperd**Chief Executive

Date: 9 November 2010



Order of Business

Item Title No.

- 1. INTRODUCTION AND WELCOME
- 2. APOLOGIES
- 3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Members are asked to declare any interest or dispensation and the nature of that interest or dispensation which they may have in any of the items under consideration at this meeting.

Item No. Title

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The Chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. MINUTES FROM THE PREVIOUS MEETING (Pages 4 - 7)

To confirm as a correct record the minutes of the meeting held on 14 October 2010.

6. DEVELOPMENT CONTROL ITEMS (Pages 8 - 12)

6.1. 8 ALLEYN PARK, LONDON, SE21 8AE (Pages 13 - 22)

Date: 9 November 2010

Dulwich Community Council

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Na oose language you want

If you lek for sabi all tin but Community Council na you yone language, do ya telephone 020 7525 7234 or you kin go talk to dee officesr dem na 160 Tooley Treet, London SE1 2TZ.

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Beverley Olamijulo, Constitutional Officer, Tel: 020 7525

7234 or email: beverley.olamijulo@southwark.gov.uk

Website: www.southwark.gov.uk

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DULWICH COMMUNITY COUNCIL PLANNING

MINUTES of the Dulwich Community Council Planning meeting held on Thursday 14 October 2010 at 7.00 pm at East Dulwich Grove United Reformed Church, East Dulwich Grove, London SE22 8RH

PRESENT:

Councillor Helen Hayes (Vice-Chair), in the Chair

Councillor Robin Crookshank Hilton

Councillor Jonathan Mitchell Councillor Michael Mitchell Councillor Lewis Robinson Councillor Rosie Shimell Councillor Andy Simmons

OFFICER SUPPORT:

Andre Verster, Planning Officer Ronan O'Connor, Planning Officer

Gavin Blackburn, Legal Officer

Beverley Olamijulo, Constitutional Officer

1. INTRODUCTION AND WELCOME

Councillor Helen Hayes who was in the Chair introduced herself and welcomed those present at the meeting and asked members and officers in attendance to introduce themselves.

2. APOLOGIES

Apologies for absence were received on behalf of Councillors James Barber and Toby Eckersley. Councillor Robin Crookshank Hilton submitted an apology for lateness.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following Councillors declared their interests at the meeting:

Councillor Andy Simmons declared a personal interest in respect of items 6.2 (10-AP-1803) and item 6.3 (10-AP-1834), Goose Green Primary School as a school governor at

the School and therefore left the meeting when the items were being considered.

Councillor Jonathan Mitchell said he would be speak as a ward councillor for item 6.1 (10-AP-1738) representing those who were objecting to the application.

Councillor Helen Hayes sought legal advice concerning 6.1 and was advised that although she knows one of the consultees at number 80 Crawthew it does not constitute a prejudicial interest and therefore would preside over the meeting.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were no urgent items.

5. MINUTES FROM THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the Planning meeting held the 8 September 2010 were agreed as an accurate record of the meeting and signed by the Chair subject to a minor typographical error under 6.1 (10-AP-1606).

6. DEVELOPMENT CONTROL ITEMS

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 in the report attached to the agenda.
- 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 (10-AP-1738) - 68A CRAWTHEW GROVE, LONDON SE22 9AB

Report: See pages 12 to 37 of the agenda.

Proposal:

Demolition of existing single storey commercial storage building and erection of a two storey two bedroom dwelling house.

The planning officer introduced the report, and circulated the site plans.

The committee heard representations from an objector.

The applicant's agent was present to make representations.

Councillor Jonathan Mitchell spoke in his capacity as a Ward Councillor.

Members further debated on this application before moving to a decision.

RESOLVED:

That planning application (10-AP-1738) be granted.

ITEM 6.2 (10-AP-1803) – GOOSE GREEN PRIMARY SCHOOL, TINTAGEL CRESCENT, LONDON SE22 8HG

Report: See pages 38 to 56 of the agenda.

Proposal:

Single storey extension providing additional school accommodation; external alterations to annexe to provide children's centre

The planning officer introduced the report, and circulated the site plans.

No objectors were present.

The applicant from Southwark's Children's Services Department was present to make representations on items 6.2 and 6.3.

Members further debated on this application before moving to a decision.

RESOLVED:

That planning application (10-AP-1803) be granted subject to conditions.

ITEM 6.3 (10-AP-1834) – GOOSE GREEN PRIMARY SCHOOL, TINTAGEL CRESCENT, LONDON SE22 8HG

Report: See pages 57 to 74 of the agenda.

Proposal:

Single storey extension and internal reconfiguration of part of the building, internal reconfiguration of annexe building into Children's Centre.

