

Dulwich Community Council

Please note that this a combined Planning and Main meeting

Wednesday 9 February 2011
6.00 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: Tuesday 1 February 2011



Order of Business

- | Item No. | Title |
|----------|--------------------------|
| 1. | INTRODUCTION AND WELCOME |
| 2. | APOLOGIES |

Item No.**Title****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.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

5. MINUTES (Pages 4 - 11)

To confirm as correct records the minutes of the meetings held on 15 December 2010 and 13 January 2011.

6. DEVELOPMENT CONTROL (Pages 12 - 16)

6.1. 266 TURNEY ROAD, LONDON SE21 7JP (Pages 17 - 28)

6.2. 266 TURNEY ROAD, LONDON SE217JP (Pages 29 - 50)

7. PRESENTATION ON NORTH CROSS ROAD MARKET**7.1. EXCLUSION OF PRESS AND PUBLIC**

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 and 2, Access to Information Procedure rules of the Constitution.

8. LEA SCHOOL GOVERNOR APPOINTMENTS (CLOSED AGENDA)

Date: Tuesday 1 February 2011

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

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**DULWICH COMMUNITY COUNCIL
- PLANNING -**

MINUTES of the Dulwich Community Council Planning held on Wednesday 15 December 2010 at 7.00 pm at Herne Hill Baptist Church, Half Moon Lane, London SE24 9HU

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

OFFICER SUPPORT: Gavin Blackburn (Legal Officer)
Sonia Watson, (Planning Officer)
Beverley Olamijulo (Constitutional Officer)
Christian Loveday (Transport Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

2. APOLOGIES

There were apologies for absence from Councillor Michael Mitchell and for lateness from Councillor Rosie Shimell.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Members declared interests in relation to the following agenda items:

Agenda Item 6.2 – James Allen’s Girls School, 144 East Dulwich Grove, London SE22 8TE

Councillor James Barber, personal, his daughter attends piano lessons at James Allen’s Girls School.

Councillor Jonathan Mitchell, personal, his daughter previously attended James Allen's Girls School.

Councillor Robin Crookshank Hilton, personal as she wanted to speak in her capacity as a ward councillor.

Agenda Item 6.3 – 208 Barry Road, London SE22 0JS

Councillor Jonathan Mitchell, personal, as he wanted to speak in his capacity as a ward councillor.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

An addendum report containing late amendments to paragraphs 10 and 38 of the officer's report was circulated at the meeting.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 17 November 2010 be agreed as a correct record of the meeting, and signed by the Chair.

6. DEVELOPMENT CONTROL ITEMS

The Chair decided to vary the order of agenda items in this order:

Items 6.2, 6.3 , 6.4 and 6.1.

6.1 64 WORLINGHAM ROAD, LONDON SE22 9HD

Planning application reference number 10-AP-1015

PROPOSAL

New two bed dwelling house on ground, first and second floors located in between nos 64 and 66 Worlingham Road.

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

There were no objectors or local supporters present.

The applicants spoke in support of the application. Councillors asked questions of the applicants.

Members discussed the application.

RESOLVED:

That planning application be refused due to the poor design of the proposed development and that it would inhibit the character of the area and the visual amenity for adjoining occupiers. As such the proposal is considered to be contrary to policies 3.2 [protection of amenity] and 3.12 [quality in design] of the Southwark Plan 2007.

6 .2 JAMES ALLEN'S GIRLS SCHOOL, 144 EAST DULWICH GROVE, LONDON SE22 8TE

Planning application reference number 10-AP-1510

PROPOSAL

Erection of 3-storey plus basement building to provide a community music centre for use by school and local community (Use Class D1).

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

Councillors asked questions of the officer.

The objectors spoke against the application.

The applicant spoke in favour of the application.

A local supporter spoke in support of the application.

Cllr Robin Crookshank Hilton spoke in her capacity as a ward member and Members asked questions.

Members discussed the application.

RESOLVED:

That planning permission for application 10-AP-1510 be granted, subject to the conditions outlined in the report. In addition that the variation of conditions covering key issues detailed under paragraphs 45, 71 and 73 of the officer's report which addresses the following should be referred to Members for their approval:

- large events held at the venue.
- the impact on neighbouring residents.
- Issues which refer to on street parking.
- How to manage the impact on local traffic within the vicinity.

6 .3 208 BARRY ROAD, LONDON SE22 0JS

Planning application reference number 10-AP-2852**PROPOSAL:**

Change of use from a residential dwellinghouse to a nursery (Class D1) with single storey ground floor rear extension, and two rear dormer window extensions forming one residential staff flat. Associated bin and pram storage areas and cycle parking.

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

Councillors asked questions of the officer.

An objector spoke against the application and Members asked questions.

The applicant and applicant's agent spoke in favour of the application.

A local supporter spoke in support of the application.

Cllr Jonathan Mitchell spoke in his capacity as a ward member and Members asked questions.

Members discussed the application.

RESOLVED:

That planning permission for application 10-AP-2852 be granted subject to conditions, which controls the number of children, hours of operation, noise and other matters as outlined in the report.

6.4 31 ELMWOOD ROAD, LONDON SE24 9NS**Planning application reference number 10-AP-2196****PROPOSAL**

The demolition of an existing property (comprising two flats) at number 31-33 Elmwood Road. The construction of two new terraced houses on basement, ground, and first and second floor levels.

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

Members asked questions of the officer.

An objector spoke against the application and Members asked questions.

The applicant and applicant's agent spoke in support of the application and Members asked questions.

There were no supporters present and no ward councillors wished to speak on this application.

Members discussed the application.

RESOLVED:

That planning permission for application 10-AP-2196 be granted subject to conditions outlined in the draft decision notice.

The meeting ended 11.10 pm

CHAIR:

DATED:



DULWICH COMMUNITY COUNCIL - Planning -

MINUTES of the Dulwich Community Council Planning meeting held on Thursday 13 January 2011 at 7.00 pm at Dulwich Grove United Reform Church, East Dulwich Grove, London SE22 8RH

PRESENT:	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
OFFICER SUPPORT:	Gavin Blackburn (Legal Officer) Sonia Watson (Planning Officer) Beverley Olamijulo (Constitutional Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed members of the public, councillors and officers to the meeting.

2. APOLOGIES

There were no apologies for absence. Councillor Helen Hayes gave her apologies for lateness.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 15 December 2010 be deferred until the next meeting.

6. DEVELOPMENT CONTROL ITEMS

The Chair agreed to consider items 6.1 and 6.2 together as they relate to the same site.

6.1 SITE TO THE REAR OF 28 CRESCENT WOOD ROAD, LONDON, SE26 6RU

Planning application reference number 10-AP-2135

PROPOSAL

Redevelopment of 10 derelict garages on backland site into a single storey 3 bedroom dwelling house with basement.

The planning officer introduced the reports and provided additional information on bat protection guidance provided by the Public Realm division.

Councillors asked questions of the planning officer.

6.2 SITE TO THE REAR OF 28 CRESCENT WOOD ROAD, LONDON, SE26 6RU

Planning application reference number 10-AP-2197

PROPOSAL

Demolition of a garage block of ten garages.

The planning officer introduced the report and responded to questions from Members.

The objectors spoke against both applications and responded to Members' questions.

The applicants spoke in favour of the applications and responded to Members' questions.

RESOLVED:

That planning permission for applications 10-AP-2135 and 10-AP-2197 be deferred so that a bat survey could be undertaken and a report produced in respect of a possible breach of planning control by the previous site owners.

