

## Planning Sub-Committee B

Tuesday 11 September 2012

7.00 pm

Conference Room, G02a 160 Tooley Street, London SE1 2QH

### Membership

Councillor Darren Merrill (Chair)  
Councillor Nick Stanton (Vice-Chair)  
Councillor Neil Coyle  
Councillor Nick Dolezal  
Councillor Richard Livingstone  
Councillor Wilma Nelson  
Councillor David Noakes

### Reserves

Councillor James Barber  
Councillor Sunil Chopra  
Councillor Poddy Clark  
Councillor Patrick Diamond  
Councillor Helen Hayes

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

Beverley Olamijulo on 0207 525 7234 or email: [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 3 September 2012



## Planning Sub-Committee B

Tuesday 11 September 2012  
7.00 pm  
Conference Room, G02a 160 Tooley Street, London SE1 2QH

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3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
4.	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	<b>MINUTES</b>	1 - 6
	To approve as a correct record the Minutes of the meeting held on 10 July 2012.	
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Date: 3 September 2012

## **INFORMATION FOR MEMBERS OF THE PUBLIC**

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**CONTACT:** Beverley Olamijulo, Constitutional Officer Tel: 020 7525 7234 or email: [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)  
Website: [www.southwark.gov.uk](http://www.southwark.gov.uk)

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### **DEPUTATIONS**

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

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please telephone 020 7525 7234.**



## PLANNING SUB-COMMITTEE

### Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the sub-committee.
3. Your role as a member of the planning sub-committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the sub-committee (if they are present and wish to speak) for **not more than 3 minutes each**.

(a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.

(b) The applicant or applicant's agent.

(c) One representative for any supporters (who live within 100 metres of the development site).

(d) Ward councillor (spokesperson) from where the proposal is located.

(e) The members of the sub-committee will then debate the application and consider the recommendation.

Note: Members of the sub-committee may question those who speak only on matters relevant to the roles and functions of the planning sub-committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the sub-committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.

7. No smoking is allowed at council committees and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

**The arrangements at the meeting may be varied at the discretion of the chair.**

**Contacts:** The Head of Development Manager  
Planning Section, Chief Executive's Dept  
Tel: 020 7525 5437; or

Planning Sub-Committee Clerk, Constitutional Team  
Chief Executive's Dept  
Tel: 020 7525 7234



## PLANNING SUB-COMMITTEE B

MINUTES of the Planning Sub-Committee B held on Tuesday 10 July 2012 at 7.00 pm at Conference Room G02a, 160 Tooley Street, London, SE1 2QH

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**PRESENT:** Councillor Darren Merrill (Chair)  
Councillor Nick Stanton (Vice-Chair)  
Councillor Neil Coyle  
Councillor Nick Dolezal  
Councillor Mark Gettleson  
Councillor Richard Livingstone

**OTHER MEMBERS PRESENT:** Councillor Toby Eckersley  
Councillor Claire Hickson  
Councillor Michael Mitchell  
Councillor Michael Situ

**OFFICER SUPPORT:** Rob Bristow (Development Management)  
Sadia Hussain (Legal Team)  
Dipesh Patel (Planning Enforcement)  
Gary Rice (Head of Development Management)  
Sonia Watson (Development Management)  
Christian Loveday (Development Management)  
Gerald Gohler (Constitutional Team)

### 1. INTRODUCTION AND WELCOME

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

### 2. APOLOGIES

There were apologies for lateness from Councillor Mark Gettleson.

### 3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as voting members.

#### 4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

A member made the following declaration in relation to the following agenda item:

##### 6.1 82 Tower Bridge Road, London SE1 4TP

Councillor Mark Gettleson, non-pecuniary, as he was going to speak on this application in his capacity as a ward councillor.

#### 5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

##### ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

##### RESOLVED:

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

#### 6. DEVELOPMENT MANAGEMENT ITEMS

##### 6.1 82 TOWER BRIDGE ROAD, LONDON SE1 4TP

##### Planning application reference number 11-AP-3808

Report: See pages 7 -33 and the addendum report page 1.

##### PROPOSAL

*Change of use of ground floor from amusement arcade (Sui Generis) to financial and professional services (Class A2).*



The sub committee heard an officer's introduction to the report, and members asked questions of the officer.

Councillors heard representations from the objectors, and asked questions of them.

