

Dulwich Community Council

Planning

Monday 26 March 2012

7.00 pm

Christ Church, 263 Barry Road, London SE22 0JT

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

Eleanor Kelly

Acting Chief Executive

Date: Friday 16 March 2012



Order of Business

- | Item No. | Title |
|----------|--|
| 1. | INTRODUCTION AND WELCOME |
| 2. | APOLOGIES |
| 3. | DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS |

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

Item No.

Title

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

5. MINUTES (Pages 5 - 7)

To confirm as a correct record the minutes of the meeting held on 20 February 2012.

6. DEVELOPMENT MANAGEMENT ITEMS (Pages 8 - 12)

6.1. 1 COLLEGE ROAD, LONDON SE21 7BQ (Pages 13 - 25)

6.2. 2 MILO GARDENS, LONDON SE22 8LU (Pages 26 - 37)

**6.3. HERNE HILL SCHOOL 127 HERNE HILL, LONDON SE24 9LY
(Pages 38 - 53)**

Date: Friday 16 March 2012

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

ACCESS TO INFORMATION

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

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

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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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SE1 2TZ London

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আপনি যদি নিজের ভাষায় কমিউনিটি কাউন্সিল সম্পর্কে তথ্য পেতে চান তাহলে 020 7525 7234 নম্বরে ফোন করুন অথবা 160 Tooley Street, London SE1 2TZ ঠিকানায় গিয়ে অফিসারদের সাথে দেখা করুন।

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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 nomba yi i : 020 7525 7234 tabi ki o yo ju si awon òṣiṣé òsisé 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 Monday 20 February 2012 at 7.00 pm at Herne Hill Baptist Church, Half Moon Lane, London SE24 9HU

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

OFFICER SUPPORT: Sonia Watson (Planning Officer)
Rachel McKoy (Legal Officer)
Beverley Olamijulo (Constitutional Officer)

1. WELCOME AND INTRODUCTIONS

2. APOLOGIES

Apologies for absence were received from Councillor Michael Mitchell and for lateness from Councillor Andy Simmons.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Members made declarations regarding the following agenda item:

Agenda item 6.1 – 34 East Dulwich Grove, London SE22 8PP

Councillor Andy Simmons, personal and non prejudicial, due to his working relationship with one of the objectors present for item 6.1.

Councillor Helen Hayes, personal and non prejudicial, due to her working relationship with one of the objectors present for item 6.1.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 24 November 2011 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT MANAGEMENT ITEMS

6.1 34 EAST DULWICH GROVE, LONDON SE22 8PP

Planning application reference number 11-AP-3865

Report: See pages 15 – 29 of the agenda

PROPOSAL

Redevelopment of the site involve the demolition of existing house and rear garages, and the erection of a three storey building to accommodate 2x1 bed and 3x2 bed flats, erection of new garage to Elsie Road frontage with parking for 2 cars and 6 cycle parking spaces.

The community council heard an officer's introduction to the report and members asked questions of the officer.

Members heard representations from objectors and the applicant's agent.

There were no local supporters or ward members who wished to speak.

Members debated the application and asked questions of the officers.

RESOLVED:

1. That planning application 11-AP-3865 be refused on the grounds that the proposed development by reason of its height, depth and position on the common boundary and continued depth of the building to the rear would result in an overbearing impact to no. 32 East Dulwich Grove with a loss of light to the ground and first floor rooms.
2. That the communal amenity space would require residents to exit the building and access the garden from the street. The lack of convenient access to this space would undermine its potential usefulness and thus fail to provide any meaningful open space for residents of the flats on the upper floors.

3. That the proposal would appear as overbearing on the Elsie Road elevation due to the stepped forward gable, the lack of setback for an active elevation would appear overly dominant and out of character within the street scene.

6.2 91 DULWICH VILLAGE, LONDON SE21 7BJ

At this juncture Councillor Lewis Robinson left the meeting and Councillor Robin Crookshank Hilton took over as chair for the remainder of the meeting.

Planning application reference number 11-AP-3850

Report: See pages 30 – 40 of the agenda

PROPOSAL

Construction of bin store to rear of shop, following demolition of single storey rear extension and disused stores in rear yard.

The community council heard an officer's introduction to the report and members asked questions of the officer.

Members heard representations from objectors and the applicant's agent.

There were no local supporters or ward members who wished to speak.

Members debated the application and asked questions of the officers.

RESOLVED:

That planning application 11-AP-3850 be refused on the grounds the proposed bin store due to its size and location adjoining a residential entrance together with its detailed design with slatted doors and high level opening would compromise the amenity of the residential flat above no. 91 Dulwich Village by reason of unpleasant odours to the sole access to the dwelling and potentially to the windows on the flank elevation.

The meeting ended at 9.50 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 26 March 2012	Meeting Name: Dulwich I Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All	
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 & 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 Southwark Plan is part of the Development Plan along with the Core Strategy and London Plan. Some of the detailed Southwark plan policies were 'saved' in July 2010 with permission from the Secretary of State. Some of these policies have now been superseded by policies in the Aylesbury Area Action Plan and the Core Strategy which was adopted on April 6 2011. 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. 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. From 6 April 2010 the Community Infrastructure Levy regulations (CIL) have given these policy tests legal force.

Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1 2TZ	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	25 October 2010	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Deputy Chief Executive	No	No
Head of Development Management	No	No

ITEMS ON AGENDA OF THE DULWICH CC
on Monday 26 March 2012

Appl. Type Full Planning Permission
Site 1 COLLEGE ROAD, LONDON, SE21 7BQ

Reg. No. 11-AP-3907
TP No. TP/2084-1
Ward Village
Officer Anna Clare

Recommendation REFUSE PERMISSION

Proposal

New single storey garden building with basement to replace existing garage.

Item 6.1

Appl. Type Full Planning Permission
Site 2 MILO GARDENS, MILO ROAD, LONDON, SE22 8LU

Reg. No. 11-AP-4051
TP No. TP/2590-1
Ward Village
Officer Sonia Watson

Recommendation GRANT PERMISSION

Proposal

Loft extension with front rooflights and rear dormer window extension, and construction of side extension on ground, first and second floor levels; providing additional residential accommodation for dwellinghouse.

Item 6.2

Appl. Type Full Planning Permission
Site HERNE HILL SCHOOL 127 HERNE HILL, LONDON, SE24 9LY

