

Walworth Community Council

Planning

Wednesday 23 November 2011

7.00 pm

InSpire at St Peter's, Liverpool Grove, London, SE17 2HH

Membership

Councillor Martin Seaton (Chair)
Councillor Darren Merrill (Vice-Chair)
Councillor Catherine Bowman
Councillor Neil Coyle
Councillor Patrick Diamond
Councillor Dan Garfield
Councillor Lorraine Lauder MBE
Councillor Abdul Mohamed
Councillor Helen Morrissey

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: Tuesday 15 November 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 item of urgent business being admitted to the agenda.

5. MINUTES (Pages 1 - 8)

To confirm as a correct record the minutes of the meetings held on 27 July 2011 and 7 September 2011.

6. DEVELOPMENT MANAGEMENT ITEMS (Pages 9 - 13)

6.1. 55 COBOURG ROAD, LONDON SE5 0HU (Pages 14 - 24)

6.2. 55 COBOURG ROAD, LONDON SE5 0HU (Pages 25 - 35)

7. PLANNING APPLICATION AND PLANNING ENFORCEMENT PERFORMANCE FOR PERIOD 01/04/2011 TO 31/08/2011 (Pages 36 - 45)

Councillors to note the report.

Date: Tuesday 15 November 2011

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Gerald Gohler, Constitutional Officer, Tel: 020 7525 7420
or email: gerald.gohler@southwark.gov.uk
Website: www.southwark.gov.uk

ACCESS TO INFORMATION

On request, agendas and reports will be supplied to members of the public, except if they contain confidential or exempted information.

ACCESSIBLE MEETINGS

The council is committed to making its meetings accessible. For further details on building access, translation and interpreting services, the provision of signers and other access requirements, please contact the Constitutional Officer.

Disabled members of the public, who wish to attend community council meetings and require transport assistance in order to attend, are requested to contact the Constitutional Officer. The Constitutional Officer will try to arrange transport to and from the meeting. There will be no charge to the person requiring transport. Please note that it is necessary to contact us as far in advance as possible, and at least three working days before the meeting.

BABYSITTING/CARERS' ALLOWANCES

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

DEPUTATIONS

Deputations provide the opportunity for a group of people who are resident or working in the borough to make a formal representation of their views at the meeting. Deputations have to be regarding an issue within the direct responsibility of the Council. For further information on deputations, please contact the Constitutional Officer.

**For a large print copy of this pack,
please telephone 020 7525 7420.**

Walworth Community Council

Language Needs

If you would like information on the Community Councils translated into your language please telephone 020 7525 7385 or visit the officers at 160 Tooley Street, London SE1 2TZ

Spanish:

Necesidades de Idioma

Si usted desea información sobre los Municipios de la Comunidad traducida a su idioma por favor llame al 020 7525 7385 o visite a los oficiales de 160 Tooley Street, Londres SE1 2TZ

Somali:

U-Baahnaanshaha Luqadda

Haddii aad u baahan tahay macluumaadka ku saabsan Guddiyada Beelaha oo lagu tarjumay luqaddaada fadlan soo wac khadka taleefoonka 020 7525 7385 ama booqasho ugu tag hawladeennada ku sugan 160 Tooley Street, London SE1 2TZ

French:

Besoins de Langue

Si vous désirez obtenir des renseignements sur les Community Councils traduits dans votre langue, veuillez appeler le 020 7525 7385 ou allez voir nos agents à 160 Tooley Street, London SE1 2TZ

Bengali:

ভাষার প্রয়োজন

আপনি যদি নিজের ভাষায় কমিউনিটি কাউন্সিল সম্পর্কে তথ্য পেতে চান তাহলে 020 7525 7385 নম্বরে ফোন করুন অথবা 160 Tooley Street, London SE1 2TZ ঠিকানায় গিয়ে অফিসারদের সাথে দেখা করুন।

Yoruba:

Awon Kosemani Fun Ede

Bi o ba nfe àlàyé kíkún l'ori awon Ìgbimò ti Àwùjò ti a yi pada si ede abíní re, jọwọ tẹ wa l'aago si ori nombá yi i : 020 7525 7385 tabi ki o yo ju si awon òṣiṣẹ ni ojúlẹ 160 Tooley Street , London SE1 2TZ .

Igbo:

Asusu

I choo imata gbasara Council na asusu gi ikpoo ha n'okara igwe 020 7525 7385 ma obu igaa hu ndi oru ha na 160 Tooley Street, London SE1 2TZ

Krio:

Na oose language you want

If you lek for sabi all tin but Community Council na you yone language, do ya telephone 020 7525 7385 or you kin go talk to dee officesr dem na 160 Tooley Treet, London SE1 2TZ.

Twi:

Kasaa ohohia,

se wopese wo hu nsem fa Community Councils ho a, sesa saakasa yie ko wo kuro kasa mu. wo be tumi afre saa ahoma torofo yie 020 7525 7385 anase ko sra inpanyinfo wo 160 Tooley Street, London SE1 2Tz.

Planning at Community Council Meetings

This sheet will tell you about what happens at the meeting when the community council considers a planning application, a planning enforcement case or other planning proposals.

The community council must follow the same rules and procedures as the council's main planning committee.

The items are heard in the order printed on the agenda, but the chair may change the running order of the items.

At the start of each item, the council's planning officer will present the report about the planning application and answer points raised by Members of the committee. After this, the following people may speak on the application if they wish, but **not more than 3 minutes each**:

1. A representative (spokesperson) for the objectors - if there is more than one objector wishing to speak the time is then divided within the 3 minute time slot
2. The applicant or their agent
3. A representative for any supporters who live within 100 metres of the development site
4. A ward councillor from where the proposal is located.

The chair will ask the speakers to come forward to speak. Once the speaker's three minutes have elapsed, members of the committee may ask questions of them, relevant to the roles and functions of the community council.

Members of the committee will then debate the application and consider the recommendation.

Note

If there are several objectors or supporters, they have to identify a representative who will speak on their behalf. If more than one person wishes to speak, the 3 minute time allowance must be shared amongst those who wish to speak. Objectors may wish to meet with other objectors in the foyer of the hall prior to the start of the meeting to appoint a representative.

Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already on the report.

The arrangements at the meeting may be varied at the discretion of the Chair.



WALWORTH COMMUNITY COUNCIL - Planning -

MINUTES of the Walworth Community Council held on Wednesday 27 July 2011 at 7.00 pm at InSpire at St Peter's, Liverpool Grove, London, SE17 2HH

PRESENT:	Councillor Martin Seaton (Chair) Councillor Darren Merrill (Vice-Chair) Councillor Catherine Bowman Councillor Neil Coyle Councillor Dan Garfield
OFFICER SUPPORT:	Rob Bristow (Planning Officer) Norman Brockie (Conservation Officer) Tim Gould (Group Manager, Development Control & Strategic Projects) Fennel Mason (Planning Officer) Vikki Lewis (Planning Officer) Suzan Yildiz (Legal Officer) Gerald Gohler (Constitutional 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 Councillors Patrick Diamond, Helen Morrissey, Abdul Mohamed and Lorraine Lauder MBE.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

Following advice by the legal officer, Councillor Catherine Bowman left the meeting room and took no part in the discussion or voting upon the planning item on the agenda.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 6.1 - development management items

The addendum 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

RESOLVED:

That the minutes of the meeting held on 17 May 2011 be agreed as a correct record, and signed by the chair.

6. DEVELOPMENT CONTROL ITEMS

6.1 PARKING SPACES IN FRONT OF 1-6 JOHN MAURICE CLOSE, LONDON SE17 1PY

Planning application reference number 10-AP-3760

PROPOSAL:

The erection of a three storey semi detached building comprising 2 x 3 bedroom residential units against the gable wall of 7 John Maurice Close, with associated waste and cycle storage.

The planning officer presented the application drawing members' attention to the addendum report which had been circulated. Members asked questions of the planning officer, and the transport and conservation officers.

The objectors spoke against the application. Councillors asked questions of the objectors.

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

No local supporters were present, and no councillors wished to speak in their capacity as ward member.

Councillors discussed the application, and asked for the minutes to reflect that they had a discussion about the maintenance issues around the bathroom window in the lightwell, and were advised that conditions around this could not be enforced.

RESOLVED:

That planning permission for application number 10-AP-3760 be granted as set out in the report and the addendum report including

- An amended condition 7:

Prior to the commencement of development a sample brickwork panel (a minimum of 1m² in area) including samples of the brickwork and pointing, as well as a sample window frame, including the finish to be used, in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the facing materials match those on the adjoining building and make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Strategic Policy 12 'Design and Conservation' of the Core Strategy 2011, and saved Policies: 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

- An additional condition to protect neighbouring occupiers from impacts associated with construction works:

The development shall not commence until details of a Construction Management Plan (CMP) has been submitted to, and approved in writing by the Local Planning Authority. The CMP shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to access, noise, vibration, dust, smoke and plant emissions emanating from the site during demolition and construction. 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 Strategic Policy 13 'High Environmental Standards' of the Core Strategy 2011 and saved Policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- An additional condition:

"The development hereby permitted shall not be commenced before the developer has submitted to the Council and the Council has approved a detailed scheme for security lighting, and the installation, operation and maintenance of gates to the access along the northern side of the site which shall include proposals for a right of access and ingress for adjoining properties [at flats within 7 John Maurice Close] and which shall be managed by the developer. The development shall not be carried out or used otherwise than in

accordance with the approved detailed scheme."