Meeting ended at 9.00 pm

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 9 February 2011	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:		Deputy Chief Executive	

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 23 May 2007 and amended on 30 January 2008 and 20 May 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.
10. 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 Council's case at appeal which may be 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 communities, law & governance. 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	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 2TZ	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, Strategic Director of Communities, Law & Governance	
Report Author	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
Version	Final	
Dated	1 October 2010	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Management	No	No

ITEMS ON AGENDA OF THE DULWICH CC
on Wednesday 09 February 2011

Appl. Type Conservation Area Consent
Site 266 TURNEY ROAD, LONDON, SE21

Reg. No. 10-AP-3022
TP No. TP/2292-50
Ward Village
Officer Victoria Lewis

Recommendation GRANT PERMISSION
Proposal
Demolition of existing building.

Item 1/1

Appl. Type Full Planning Permission
Site 266 TURNEY ROAD, LONDON, SE21 7JP

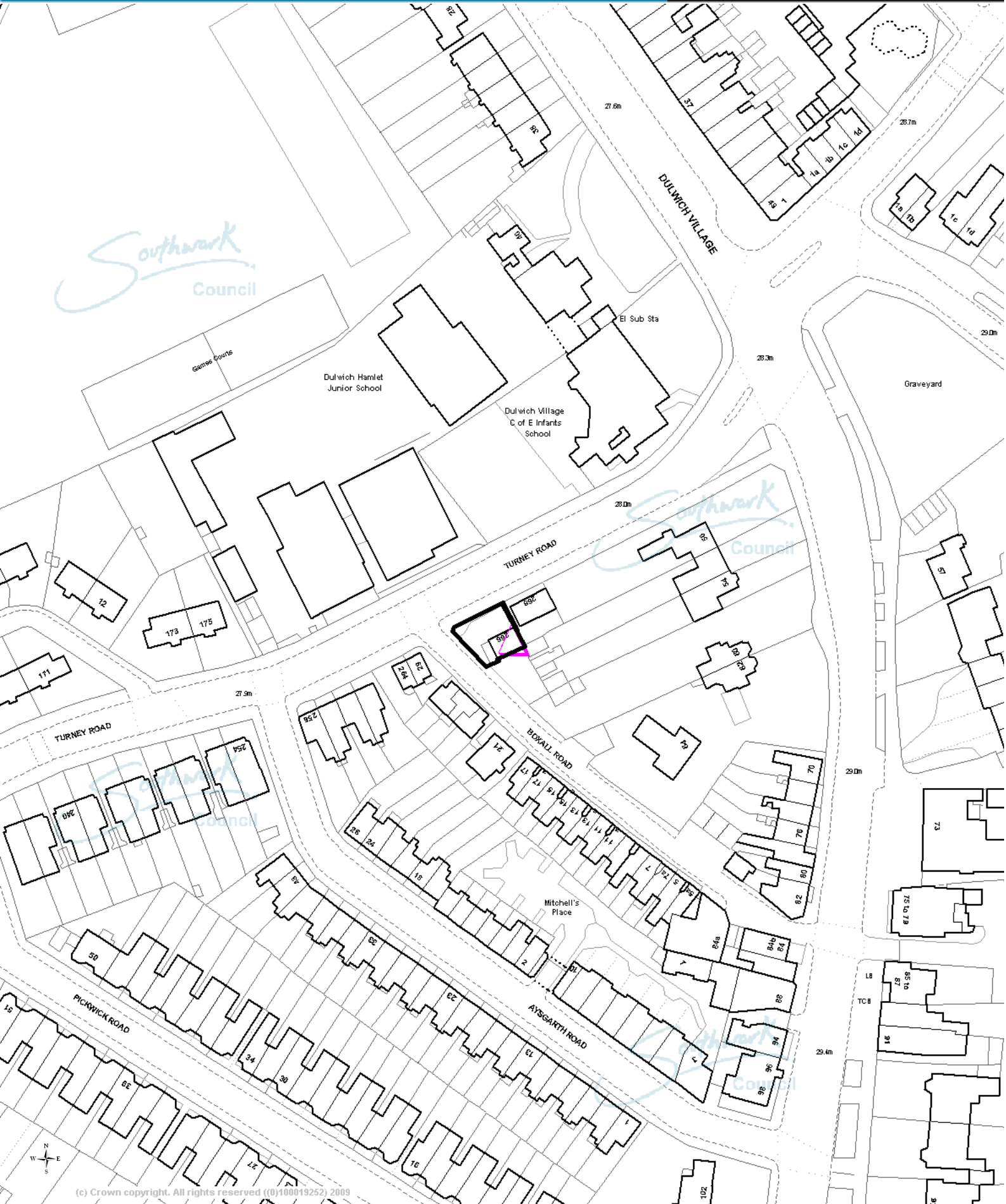
Reg. No. 10-AP-3023
TP No. TP/2292-50
Ward Village
Officer Victoria Lewis

Recommendation GRANT PERMISSION
Proposal
Erection of 2-storey dwelling, following demolition of existing building on the site (Use Class C3).

Item 1/2

Ordnance Survey

Date 1/2/2011



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Item No. 6.1	Classification: Open	Date: 09 February 2010	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-3022 for: Conservation Area Consent Address: 266 TURNEY ROAD, LONDON, SE21 Proposal: Demolition of existing building.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 26/10/2010		Application Expiry Date 21/12/2010	

RECOMMENDATION

- 1 Grant conservation area consent.

BACKGROUND INFORMATION

Site location and description

- 2 The application relates to a 2-storey 1960s building located on the south-eastern side of Turney Road, on the junction with Boxall Road. It comprises 4 garages at ground floor level and a 1-bedroom flat above. Access to the flat is via steps leading up to a raised terrace at the side of the building, facing Boxall Road.
- 3 Dulwich Hamlet Junior School is on the opposite side of Turney Road, there is a 1960s bungalow immediately to the east (268 Turney Road), a tarmac turning area and garages associated with 266 Turney Road and 50-60 Dulwich Village to the south and 2-storey houses to the west, on the opposite side of Boxall Road.
- 4 The site forms part of the Dulwich Village Conservation Area, an archaeological priority zone, the suburban density zone and an air quality management area; 52 Dulwich Village which is located to the east of the site is grade II listed.

Details of proposal

- 5 Conservation area consent is sought for demolition of the existing building on the site.

Planning history

- 6 10-AP-3023 - Erection of 2-storey dwelling, following demolition of existing building on the site (Use Class C3). UNDER CONSIDERATION.
- 7 10-AP-0034 - Erection of 2-storey plus basement dwelling, following demolition of existing building (Use Class C3). Planning permission was REFUSED in March 2010 for the following reasons:

1. *The proposed new dwelling by reason of its general design and inappropriate detailing would introduce and incongruous aesthetic to the historic context of the area and would fail to preserve the character or appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design' 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan 2007.*

2. *The design of the proposed dwelling would sit uncomfortably within both Turney and Boxall Roads, in particular it fails to address the cohesive frontages of Turney Road or the sensitive proportions of the semi-detached houses that neighbour the site, nor does it seek to preserve some of the prevailing heights on these frontages. contrary to policies 3.12 'Quality in design', 3.13 'Urban design' 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan 2007.*

3. *The proposed second bedroom located within the basement would have no outlook and poor access to natural daylight due to the small enclosed lightwell and ground level rooflight upon which it would rely. It is not considered that such an arrangement would provide a satisfactory level of accommodation for a habitable space and as such is contrary to Policies 3.2 Protection of amenity, 4.2 Quality of residential accommodation of the Southwark Plan 2007 and to the Residential Design Guidelines Supplementary Planning Document, 2008.*

4. *The proposed development, by reason of the location of a terrace at first floor level on the shared rear (southern) boundary of the site may be prejudicial to the future development of the adjoining portion of land fronting Boxall Road, contrary to policy 3.11 'Efficient use of land' of the Southwark Plan 2007.*

- 8 10-AP - 0047 - Demolition of existing building comprising 4 garages and a flat (Use Class C3). Application for conservation area consent REFUSED in March 2010 for the following reason:

In the absence of an approved scheme for the redevelopment of the site, the proposal would result in a harmful gap site which would fail to preserve or enhance the character or appearance of this part of the Dulwich Village Conservation Area, contrary to policy 3.16 'Conservation areas' of the Southwark Plan 2007.

