

Dulwich Community Council

Planning meeting

Wednesday 8 September 2010
7.00 pm

Christ Church, 263 Barry Road, London SE22 0JT

Membership

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

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: 31 August 2010



Order of Business

Item Title
No.

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

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

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

5. MINUTES (Pages 3 - 9)

To confirm as a accurate record the Minutes of the meeting of the Committee held on 28 July 2010.

6. DEVELOPMENT CONTROL ITEMS (Pages 10 - 26)

6.1 10-AP-1606 – 81 Dovercourt Road, London SE22 8UW
Recommendation: Grant planning permission.

Date: 31 August 2010

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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الرجاء الإتصال برقم الهاتف: 020 7525 7234 أو زيارة المكتب في 160 Tooley Street
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DULWICH COMMUNITY COUNCIL PLANNING

MINUTES of the Dulwich Community Council Planning meeting held on Wednesday 28 July 2010 at 7.00 pm at Christ Church, 263 Barry Road, London SE22 0JT

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

OFFICER SUPPORT: Sonia Watson, planning officer
Gavin Blackburn, legal officer
Beverley Olamijulo, constitutional officer

1. INTRODUCTION AND WELCOME

Councillor James Barber introduced himself and welcomed those present at the meeting and asked Members and officers in attendance to introduce themselves.

2. APOLOGIES

Apologies were received on behalf of Cllrs Lewis Robinson, Robin Crookshank Hilton and Michael Mitchell.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

None were declared.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

Addendum Report – Development Management Reports

There were no urgent items however the planning officer drew Members' attention to the addendum report in respect to application 10-AP-2310, 208 Barry Road, London SE22 0JS. The report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

5. MINUTES FROM THE PREVIOUS MEETING

The Minutes of the planning meeting held on 10 June 2010 were agreed as an accurate record of the proceedings subject to an amendment that Cllr Eckersley's attendance be recorded. The Chair signed the minutes.

6. DEVELOPMENT CONTROL ITEMS

RESOLVED:

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

Item 6.1 (10-AP-0915) – 208 Barry Road, London SE22 0JS (see pages 15 – 27)

Proposal: Change of use from single residential dwelling (C3) to children's Montessori nursery (D1) including roof conversion with two dormer window extensions to the rear and single storey rear extension to ground floor.

Members were provided with additional information by the applicant in regard to this application which was already available online and therefore was not considered as new information.

The planning officer introduced the report, and circulated the site plans. Officers directed Members to a recent appeal decision notice dated 9/7/10 at a property at 256 Upland Road, where the inspector considered the loss of residential accommodation together with the impact upon neighbours as unacceptable and the appeal was dismissed.

The committee heard representations from a spokesperson on behalf of the objectors who cited the following reasons for objecting:

- Loss of residential accommodation, contrary to Council policy.
- Traffic issues as the road was very busy and was a bus route, there were a high level of accidents along the road.
- A number of properties overlook the application site and the current owners had allowed the site to become dilapidated.
- There was limited parking available on street due to the disabled parking bays, raised junctions and yellow lines outside the property and along Goodrich Road.

The applicant was present to address the meeting stating that there was a real shortage of nursery places in the Dulwich area and had addressed the previous reasons for refusal by reducing the number of children and restricting the play space to the area at the side of the house, and reducing the side of the ground floor extension.

The applicant also indicated that most parents/carers would not use private transport as the requirements of the green travel plan would lead to a warning and eventually the removal of the child from the nursery and that the spaces in such demand there would be more of an incentive to comply.

The objectors were given the opportunity to speak about a traffic accident that had taken place recently close to the application site.

Cllr Mitchell spoke as a local ward councillor in support of the application.

No supporters were present.

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

RESOLVED:

That planning application (10-AP-0915) be refused.

In accordance with Community council procedure rule 9 (3), Cllrs Helen Hayes and Andy Simmons requested that their abstentions be recorded in the minutes.