Reason:

"In the interests of the amenities of adjoining occupiers and in the interests of crime prevention and in order to comply with Strategic Policy 13 High Environmental Standards of the Core Strategy (2011) and saved policies 3.2 Protection of amenity and 3.14 Designing out Crime of the Southwark Plan (2007)

- An additional condition:

"The development hereby permitted shall not be commenced unless the developer has first granted for the benefit of owners or occupiers of adjoining properties (the flats at No. 7 John Maurice Close) legally binding rights of access along the side access on the northern side of the site and provided to the Council certified documentary evidence of such rights having been granted."

Reason:

"In the interests of the amenities of adjoining occupiers and in order to comply with Strategic Policy 13 'High Environmental Standards' of the Core Strategy (2011) and saved policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

- An additional condition:

"There shall be no ventilation of bathrooms or kitchens at any time from the two new houses hereby permitted into the lightwell adjacent to No. 7 John Maurice Close."

Reason:

In the interests of the amenities of these neighbouring occupiers and in order to accord with Strategic Policy 13 'High Environmental Standards' of the Core Strategy (2011) and saved policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

The meeting ended at 9.35 pm.

CHAIR:

DATED:



WALWORTH COMMUNITY COUNCIL - Planning -

MINUTES of the Walworth Community Council held on Wednesday 7 September 2011
at 7.00 pm at InSpire at St Peter's, Liverpool Grove, London, SE17 2HH

PRESENT:

Councillor Darren Merrill (Vice-Chair)
Councillor Neil Coyle
Councillor Patrick Diamond
Councillor Dan Garfield
Councillor Helen Morrissey

**OFFICER
SUPPORT:**

Michele Sterry (Planning Officer)
Gavin Blackburn (Legal Officer)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

In the absence of the chair, the meeting was chaired by the vice-chair Councillor Darren Merrill – hereafter referred to as “chair”.

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

2. APOLOGIES

There were apologies for absence from Councillors Catherine Bowman, Abdul Mohamed, Martin Seaton; and from Councillor Lorraine Lauder MBE who was on mayoral duties.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 6.1 - development management items

The addendum 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

Members requested the following be inserted in the minutes of the previous meeting, under item 6.1:

“Councillors asked for the minutes to reflect that they had a discussion about the maintenance issues around the bathroom window in the lightwell, and were advised that conditions around this could not be enforced.”

RESOLVED:

That agreement of the minutes of the meeting held on 27 July 2011 be deferred to the next meeting, and that the above changes to the draft minutes be made.

6. DEVELOPMENT MANAGEMENT ITEMS

6.1 137 TRAFALGAR STREET, LONDON, SE17 2TP

Planning application reference number 11-AP-2258

PROPOSAL:

Demolition of rear extensions and erection of two storey rear extension (ground and basement levels) and erection of roof extension, with roof terrace to front in connection with change of use of existing Public House (A4 use class) into residential accommodation comprising: 6 residential units (2x. one bedroom flats and 4x. two bedrooms flats). Installation of cycle storage, refuse bin storage and other associated landscaping work.

The planning officer presented the application drawing members' attention to the addendum report which had been circulated. Members asked questions of the planning officer.

The objectors' representative spoke against the application. Councillors asked questions of the objectors' representative.

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

At this point, the chair adjourned the meeting for a three minute comfort break.

A supporter who lived within 100 metres of the application spoke in support of it. Councillors asked questions of the supporter.

No councillors wished to speak in their capacity as ward member.

Members discussed the application.

At this point, the chair adjourned the meeting for 5 minutes.

Members continued discussing the application.

RESOLVED:

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 5, Access to Information Procedure rules of the Constitution.

Members discussed the application in closed session for 10 minutes, and then resolved to readmit the public.

RESOLVED:

That planning permission for application number 11-AP-2258 be refused on the grounds that it is contrary to the following policies in the Southwark Plan:

- 1.10 – relating to small scale shops and services outside the town and local centres and protected shopping frontages
- 3.12 – relating to quality in design – due to its insufficient room sizes
- 3.15 – relating to the conservation of the historic environment
- 3.18 – relating to setting of listed buildings, conservation areas and world heritage sites

and that it is contrary the standards laid down in the Aylesbury Action Plan.

The meeting ended at 9.20 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 23 November 2011	Meeting Name: Walworth Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All within Walworth 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 Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. 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 communities, law and governance, 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 WALWORTH CC
on Wednesday 23 November 2011

Appl. Type Full Planning Permission
Site 55 COBOURG ROAD, LONDON, SE5 0HU

Reg. No. 11-AP-1738
TP No. TP/2378-55
Ward East Walworth
Officer Donald Hanciles

Recommendation REFUSE PERMISSION

Item 6.1

Proposal

Erection of a 4 storey side extension and provision of hard landscaping and new boundary wall and railings to front of dwelling (Use Class C3).

Appl. Type Listed Building Consent
Site 55 COBOURG ROAD, LONDON, SE5 0HU

Reg. No. 11-AP-1743
TP No. TP/2378-55
Ward East Walworth
Officer Donald Hanciles

Recommendation REFUSE PERMISSION

Item 6.2

Proposal

Erection of a 4-storey side extension, insertion of new internal doors at basement, ground, first and second floor levels to access new extension, provision of landscaping and new boundary wall and railings to front of dwelling, and refurbishment of rear courtyard and external toilet (Use Class C3).

Ordinance Survey

Date 11/11/2011



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252.

Item No. 6.1	Classification: OPEN	Date: 23 November 2011	Meeting Name: WALWORTH COMMUNITY COUNCIL
Report title:	Development Management planning application: Application 11-AP-1738 for: Full Planning Permission Address: 55 COBOURG ROAD, LONDON, SE5 0HU Proposal: Erection of a 4 storey side extension and provision of hard landscaping and new boundary wall and railings to front of dwelling (Use Class C3).		
Ward(s) or groups affected:	East Walworth		
From:	Head of Development Management		
Application Start Date 27 May 2011		Application Expiry Date 22 July 2011	

RECOMMENDATION

- 1 Refuse planning permission.

BACKGROUND INFORMATION

- 2 This application is referred to Walworth Community Council for determination following a request from the Chair (Councillor Seaton, East Walworth ward) and Vice Chair (Councillor Merrill, East Walworth ward).

Site location and description

- 3 The application premises comprises a three storey plus basement end of terrace dwelling with a raised ground floor, located to the northern end of Cobourg Road in a predominantly residential area. Directly opposite the site is Burgess Park.
- 4 The application property is Grade II listed and is located in the Cobourg Road Conservation Area.

Details of proposal

- 5 The proposal under consideration is for the erection of a 4 storey side extension, re-landscaping to the front of the dwelling, and provision of a new boundary wall and railings to the front.
- 6 The proposed extension would be finished in matching secondhand stock bricks in a Flemish bond.
- 7 The boundary treatment to the front will comprise a low rise brick wall with brick pillars at either end, and wrought iron railings and a gate to match 49 and 51 Cobourg Road.
- 8 The front forecourt of the property will be finished with York stone slabs, water binding limestone gravel and flower beds.
- 9 The differences between the application under consideration and a previously refused scheme on the site are as follows:

- Change of the facing materials from glazed mathematical tiles to reclaimed stock brick;
- Complete reinstatement of walls, pillars and railings to the front of the site and removal of an off-street parking space;
- Re-design of the windows in the rear elevation of the proposed extension;
- A reduction in the depth of the extension by 0.25m to (5.75m).

The four storey extension to the side would be identical in shape and form to that of the refused scheme (10-AP-3695).

Planning history

- 10 Listed Building consent was granted on 30 January 1997 by the Government Office for London for demolition and rebuilding of the brick wall across the passageway, external to the building and leading to the rear garden, and repair to the flank wall brickwork to the main house at no. 55 Cobourg Road (reference: 9700476).
- 11 10-AP-3695
Planning permission was refused on 14/02/2011 for erection of a 4 storey side extension providing additional residential accommodation and erection of new boundary wall and railings to front of dwelling.

The application was refused for the following reason;

The proposed extension, owing to its excessive size, location and the use of inappropriate materials would dominate the host building, would harm the symmetry of the listed terrace, and would fail to preserve or enhance the character or appearance of this part of the Cobourg Road Conservation Area. As such the proposal is contrary to Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007, policy 4B.12 'Heritage conservation' of the London Plan (Consolidated with alterations since 2004) and PPS5 'Planning for the Historic Environment'.

