

Dulwich Community Council

Planning

Thursday 8 September 2011
7.00 pm

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

Membership

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

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: Tuesday 30 August 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 FROM THE PREVIOUS MEETING (Pages 5 - 9)

To confirm as a correct record the minutes of the meeting held on 28 July 2011.

6. DEVELOPMENT CONTROL ITEMS (Pages 10 - 14)

6.1. 21 GILKES CRESCENT, LONDON SE21 7PB (Pages 15 - 26)

6.2. 60 DULWICH VILLAGE, LONDON SE21 7AJ (Pages 27 - 38)

6.3. 60 DULWICH VILLAGE, LONDON SE21 7AJ (Pages 39 - 58)

6.4. 30 SEELEY DRIVE, LONDON SE21 8QR (Pages 59 - 72)

Date: Tuesday 30 August 2011

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Beverley Olamijulo, Constitutional Officer, Tel: 020 7525 7234 or email: beverley.olamijulo@southwark.gov.uk
Website: www.southwark.gov.uk

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Dulwich Community Council

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إذا كنت ترغب في الحصول على معلومات عن مجالس المجموعات المحلية وترجمتها إلى لغتك
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Bi o ba nfe àlàyé kíkún l'ori awon Ìgbimò Àwùjo ti a se ayipada si ede abíníbí re, jọwọ tẹ wa l'aago si ori nombá yi i : 020 7525 7234 tabi ki o yo ju si awon òṣiṣé òsísé ni ojúlé 160 Tooley Street , London SE1 2TZ .

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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.



DULWICH COMMUNITY COUNCIL

- Planning -

MINUTES of the Dulwich Community Council held on Thursday 28 July 2011 at 7.00 pm at Dulwich Grove United Reform Church, East Dulwich Grove, London SE22 8RH

PRESENT: Councillor Lewis Robinson (Chair)
 Councillor Helen Hayes
 Councillor Jonathan Mitchell
 Councillor Michael Mitchell
 Councillor Rosie Shimell
 Councillor Andy Simmons

OFFICER SUPPORT: Sonia Watson, Planning Officer
 Gavin Blackburn, Legal Officer
 Oliver Stutter, Senior Planner, Urban Forester
 Beverley Olamijulo, Constitutional Officer

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

Apologies for absence were received from Councillors James Barber, Robin Crookshank Hilton and Toby Eckersley.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following member declared an interest in relation to the agenda items below:

Item 6.1 – Land to the rear of 168 - 190 Friern Road, London SE22 0BA application number 11-AP-006 and

Item 7, Tree Preservation Order 397: 160 - 192 Friern Rd and to the rear of 153 - 163 Barry Road, London SE22

Councillor Jonathan Mitchell, personal and non-prejudicial, as he wished to address the

meeting in his capacity as a ward councillor.

Councillor Jonathan Mithcell remained seated in the public gallery for items 6.2 and 6.3.

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 items 6.1, 6.2 - development management items and item 7 – Tree Preservation Order 397

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 FROM THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on the 4 July 2011 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT CONTROL ITEMS

The chair announced that he would vary the order of items on the agenda. Members considered items 6.1, and 7, then 6.2 and 6.3.

6.1 REAR OF 168 - 190 FRIERN ROAD, LONDON SE22 0BA

Planning application reference number 11-AP-0006

PROPOSAL

Construction of a single family dwelling on basement, ground and first floor levels; access adjacent to 190 Friern Road, 2 parking spaces.

The planning officer introduced the report and circulated the site plans. The officer also drew Members' attention to the addendum report which contained late comments with regard to this application.

An objector was present to address the meeting.

The applicant spoke in support of the application and responded to questions from Members.

There were no supporters present.

Cllr Jonathan Mitchell spoke against the application in his capacity as ward councillor.

Members discussed the application.

RESOLVED:

That planning application be refused on the following grounds:

1. The proposal, by reason of its height, mass, bulk and detailed design, would fail to respond positively to its surroundings. The inappropriate scale and design of the building would be an incongruous feature within this previously undeveloped backland location and would result in a visually intrusive building out of character with existing pattern of development. As such the proposal is contrary to Saved Policies 3.2 Protection of amenity, 3.12 Quality in design, 3.13 Urban design of the Southwark Plan 2007 and Strategic Policy 11 Open spaces and wildlife, Policy 12 Design and conservation and Policy 13 High environmental standards of the Core Strategy 2011 and the Residential Design Guidance SPD (2008) and the Emerging Dulwich Supplementary Planning Document.
2. The proposed access to the site is too narrow to afford a safe vehicular route for both cars and pedestrians, resulting in the loss of, or likely damage to, protected trees and the adjoining party wall boundaries. The proximity of the access road to habitable room windows to the existing ground floor flat at 190 Friern Road is considered detrimental to the residential amenity of occupiers of this property. As such the proposal is contrary to Saved policies 3.2 Protection of amenity, Policy 5.2 Transport impacts of the Southwark Plan 2007 and Strategic Policy 2 Sustainable transport and Policy 11 Open spaces and wildlife of the Core Strategy 2011 and the Residential Design Guidance SPD (2008) and the Emerging Dulwich Supplementary Planning Document.

6.2 6, BEAUVAL ROAD, LONDON SE22 8UQ

Planning application reference number 11-AP-3752

PROPOSAL

Dormer roof extensions to main rear roof slope and overtrigger, providing additional residential accommodation for dwellinghouse.

The planning officer introduced the report and advised Members that the scheme had been revised since its original submission.

The objectors spoke against the application requesting the item be deferred pending a site visit.

The applicant's agent spoke in support of the application.

There were no supporters present.

Members discussed the application.

RESOLVED:

That planning application be deferred so a site visit could take place before the next meeting on 8 September 2011.

6.3 21 GILKES CRESCENT, LONDON SE21 7BP**Planning application reference number 11-AP-1034****PROPOSAL**

Erection of two dormers at the rear and two rooflights to dwelling house (Use class C3).

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

There were no questions from Councillors.

The objectors spoke against the application explaining that the plans were incorrect and did not correctly represent the design of the roof, giving a distorted view of the proposal.

Members asked questions concerning the status of the inaccurate plans.

The legal and planning officers advised that approval could not be recommended but could be deferred for the correct plans to be submitted or refused.

The applicant or the applicant's agent was not present.

There were no supporters present.

Members discussed the application.

RESOLVED:

That the planning application be refused on the grounds that the plans as submitted do not accurately reflect the existing roof structure of the property, as such the proposed dormer window on the lower section of roof would be overly dominant and would fail to harmonise with the original dwelling, to the detriment of both the visual amenity of surrounding neighbours and to the character of the Dulwich Village Conservation Area. As such the proposal is contrary to Saved policies 3.2 Protection of amenity, 3.12 Quality in design, 3.15 Conservation of the historic environment and 3.16 Conservation areas of the Southwark Plan 2007 and Strategic Policy 12 Design and conservation of the Core Strategy 2011 and the Residential Design Standards SPD 2008 and the Dulwich Village Conservation Area Appraisal 2006.

**7. TREE PRESERVATION ORDER 397: LAND TO THE REAR OF 160 -
192 FRIERN ROAD AND REAR OF 153 - 163 BARRY ROAD, LONDON,
SE22**

The tree preservation officer was present to introduce the report.

Councillors asked questions of the officer.

The objectors were present to address the meeting.

There was a supporter who lived within 100 metres of the development site who addressed the meeting.

Cllr Jonathan Mitchell addressed the meeting in his capacity as ward councillor.

RESOLVED:

That the Tree Preservation Order 397 in respect of various native and other trees be confirmed subject to T20 and T21 being removed and T25 to T30.

The meeting ended at 10.30 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 8 September 2011	Meeting Name: Dulwich Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All within Dulwich [College, East Dulwich & Village] Community Council area	
From:		Deputy Chief Executive	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in 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 November 2010	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Management	No	No

ITEMS ON AGENDA OF THE DULWICH CC
on Thursday 08 September 2011

Appl. Type Full Planning Permission
Site 21 GILKES CRESCENT, LONDON, SE21 7BP

Reg. No. 11-AP-1040
TP No. TP/2301-21
Ward Village
Officer Daniel Davies

Recommendation GRANT PERMISSION

Item 6.1

Proposal

Proposed ground floor front and rear extensions and associated works including a raised platform to the rear (Use class C3).

Appl. Type Listed Building Consent
Site 60 DULWICH VILLAGE, LONDON, SE21 7AJ

Reg. No. 10-AP-3756
TP No. TP/2292-60
Ward Village
Officer Sonia Watson

Recommendation GRANT PERMISSION

Item 6.2

Proposal

Demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation; internal alterations.

Appl. Type Full Planning Permission
Site 60 DULWICH VILLAGE, LONDON, SE21 7AJ

Reg. No. 10-AP-3755
TP No. TP/2292-60
Ward Village
Officer Sonia Watson

Recommendation GRANT PERMISSION

Item 6.3

Proposal

Demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation. (Associated listed building application 10/AP/3756)

Appl. Type Full Planning Permission
Site 30 SEELEY DRIVE, LONDON, SE21 8QR

Reg. No. 11-AP-1007
TP No. TP/H2027
Ward College
Officer Amy Lester

Recommendation GRANT PERMISSION

Item 6.4

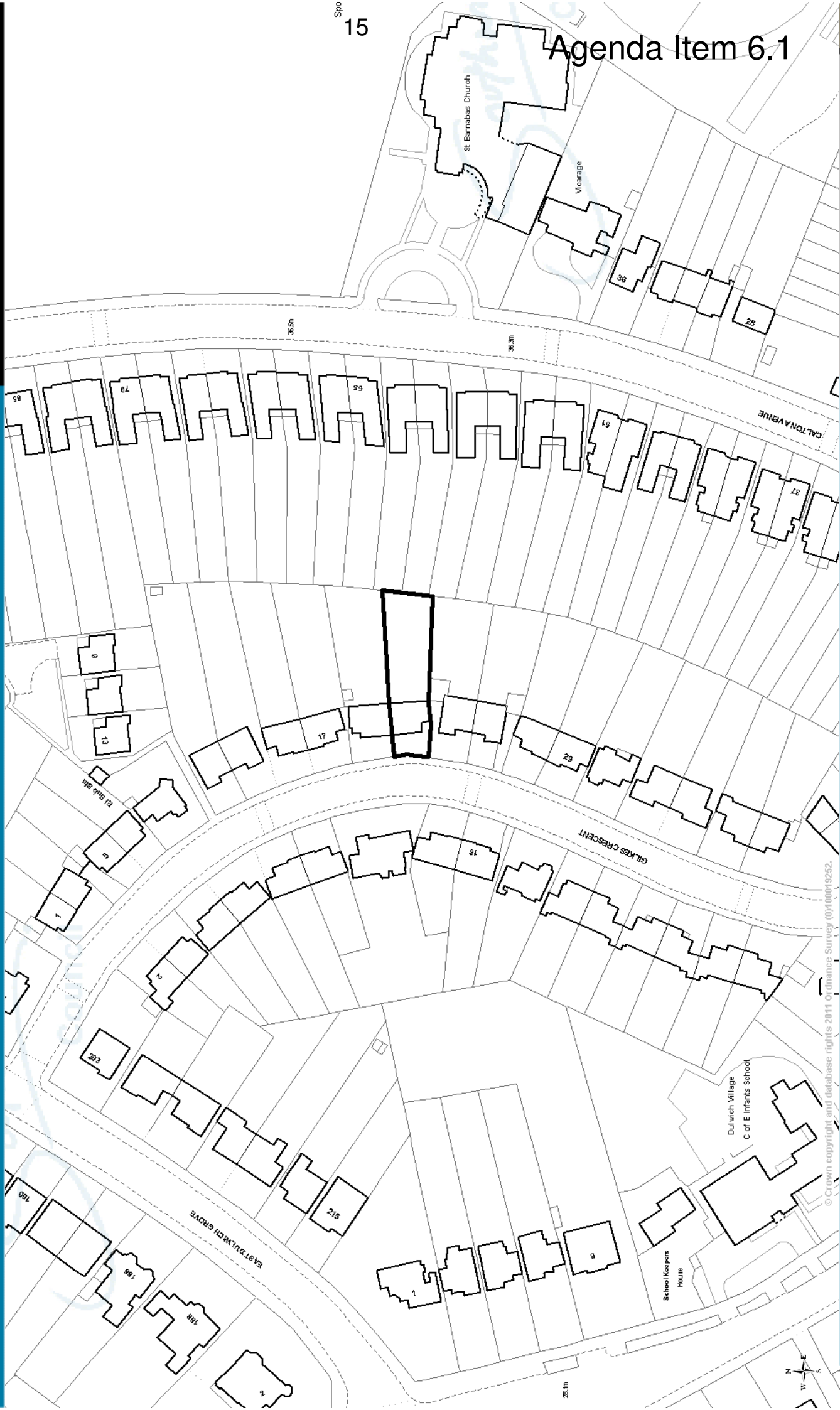
Proposal

Change of use of the ground floor from Class A1 retail to Class A5 takeaway, together with the installation of a new shopfront and the erection of ventilation ducting to the rear elevation.