- 9 08-AP-0809 - Demolition of existing building and erection of a 2-storey dwellinghouse with additional accommodation in the roofspace, integral garage and terrace at first floor level (Use Class C3). Planning permission was REFUSED in July 2008 for the following reasons:

1. *The proposed development, owing to its height and proximity to 268 Turney Road would result in loss of light and overshadowing to this property and would have an oppressive and overbearing impact upon a bedroom window in its west-facing flank wall, contrary to policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.*

2. *The proposed development, by reason of the location of windows on the shared rear (southern) boundary of the site would be prejudicial to the future development of the land at the rear of the site and to the amenity of future occupiers of 266 Turney Road, contrary to policies 3.2 'Protection of Amenity' and 3.11 'Efficient use of Land' of the Southwark Plan 2007.*

3. *The proposed development would result in an over-provision of parking facilities which would encourage traffic into the area and would be contrary to the objectives of encouraging alternative means of travel, contrary to policy 5.2 'Car Parking' and appendix 15 of the Southwark Plan 2007.*

4. The proposed development by reason of its inappropriate massing, raised circular rooflight and inappropriate materials would fail to preserve the character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.16 'Conservation Areas' of the Southwark Plan 2007.

- 10 08-AP-0814 - Demolition of existing house (application for Conservation Area Consent) - WITHDRAWN in August 2008.
- 11 Planning permission for the existing building and the bungalow at 268 Turney Road was GRANTED in 1968 (reference: TP/2292/50).

Planning history of adjoining sites

- 12 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 13 The main issue to be considered in respect of this application is:
- a) the impact on the character and appearance of this part of the Dulwich Village Conservation Area.

Planning policy

Southwark Plan 2007 (July)

- 14
- 3.15 - Conservation of the historic environment
 - 3.16 - Conservation areas
 - 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- Dulwich Village Conservation Area Appraisal (February 2006)

Core Strategy

- 15 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.
- 16 The Inspector's report on the Core Strategy is expected in early 2011. 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 will follow in 2011.

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

- 17 PPS5: Planning for the Historic Environment

Impact on the character and appearance of this part of the Dulwich Village Conservation Area

- 18 Policy 3.16 of the Southwark Plan states that within conservation areas there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area.
- 19 The existing building on the site which would be demolished is a garage block with flat above, within a tarmac site. The building is of a modern design faced in concrete and with roller shutter doors to the garages, and is not a positive contributor to the conservation area.
- 20 In these instances, the harm to the heritage asset of the conservation area as a whole has to be assessed as set out in PPS5. Policy HE 9.4 of PPS5 states that "*Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:* (i) *weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and* (ii) *recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.*"
- 21 In this instance the loss of the building can be considered acceptable given its poor quality and because there is a concurrent planning application for a replacement building on the site which officers consider to be acceptable; a condition linking the demolition of the existing building on the site to a valid contract for redevelopment is recommended. Subject to this, it is considered that the proposal would preserve the character and appearance of this part of the Dulwich Village Conservation Area.

Other matters

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

Conclusion on planning issues

- 23 The existing building does not positively contribute to the conservation area and there is an acceptable scheme for a replacement building on the site. It is therefore recommended that conservation area consent be granted as the character and appearance of this part of the conservation area would be preserved.

Community impact statement

- 24 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.
- 25 a) The impact on local people is set out above.

Consultations

- 26 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.

Summary of consultation responses

- 27 One representation has been received in support of the application on the grounds that the writer is happy to support the demolition of the very unattractive building on the site provided it is carried out in conjunction with the granting of planning permission for a new dwelling.
- 28 Two representations have been received objecting to the application although the issues raised relate to the concurrent planning application (reference:10-AP-3022). Objections are raised on the following grounds:
1. Loss of light;
 2. Loss of view;
 3. Loss of a garage which is leased to a neighbouring property;
 4. Access to the replacement garage would be inconvenient;
 5. Impact of vibrations and building works on the stability and security of neighbouring properties;
 6. Harm to highway safety;
 7. The anticipation of the construction impacts is affecting the health of a neighbouring resident;
 8. Overlooking;
 9. Queries what precautions would be taken to minimise construction impacts.

Human rights implications

- 29 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.
- 30 This application has the legitimate aim of demolishing an existing building. 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

N/A.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-50 Application file: 10-AP-3022 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: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Victoria Lewis, Planning Officer	
Version	Final	
Dated	13 January 2010	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
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 the Community Council Team	1 February 2011	

APPENDIX 1

Consultation undertaken

31 **Site notice date:** 09/11/2010

Press notice date: 04/11/2010

Case officer site visit date: 09/11/2010

Neighbour consultation letters sent: 05/11/2010

Internal services consulted: None.

Statutory and non-statutory organisations consulted:

32 English Heritage

33 **Neighbours and local groups consulted:** Notification letters have been sent to properties on Turney Road, Dulwich Village and Boxall Road.

Re-consultation: N/A.

Consultation responses received

Internal services N/A.

Statutory and non-statutory organisations

English Heritage

- 34 This application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Neighbours and local groups

64 Dulwich Village

- 35 Support the application on the grounds that the writer is happy to support the demolition of the very unattractive building on the site provided it is carried out in conjunction with the granting of planning permission for a new dwelling.

268 Turney Road

- 36 Object to the application on the following grounds:
- 1.) Loss of light;
 - 2.) Loss of view;
 - 3.) Loss of a garage which is leased to a neighbouring property;
 - 4.) Access to the replacement garage would be inconvenient;
 - 5.) Impact of vibrations and building works on the stability and security of neighbouring properties;
 - 6.) Harm to highway safety;
 - 7.) The anticipation of the construction impacts is affecting the health of a neighbouring resident.

52 Dulwich Village

- 37 Object to the application on the following grounds:
- 1.) Loss of light to gardens of 50 and 52 Dulwich Village;
 - 2.) Overlooking;
 - 3.) Loss of light to 268 Turney Road;
 - 4.) Harm to highway safety;
 - 5.) The works would cause stress to a neighbouring resident;
 - 6.) Inconvenience during construction work;
 - 7.) Queries what measures would be put in place to minimise disruption, noise, mess and general dust that would filtrate the surrounding buildings.

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	Mrs. P Way	Reg. Number	10-AP-3022
Application Type	Conservation Area Consent	Case Number	TP/2292-50
Recommendation	Grant permission		

Draft of Decision Notice

Conservation Area Consent was GIVEN to demolish the following:

Demolition of existing building.

At: 266 TURNEY ROAD, LONDON, SE21

In accordance with application received on 19/10/2010

and Applicant's Drawing Nos. Site location plan
Drawing no: 2102/3

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 under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.

- 2 Works for the demolition of the building, or any part thereof, shall not be commenced before:

either:

i) a valid construction contract under which one of the parties is obliged to carry out and itself complete the works of redevelopment of the site for which planning permission has been granted has been entered into and evidence of such construction contract has first been submitted to and formally approved in writing by the Council as local planning authority.

or:

ii) a scheme to landscape the site has been submitted to and approved in writing by the Council. Work to re-landscape the site would then be carried out in accordance with the plans approved within 3 months of completion of demolition of the structure.

Reasons:

As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and appearance of the Dulwich Wood Conservation Area; and in accordance with Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites; of The Southwark Plan - July 2007.