- 12 10-AP-3696
Listed Building Consent was refused on 14/02/2011 for erection of a 4 storey side extension providing additional residential accommodation and erection of new boundary wall and railings to front of dwelling.

The application was refused for the following reason:

The proposed extension, owing to its excessive size, location and the use of inappropriate materials would dominate the host building and would harm the symmetry of the listed terrace. As such it is considered that the proposal would fail to preserve the special historic and architectural interest of the listed building and the listed terrace of which it forms a part, contrary to policies 3.15 'Conservation and the Historic Environment', 3.17 'Listed Buildings' and 3.18 'Setting of Conservation Areas, Listed Buildings and World Heritage Sites' of the Southwark Plan (July) 2007, policy 4B.12 'Heritage conservation' of the London Plan (Consolidated with alterations since 2004) and PPS5 'Planning for the Historic Environment'.

Planning history of adjoining sites

- 13 9901998
51 Cobourg Road - Listed building consent granted 15 February 2000 for demolition and rebuilding of rear steps on new foundations.
- 14 03-AP-1790 and 1591
47 Cobourg Road - Planning permission and Listed Building consent were refused on 12 November 2003 for the erection of a single storey conservatory extension for the

following reason:

The proposed extension by virtue of its size in relation to the existing rear extension, poor design and poor quality materials would adversely impact on the special architectural or historic interest of the building as well as the character of the Conservation Area and would be contrary to Policy E.2.3 'Aesthetic Control' and E.4.3 'Design in Conservation Areas' of the Adopted Unitary Development Plan, Policies 3.1 'Environmental Effects', 3.6 'Heritage Conservation' and 3.14 'Quality in Design' of the Draft Southwark Plan and guidance contained in Supplementary Planning Guidance No.5 'Standards, Controls and Guidelines for Residential Development'.

- 15 09-AP-1757 - Demolish and rebuild damaged front and side garden wall and pillar in matching London stock-brick. Add black-painted cast-iron railings to front and side walls to match height and style of existing railings on boundaries of neighbouring house. Installation of 6ft high wrought iron gate. Replace modern concrete slab front door steps with reclaimed York stone.

Listed building consent was refused in November 2009 for the following reason:

The proposal design will not preserve the listed building and its features of special architectural or historic interest, as the design has failed to reference historically appropriate styles and scales for front-boundary walls and railings. We also consider that the proposal will fail to preserve or enhance the character or appearance of the conservation area, as the proposal design will not relate to the design, form and scale of the adjacent building's wall and railings, thereby failing to achieve a sense of consistency for the streetscape. The proposal is not in accordance with Policies: 3.12 Quality in Design; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan (UDP) July 2007.

- 16 An appeal was subsequently lodged and was dismissed, the Inspector concluding that the proposed boundary treatment would fail to preserve the special historic and architectural interest of the listed building (reference: APP/A5840/E/10/2128848).

KEY ISSUES FOR CONSIDERATION

Summary of main issues

The main issues to be considered in respect of this application are:

- a) the impact on the appearance of the building
- b) the impact on the character and appearance of the Cobourg Road Conservation area
- c) the impact on the character and setting of the Listed building.
- d) the impact on the amenity of nearby residents.

Planning policy

Core Strategy 2011

Strategic Policy 12 - Design and Conservation

Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

Policy 3.2 - Protection of Amenity

Policy 3.12 - Quality in Design

Policy 3.13 - Urban Design

Policy 3.15 - Conservation and the Historic Environment

Policy 3.16 - Conservation Areas

Policy 3.17 - Listed Buildings

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

Residential Design Standards SPD (2011).

London Plan 2011

Policy 7.4 - Local character

Policy 7.6 - Architecture

Policy 7.8 - Heritage assets and archaeology

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

PPS5 - Planning for the Historic Environment

Principle of development

- 17 The erection of an extension to a dwelling and provision of new landscaping and boundary treatment to the front does not raise any landuse issues.

Environmental impact assessment

- 18 An Environmental Impact Assessment is not required as part of this planning application.

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

- 19 The proposed extension would not result in any loss of residential amenity in so far as light infringement, loss of privacy or loss of outlook is concerned as it would face onto the flank wall of the adjoining property at no. 57 Cobourg Road. The windows to the rear of the extension would face down the rear garden as per the existing rear windows and would not result in any loss of privacy, and no adverse impacts would arise as a result of the proposed boundary treatment and landscaping works.

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

- 20 None envisaged

Traffic issues

- 21 The proposal would result in the loss of an off-street parking space at the front of the property. However, as the existing crossover would then become redundant, it would be possible to park on the street in front of the property, subject to on-street parking restrictions. As such, no objections are raised on transport grounds.

Design issues

- 22 No.55 is a grade II listed building within the Cobourg Road Conservation Area, and is central to a group of 9 listed houses (No.s 47-63 odds) which are grouped together in a linked terrace, all of which date to 1800-25. The significance of this group, when assessed under Policy HE7.2 of PPS5, is their general consistency of form and scale, although there is a surprising amount of variety (for a group of Georgian houses) in their detailed design. The significance is also their value as a rare survivor for a group of this age in this area, as indicative of early C19 development in the countryside around central London.
- 23 No.55 is read as forming a mini-group within this terrace, which along with No.49 encloses the semi-detached houses at No.s 51+53, to which 49 and 55 are linked with

a set-back section. No.s 49 + 55 then have an open gap to the listed buildings on either side (No.s 47 and 57) which defines the identity and symmetry of this mini-group.

- 24 This proposal entails a four-storey side extension to the southern flank of No.55, which would effectively close this gap, and break the symmetry of this group. Officers consider the scale of the proposal to be excessive and insensitive to the heritage value of this building, and its constituent group. The scale of this extension is considered excessive, both physically and aesthetically, as an intervention that has not considered the historic value of this listed building and its essential role in the composition of the wider group. This group of houses face onto Burgess Park, with an openness of aspect that allows greater appreciation of the listed buildings and their inter-relationship.
- 25 In terms of materials, the proposal is for matching secondhand stock bricks in a Flemish bond which would be acceptable, provided a suitable match can be found.
- 26 The rear fenestration is poorly informed however, and while there is a rationale for honesty in a new extension, the scale and form of the proposed windows to the extension are unresponsive to the proportions and detailing of the listed building. This will be particularly evident as there is only a 450mm set-back from the rear elevation, so the new windows will very much be read adjacent to the existing four-over-four/six-over-six sashes, to which the proposed single-pane sashes will appear incongruous.
- 27 It should also be considered that whilst there are no in principle objections in so far as extensions to listed buildings are concerned, they should be clearly subservient to the host building in terms of scale, and sympathetic to it in terms of detailing and materials. The revised scheme is very similar to the previously refused scheme in so far as the four storey side extension is concerned, and it is considered that the proposal has failed to comply with these criteria. Furthermore, the side extension is excessive in scale and disruptive to the proportions and balance of the listed building, as well as its constituent group.
- 28 Whilst this proposal has been revised following a previously refused application, officers consider that the extension would be unacceptable as it would fail to preserve the listed building's features of special architectural or historic interest, as well as its relationship within the wider group of listed buildings (No.s 47-63 odds).
- 29 The boundary treatment proposed to the front will comprise a low rise brick wall with brick pillars at either end with wrought iron railings and a gate to match 49 and 51 Cobourg Road. The front forecourt of the property will be finished in a combination of soft and hard landscaping using a combination of York stone slabs and water binding limestone gravel and flower beds. This is considered acceptable and would contribute positively to the character and appearance of the listed building and the wider conservation area and no objections are raised in this regard.

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

- 30 As stated, the proposal entails a four-storey side extension to the southern flank of No.55, which effectively closes the gap between numbers 55 and 57, and breaks the symmetry of this group. It is considered that the scale of the proposal is excessive and insensitive to the heritage value of this building, and its constituent group. The scale of this extension is considered excessive, both physically and aesthetically, as an intervention that has not considered the historic value of this listed building and its essential role in the composition of the wider group. The proposed extension would therefore be detrimental to the character and setting of the listed building and the listed terrace of which it forms a part, and would fail to preserve or enhance the character and appearance of the Cobourg Road Conservation Area.

Impact on trees

31 There are no trees affected by the proposal.

Planning obligations (S.106 undertaking or agreement)

32 The proposal raises no S106 agreement issues.

Sustainable development implications

33 The proposal raises no sustainable development issues.

Other matters

34 None specific

Conclusion on planning issues

35 In conclusion, an extension to a domestic dwelling to provide additional accommodation raises no objections in principle. However, the size and scale of the extension is considered to be excessive and will result in an incongruous feature that would be harmful to the appearance of the building.