Reg. No. 11-AP-3768
TP No. TP/2545-G
Ward Village
Officer Terence McLellan

Recommendation GRANT PERMISSION

Proposal

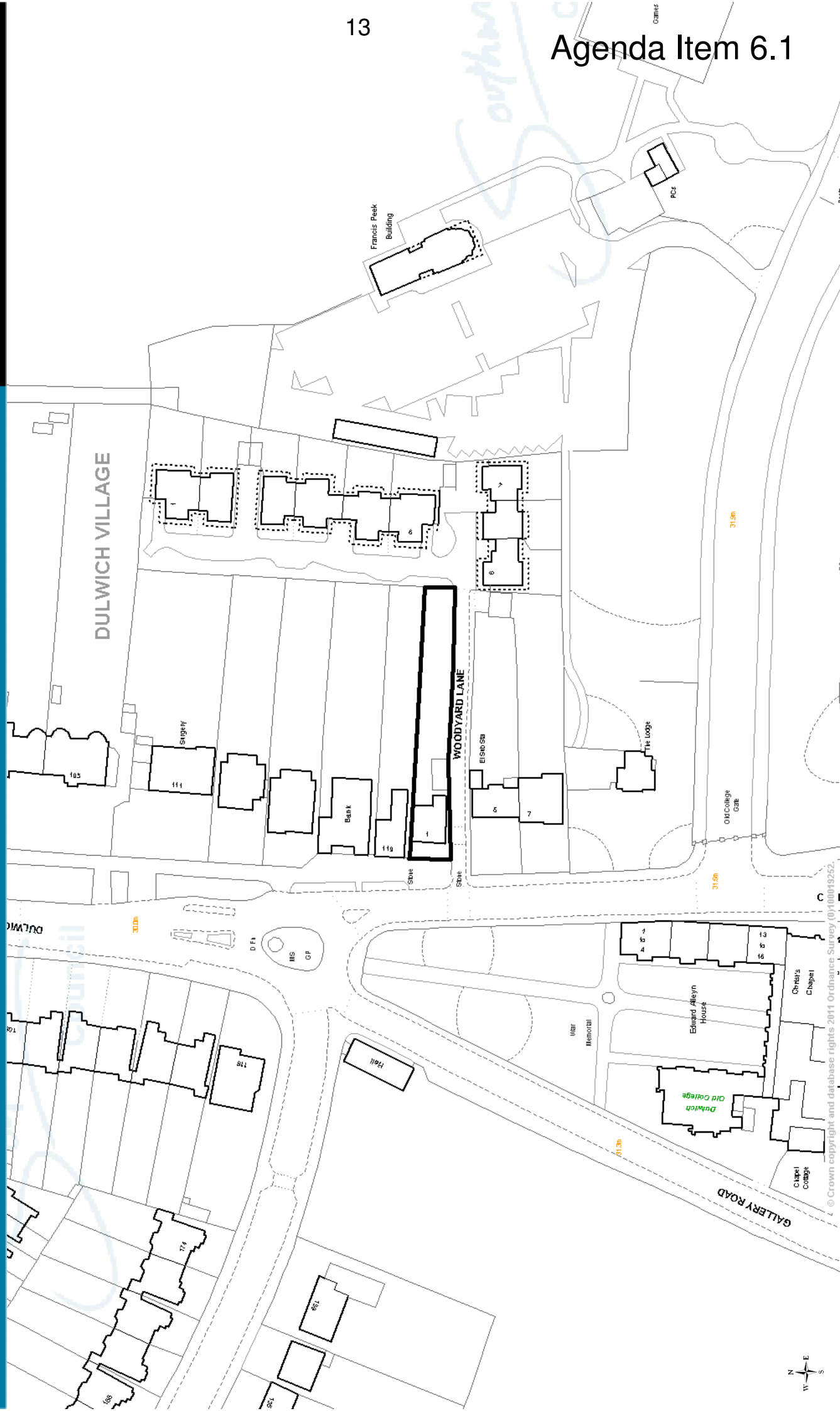
Erection of a building with one above-ground and one below-ground level for use as a school hall.

Item 6.3

1 COLLEGE ROAD , LONDON, SE21 7BQ

Ordnance Survey

Date 7/3/2012



Item No. 6.1	Classification: OPEN	Date: 26 March 2012	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 11-AP-3907 for: Full Planning Permission Address: 1 COLLEGE ROAD, LONDON, SE21 7BQ Proposal: New single storey garden building with basement to replace existing garage.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 21 November 2011		Application Expiry Date 16 January 2012	

RECOMMENDATION

- 1 Refuse planning permission.

The application is reported to Community Council at the request of the Chair.

BACKGROUND INFORMATION

Site location and description

- 2 The application site comprises a two storey detached dwelling with a detached, flat roofed garage in the rear garden with access onto Woodyard Lane. The surrounding development is predominantly residential in character consisting of similar large detached dwellings along College Road and a new housing development to the rear on Woodyard Lane. The site falls within the Dulwich Village Conservation Area.

Details of proposal

- 3 The erection of a single storey garden building with basement to replace the existing garage.

The existing garage measures: 6.5m (l) x 6.3m (w) x 2.6m(h).

The proposed building on ground floor measures: 9.3m/6.4m (l) x 6.3/3.1m (w) x 2.9m(h) (there is a reduction in ground level of approximately 30cm). There is a basement of a maximum length of 13.8m and maximum width of 7m, although it has narrower portions, being a T-shape. Two areas of glazing are set within the ground to provide light to the basement.

The proposed use is as a garden office, utility and garage at ground floor level, with a gym in the basement. The proposed materials are stock brick, metal coping, structural glazing and sliding folding glazed doors, with a hardwood garage door. The approximate floor area of ground and basement is 124 sq m.

Planning history

- 4 10-AP-0048 - Planning permission was refused on 08/03/10 for the extension of the existing garage at basement ground and first floor level. This refused application proposed the same footprint of building as the application the subject of this report, however with accommodation split over three floors, with the building 5.6m in height at its highest point. The application was refused on the following grounds;
- 5 1. The proposed development would create an undesirable precedent for large buildings in rear gardens which would make it difficult to resist further similar applications, the cumulative impact of which would cause harm to the open and semi-rural character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007, the Dulwich Village Conservation Area Appraisal (February 2006) and PPG15 'Planning and the Historic Environment'.
- 6 2. The proposed extension, by virtue of its height and design would appear as a visually dominant and jarring element which would be out of keeping with the semi-rural character of this part of the Dulwich Village Conservation Area. As such the proposal would fail to preserve or enhance the character or appearance of this part of the conservation area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007, the Dulwich Village Conservation Area Appraisal (February 2006) and PPG15 'Planning and the Historic Environment'.
- 7 3. In the absence of any evidence to the contrary, the proposed extension by virtue of the excavation and increase in footprint would cause harm to a number of trees on the site, the loss of which would cause harm to the visual amenities of the area and the character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.2 'Protection of amenity'. 3.16 'Conservation areas and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007, the Dulwich Village Conservation Area Appraisal (February 2006) and PPG15 'Planning and the Historic Environment'.
- 8 09-AP-0770 - Extension of existing garage at basement, ground and first floor level to provide ancillary residential accommodation for dwellinghouse (Use Class C3). Planning permission was REFUSED in August 2009 for the following reasons:
- 9 1. The proposed development would create an undesirable precedent for large buildings in rear gardens which would make it difficult to resist further similar applications, the cumulative impact of which would cause harm to the open and semi-rural character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007 and the Dulwich Village Conservation Area Appraisal (February 2006).
- 10 2. The proposed extension, by virtue of its height and design would appear as a visually dominant and jarring element which would be out of keeping with the semi-rural character of this part of the Dulwich Village Conservation Area. As such the proposal would fail to preserve or enhance the character or appearance of this part of the conservation area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the

Southwark Plan 2007 and the Dulwich Village Conservation Area Appraisal (February 2006).

- 11 3. In the absence of any evidence to the contrary, the proposed extension by virtue of the excavation and increase in footprint would cause harm to a number of trees on the site, the loss of which would cause harm to the visual amenities of the area and the character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.2 'Protection of amenity'. 3.16 'Conservation areas and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007 and the Dulwich Village Conservation Area Appraisal (February 2006).
- 12 04-AP-0007 - Details of brickwork, as required by Condition 2, tree protection, as required by condition 5, and hard and soft landscaping, as required by condition 6 of planning permission granted on 13/11/03 (LBS REg 03-AP-1558) for construction of detached single storey garage and associated hard landscaping. Condition DISCHARGED in January 2004.
- 13 03-AP-1558 - Construction of detached single storey garage and associated hard landscaping. Planning permission was GRANTED in November 2003.
- 14 03-AP-1081 - Demolition of existing garage and two storey rear addition and erection of part single part two storey rear extension and rear roof extension with new vehicular access from Woodyard Lane. Planning permission was GRANTED in July 2003.
- 15 03-AP-0564 - Alterations to existing house and garage, erection of new garage at rear of garden with accommodation in roof slope, construction of single storey rear extension, installation of two dormer windows in rear roof slope, new roof and windows to existing two storey rear projection, new boundary treatment and new vehicular access and ramp from Woodyard Lane. Planning application WITHDRAWN in May 2003.

Planning history of adjoining sites

- 16 119 Dulwich Village – None of relevance to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 17 The main issues to be considered in respect of this application are:
- a) amenity;
 - b) design and impact upon the character and appearance of this part of the Dulwich Village Conservation Area;
 - c) impact on trees.

Planning policy

Core Strategy 2011

- 18 Strategic Policy 12 – Design and conservation
Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

- 19 Policy 3.2 Protection of amenity
Policy 3.11 Efficient use of land
Policy 3.12 Quality in Design
Policy 3.16 Conservation areas

Dulwich Village Conservation Area Appraisal
Draft Dulwich Village SPD

London Plan 2011

- 20 None relevant.

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

PPS 5 Planning for the Historic Environment

- 21 Draft National Planning Policy Framework (NPPF)

Principle of development

- 22 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 23 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).
- 24 The proposal is to extend an existing garage to provide additional, ancillary accommodation in connection with the existing dwelling and this does not raise any land use issues.