Item 6.2 (10-AP-0773) – Dulwich Hamlet School, Dulwich Village, London SE21 7AL (see pages 28 – 38)

Proposal: External canopy (approximately 70sq.m). The proposed

canopy is a tensile structure and the main structural elements are 6 steel posts of approx. 4.5m high.

The planning officer introduced the report, and circulated the site plans. Members were advised of the objection received on the grounds of design and safety.

No objectors were present.

The applicant's agent was present to respond to questions from Members.

RESOLVED:

That planning application (10-AP-0773) be granted with an amendment to condition 3:

Alteration to Condition 3

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

Reason:

In the interest of the appearance of the building and in accordance with Policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.16 'Conservation Areas' of the Southwark Plan (2007).

7. COMMUNITY FUND AWARDS 2010 - 2011

Following on from the previous community council held on 22 June 2010, the decision was to divide the community fund allocation equally and for this to be ratified at the next community council meeting.

AGREED:

Dulwich Community Council agreed the community fund awards for 2010 – 2011 (sheet attached) from £15,260 community funding as outlined in appendix 3 of the report.

Meeting ended at 9.15pm

CHAIR:

DATED:

Ward	Project Ref	Organisation	Name of Activity	Nature of Activity	Proposed Date of Activity	Proposed recipients	Proposed number of recipients	Previous years?	Any issues/comments	Amount requested	College allocations	East Dulwich allocations	Village allocations	TOTAL allocation
CC area-wide	D1031	South Southwark Business Association	Shop Local Maps	Paper maps for all 3 wards highlighting local shops produced by a fine drawing artist to be distributed through local shops and community centres.	May 2010 onwards (they are a decision not till June)	Visitors and potential residents'	Not stated			£1,000		£650	£320	£970
CC area-wide	D1009	Dulwich Festival	The Dulwich Festival	Arts festival across Dulwich	7-16 May 2010	Local people of all ages	25,000 based on previous years	2009-10 £500 for same.	Requesting funding retrospectively for children's workshop, events, part of brochure costs. Memo of assoc enc.	£600	£500	£150		£650
CC area-wide	D1017	"The Palombo Project" against gun and knife crime'	Monthly community music days and workshops	Series of fun days for young people in which they channel feelings about gun and knife crime into songwriting, including talks from the police.	Monthly from July 10	Young people and their families.		Yes 2009-10 £1,000 for coach trip - monitoring received; 2008-09 £500 2007-08 £1000 - all for trips; 2006-2007 - £1,000?	Plan to work with KETRA on Kingswood Group based in Brockley. Also applied to Camberwell. Aiming to extend project into local schools.	£1,000	£500		£500	
COLLEGE	D1006	Croxed Road Estates Residents Association	A fun and relaxing day	Coach trip to Eastbourne around July. With young people, elderly and housebound and carers.	Around July 2010	Residents - also open to other local traps	Approx 40	2009-10 £1000 for sports day, monitoring received; 2008-09 £1000 for youth activities 2007-08 £1000 for summer fayre		£1,000	£1,000			£1,000
COLLEGE	D1018	West Dulwich Christmas Parade.	Sports and fun day to celebrate National Family Residents Association Week	Christmas Parade along Park Hall Road and South Croxed Road. The theme will be The Snow Queen	4-12-10	Local residents especially children	Not stated	Yes - awarded £1,000 2008-09 for educational outreach		£1,000	£1,000			£1,000
EAST DULWICH	D1001	African Special Education Needs Association	Early Detection of Autism and ADHD	Workshop for parents, children and young people from African / Afro-Carrib Community.	25.9.10 and 5.3.11	Parents, children and young people from African and Afro-Caribbean Community	Not stated	2009-10 £600 workshops on prevention of malnutrition in the elderly 2007-08 £450 for children and young people's festival.		£693	£500			£500
EAST DULWICH	D1002	Barry Area Residents Association	Celebrating East Dulwich through time	Bring together people with memories of Dulwich from the war to the present, to share memories, photos and food.	Oct 10	People who lived in East Dulwich through the war, immigrants in the 50s and 60s or moved here, more recently.	90	2009-10 £600 monitoring received; 2008-09 £600 £2007-08 £490 - all for Constitution and CP policy enc.		£693	£500			£500
EAST DULWICH	D1011	Dulwich Milan Association	Fun day out at the seaside	Trip for families to the seaside	Weekend or school holidays	Families who use the East Dulwich Community Centre	50	2009-10 £600 for school monitoring received.		£926	£500			£500
EAST DULWICH	D1015	East Dulwich SNUB	Harvest Festival	Pumpkin competition; seed distribution; cookery demonstration	25.9.10	Local residents, children, allotment keepers.	Approx 1000			£900	£750			£750
EAST DULWICH	D1016	Hebnead Development Network	Publicity, website development and point of care testing pilot project	3 outreach sessions on local estates offering HIV, diabetes and cholesterol testing.	Sept 10-Mar 11	Families, adults aged 18 and over	Not stated			£1,000				£0