36 The building is listed and forms part of a terrace of listed buildings, and the proposed extension is considered to be insensitive given its size and scale. As such it is considered that the proposal would fail to preserve the special historic and architectural interest of the listed building and the wider group of listed buildings, and would fail to preserve the character and appearance of this part of the Cobourg Road Conservation Area. As such it is recommended that planning permission be refused.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as; no issues

Consultations

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

Consultation replies

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

40 Summary of consultation responses

Response from The Georgian Group - refer to Appendix 2.

Human rights implications

41 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.

- 42 This application has the legitimate aim of providing a four storey side extension to provide additional 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

- 43 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2378-55 Application file: 11-AP-1738 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 5428 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	Donald Hanciles, Senior Planning Officer	
Version	Final	
Dated	03 November 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	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		11 November 2011

APPENDIX 1

Consultation undertaken**Site notice date:** 17 June 2011**Press notice date:** 16 June 2011**Case officer site visit date:** 17 June 2011**Neighbour consultation letters sent:** 29 June 2011**Internal services consulted:**

Conservation and Design

Statutory and non-statutory organisations consulted:

The Georgian Group

Neighbours and local groups consulted:

App. Type	Full Planning Permission
------------------	--------------------------

Date Printed	Address
---------------------	----------------

29/06/2011	57 COBOURG ROAD LONDON SE5 0HU
29/06/2011	59 COBOURG ROAD LONDON SE5 0HU
29/06/2011	55 COBOURG ROAD LONDON SE5 0HU
29/06/2011	51 COBOURG ROAD LONDON SE5 0HU
29/06/2011	53 COBOURG ROAD LONDON SE5 0HU

Re-consultation:

Not required

Consultation responses received

Internal services

Conservation and Design - comments incorporated into body of report

Statutory and non-statutory organisations

The Georgian Group

The scheme is a proposal to improve the operation of the house as a single family dwelling; the Group supports this in principle as it is better for the building to continue being used as designed. Obviously, standards of living have changed since the building's construction and it is right to explore various options that enable the house to remain a viable family home. Whilst it would of course be better if no extension were proposed in conservation terms, as it is always better to retain as much of the original building and its form as possible. There are some conservation gains from the proposals, i.e. the restoration of one of the principle rooms to a bedroom and the removal of rear soil pipes.

On balance, whilst the Group cannot support the extension, the proposals have been developed so as to be largely sympathetic to the building and would not, in my opinion, be especially damaging to the significance of the house as a listed building, nor would it, in my opinion, be especially damaging to the significance of the grouping of historic buildings on Cobourg Road. On the latter point, the proposal to restore the front garden to something more in line with the front gardens of the early 19th century is to be commended and would create an improved relationship between the house and its surroundings; certainly it is positive that high quality and appropriate materials are being proposed for these works in the Design and Access Statement. I would not raise any objection regarding either of these proposals with the Local Planning Authority.

I think it is positive that the proposed cornice has been excluded from the application, however we would have no objections if more information to support the proposal could be provided.

Neighbours and local groups

None received.

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 I Ebert	Reg. Number	11-AP-1738
Application Type	Full Planning Permission	Case Number	TP/2378-55
Recommendation	Refuse permission		

Draft of Decision Notice

Planning Permission was REFUSED for the following development:

Erection of a 4 storey side extension and provision of hard landscaping and new boundary wall and railings to front of dwelling (Use Class C3).

At: 55 COBOURG ROAD, LONDON, SE5 0HU

In accordance with application received on 27/05/2011

and Applicant's Drawing Nos. Design And Access Statement, 00.01/Rev/00, 00.10/Rev/00, 00.11/Rev/00, 00.12/Rev/00, 00.13/Rev/00, 00.14/Rev/00, 00.21/Rev/01, 00.31/Rev/01, 00.32/Rev/01, 00.33/Rev/01, 00.53/Rev/00, 00.54/Rev/00, 10.11/Rev/04, 10.12/Rev/00, 11.11/Rev/04, 11.12/Rev/04, 11.13/Rev/04, 11.14/Rev/04, 21.11/Rev/04, 21.12/Rev/04, 31.11/Rev/04, 31.12/Rev/04, 31.13/Rev/04, 31.15/Rev/01, 31.16/Rev/01, 50.03/Rev/01, 50.04/Rev/01, 1 CD

Reason for refusal:

The proposed extension, owing to its excessive size and location would dominate the host building and would harm the symmetry of the listed terrace and would fail to preserve or enhance the character or appearance of this part of the Cobourg Road Conservation Area. As such the proposal is contrary to Strategic Policies 12 'Design and Conservation' and 13 'High Environmental Standards' of the Core Strategy 2011, Saved Policies 3.12 'Quality in Design', 3.13 'Urban Design' 3.15 'Conservation and the Historic Environment', 3.16 'Conservation areas', 3.17 'Listed Buildings' and 3.18 'Setting of Conservation Areas, Listed Buildings and World Heritage Sites' of the Southwark Plan (July) 2007, Policies 7.4 'Local character', 7.6 'Architecture' and 7.8 'Heritage Assets and Archaeology' of the London Plan 2011 and PPS5 'Planning for the Historic Environment.

Ordnance Survey

Date 11/11/2011



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252.

Item No. 6.2	Classification: OPEN	Date: 23 November 2011	Meeting Name: WALWORTH COMMUNITY COUNCIL
Report title:	Development Management planning application: Application 11-AP-1743 for: Listed Building Consent Address: 55 COBOURG ROAD, LONDON, SE5 0HU Proposal: Erection of a 4-storey side extension, insertion of new internal doors at basement, ground, first and second floor levels to access new extension, provision of landscaping and new boundary wall and railings to front of dwelling, and refurbishment of rear courtyard and external toilet (Use Class C3).		
Ward(s) or groups affected:	East Walworth		
From:	Head of Development Management		
Application Start Date 27 May 2011		Application Expiry Date 22 July 2011	

RECOMMENDATION

- 1 Refuse listed building consent.

BACKGROUND INFORMATION

- 2 This application is referred to Walworth Community Council for determination following a request from the Chair (Councillor Seaton, East Walworth ward) and Vice Chair (Councillor Merrill, East Walworth ward).

Site location and description

- 3 The application premises comprises a three storey plus basement end of terrace dwelling with a raised ground floor, located to the northern end of Cobourg Road in a predominantly residential area. Directly opposite the site is Burgess Park.
- 4 The application property is Grade II listed and is located in the Cobourg Road Conservation Area.

Details of proposal

- 5 The proposal under consideration is for the erection of a 4 storey side extension, re-landscaping to the front of the dwelling, and provision of a new boundary wall and railings to the front.
- 6 The proposed extension would be finished in matching secondhand stock bricks in a Flemish bond.
- 7 The boundary treatment to the front will comprise a low rise brick wall with brick pillars at either end, and wrought iron railings and a gate to match 49 and 51 Cobourg Road.

- 8 The front forecourt of the property will be finished with York stone slabs, water binding limestone gravel and flower beds.
- 9 Internally, new doors would be created at each level in order to access the proposed side extension. To the rear of the dwelling it is proposed to re-lay the existing flagstone paving and replace broken pavements, and to refurbish the external toilet by way of stripping off recent emulsion paint, replacing the slate roof and re-laying the derelict layers of brick wall.
- 10 The differences between the application under consideration and a previously refused scheme on the site are as follows:
- Change of the facing materials from glazed mathematical tiles to reclaimed stock brick;
 - Complete reinstatement of walls, pillars and railings to the front of the site and removal of an off-street parking space;
 - Re-design of the windows in the rear elevation of the proposed extension;
 - A reduction in the depth of the extension by 0.25m to (5.75m).

The four storey extension to the side would be identical in shape and form to that of the refused scheme (10-AP-3696).

Planning history

- 11 Listed Building consent was granted on 30 January 1997 by the Government Office for London for demolition and rebuilding of the brick wall across the passageway, external to the building and leading to the rear garden, and repair to the flank wall brickwork to the main house at no. 55 Cobourg Road (reference: 9700476).
- 12 10-AP-3695
Planning permission was refused on 14/02/2011 for erection of a 4 storey side extension providing additional residential accommodation and erection of new boundary wall and railings to front of dwelling.

The application was refused for the following reason;

The proposed extension, owing to its excessive size, location and the use of inappropriate materials would dominate the host building, would harm the symmetry of the listed terrace, and would fail to preserve or enhance the character or appearance of this part of the Cobourg Road Conservation Area. As such the proposal is contrary to Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007, policy 4B.12 'Heritage conservation' of the London Plan (Consolidated with alterations since 2004) and PPS5 'Planning for the Historic Environment.

- 13 10-AP-3696
Listed Building Consent was refused on 14/02/2011 for erection of a 4 storey side extension providing additional residential accommodation and erection of new boundary wall and railings to front of dwelling.