RESOLVED:

That planning application (10-AP-1834) be granted subject to conditions.

7. ANY OTHER BUSINESS

The Community Council considered the following item under any other business which the Chair agreed to accept as urgent business.

Members noted the amendments of the Cleaner Greener Safer schemes below which is to be given consideration at the next general Dulwich Community Council meeting on 10 November 2010:

- Withdraw funding of Eco Dry Cleaners (scheme 03017) as the applicants are unable to proceed with the project
- North Cross Road Alleyway (scheme 02768)
- We Love East Dulwich banners (scheme 01991) advertising consents for we love East Dulwich banners replacing two lamp columns on Lordship Lane
- Northcross electric pop up points (£25,500 is to be spent on this)
- East Dulwich Carbon fund (scheme 02783)
- The estimate with contingency is £29,000.

It was noted that any gap between the £25,500 and £29,000 is fulfilled up to £5,000 using money from Cleaner Greener Safer scheme (02783) and East Dulwich Carbon fund. The reason for this is using mains electricity rather than multiple mini generators would save carbon and is much more efficient.

The meeting ended at 8.30 p.m.	
CHAIR:	
DATED:	

Item No. 6.	Classification: Open	Date: 17 November 2010	Meeting Name: Dulwich Community Council	
Report title):	Development Management		
Ward(s) or groups affected:		All within Dulwich [College, East Dulwich & Village Community Council area		
From:		Strategic Director of Regeneration and Neighbourhoods		

RECOMMENDATIONS

- 1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
- 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

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 and May 20 2009. The matters reserved to the planning committee and community councils Exercising Planning Functions are described in parts 3F and 3H of the Southwark council constitution. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

- 5. In respect of the attached planning committee items members are asked, where appropriate -
- 6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
- 7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

- 8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
- 9. Each of the following items are 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. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
- Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Councils case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
- 11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
- 12. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
- 13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community Impact Statement

14 Community Impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 15. A resolution to grant planning permission shall mean that the development & building control manager 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 development & building control manager 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 planning committee.
- 16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager 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 development & building control manager. 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 & democratic services. The planning permission will not be issued unless such an agreement is completed.

- 17. 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, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
- 18. 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).
- 19. Section 106 of the Town and Country Planning Act 1990 as amended 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:
 - I. restrict the development or use of the land;
 - II. require operations or activities to be carried out in, on, under or over the land;
 - III. require the land to be used in any specified way; or
 - IV. 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.

20. 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 obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008		Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1P 5LX	The named case Officer as listed or Gary Rice 020 7525 5437

AUDIT TRAIL

Lead Officer	Deborah Collins, Strated	Deborah Collins, Strategic Director of Communities, Law &		
	Governance			
Report Author	Nagla Stevens, Principal	Planning Lawyer		
	Kenny Uzodike, Constitu	tional Officer		
Version	Final			
Dated	1 October 2010			
Key Decision	No	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER				
Officer Title		Comments	Comments included	
		Sought		
Strategic Director of Communities, Law &		Yes	Yes	
Governance				
Strategic Director of Regeneration		No	No	
and Neighbourhoods				
Head of Development Management		No	No	

ITEMS ON AGENDA OF THE DULWICH CC

on Wednesday 17 November 2010

Appl. TypeFull Planning PermissionReg. No.10-AP-2545

Site 8 ALLEYN PARK, LONDON, SE21 8AE

TP No. TP/2549-D

Ward College

Officer Jeremy Talbot

Recommendation GRANT PERMISSION

Proposal

Item 1/1

Loft conversion with three new dormer extensions on rear facing roofslope and enlargement of width of link between living room and kitchen.





Item No:	Classification:	Date:	Meeting Name:		
6. 1	OPEN	17 November 2010	Dulwich Community Council		
Report title:	Application 10-AP-2 Address: 8 ALLEYN PARK, Proposal: Loft conversion wit	YN PARK, LONDON, SE21 8AE			
Ward(s) or groups affected:	College				
From:	Head of Development Management				
Application Start Date 09/09/2010	Application Expiry Date 04/11/2010				

RECOMMENDATION

1 To grant planning permission.

BACKGROUND INFORMATION

2 The application has been called in to Dulwich Community Council for a decision.

Site location and description

- The site contains a two storey detached dwellinghouse, with a separate kitchen and garage unit joined to the main dwellinghouse by a enclosed link. The dwelling is located on the corner of Alleyn Park and Rouse Gardens, Dulwich. The surrounding area is residential in character.
- 4 The site is not located within a conservation area.