21 GILKES CRESCENT, LONDON, SE21 7BP

Ordnance Survey

Date 24/8/2011



Agenda Item 6.1

Item No. 6.1	Classification: Open	Date: 8 September 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 11-AP-1040 for: Full Planning Permission Address: 21 GILKES CRESCENT, LONDON, SE21 7BP Proposal: Proposed ground floor front and rear extensions (Use class C3).		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 11 April 2011		Application Expiry Date 6 June 2011	

RECOMMENDATION

- 1 To grant planning permission, subject to conditions

BACKGROUND INFORMATION

- 2 To consider the application owing to the number of objections received.

Site location and description

- 3 The application relates to a property which is a semi-detached house. Most properties along this road are semi-detached although there are detached houses. The detailed design and relationships between buildings vary to the front and rear of properties. Rear ground floor extensions were observed at 23 and 19 Gilkes Crescent.
- 4 The property is in the Dulwich Village Conservation Area, but is not a listed building.

Details of proposal

- 5 Planning permission is sought to erect a single storey rear extension.
- 6 Dimensions:
- 7 Width: 5.75
Depth: 4.2
Eaves Height: 2.5
Maximum Pitch: 4.05
- 8 Materials: Clay tiled roof, timber windows, timber glazed double doors, white render, black fascia and guttering.

9

Amendments

Amended plans were received showing the removal of a raised platform. They also

indicate the distance of the proposed extension with one similar at 19 Gilkes Crescent (191-07 rev B). A revised site plan was also received responding to comments by occupiers at 23 Gilkes Crescent.

Planning history

- 10 11-AP-1034 Full planning permission REFUSED to erect two dormers at the rear and two rooflights to the dwelling house on 28/07/2011.
- 11 The REASON for REFUSAL was that:
- 12 *"The plans as submitted do not accurately reflect the existing roof structure of the property. As such, the proposed dormer window on the lower section of roof would be overly dominant and would fail to harmonise with the original dwelling, to the detriment of both the visual amenity of surrounding neighbours and to the character of the Dulwich Village Conservation Area. As such the proposal is contrary to Saved policies 3.2 Protection of amenity, 3.12 Quality in design, 3.15 Conservation of the historic environment and 3.16 Conservation areas of the Southwark Plan 2007 and Strategic Policy 12 Design and conservation of the Core Strategy 2011 and the Residential Design Standards SPD 2008 and the Dulwich Village Conservation Area Appraisal 2006"*

Planning history of adjoining sites

- 13 19 GILKES CRESCENT
No planning history of relevance.
- 14 23 GILKES CRESCENT
07/AP/1367 Full planning permission was REFUSED to erect a ground and first floor extension in front of existing ground floor side extension and installation of rooflight and bay window extension to rear of existing ground floor extension, all to provide additional residential accommodation for dwellinghouse. 15/08/2007.
- 15 The REASONS for REFUSAL were that:
- 16 *"1) The proposed first floor portion of the extension by virtue of its location, depth, size and bulk would have a detrimental effect on the amenity of the adjoining semi-detached house and garden at No. 21 Gilkes Crescent, particularly with respect to its light and outlook, that would result in an unneighbourly relationship with the adjoining property and would be contrary to policy 3.2 Protection of amenity of the Southwark Unitary Development Plan and guidance contained in the Supplementary Planning Guidance No. 5 'Standards Controls and Guidelines for Residential Development; and*
- 17 *2) The proposed first floor portion of the extension by virtue of its location, size and bulk would have a detrimental effect on the setting and character of the Dulwich Village Conservation Area, particularly with respect to the result loss of differentiation between the subject site and the adjoining semi-detached dwelling at 21 Gilkes Crescent, and would be contrary to Policy 3.2 Protection of amenity, 3.12 Quality in design, 3.16 Development in conservation areas and 3.18 Setting of Listed Buildings and Conservation areas of the Southwark Unitary Development Plan".*
- 18 An appeal was made by the applicant which was dismissed by the Planning Inspectorate on 3/09/2008

- 19 03/AP/1825 Full planning permission was REFUSED to erect a two storey side extension. 14/11/2003.
- 20 The REASON for REFUSAL was that *'the extension by virtue of its depth, size and bulk would have a detrimental effect on the amenity of adjoining semi-detached house and garden at No. 21 Gilkes Crescent, particularly with respect to its light and outlook, that would result in an unneighbourly relationship with the adjoining property and would be contrary to Policy E.3.1 'Protection of amenity of the adopted Unitary Development Plan, Policy 3.2 Protection of amenity of the Draft Southwark plan and guidance contained in the Supplementary Planning Guidance No.5 'Standards, Controls and Guidelines for Residential Development'.*

0001598

- 21 Planning permission GRANTED to erect a single storey extension. 15/02/2001.

59 CARLTON AVENUE

- 22 No planning history of relevance.

61 CARLTON AVENUE

- 23 No planning history of relevance.

63 CARLTON AVENUE

- 24 No planning history of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 25 The main issues to be considered in respect of this application are:
- a) the impact of the development on the amenity of nearby occupiers
 - b) the acceptability of the extensions design and whether it would preserve or enhance the character and appearance of the conservation area

Planning policy

Southwark Plan 2007 (July)

- 26 Saved policy 3.2 'Protection of amenity'
 Saved policy 3.12 'Quality in design'
 Saved policy 3.13 'Urban design'
 Saved policy 3.16 'Conservation areas'
- 27 Dulwich Village Conservation Area Appraisal (2006)
 Residential Design Standards Supplementary Planning Document (2008)
 Draft Residential Design Standards Supplementary Planning Document (April 2011)

Core Strategy

- 26 Strategic policy 12 'Design and Conservation'
 Strategic Policy 13 - High Environmental Standards

Principle of development

- 28 There is no objection to the principle of erecting a rear extension to this residential property.

Environmental impact assessment

29 Not required.

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

30 Policy 3.2 seeks to ensure development would not harm the standard of amenity for occupiers nearby.

31 Daylight and sunlight

Occupiers at 19 Gilkes Crescent were concerned that the development would result in the loss of light to their property. These concerns were supported by occupiers at No. 14.

32 By virtue of the distance of separation between the development and windows at No. 19, the scheme would meet the council's design standards and those of the British Research Establishment (BRE) with regard to daylight and sunlight. Although the development may create some slight overshadowing in the late afternoon, that impact would be acceptable and in accordance with adopted and recognised professional standards. There is therefore no objection in terms of the schemes impact on daylight and sunlight as there would be no reasonable basis on which to warrant the refusal of planning permission in this regard.

33 No impacts are anticipated to occupiers at No 23 as the development would be built along the boundary wall where there is a large existing garage.

34 Visual amenity

Visual amenity is covered in detail under the 'design' section of this report.

35 Privacy

Neighbours at 14 and 19 were concerned that a rear platform would create potential privacy issues. The applicant has overcome this concern by removing reference to a platform in revised plans. Notwithstanding this, the extension is single storey and not anticipated to create privacy issues for occupiers on any of its adjoining boundaries.

36 Based on this analysis the development would not create amenity problems and complies with saved policy 3.2.

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

37 None identified.

Traffic issues

38 None identified.

Design issues

39 Saved policies 3.12 and 3.13 require development to have a high standard of architectural design and to relate well to nearby buildings and dwellings.

40 Concerns were raised that the scale of the extension was too large compared to the existing house and that the development lacked detailed decorative detailing like that on similar extensions in the area.

- 41 The scheme would match the scale of an extension at 19 Gilkes Crescent and balance this pair of semi-detached houses at rear ground floor level. Detailed decorative features were not observed on nearby extensions although it is accepted they have the potential to add character. The materials proposed would match the host dwelling, appear subservient and would not create adverse amenity impacts. For these reasons the scheme would comply with adopted residential design guidance and saved policies of the Southwark Plan and of a standard that would be acceptable.

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

- 42 Policy 3.16 Conservation areas requires development to preserve the character and appearance of the conservation area. The proposal has made an acceptable response with regard to its scale, fenestration and materials in its immediate context. In this regard the development would preserve the character and appearance of this part of the Dulwich Village conservation area.
- 43 Policy HE7.2 of PPS5 requires local planning authorities to take into account the nature of the significance of a heritage asset and the value that it holds for this and future generations. As the site is in Dulwich Village conservation area regard has been given to the adopted Conservation Area Appraisal
- 44 The appraisal document makes no particular reference to the character of dwellings along Gilkes Crescent, or the character of extensions to the rear. The addition would not be visible from the street and in terms of its general design would relate well to the dwelling and its surroundings. For this reason the proposal would preserve the character and appearance of the conservation area and comply with policy HE7.2 of PP5, the Dulwich Village Conservation Area Appraisal and saved policy 3.16.

Impact on trees

- 45 None. No trees would be affected.

Planning obligations (S.106 undertaking or agreement)

- 46 Not required for this development.

Sustainable development implications

- 47 None arising.

Other matters

- 48 None.

Conclusion on planning issues

- 49 The scheme would comply with relevant policies in the development plan. For this reason it is recommended that the application be approved.

Community impact statement

- 50 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.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

- 52 3 letters of objection received. Main concerns were the impact of the scheme on daylight, sunlight and the character and appearance of the conservation area.

Human rights implications

- 53 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.
- 54 This application has the legitimate aim of providing additional residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 55 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2301-21 Application file: 11-AP-1040 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 5461 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	Daniel Davies, Planning Officer	
Version	Final	
Dated	19 August 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 Leisure	No	No
Date final report sent to Community Council Team		26 August 2011

APPENDIX 1**Consultation undertaken**

Site notice date: 05/05/2011

Press notice date: 14/07/2011

Case officer site visit date: 05/05/2011

Neighbour consultation letters sent: 30/04/2011

Internal services consulted:

None.

Statutory and non-statutory organisations consulted:

Conservation Area Advisory Group.

Neighbours and local groups consulted: None.

Re-consultation: Not required.

APPENDIX 2**Consultation responses received****Internal services**

None received.

Statutory and non-statutory organisationsConservation Area Advisory Group

A proposal to enlarge a nice late Arts and Crafts house built circa 1925. The design proposed here is not very sympathetic. The proposed kitchen extension seems too large for the scale of the existing house as does the proposed new dormers to the roof. The designer need to look more carefully at the distinctive proportional character of the Arts and Crafts scene on the handsome Gilkes Crescent. Typically narrower and taller proportions used in contrast to the more spreading proportions shown on this proposal. There is a lovely range of subtle decorative details in this and the surrounding houses, on this street, typically in brick and clay tile. The applicant might consider adding subtle, well-observed detailing to the exposed extension instead of the typically lazy 'white render' external finish.