The application was refused for the following reason:

The proposed extension, owing to its excessive size, location and the use of inappropriate materials would dominate the host building and would harm the symmetry of the listed terrace. As such it is considered that the proposal would fail to

preserve the special historic and architectural interest of the listed building and the listed terrace of which it forms a part, contrary to policies 3.15 'Conservation and the Historic Environment', 3.17 'Listed Buildings' and 3.18 'Setting of Conservation Areas, Listed Buildings and World Heritage Sites' of the Southwark Plan (July) 2007, policy 4B.12 'Heritage conservation' of the London Plan (Consolidated with alterations since 2004) and PPS5 'Planning for the Historic Environment'.

Planning history of adjoining sites

- 14 9901998
51 Cobourg Road - Listed building consent granted 15 February 2000 for demolition and rebuilding of rear steps on new foundations.

- 15 03-AP-1790 and 1591
47 Cobourg Road - Planning permission and Listed Building consent were refused on 12 November 2003 for the erection of a single storey conservatory extension for the following reason:

The proposed extension by virtue of its size in relation to the existing rear extension, poor design and poor quality materials would adversely impact on the special architectural or historic interest of the building as well as the character of the Conservation Area and would be contrary to Policy E.2.3 'Aesthetic Control' and E.4.3 'Design in Conservation Areas' of the Adopted Unitary Development Plan, Policies 3.1 'Environmental Effects', 3.6 'Heritage Conservation' and 3.14 'Quality in Design' of the Draft Southwark Plan and guidance contained in Supplementary Planning Guidance No.5 'Standards, Controls and Guidelines for Residential Development'.

- 16 09-AP-1757 - Demolish and rebuild damaged front and side garden wall and pillar in matching London stock-brick. Add black-painted cast-iron railings to front and side walls to match height and style of existing railings on boundaries of neighbouring house. Installation of 6ft high wrought iron gate. Replace modern concrete slab front door steps with reclaimed York stone.

Listed building consent was refused in November 2009 for the following reason:

The proposal design will not preserve the listed building and its features of special architectural or historic interest, as the design has failed to reference historically appropriate styles and scales for front-boundary walls and railings. We also consider that the proposal will fail to preserve or enhance the character or appearance of the conservation area, as the proposal design will not relate to the design, form and scale of the adjacent building's wall and railings, thereby failing to achieve a sense of consistency for the streetscape. The proposal is not in accordance with Policies: 3.12 Quality in Design; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan (UDP) July 2007.

- 17 An appeal was subsequently lodged and was dismissed, the Inspector concluding that the proposed boundary treatment would fail to preserve the special historic and architectural interest of the listed building (reference: APP/A5840/E/10/2128848).

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 18 The main issue to be considered in respect of this application is:
- a) the impact on the special historic and architectural interest of the listed building.

Planning policy

- 19 Core Strategy 2011
Strategic Policy 12 - Design and Conservation
- 20 Southwark Plan 2007 (July) - saved policies
Policy 3.15 Conservation and the Historic Environment
Policy 3.17 - Listed Buildings
Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites.
- 21 London Plan 2011
Policy 7.4 - Local character
Policy 7.6 - Architecture
Policy 7.8 - Heritage assets and archaeology
- 22 Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)
PPS 5 - Planning for the Historic Environment

Impact on the special historic and architectural interest of the listed building

- 23 No.55 is a grade II listed building within the Cobourg Road Conservation Area, and is central to a group of 9 listed houses (No.s 47-63 odds) which are grouped together in a linked terrace, all of which date to 1800-25. The significance of this group, when assessed under Policy HE7.2 of PPS5, is their general consistency of form and scale, although there is a surprising amount of variety (for a group of Georgian houses) in their detailed design. The significance is also their value as a rare survivor for a group of this age in this area, as indicative of early C19 development in the countryside around central London.
- 24 No.55 is read as forming a mini-group within this terrace, which along with No.49 encloses the semi-detached houses at No.s 51+53, to which 49 and 55 are linked with a set-back section. No.s 49 + 55 then have an open gap to the listed buildings on either side (No.s 47 and 57) which defines the identity and symmetry of this mini-group.
- 25 This proposal entails a four-storey side extension to the southern flank of No.55, which would effectively close this gap, and break the symmetry of this group. Officers consider the scale of the proposal to be excessive and insensitive to the heritage value of this building, and its constituent group. The scale of this extension is considered excessive, both physically and aesthetically, as an intervention that has not considered the historic value of this listed building and its essential role in the composition of the wider group. This group of houses face onto Burgess Park, with an openness of aspect that allows greater appreciation of the listed buildings and their inter-relationship.
- 26 In terms of materials, the proposal is for matching second-hand stock bricks in a Flemish bond which would be acceptable, provided a suitable match can be found.
- 27 The rear fenestration is poorly informed however, and while there is a rationale for honesty in a new extension, the scale and form of the proposed windows to the extension are unresponsive to the proportions and detailing of the listed building. This will be particularly evident as there is only a 450mm set-back from the rear elevation, so the new windows will very much be read adjacent to the existing four-over-four/six-over-six sashes, to which the proposed single-pane sashes will appear incongruous.

- 28 It should also be considered that whilst there are no in principle objections in so far as extensions to listed buildings are concerned, they should be clearly subservient to the host building in terms of scale, and sympathetic to it in terms of detailing and materials. The revised scheme is very similar to the previously refused scheme in so far as the four storey side extension is concerned, and it is considered that the proposal has failed to comply with these criteria. Furthermore, the side extension is excessive in scale and disruptive to the proportions and balance of the listed building, as well as its constituent group.
- 29 Whilst this proposal has been revised following a previously refused application, officers consider that the extension would be unacceptable as it would fail to preserve the listed building's features of special architectural or historic interest, as well as its relationship within the wider group of listed buildings (No.s 47-63 odds).
- 30 The boundary treatment proposed to the front will comprise a low rise brick wall with brick pillars at either end with wrought iron railings and a gate to match 49 and 51 Cobourg Road. The front forecourt of the property will be finished in a combination of soft and hard landscaping using a combination of York stone slabs, water binding limestone gravel and flower beds. This is considered acceptable and would contribute positively to the character and appearance of the listed building and the wider conservation area and no objections are raised in this regard. In addition, there are no objections to the proposed internal alterations or the refurbishment of the rear courtyard and external toilet. However, given the concerns set out above regarding the proposed side extension, officers consider that the proposal would fail to preserve the special architectural and historic interest of the listed building and the listed terrace of which it forms a part.

Other matters

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

Conclusion on planning issues

- 32 In conclusion, an extension to a listed building raises no objections in principle. However, the extension in its current form is considered to be insensitive and its excessive size and scale would fail to preserve the special historic and architectural interest of the listed building and the listed terrace, and therefore it is recommended that listed building consent be refused.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as; no issues.

Consultations

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

Consultation replies

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

36 Summary of consultation responses

Response received from the Georgian Group and the Council for British Archaeology - refer to Appendix 2.

Human rights implications

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

38 This application has the legitimate aim of providing a four storey side extension to provide additional residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

39 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2378-55 Application file: 11-AP-1743 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 5428 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	Donald Hanciles, Senior Planning Officer	
Version	Final	
Dated	03 November 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	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		11 November 2011

Consultation undertaken

Site notice date: 17 June 2011

Press notice date: 16 June 2011

Case officer site visit date: 17 June 2011

Neighbour consultation letters sent: 29 June 2011

Internal services consulted:

Conservation and Design

Statutory and non-statutory organisations consulted:

Ancient Monuments Society
Council for British Archaeology
Society for the Protection of Ancient Buildings
Victorian Society
The Georgian Group

Neighbours and local groups consulted:

29/06/2011	57 COBOURG ROAD LONDON	SE5 0HU
29/06/2011	59 COBOURG ROAD LONDON	SE5 0HU
29/06/2011	55 COBOURG ROAD LONDON	SE5 0HU
29/06/2011	51 COBOURG ROAD LONDON	SE5 0HU
29/06/2011	53 COBOURG ROAD LONDON	SE5 0HU

Re-consultation:

Not required

Consultation responses received

Internal services

Conservation and Design - comments incorporated into body of report

Statutory and non-statutory organisations

Ancient Monuments Society - no response received at the time of writing.

Council for British Archaeology

No objections. The change in materials is noted, though the committee did not, in principle, object to the use of mathematical tiles. The rear windows have been changed to a more traditional pattern although a vertical glazed slot would still be preferable, thus separating the old and the new visually.

Society for the Protection of Ancient Buildings - no response received at the time of writing

Victorian Society - no response received at the time of writing

The Georgian Group

The scheme is a proposal to improve the operation of the house as a single family dwelling; the Group supports this in principle as it is better for the building to continue being used as designed. Obviously, standards of living have changed since the building's construction and it is right to explore various options that enable the house to remain a viable family home. Whilst it would of course be better if no extension were proposed in conservation terms, as it is always better to retain as much of the original building and its form as possible. There are some conservation gains from the proposals, i.e. the restoration of one of the principle rooms to a bedroom and the removal of rear soil pipes.