EAST DULWICH	D1019	Knowledge Seekers	Personal development of children and young adults alike through understanding their critical incidents and using them as a conditioning to help clear the limiting learning beliefs.	Train and develop 3 coaches in Landmark Education Technologies	June-Sept 10	Local children and young people	Up to 50										£0	
EAST DULWICH	D1025	Pioneer African Caribbean Over 50s Group	Annual Summer BBQ	Summer barbeque with music, entertainment and traditional food at East Dulwich Community Centre	Jul-10	Members and other residents	Approx 120	2009-10 £600 for BBC (also £200 from Camberwell) 2008-09 £500 for domino group (also £200 from Camberwell) 2007-08 £550 for BBC 2006-07 £975									£700	
EAST DULWICH	D1028	South Southwark Business Association	East Dulwich Christmas Parade	Christmas Parade down Lordship Lane led by Santa with a donkey and Christmas-themed floats with local choirs singing.	4.12.10	Local residents especially children	Not stated										£900	
EAST WALTHAM	D1003	Big Breakthrough - part of Kaleidoscope Community CIC Ltd	The Big Breakthrough	Workshop for young people to inspire them re FE / HE / apprenticeships	June / July 2010	BME students aged 14-25 / parents from BME or disadvantaged backgrounds	75	No									£0	
LB LEWISHAM	D1008	Double Jab Ltd	Jab don't Slab	A 2 day introduction boxing event with mentors for young people. ABA testers, healthy lifestyle forum and interactive session on crime and gang issues.	14-15.8.10	Young people	Not stated	No									£0	
VILLAGE	D1004	Camber Lawn Tennis Club	Children's tennis coaching	Tennis coaching for children inc Years 5-6 from Goodrich primary school.	Summer holidays 2010 then through academic year	Local children + parents aged 5-18 from Goodrich School	Approx 110										£350	
VILLAGE	D1007	Delawyk Residents Management Organisation	Residents' trip to Leeds Castle on 19.9.10	Trip for approx 50 residents.	19.9.10	Residents	Approx 50	Yes 2009-10 £1,000 for workshops for older and young people, monitoring received. 2008-9 No 2007-08 £500 for coach trip 2006-07 £500 for same - ?									£250	
																		£500
																		£1,000
																		£1,000
																		£700
																		£900
																		£0

Item No. 6.	Classification: Open	Date: 8 September 2010	Meeting Name: Dulwich Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All within Dulwich [College, East Dulwich & Village] Community Council area	
From:		Strategic Director of Regeneration and Neighbourhoods	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Article 8 which describes the role and functions of the planning committee and Article 10 which describes the role and functions of community councils. These were agreed by the constitutional meeting of the council on May 23 2007 and amended on January 30 2008. The matters reserved to the planning committee and community councils Exercising Planning Functions are described in part 3F of the Southwark council constitution. 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 First Secretary of State 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 the First Secretary of State against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred through employing Counsel to present the council's case.
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 involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community Impact Statement

14. Community Impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

15. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the development & building control manager shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the strategic director of legal and democratic services, and which is satisfactory to the development & building control manager. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under

section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the strategic director of legal & democratic services. The planning permission will not be issued unless such an agreement is completed.

17. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
18. The development plan is currently the Southwark Plan (UDP) 2007 adopted by the council in July 2007 and the London Plan (consolidated with alterations since 2004) published in February 2008. The enlarged definition of "development plan" arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
19. Section 106 of the Town and Country Planning Act 1990 as amended introduced the concept of planning obligations. Planning obligations may take the form of planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:
 - I. restrict the development or use of the land;
 - II. require operations or activities to be carried out in, on, under or over the land;
 - III. require the land to be used in any specified way; or
 - IV. require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.

20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Beverley Olamijulo 020 7525 7234
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE27 3ES	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	March 21 2008	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE 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 08 September 2010

Appl. Type Full Planning Permission
Site 81 DOVERCOURT ROAD, LONDON, SE22 8UW

Reg. No. 10-AP-1606

TP No. TP/2309-81

Ward Village

Officer Michael Mowbray

Recommendation GRANT PERMISSION

Proposal

Erection of single-storey rear extension to dwellinghouse (Use Class C3).

Item 1/1

Date 26/8/2010



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Item No. 1	Classification: OPEN	Date: 8 SEPTEMBER 2010	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-1606 for: Full Planning Permission Address: 81 DOVERCOURT ROAD, LONDON, SE22 8UW Proposal: Erection of single-storey rear extension to dwellinghouse (Use Class C3).		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 08/06/2010		Application Expiry Date 03/08/2010	

RECOMMENDATION

- 1 To consider the application which has been brought before Dulwich Community Council as more than three letters of objections have been received.

Grant planning permission.

Site location and description

- 2 The application site is an existing semi-detached dwelling situated on the east side of the southern end of Dovercourt Road in Dulwich. The dwelling is early 20th Century and is constructed with a white painted render finish. The property accommodates a relatively large outrigger section which protrudes out from the main dwelling by 8 metres approximately at a width of 5 metres. This is a feature which is in place to the rear of the other properties along this row. The dwelling has a large curtilage space to the rear which stretches approximately 23 metres at a width of 6 metres.
- 3 The site is in a largely residential area close to Dulwich Park to the south and is within the Dulwich Village Conservation Area.

Details of proposal

- 4 Planning permission is sought for the erection of a single storey extension to the rear of the existing outrigger section of the dwelling along with an extension to the side of the dwelling.
- 5 The proposed extension would extend away from the existing rear elevation by 3 metres at a width of 4.6 metres set in by 600mm from the shared boundary with 83 Dovercourt Road. The extension would replace the existing lean to side extension and join up with the existing rear elevation of the main house forming a side extension. The development would provide room for an open plan kitchen dining /family room replacing the existing separate living room and kitchen. The structure would have a flat roof reaching a height of 3.15 metres feeding into the existing first floor.

The structure would be predominately glazed to rear elevation with 5 full length glass

- 6 panels. The side elevations would be finished in white painted render to match the existing property.

Planning history

None available.

Planning history of adjoining sites

- 7 79 Dovercourt Road
TP/2309/83/JS
Conversion of loft space to form two rooms and a bathroom
Withdrawn: October 1987
- 8 2 Eastlands Crescent
02-AP-1057
Single Storey Rear Conservatory
Approved: July 2002

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 The main issues to be considered in respect of this application are:
- a) the principle of the development in terms of land use and conformity with strategic policies.
 - b) the design and impact upon the Dulwich Village Conservation area
 - c) the impact upon the amenity of adjoining residential properties.

Planning policy

- 10 Southwark Plan 2007 (July)
- Policy 3.2 'Protection of Amenity'
 - Policy 3.12 'Quality in Design'
 - Policy 3.13 'Urban Design'
 - Policy 3.16 'Conservation Areas'
 - Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites'

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

PPS 5 Planning and the Historic Environment

Principle of development

- 11 The principle of a single storey extension to the rear of this existing dwelling is acceptable provided the design is appropriate for the Dulwich Village Conservation Area and the impact upon the amenity of adjoining residential properties is acceptable.