Neighbours and local groups14 Gilkes Crescent:

The main concerns were that:

- 1) The dormers would be too wide; and
- 2) That the windows would be out of proportion to the space on the roof

19 Gilkes Crescent:

The main concerns were that:

- 2) The development would result in a significant loss of amenity to adjacent properties by way of the raised platform to the rear, in particular by way of overlooking.

Comments were received from:23 Gilkes Crescent

That drawing 131-12 does not show the garage on the land of 23 Gilkes Crescent correctly nor the driveway in front of No. 21.

That the dwelling appears further forward in relation to the garage extension that it does in reality.

That part of the site, as drawn, appears to cut across the front garden at No. 23.

RECOMMENDATION

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

Applicant	Mr B Cook	Reg. Number	11-AP-1040
Application Type	Full Planning Permission	Case Number	TP/2301-21
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Proposed ground floor front and rear extensions and associated works including a raised platform to the rear (Use class C3).

At: 21 GILKES CRESCENT, LONDON, SE21 7BP

In accordance with application received on 01/04/2011 08:00:35

and Applicant's Drawing Nos. 191-01 rev B, 191-03 rev B, 191-04 rev B, 191-06 rev D, 191-07 rev E, 191-08 rev E, 191-09 rev B, 191-10 rev A, 191-11 rev A (Site plan), 191-12 rev A, Design and Access Statement.

Reasons for granting planning permission.

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

- a] Strategic Policy 12 - Design and Conservation which requires the highest possible standards of design for buildings and public spaces and Strategic Policy 13 - High Environmental Standards which requires developments to meet the highest possible environmental standards of the Core Strategy 2011.
- b] Saved Policies 3.2 (Protection of amenity) which advises that permission will not be granted where it would cause a loss of amenity); 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design, 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments and 3.16 (Conservation Areas) states that there will be a general presumption in favour of retaining buildings that contribute positively to the character and appearance of the conservation area and notes that consent will be granted for schemes in conservation areas provided that they meet specified criteria in relation to conservation area appraisals and other guidance, design and materials, of the Southwark Plan (July 2007).
- c] Residential Design Standards SPD (2008).
- d] Dulwich Village Conservation Area Appraisal (2006)
- e] Planning Policy Statement 5 - Planning for the historic environment

Particular regard was had to the design of the scheme, its impact on the character and appearance of the dwelling and surrounding conservation area and its impacts on the amenity of the adjoining properties. It was considered that the scheme would not have any impacts that would be such that they would warrant refusal and accordingly, planning permission was granted, subject to conditions, as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

Subject to the following condition:

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

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 191-06 rev D, 191-07 rev E, 191-08 rev E, 191-09 rev B, 191-10 rev A, 191-12 rev A.

Reason:

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

- 3 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Strategic Policy 12 - Design and Conservation, Strategic Policy 13 - High Environmental Standards of The (Draft) Core Strategy 2011 and Saved Policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.16 'Conservation areas' of the Southwark Plan (2007).

—

60 DULWICH VILLAGE, LONDON, SE21 7AJ

Ordnance Survey

Date 24/8/2011



Item No. 6.2	Classification: Open	Date: 8 September 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-3756 for: Listed Building Consent Address: 60 DULWICH VILLAGE, LONDON, SE21 7AJ Proposal: Demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation; internal alterations.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		

RECOMMENDATION

- 1 Grant listed building consent.

BACKGROUND INFORMATION

- 2 This item is before Dulwich Community Council due to the number of letters of objection received to the scheme.

Site location and description

- 3 The existing Grade II listed building forms part of a pair of the semi detached houses with no.62. The dwelling is a modest mid-18th century house with an entrance and central stair case and two rooms in the lower ground, ground and first floor and within the original mansard roof.
- 4 Both houses at no 60 and 62 have had extensions over the last 250 years including two storey canted bay to the front elevation (19th century), two storey side extensions (19th century), ground floor side extensions (20th century) and basement rear extensions (20th century). These extensions have, on the whole, retained a sense of the original proportions and relate to the original scale of the architecture and the rooms.
- 5 The application site retains its substantial garden which extends to Boxall Road. The application site lies within the Dulwich Village Conservation Area

Details of proposal

- 6 Planning and listed building consent are sought to demolish the existing single storey rear kitchen extension and the raised 70's extension that sits alongside the front of the building and construction of a full width extension on the lower ground level of the property and rebuilding and extension of the existing upper ground/first floor extension. The extensions would be a very modern design and would measure as follows;

- 7 Ground floor
width 11.2m
length 3.7m from the rear most wall 7.4m deep from undercroft area
height single storey element 3.1m
- 8 First floor
width 4.8m
length 7.9m
height 4.1m to the front, increasing with the fall of the land at the rear to 5.9m
- 9 A roof terrace is proposed across part of the single storey roof, this has been reduced from the original submission and would be partially planted to provide a terrace area of approximately 14sqm, which would be approximately the same size as the existing extension, albeit a different shape.
- Planning history**
- 10 2/05/1978 Planning permission and listed building consent were granted for the erection of a first floor extension.
- 11 10-AP-0743 Permission granted for the removal and replacement of a Copper Beech tree in the front garden. (21/07/10).
- 12 10-AP-2238 and 10-AP-2239 Planning and listed building consent for the demolition of late 20th century additions and construction of a new extension on lower ground, ground and first floors to the side to provide additional residential accommodation. These applications were withdrawn on 18/08/2010.

Planning history of adjoining sites

62 Dulwich Village

- 13 December 1995 planning permission and listed building consent granted for alterations to the existing ground floor extension including a new bay window and 1 metre high balustrade to roof garden.
- 14 May 2006 Listed building consent granted for the opening up of a chimney breast in lower ground floor kitchen.
- 15 29/10/2009 Planning and listed building consent granted for alterations and replacing windows.

54 Dulwich Village

- 16 9701104 Erection of a single storey ground floor kitchen /dining extension to the rear of the property and ground floor infill extension.
- 17 98000590 Single storey ground floor kitchen / dining extension and single storey hall and infill extension.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 18 The main issues to be considered in respect of this application are:
- a) the impact of the proposed extension upon the existing listed building.

Planning policy

Core Strategy 2011

- 19 Strategic Policy 12 Design and conservation

Southwark Plan 2007 (July) - saved policies

- 20 3.17 Listed buildings

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

- 21 PPS 5 Planning and the historic environment

Principle of development

- 22 There are no objections in principle to works to a listed building subject to compliance with local and central government guidance.

Environmental impact assessment

- 23 Not required. No significant environmental impacts would arise.

Design issues

- 24 There are no objections in listed building terms to the demolition of the existing non original extensions.

Where the extension to a listed building is being considered, particular consideration is given to the scale and height of the proposal and national guidelines suggest that extensions and alterations should remain subservient and complementary to the heritage asset. In this case, the existing listed building extends to four floors including the lower ground floor and the mansard roof accommodation. Further, the substantial size of the site suggests that it can accommodate a sensitively designed extension.

- 25 The proposed development is arranged in two parts. The first is an extension to the lower ground floor that wraps itself around the north and east flanks of the existing building and largely is invisible when viewed from the street due to the slope across the site. This part of the scheme has been designed to echo the dimensions and proportions of the existing reception room of the listed building and includes the removal of an unsympathetic later addition on the boundary with No 62. Here the proposal has been designed as a lightweight glazed construction which will open up views through to the back wall of the existing listed building. In this scheme glass has been used as a device to separate the old from the new and where the roof of new extension meets the existing building, glass is used to connect the two and will allow light to wash across the existing historic building. The quality of the design will rely entirely on the choice of glass and this should be conditioned to ensure that it is not excessively reflective and allows clear and unencumbered views of the listed building. Glass technology is such that a non-reflective clear glass can and should be possible to use on this part of the design.
- 26 The second part of the scheme is an upper ground floor side extension that forms a new sitting room in the area of the existing extension and extends approximately 2m further into the garden but not to the rear edge of the lower ground floor extension below. This set-back at the upper floor of the extension is significant because it separates the upper part of the scheme from the lower ground floor and reduces its

dominance. This part of the scheme continues the theme of glass connecting the old to the new but takes on a more appropriate brick-faced construction on the more prominent north and east faces that are visible from the street. Here the scheme continues the theme of the pair of listed buildings with a confident but elegant extension at upper ground level that enhances the listed building through its marked contrast and takes on a design that suggests the qualities of a brick-built garden wall. The detailed design of this wall and its relationship to the listed building will be crucial to the quality of the design and should therefore be conditioned to ensure that the brick reveals at the windows are suitably deep, the angled faces of the brickwork are crisply executed, and the glass connections to the existing building are designed to preserve the architectural features of the original building.

- 27 The most significant change between the existing building and the proposed scheme is the inclusion of a high roof terrace over the lower ground floor extension that creates an external link between the sitting room to the music room. This is not a new feature to this listed building or indeed the pair of listed buildings. The existing building already has a terrace over the existing kitchen immediately adjacent to that at No 62. The proportions of the proposed lower ground floor extension result in an extension that is set-back 0.5m from the existing adjacent roof terrace. Further, the feature glass return on the roof means that the edge of the terrace is set back a further 750mm from the rear face of the proposed extension, in a further reduction of terrace there is the inclusion of a sedum roof 1 metre in depth. Therefore, the arrangement is such that the new terrace is set-back at least 2m from the rear face of the existing terrace.

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

- 28 Saved policy 3.17 states that development proposals involving a listed building should preserve the building and its features of special architectural or historic interest. Further that planning permission for proposals which involve an alteration or extension to a listed building will only be permitted where:
- i. There is no loss of important historic fabric; and
 - ii. The development is not detrimental to the special architectural or historic interest of the building; and
 - iii. The development relates sensitively and respects the period, style, detailing and context of the listed building or later alterations of architectural or historic interest; and
 - iv. Existing detailing and important later additional features of the building are preserved, repaired or, if missing, replaced.
- 29 The proposal meets all these requirements. The extension interfaces with the original listed building in a delicate and appropriate manner and preserves all its features of historic and architectural significance. The extension echoes the plan form of the original building in its proportions and its geometry and in that way it compliments this nationally important building. The rooms that are affected internally retain their original integrity and this extension offers the optimal use to this building.
- 30 The aesthetic of this proposal compliments this listed building in an appropriate manner. Glass is used sensitively to the rear of the property, preserving the significance of the original Georgian property by deliberately separating the new from the old. The glazed facade offers clear views through to the original building and the connection to the original building enhances its features by allowing the sunlight to bathe its principle features. In this way the contrast of styles and materials is not harmful but enhances the historical significance of the original building.
- 31 The proposal involves the modest internal re-organisation of this listed property. This is mainly on the lower ground floor where new partitions will be used to create a new toilet beneath the main entrance and to divide the rear-facing room to create a

separate TV room and utility room. Whilst such a division of a single room would not normally be considered appropriate, it appears to reinstate the plan form of the original dwelling and echoes the original arrangement of spaces at the lower ground floor. In this respect the proposal does not involve the loss of historic features of the heritage asset but will alter its setting in a nominal and fitting manner. Such a modest change can only be described as less than substantial harm to the heritage asset as set out in PPS5 - Planning for the Historic Environment

- 32 Policy HE 9.4 of PPS5 states that : *“Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:*

(i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and

(ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.”

- 33 This proposal will result in a marked improvement of this fine Georgian property. It complements the historic building and its pair appropriately. It does not involve the loss of any features of significance. Indeed the scheme enhances to appreciation of this heritage asset. In this way it improves the use and enjoyment of this property that should not only give this building a longer lease on life but embed a more appropriate use in the internal arrangement.

The Core Strategy, at Strategic Policy 12, also seeks the conservation and protection of historic and natural places. Development is expected to preserve or enhance the historic environment. It is considered that this proposal is compliant with this policy.