At 7.30pm Councillor Gettleson arrived and declared that he would speak as a ward councillor on the current item. He would split his time with Councillor Claire Hickson, who also wished to speak on this item. Councillor Gettleson then sat with the audience.

Members heard representations from the applicant's agent, and asked questions of them.

There were no local supporters who lived within 100 metres of the development site.

Councillor Mark Gettleson spoke in his capacity as a ward councillor, and Councillor Claire Hickson also spoke. Councillors asked questions of Councillors Gettleson and Hickson.

At this point Councillors Mark Gettleson and Claire Hickson left the meeting room.

Councillors debated the application and asked questions of the officers.

The motion to grant planning permission was moved, seconded, put to the vote and lost.

The motion to refuse planning permission was moved, seconded, put to the vote and declared to be carried.

#### **RESOLVED:**

That planning application 11-AP-3808 be refused, on the grounds that:

"Owing to the pressure on commercially viable retail space, the proposed A2 'Financial and professional' use would not amount to a sustainable form of development, and would be to the detriment of creating a thriving retail area which would better serve the needs of the local population. As such the proposal is considered to be contrary to the provisions of the National Planning Policy Framework which seeks to encourage sustainable development which meets the needs of local communities."

At 8.50pm the meeting adjourned for a comfort break, and reconvened at 8.55pm. At this point, Councillor Mark Gettleson rejoined the meeting and confirmed he was a voting member of the committee.

#### **6.2 CHRIST APOSTOLIC CHURCH MOUNT ZION INTERNATIONAL, 1A SUMNER ROAD, LONDON SE15 6LA**

##### **Planning application reference number 11/AP/3481**

Report: See pages 34 -54 and the addendum report pages 1 and 2.

**PROPOSAL**

*Use of premises as a place of worship (Class D1)*

The sub committee heard an officer's introduction to the report, and councillors asked questions of the officer.

Councillors heard representations from the objectors, and asked questions of them.

Members heard representations from the applicant's agent, and asked questions of them.

There were no local supporters who lived within 100 metres of the development site.

Councillor Michael Situ spoke in his capacity as a ward councillor, after which he left the meeting room.

Councillors debated the application and asked questions of the officers.

The motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

**RESOLVED:**

That planning application 11/AP/3481 be granted, subject to the conditions set out in the report.

**6.3 9 COLLEGE ROAD, LONDON SE21 7BQ****Planning application reference number 11-AP-4229**

Report: See pages 55 -67 and the addendum report pages 2 to 4.

**PROPOSAL**

*First floor extension over existing garage, a single storey rear extension; extended conservatory and terrace at second floor level with new small terrace at first floor. Installation of solar PV and thermal panels on the roof.*

The sub committee heard an officer's introduction to the report, and councillors asked questions of the officer.

Councillors heard representations from the objectors, and asked questions of them.

Members heard representations from the applicant and their agent, and asked questions of them.

There were no local supporters who lived within 100 metres of the development site, or

ward councillors who wished to speak.

Councillors debated the application and asked questions of the officers.

The motion to grant planning permission was moved, seconded, put to the vote and declared to be carried

**RESOLVED:**

That planning application 11-AP-4229 be granted, subject to the conditions set out in the report.

**6.4 43 TURNEY ROAD, LONDON SE21 7JA**

**Planning application reference number 12/AP/0875**

Report: See pages 68 -78 and the addendum report pages 4 and 5.

**PROPOSAL**

*Proposed extension of existing basement to create additional residential accommodation, with installation of dormer extensions to the rear roof slope and over the rear outrigger, two new rooflights, dropped kerb to access front garden, and external alterations to rear of property, including replacement of ground floor rear elevation doors and new rooflight to existing side infill extension.*

The sub committee heard an officer's introduction to the report, and members asked questions of the officer.

Councillors heard representations from the objectors, and asked questions of them.

Members heard representations from the applicant's agent, and asked questions of them.

There were no local supporters who lived within 100 metres of the development site.

Councillor Toby Eckersley spoke in his capacity as a ward councillor, and left the meeting room after he spoke.

Councillors debated the application and asked questions of the officers.

The motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

**RESOLVED:**

That planning application 12/AP/0875 be granted subject to the conditions set out in the report, and with an additional condition requiring details of the construction of the basement design to be submitted.