Environmental impact assessment

- 25 Not required.

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

- 26 Given that the proposed building is to be only marginally higher than the existing garage by approximately 0.1m therefore it is not considered there will be any additional impact in terms of amenity on the adjacent properties. The proposal would not give rise to any issues of overlooking or privacy, and would have no impact on adjoining properties in terms of overshadowing or loss of outlook.

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

- 27 None anticipated.

Traffic issues

- 28 The existing access is to remain and therefore there would be no adverse highway impacts.
- 29 Concerns have been raised that the proposal would increase the amount of traffic using Woodyard Lane, (a private road), particularly if the building were used for commercial or professional purposes.
- 30 The facilities provided in the extended garage could only be used in connection with the main dwelling, i.e they would have to remain ancillary. If the applicant wished to use it as a self-contained dwelling or business unit, a further planning application would be required. Consequently, it is the view of officers that the proposal is unlikely to increase vehicular use of Woodyard Lane.
- 31 Policy 5.6 relates to car parking and concerns have been raised that the proposal would reduce the amount of parking available on the site, increasing demand on-street.
- 32 The existing garage can accommodate two vehicles. A single garage is proposed. A space is shown on the driveway in front of the garage however, so the overall number of spaces would remain at two. Consequently the proposal is unlikely to increase demand for on-street parking.

Design issues and impact on character and setting of a listed building and/or conservation area.

- 33 The proposed building would be marginally higher than the existing garage however due to the excavation would not be visible above the existing boundary wall, and therefore would not be visible from Woodyard Lane. The height is considered an improvement to the refused scheme which included a first floor to the building. It is considered that the overall height of the proposed building reduced to 2.9m is sufficient to overcome previous concerns regarding the visual impact.
- 34 Saved policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan seek to ensure that developments achieve high quality architectural and urban design. Saved policy 3.16 seeks to preserve or enhance the character or appearance of designated conservation areas and saved policy 3.18 seeks to preserve or enhance the setting of listed buildings, conservation areas and world heritage sites.
- 35 There are concerns that allowing the proposal would set a harmful precedent for back garden developments within the Dulwich Village Conservation Area. It would also be contrary to guidance in the adopted Dulwich Village Conservation Area appraisal (Para 5.2.4) 'As well as substantial front gardens, houses in the conservation area commonly have generous rear gardens. These are important in establishing the open, semi-rural, character of the village and the erection of new developments within them will not normally be acceptable, other than those ancillary to the use of the land, such as small pool houses or garden pavilions. Such ancillary structures should generally have regard for the scale of the main house and should not be allowed to dominate it visually.'
- 36 The existing garage is of brick construction with timber doors and a flat roof, which has a neutral impact on the Dulwich Village Conservation Area. The proposal seeks to extend the building to include a basement, and enlarge the ground floor level to accommodate a home office and garage. The garden office would be mostly glazed on both the western and southern elevation and the stairwell giving access to the basement will also be constructed with structural glazing at ground level.

- 37 Given that the building will not be visible over the existing boundary wall, there is no concern raised over the detailed design which is modern in character, as is the existing garage, but as the building will largely be hidden from view it is considered the character and appearance of the conservation area will be preserved.
- 38 However there are still concerns in relation to the undesirable precedent for large buildings in rear gardens. The Dulwich Village Conservation Area is characterised by listed buildings and pleasant groups of other buildings, open space and the overall character of the area is just as important and is desirable to preserve or enhance. Given the overall scale of the proposed ancillary building, it is considered that to grant planning permission would be contrary to guidance in the Dulwich Village Conservation Area appraisal (Para 5.2.4), and set a harmful precedent with regard to rear garden developments.

As such, it is not considered that the proposal would preserve the character and appearance of the Dulwich Village Conservation Area, and therefore it would be contrary to the Council's heritage policies and guidance in PPS 5 Planning for the Historic Environment.

Impact on trees

- 39 The previous application was refused on the grounds that with the absence of evidence to the contrary the proposed extension by virtue of the excavation would cause harm to a number of trees. A more comprehensive Arboricultural report has been submitted with this application.
- 40 The loss of trees would be unacceptable given the contribution they make to the character and appeal of the conservation area, biodiversity and general canopy cover. It is clear that fairly significant excavation would be required to implement the basement element of the proposal. However, it is likely that any pre-existing tree roots would already have been removed in order to construct the current garage. As the proposed basement lies within the existing footprint, tree roots are therefore not likely to be affected. The urban forester has raised no objection to the application as suitable tree protection and landscape details could be required by condition.

Planning obligations (S.106 undertaking or agreement)

- 41 Not required.

Sustainable development implications

- 42 None.

Other matters

- 43 None.

Conclusion on planning issues

- 44 Although elements of the previously refused application have been overcome by the revised scheme, the principle in terms of the precedent for large buildings in rear gardens has not been overcome. Although there is a small addition to the existing building at ground floor, this combined with the creation of a basement would set a precedent for other developments in rear gardens, the cumulative impact of which would cause harm to the open and semi-rural character and appearance of this part of the Dulwich Village Conservation Area.

Community impact statement

- 45 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.
- 46 a) The impact on local people is set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 49 Objections received on the following points;
- 50 The loss of amenity caused by damage to or removal of the existing trees.
The risk to the trees given the level of excavation required for the basement proposal.
Increased traffic flow in Woodyard Lane should the premises be developed for permanent accommodation.
Precedent for end of garden developments
Effect on the nature and character of the area.
- 51 Responses from:
115 Dulwich Village
4Woodyard Lane
5 Woodyard Lane
6 Woodyard Lane
8 Woodyard Lane
9 Woodyard Lane

Human rights implications

- 52 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.
- 53 This application has the legitimate aim of providing ancillary accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 54 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2084-1 Application file: 11-AP-3907 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 5560 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	Anna Clare, Planning Officer	
Version	Final	
Dated	6 March 2012	
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 Constitutional Team		12 March 2012

Consultation undertaken

Site notice date: 01/12/11

Press notice date: 01/12/11

Case officer site visit date: 01/12/11

Neighbour consultation letters sent: 05/12/11

Internal services consulted:

Urban Forester

The site is within a conservation area, no TPO is listed.

Yew tree T6 is of most value to amenity although the canopy and screening overall afforded by the trees is significant. The loss of trees would be unacceptable given the contribution they make to the character and appeal of the conservation area, biodiversity and general canopy cover.

I note the reasons for the previous refusal (10-AP-0048), one of which relates to trees:

An arb report has now been provided. This is to BS5837 with a survey which shows the root protection area (RPA) of all adjacent trees which would be affected by the development, including the excavation of a basement. The footprint of the proposed development is larger than the existing structure built in 2004, which does not have a basement.

The arb report states that no trees are to be removed. It is considered that tree T1 is marginally affected and that the works to facilitate the proposed development would not adversely affect any of the trees T1 to T6. The coppicing of the multistemmed Hazel and other pruning work is considered to be acceptable arboricultural practice. The loss of amenity which would result from coppicing would be short term and replaced by rejuvenated new growth. However, screening via climbing plants to cover the proposed elevation facing Woodyard Lane would be required to mitigate this temporary loss.

It is clear that the statement within 6.5 above, as also noted by consultees, is incorrect where this mentions that further excavation will not be required. However, it is likely that any pre-existing tree roots would already have been removed in order to construct the current structure. As the proposed basement lies within the existing footprint, tree roots are therefore not likely to be affected.

There are therefore no grounds for refusal based on harm or removal of trees where suitable tree protection and landscape details are conditioned.