Conclusion on planning issues

- 34 Planning and listed building consent are sought for the extension of the existing Georgian house. The extensions due to their size and design have attracted considerable opinion from residents in Dulwich both in opposition and support. It is acknowledged that the proposed extensions are fairly large, but it is not considered that they would be harmful in terms of overlooking, privacy, loss of light or overshadowing. The issue is then around the design, materials and impacts of the extension to the existing listed building and to the Dulwich Village Conservation Area, this has been duly considered by officers and it is felt that extending the property in the form presented would be both sensitive and considered, and would not compromise the character or setting of the listed building or conservation area.
- 35 It is acknowledged that there are varying opinions on this matter, but taking account of all of the views expressed, officers are minded to recommend approval to the granting of both planning and listed building consent.

Community impact statement

- 36 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 above.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 39 Impact to the listed building through insensitive alterations
Feel the changes will be an improvement

Human rights implications

- 40 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.
- 41 This application has the legitimate aim of providing an extension to a listed building. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-60 Application file: 10-AP-3756 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 5434 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	Sonia Watson, Senior Planning Officer	
Version	Final	
Dated	23 August 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	n/a	
Strategic Director of Regeneration and Neighbourhoods	n/a	
Strategic Director of Environment and Leisure	n/a	
Date final report sent to the Community Council Team	26 August 2011	

APPENDIX 1**Consultation undertaken**

Site notice date: 14/01/2011

Press notice date: 13/01/2011

Case officer site visit date: 3/3/2011 application site
8/3/2011, adjoining property 62 Dulwich Village, 12/5/2011 adjoining property 54
Dulwich Village

Neighbour consultation letters sent:

17/01/2011

Internal services consulted:

Conservation and design officer

Statutory and non-statutory organisations consulted:

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

Neighbours and local groups consulted:

refer to planning report

Dulwich Society

APPENDIX 2**Consultation responses received****Internal services**

Design and conservation comments within the officer report.

Statutory and non-statutory organisations

The Georgian Society - Following a full review and site visit of 4.2.2011. The Group has no objections, the proposals will not be damaging to the historic significance /character of the building or the conservation area.

The Council for British Archaeology - The Committee has considered an application for this site before and objected to the proposed design. This new proposal was more modest in terms of listed building and in terms of replacing the Elsom Pack and Roberts extension. The Committee therefore had no objections subject to conditions.

Neighbours and local groups

6 Woodyard Lane - Objects, the proposed development devalues what the previous extensions achieved and lacks any architectural sensitivity in terms of design, scale and use of materials. Amenity impacts to neighbours through light pollution.

66 East Dulwich Grove - Supports the application, extension will improve the view from the street.

Other comments as received as listed within the planning application reference 10/AP/3755

RECOMMENDATION

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

Applicant	Mr & Mrs Noton	Reg. Number	10-AP-3756
Application Type	Listed Building Consent	Case Number	TP/2292-60
Recommendation	Grant permission		

Draft of Decision Notice

Listed Building CONSENT was given to carry out the following works:

Demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation; internal alterations.

At: 60 DULWICH VILLAGE, LONDON, SE21 7AJ

In accordance with application received on 23/12/2010

and Applicant's Drawing Nos. 100 Rev 00, 200 rev 0, 201 rev 00, 202 rev 1ST, 204 rev 0, 209 rev 1ST, 210 rev 11, 211 rev 10, 212 06, 212 rev 07, 300 rev 1ST, 301 rev 1ST, 302 rev 1ST, 310 rev 09, 311 rev 07, 312 rev 08, 313 rev 08; 314 rev 08; 410 rev 03
Design and Access Statement
photosheet 900
illustration

Reasons for granting listed building consent.

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

Saved Southwark Plan 2007

a] Policies 3.15 (Conservation of the Historic Environment) requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Policy 3.17 (Listed buildings) which seeks that development proposals involving a listed building should preserve the listed building and its features of special architectural or historic interest.

Core Strategy 2011

b] Policies Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces and conservation of heritage assets.

c] Planning Policy Statements [PPS] and Guidance Notes [PPG] PPS5 Planning and the historic environment.

Particular regard was had to:

- objections to the impact upon the listed building including the loss of historic fabric and alteration to historic layout, where it was considered that the proposed development would preserve the listed building.

Subject to the following condition:

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

Reason:

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

- 2 Prior to commencement of works on site, a Method Statement(s) and Schedule of Works shall be submitted to the Local Planning Authority for approval in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

- Demolition of internal partitions
- Support, protection and repair of existing supporting walls and foundations

Reason:

In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of

the listed building in accordance with PPS5, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.17 Listed Buildings of The Southwark Plan 2007.

- 3 Prior to the commencement of works on site, the following sections and detailed drawings at a scale of 1:5/10 to be used in the carrying out of this permission shall be submitted to 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.

- the facades;
- parapets;
- roof edges;
- junctions with the existing building; and
- heads, cills and jambs of all openings,

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with policy SP12 Design & Conservation of the Core Strategy and saved policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan (UDP) July 2007.

- 4 1:20 or 1:10 Scale details of the new plumbing installation in the lower ground floor to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority and work shall then be carried out in accordance with the details approved. All repairs to rainwater goods and new pipework runs to be in cast iron and to match existing historic profiles and details. No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building unless approved by the Local Planning Authority in writing before commencement of the works on site.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with policy SP12 Design & Conservation of the Core Strategy and saved policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan (UDP) July 2007.

60 DULWICH VILLAGE, LONDON, SE21 7AJ

Ordnance Survey

Date 24/8/2011



Agenda Item 6.3

Item No. 6.3	Classification: Open	Date: 8 September 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-3755 for: Full Planning Permission Address: 60 DULWICH VILLAGE, LONDON, SE21 7AJ Proposal: Demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		

RECOMMENDATION

- 1 Grant planning permission.

BACKGROUND INFORMATION

- 2 This item is before Dulwich Community Council due to the number of letters of objection received.

Site location and description

- 3 The existing Grade II listed building forms part of a pair of the semi detached houses with no.62. The dwelling is a modest mid-18th century house with an entrance and central stair case and two rooms in the lower ground, ground and first floor and within the original mansard roof.
- 4 Both houses at no 60 and 62 have had extensions over the last 250 years including two storey canted bay to the front elevation (19th century), two storey side extensions (19th century), ground floor side extensions (20th century) and basement rear extensions (20th century). These extensions have, on the whole, retained a sense of the original proportions and relate to the original scale of the architecture and the rooms.
- 5 The application site retains its substantial garden which extends to Boxall Road. The application site lies within the Dulwich Village Conservation Area

Details of proposal

- 6 Planning permission and listed building consent are sought to demolish the existing single storey rear kitchen extension and the raised 70's extension that sits alongside the front of the building and construction of a full width extension on the ground level of the property and rebuilding and extension of the existing upper ground/first floor extension. The extensions would be a very modern design and would measure as follows;

- 7 Ground floor
width 11.2m
length 3.7m from the rear most wall 7.4m deep from undercroft area
height single storey element 3.1m
- 8 First floor
width 4.8m
length 7.9m
height 4.1m to the front, increasing with the fall of the land at the rear to 5.9m
- 9 A roof terrace is proposed across part of the single storey roof. This has been reduced from the original submission and would be partially planted to provide a terrace area of approximately 14sqm, which would be approximately the same size as the existing terrace, albeit of a different shape.

Planning history

- 10 2/05/1978 Planning permission and listed building consent were granted for the erection of a first floor extension.
- 11 10-AP-0743 Permission granted for the removal and replacement of a Copper Beech tree in the front garden. (21/07/10).
- 12 10-AP-2238 and 10-AP-2239 Planning and listed building consent for the demolition of late 20th century additions and construction of a new extension on lower ground, ground and first floors to the side to provide additional residential accommodation. These applications were withdrawn on 18/08/2010.

Planning history of adjoining sites

62 Dulwich Village

- 13 December 1995 planning permission and listed building consent granted for alterations to the existing ground floor extension including a new bay window and 1 metre high balustrade to roof garden.
- 14 May 2006 Listed building consent granted for the opening up of a chimney breast in lower ground floor kitchen.
- 15 29/10/2009 Planning and listed building consent granted for alterations and replacing windows.

54 Dulwich Village

- 16 9701104 Erection of a single storey ground floor kitchen /dining extension to the rear of the property and ground floor infill extension.
- 17 98000590 Single storey ground floor kitchen / dining extension and single storey hall and infill extension.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 18 The main issues to be considered in respect of this application are:
- a) the impact of the proposal upon the residential amenity of adjoining neighbours

b) the impact of the proposed extension upon the existing listed building and wider setting of the Dulwich Village Conservation Area

Planning policy

Core Strategy 2011

- 19 Strategic Policy 12 Design and conservation
Strategic Policy 13 High environmental standards

Southwark Plan 2007 (July) - saved policies

- 20 3.2 Protection of amenity
3.12 Quality of design
3.13 Urban design
3.15 Conservation of the historic environment
3.16 Conservation areas
3.17 Listed buildings
- 21 Dulwich Village Conservation Area Appraisal

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

- 22 PPS5 Planning and the historic environment

Principle of development

- 23 There are no land use objections to extending residential dwellings.

Environmental impact assessment

- 24 Not required for an application of this type. No significant environmental impacts would arise.

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

- 25 The main impacts are to the properties sharing a boundary with the application site.
- 26 62 Dulwich Village
This house forms part of a pair with no. 60, although both houses sit on different shaped plots. No. 62 has a similar upper ground/first floor extension with an open undercroft area underneath. This extension is wider than the existing extension at no. 60 and its appearance to the front is as a brick facade, but to the rear it contains large expanses of glazing. This dwelling also benefits from a single storey extension at ground level with a roof terrace above.
- 27 The proposed single storey element of the rear extension at lower ground floor level would be set 1.5m back from the rear of the existing extension at no. 62. The ground floor extension has a large footprint but would not result in any loss of amenity through light, privacy or outlook to this dwelling.
- 28 Concern has been raised about noise from the terrace. The proposed new roof terrace has been reduced from the original submission to address some of the concerns raised by neighbours about loss of privacy and overlooking. Whilst the terrace would be wider, (following the full width of the single storey element), it would

fairly shallow extending to a depth of 2 metres with a width of 6.8m. It is considered that given its limited size it is unlikely to give rise to unneighbourly levels of noise nuisance. The proposal would maintain the existing party wall between the existing terrace at no. 62 and the proposed terrace for no. 60. This wall is heavily vegetated with ivy and provides adequate screening between the two areas.

- 29 The upper part of the extension would be set some distance from the boundary with no. 62, and it would be visible to the occupants of no. 62 from their garden and from the upper level windows of their property. Given the distance it is not envisaged that this element of the proposal would result in a loss of light, outlook or overshadowing. Concern has been raised about the potential for light pollution from the glazed areas to the side and rear. Whilst there are expanses of glass, it is not considered that the light from a domestic dwelling would result in a level of harm to the neighbour to such that would warrant refusal of the application.
- 30 **64 Dulwich Village**
This house lies within what would have been part of the gardens of no. 62 Dulwich Village. The house was designed to have its main outlook onto Boxall Road and to the rear of nos 70 -78 (even) Dulwich Village, as such there is only one window looking onto the garden of no. 60, with no direct overlooking to the rear of the house. It is therefore not considered that there would be any physical impacts to this dwelling such that would give rise to any significant amenity concerns.
- 31 **54 Dulwich Village**
This house lies on the northern boundary of the application site and is a modern property, which has been extended to both the front and rear. The lower level extension due to its location would not be seen from this property as it is set well back from the rear of the ground floor to this dwelling and separated by the high boundary walls.
- 32 The roof terrace would not result in any increase in views when compared with the existing roof terrace, due to its set back from the edge of the ground floor and location behind the upper ground floor/first floor extension.
- 33 The upper part of the extension would be constructed in brick on the flank elevation with glazing to the rear. The extension would be further forward (approx. 3m) when compared with the upper parts of no. 54, but would not be as high as the first floor level of this property, (approx. 1.5m lower) and would be located 2.6 metres off the boundary. In terms of physical impacts of loss of light and overshadowing there would be no detrimental harm such that would justify refusing the scheme. The rear elevation of the upper floor part of the extension would consist of full height glazing, which could be seen as giving rise to a loss of privacy, however at this level the window serves a staircase, limiting opportunities for overlooking.
- 34 Concern has been raised about the potential for light pollution from the glazed areas to the side and rear. Whilst these areas do include expanses of glass, it is not considered that the light from a domestic dwelling would result in a level of harm to this property such that would warrant refusal of the application.
- Boxall Road**
- 35 Whilst not directly adjoining the site some of the houses to the north west of this road do have views through to the rear of no. 60 Dulwich Village. These houses are some 50+ metres away from the rear of the house, and whilst there may be views from the upper parts of the houses on this road it is not considered that there would be any detriment to the amenity for residents within these properties.