Meeting ended at 10.55 pm

**CHAIR:**

**DATED:**

# Agenda Item 7

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 11 September 2012	<b>Meeting Name:</b> Planning Sub Committee B
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Director of Corporate Strategy	

## 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 planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

## 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**

##### **Director of Legal Services**

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 head of development management 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 head of development management 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 director of legal services, and which is satisfactory to the head of development management. 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 director of legal services. The planning permission will not be issued unless such an agreement is completed.
17. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. 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).

18. 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. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the 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. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
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. 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."

21. 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.

22. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
23. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team 160 Tooley Street London SE1 2QH	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 160 Tooley Street, London SE1 2QH	The named case Officer as listed or Gary Rice 020 7525 5437

### APPENDICES

No.	Title
None	



**AUDIT TRAIL**

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager	
<b>Report Author</b>	Kenny Uzodike, Assistant Constitutional Officer Suzan Yildiz, Senior Planning Lawyer	
<b>Version</b>	Final	
<b>Dated</b>	7 July 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		6 July 2012

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B****on Tuesday 11 September 2012**

**Appl. Type** Full Planning Permission  
**Site** 29 CURLEW STREET, LONDON, SE1 2ND

**Reg. No.** 12-AP-0395  
**TP No.** TP/208-29  
**Ward** Riverside  
**Officer** Michael Mowbray

**Recommendation** GRANT PERMISSION

***Item 7.1*****Proposal**

Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level and modifications to the Curlew Street and rear elevations.

**Appl. Type** Full Planning Permission  
**Site** ALLEYNS SCHOOL, TOWNLEY ROAD, LONDON, SE22 8SU

**Reg. No.** 12-AP-1759  
**TP No.** TP/2300-A  
**Ward** Village  
**Officer** Victoria Lewis

**Recommendation** GRANT PERMISSION

***Item 7.2*****Proposal**

Erection of first floor extension to south-west elevation to provide additional music rooms, and erection of single-storey entrance lobby to south-west elevation.

**Appl. Type** Full Planning Permission  
**Site** NORTH DULWICH TENNIS CLUB 152A EAST DULWICH GROVE LONDON SE22

**Reg. No.** 12-AP-1794  
**TP No.** TP/2120-150  
**Ward** Village  
**Officer** Victoria Lewis

**Recommendation** GRANT PERMISSION

***Item 7.3*****Proposal**

Erection of six floodlights to tennis courts 1 and 2.

**Appl. Type** Council's Own Development - Reg. 3  
**Site** PECKHAM RYE PARK, PECKHAM RYE SE15

**Reg. No.** 12-AP-1635  
**TP No.** TP/2614-A  
**Ward** Peckham Rye  
**Officer** Terence McLellan

**Recommendation** GRANT PERMISSION

***Item 7.4*****Proposal**

Relocation of existing portacabin buildings comprising 3 changing units and 1 storage unit to permanent location within the maintenance yard in Peckham Rye Park.

**Appl. Type** Full Planning Permission  
**Site** DULWICH SPORTS GROUND CLUBHOUSE TURNEY ROAD LONDON, SE21 7JH

**Reg. No.** 12-AP-1913  
**TP No.** TP/2546-B  
**Ward** Village  
**Officer** Victoria Lewis

**Recommendation** GRANT PERMISSION

***Item 7.5*****Proposal**

Erection of single-storey extension to provide additional changing rooms.



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<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 11 September 2012	<b>Meeting Name:</b> Planning Sub Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/0395 for: Full Planning Permission  <b>Address:</b> 29 CURLEW STREET, LONDON, SE1 2ND  <b>Proposal:</b> Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level and modifications to the Curlew Street and rear elevations.		
<b>Ward(s) or groups affected:</b>	Riverside		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 13 February 2012		<b>Application Expiry Date</b> 9 April 2012	

### RECOMMENDATION

- 1 Grant permission subject to conditions.

### BACKGROUND INFORMATION

- 2 The application is brought before the planning sub-committee having been deferred from the last Bermondsey community council.

Members required further information on:

- Consultation
  - Site visit to neighbouring properties
  - Review of planning history - has an application been refused previously?
  - What information is required for basement extensions in City of Westminster
- 3
    - a) There were two rounds of consultation - 23 February 2012 involving properties in Gainsford Street and Curlew Street and a follow up round on 21 March 2012 when it came to light that properties in Canvas House has not been identified for consultation due to an error on the GIS system. There is a record of a further consultation on 1 May 2012, which was after the letters of notification of the community council meeting were sent (27 April 2012), but it appears that these letters were sent in error. A final round of re consultation has been undertaken following the recent submission of revised plans.
  - 4
    - b) The case officer has undertaken a site visit to neighbouring properties. Whilst this was helpful, it has not changed the assessment that the proposed development is acceptable.