Statutory and non-statutory organisations consulted: Thames Water

Neighbours and local groups consulted:

05/12/2011 119A DULWICH VILLAGE LONDON SE21 7BJ
 05/12/2011 3 WOODYARD LANE LONDON SE21 7BH
 05/12/2011 2 WOODYARD LANE LONDON SE21 7BH
 05/12/2011 1 COLLEGE ROAD LONDON SE21 7BQ
 05/12/2011 GROUND TO SECOND FLOORS 117 DULWICH VILLAGE LONDON SE21 7BL

05/12/2011 119 DULWICH VILLAGE LONDON SE21 7BJ
05/12/2011 5 COLLEGE ROAD LONDON SE21 7BQ
05/12/2011 7 WOODYARD LANE LONDON SE21 7BH
05/12/2011 6 WOODYARD LANE LONDON SE21 7BH
05/12/2011 5 WOODYARD LANE LONDON SE21 7BH
05/12/2011 8 WOODYARD LANE LONDON SE21 7BH
05/12/2011 1 WOODYARD LANE LONDON SE21 7BH
05/12/2011 117 DULWICH VILLAGE LONDON SE21 7BL
05/12/2011 9 WOODYARD LANE LONDON SE21 7BH

Re-consultation**None**

Consultation responses received**Statutory and non-statutory organisations**

Thames Water – Standard Informative

Neighbours and local groups**Letters of objection received from:**

115 Dulwich Village

4Woodyard Lane

5 Woodyard Lane

6 Woodyard Lane

8 Woodyard Lane

9 Woodyard Lane

Key issues raised:

Impacts on trees, harm will occur particularly due to excavation

Loss of wildlife

Woodyard Lane is narrow

Previous reasons for refusal have not been addressed

Water and sewage disposal will affect the trees

Office accommodation may be used for professional meetings, with impacts on traffic

Precedent for infill and end of garden development

RECOMMENDATION

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

Applicant	Mrs P. Pereira	Reg. Number	11-AP-3907
Application Type	Full Planning Permission	Case Number	TP/2084-1
Recommendation	Refuse permission		

Draft of Decision Notice

Planning Permission was REFUSED for the following development:

New single storey garden building with basement to replace existing garage.

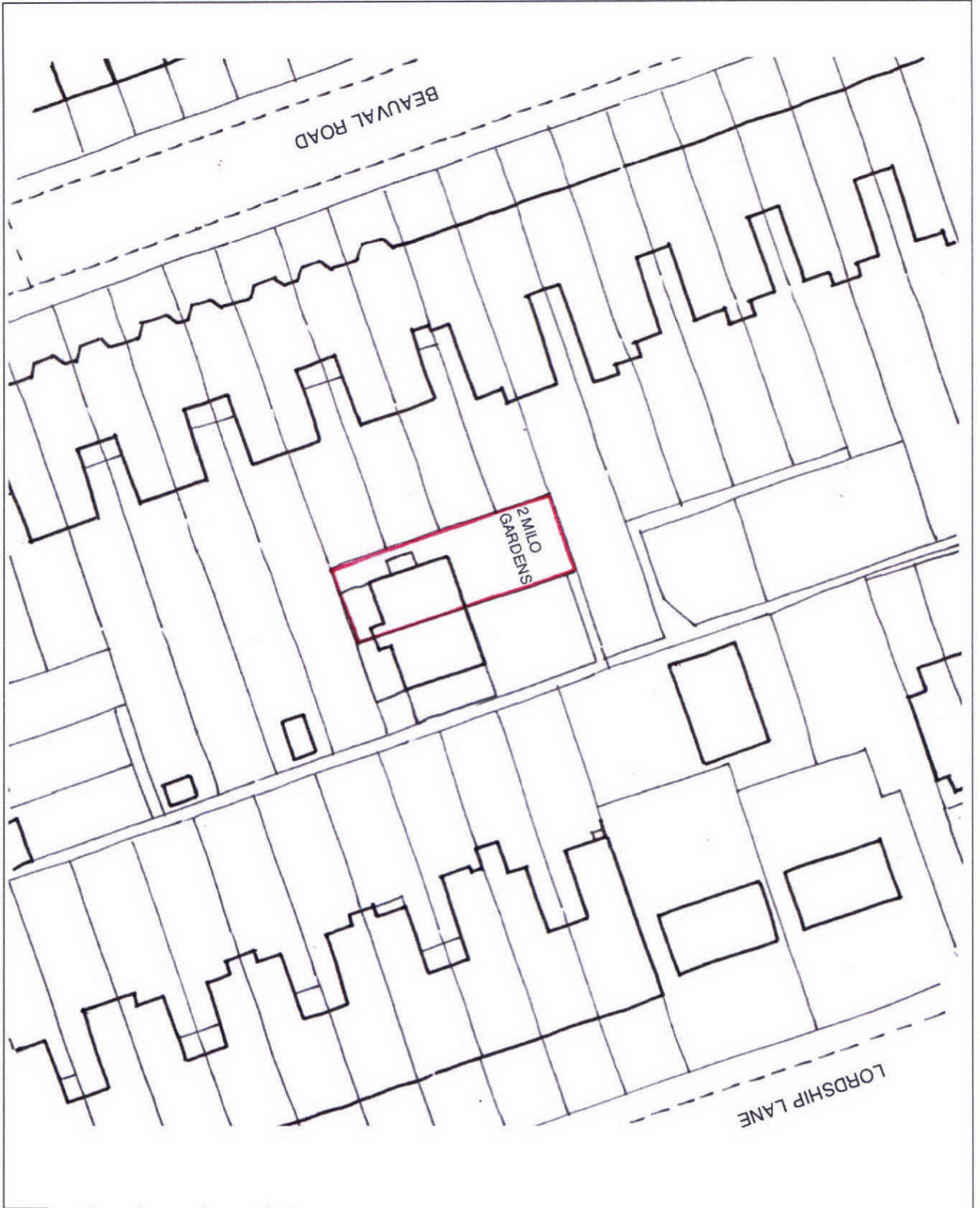
At: 1 COLLEGE ROAD, LONDON, SE21 7BQ

In accordance with application received on 21/11/2011

and Applicant's Drawing Nos. Design and Access Statement, Arboricultural and Planning Integration Report (8th August 2011) Drawings: 10-001, EX-001, EX-002, EX-003, EX-004, EX-005, PL-001, PL-002, PL-003, PL-004

Reason for refusal:

The proposed development would create an undesirable precedent for large buildings in rear gardens which would make it difficult to resist further similar applications, the cumulative impact of which would cause harm to the open and semi-rural character and appearance of this part of the Dulwich Village Conservation Area. As such it would be contrary to saved policies 3.12 'Quality in design', 3.13 'Urban design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007, the Dulwich Village Conservation Area Appraisal (February 2006) and Strategic Policy 12 Design and Conservation of the Core Strategy, and guidance in PPS5 Planning for the Historic Environment.



All omissions and discrepancies to be reported to the architect immediately. Do not scale from this drawing.

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Green & Teggin Architects Limited,
28 Lausanne Road, London SE15 2HU
Tel: 020 7358 1618
www.greenandtegg.in.co.uk

SCANNED ON
13 DEC 2011
PLANNING (JLR)

11 AP 4 0 5 1
- 2 DEC 2011
Planning Case File

Issue	Date	Rev
Project: 2 Milo Gardens, London SE22 8LU		
Drawing: Block Plan		

Status:	Date:	Scale:
PLANNING	Dec 11	1:500@A4
Job No:	Dwg No:	Rev:
1116	EX08	/

Green & Teggin
Architects

Item No. 6.2	Classification: Open	Date: 26 March 2012	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 11-AP-4051 for: Full Planning Permission Address: 2 MILO GARDENS, MILO ROAD, LONDON, SE22 8LU Proposal: Loft extension with front rooflights and rear dormer window extension, and construction of side extension on ground, first and second floor levels; providing additional residential accommodation for dwelling house.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 2 December 2011		Application Expiry Date 27 January 2012	

RECOMMENDATION

- 1 Grant planning permission

BACKGROUND INFORMATION

- 2 The application is for consideration by Dulwich Community Council as four letters of objection have been received.

Site location and description

- 3 The application site is a two-storey semi-detached Edwardian house located in an infill site at the end of a long narrow footpath. The dwellings are surrounded on all sides by the rear gardens of dwellings fronting Lordship Lane, Beauval Road and Milo Road. The property is not listed, although it is within the Dulwich Village conservation area.