Reasons for granting conservation area consent

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

This planning application was considered with regard to various policies of the Southwark Plan 2007 including, but not exclusively:

a] Policy 3.15 (Conservation of the Historic Environment) requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance.

Policy 3.16 (Conservation areas) states that there will be a general presumption in favour of retaining buildings that contribute positively to the character and appearance of the conservation area and notes that consent will be granted for schemes in conservation areas provided that they meet specified criteria in relation to

conservation area appraisals and other guidance, design and materials.

Policy 3.18 (Setting of Listed Buildings Conservation Areas and World Heritage Sites) advises that permission will not be granted for developments that would not preserve or enhance the immediate views and/or wider settings of a listed building, conservation area or world heritage site.

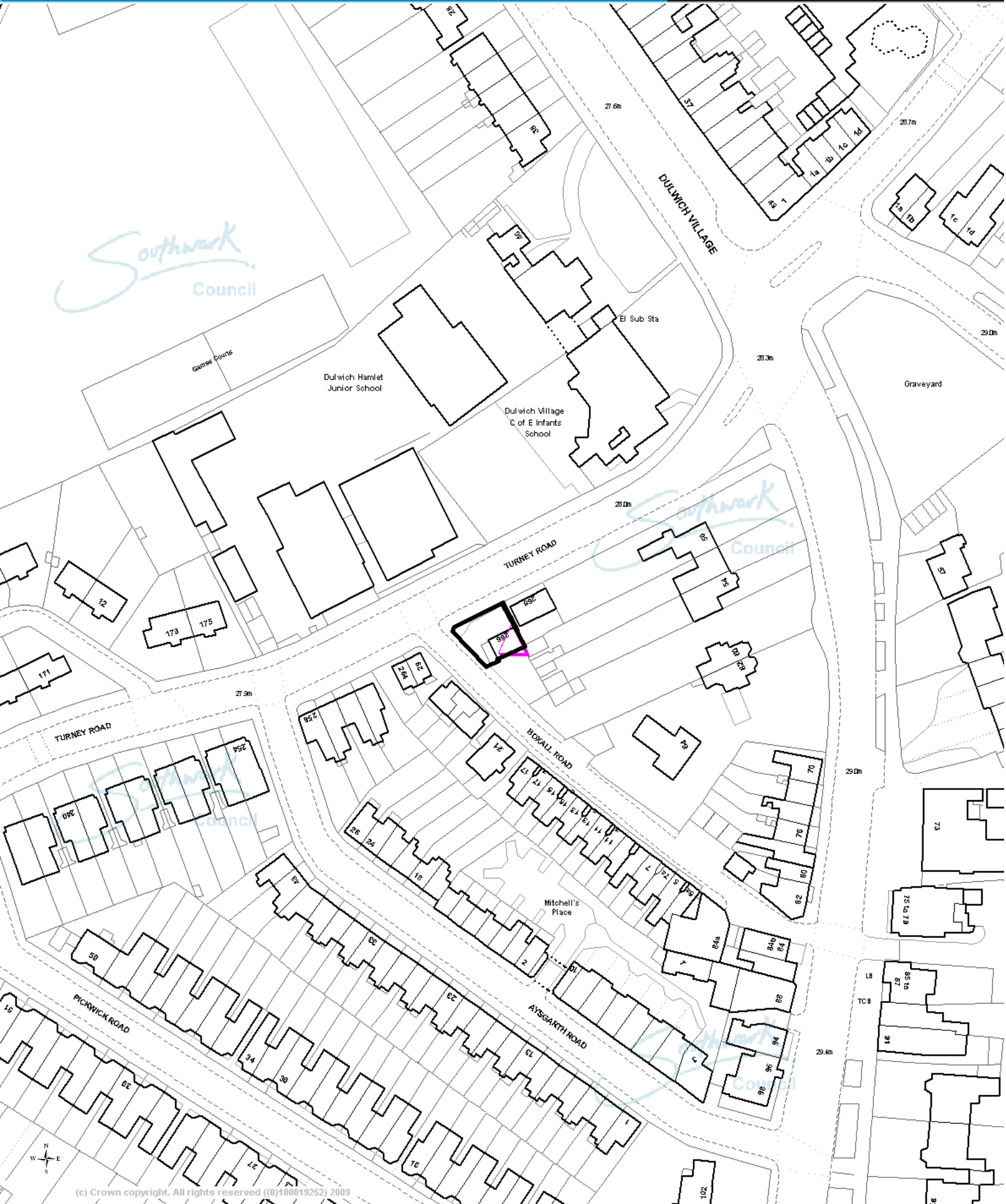
b] Planning Policy Statements [PPS] and Guidance Notes [PPG] PPS 5 Planning and the historic environment

Particular regard was had to the visual impact of the loss of the building on the site upon the Dulwich Village Conservation Area, and subject to a condition requiring a contract for the redevelopment of the site, it was considered that the character and appearance of this part of the Dulwich Village Conservation Area would be preserved. It was therefore considered appropriate to grant conservation area consent having regard to the policies considered and other material planning considerations.

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Ordnance Survey

Date 1/2/2011



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Item No. 6.2	Classification: Open	Date: 9 February 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-3023 for: Full Planning Permission Address: 266 TURNEY ROAD, LONDON, SE21 7JP Proposal: Erection of 2-storey dwelling, following demolition of existing building on the site (Use Class C3).		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 26/10/2010		Application Expiry Date 21/12/2010	

RECOMMENDATION

- 1 Grant planning permission, subject to conditions.
- 2 This application is referred to Dulwich Community Council owing to the number of objections received. The associated conservation area consent application is also on the agenda for decision.

BACKGROUND INFORMATION

Site location and description

- 3 The application relates to a 2-storey 1960s building located on the south-eastern side of Turney Road, on the junction with Boxall Road. It comprises 4 garages at ground floor level and a 1-bedroom flat above. Access to the flat is via steps leading up to a raised terrace at the side of the building, facing Boxall Road.
- 4 Dulwich Hamlet Junior School is on the opposite side of Turney Road, there is a 1960s bungalow immediately to the east (268 Turney Road), a tarmac turning area and garages associated with 266 Turney Road and 50-60 Dulwich Village to the south and 2-storey houses to the west, on the opposite side of Boxall Road.
- 5 The site forms part of the Dulwich Village Conservation Area, an archaeological priority zone, the suburban density zone and an air quality management area; 52 Dulwich Village which is located to the east of the site is grade II listed.

Details of proposal

- 6 Full planning permission is sought for the erection of a 2-storey dwelling, following the demolition of the existing building on the site (Use Class C3). It would measure 8.2m wide fronting Turney Road, 11m deep fronting Boxall Road and a maximum of 9.2m high to the top of a chimney.
- 7 Materials proposed are as follows:

- Yellow London stock brick to the external walls;
- Aluminium windows;
- Pre-patinated copper to dormer surrounds;
- Clay roof tiles.

- 8 An integral garage is proposed, although this would be for use by a neighbouring property. No off-street parking is proposed to serve the dwelling.

Planning history

- 9 10-AP-3022 - Demolition of existing building. This is a concurrent application for conservation area consent which is UNDER CONSIDERATION.

- 10 10-AP-0034 - Erection of 2-storey plus basement dwelling, following demolition of existing building (Use Class C3). Planning permission was REFUSED in March 2010 for the following reasons:

1. The proposed new dwelling by reason of its general design and inappropriate detailing would introduce and incongruous aesthetic to the historic context of the area and would fail to preserve the character or appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design' 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan 2007.