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

- 36 The proposed residential use is unchanged and is unlikely to affect the residential uses within the immediate vicinity.

Traffic issues

- 37 There are no traffic issues raised as a consequence of the proposal.

Design issues

- 38 There are no design, listed building or conservation area issues with the demolition of the existing non original extensions.

Where the extension of a listed building is being considered, particular consideration is given to the scale and height of the proposal and national guidelines suggest that extensions and alterations should remain subservient and complementary to the heritage asset. In this case, the existing listed building extends to four floors including the lower ground floor and the mansard roof accommodation. Further, the substantial size of the site suggests that it can accommodate a sensitively designed extension.

- 39 The proposed development is arranged in two parts. The first is an extension to the lower ground floor that wraps itself around the north and east flanks of the existing building and is largely invisible when viewed from the street, due to the slope across the site. This part of the scheme has been designed to echo the dimensions and proportions of the existing reception room of the listed building and includes the removal of an unsympathetic later addition on the boundary with No 62. Here the proposal has been designed as a lightweight glazed construction which will open up views through to the back wall existing listed building. In this scheme glass has been used as a device to separate the old from the new and where the roof of the new extension meets the existing building, glass is used to connect the two and will allow light to wash across the existing historic building. The quality of the design will rely entirely on the choice of glass and this should be conditioned to ensure that it is not excessively reflective and allows clear and unencumbered views of the listed building. Glass technology is such that a non-reflective clear glass can and should be possible to use on this part of the design.
- 40 The second part of the scheme is upper ground floor side extension that forms a new sitting room in the area of the existing extension and extends approximately 2m further into the garden but not to the rear edge of the lower ground floor extension below. This set-back at the upper floor of the extension is significant because it separates the upper part of the scheme from the lower ground floor and reduces its dominance. This part of the scheme continues the theme of glass connecting the old to the new but takes on a more appropriate brick-faced construction on the more prominent north and east faces that are visible from the street. Here the scheme continues the theme of the pair of listed buildings with a confident but elegant extension at upper ground level that enhances the listed building through its marked contrast and takes on a design that has the qualities of a brick-built garden wall. The detailed design of this wall and its relationship to the listed building will be crucial to the quality of the design and should therefore be conditioned to ensure that the brick reveals at the windows are suitably deep, the angled faces of the brickwork are crisply executed, and the glass connections to the existing building are designed to preserve the architectural features of the original building.
- 41 The most significant change between the existing building and the proposed scheme is the inclusion of a high roof terrace over the lower ground floor extension that

creates an external link between the sitting room to the music room. This is not a new feature to this listed building or indeed the pair of listed buildings. The existing building already has a terrace over the existing kitchen immediately adjacent to that at No 62. The proportions of the proposed lower ground floor extension result in an extension that is set-back 0.5m from the existing adjacent roof terrace. Further, the feature glass return on the roof means that the edge of the terrace is set back a further 750mm from the rear face of the proposed extension, in a further reduction of terrace there is the inclusion of a sedum roof 1 metre in depth. Therefore, the arrangement is such that the new terrace is set-back at least 2m from the rear face of the existing terrace.

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

- 42 Saved policy 3.16 states that within conservation areas, development should preserve or enhance the character or appearance of the area. New development, including alterations and extensions should:
- i. Respect the context of the conservation area, having regard to the content of Conservation Area Appraisals and other adopted Supplementary Planning Guidance / Documents; and
 - ii. Use high quality materials that complement and enhance the conservation area; and
 - iii. Do not involve the loss of existing traditional features of interest which make a positive contribution to the character or appearance of the Conservation Area; and
 - iv. Do not introduce design details or features that are out of character with the area, such as the use of windows and doors made of aluminium, uPVC or other non-traditional materials.
- 43 The proposed scheme is set to the rear of the property and preserves the existing appearance of the conservation area from the street. It replaces an unsympathetic side extension with a new extension that does not exceed the scale and height of the original when viewed from the public highway.
- 44 The proposal employs traditional materials on the most visible north and east faces and more modern materials to the rear where large areas of glass and metal are used at the lower ground floor. Whilst these are not traditional materials, they are used to enhance the connection between the existing building and its substantial garden and preserve and enhance views of the rear of the property where it can be viewed in its private setting.
- 45 The proposed extension, divided as it is into two parts, is appropriate both in scale and materials in the most prominent approaches and views and will preserve and enhance the character and appearance of the Dulwich Village Conservation Area due its appropriate use of materials and features in this sensitive historic context.
- 46 Saved policy 3.17 states that development proposals involving a listed building should preserve the building and its features of special architectural or historic interest. Further that planning permission for proposals which involve an alteration or extension to a listed building will only be permitted where:
- i. There is no loss of important historic fabric; and
 - ii. The development is not detrimental to the special architectural or historic interest of the building; and
 - iii. The development relates sensitively and respects the period, style, detailing and context of the listed building or later alterations of architectural or historic interest; and
 - iv. Existing detailing and important later additional features of the building are preserved, repaired or, if missing, replaced.

- 47 The proposal meets all these requirements. The extension interfaces with the original listed building in a delicate and appropriate manner and preserves all its features of historic and architectural significance. The extension echoes the plan form of the original building in its proportions and its geometry and in that way it complements this nationally important building. The rooms that are affected internally retain their original integrity and this extension offers the optimal use to this building.
- 48 The aesthetic of this proposal complements this listed building in an appropriate manner. Glass is used sensitively to the rear of the property, preserving the significance of the original Georgian property by deliberately separating the new from the old. The glazed facade offers clear views through to the original building and connects to the original building, enhancing its appearance by allowing the sunlight to bathe its principle features. In this way the contrast of styles and materials is not harmful but enhances the historical significance of the original building.
- 49 The proposal involves the modest internal re-organisation of this listed property. This is mainly on the lower ground floor where new partitions will be used to create a new toilet beneath the main entrance and to divide the rear-facing room to create a separate TV room and utility room. Whilst such a division of a single room would not normally be considered appropriate, it appears to reinstate the plan form of the original dwelling and echoes the original arrangement of spaces at the lower ground floor. In this respect the proposal does not involve the loss of historic features of the heritage asset but will alter its setting in a nominal and fitting manner. Such a modest change can only be described as less than substantial harm to the heritage asset as set out in PPS5 - Planning for the Historic Environment
- 50 Policy HE 9.4 of PPS5 states that : *“Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:*
- (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and*
- (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.”*
- 51 This proposal will result in a marked improvement of this fine Georgian property. It complements the historic building and its pair appropriately. It does not involve the loss of any features of significance. It is considered that the scheme enhances to appreciation of this heritage asset. In this way it improves the use and enjoyment of this property that should not only give this building a longer lease on life but embed a more appropriate use in the internal arrangement.

The Core Strategy, at Strategic Policy 12, also seeks the conservation and protection of historic and natural places. Development is expected to preserve or enhance the historic environment. It is considered that this proposal is compliant with this policy.

Impact on trees

- 52 The proposed application would result in the loss of Fir tree, close to the front of the property. A Copper Beach was felled last year and has yet to be replaced. It is acknowledged that the fir tree is not in good health as its growth has been suppressed by other trees on the site. A condition is therefore recommended that at least two trees are planted in the front of the property and a further condition is recommended to ensure that nearby trees are protected during the course of construction.

Planning obligations (S.106 undertaking or agreement)

- 53 The scheme is not of a size or type that would require mitigation by way of financial contributions.

Conclusion on planning issues

- 54 Planning and listed building consent are sought for the extension of the existing Georgian house. The extensions, due to their size and design, have attracted considerable opinion from residents in Dulwich, both in opposition and support. It is acknowledged that the proposed extensions are fairly large, but it is not considered that they would be harmful in terms of overlooking, privacy, loss of light or overshadowing. The issue is then around the design, materials and impacts of the extension to the listed building and to the Dulwich Village Conservation Area. This has been duly considered by officers and it is considered that extending the property in the form presented would be both sensitive and respectful, and would not compromise the character or setting of the listed building or conservation area.
- 55 It is acknowledged that there are varying opinions on this matter, but taking account of all of the views expressed, officers are minded to recommend approval to the granting of both planning and listed building consent.

Community impact statement

- 56 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 above.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are included within the suggested conditions attached to the permission.

Consultations

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

Consultation replies

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

59 Summary of consultation responses

- Height, bulk and loss of plan form would cause demonstrable harm to the listed building.
- Design, scale, bulk and massing would harm the character and appearance of the conservation area.

- Significant loss of amenity to adjoining properties.
- Loss of trees
- Loss of view and open sky aspect
- Extensions would not be subservient to the main building
- Impact of light pollution from first floor extension onto no. 54 Dulwich Village
- Impact from use of roof terrace.

60 A number of letters have also been received in support of the proposed extension.

Human rights implications

61 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.

62 This application has the legitimate aim of providing a residential extension. 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

63 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-60 Application file: 10-AP-3755 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 5434 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	Sonia Watson, Senior Planning Officer	
Version	Final	
Dated	23 August 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	n/a	
Strategic Director of Regeneration and Neighbourhoods	n/a	
Strategic Director of Environment and Leisure	n/a	
Date final report sent to the Community Council Team	26 August 2011	

APPENDIX 1**Consultation undertaken****Site notice date:** 14/01/2011**Press notice date:** 13/01/2011**Case officer site visit dates:**

3 March 2011 -60 Dulwich Village

8 March 2011- 62 Dulwich Village

12 May 2011 - 54 Dulwich Village

Neighbour consultation letters sent: 17/01/2011**Internal services consulted:**

Urban Forester

Conservation and Design

Statutory and non-statutory organisations consulted:

N/A

Neighbours and local groups consulted:

76 DULWICH VILLAGE LONDON SE21 7AJ

74 DULWICH VILLAGE LONDON SE21 7AJ

59 DULWICH VILLAGE LONDON SE21 7BJ

57 DULWICH VILLAGE LONDON SE21 7BJ

62 DULWICH VILLAGE LONDON SE21 7AJ

54 DULWICH VILLAGE LONDON SE21 7AJ

72 DULWICH VILLAGE LONDON SE21 7AJ

64 DULWICH VILLAGE LONDON SE21 7AJ

61 DULWICH VILLAGE LONDON SE21 7BJ

70 DULWICH VILLAGE LONDON SE21 7AJ

78 DULWICH VILLAGE LONDON SE21 7AJ

FIRST FLOOR FLAT 266 TURNEY ROAD LONDON SE21 7JP

82 DULWICH VILLAGE LONDON SE21 7AJ

65 DULWICH VILLAGE LONDON SE21 7BJ

63 DULWICH VILLAGE LONDON SE21 7BJ

80 DULWICH VILLAGE LONDON SE21 7AJ

67 DULWICH VILLAGE LONDON SE21 7BJ

17 BOXALL ROAD LONDON SE21 7JS

15 BOXALL ROAD LONDON SE21 7JS

25 BOXALL ROAD LONDON SE21 7JS

23 BOXALL ROAD LONDON SE21 7JS

GROUND FLOOR 80 DULWICH VILLAGE LONDON SE21 7AJ

FIRST FLOOR 78 DULWICH VILLAGE LONDON SE21 7AJ

268 TURNEY ROAD LONDON SE21 7JP

27 BOXALL ROAD LONDON SE21 7JS

50 DULWICH VILLAGE LONDON SE21 7AJ

21C-21D BOXALL ROAD LONDON SE21 7JS
54 DULWICH VILLAGE LONDON SE21 7AJ
52 DULWICH VILLAGE LONDON SE21 7AJ
17A BOXALL ROAD LONDON SE21 7JS
15A BOXALL ROAD LONDON SE21 7JS
21B BOXALL ROAD LONDON SE21 7JS
21A BOXALL ROAD LONDON SE21 7JS
13A BOXALL ROAD LONDON SE21 7JS
25 Kingsthorpe Road London SE26 4PG
64 Dulwich Village London SE21 7AJ
97 Burbage Road London SE24 9HD
Via Email XXXX
Via Email XXXXX
50 Ashbourne Grove London SE22 8RL
118 Dulwich Village XXX
50 Beckwith Road London SE24 9LG
32 Gilkes Crescent Dulwich London SE21 7BS
127 Burbage Road Dulwich London SE21 7AF
40 Dulwich Village London SE21 7AL
79 Alleyn Road Dulwich London SE21 8AD
85 Holmdene Avenue London SE24 9LD
77 Barry Road East Dulwich London SE22 OHR
63 Wiverton Road Sydenham London SE26 5JB
14 Court Lane Dulwich London SE21 7DR
194 Lordship Lane Dulwich London SE22 8LE
194 Lordship Lane Dulwich London SE22 8LE
188 Upland Road Dulwich London SE22 ODH
74 Dovercourt Road Dulwich London SE22 8UW
55 Beauval Road Dulwich SE22 8UG
36 Alleyn Road Dulwich London SE21 8AL
127 Burbage Road Dulwich London SE21
127 Burbage Road Dulwich London SE21
115 Dulwich Village London SE21 7BJ
Gate House 1 St John's Square London EC1M 4DH

Dulwich Society

Re-consultation:

21/04/2011

APPENDIX 2**Consultation responses received****Internal services**

Conservation and design - Detailed comments contained within the officer report paras 38-51

Urban forester - no objections subject to conditions.

Statutory and non-statutory organisations

n/a

Neighbours and local groups

62 Dulwich Village - Objects. Loss of existing first floor extension which works as a pair with no. 62, filling in the space under the extension would not improve the views of passers by or sit well with the pair. The scale of the extension to the rear drowns out the Georgian character of the property. The roof terrace at first floor would be too close to living and bedroom windows and use of this space for parties or outdoor events will increase overlooking and erode privacy as well as create a noise nuisance. The proposal more than doubles the use of glass leading to light pollution, the type of glass is not specified but it will provide views from the street into a room rather than an open space. There would be a loss of balance between the two houses with the loss of the suspended first floor extension which were designed by the same architect. There is an objection to the removal of the brick wall that divides the terraces of the two properties and the removal of the tree to the front of the property. The proposal may result in structural damage. The provision of a music room on the shared boundary should only be permitted if sound insulation is provided on the shared party wall.

Revisions do not address issues of concern. The drawings are misleading and reference to lower ground and upper ground floor levels is inaccurate. The proposed extension will block light to no. 54. The terrace area is still too large and the proposal will overwhelm the original building. The loss of outlook, and privacy to neighbours is unacceptable. The development is not in accordance with Council policy and should be refused.

64 Dulwich Village - Objects. The house stands as a pair and the alterations proposed will destroy the similarity from the Village aspect. The expanse of glass to the rear at first floor would impact upon the amenity to our house and those on Boxall Road.

Although in glass the extension at 62 is not visible from Boxall Road or out property, the open nature of the application site will make more visible like a supermarket.

54 Dulwich Village - Objects to the extension on the grounds of its size , materials used, removal of a tree and impact upon amenity. The existing extension works in conjunction with the adjoining pair, infilling the space under the extension would disrupt the balance of the two houses, the roof terrace will be intrusive to the garden and living areas, the amount of glass used would cause light pollution. The proposed extension would result in the destruction of a large part of the listed building.

52 Dulwich Village - Objects overall plan and footprint is too large, almost doubling the footprint and is not in the spirit of what is an extension. Concern is raised around light spillage from the glass element to the rear.

The revisions go some way to overcoming concerns but do not alter the scale of extension to the house, which will dominate the area and the light spillage will still be an issue.

50 Dulwich Village - Objects. The symmetry between the pair of houses would be lost at the rear, the light spillage from the glass extension at the rear would be detrimental to the adjoining dwellings. There should be no more loss of trees.

SE21 7AG - Objects plans would demolish part of a listed building and replace it with a structure likely to impinge on the privacy, light and cause glare to surrounding neighbours. The proposal would also result in the loss of a tree

115 Dulwich Village - Objects to proposal due to impact on neighbours and loss of a tree.

15a Boxall Road - Objects to use of glass on Georgian building, view of extension from front bedroom and potential for light pollution.

50 Beckwith Road - Objects the proposal is insensitive to the building and is out of character with the area and the host house.

North House Dulwich Village - Objects, marginally better than first submission, but still too large and use of glass unneighbourly. Proposal is not suitable for the conservation area.

Written objection from Greer Pritchard on behalf of no. 62 Dulwich Village

Impact on the listed building

Consideration should be given to the dwelling as a pair which is how they appear in the Statutory List. The proposal will substantially increase the mass and bulk of the property and form an unsympathetic addition to the listed building. The loss of the Elsom modern extension cannot be justified with the replacement of something entirely unsuitable. The pair currently have views through and over the existing modern extensions to the side the proposed lower ground extension would increase the footprint and these views will be lost detrimental to the host building and to the adjoining house at no. 62.

Impact on the conservation area

The existing 20th century extensions have a light touch and this would be lost by the scale, massing and inappropriate materials proposed by the new additions. Any increase in plot size would cause demonstrable harm to the conservation area and listed buildings. At night light emitted from the glazed areas at the rear would be out of place with the conservation area. There is no way of controlling the level of light emission, which will impact on neighbours.

Impact on amenity

The roof terrace will seriously compromise the amenity of the adjoining neighbours and the full width ground and increased first floor extension will be detrimental to the amenity of nos. 54 and 62 Dulwich Village.

Conditions

It is suggested that conditions are imposed to control the hours of construction works and to ensure servicing takes place from Boxall Road. It is also suggested that a

structural report is provided detailing how the facade of the building will be supported during construction as well as details of foundations for the proposed additions and works for the existing foundations.

Support

97 Burbage Road - Supports the application , feels the scaled down extension will be a vast improvement.

50 Ashbourne Grove - Writes in support of the application, alterations should significantly improve the look of the property.

118 Dulwich Village Writes in support of the application, which returns the building to its former glory as well as giving it an attractive modern addition.

55 Beauval Road - Writes in support of the application, the proposal is architecturally more suitable for a conservation area.

36 Alleyn Road - Writes in support of the application as the existing extensions are neither attractive or appropriate to the grandeur of the house.

127 Burbage Road - Writes in support of the application, the proposal will improve the architectural heritage of the area. The contemporary design is of high quality referencing other key local buildings such as the Picture Gallery. The extension has been designed to maintain the integrity of the original building. The extension is well set back from the historic property allowing it to maintain its prominence. It utilises the space well and allows the neighbours to maintain their privacy by enclosing the terrace area.

74 Dovercourt Road - Writes in support of the application High quality innovative design, which will benefit the Dulwich Village Conservation Area.

188 Upland Road - Writes in support of the application. Clear that thought has gone into the design and the development is in keeping with the conservation area.

194 Lordship Lane -Writes in support of the application. Extension will be more aesthetically pleasing than the existing structures.

14 Court Lane - Writes in support of the application. Believes the proposal will enhance the conservation area.

63 Wiverton Road - Writes in support of the application. Proposal will improve the streetscape.

77 Barry Road - Writes in support of the application.

85 Holmdene Ave - Writes in support of the application. The proposal will preserve and enhance the character of the conservation area.

79 Alleyn Road - Writes in support of the application. Proposal will improve the streetscape and improve the amenity for the residents.

40 Dulwich Village - Writes in support of the application. Feels the extension will improve the accommodation and that other extensions within the area have been allowed change should be embraced.

Dulwich Society Objects size of the rear terrace and the potential impact for the amenity of the adjoining dwellings. the bulk of the side and rear extensions would be disproportionate to the existing dwelling. The large expanse of glass to the rear and the impacts in terms of light emission, privacy and use of reflective materials. The extensive footprint which fails to give a subordinate balance between the proposed extensions and the original building. The size of the garden should not be an overriding consideration in the assessment of the application.

RECOMMENDATION

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

Applicant	Mr & Mrs Noton	Reg. Number	10-AP-3755
Application Type	Full Planning Permission	Case Number	TP/2292-60
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of late 20th century additions to allow the construction of a new extension to the side and rear at ground and lower ground floor levels to provide additional living accommodation. (Associated listed building application 10/AP/3756)

At: 60 DULWICH VILLAGE, LONDON, SE21 7AJ

In accordance with application received on 23/12/2010

and Applicant's Drawing Nos. 100 Rev 00, 200 rev 0, 201 rev 00, 202 rev 1ST, 204 rev 0, 209 rev 1ST, 210 rev 11, 211 rev 10, 212 06, 212 rev 07, 300 rev 1ST, 301 rev 1ST, 302 rev 1ST, 310 rev 09, 311 rev 07, 312 rev 08, 313 rev 08; 314 rev 08; 410 rev 03
Design and Access Statement

Reasons for granting permission.

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

Svaed Policies of the Southwark Plan 2007

a] Policies Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity. Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design. Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments. Policy 3.15 (Conservation of the Historic Environment) requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Policy 3.16 (Conservation areas) states that there will be a general presumption in favour of retaining buildings that contribute positively to the character and appearance of the conservation area and notes that consent will be granted for schemes in conservation areas provided that they meet specified criteria in relation to conservation area appraisals and other guidance, design and materials. Policy 3.17 (Listed buildings) which seeks that development proposals involving a listed building should preserve the listed building and its features of special architectural or historic interest.

Core Strategy 2011

b] Policies Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces, and conservation of heritage assets and Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

c] Planning Policy Statements [PPS] and Guidance Notes [PPG]: PPS5 Planning and the historic environment.

Particular regard was had to:

- objections in relation to character and appearance and the foregoing design policies, where it is considered that the new extensions have been designed in a sensitive and sympathetic manner that integrates with the surrounding area, and which would not harm the character and appearance of the conservation area, subject to conditions of consent in particular in relation to materials and detailing.
- objections in relation to impacts on amenities and the foregoing urban design policies. The development is not considered to harm the amenities of surrounding residents, including but not limited to considerations of sunlight and daylight, outlook and privacy, and noise and disturbance.
- objections to the impact upon the listed building including the loss of historic fabric and alteration to historic layout, where it was considered that the proposed development would preserve the listed building.
- objections to the effect of the development the character and appearance of the Dulwich Village Conservation Area where it was considered that the character and appearance would be preserved by the scheme.

Impacts on amenity of neighbours was not considered so harmful as to justify refusing permission

Subject to the following condition:

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

permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

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

204 REV 0; 210 REV 11; 211 REV 10; 212 REV 07; 310 REV 09; 311 REV 07; 312 REV 08; 313 REV 08; 314 REV 08; 410 03

Reason:

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

- 3 Samples of all and external facing materials, including the clear, non-reflective glass and a 1m x 1m sample panel of the proposed brickwork - including the bond and mortar - to be used in the carrying out of this permission shall be presented on site and approved by the Local Planning Authority before any work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order to ensure that these samples will 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, 3.13 Urban Design and 3.17 Listed buildings of The Southwark Plan 2007.