Environmental impact assessment

- 12 not required.

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

- 13 The properties most potentially affected by the proposed scheme would be those either side of the application site nos. 79 and 83 Dovercourt Road. With regard to the adjoining property, 83 Dovercourt Road, although the properties share a boundary the proposed extension would be set in by 600mm from the boundary. At a height of 3.15 metres, the rear window openings to the ground floor of the dwelling would be able to receive an adequate amount of daylight. This is using a 45 degree line of sight drawn from the centre point of the closest window in this rear elevation as recommended by the Buildings Research Establishments guidance: 'Planning for Daylight and Sunlight'. With no windows proposed for the side elevation of the proposed extension, the amenity of the residents of 83 Dovercourt Road, would not be adversely affected.
- 14 With regard to the property on the opposite side, 79 Dovercourt Road, it is acknowledged that the side return mirrors that of the application site. There are however, no habitable room window openings which would be directly affected by the proposed extension. There is a glazed door which appears to serve a dining room in a similar layout to the application property. However given the relationship of the neighbouring property to the application site this opening is already largely overshadowed by the two storey outrigger. The proposed extension would also maintain the gap in between the existing lean to side extension and the boundary which equates to 800mm. It is not considered therefore that the introduction of the proposed 3.15 metre high extension would lead to a loss of light that would be detrimental to the amenity of the residents of the property.
- 15 No other properties would be affected by the proposal. No 2 Eastlands Crescent adjoins the rear curtilage of the property, however given the layout of the properties it is not considered that the development would affect this property. The development therefore accords with Policy 3.2 which refers to the protection of amenity.

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

- 16 None anticipated

Traffic issues

- 17 None

Design issues

- 18 At three metres extending away from the existing rear elevation of the outrigger, the proposed development is to a reasonable scale and would only need to be reduced by 150mm in height and set in from the side to be considered as Permitted Development. Despite this the extension would be contained almost entirely to the rear of the main dwelling and would not be visible from any public vantage point along Dovercourt Road or any other point surrounding the site. The structure would be similar in appearance to the main dwelling constructed with a white render finish. The use of full length glass panels is acceptable and would not have an adverse impact upon visual in this location.

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

- 19 The proposed development would not be clearly visible from any public vantage point. The existing street scene along this section of Dovercourt Road would not therefore be disrupted by the proposed development. At a projected length of three metres from

the existing rear elevation and maintaining the width of the existing lean to side extension the development is considered to be acceptable and would preserve the character and appearance of the Dulwich Village conservation Area. The development therefore accords with Policy 3.16 of the Adopted Southwark Plan which states development must respect the context of the conservation area, and with guidance in PP S 5 Planning for the Historic Environment.

Impact on trees

20 none.

Planning obligations (S.106 undertaking or agreement)

21 n/a

Sustainable development implications

22 none identified.

Other matters

23 Precedent for Development

No 91 Dovercourt has a structure to the rear which is similar in scale and appearance to the proposed development. This property is situated along the same row as the application site and is also considered to be acceptable and preserves the character and appearance of the conservation area. It is considered that the proposed development, like the structure already constructed at 91 Dovercourt Road is acceptable and would not harm the character or appearance of the conservation area.

Conclusion on planning issues

24 It is considered, that as the proposed development is set in from the boundary on either side and only extends out by three metres at a height of 3.15 metres the structure would not adversely impact upon the amenity of the neighbouring and adjoining residential properties. Also, as the development is contained largely to the rear of the existing property, the structure would not adversely impact upon the character or appearance of the Dulwich Village Conservation Area. The development therefore accords with relevant planning policy and is recommended for approval.