2. The design of the proposed dwelling would sit uncomfortably within both Turney and Boxall Roads, in particular it fails to address the cohesive frontages of Turney Road or the sensitive proportions of the semi-detached houses that neighbour the site, nor does it seek to preserve some of the prevailing heights on these frontages. contrary to policies 3.12 'Quality in design', 3.13 'Urban design' 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan 2007.

3. The proposed second bedroom located within the basement would have no outlook and poor access to natural daylight due to the small enclosed lightwell and ground level rooflight upon which it would rely. It is not considered that such an arrangement would provide a satisfactory level of accommodation for a habitable space and as such is contrary to Policies 3.2 Protection of amenity, 4.2 Quality of residential accommodation of the Southwark Plan 2007 and to the Residential Design Guidelines Supplementary Planning Document, 2008.

4. The proposed development, by reason of the location of a terrace at first floor level on the shared rear (southern) boundary of the site may be prejudicial to the future development of the adjoining portion of land fronting Boxall Road, contrary to policy 3.11 'Efficient use of land' of the Southwark Plan 2007.

- 11 10-AP - 0047 - Demolition of existing building comprising 4 garages and a flat (Use Class C3). Application for conservation area consent REFUSED in March 2010 for the following reason:

In the absence of an approved scheme for the redevelopment of the site, the proposal would result in a harmful gap site which would fail to preserve or enhance the character or appearance of this part of the Dulwich Village Conservation Area, contrary to policy 3.16 'Conservation areas' of the Southwark Plan 2007.

- 12 08-AP-0809 - Demolition of existing building and erection of a 2-storey dwellinghouse with additional accommodation in the roofspace, integral garage and terrace at first floor level (Use Class C3). Planning permission was REFUSED in July 2008 for the following reasons:

1. *The proposed development, owing to its height and proximity to 268 Turney Road would result in loss of light and overshadowing to this property and would have an oppressive and overbearing impact upon a bedroom window in its west-facing flank wall, contrary to policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.*

2. *The proposed development, by reason of the location of windows on the shared rear (southern) boundary of the site would be prejudicial to the future development of the land at the rear of the site and to the amenity of future occupiers of 266 Turney Road, contrary to policies 3.2 'Protection of Amenity' and 3.11 'Efficient use of Land' of the Southwark Plan 2007.*

3. *The proposed development would result in an over-provision of parking facilities which would encourage traffic into the area and would be contrary to the objectives of encouraging alternative means of travel, contrary to policy 5.2 'Car Parking' and appendix 15 of the Southwark Plan 2007.*

4. *The proposed development by reason of its inappropriate massing, raised circular rooflight and inappropriate materials would fail to preserve the character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.16 'Conservation Areas' of the Southwark Plan 2007.*

13 08-AP-0814 - Demolition of existing house (application for Conservation Area Consent) - WITHDRAWN in August 2008.

14 Planning permission for the existing building and the bungalow at 268 Turney Road was GRANTED in 1968 (reference: TP/2292/50).

Planning history of adjoining sites

15 None recent or relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

16 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] transport;

d] design and impact on the character and appearance of the conservation area and the setting of listed buildings;

e] trees;

f] sustainability;

g] archaeology.

Planning policy

Southwark Plan 2007 (July)

- 17 SP12 - Pollution
 3.2 - Protection of amenity
 3.7 - Waste Reduction
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 3.15 – Conservation of the historic environment
 3.16 - Conservation areas
 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 3.19 - Archaeology
 4.1 - Density of residential development
 4.2 - Quality of residential accommodation
 5.2 - Transport impacts
 5.3 - Walking and cycling
 5.6 - Car parking

Residential Design Guidelines SPD (Adopted September 2008)
 Dulwich Village Conservation Area Appraisal (February 2006)

Core Strategy

- 18 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.
- 19 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 early 2011.

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

- 20 PPS3: Housing
 PPS5: Planning for the Historic Environment
 PPG13: Transport

Principle of development

- 21 The proposal would involve replacing an existing dwelling in a predominantly residential area and this does not raise any land-use issues.

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

- 22 Policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.

Existing occupiers268 Turney Road

- 23 Concerns have been raised that the proposed building would result in loss of light and sunlight to 268 Turney Road and would obscure a view out of a bedroom window in the side elevation of this property. This bungalow has a bedroom window in its flank wall directly facing the tarmac area in front of the existing house, and this bedroom has a further window in the front elevation facing Turney Road. To the rear it has a bedroom window closest to the existing house and this is the only window serving the room; beyond this there is a window and door which serve a living room.
- 24 The existing building bisects a 45 degree line taken through the centre of these windows, therefore it is unlikely that the levels of light these rooms currently receive would comply with present day standards. Although the proposed building would be 2.6m higher than the existing building, it would also be located 3m away from the boundary whereas the existing building is built right up to the boundary. It is therefore considered that on balance, the proposal would not result in any significant loss of light or overshadowing to the rooms in the rear of number 268 over and above the existing situation. The proposed dwelling would be located 4m from the secondary bedroom window in the side elevation of number 268 and although outlook from the window would undoubtedly change, given that this bedroom also has a window fronting Turney Road, no objections are raised.
- 25 With regard to privacy, there would be a stairwell window and a utility room door at ground floor level facing number 268, and the stairwell window would reach to the first floor. These have the potential to overlook number 268 therefore conditions requiring details of the boundary treatment to be submitted for approval and requiring the stairwell window to be obscure glazed is recommended, to prevent any loss of privacy.
- 26 Concerns have been raised that the proposal would cause damage to this property, although this is a matter for Building Control or a private matter between the affected parties. There would undoubtedly be some disruption during construction, but this is only a temporary process and excessive noise and dust can be dealt with under environmental protection legislation. It is noted however that this concern has been raised by other objectors and in spite of the small size of the site, a condition requiring a construction management plan to be submitted for approval is recommended.
- 27 The occupier of number 268 has raised concerns that she currently leases one of the garages on the site and that this would be lost as a result of the proposal although again, this is a private matter between the two parties and is not a material planning consideration.

27 and 29 Boxall Road

- 28 The proposed house would be located approximately 10m from 27 Boxall Road and this separation distance would be sufficient to ensure that any reduction in light or additional shadow would be minimal. There would be a separation distance of approximately 14m to 29 Boxall Road and again, any impact in terms of light and shadow would be minimal. The relationship with these properties would be typical of properties facing each other across a street.
- 29 Section 2.8 of the Residential Design Standards SPD recommends a 12m separation distance between front elevations of properties or any elevation facing a highway. Although the separation distance to 27 Boxall Road would be 2m below the standard, it is not considered that any significant loss of privacy would occur that would warrant refusal of planning permission and again, the relationship would be typical of

properties facing each other across a street.

- 30 Concerns have been raised by the occupiers of 29 Boxall Road that the proposal would result in an unacceptable loss of privacy and light pollution, given the presence of three windows at first floor level in the south-west facing elevation of the proposed building. As stated above, the separation distance would comply with the Residential Design Standards SPD therefore there are no grounds for refusing planning permission on this basis. The separation distance is also considered to be sufficient to ensure that no unacceptable light pollution would occur, which would be no greater than other properties facing each other across a street.

52 Dulwich Village

- 31 The occupier of this property has raised concerns that the proposal would restrict light into the gardens of 50 and 52 Dulwich Village on account of it being higher than the existing building, and that windows in the proposed east-facing elevation would overlook their gardens.
- 32 The gardens to 50 and 52 Dulwich Village are approximately 40 long and have garages and other structures at the end. Given this separation distance any loss of light would be minimal and would not adversely impact upon the use or enjoyment of these gardens.
- 33 With regard to privacy, the recommended condition that the stairwell window in the north-west elevation be obscure glazed would prevent views towards 268 Turney Road and 50 Dulwich Village, and the proposed oriel kitchen window in the south-east elevation would have views up Boxall Road and only oblique views over the bottom sections of the long gardens to 52 and 54 Dulwich Village, therefore it is not considered that any significant loss of privacy would occur.