- 5 c) A previous application 11-ap-2151 was withdrawn prior to a decision being made.
- 6 d) Westminster City Council require a construction method statement, with specific details of subsoil, ground water, method of excavation, details of temporary supports and sequence of construction for applications involving basement extensions, where these need planning permission. Members were previously advised that this basement extension would, in officer's view, be permitted development. How the basement extension is to be constructed is a matter for building control.
- 7 Since the previous community council meeting, the plans have been revised to reduce the size of the proposed basement to a wine cellar located beneath the kitchen, towards the rear of the site.

#### **Site location and description**

- 8 The application relates to an existing converted warehouse dwelling situated on the west side of Curlew Street within the Tower Bridge conservation area. The dwelling occupies the whole of the converted 19th century warehouse as a single unit which has subsequently been extended to incorporate an additional floor.
- 9 The area is mixed with the adjoining properties occupied as residential units. The immediately adjoining dwelling to the north is a conversion of a similar period warehouse, and there is a row of terrace properties to the south. There is a multi-storey car park situated opposite to the site with office buildings also in the vicinity.
- 10 The site is located within part of the Bankside, Borough and London Bridge Strategic Cultural Area. The site is also within an Archaeological Priority Zone.

#### **Details of proposal**

- 11 The original application was for alterations to the existing property consisting of the formation of a new basement level, alterations to the Curlew Street and rear elevation and a second floor rear extension.
- 12 The basement extension was originally proposed to provide space for a gym, wine cellar area and a small ancillary workshop. This has subsequently been removed from the proposal (since the last committee meeting) and replaced with a wine cellar which would be accessed from what would become the kitchen area.
- 13 The application still proposes to alter the front elevation removing the glass frontage and the building up off the existing wall to the existing roof ridge. The dwelling would be converted into a single bedroom property with a library/study area situated to the first floor.
- 14 The proposed 2nd floor rear extension would extend out by 2m approximately at a maximum width of 5m running along the boundary with No 28 Curlew Street and set in from the boundary with No 30 by 1.5m approximately. This would allow space for an additional bathroom.
- 15 It is noted that this is a single family dwellinghouse where there are permitted development rights for various alterations and extensions. Basement extensions with no external expression, together with alterations to windows, are normally permitted development. Permission was granted under a 2006 application to use this building as a dwelling and the permitted development rights were not removed at that time.

### Planning history

- 16 **11-AP-2151**  
Alterations and extension including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation.  
**Withdrawn:** November 2011
- 17 **07-AP-1678**  
Erection of an additional floor to provide additional living accommodation to existing dwelling house.  
**Approved:** November 2007
- 18 **07-AP-0562**  
Erection of additional two floors with roof terrace  
**Withdrawn:** June 2007
- 19 **06-AP-0918**  
Change of use of premises from live/work unit to residential with associated minor alterations to the external appearance of the front and rear elevation  
**Approved:** July 2006

### Planning history of adjoining sites

- 20 None identified.

### KEY ISSUES FOR CONSIDERATION

#### Summary of main issues

- 21 The main issues to be considered in respect of this application are:
- a) The design of the proposal and impact upon the conservation area
  - b) The potential impact upon the amenity of neighbouring residential properties.

### Planning policy

#### Core Strategy 2011

- 22 Strategic Policy 12 'Design and conservation'  
Strategic Policy 13 'High environmental standards'

#### Southwark Plan 2007 (July) - saved policies

- 23 3.2 'Protection of amenity'  
3.11 'Efficient use of land'  
3.12 'Quality in Design'  
3.13 'Urban Design'  
3.15 'Conservation of the historic environment'  
3.16 'Conservation areas'  
3.19 'Archaeology'

#### London Plan 2011

- 24 Policy 7.4 'Local character'  
Policy 7.6 'Architecture'

## National Planning Policy Framework

- 25 The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Governments commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.

### Chapter 12 Conserving and Enhancing the Historic Environment

#### **Principle of development**

- 26 The extension to a residential dwelling raises no land use issues.

#### **Environmental impact assessment**

- 27 Not required for a development of this type. No significant environmental impacts would arise.