On balance, whilst the Group cannot support the extension, the proposals have been developed so as to be largely sympathetic to the building and would not, in my opinion, be especially damaging to the significance of the house as a listed building, nor would it, in my opinion, be especially damaging to the significance of the grouping of historic buildings on Cobourg Road. On the latter point, the proposal to restore the front garden to something more in line with the front gardens of the early 19th century is to be commended and would create an improved relationship between the house and its surroundings; certainly it is positive that high quality and appropriate materials are being proposed for these works in the Design and Access Statement. I would not raise any objection regarding either of these proposals with the Local Planning Authority.

I think it is positive that the proposed cornice has been excluded from the application, however we would have no objections if more information to support the proposal could be provided.

Neighbours and local groups

No representations have been received.

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 I Ebert	Reg. Number	11-AP-1743
Application Type	Listed Building Consent	Case Number	TP/2378-55
Recommendation	Refuse permission		

Draft of Decision Notice

Listed Building Consent was REFUSED to carry out the following works:

Erection of a 4-storey side extension, insertion of new internal doors at basement, ground, first and second floor levels to access new extension, provision of landscaping and new boundary wall and railings to front of dwelling, and refurbishment of rear courtyard and external toilet (Use Class C3).

At: 55 COBOURG ROAD, LONDON, SE5 0HU

In accordance with application received on 27/05/2011

and Applicant's Drawing Nos. Design And Access Statement, 00.01/Rev/00, 00.10/Rev/00, 00.11/Rev/00, 00.12/Rev/00, 00.13/Rev/00, 00.14/Rev/00, 00.21/Rev/01, 00.31/rev/01, 00.32/Rev/01, 00.33/Rev/01, 00.53/Rev/00, 00.54/Rev/00, 10.11/Rev/04, 10.12/Rev/00, 11.11/Rev/04, 11.12/Rev/04, 11.13/Rev/04, 11.14/Rev/04, 21.11/ Rev/04, 21.12/Rev/04, 31.11/Rev/04, 31.12/Rev/04, 31.13/Rev/04, 31.15/Rev/01, 31.16/Rev/01, 50.03/Rev/01, 50.04/Rev/01

Reason for refusal:

The proposed extension, owing to its excessive size and location would dominate the host building and would harm the symmetry of the listed terrace. As such it is considered that the proposal would fail to preserve the special historic and architectural interest of the listed building and the listed terrace of which it forms a part, contrary to Strategic Policy 12 'Design and Conservation' of the Core Strategy 2011, Saved Policies 3.15 'Conservation and the Historic Environment', 3.17 'Listed Buildings' and 3.18 'Setting of Conservation Areas, Listed Buildings and World Heritage Sites' of the Southwark Plan (July) 2007, Policy 7.8 'Heritage Assets and Archaeology' of the London Plan 2011 and PPS5 'Planning for the Historic Environment.

Item No. 7	Classification: OPEN	Date: 23 November 2011	Meeting Name: Walworth Community Council
Report title:	Planning application and planning enforcement performance for period 01/04/2011 to 31/08/2011.		
Ward(s) or groups affected:	East Walworth, Faraday and Newington		
From:	Head of Development Management		

RECOMMENDATION

- 1 That the report be noted.

BACKGROUND INFORMATION

- 2 This report monitors the planning application, planning appeal, planning enforcement and planning enforcement appeal activity and performance within the Walworth Community Council area.
- 3 Performance on the timeliness of decision making on planning applications and planning enforcement investigations is measured against borough-wide targets. For planning applications performance is split into three categories. The categories are for large scale and small scale 'major' applications, for 'minor' applications and for 'other' applications. Details of the types of applications falling within these three categories are set out in Appendix 1.
- 4 The locally set target for all three categories of planning applications is for 75% of all applications to be determined within statutory target period. The statutory target time period for the determination of 'major' applications is 13 weeks, or 16 weeks where the application is accompanied by an Environmental Impact Assessment, and for applications in the 'minor' and 'other' categories it is 8 weeks.
- 5 The significance of the 13 and 8 week target periods is that if an application has not been determined by the expiry of this period, an application's statutory expiry date, an appeal can be made to The Planning Inspectorate against the non-determination of the application.
- 6 The performance target for appeals is based on the number of all decided appeals that were allowed (i.e. lost by the Council) as a % of all appeal decisions made where the Council has refused planning permission. This target is currently set at 30%. The calculation of this performance indicator does not include appeals against the imposition of conditions or non-determination [where the Council has not made a decision on an application]. The calculation also excludes all other appeal types, e.g. those in respect of advertisements, certificates of lawfulness, prior approvals and enforcement appeals.
- 7 The local performance target for planning enforcement investigations is for in 80% of cases a decision to be made within 8 weeks of the start date for the investigation as to whether or not there has been a breach of planning control.

KEY ISSUES FOR CONSIDERATION

Planning application performance

- 8 Major applications: Overall three applications were decided of which two (67%) were decided in target. Of these, all three were granted permission. All were small scale applications.
- 9 Minor applications: 33 applications were decided of which 27 (82%) were decided in target. 22 were granted permission and 12 refused permission.
- 10 Other applications: 39 applications were decided of which 32 (82%) were decided in target. 22 were granted permission, ten refused permission and 7 certificates of lawful development and notification applications determined. A summary of application performance is at Appendix 2
- 11 Applications received and decided: 82 applications were received, 75 decided and 14 were withdrawn. At the end of the period there were 39 outstanding applications in the Community Council area.
- 12 Of the 75 decisions made, 70 (93.3%) were made under delegated powers, three (4%) by the Community Council and two (2.6%) by Planning Committee. Of the three decided by the Community Council two were granted permission and one was refused. None of the decisions made by the Community Council were made within target. The application refused permission by the Community Council had been recommended for a grant of permission by officers.

Planning appeals performance

- 14 During the period five appeal decisions were received against decisions made by the council. Of those appeals decided four (80%) were allowed. Ten appeals were received during the period and there are currently ten outstanding appeals in the Community Council area.

Summary of appeals performance

- 15 A summary of the details of the decided appeals is set out in Appendix 2.

Planning enforcement performance

- 16 New investigations: During the period 28 new investigations were started. Of these, 13 (46%) were in East Walworth, 10 (36%) were in Newington whilst the remainder (5) were in Faraday.
- 17 Decided investigations: Decided investigations are those where a decision has been made that either:
 - there was a breach of planning control, and formal enforcement action was required, or
 - there was a breach of planning control, but it was not expedient to take formal enforcement action, or
 - there was a breach of planning control but the breach has since ceased or been regularised, or
 - there was a breach of planning control but it was now immune from formal enforcement action, or
 - there was not a breach of planning control.
- 18 A total of 28 cases were resolved over the reporting period. Of these decided investigations, in 11 (39%) of investigations the decision was that there was no breach of planning control. In a further 25% (7) of the cases the breach ceased following planning enforcement investigations and in case, the breach of planning control was immune from enforcement action whilst in another case, enforcement action was not considered expedient. Eight of the cases (28%)

were resolved for a number of other reasons.

- 19 In terms of performance in resolving investigations, 14 (50%) of the cases were decided within the eight week target (see Appendix 3 for comparative data with other Community Council areas).

Formal enforcement action

- 20 Formal enforcement action is being taken against the following breaches of planning control:

21 12 Ossory Road, London, SE1 5AN – Planning enforcement notice dated 18th April 2011, served on all interested parties of the property. The reason for serving the Enforcement Notice was loss of employment floor space resulting from the change of use of the land to a mixed use development, comprising place of worship use; multi-purpose conference centre; computer training facilities (use Class D1) and administrative offices without planning permission. The notice has been appealed. Barring this appeal, the notice would have taken effect on the 23rd May 2011 with a six months compliance period.

22 44 Glengall Road, SE15 6NH – Current planning enforcement notice requiring replacement of the eight (8) uPVC windows that have been installed within the front elevation, and uPVC front door, to be replaced with original wooden timber windows, and a wooden door was supposed to be complied with on or before the 31st August 2011. The second aspect of the compliance was to replace all uPVC windows and doors that have been installed within the rear elevation within the original wooden timber windows, and a wooden door, on or before to 31 August 2012. Site within a conservation area. An application has now been submitted to retain the uPVC windows and to incorporate details to the fenestrations to match what exist along the terrace.

23 199 Walworth Road, SE17 1RL – Two of the unauthorised posters/placards advertising the business at these premises, exactprint/exactoffice, have been removed. Further action is being taken to secure the removal of the third placard as requested.

Summary of planning enforcement performance

24 There are 55 outstanding enforcement investigations within the Walworth Community Council area including the formal enforcement action outlined above. The majority of the outstanding cases are unauthorised signage. The priority going ahead is to progress the formal enforcement action and to reduce the number of outstanding cases.