Land adjoining the south of the site

- 34 This is a tarmac forecourt leading to a number of lock-up garages. Reason for refusal 2 of application reference 08-AP-0809 relates to the provision of windows on the shared boundary, on the basis that they would be prejudicial to the future development of this land and to the amenity of future occupiers of 266 Turney Road. The plans for application reference: 10-AP-0034 showed a terrace built right up to the boundary and reason for refusal 4 relates to blight of the future development of this site. The current plans show a large oriel kitchen window which would overlook this site which raises the same concerns regarding future development on the neighbouring site, but a variation condition would secure the removal of this window from the plans and the kitchen would be served by another window facing Boxall Road.

Future occupiers

- 35 The accommodation would generally be of an acceptable standard in terms of room sizes, layout and light. Bedroom 1 would be 1.5sqm undersized for a double bedroom but this is not significant and it would be used as a single bedroom.
- 36 A 42sqm garden would be located at the rear of the proposed dwelling, with additional amenity space at the front and along Boxall Road and this is considered to be sufficient. In accordance with policy 3.7 of the Southwark Plan 'Waste reduction', a refuse store has been shown on the plans and its provision prior to occupation could be secured by way of condition.

Traffic issues

- 37 Policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in any adverse highway conditions.
- 38 Concerns have been raised that the height of the building and its position on the plot, standing closer to Turney Road than the existing building, would reduce visibility at an already a restricted junction with a history of traffic accidents, and which is heavily used by parents associated with the school opposite. However, the Transport Group has reviewed the application and has not raised any concerns in this regard.
- 39 An existing vehicle crossover would be removed and the pavement reinstated, and a new crossover provided to serve the dwelling. The new access would be located further away from the junction and would in any event require separate approval from the Highway Authority, and an informative to this effect is recommended. A condition requiring details of boundary treatment to be submitted for approval would improve the appearance of the site and would ensure visibility at the new crossover into the garage.
- 40 Policy 5.6 relates to car parking and states that all developments requiring parking should minimise the number of spaces provided; appendix 15 requires a maximum of 1.5-2 spaces per unit. The site has a Public Transport Accessibility Level (PTAL) of 2 (low).
- 41 The Design and Access Statement states that the four existing garages on the site are not used, although a representation from a neighbouring resident appears to contradict this. Concerns have been raised that the loss of these garages would increase demand for on-street parking in an already congested area. It is noted that the integral garage would be for use by a neighbouring property and there would be no off-street parking to serve the proposed house. However, as current policy emphasis is to reduce the level of parking as a way of encouraging alternative modes of transport, no objections are raised.
- 42 No cycle parking has been shown on the plans, although there would be scope to provide it within the curtilage and a condition for details is recommended.

Design and impact upon the character and appearance of this part of the Dulwich Village Conservation Area and the setting of the Grade II listed 50 and 52 Dulwich Village

- 43 Concerns have been raised that the building would cover most of the site and that it would appear larger than any of its neighbours.
- 44 The site is small and extremely constrained. The proposal involves the redevelopment of a site created at the previously subdivided rear of the Grade II listed 50 Dulwich Village at the corner of Boxall Road and Turney Road. Across the way is the Dulwich Village C of E Infants School and to the west Turney Road is a cohesive part of the Dulwich Village Conservation Area, made up of characterful semi-detached properties and paired villas. Immediately opposite on Boxall Road is a semi-detached cottage which effectively marks the entrance to Boxall Road.

Policy 3.12 Quality in design

- 45 Policy 3.12 asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. When we consider the quality of a design we assess the appropriateness the proposed fabric, geometry and function of the proposal as well as the overall concept for the design.

- 46 The design is a modest modernist scheme which has drawn from the features and materials of this historic area to arrive at a design that is appropriate to this prominent junction in the conservation area. The scheme takes traditional features prevalent in the area like the steep sloping roof forms and prominent chimneys of the semi-detached properties on Boxall Road and the double-height bays of the school opposite and reinvents them in a confident and modern way.
- 47 The proposed materials would be appropriate, facing brickwork with slate roofs and patinated copper trimming to the bay window would relate this design to its context however, the strength of the design will arise from the selection of all these materials and the detailed architectural execution of the design. To this end the materials including the proposed brick bond and detailed drawings should be reserved by condition with samples presented to officers on site for their approval. A feature of the area is a decorated brick work and the brick bond chosen for this scheme will give this design its inherent quality. A condition requiring details of the proposed boundary treatment to be submitted for approval is also recommended, to help the building to assimilate into the streetscene and to ensure pedestrian safety.
- 48 In its geometry, the design reflects the character of the area. The east-west alignment of the principle roof reflects that of its historic neighbour opposite on Boxall Road and echoes its form at this prominent junction. At the same time the scheme uses its roof form three-dimensionally, changing to a dropped gabled form to the south to reflect the character of Boxall Road, whilst at the same time addressing this important approach. Its scale and massing are considered to be appropriate.
- 49 Finally, in a conservation area such as this which is characterised by residential properties, a proposal for a family residence is not only appropriate, it is desirable in this location.
- 50 In conclusion, the proposed design is much improved when compared to the most recent refusal, it would have elegant proportions and proposes the use of quality materials and would preserve and enhance the character and appearance of this part of the conservation area.

Policy 3.13 Urban design

- 51 The site is located on Turney Road close to the junction with Dulwich Village, and a prominent intersection of the Dulwich Village Conservation Area. Whilst the buildings currently on the site are of little value in themselves, Turney Street itself is a very important street within the conservation area and retains much of its historic character of paired villas and Victorian terraces.
- 52 The proposed design has been developed from the most recent refusal. That scheme proposed a Swiss-chalet style design which was considered alien to the area and it was felt that the design did not reflect the direct relationship with Turney Road or the sensitive proportions of the semi-detached houses opposite on Boxall Road.
- 53 In urban design terms, the house needs to present a front onto Turney Road and relate more directly to that frontage whilst also addressing Boxall Road as this will be the main approach to the residence. Its should address the corner with Boxall Road more directly and should seek to preserve some of the prevailing heights on these important frontages.
- 54 There is certainly scope for a modern reinterpretation of this historic townscape in this location which is separated by Boxall Road from its immediate historic neighbours however, it does need to reflect the proportions and features so typical of the area.

The scheme addresses Turney Road and Boxall Road confidently and uses features typical of the area to reinforce its relationship with its context. The double-height bay window and the striking chimney design give these features, so characteristic of the area, a modern twist that would be appropriate and relevant in this location. Most importantly, the form of the proposed development has been scaled back since the previous applications, a basement removed and the overall scale and massing reduced to reflect that of the semi-detached cottages on Boxall Road with their dropped eaves line, prominent chimney breast and steep raking roof. The scheme retains the prevailing eaves heights, steep roof profile and the footprint of these cottages and as result the buildings would compliment each other at the entrance to Boxall Road. In the view of officers, it is not necessary to replicate the design of the existing buildings on Boxall Road but the form and scale of the proposal on this site is sensitive and the current scheme does this successfully.

- 55 Finally, the separation of this site by the intervening property to the east and the substantial mature garden beyond together with its more direct relationship with Turney Road and Boxall Road means that this site has lost its connection with the listed property at 60 Dulwich Village and can no longer be considered a building that falls within the curtilage of the original property. As such, its more direct relationship is with the conservation area and its two frontages onto Turney Road and Boxall Road.