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

- 28 The properties most potentially affected by the proposed works would be those situated either side of the application dwelling: Nos. 28 and 30 Curlew Street.
- 29 No.28 Curlew Street adjoins the application site immediately to the south west. The openings at No. 28 Curlew Street which are closest to the boundary with the application site are set in from the steep sloping roof to the rear of this property which creates a light well arrangement. The pattern of the sun would travel to the south of this dwelling therefore no loss of sunlight would be experienced as a result of the development. Given the positioning of the lower two level rear openings it is considered that the addition of the 2nd floor extension would not adversely impact upon the property through loss of light. The lower level openings i.e. ground and first floor already experience limited light which would not be greatly exacerbated by the introduction of a 2m extension. The lightwell receives light largely from a vertical direction which would not be affected by the extension. As this is not a significant length of extension or excessive in height (i.e. 2.4m), adequate light would be afforded to the property from a north westerly direction and vertically. With regard to outlook, the proposed extension would extend out by two metres from the rear extension of the existing dwelling extending along the existing building line which is set at a slight outward direction angle from the application property. The proposed extension would block views only directly onto the terrace balcony of the application site and views to the rear of the buildings situated along Gainsford Street. With the use of an existing balcony, views into the rear courtyard area situated in the centre of these buildings would not be significantly obscured. A site visit was carried out at this property where views from the windows in question were assessed. Given the modest scale of the proposed extension and the positioning of this neighbouring dwelling, it is not considered that the proposed extension would adversely impact upon the amenity of this neighbouring property through loss of light or outlook.
- 30 On the opposite side of the application site is No 30 Curlew Street which lies to the north of the site. Due to the position of the rear protruding section from the application site, the ground and first floor rear windows of No .30 are already partially obscured.

- 31 Taking into account the second floor opening which is set just below the second floor level of the application property, with the positioning of the proposed extension set in from the boundary with No. 30 by approximately 1.2m and at the proposed height, the development would not lead to a significant loss of light to the 2nd floor opening of the dwelling. Given the relative scale of the proposed extension and its position in relation to the neighbouring property, it is not considered that any loss of outlook would occur to the detriment of the amenity of this property.
- 32 Given that the 3rd floor of this neighbouring property is set significantly above the 2nd floor of the application site, the proposed extension would not lead to a loss of light to this opening or the dwelling as a whole. Regarding outlook from the rear elevation openings, the proposed extension, again taking into account the set-in from the boundary, would not lead to a loss of outlook from this dwelling. Again a site visit has been carried out at this property.
- 33 The proposed second floor extension would accommodate a bathroom. In order to prevent any potential overlooking into the rear of No.30 Curlew Street and the properties to the north at the Thames Heights development, a condition is recommended for obscure glazing to be fitted into all openings of the extension. Whilst the flat roof at this level is shown as a terrace on the existing plans, access would be through a small window, and there is no balustrade. The proposed plans show a balustrade around the flat roof area beyond the bathroom. Use of the flat roof here is likely to be infrequent, given its restricted size, and a condition is recommended that it is restricted to maintenance and means of escape only, given its close proximity to neighbouring windows.
- 34 The proposed alterations to the front of the building would not affect the amenity of dwellings either side of the application site. They amount to some minor roof alterations, change to window design and relocation of a gantry to a floor higher.
- 35 Site visits were also carried out at Nos. 5A Canvas House and 18a Thames Heights. Regarding 5A Canvas House, due to the positioning of the proposed extension, the nearest corner would be situated approximately 6m from the corner of the host building. Again this property is south facing in relation to the application property. The development would not therefore lead to a loss of light which would be detrimental to the amenity of the property. The extension would not exceed the height of the main building and as the view from the east facing window is of the application property and the neighbouring dwelling, no significant outlook would be lost as a result of the extension.
- 36 Regarding the impact from 18A Thames Heights, the application site does lie to the south of this dwelling. However as this dwelling is situated slightly above the proposal site, it is not considered that significant light would be lost to the property as a result of the proposed development. Also given the modest scale of the development and its lowered position, the extension would not lead to a loss of outlook which would be detrimental to the amenity of this neighbouring residential property.
- 37 In general terms it is considered that the proposed extension is to a reasonable scale which would not lead to a loss of light or outlook from the neighbouring dwellings and with a condition in place requiring obscure glazing to the bathroom extension, no loss of privacy would occur.