Community impact statement

25 The content of this report monitoring development management performance is judged to have no or a very small impact on local people and communities. However, poor performance can have an adverse effect on all individuals, businesses and other organisations within the community who submit planning applications and who do not get a decision within a reasonable period.

Consultations

26 No consultation has been carried out in respect of the contents of this report which is solely for the purpose of advising on the performance of the Development Management service in the determination of planning applications and planning appeals.

Human rights implications

- 27 This report does not engage 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.
- 28 Any rights potentially engaged by this report are not considered to be unlawfully interfered with.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Planning application performance statistics	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Definition of 'major', 'minor' and 'other' applications
Appendix 2	Planning appeals decided between 01/04/2011 to 31/08/2011
Appendix 3	Enforcement investigations closed in the period 01/04/2011 to 31/08/2011

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Phil Chambers, Group Manager - Project Management	
Version	Final	
Dated	28 September 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	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		14 November 2011

APPENDIX 1

Definition of 'major', 'minor' and 'other' applications**Large scale major developments¹**

- 1 Dwellings
- 2 Offices/research and development/light industry
- 3 Heavy industry/storage/warehousing
- 4 Retail, distribution and servicing
- 5 Gypsy and traveller pitches
- 6 All other large scale major developments

Small scale major developments²

- 7 Dwellings
- 8 Offices/research and development/light industry
- 9 Heavy industry/storage/warehousing
- 10 Retail, distribution and servicing
- 11 Gypsy and traveller pitches
- 12 All other small scale major developments

Minor developments³

- 13 Dwellings
- 14 Offices/research and development/light industry
- 15 Heavy industry/storage/warehousing
- 16 Retail, distribution and servicing
- 17 Gypsy and traveller pitches
- 18 All other minor developments

Other developments

- 19 Minerals
- 20 Changes of use -where no other works requiring planning permission are involved
- 21 Householder developments
- 22 Advertisements
- 23 Listed building consents to alter/extend
- 24 Listed building consents to demolish
- 25 Conservation Area consents
- 26 Certificates of lawful development
- 27 Notifications

Notes

¹ Large scale major applications comprise residential development for the creation of 200 or more dwellings for full applications and outline applications for sites of 4ha. or more.

For all other proposals it covers full applications for developments for the creation of 10,000sq.m.or more of new floorspace and for outline applications for sites of 2ha. Or more.

² Small scale major applications comprise residential development for the creation of 10 to 199 dwellings for full applications and outline applications for sites from 0.5ha to less than 4ha.

For all other proposals it covers full applications for developments for the creation of between 1,000sq.m.and 9,999sq.m.of new floorspace and for outline applications for sites from 1.0ha to 2ha.

³ Minor applications comprise residential development for the creation of 1-9 dwellings for full applications and outline applications where the site is less than 0.5ha.

For all other proposals it covers full applications for developments for the creation of less than 1,000m² of new floorspace and for outline applications where the site area is less than 1.0ha.

APPENDIX 2

Planning appeals decided between 01/04/2011 to 31/08/2011

Address: 4 SHARSTED STREET, LONDON, SE17 3TN **Application No:** 11-AP-0585
Ward: Newington **Community C'cil:** Walworth
Proposal: Mansard roof extension providing additional residential accommodation for dwellinghouse.
Appeal Decision: **Allowed** **Date of Decision:** 16/08/2011
Appeal Type: Refusal of Planning Permission **Appeal Ref:** APP/A5840/D/11/215850
Recommendation: Refuse permission **Decision Level:** Delegated Officer
Council's Decision: Refused **Date of Decision:** 21/04/2011

Summary of decision:

Inspector considered the main issue to be the effect on the character and appearance of the property and street scene and setting of nearby conservation area.

The Inspector noted that none of the properties in the terrace had extensions of the type proposed but that there were several examples in the terrace opposite and further up the street. Although the upper parts of these mansards can be seen from ground level, because the high continuous parapet they are not prominent and have only a minimal impact on the character of the terraces. He concluded that viewed from the street the proposal would not unduly affect the character or appearance of the property or street scene. Nor would it have any discernible impact on the setting of the Kennington Park Road Conservation Area.

Although when viewed from the rear the loss of the existing "Butterfly" roof would alter the architectural character of the terrace, he considered the design to be acceptable and as the building is not listed or in conservation area there should be a greater tolerance of alterations. There would be no material impact on the conservation area or its setting.

Address: 38A DE LAUNE STREET, LONDON, SE17 3UR **Application No:** 10-AP-2586
Ward: Newington **Community C'cil:** Walworth
Proposal: Modification of existing building, to provide a new two storey building, to include change of use from Betting Shop (within A2 use class) to two bedroom dwelling (Class C3) with roof terrace at first floor level to the rear. (This proposal may affect the setting of the adjacent listed buildings and Conservation Area in Kennington Park Road).
Appeal Decision: **Dismissed** **Date of Decision:** 17/05/2011
Appeal Type: Refusal of Planning Permission **Appeal Ref:** APP/A5840/a/11/2144893/wf
Recommendation: Refuse permission **Decision Level:** Delegated Officer
Council's Decision: Refused **Date of Decision:** 24/12/2010

Summary of decision:

Inspector considered main issues to be (a) effect on character and appearance of the area; (b) effect on living conditions of neighbours in respect of noise; and (c) effect on archaeology of the site.

In respect of (a) he considered that whilst a contemporary design might be acceptable in principle, the details proposed in terms of windows in front elevation, that have a discordant relationship, and the means of enclosure to a first floor terrace at the rear, that would make it appear bulky compared with its neighbours, would have a significant detrimental effect on the character and appearance of the building and street scene. This would be in conflict with policies 3.12 and 3.13 and also 3.18 as it would not preserve or enhance the immediate setting of nearby listed buildings.

On (b) he concluded that the proposed first floor terrace of the size, height and with the degree of projection rearwards could lead to increased noise and disturbance for neighbours when used instead of the rear garden and would be contrary to policy 3.2. The appellant's offer to omit the terrace was considered to result in such a reduction of private amenity space being available that the proposal would not meet the residential design standards. The amended proposal would in substance be different from that applied for and to accept the change at the appeal stage the Inspector decided would be prejudicial to the Council and interested third

parties who would have been consulted.

On issue (c) he noted the letter from the Museum of London indicating that in such circumstances as that proposed her the archaeological impact would be negligible and that the imposition of conditions, if permission were to be granted, would ensure no harmful effect on the archaeology of the site.

Address: FLAT 5, CHARLOTTE COURT, 68B OLD KENT ROAD, LONDON, SE1 4NU **Application No:** 10-AP-3471
Ward: East Walworth **Community C'cil:** Walworth
Proposal: Replacement of 12 x metal framed windows with white framed uPVC double glazed windows
Appeal Decision: **Allowed** **Date of Decision:** 04/08/2011
Appeal Type: Refusal of Planning Permission **Appeal Ref:** APP/A5840/A/11/2149105
Recommendation: Refuse permission **Decision Level:** Delegated Officer
Council's Decision: Refused **Date of Decision:** 02/03/2011

Summary of decision:

Inspector considered the main issue to be the effect of the proposal on character and appearance of the property and surrounding area.

He noted that the front and side elevations of the property are prominent features in the street scene. He also noted that a number of other windows had been replaced or altered at different times and the building now included a range of window types and designs with wood, metal and uPVC frames. He considered that in a building of this type it is the proportions and sitting of the window openings together with the ratio of openings to brick walls that contributes to the character and appearance of the building rather than the individual window types, design and frames. The proposed windows would be appropriate and not out of keeping with the character or appearance of the building. Similarly he did not feel that the windows would cause significant harm to the character or appearance of the surrounding area.

Address: 292 WALWORTH ROAD, LONDON, SE17 2TE **Application No:** 10-AP-2796
Ward: Newington **Community C'cil:** Walworth
Proposal: Construction of four storey building, plus basement, comprising 330m2 of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping.
Appeal Decision: **Allowed** **Date of Decision:** 05/05/2011
Appeal Type: Planning Non-determination Appeal **Appeal Ref:** APP/A5840/A/11/2143363/NWF
Recommendation: Withdrawn - Appeal (Non-determination) **Decision Level:** Walworth Community Council
Council's Decision: Withdrawn - Appeal (Non Determination) **Date of Decision:** 14/01/2011

Summary of decision:

As an appeal against non-determination as part of the appeal process the Council confirmed that had it determined the application it would have been refused on the grounds of the effect on the outlook from the existing flats in the former police station and the lack of an archaeological investigation.

The Inspector noted that as the site is not within an Archaeological Priority Zone there is no specific requirement for such an investigation and that such could in any event be controlled by condition. He therefore considered the main issues to be the effect of the proposal on (a) the character and appearance of the area and (b) the living conditions of the occupiers of the flats in the former police station.