Policy 3.16 Conservation areas

- 56 Policy 3.16 states that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Officers are satisfied that the proposed scheme, by its use of features and materials that are characteristic of the area will make a positive contribution to the conservation area and introduce a quiet, modern addition to this historic context.
- 57 Through the careful choice of materials and architectural detailing the scheme will compliment the character of the area preserving and enhancing this historic context. The scale of the scheme is modest and appropriate; it will not dominate its context and will echo the forms in the immediate area.

Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites

- 58 Policy 3.18 states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building or an important view(s) of a listed building.
- 59 Further, Policy HE 7.5 of PPS5, Planning for the Historic Environment states that *“Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.”*
- 60 A scheme on this site affects not only the setting of the conservation area but also potentially the setting of two important listed buildings at numbers 50 and 52 Dulwich Village. The site is at the end of the garden of two listed buildings – and would have fallen within the original curtilage of these buildings and earlier maps of Southwark reflect this. However, in the view of officers, the particular topography of the site, its distance from the original listed structures and its direct relationship with Turney Road and Boxall Road are more relevant in this modern context. In the view of officers, the modest scale, sensitive use of materials, features and architectural detailing will mean that this proposal would compliment its historic context, becoming a fitting addition to the Turney Road streetscape and the conservation area.

- 61 The existing building on the site which is proposed to be demolished under the associated application for Conservation Area Consent is a barren stretch of tarmac and garage block and is not a positive contributor to the conservation area. Policy 3.16 states that within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless, in accordance with PPS5.
- 62 The garages are of a modern design faced in concrete with roller shuttered doors. They are certainly not considered to be positive contributors to the conservation area. In these instances the harm to the heritage asset of the conservation area as a whole has to be assessed as set out in PPS5.
- 63 Policy HE 9.4 of PPS5 states that *“Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:*
(i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and
(ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.”
- 64 In this instance the loss of the buildings can be considered given the high quality of the replacement design. Evidently, the replacement of these garages helps to secure the optimal use of this use of this site and the nominal harm of the loss of these buildings is more than compensated by a high quality three-dimensional design proposed by this scheme. In the view of officers the proposal complies with this policy and national guidance.

Impact on trees

- 65 There is a mature London Plane tree located on the footpath in front of the site on Turney Road, and a Whitebeam tree growing on the site. An arboricultural report has been submitted with the application which recommends that pile and beam foundations be used to ensure no damage to the Plane tree, and a condition to this effect is recommended. A number of large lower limbs of the tree would have to be removed at the applicant's expense in order to accommodate the proposed building, and an informative alerting the applicant to this is recommended. The Whitebeam is identified as a poor specimen and its removal and planting of a replacement tree is recommended, and again this can be secured by way of a planning condition.

Sustainable development implications

- 66 Policy SP12 of the Southwark Plan 'Pollution' requires all developments, where appropriate, to reduce pollution and improve the environmental performance of buildings, especially for energy, water and waste management.
- 67 The Design and Access Statement states that energy saving measures in the design of the building and sustainability and low maintenance in the choice of building components are to be implemented. Possibilities include rain-water harvesting for watering the garden and flushing toilets, solar water heating panels and a high standard of insulation, and these measures would be welcomed.

Archaeology

- 68 Policy 3.19 of the Southwark Plan requires planning applications affecting sites within

Archaeological Priority Zones to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development. Such an assessment has been submitted with the application and reviewed by the Council's Archaeologist, and a number of conditions are recommended.

Other matters

Density

- 69 Policy 4.1 of the Southwark Plan requires a density of 200-350 habitable rooms per hectare. The development would achieve a density of 325 habitable rooms per hectare and would therefore comply with policy 4.1.

Conclusion on planning issues

- 70 It is concluded that the proposal would comply with the relevant policies in the Southwark Plan, and that the character and appearance of this part of the Dulwich Village Conservation Area and the setting of listed buildings at 50 and 52 Dulwich Village would be preserved.

Community impact statement

- 71 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.
- 72 a) The impact on local people is set out above.

Consultations

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

Consultation replies

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

75 Summary of consultation responses

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

- Loss of light;
- Light pollution;
- Intrusive balconies are proposed;
- Loss of privacy and overlooking;
- Loss of view (response - this is not a material planning consideration);
- Traffic generation;
- Loss of garages;
- Lack of parking;
- Harm to highway safety;
- Construction impact (response - this is not a material planning consideration);
- Excessive plot coverage and mass;
- The current open outlook and street rhythm would be lost;

- Property devaluation (response - this is not a material planning consideration);
- Loss of tree on site.

76 One representation has been received in support of the application on the grounds that the design has taken the site and surrounding buildings into consideration and would be a huge improvement for this central village corner location.

77 One representation has been received requesting further information in respect of privacy and amenity, and whether there would be a terrace for the proposed dwelling (response - the enquirer was advised over the telephone that a terrace shown on the previous applications has been removed).

Human rights implications

78 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.

79 This application has the legitimate aim of providing a new dwelling. 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

None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-50 Application file: 10-AP-3023 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: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Victoria Lewis, Planning Officer	
Version	Final	
Dated	12 January 2011	
Key Decision ?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to the Community Councils Team		1 February 2011

Consultation undertaken

80 **Site notice date:** 09/11/2010

Press notice date: 04/11/2010

Case officer site visit date: 09/11/2010

Neighbour consultation letters sent: 05/11/2010

Internal services consulted:

81 Transport Planning
Archaeologist
Aboriginal Officer

Statutory and non-statutory organisations consulted: N/A.

82 **Neighbours and local groups consulted:** Notification letters have been sent to properties on Turney Road, Dulwich Village and Boxall Road.

Re-consultation: N/A.

Consultation responses received

Internal services

83 Transport Planning

1.) Any existing access which will be made redundant as a result of this development must be reinstated, with Highways approval. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction - informative recommended.

2.) The applicant should note that as detailed in the Vehicle Access Policy Appendix 4 of the Sustainable Transport SPD the minimum width of a crossover is 3 metres where it meets the site boundary, the width needs to increase to 4.2 metres at the kerb edge. While the maximum crossover width allowed is 5 metres, increasing to 6.2 metres at the kerb edge.

3.) Vehicular Visibility Splays

The applicant would need to provide pedestrian and vehicular visibility splays, in line with a 30 mph road. Vehicular visibility splays on a 30mph road are based on the Sight Stopping Distance and is assessed at 43m, as stated in Manual for Streets 7.5.

4.) Pedestrian Visibility Splays

Pedestrian visibility is a standard 2 metres by 2 metres splay.

5.) Car Parking

This proposal is located in an area with a low TfL PTAL rating (2), reflecting the area's poor level of access to all forms of public transport. Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network. Given the number of units/use class of this development a maximum of 1.5-2 spaces are permitted. A garage is incorporated into the design to provide off-street parking for the development, therefore it is acceptable.

6.) Cycle storage

As a garage is provided it is deemed that there is adequate cycle storage for the proposed development.

7.) Disabled parking

No wheelchair acceptable units have been provided in association with the proposed development and there would be no lift to the first floor, therefore it is unlikely that blue badge holders would reside in the proposed development.

Servicing and refuse collection will be under taken from Turney Road and Boxhall Road. Due to site constraints no off-street serving facilities can be provided. Given the nature of the proposed development and the central location of the bin stores it is not thought there will be:

- A) many service vehicle movements associated with the above application
- B) refuse vehicles stationary in the highway for an extended period.

Transport DC have no objections to this application.

84 Archaeologist

A programme of archaeological observation and recording during groundworks is recommended. Conditions recommended.

85 Aboricultural Officer

Agree with comments in the Aboricultural report that pile foundations are acceptable and that the Whitebeam tree is appropriate for removal and replacement, both via condition.

The development will require a number of large lower limbs to be removed from the large adjacent street tree which over sails the site. This could be dealt with via a s274 payment.

Statutory and non-statutory organisations

N/A.