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

- 38 No impact



**Traffic issues**

- 39 Concern has been raised by residents regarding the restricted parking provision at the site and how this could impact upon access around the site during the construction process. The proposed works are, however, not large in scale and with the omission of the originally proposed basement level, the excavation works would be significantly reduced. The works are not therefore considered significant enough to merit the submission for approval of a construction management plan. There may be some temporary disruption as a result of the construction process should permission be granted. This is however a standard consequence of both minor and major works in all development.

**Design issues**

- 40 The proposed front facade would remove the existing glass frontage at the top and it is also proposed to recreate the loading doors on all three floors. This is similar to the neighbouring dwelling which also has loading doors on each floor. The existing loading doors at first floor level would be widened slightly with this style recreated to the second floor and the existing gantry brought to 2nd floor level. It is considered that the proposed alteration is more sympathetic to the design of the original building than the existing design which is a modern glass gable end feature. The proposed new openings would be recreated with care to reflect the features of the existing incorporating new lintels and timber painted sash windows.
- 41 Alterations at the rear introduce more glazing in the form of wider French doors. These are only visible from semi private views at the rear. The plans show use of timber which is a more appropriate and traditional material in a conservation area.

On balance, the alterations are considered to be acceptable in design terms. Much of the detailing on the house is non original work and the works to the front would be more reflective of a traditional warehouse.

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

- 42 The site is within the Tower Bridge conservation area. This is characterised in the Curlew Street area by modern development which is in contrast to the historical three storey warehouse buildings which are also evident in the area such as at 30 Curlew Street. The proposed addition would maintain the three storey appearance of the building and would recreate the features of it in a way which would preserve and enhance the characteristics of the main building. It is considered that with this careful recreation of the existing facade features set within the context of modern buildings, the proposed development would preserve the character and appearance of the Tower Bridge conservation area. The development therefore accords with saved plan policy 3.16 'Conservation area' of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy

**Impact on trees**

- 43 None

**Planning obligations (S.106 undertaking or agreement)**

- 44 Not required.

**Sustainable development implications**

- 45 None identified

## **Other matters**

### Archaeology

- 46 The site is within an Archaeological Priority Zone and with the proposed works including underground excavation careful consideration must be given to the potential for archaeology at the site. After consultation with the Council's archaeology officer it was considered that details should be submitted showing how structural and engineering works will be carried out in order to carry out the excavation of the wine cellar and also details of opportunities when archaeological excavation and recording can be carried out during the work.
- 47 The potential for post medieval archaeology relating to 'rookeries' of the Shad Thames area and pre-historic material and geographical deposits has been identified. A programme of construction work will need to be carefully designed in order to make opportunity to maximise this potential.
- 48 It has been recommended that conditions be attached to any consent granted requiring details of proposed archaeological works, foundation design and recording.

### **Conclusion on planning issues**

- 49 It is considered that the modest scale extension to the 2nd floor of the existing dwelling is acceptable and would not harm the amenity of adjoining residential properties. The proposed alterations to the front elevation are considered acceptable and would preserve the character and appearance of the conservation area. The proposed development is considered acceptable as a whole and is therefore recommended for approval.

### **Community impact statement**

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

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.

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

### **Consultations**

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

### **Consultation replies**

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

### **Human rights implications**

- 53 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 54 This application has the legitimate aim of providing additional living accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Director of Legal Services**

- 55 None.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/208-29 Application file: 12/AP/0395 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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 3602 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbourhood consultee list
Appendix 4	Previous report – Bermondsey community council
Appendix 5	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Michael Mowbray, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	14 June 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Legal Services	No	No
Acting Director of Planning	Yes	Yes
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to Constitutional Team</b>	29 August 2012	

## Consultation undertaken

**Site notice date:** 23rd February 2012

**Press notice date:** 1st March 2012

**Case officer site visit date:** 23rd February 2012. 2nd visit 7th June 2012

**Neighbour consultation letters sent:** 23 February/21 March 2012/3 June 2012

**Statutory and non-statutory organisations consulted:**

Thames Water  
Environment agency

**Neighbours and local groups consulted:**

See Acolaid list in Appendix 3

**Re-consultation:**

Additional neighbour consultees sent out to residents in adjacent Canvas House development on 21st March 2012 who were not included in original consultation process.

Additional consultee letters were sent out on 3rd June 2012 making residents aware of the submission of the amended plans showing the reduction in the basement level extension.