On (a) he noted the long history of the site being a garden to the former police station. The garden and police station became separate planning units on the conversion of the police station into flats. Although the site provides an element of greenery and openness in an otherwise densely developed area the site is privately owned, is not identified as Borough Open Land, does not have public access and does not provide a recreational resource. Although the view of the former police station from Walworth Road would be lost, it would still be a prominent feature along Carter Place. He considered the height, scale and bulk of the building

to be in keeping with its surroundings and the detailed design would add interest to the locality and would not harm the character and appearance of the area. It would not have an adverse effect on the setting of the Sutherland Square Conservation Area.

He noted the desire of many in the local community to see the site brought into use as public open space and the historic and cultural connections between the former police station and its garden. However, in the absence of any process to achieve this he had to determine the appeal on the basis of existing circumstances.

On (b) he felt that the proposal would clearly have some effect on the outlook from the windows in the former police station. However, he was satisfied that the set back of the building from the existing flats would be sufficient to avoid an undue sense of enclosure or an overbearing effect on outlook.

On other matters, a potential increase in on-street parking would be satisfactorily dealt with by the unilateral undertaking to exclude the future occupiers from being able to secure a parking permit.

Address: 115 BRANDON STREET, LONDON, SE17 1AL	Application No: 10-AP-1507
Ward: East Walworth	Community C'cil: Walworth
Proposal: Demolition of the existing public house and the erection of a three part four storey mixed use residential development with 9 flats (1 x one bed, 7 x two bed and 1 x three bed) and an office (use class A2 financial/professional services) on part ground and basement floors.	
Appeal Decision: Allowed	Date of Decision: 25/07/2011
Appeal Type: Refusal of Planning Permission	Appeal Ref: APP/A5840/a/11/2143911/nwf
Recommendation: Refuse permission	Decision Level: Walworth Community Council
Council's Decision: Refused	Date of Decision: 17/09/2010

Summary of decision:

The Inspector identified the main issues to be the effect of the proposed development on (a) the character and appearance of the area, with particular regard to the townscape context including Nursery Row Park, (b) nearby trees, and (c) the effect of the loss of the public house as a facility for the local community. As background he noted the history of the public house and that it was not in a conservation area and was not listed, having been specifically rejected for listing by English Heritage. The fact that it was on an emerging local list as a heritage asset, the list was at a very early stage the weight to be given to this intended status was very limited.

On issue (a) he noted that the public house was a much loved local landmark but the past loss of its surrounding built context means that the blank north and park elevations do not make a positive contribution to the area. Given the large scale of many of the buildings in the near or middle distance views around the park he did not consider that the proposed building would be unduly overbearing or detrimental to the prevailing openness or setting of the park. Rather, it would address the park in a way that the public house does not and it would enhance the sense of quality of the open space as a whole in a way consistent with the Core Strategy by making a positive contribution to the green space network. In terms of design, he considered that the crisp contemporary lines of the building would sit well in the townscape viewed from the park.

In terms of the character of Brandon Street, the value of the public house had been diminished by the loss of its immediately contemporaneous buildings and context. The key consideration therefore is the quality of the proposed replacement building. As a single isolated building the Inspector felt that the proposal needs to make a significant statement. This he felt was achieved by the proposed building that displays a quality of design that would make a positive contribution to the street scene and the character and appearance of the area.

On (b) he considered that the two London Plane trees flanking the site need not be compromised by the proximity of the proposed development.

On (c), loss of the public house, he noted the concerns of third parties and recognised that to a significant number of local people it is seen as a local facility. However, he noted that the closure of pubs is a widely

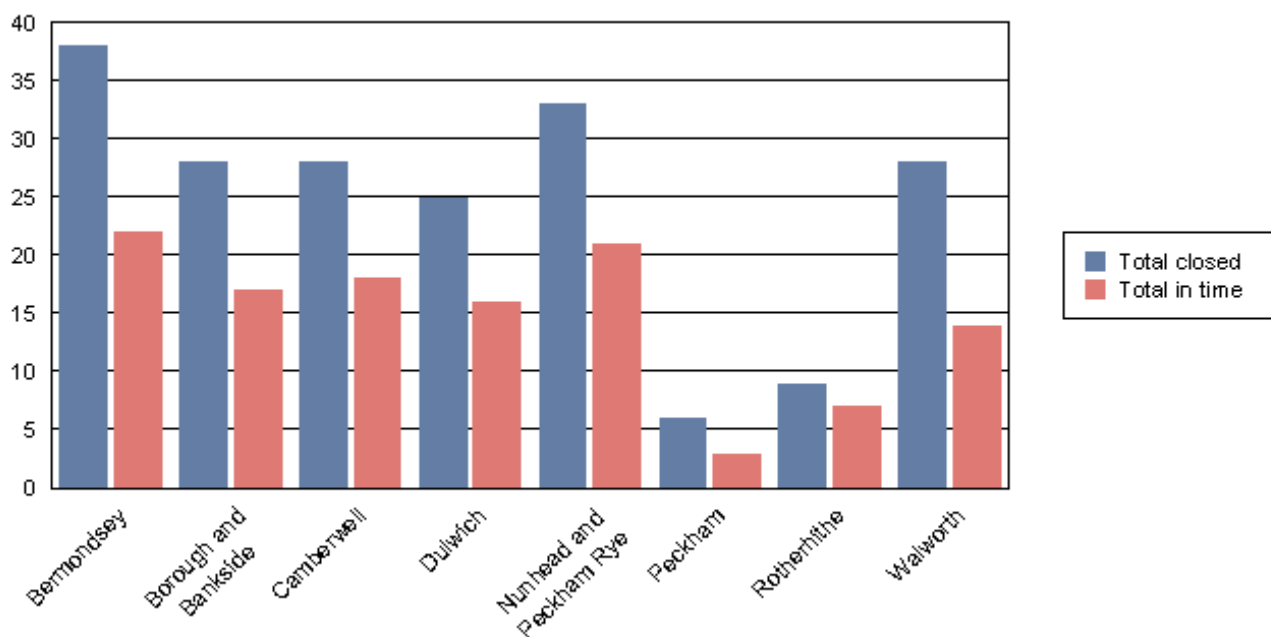
regretted phenomenon nationally but had no reason to consider this pub to be immune from that trend. There was no evidence available to appraise the viability of the pub with any certainty or precision and there is no basis in local policy to require its retention.

Application for costs.

The Council made an application for an award of costs against the appellant for the late submission of the appellant's statement and the submission of detailed new evidence on the day of the hearing and that this was unreasonable behaviour that led to the adjournment of the hearing causing the Council to incur unnecessary or wasted expense. The hearing had opened on 5th May but was adjourned until 29th June. The Inspector considered that the appellants' failure to submit their statement on time and the submission of detailed new evidence on the day of the hearing did amount to unreasonable behaviour. The appellant has been ordered to pay the costs incurred by the Council for the first day of the hearing on 5th May 2011.

Enforcement investigations closed in the period 01/04/2011 to 31/08/2011

Community Council	Total	Total in target	% in target
Bermondsey	38	22	58
Borough and Bankside	28	17	61
Camberwell	28	18	64
Dulwich	25	16	64
Nunhead and Peckham	33	21	64
Peckham	6	3	50
Rotherhithe	9	7	78
Walworth	28	14	50
Grand totals	195	118	61



MEMBERS & EXTERNAL DISTRIBUTION LIST MUNICIPAL YEAR 2011-2012
WALWORTH COMMUNITY COUNCIL (Planning)

Note: Original held by the Constitutional Team (Community Councils)
(Tel: 020 7525 7420)

	Copies		Copies
To all members of the community council			
Councillor Martin Seaton (Chair)	1	Audit Manager	1
Councillor Darren Merrill (Vice-Chair)	1	Ground Floor	
Councillor Catherine Bowman	1	160 Tooley Street	
Councillor Neil Coyle	1		
Councillor Patrick Diamond	1		
Councillor Dan Garfield	1		
Councillor Lorraine Lauder MBE	1		
Councillor Abdul Mohamed	1	Borough Commander	1
Councillor Helen Morrissey	1	Southwark Police	
		Station	
		323 Borough High Street	
		London SE1 1JL	
Libraries (Newington, Brandon)	2		
Local History Library	1		
Press			
Southwark News	1	Housing Offices	
South London Press	1	Walworth Area Housing Office	1
		One Stop Shop Walworth	1
		151 Walworth Road	
		London, SE17 1 RY	
Members of Parliament			
Harriet Harman M.P.	1		
Simon Hughes M.P.	1		
Constitutional Officer (Community Councils) (at CLG, Tooley Street – Second Floor – Hub 4)	15	TOTAL	37
Rob Bristow, Planning Group Manager (Tooley St - Fifth Floor, Hub 2)	1		
Sadia Hussain, Planning Lawyer (Tooley St - Second Floor, Hub 2)	1		