Details of proposal

- 4 Planning permission is sought for the construction of an extension over 3 floors to the side of the dwelling and for a change of roof form from side hip to gable to allow the construction of a rear dormer extension to the existing single family dwelling.
- 5 The side extension would increase the footprint of the existing single storey structure by 0.4 metres in width and the length by 0.6 metres. It would be located approximately 0.5 metres off the boundary with the rear gardens on Beauval Road. It would measure 2.5 m deep 1.5 m wide and a maximum of 8.8 m high. It would be set back from the front building line by 3 metres and 2.5 metres from the rear building line. It is proposed that this extension would provide a new staircase to access the rear roof extension.
- 6 The proposed extension has been reduced in size from its original submission where the two additions were connected. They are now clearly separated with the rear

dormer set in from the side of the roof allowing the rear chimney to be retained. The rear dormer would measure 4.5 metres wide, 3.5 metres deep and 2.5 metres high.

Planning history

- 7 None.

Planning history of adjoining sites

- 8 2 Milo Gardens
0001413 Planning permission granted 26/10/2000 Erection of a single storey rear extension
- 9 04-AP-1774 Planning permission refused 20/12/2004 for the erection of a two storey side extension.
- 10 05-AP-1288 Planning permission granted 07/08/2006 for the erection of a two storey side extension.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 11 The main issues to be considered in respect of this application are:
- a) the impact upon the amenities of adjoining residents
 - b) the impact upon the original dwelling and the setting of the Dulwich village Conservation Area

Planning policy

Core Strategy 2011

- 12 SP12 Design and conservation
SP13 High environmental standards

Southwark Plan 2007 (July) - saved policies

- 13 3.2 Protection of amenity
3.12 Quality in design
3.16 Conservation areas
- 14 Draft Dulwich SPD
Dulwich Village Conservation Area Appraisal
Residential Design Standards SPD (2011)

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

- 15 PPS 5 Planning and the historic environment

Principle of development

- 16 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 17 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).
- 18 The principle of extending residential dwellings for the purposes of providing additional residential accommodation is considered acceptable provided that the scale of the proposal is appropriate within its context, having regard in particular to impacts on character and appearance of the site and surrounds, and impacts on residential amenities.

Environmental impact assessment

- 19 The proposal does not require an EIA assessment.

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

- Beauval Road
- 20 Nos. 37 to 43 are the dwellings most affected by the development as they face the side elevation of the dwelling where most of the work would take place. The main changes would be to the roof pitch which would continue in brick work vertically. The side of the main house lies 14.3 metres from the back addition of the houses on Beauval Road and 21 metres from the rear of the main dwellings. Whilst there would be added mass and bulk when viewed from the rear of these properties, it is not considered that this would so harmful to the amenity of these dwellings in terms of outlook, daylight and sunlight such that would warrant refusal of the application.
- 21 The extension to the side of the property would lie 12 metres from the dwellings most affected at nos. 37 and 39 Beauval Road. The proposed extension would represent a marginal increase in width (0.4m) and depth (0.6m). The main impact would be to the height which would increase from 3.4 m to 7.5m to the eaves level. It is acknowledged that the proposed extension would have an impact on the properties on Beauval Road, however it is not considered that any harm arising is such that would justify refusal of permission.
- 22 Concern has been raised around increased levels of overlooking from the full height glazing on the rear dormer. The proposed dormer would look south across the rear section of gardens of nos. 41-47 (odd) Beauval Road. Any level of overlooking experienced would be indirectly into gardens rather than into windows. Given the property's continued use as a single dwelling house it is not considered that the level of additional overlooking afforded by these dormer windows, over and above that arising from first floor windows, is significantly harmful.
- Milo Road
- 23 There is considered to be sufficient distance between the rear of the properties on Milo Road and the application site such that there would be no significant impacts.

Traffic issues

- 24 There are no traffic issues arising as a result of the proposal.

Design issues

- 25 The extensions have been reduced so rather than reading as a singular addition to dwelling as originally designed, they will be kept separate. The dormer extension would now be set in from the side of the roof matching the appearance of the dormer to no. 1. The dormer would be clad in zinc at the side with the garden elevation having a full height glazed openable window. The side extension would be set in from the front and rear building lines and although with a very modest footprint it will extend up almost to the ridge of the building. It would be constructed in matching brickwork and have a slate roof. It is not considered that the proposed extensions would add considerable bulk to this modest semi detached dwelling, particularly in relation to the adjoining building.

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

- 26 The dwelling is located within the Dulwich Village Conservation Area. The two buildings in Milo Gardens have no street presence and are only visible from the dwellings to the rear. It is considered that the proposed extensions would not detract from the conservation area, and the changes made as suggested by design officers allow for the retention of the rear chimney which would help maintain the original character of the building.

Impact on trees

- 27 The proposal will have no impact upon any trees.

Planning obligations (S.106 undertaking or agreement)

- 28 The proposal does not require any S106 contributions.

Conclusion on planning issues

- 29 Planning permission is sought for the construction of a 3 storey side extension and a rear dormer roof extension to this Edwardian cottage located within the Dulwich Village Conservation Area. The scheme has been altered from the original submission reducing the overall bulk of the extensions by separating them and retaining the original chimney. Concerns have been raised by surrounding residential properties around the level of extension and the impacts to outlook and visual amenity to the properties from the rear, however it is considered that there is sufficient distance between the houses and gardens on Beauval Road and the application site that reasonable levels of amenity will be maintained.

Community impact statement

- 30 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

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

Consultation replies

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

Summary of consultation responses

- 33 43 Beauval Road - Objects, our house is already overlooked by 2 Milo Gardens, a 3 storey tower block will have a negative impact upon our amenity and natural sunlight and would severely impact what limited privacy we currently enjoy.
- 34 The proposed designs are not in keeping with the conservation area, no precedent exists for this type of extension, the property could be extended without being so intrusive on its neighbours.
- 35 The design and access statement is misleading, the house is not so secluded and sits within close proximity to a number of dwellings. The proposed extension would cut out natural sunlight, be more intrusive and have a direct impact upon our amenity.
- 36 41 Beauval Road - Objects, the house is in the middle of the rear gardens and requires a greater degree of consideration for the houses whose rear gardens are overlooked. Its lack of public presence should not reduce the necessity to consider those who live on Beauval Road who will have to view the building from their properties.
- 37 The side extension would reduce daylight and sunlight and present a substantial increase in size to a very unattractive facade of brickwork. The massing of the structure will be out of keeping with existing cottage. The proposal is overbearing in relation to the privacy and amenities of the adjacent gardens particularly no. 41.
- 38 The rear dormer has been designed as a panoramic set of doors extending from floor to ceiling behind a juliet balcony, giving wholesale uninterrupted view down the garden of number 41. There is no precedent for this type of extension.
- 39 39 Beauval Road - Objects, The loft extension would extend the brickwork at the rear to form one corner of the loft extension with the loss of the chimney. The flat roof construction will result in the house becoming more block like when viewed with the staircase tower to the side, losing sight of the original architecture and symmetry of the cottage. The new floor would effect our amenity by dominating the skyline and encroaching on ours and other Beauval Road properties. The proposed additional doors to the rear would be visible from the bedrooms of our property and will affect privacy during summer months when our doors and windows are open.
- 40 The staircase tower is out of all proportion and character with the existing layout. The side extension will look completely out of place and have an overbearing impact

bringing the properties into closer proximity. The stair block will dominate the gable end of the building and its height will encroach and reduce the amenity of our property.

- 41 The property is within the conservation area and should only be approved if it sympathetic to and enhances the building and area. The side and roof extension are out of character with the existing cottage and will overshadow and be detrimental to the amenity of our property.

- 42 37 Beauval Road - Objects, The proposal would significantly alter our outlook and perspective and have a negative impact on our property, it would be closer and taller than the existing side extension, losing the original lines of the roof, it is not only overbearing but is just a blank square expanse of brickwork and would be like looking a block of flats. It is not in keeping with the conservation area, it would directly impact on the light to our garden.

Human rights implications

- 43 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.
- 44 This application has the legitimate aim of providing residential extensions. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 45 N/A.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2590-1 Application file: 11-AP-4051 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	8 March 2012	
Key Decision	Final	
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 Constitutional Team		12 March 2012

Consultation undertaken

Site notice date: 15/12/2011

Press notice date: 22/12/2011

Case officer site visit date: 12/01/2012

Neighbour consultation letters sent: 14/12/11

Thames Water

Neighbours and local groups consulted:

37 BEAUVAL ROAD LONDON SE22 8UG

39 BEAUVAL ROAD LONDON SE22 8UG

41 BEAUVAL ROAD LONDON SE22 8UG

35 BEAUVAL ROAD LONDON SE22 8UG

1 MILO GARDENS BEAUVAL ROAD LONDON SE22 8LU

31 BEAUVAL ROAD LONDON SE22 8UG

33 BEAUVAL ROAD LONDON SE22 8UG

Re-consultation:

29/02/2012

Consultation responses received

Statutory and non-statutory organisations

Thames Water - suggest informatives.