- 4 Prior to works commencing on site, including any demolition, details of the means by which any existing trees are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted to and approved in writing by the Local Planning Authority, and the protective measures shall be installed and retained throughout the period of the works in accordance with any such approval given and protective fencing must not be moved or removed without the explicit written permission of the Local Authority Arboriculturalist. Within the protected area, no fires may be lit, no materials may be stacked or stored, no cement mixers or generators may be used, no contractor access whatsoever is permitted without the explicit written permission of the Local Authority Arboriculturalist under the supervision of the developer's appointed Arboriculturalist. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [1 year ([see endnote 10](#)) from [the date of the occupation of the building for its permitted use].

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the

Reason

To ensure the protection of the existing trees in accordance with Strategic Policy 11 – Open spaces and wildlife of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.28 Biodiversity of The Southwark Plan 2007.

- 5 No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times. Planting shall comply to BS:4428 Code of

practice for general landscaping operations.

If within a period of [two years] from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the local planning authority, seriously damaged or defective,] another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural qualities of the existing building and the public spaces around it in accordance with Strategic Policy 11 – Open spaces and wildlife and Strategic Policy 12 – Design and conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of The Southwark Plan 2007.

- 6 Before any work hereby authorised begins, details of an Environmental Management Plan and Code of Practice (which shall oblige the applicant/developer and its contractors to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site) which shall include the following information:

- A detailed specification of demolition (including method and foundation piling) and construction works for each phase of development including consideration of environmental impacts and the required remedial measures;
- A detailed specification of engineering measures, acoustic screening and sound insulation measures required to mitigate or eliminating specific environmental impacts;
- A commitment to adopt and implement of the ICE Demolition Protocol and Southwark's Environmental Code of Construction and GLA Best Practice Guidance.
- A Delivery and Servicing Plan

shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given and the demolition and construction work shall be undertaken in strict accordance with the approved Management Plan and Code of Practice.

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 (Draft) Core Strategy 2011, Saved Policies 3.1 Environmental Effects, 3.2 Protection of Amenity, 3.6 Air Quality and 3.10 Hazardous Substances of The Southwark Plan 2007 and PPS23 Planning and Pollution Control.

- 7 The existing wall separating the terrace of no. 62 from the terrace of no.60 shall be retained and any planting on the wall shall be protected. Any damage to either the wall or ivy on the wall shall be replaced prior to the use of the proposed new roof terrace commences.

Reason

To protect the residential amenity of the adjoining property at no. 62 Dulwich Village from undue overlooking in accordance with saved Southwark Plan policy 3.2 Protection of amenity and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

Date 25/8/2011

Scale 1/1250 AD

30 Seeley Drive, London, SE21 8QR

Ordnance Survey



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Item No. 6.4	Classification: Open	Date: 8 September 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 11-AP-1007 for: Full Planning Permission Address: 30 SEELEY DRIVE, LONDON, SE21 8QR Proposal: Change of use of the ground floor from Class A1 retail to Class A5 takeaway, together with the installation of a new shopfront and the erection of ventilation ducting to the rear elevation.		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 15 April 2011		Application Expiry Date 10 June 2011	

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 This application has been referred to Dulwich Community Council due to the level objection received.

Site location and description

- 3 The application site is a ground floor commercial unit located within the Kingswood Estate in the College area of the borough. Situated below two storeys of residential the unit is one of 12 commercial units set around an open courtyard.
- 4 Currently within A1 retail use the unit was last used as a convenience store and has been vacant for approximately 2 years.
- 5 Protected Shopping Frontage: SF47
Conservation Area: n/a
Listed Building: n/a
CPZ: n/a
PTAL: 2

Details of proposal

- 6 This application seeks planning permission for the change of use from an A1 retail unit to an A5 take-away. This would include an electric motorbike delivery service to customers.
- 7 The unit would be separated into 3 main areas of similar sizes. To the front with direct access from the public courtyard would be the main shop floorspace with standing counters along the side walls and shop frontage. To the rear of this would be the counter area separating the public space from the main kitchen area. To the very rear

would be storage space, preparation areas and office/staff WC.

- 8 The unit would have neither tables nor chairs (other than standing counters).
- 9 Facing the open courtyard to the front of the unit, the existing shopfront would be replaced with a glazed and aluminium framed frontage with central double doors. A full height extract duct is proposed at the rear.
- 10 Proposed opening hours: Monday - Saturday 11am to 11pm, Sundays 11am to 8pm.

Planning history

- 11 The application site has not been subject to any previous planning applications.

Planning history of adjoining sites

- 12 31 Seeley Drive
08-AP-2672
Planning permission granted for the change of use from retail unit (A1 use) to Metropolitan Police Safer Neighbourhood Unit to provide a base from which to stage foot patrols and provide space for administrative tasks (B1 use), with associated external alterations comprising installation of a new shop front, installation of cycle storage and alterations to the rear roofs.
- 13 32 Seeley Drive
02-AP-2033
Planning permission granted for the change of use from hairdresser (A1) to employment agency (A2).
- 14 34 Seeley Drive
08-AP-1950
Planning permission granted for the change of use from A1 to A2 financial and professional services.
- 15 36 & 37 Seeley Drive
07-AP-2762
Planning permission granted for change of use to D1 Community Facilities.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 16 The main issues to be considered in respect of this application are:
 - a) The principle of development including the loss of the A1 retail unit.
 - b) Neighbour residential amenity.
 - c) Design and Appearance of the external changes proposed.
 - d) Traffic and transportation.

Planning policy

- 17 Southwark Plan Policies 2007 (July)
 - 1.9 'Change of Use within protected shopping frontages'
 - 3.2 'Protection of Amenity'
 - 3.7 'Waste Reduction'

- 3.11 'Efficient use of land'
- 3.12 'Quality in Design'
- 3.13 'Urban Design'
- 5.2 'Transport Impacts'

- 18 Core Strategy
Strategic Policy 2 Sustainable transport
Strategic Policy 3: Shopping, Leisure and Entertainment
Strategic Policy 12 Design and conservation
Strategic Policy 13 High environmental standards
- 19 Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)
PPS 24: 'Planning and Noise'
- 20 Material Considerations
Guidance on the control of noise and odour from commercial kitchen and exhaust systems (Department of Environment Food and Rural Affairs (DEFRA) 2005)
- Principle of development**
- 21 The application site is situated within a designated Protected Shopping Frontage, and as such should be considered with regard to saved policy 1.9 of the Southwark Plan. Policy 1.9 states that planning permission for a change of use from A1 will be granted provided that the following criteria are met:
- 22 *i. The proportion of units within any protected shopping frontage in A1 Use Class does not fall below 50%*
The protected shopping frontage is made up of 12 units, currently 60% of those units are within an A1 retail use. Allowing the change of use of this premises would result in 50% of the units remaining in A1 retail use.
- 23 *ii. The premises have been vacant for a period of at least 12 months....*
Southwark Council are the landlords of the unit and it is understood that it has been vacant for over 2 years. The property has been on the market since August 2009 with limited interest shown. The Council's property team have confirmed that the unit has been historically hard to let to a sustainable A1 retail use.
- 24 *iii. The proposal would not result in a material loss of amenity for surrounding occupiers*
Please see sections 28-37 of this report for consideration of this issue.
- 25 *iv. The proposed use provides a service involving visits to the premises by members of the public*
An A5 unit as proposed would meet this requirement and would provide an active frontage within the shopping parade.
- 26 *v. The proposal would not harm the vitality or appearance of the protected shopping frontage*
The proposed development involves the change of the shopfront at the subject unit. Full consideration of this is discussed in section 38-42 of this report. However an active frontage would remain at the application site and visually the site would remain very much as existing. The vitality of the frontage would not be detrimentally affected as the unit would attract customers throughout the day and the proposed use would be compatible with a shopping parade.
- 27 In consideration of the above the principle of the proposed change of use is considered acceptable and in accordance with saved policy 1.9 of the Southwark Plan. Furthermore, Strategic Policy 3 Shopping Leisure and Entertainment of the

Core Strategy aims to ensure that the balance of uses, including shops, bars, restaurants and cafes is maintained. It is considered that the proposal complies with this policy.

Neighbour Residential Amenity

- 28 Policy 3.2 seeks to minimise the impact of development so that it would not harm the standard of amenity experienced by occupiers nearby and in the surrounding area. Strategic Policy 13 High Environmental Standards of the Core Strategy also aims to protect amenity.
- 29 Residential Uses Above
Sound insulation between the proposed unit and the first floor residential use should be sufficient to cater for a kitchen activity without causing unacceptable harm. Details of sound insulation have been submitted and assessed by the Council's Environmental Protection officer. These are considered acceptable to ensure sound is not transmitted and the imposition of an appropriate condition has been recommended to ensure these details are provided prior to the occupation and use of the unit, should permission be granted.
- 30 Kitchen Ventilation Equipment
The proposal has been assessed with regard to guidance produced by DEFRA on the control of noise and odour from commercial kitchen and exhaust systems. Advice from the Council's Environmental Protection officer has taken into account the proximity of adjacent residential windows and it has been recommended that in order to avoid cooking fumes effecting this property and to aid dispersion, that the 'chinaman's' hat as shown on the drawings is omitted. This could be secured through the imposition of an appropriate condition.
- 31 A condition is also recommended to limit the noise output of the proposed ventilation equipment. Limiting the noise emissions is also to ensure no harm to the amenity of nearby residents.
- 32 Subject to the imposition of these appropriate conditions the impact of the proposed ventilation system would be acceptable and would not harm residential amenity through fumes or noise.
- 33 Delivery impacts and noise generated from patrons
Concerns have been raised by local residents with regard to noise and disturbance from patrons of the unit. The nature of the use indicates that customers would normally be expected to spend short periods of time at the premises collecting their food and then moving on. In order to discourage loitering at the site the unit proposes only limited standing tables and no seating tables or areas to sit down. The large floorspace within the unit allows a sufficient area for customers to wait inside the unit while their food is being prepared, discouraging customers from hanging around outside the premises while waiting.
- 34 The proposed opening hours are suitable for the location and considered sufficient to ensure the protection of residential amenity. They would be ensured through the imposition of an appropriate condition.
- 35 A delivery service from the unit is proposed and it is recognised that the use of a motorised vehicle could result in unacceptable levels of noise and disturbance to local residents. It has therefore been proposed by the applicant that all deliveries take place using an electric powered moped which would not result in the levels of noise associated with the starting up and movement of a standard powered moped, car or motorbike.

- 36 The use of an electric bike or cycle would not result in such noise impacts. It is therefore recommended that should permission be granted that it be subject to the imposition of a condition requiring all deliveries to take place using an electric powered bike, bicycle or on foot.
- 37 Whilst the customer and bike noise is clearly of concern to local residents, subject to conditions, it is considered that any loss of amenity would not be so severe as to justify refusal of planning permission.

Design and Appearance

- 38 Policy 3.12 requires development to be of a high standard, while policy 3.13 requires development to relate well to its surroundings. Strategic Policy 12 Design and Conservation of the Core Strategy also expects a high standard of design.
- 39 External changes are proposed to the rear of the building involving the installation of a ventilation extract duct terminating 1m above the eaves of the adjacent wall and the installation of a new shopfront to the frontage of the unit.
- 40 The ventilation ducting would be of a standard design common on commercial premises of this nature, and similar equipment can be seen at the premises at no.41 Seeley Drive. The ducting would be to the rear of the unit and would be seen from the servicing side of the parade which is accessed via a service road and which also serves a number of garages.
- 41 To the front the shopfront is of a simple design consistent with the intent of the shop for commercial purposes and similar to other units within the parade.
- 42 There are no concerns that the design of these alterations would not be of a high quality or that they would detract from the character of the building and appearance of the surrounding area. For these reasons the alterations proposed would be in accordance with the Council's design policies.

Traffic and Transportation

- 43 Policy 5.2 seeks to permit development unless :
- i) it would have adverse impacts on the transport network through increased traffic or pollution; and/or*
 - ii) Adequate provision has been made for servicing, circulation and access, to and from the site; and/or*
 - iii) consideration has not been given to the impacts of the development on the bus priority network and the transport for London Road network.*

Strategic Policy 2 aims to ensure that new development is accessible and promotes a range of transport choices.