Details of proposal

- 5 Loft conversion with three new dormer extensions on rear facing roofslope and enlargement of width of link between living room and kitchen.
- The three dormer windows are evenly spaced along the rear roofslope and measure 2.5m wide by 1.3m high and are set back from the eaves and sides of the roofslope. Materials include lead cladding and upvc window frames.
- 7 The enlarged link will be widened to the extent of the kitchen and will retain existing materials including the sliding doors.

Planning history

8 None available.

Planning history of adjoining sites

9 None available.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 10 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) Amenity.
 - c) Design.

Planning policy

Southwark Plan 2007 (July)

11 3.2 'Protection of amenity' 3.12 'Quality in design'

Core Strategy

- The Council submitted the draft Core Strategy to the Secretary of State on 26 March 2010 and the Examination in Public hearings took place in July 2010. The Core Strategy policies should be considered as currently having no weight when determining planning applications as they are awaiting the Inspector's report and his finding of soundness. Applications should continue to be determined pending receipt of the Inspector's report primarily in accordance the saved policies in the Southwark Plan 2007 and the London Plan 2008.
- The Inspector's report on the Core Strategy is expected in December 2010. With a recommendation of soundness from the inspector there will be a very high degree of certainty that the Core Strategy will be adopted and that a number of existing Southwark Plan policies will be replaced. In view of this, on publication of the inspector's report, all core strategy policies should be given significant weight in determining planning applications. Less weight should be given to existing policies which are soon to be replaced. Formal adoption of the core strategy is expected in January 2011.

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

14 Residential Design Standards SPD [2008].

Principle of development

15 In principle there is no objection to extensions to residential dwellinghouses.

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

The proposal will marginally increase overlooking onto the rear gardens of adjoining properties. However these gardens will not suffer from a significant loss of privacy, as

the first floor windows of the dwelling currently overlook the same areas. Daylight and direct sunlight will not be affected significantly, as the extension is set back from the roof eaves and will not project out to a degree that would block natural light.

17 The enlarged link between the kitchen and living room is surrounded by the dwellinghouse, garage and boundary fences, therefore raises no concerns in terms on impacts on amenity.

Design issues

- The supplementary planning document for residential design states that as a guide, dormer windows should not occupy more than 20% of the roof space and should not be wider than they are high.
- 19 It is considered that the proposed dormers are subservient additions that will be recessive in appearance, having minimal adverse impact on the appearance of the dwellinghouse. The rear roofslope of the dwellinghouse is not easily visible from any public places, where it is visible from other dwellinghouses or rear gardens, it is not of a scale or appearance that will be detrimental to the overall appearance of the dwellinghouse and local area.
- The enlarged link between the kitchen and living room is not of a scale or appearance that will lead to any adverse impact on the dwellinghouse.

Other matters

21 None identified.

Conclusion on planning issues

Overall, the proposal is considered to be appropriately scaled and designed to avoid adverse impacts on the amenity of nearby occupiers and the appearance of the dwellinghouse and surrounding area. For these reasons the proposal is in accordance with policy and recommended for approval.

Community impact statement

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

Consultations

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

Consultation replies

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

25 <u>Summary of consultation responses</u>

One response was received in objection to the proposal on the grounds that it would lead to adverse impacts on privacy and the appearance of the house and local area.

Human rights implications

- 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.
- 27 This application has the legitimate aim of providing additional residential accommodation. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2549-D	Regeneration and	Planning enquiries telephone:
	Neighbourhoods	020 7525 5403
Application file: 10-AP-2545	Department	Planning enquiries email:
	160 Tooley Street	planning.enquiries@southwark.gov
Southwark Local Development	London	<u>.uk</u>
Framework and Development	SE1 2TZ	Case officer telephone::
Plan Documents		020 7525 5330
		Council website:
		www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

7.051.110.02				
Lead Officer	Gary Rice Head of Development Management			
Report Author	Jeremy Talbot			
Version	Final			
Dated	2 November 2010	2 November 2010		
Key Decision	No			
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER				
Officer Title	Officer Title Comments Sought Comments included			
Strategic Director of Communities, Law & Governance		No.	No.	
Strategic Director of Regeneration and Neighbourhoods		No.	No.	
Strategic Director of Environment and Housing		No.	No.	
Date final report sent to Community Council Team 8 November 2010				

APPENDIX 1

Consultation undertaken

Site notice date: 24/09/2010

Case officer site visit date: 22/10/2010

Neighbour consultation letters sent: 23/09/2010

Internal services consulted:

None.

Statutory and non-statutory organisations consulted:

None.

Neighbours and local groups consulted:

3 ALLEYN PARK LONDON SE21 8AU
5 ALLEYN PARK LONDON SE21 8AU
7 ALLEYN PARK LONDON SE21 8AU
6 ALLEYN PARK LONDON SE21 8AE
14 ROUSE GARDENS LONDON SE21 8AF
16 ROUSE GARDENS LONDON SE21 8AF

Re-consultation:

None.