Community impact statement

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

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

Consultations

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

Consultation replies

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

Summary of consultation responses

Objections have been received from neighbours in Dovercourt Road. Issues raised are loss of light, loss of view of rear, loss of garden, unnecessarily large additional to a large house, loss of pattern of development at the rear, loss of conservation area character.

Human rights implications

- 28 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.
- 29 This application has the legitimate aim of providing residential living accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

No

REASONS FOR LATENESS

Application require to be heard at Dulwich Community Council due to number of objections

REASONS FOR URGENCY

n/a

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2309-81 Application file: 10-AP-1606 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 3602 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	Michael Mowbray	
Version	Final	
Dated	26 August 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	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to Community Council Team		26 August 2010

Consultation undertaken

Site notice date: 30/06/2010

Press notice date: 24/06/2010

Case officer site visit date: 30 July 2010

Neighbour consultation letters sent:

17/06/2010

Internal services consulted:

Design Surgery

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

see list in idox enterprise

Re-consultation:

Consultation responses received

Neighbours and local groups

Received five letter of objection towards the proposal with one letter of support. All points raised in the letters are summarised below.

Objections:

75 Dovercourt Road

Loss of view from rear curtilage of property. Concern over potential loss of light to properties at Nos 79 and 83 Dovercourt Road. Concern over loss of rear garden curtilage space at the application site. Unnecessary addition to an already large house.

79 Dovercourt Road

Reduction of light able to enter the rear elevation openings of the property.
Extension appearing out of keeping with the house especially with a proposed flat roof.
Overshadowing of outdoor amenity space to the rear of 79 Dovercourt Road.
Setting of precedent for other similar extensions.

83 Dovercourt Road

Setting of unwanted precedent of extension along this section of Dovercourt Road. Detrimental to the character of the existing dwelling along with the remainder of Dovercourt Road.
Impact from loss of light able to enter the rear elevation opening of the property.
Visual impact of the flat roof which is said to be out keeping with the conservation area.

85 Dovercourt Road

Loss of pattern along the rear of the properties this side of Dovercourt Road. Against the character of the neighbourhood and wider conservation area.

Unknown Address

The extension would compromise the sight lines from neighbours properties as well as spoiling the existing rear aspect which offers views from neighbouring properties. Potential overlooking and loss of privacy.

Support:

2 Eastlands Crescent

Stated that the proposal would not affect them nor would the development adversely affect the conservation area or wider community.

Insert title

RECOMMENDATION

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

Applicant	Mr. & Mrs. Stuart Leasor	Reg. Number	10-AP-1606
Application Type	Full Planning Permission	Case Number	TP/2309-81
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of single-storey rear extension to dwellinghouse (Use Class C3).

At: 81 DOVERCOURT ROAD, LONDON, SE22 8UW

In accordance with application received on 08/06/2010

and Applicant's Drawing Nos. Site Plan, Design, Access and Heritage Statement

Plans:- 0904/1, 0904/2, 0904/3, 0904/4, 0904/5, 0904/6, 0904/7, 0904/8, 0904/9, 0904/10, 0904/11, 0904/12, 0904/13

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:

Site Plan, Design, Access and Heritage Statement

Plans:- 0904/6, 0904/7, 0904/8, 0904/9, 0904/10, 0904/11

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

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

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

Reasons for granting planning permission.

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

- a] Policies 3.2 'Protection of Amenity' (this policy aims to protect neighbours' amenity from harmful impacts arising from development), 3.12 'Quality in Design' (this policy aims to ensure that details design is acceptable), 3.13 'Urban Design' (this policy aims to ensure that development is appropriate for its context) and 3.16 'Conservation Areas (this policy aims to ensure that development preserves and enhances the character and appearance of conservation areas) of the Southwark Plan [July 2007].

- b] Planning Policy Statements [PPS] 5 Planning for the Historic Environment

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations. The design of the extension was satisfactory and preserved and enhanced the character and appearance of the Dulwich Village Conservation

Area and no significant harm to the amenity of neighbours would result.

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(Tel: 020 7525 7234)

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