Neighbours and local groups

43 Beauval Road - Objects extensions would have a negative impact upon amenity and sunlight and privacy. The design is not in keeping with the conservation area. The property is not secluded and can be seen and is in close proximity to a number of properties on its boundaries.

41 Beauval Road - Objects, proposed extension will be viewed by many dwellings. The enlarged side wall facing the house in Beauval Road will reduce daylight and sunlight and result in an increase in unattractive brickwork. The massing of the structure will be overbearing and out of keeping with the original building. The proposal will be overbearing in relation to the privacy and amenities of the adjacent gardens especially no. 41. The dormer extension includes a set of floor to ceiling height doors which will allow for uninterrupted views of the garden of no. 41.

39 Beauval Road - Objects, to the proximity of the extensions in relation to their property

37 Beauval Road - Objects, no objections to a dormer extension but objects to the alteration of the roof shape and to the side extension.

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	Ms Emma Bardwell	Reg. Number	11-AP-4051
Application Type	Full Planning Permission	Case Number	TP/2590-1
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Loft extension with front rooflights and rear dormer window extension, and construction of side extension on ground, first and second floor levels; providing additional residential accommodation for dwellinghouse.

At: 2 MILO GARDENS, MILO ROAD, LONDON, SE22 8LU

In accordance with application received on 02/12/2011 08:01:45

and Applicant's Drawing Nos. Design Report Rev A, Site Plan

Plans:- EX 01, EX 02, EX 03, EX 04, EX 05, EX 06, EX 07, EX 08, EX 09
PR01 A; PR02 A; PR03 A; PR04 A; PR05 A; PR06 A; PR07 A

Reasons for granting permission.

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

Strategic policies of the Core Strategy 2011

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

Saved policies of the Southwark Plan 2007

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 and 3.16 'Conservation Areas' which seeks to protect the character and appearance of the designated area.

Planning Policy Statements [PPS] and Guidance Notes [PPG]

PPS5 Planning and the historic environment

Particular regard was had to the scale of the proposed extensions and the impact upon the Dulwich Village Conservation Area. However, it was considered that the proposal would complement the site and adequately preserve the character and appearance of the conservation area. Given the existing situation it was considered that there would be no significant harm upon the neighbouring properties. 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:

PR01 A; PR02 A; PR03 A; PR04 A; PR05 A; PR06 A; PR07 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 unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

HERNE HILL SCHOOL, 127 HERNE HILL, LONDON, SE24 9LY

Ordnance Survey

Date 12/3/2012



Agenda Item 6.3



Item No. 6.3	Classification: OPEN	Date: 26 March 2012	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 11-AP-3768 for: Full Planning Permission Address: HERNE HILL SCHOOL 127 HERNE HILL, LONDON, SE24 9LY Proposal: Erection of a building with one above-ground and one below-ground level for use as a school hall.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 8 November 2011		Application Expiry Date 3 January 2012	

RECOMMENDATION

- 1 Grant Detailed Planning Permission, subject to conditions.

BACKGROUND INFORMATION

- 2 This application has been referred to Dulwich Community Council for determination due to the number of objections received from neighbouring occupiers.

Site location and description

- 3 The application site refers to the buildings and plot located at 127 Herne Hill, London. The site is currently in use as Herne Hill School, encompassing various buildings and open space to the rear of the listed St Pauls Church (Grade II* listed) and adjacent Church Hall which front Herne Hill. The existing school is accessed from the side of St Pauls Church and is accommodated within two buildings - the main school building within the Old Vicarage (Grade II listed) and the more recent Mulberry Building. The remainder of the site is open space, playgrounds and a nature area. The site is not located within a Conservation Area.
- 4 The application site is located within a residential area and is bounded to the north, east and south by the rear garden ground of the properties on Herne Hill, Ruskin Walk and Carver Road respectively. To the west the site is bounded by the Denesmead Estate and the Church with adjacent hall fronting Herne Hill.

Details of proposal

- 5 Planning consent is sought for the erection of a building with one above-ground and one below-ground level for use as a school hall and nursery. The proposed new building will be located immediately adjacent (to the east) of the Mulberry Building and will be a brick built, flat roofed structure with ground and lower ground levels. The building will measure 4.5 metres in height above ground, 10 metres in depth and 17 metres in width. The flat roof will be concealed behind a shallow parapet and will accommodate photovoltaic panels to improve the energy efficiency of the building.

The elevations will feature large areas of glazing and design detail in the form of a mosaic and an external wall clock.

- 6 At present the school operates a nursery accommodating children for half day sessions. The proposed new building will allow the school to offer these children a full day nursery place - thereby improving the services provided without increasing the child numbers at the school. The new building will also provide a multi use hall below ground with extensive storage space, kitchen, a small moveable auditorium and stage. The position of the new building adjacent to the Mulberry Building will allow the two nursery groups to share an outdoor play space whilst alleviating any potential impact on the nearby listed buildings.

Planning history

7

Reg. No.	Type	Description	Summary	End Date
05/AP/1724	ADV	Display of 2 church sign boards measuring 1.2m x 1.8m and 0.9m x 1.5m both at a height of 1.3m. above ground level and situated 600mm behind front boundary wall.	GRA	03/11/2005
05/AP/2276	LBC	The refurbishment of the mechanical and electrical services including new suspended ceilings on the first floor and retention of external flue at basement level.	GRA	13/04/2006
05/AP/0091	FUL	Erection of two storey rear extension to existing school building [The Mulberry Building] to provide additional nursery classroom and ancillary storage accommodation.	GRA	23/06/2005
00/AP/0370	FUL	Construction of a library at first floor level to the west of the existing teaching block.	GRA	28/04/2000
05/AP/0104	LBC	Erection of three storey rear extension [top storey in roof space] to existing school building [The Mulberry Building] to provide additional nursery classroom and ancillary storage accommodation.	INV	02/04/2005
98/AP/1393	FUL	Construction of a single storey art room to adjoin the existing teaching block	GRA	09/10/1998
06/AP/0731	VAR	Variation of condition 2 (materials) of planning permission 05-AP-0091 to allow installation of photovoltaic tiles on the roof.	GRA	06/07/2006
06/AP/0882	FUL	Installation of a rooflight to rear elevation.	GRA	29/06/2006
11/AP/1959	FUL	Erection of a new school hall building with one above-ground and one-below ground level for use as a school hall and nursery.	WDN	09/08/2011
11/AP/3768	FUL	Erection of a building with one above-ground and one below-ground level for use as a school hall.	DCC	

Planning history of adjoining sites

- 8 There is no planning history of adjacent sites that is of relevance in the determination of this planning application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 The main issues to be considered in respect of this application are:
- The principle of the development in terms of land use and conformity with strategic policies.
 - The impact on the visual, residential and educational amenity of the area.
 - Design quality.
 - All other relevant material planning considerations.

Planning policy

Core Strategy 2011

- 10 SP2 - Sustainable transport
- SP4 - Places for learning, enjoyment and healthy lifestyles
- SP12 - Design and conservation
- SP13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 11 Policy 2.3 - Enhancement of Educational Establishments
- Policy 3.2 - Protection of Amenity
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design
- Policy 3.15 - Conservation of the Historic Environment
- Policy 3.17 - Listed Buildings
- Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- Policy 5.2 - Transport Impacts

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

- 12 PPS5 - Planning for the Historic Environment

National Planning Policy Framework

- 13 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 14 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

Principle of development

- 15 In principle there are no objections to the development in land use terms and there will be no conflict of use detrimental to amenity or the operations of the School.

Environmental impact assessment

- 16 An Environmental Impact Assessment is not required for an application of this nature.