APPENDIX 2

Consultation responses received

Neighbours and local groups

28 Rouse Gardens

RECOMMENDATION

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

Applicant Dr K. Kunde

Application Type Full Planning Permission

Recommendation Grant permission

Reg. Number 10-AP-2545

TP/2549-D

Case

Number

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Loft conversion with three new dormer extensions on rear facing roofslope and enlargement of width of link between living room and kitchen.

At: 8 ALLEYN PARK, LONDON, SE21 8AE

In accordance with application received on 02/09/2010 08:00:29

and Applicant's Drawing Nos. Site plan, A1261/100, A1261/101 Rev B.

Subject to the following condition:

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

A1261/101 Rev B.

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:

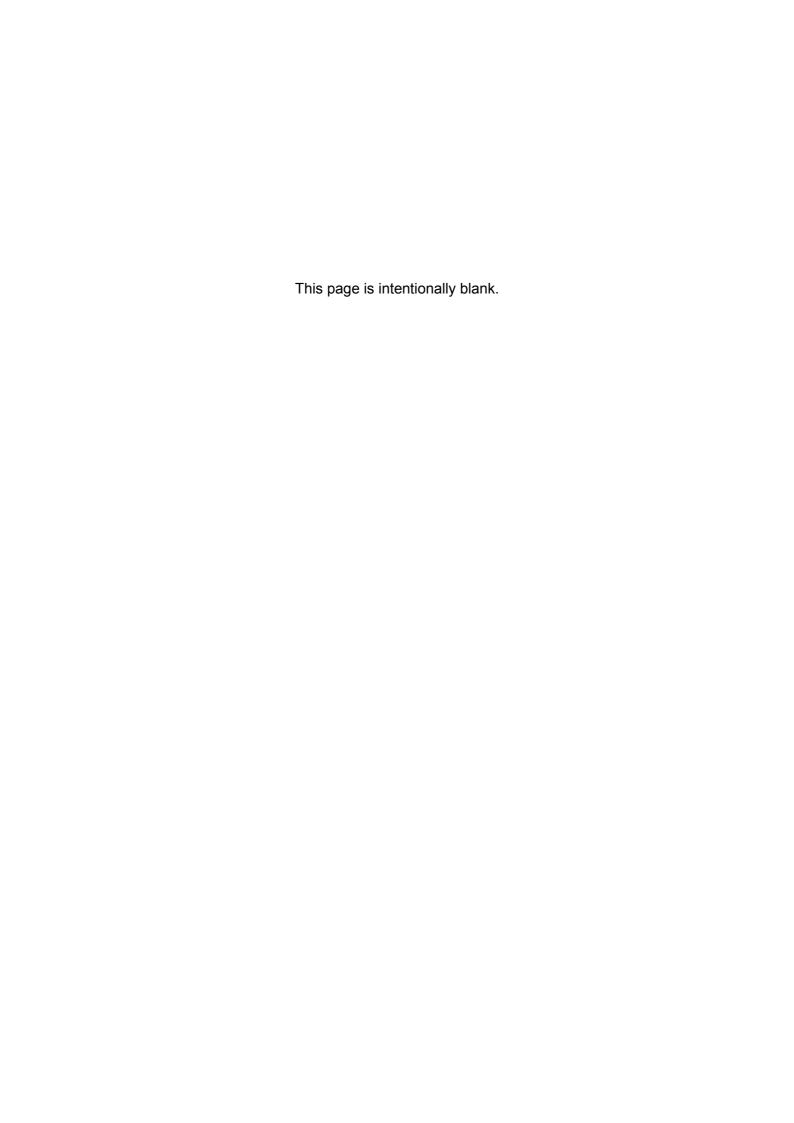
To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with policy 3.12 'Quality in design' of the Southwark Plan (July 2007).

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' (advises that permission will not be granted where it would cause a loss of amenity), 3.12 'Quality in design' (requires new development to achieve a high quality of architectural and urban design) and 3.13 'Urban design' (advises that principles of good design must be taken into account in all developments) of the Southwark Plan [July 2007].

Particular regard was had to the scale and design of proposal and the impacts this could have on the amenity of adjoining occupiers and the character and appearance of the original dwellinghouse and local area. However following careful consideration, the scale and design of the proposal was considered to avoid adverse impacts on adjoining occupiers while respecting the appearance of the original dwellinghouse and preserving the character and appearance of the local area. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.



MUNICIPAL YEAR 2010/11

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 $\underline{\mathsf{NOTE:}}$ Original held by Constitutional Support Unit; amendments to Beverley Olamijulo (Tel: 020 7525 7234)

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