- 44 Traffic and parking impacts are of concern to local residents and this has been raised in the letters of objection. The application has been assessed by the Council's transport planning team who have raised no objections to the proposed change of use.
- 45 The unit is likely to serve, and draw customers, from the surrounding residential area which would indicate that the majority of customers would walk to the application site. The surrounding area is covered by local waiting and parking restrictions, the enforcement of which would further discourage driving to the site. The surrounding Kingswood Estate is covered by an estates parking scheme, the existing enforcement of which this is considered sufficient to protect residents parking in the locality.

- 46 Servicing

The site fronts the open courtyard into which all the adjacent shops face. This has no vehicular access and as such all servicing would have to take place from the rear which backs onto garages and is covered by double yellow lines. The required servicing of the site is not predicted to be any more intense than the existing use of the site for A1 retail purposes and the arrangements are therefore considered acceptable.

47 It is considered appropriate however to require the submission of a Service Management Plan through the imposition of an appropriate condition. This is in order to control/reduce any highway impacts resulting from deliveries to the site.

48 Refuse

Waste would be stored internally within the proposed kitchen area to the rear of the unit. Whilst it would be preferred for applicant to provide a dedicated external waste storage area, it is considered that this would not be possible owing to site constraints. For this reason it is recommended that a condition requiring the applicant not to leave refuse and waste storage on the public highway at any time is imposed should permission be granted.

49 Cycle Parking

The application makes no provision for the storage of cycles and owing to site constraints there is not considered to be sufficient room to make on site provision. The open courtyard to the front of the site however already has cycle racks installed for public use. The operation of this unit is not considered to increase demand for these facilities over and above what would be expected if it were to remain in A1 retail use. These are therefore considered sufficient to meet the needs of customers wanting to cycle to the premises.

50 The unit proposes delivery using an electric bike, but could also use cycles to provide this service. Sufficient space is provided within the unit for the storage of bikes when the unit is closed or when not in use for deliveries.

51 Based on this analysis, it is concluded that the proposed take-away would not result in a significant level of traffic nor generate significant harm to pedestrian amenity.

Other Matters

52 The increase in litter has been raised by local residents in submitted letters of objection. Whilst this is recognised as a concern for local residents it is not a matter which could be controlled through planning. The nature of the site however is likely to result in the majority of customers collecting their food and taking it home with them thus reducing the need for people to dispose of packaging outside the site. The containment of litter on site and directly outside would be a matter for the management of the unit. Within the courtyard to the front and in the locality public waste bins are available for use.

Conclusion on planning issues

53 Planning permission is sought for the use of the application site as a hot food take away (Class A5) with a delivery service, together with associated ductwork and shopfront alterations. A number of objections have been received from local residents. These are both against the use and the issues arising from the use such as noise, smells and increased traffic.

54 Having regard to observations from the council's environmental protection and transport officers, and the concerns raised by residents, it is concluded that the scheme, subject to conditions, would not result in harmful impacts to the extent that would warrant refusal of planning permission. It would bring a vacant ground floor unit within a protected frontage back into productive use to the benefit of vitality and viability of Seeley Drive and would accord with relevant saved policies of the

Southwark Plan (2007) and the Core Strategy. For these reasons, it is recommended for approval.

Community impact statement

- 55 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.
- 56 a) The impact on local people is set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 59 Transport Planning:
Raise no objections to the proposed change of use subject to the imposition of a condition concerning service management and the inclusion of an informative noting the surrounding parking restrictions.
- 60 Environmental Protection:
Raise no objections to the proposed development subject to the imposition of conditions concerning:
- Sound insulation.
- Ventilation and odour extraction.
- Noise.
- Hours of operation.
- 61 The Council has received 5 letters of objection raising the following areas of concern:
- Increased traffic and pressure on parking.
See sections 43-51 of this report for consideration.
- Increased noise and disturbance.
See sections 33-37 of this report for consideration.
- Concerns surrounding ventilation.
See sections 30-32 of this report for consideration.
- Litter and rubbish.
See sections 47 and 51 for consideration.

The applicant has submitted a petition in favour of the development from local people.

Human rights implications

- 62 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.
- 63 This application has the legitimate aim of changing the use of an A1 retail unit. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H2027 Application file: 11-AP-1007 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 5452 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	Amy Lester, Planning Officer	
Version	Final	
Dated	24 August 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	n/a	n/a
Strategic Director of Regeneration and Neighbourhoods	n/a	n/a
Strategic Director of Environment and Leisure	n/a	n/a
Date final report sent to the Community Council Team		26 August 2011

APPENDIX 1**Consultation undertaken**

Site notice date: 13/05/11

Case officer site visit date: 13/05/11

Neighbour consultation letters sent: 05/05/11

Internal services consulted:

Environmental Protection
Transport Planning

Neighbours and local groups consulted:

46 Seeley Drive London SE21 8QR
45 Seeley Drive London SE21 8QR
48 Seeley Drive London SE21 8QR
47 Seeley Drive London SE21 8QR
42 Seeley Drive London SE21 8QR
41 Seeley Drive London SE21 8QR
44 Seeley Drive London SE21 8QR
43 Seeley Drive London SE21 8QR
49 Seeley Drive London SE21 8QR
35 Seeley Drive London SE21 8QR
9 Lyall Avenue London SE21 8QS
33 Seeley Drive London SE21 8QR
36 Seeley Drive London SE21 8QR
11 Lyall Avenue London SE21 8QS
50 Seeley Drive London SE21 8QR
15 Lyall Avenue London SE21 8QS
13 Lyall Avenue London SE21 8QS
25 Seeley Drive London SE21 8QR
24 Seeley Drive London SE21 8QR
27 Seeley Drive London SE21 8QR
26 Seeley Drive London SE21 8QR
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32 Seeley Drive London SE21 8QR
31 Seeley Drive London SE21 8QR

APPENDIX 2**Consultation responses received****Internal services**

Environmental Protection
Transport Planning

Neighbours and local groups

26 Seeley Drive
41 Seeley Drive
47 Seeley Drive
49 Seeley Drive
4 Blackstone House

RECOMMENDATION

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

Applicant	Mr J Vasan	Reg. Number	11-AP-1007
Application Type	Full Planning Permission	Case Number	TP/H2027
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use of the ground floor from Class A1 retail to Class A5 takeaway, together with the installation of a new shopfront and the erection of ventilation ducting to the rear elevation.

At: 30 SEELEY DRIVE, LONDON, SE21 8QR

In accordance with application received on 29/03/2011

and Applicant's Drawing Nos. VP/SE21 rev 01 Site Location Plan, VP/SE21 rev 01 Existing Elevations Site Location Plans, VP/SE21 rev 01 Existing & Proposed Plans, VP/SE21 rev 01 Proposed Elevations & Sections, VP/SE21 rev 01 Detail Drawings and Planning Application Statement received 29/03/11

Reasons for granting permission.

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

Saved Policies of the Southwark Plan 2007

a] Saved policies 1.10 'Small scale shops and services outside the town and local centres and protected shopping frontages' which seeks to ensure a range of local services; 3.2 'Protection of amenity' which seeks to minimise the impact of development on the standard of amenity; 3.7 'Waste reduction' which seeks to ensure adequate provision is made for waste disposal, storage and collection. 3.12 'Quality in design' which advises that development should achieve a high standard of both architectural and urban design; 5.2 'Transport impacts' which advises that development should not adversely affect the road network; and saved policy 5.3 of the Southwark Plan (2007) which advises that adequate provision should be made for pedestrians and cyclists.

Core Strategy 2011

b] Strategic Policy 2 Sustainable Development which seeks to encourage walking, cycling and the use of public transport rather than travel by car. Strategic Policy 3 Shopping, Leisure and Entertainment, which guides these sorts of developments to appropriate areas and seeks to maintain a balance of uses in retail parades. Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces. Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

c] Planning Policy Statements [PPS] and Guidance Notes [PPG] PPG24 Planning and noise

Particular regard was had to the objections raised by neighbours around noise, ventilation and highway impacts, as well as the impact of vehicles used in connection with the delivery of food on nearby occupiers. After careful consideration it was considered that, subject to conditions, these impacts could be controlled to an acceptable level and that the contribution of a new business within the street scene would add vitality to this section of Seeley Drive which would outweigh the benefits of the site remaining vacant. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following condition:

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

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

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

VP/SE21 rev 01 Existing & Proposed Plans, VP/SE21 rev 01 Proposed Elevations & Sections, VP/SE21 rev 01 Detail Drawings and Planning Application Statement received 29/03/11

Reason

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

- 3 The delivery service associated with the use hereby permitted shall only be provided through electric powered mopeds, bicycles or on foot, and shall not utilise motorbikes, motorised mopeds or any other form of motorised transport.

Reason

In order to safeguard the amenities of the surrounding residential properties from noise from motorised vehicles starting and stopping at the application site in accordance with Saved policy 3.2 protection of amenity and 5.2 transport impacts of the Southwark Plan and Strategic Policy 2 Sustainable transport and Strategic Policy 13 High environmental design of the Core Strategy 2011.

- 4 The use hereby permitted for takeaway and delivery purposes shall not be open outside of the hours 1100 to 23:00 from Monday to Saturday and 1100 to 2000 on Sundays and Bank holidays.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or disturbance from customers visiting the takeaway in accordance with saved policy 3.2 'Protection of Amenity' of the Southwark Plan 2007, Strategic Policy 13 High environmental design of the Core Strategy 2011 and PPG24 Planning and Noise.

- 5 Prior to the commencement of the use, the applicant is required to submit a Service Management Plan for approval in writing by the local planning authority. This should include details in relation to servicing and deliveries (including refuse collection). The document should include details on where servicing will occur from, details on the nature of the likely vehicles and the frequency of these vehicle movements. These details shall be implemented as approved for the duration of the use.

Reason

To ensure that there is no detrimental impact in relation to highway safety and the safety of the public in accordance with Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007 and Strategic Policy 2 Sustainable transport of the Core Strategy 2011.

- 6 Dwelling houses, flats and rooms for residential purposes sharing a party element with the commercial premises hereby approved shall be designed and constructed to provide reasonable resistance to the transmission of sound. The sound insulation of the party element shall be sufficient to ensure that NR25 is not exceeded in residential premises due to noise from the commercial premises. The sound insulation is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results submitted to the Local Planning Authority for approval.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with saved policy 3.2 'Protection of Amenity' of the Southwark Plan 2007, Strategic Policy 13 High environmental design of the Core Strategy 2011 and PPG24 Planning and Noise.

- 7 The noise level from any plant (e.g. refrigeration, air conditioning), together with any associated ducting, shall be 10(A) dB or more below the lowest measured external ambient L_{Aeq, T^*} at the site boundary. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, you are required to submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate compliance with the above requirements. The supplementary acoustic report must include:

- i) A schedule of all plant and equipment installed;
- ii) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- iii) Manufacturer specifications of sound emissions in octave or third octave detail;
- iv) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

- v) The lowest existing $L_{Aeq, T}$ measurement as already established.
- vi) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

* $L_{Aeq, T}$. $T = 1$ hr between 07:00 and 23:00 and 5min between 23:00 and 07:00.

Reason

To ensure that users of the surrounding area not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant and that the operation of plant does not add by cumulative effect to the existing sound environment in accordance with saved policy 3.1 'Environmental Effects', 3.2 'Protection of Amenity' of the Southwark Plan 2007, Strategic Policy 13 High environmental design of the Core Strategy 2011 and PPG24 Planning and Noise.

- 8 Refuse and recycling arising from the use hereby permitted shall not at any time be stored outside the unit on public roads or within the front courtyard, unless it is immediately prior to collection.

Reason

In order to protect the environment and amenity of neighbours, in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

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