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

- 17 The main impact of the proposal will be on the surrounding residents on Herne Hill, Ruskin Walk, Carver Road and the Denesmead Estate. Whilst there will be no adverse impact in terms of visual amenity, concerns have been raised by local residents regarding potential impacts on noise and parking. The surrounding area is

covered by a controlled parking zone and given that there will be no increase in pupil numbers enrolled at the school it is not considered that there will be a significant issue with regards to parking or transport. The Councils transport Team has been consulted on the proposed development and have raised no objections to the proposal. Conditions will be imposed to protect residents from excessive noise outside of school hours however noise from the playground which is only used at break times throughout the school day is not considered to be a significant issue as the school has been operating at this site in excess of 30 years, it is an established use and there will be no overall increase in pupil numbers. The development will still allow a sufficient area for playground and the nature area will be retained.

- 18 Conditions will also be attached regarding noise from any ventilation/extraction equipment. With regards to playground noise, pupil numbers enrolled at the school will not increase as a result of the proposed development and as such it is not considered that there will be a significant increase in noise. Noise associated with the playground which is only used at certain times throughout the day is not considered a sufficient reason to warrant refusal of the planning application.

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

- 19 There will be no conflict of use detrimental to amenity.

Traffic issues

- 20 The proposed development will not raise the existing capacity of the school and will remove the 'change over' period between morning and afternoon nursery classes and as such there may be a slight reduction in traffic to and from the site in the middle of the day. The proposed new nursery block does not raise any significant issues with regards to traffic or parking and as such is considered acceptable with regards to the saved transport policies of The Southwark Plan 2007 (July) and SP2 - Sustainable Transport of The Core Strategy 2011 (April).

Design issues

- 21 The application site is located within the setting of two listed buildings, the Grade II* listed St Paul's Church and the Grade II listed Herne Hill School. The proposal intends to provide new school accommodation in a new building to the north of the Mulberry block. The new block will be sunk into the ground maximise accommodation while reducing visual impact. The basement level would comprise new hall, kitchen and support space lit by clerestory windows in the south and west elevations. A new nursery and music room is proposed at ground floor level with access contained within the northern elevation.
- 22 The free standing building would face, on three sides, outdoor amenity spaces used by the school and would need to respond accordingly. The northern elevation would face the nursery playground, the south towards school nature reserve and the eastern elevation towards the playground.
- 23 The previous application, since withdrawn, was considered acceptable in terms of its position away from the main approach to the listed buildings to the rear of the site and south of the Mulberry building. Also scale and height of the building was considered acceptable as it reflected the lower scale needed to the rear of the site. The current application replicates this and is thus considered acceptable.
- 24 The proposed design and appearance has developed in conjunction with Officers since the previous application 11-AP-1959 and now represents an acceptable

proposal. Offices raised concerns with the initial scheme and suggested the following to be considered:

- animation and enlivening the facades and providing natural light to the staircase
 - use of materials adding interest and reflect context
 - the prominence of lift
 - natural light to the basement including kitchen
 - ductwork, flues and ventilation
- 25 Revisions to the south and eastern facades allow increased engagement with the context of the site with larger windows and a more interesting and playful arrangement that animates these facades. The use of red brick bands to enliven the buff and brown brick is appropriate and reflects similar details on the listed school building although materials should still be conditioned. The volume of the lift being more concealed is a welcome addition. The visual appearance of the building and proposed facades is a clear improvement over the previous scheme and is now considered acceptable.
- 26 The design also incorporates natural light to the stairs and into the kitchen from above. Although there is an outline ventilation strategy this should still be conditioned both in terms of environmental health and to safeguard the appearance of the building and setting of the listed buildings.
- 27 In all the design is much improved and is considered a high quality of architectural design, one that conserves and enhances heritage assets and their settings. Indeed, the proposed building, alongside the Mulberry building would form a harmonious group and is therefore consistent with both HE 7.5 and Policy HE10.1 of PPS 5.

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

- 28 The proposed development is acceptable within the context of the listed buildings at the St Pauls Church and The Vicarage (Main School Building) and will have no detrimental impact on its character or setting. As such the proposal complies with Saved Policy 3.17 – Listed Buildings and 3.18 – Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan 2007 (July) and SP12 – Design and Conservation of The Core Strategy 2011 (April).

Impact on trees

- 29 The proposed basement excavation and close proximity to mature trees requires a tree protection condition to ensure that existing trees both on site and on the boundary with the Denesmead Estate are not damaged. The proposed photovoltaic cells should be positioned so that they are not in conflict with existing tree canopies or result in tree loss.

Planning obligations (S.106 undertaking or agreement)

- 30 No planning obligations or Section 106 Agreements are required for an application of this nature.

Sustainable development implications

- 31 The use of photovoltaic cells will provide electricity through renewable energy and improves the sustainability of the school and the proposed development.

Other matters

- 32 The Environmental Protection Team have recommended that conditions be imposed on the operating hours of the hall outside of school hours, ventilation/extraction equipment, noise and the submission of an Environmental Management Plan. The relevant conditions will be imposed on any consent issued.

Conclusion on planning issues

- 33 The proposed development is considered acceptable in terms of design and the impact on the visual and residential amenity of the area. The new building will enhance the setting of the listed buildings and will provide a much needed facility for the school. The potential adverse impacts identified regarding noise and operating hours can be adequately mitigated by planning conditions and as such the development complies with the saved policies of The Southwark Plan 2007 (July) and the strategic policies of The Core Strategy 2011. It is therefore recommended that detailed planning permission be granted subject to conditions.

Community impact statement

- 34 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) There are no issues relevant to particular communities/groups.

c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 37 All comments received from internal and statutory consultees have been summarised and addressed below;

- 38 Design and Conservation - No objections subject to conditions regarding materials.

Response - Noted and agreed, the relevant conditions will be imposed on any consent issued.

- 39 Environmental Protection - No objections subject to conditions relating to ventilation/extraction equipment, opening hours, noise and the submission of an Environmental Management Plan.

Response - Noted and agreed, the relevant conditions will be imposed on any consent issued.

- 40 Transport - No objections, the proposed development is unlikely to have an adverse impact in transport terms.
Response - Noted and agreed.
- 41 Urban Forester - The proposed basement excavation and close proximity to mature trees requires a tree protection condition to ensure that existing trees both on site and on the boundary with the Denesmead Estate are not damaged. The proposed photovoltaic cells should be positioned so that they are not in conflict with existing tree canopies or result in tree loss.
Response - Noted and agreed, the relevant condition will be imposed on any consent issued.
- 42 English Heritage - No comment, the application should be decided in line with local policy.
Response - Noted, the proposed development will be decided in line with saved Southwark Plan and Core Strategy Policies.
- 43 Following neighbour consultation, two letters of support and three letters of objection have been received in response to the proposed development. The main points of the letters received have been summarised and addressed below;
- 44 Objection - The proposal will increase traffic and parking problems on Ruskin Walk and will result in an increase in noise. The proposal will also limit the playground area.
Response - The surrounding area is covered by a controlled parking zone and given that there will be no increase in pupil numbers enrolled at the school it is not considered that there will be a significant issue with regards to parking or transport. The Councils transport Team has been consulted on the proposed development and have raised no objections to the proposal. Conditions will be imposed to protect residents from excessive noise outside of school hours however noise from the playground which is only used at break times throughout the school day is not considered to be a significant issue as the school has been operating at this site in excess of 30 years, it is an established use and there will be no overall increase in pupil numbers. The development will still allow a sufficient area for playground and the nature area will be retained.
- 45 Objection - Noise within the playground is very disruptive to residents in Ruskin Walk and this will get worse with the increase in pupils. Conditions should be used to limit noise impacts and operating hours outside of the school day.
Response - Operating hours outside of the school day will be restricted by planning condition and issues with regards to noise are covered by existing Environmental Health Legislation. Conditions will also be attached regarding noise from any ventilation/extraction equipment. With regards to playground noise, pupil numbers enrolled at the school will not increase as a result of the proposed development and as such it is not considered that there will be a significant increase in noise. Noise associated with the playground which is only used at certain times throughout the day is not considered a sufficient reason to warrant refusal of the planning application.