Neighbours and local groups

86 268 Turney Road

Object to the application on the following grounds:

- Loss of light;
- Loss of view (response - this is not a material planning consideration);
- The owner of 268 Turney Road leases one of the garages on the site (response - this is not a material planning consideration);
- The access to the proposed replacement garage would not be convenient for 268 Turney Road;
- No provision for storage of the contents of the existing garage during building works (response - this is not a material planning consideration);
- Impact of vibrations and building works on 268 Turney Road and loss of security during building works (response - these would be construction impacts which are not material planning considerations, but owing to neighbour concerns a condition requiring a construction management plan to be submitted for approval is recommended);
- Harm to highway safety;
- The anticipation of the inevitable noise, dirt and disruption is already affecting the health of the owner of this property ((response - these would be construction impacts which are not material planning considerations).

87 50 Dulwich Village and 29 Boxall Road

Object to the application on the following grounds:

- Loss of urgently needed garages;
- Lack of parking;
- Harm to highway safety;
- Traffic generation;
- New location of dwelling at front of plot is more harmful than earlier plans for the site;
- Loss of privacy and overlooking;
- Light pollution;
- Proposed balconies would be intrusive;

- Excessive level of plot coverage and mass would appear larger than neighbouring buildings;
- The current open, sylvan outlook would be obscured / mostly lost;
- Property devaluation (response - this is not a material planning consideration);
- Inconvenience, stress, anxiety and highway hazard / nuisance during construction (response - construction impact is temporary and is not a material planning consideration);
- The structure would break the rhythm of the street design;
- It is gratifying that the mature Plane tree would be preserved;
- The Whitebeam tree on the site should be preserved.
-

88 52 Dulwich Village

Object to the application on the following grounds:

- Loss of light and overlooking of gardens of 50 and 52 Dulwich Village;
- Loss of light to 268 Turney Road;
- Disruption and traffic chaos;
- Noise during building works and stress for the owner of 268 Turney Road (response - construction impact is temporary and is not a material planning consideration);
- Inconvenience during demolition work and impact on vehicle washdown area (response - construction impact is temporary and is not a material planning consideration);
- Query what precautions are included in the plans to minimise disruption, noise, mess and dust during building works (response - construction impact is temporary and is not a material planning consideration).

89 54 Dulwich Village

Request further information in respect of privacy and amenity, and whether there would be a terrace for the proposed dwelling (response - the enquirer was advised over the telephone that a terrace shown on the previous applications has been removed).

90 64 Dulwich Village

Support the application on the grounds that the design has taken the site and surrounding buildings into consideration and would be a huge improvement for this central village corner location.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Mrs P. Way	Reg. Number	10-AP-3023
Application Type	Full Planning Permission	Case	TP/2292-50
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of 2-storey dwelling, following demolition of existing building on the site (Use Class C3).

At: 266 TURNEY ROAD, LONDON, SE21 7JP

In accordance with application received on 19/10/2010

and Applicant's Drawing Nos. Site location plan, 2102/1A, 2102/2, 2102/3A, Design and Access Statement, Tree projects site investigation note, Archaeological desk based assessment.

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:

2102/1A, 2102/2, 2102/3A

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 3 Details drawings and details of materials of all boundary treatment to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved prior to the occupation of the dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason
In order to preserve the character and appearance of this part of the Dulwich Village Conservation Area and in the interests of highway safety, in accordance with policies 3.16 'Conservation areas' and 5.2 'Transport impacts' of the Southwark Plan 2007.
- 4 The stairwell window in the north-west elevation of the building 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 268 Turney Road and 50 Dulwich Village from undue overlooking in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.
- 5 The development shall not commence until details of a Construction Management Strategy has been submitted to, and approved in writing by the Local Planning Authority. The Management Scheme and Code of Practice shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and TV reception emanating from the site and will include the following information for agreement:

- A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures.
- The specification shall include details of the method of piling.
- Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts.
- Arrangements for publicity and promotion of the scheme during construction.
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.

All demolition and construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 6 Notwithstanding the details shown on the approved plans, no windows shall be inserted in the south-east elevation of the building hereby permitted.

Reason

To ensure that there would be no blight to the future development of the adjoining site at the end of the rear gardens to 52 and 54 Dulwich Village.

- 7 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.

- 8 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved in writing by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development 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.

- 9 Samples of all external facing materials, and surface finishes at the ground floor to be used in the carrying out of this permission shall be presented on site 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. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In the interest of the visual amenities of the streetscene and in order to preserve the character and appearance of this part of the Dulwich Village Conservation Area, in accordance with policies: 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 10 Scale 1:5/10 section detail-drawings through:

- the facades;
- parapets;
- roof edges; and
- heads, cills and jambs of all openings,

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.

Reason:

In the interest of the visual amenities of the streetscene and in order to preserve the character and appearance of this part of the Dulwich Village Conservation Area, in accordance with policies: 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 11 Pile and beam foundations shall be used in the carrying out of this development, and the development shall be carried out in full accordance with the aboriginal report 'Tree projects site investigation note' dated 16th June 2009.

Reason

In order to ensure that there would be no damage an adjacent street tree during the construction of the development, in accordance with policies 3.2 'Protection of amenity and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 12 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of a replacement tree on the site and showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved in writing by the Local Planning Authority 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 interest of the visual amenities of the streetscene and the character and appearance of this part of the Dulwich Village Conservation Area, in accordance with policies 3.12 'Quality in design' 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 13 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with policy 3.19 'Archaeology' of the Southwark Plan 2007.

- 14 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with policy 3.19 'Archaeology' of the Southwark Plan (July 2007).

- 15 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.

- 16 Should the results for condition 15 demonstrate contamination on site, 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.

Reasons for granting planning permission.

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

- a] Policies SP12 'Pollution which requires all developments, where appropriate, to reduce pollution and improve the environmental performance of buildings, especially for energy, water and waste management, 3.2 'Protection of amenity which seeks to ensure an adequate standard of amenity for existing and future occupiers, 3.7 'Waste Reduction which requires developments to provide adequate refuse storage and recycling facilities, 3.11 'Efficient use of land' which requires all developments to ensure that they maximise the efficient use of land, 3.12' Quality in design' which asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit, 3.13 'Urban design' which requires developments to be of a high standard of urban design, 3.15 'Conservation of the historic environment which requires the developments to respect the historic environment, 3.16 'Conservation areas' which requires developments to preserve or enhance the character or appearance of conservation areas, 3.18 'Setting of listed buildings, conservation areas and world heritage sites' which requires the setting of listed buildings, conservation areas and world heritage sites to be preserved, 3.19 'Archaeology' which requires planning applications in Archaeological Priority Zones to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development, 4.1 'Density of residential development' which establishes density ranges for residential development, 4.2 'Quality of residential accommodation' which requires all residential accommodation to be of a good standard, 5.2 'Transport impacts' which seeks to ensure that developments do not result in adverse highway conditions, 5.3 'Walking and cycling' which requires development to adequately cater for the needs of pedestrians and cyclists, and 5.6 'Car parking' which establishes maximum parking standards, of the Southwark Plan [July 2007].
- b] Planning Policy Statements [PPS] and Guidance Notes [PPG]: PPS3: Housing, PPS5: Planning for the Historic Environment and PPG13: Transport.

Particular regard was had to the impact on the character and appearance of this part of the Dulwich Village Conservation Area and impact upon neighbouring properties, but subject to a number of conditions, it was considered that the character and appearance of the conservation area would be preserved, as would the amenity of neighbouring properties. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Informatives

- 1 The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway.
- 2 You are advised to contact the Public Realm Team in connection with any work to be carried out to the street tree overhanging the site (0207 525 0511).

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

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