Human rights implications

- 46 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.
- 47 This application has the legitimate aim of providing improved nursery accommodation

and school facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

48 N/A.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2545-G Application file: 11-AP-3768 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 5365 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour Consultee List

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Terence McLellan, Planning Officer	
Version	Final	
Dated	22 March 2012	
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 Constitutional Team	12 March 2012	

Consultation undertaken

Site notice date: 30/11/2011

Press notice date: 24/11/2011

Case officer site visit date: 30/11/2011

Neighbour consultation letters sent: 23/11/2011

Internal services consulted:

Design and Conservation
Environmental Protection
Transport
Urban Forester

Statutory and non-statutory organisations consulted:

English Heritage

Neighbours and local groups consulted:

As detailed in Appendix 3

Re-consultation:

Re-consultation not required.

Consultation responses received

Internal services

Design and Conservation - No objection subject to conditions.

Environmental Protection - No objection subject to conditions.

Transport - No objections.

Urban Forester - No objection subject to conditions.

Statutory and non-statutory organisations

English Heritage - No comment, the application should be decided in line with local policy.

Neighbours and local groups

5 Ardbeg Road - Support.

4 Doctors Close - Support (this Consultee is a member of staff at Herne Hill School).

123 Herne Hill - Objection.

12 Ruskin Walk - Objection.

18 Ruskin Walk - Objection.

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 11-AP-3768

TP No	TP/2545-G	Site	HERNE HILL SCHOOL 127 HERNE HILL, LONDON, SE24 9LY
App. Type	Full Planning Permission		

Date Printed	Address
23/11/2011	16 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	15 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	18 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	17 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	12 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	11 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	14 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	13 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	24 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	23 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	9 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	20 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	19 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	22 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	21 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	35 CARVER ROAD LONDON SE24 9LS
23/11/2011	33 CARVER ROAD LONDON SE24 9LS
23/11/2011	125 HERNE HILL LONDON SE24 9LY
23/11/2011	123 HERNE HILL LONDON SE24 9LY
23/11/2011	27 CARVER ROAD LONDON SE24 9LS
23/11/2011	31 CARVER ROAD LONDON SE24 9LS
23/11/2011	29 CARVER ROAD LONDON SE24 9LS
23/11/2011	18 RUSKIN WALK LONDON SE24 9LZ
23/11/2011	16 RUSKIN WALK LONDON SE24 9LZ
23/11/2011	10 DENESMEAD HERNE HILL LONDON SE24 9LX
23/11/2011	20 RUSKIN WALK LONDON SE24 9LZ
23/11/2011	10 RUSKIN WALK LONDON SE24 9LZ
23/11/2011	127 HERNE HILL LONDON SE24 9LY
23/11/2011	14 RUSKIN WALK LONDON SE24 9LZ
23/11/2011	12 RUSKIN WALK LONDON SE24 9LZ
20/06/1837	4 Doctors Close Sydenham London SE26 6DL
20/06/1837	5 Ardbeg Road London SE24 9JL

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	Herne Hill School	Reg. Number	11-AP-3768
Application Type	Full Planning Permission	Case Number	TP/2545-G
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a building with one above-ground and one below-ground level for use as a school hall.

At: HERNE HILL SCHOOL 127 HERNE HILL, LONDON, SE24 9LY

In accordance with application received on 08/11/2011

and Applicant's Drawing Nos. D 0001/ Rev/P, D 0002/Rev/2, D 0003/Rev/P1, D 0004/Rev/P3, D 0100/Rev/P3, D 0300/Rev/P3, D 0301/Rev/P3, D 0400/Rev/P2, P2514 Design & Access Statement, Updated Statement of Community Involvement, Updated Planning Statement.

Reasons for granting planning permission.

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

- a] The following saved policies of the Southwark Plan [July 2007];
- Policy 2.3 - (Enhancement of educational establishments) which aims to improve educational establishments throughout the Borough.
 - 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 - This policy seeks to protect the heritage assets of the Borough.
 - Policy 3.17 - Listed buildings - This policy aims to ensure that development is appropriate to the historical character and setting of the Boroughs listed buildings.
 - Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites - This policy aims to protect the settings of the historic fabric of the Borough to ensure that all development is appropriate the historical context of the Boroughs Heritage assets.
- b] The following Strategic Policies of the Core Strategy 2011:
- Strategic Policy 2 Sustainable Transport seeks to manage the transport impacts and benefits of developments.
 - Strategic Policy 4 Places to Learn and Enjoy seeks to ensure that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.
 - 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] PPS5 - Planning and the Historic Environment, PPG24 - Planning and Noise.

Planning permission was granted having regard to the impact of the proposed new building on the amenity of neighbouring buildings and to the listed school building however it was considered that the development would not be so harmful such that planning permission should be refused and the development is considered to be in keeping with 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: D 0100/Rev/P3, D 0300/Rev/P3, D 0301/Rev/P3, D 0400/Rev/P2.

Reason:

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

- 3 Details of the brickwork and glazing to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Saved Policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July) and SP12 - Design and Conservation of The Core Strategy 2011 (April).

- 4 The use hereby permitted for D1 purposes shall not be carried on outside of the hours 8:00am to 10:00pm on Monday to Friday or 10:00am to 10:00pm on other days.

Reason

In the interests of Amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July) and SP13 - High Environmental Standards of the Core Strategy 2011 (April).

- 5 Details of the means by which the existing trees on the site are to be protected from damage during construction shall be submitted (2 copies) to and approved in writing by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

In the interests of Amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July) and SP13 - High Environmental Standards of the Core Strategy 2011 (April).

- 6 A drawing shall be submitted showing tree canopy cover and the position of the Photovoltaic Cells on the roof of the building hereby approved. This drawing (2 copies) shall be submitted to and approved in writing by the Local Planning Authority prior to any operational development taking place.

Reason

In the interests of Amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July) and SP13 - High Environmental Standards of the Core Strategy 2011 (April).

- 7 The use hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of elevations, sound attenuation for any necessary plant and the standard of dilution expected, has been 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 approval given.

Reason

In order that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with saved policy 3.2 Protection of Amenity of The Southwark Plan 2007, SP13 -High Environmental Standards of The Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 8 The rated noise level from any plant, together with any associated ducting, shall be 10 dB(A) or more below the measured L_{A90} level at the nearest noise sensitive premises. The method of assessment shall be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. 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) The location of all most affected noise sensitive receptor locations and the most affected windows;
- v) 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;
- vi) The lowest existing LA90, T measurement as already established.
- vii) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007, SP13 - High Environmental Standards of The Core Strategy 2011 (April) and PPG24- Planning and Noise.

- 9 The development shall not commence until details of an Environmental Management Plan has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The Environmental Management Plan shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site during demolition and construction and will include the following information for agreement

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

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

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Saved Policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of The Southwark Plan 2007 and SP13 - High Environmental Standards of The Core Strategy 2011.

- 10 Details to be provided and approved in writing by the Local Planning Authority of the design of music room and hall windows in terms of their sound insulation properties and the arrangement for natural and /or mechanical ventilation or to ensure sound containment during music based activities.

Reason

In the interests of Amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of The Southwark Plan 2007 (July) and SP13 - High Environmental Standards of the Core Strategy 2011 (April).

**DULWICH COMMUNITY COUNCIL AGENDA DISTRIBUTION LIST (OPEN)
MUNICIPAL YEAR 2011-12**

NOTE: Original held by Constitutional Team (Community Councils) all amendments/queries to Beverley Olamijulo Tel: 020 7525 7234

Name	No of copies	Name	No of copies
To all Members of the Community Council		Others	
Councillor Lewis Robinson (Chair)	1		
Councillor Robin Crookshank Hilton (Vice- Chair)	1	Shahida Nasim, Audit Commission	1
Councillor James Barber	1		
Councillor Toby Eckersley	1		
Councillor Helen Hayes	1	Total:	33
Councillor Rose Shimell	1		
Councillor Jonathan Mitchell	1		
Councillor Michael Mitchell	1		
Councillor Andy Simmons	1		
		Dated: 16 March 2012	
External			
Libraries (Dulwich)	1		
Local History Library	1		
Press			
Southwark News	1		
South London Press	1		
Members of Parliament			
Harriet Harman MP	1		
Tessa Jowell MP	1		
Officers (Tooley Street Offices)			
Constitutional Officer (Community Councils) Hub 4, 2 nd Floor	15		
Rachel McKoy, Legal Hub 2, 2 nd Floor	1		
Sonia Watson, Planning 5 th Floor	1		