A further set of consultation letters was sent to residents mainly in the Thames Heights development on 18th June 2012. See Appendix 3 below.

## Consultation responses received

### Statutory and non-statutory organisations

Thames Water:

Recommended the fitting of a non-return valve to avoid the risk of back flow in storm conditions. Also recommended that the applicant contact Thames Water to discuss the ownership status of their sewage pipes in order to allow access for future maintenance should the proposed works change the current access situation.

Environment Agency:

No comments received.

### Neighbours and local groups

A total of 9 letters of objection were received from adjacent and adjoining residents to the site. The objections raised the following points of concern:

- The potential loss of light to openings to the rear of No 28 Curlew Street.
- Potential overlooking from new openings onto the rear curtilage area of 30 Curlew Street.
- Potential overbearing impact upon residential properties which form part of the Thames Heights and Canvas House developments.
- The potential impact upon the Barclays/TFL cycle hire scheme, a station of which is situated opposite to the site.
- The design, in addition to the previously permitted alterations would lead to the loss of the character of the main dwelling.
- The disposal of the spoil from the excavation of the basement and the potential impact upon Curlew Street and the users of this highway.
- The stalling and inconvenience to neighbours of the works should the application be subject to archaeological assessments.
- The structural integrity of the excavation of a basement on the rest of the building and the neighbouring properties.

Objections were received from residents in the following addresses:

Flat 3 Canvas House  
Flat 5 Canvas House  
Flat 7 Canvas House  
2 No. Unknown number Canvas House  
Flat 18A Thames Heights  
Flat 2 Thames Heights  
28 Curlew Street  
30 Curlew Street

Additional responses

Four further objections were received from the following addresses with one response from the 'Right of Light Consulting' group on behalf of 28 Curlew Street:

28 Curlew Street  
30 Curlew Street  
Flat 5 Canvas House  
Flat 8 Thames Heights

The letters raised the following concerns:

- Potential invasion of privacy due to positioning of second floor rear extension in relation to 8 Thames Heights.
- Loss of light to flat 5 Canvas House having an adverse impact upon the residential amenity currently enjoyed at the property. Also concern regarding the lack of a sunlight/daylight assessment submitted with the application.
- Concerns regarding structural integrity of the proposed wine cellar.
- Noise and disruption of works causing inconvenience to neighbours.
- Loss of Daylight to 28 Curlew Street especially to rear facing openings.
- Modern design of the proposed extension in relation to the existing building.

## Appendix 3

## Neighbour consultee list

## Neighbour Consultee List for Application Reg. No. 12-AP-0395

<b>TP No</b>	TP/208-29	<b>Site</b>	29 CURLEW STREET, LONDON, SE1 2ND
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
23/02/2012	18 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	19 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	20 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	17 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	18A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	15 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	16 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	21 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	FIFTH FLOOR INDIA HOUSE 45 CURLEW STREET LONDON SE1 2 <sup>ND</sup>
23/02/2012	BASEMENT GROUND FLOOR AND MEZZANINE FLOOR 32 CURLEW STREET LONDON SE1 2ND
23/02/2012	25 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	22 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	23 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	13 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	2 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	3 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	1 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 CURLEW STREET LONDON SE1 2ND
23/02/2012	30 CURLEW STREET LONDON SE1 2ND
23/02/2012	5 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	10 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	11 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	12 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	9 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	6 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	7 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
21/03/2012	FLAT 3 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	1 THE CANVAS HOUSE JUBILEE YARD QUEEN ELIZABETH STREET LONDON SE1 2LP
21/03/2012	FLAT 4 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 7 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 6 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 5 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
18/06/2012	1 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	2 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	3 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	8a Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	5 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	6 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	7 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	8 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	9 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	10 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	11 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	12 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	13 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	18a Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	15 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	16 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	17 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	18 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	19 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	20 Thames Heights 52-54 Gainsford Street London SE1 2NB
18/06/2012	21 Thames Heights 52-54 Gainsford Street London SE1 2NB



18/06/2012 22 Thames Heights 52-54 Gainsford Street London SE1 2NB  
18/06/2012 23 Thames Heights 52-54 Gainsford Street London SE1 2NB  
18/06/2012 25 Thames Heights 52-54 Gainsford Street London SE1 2NB  
18/06/2012 28 Thames Heights 52-54 Gainsford Street London SE15 2NB  
18/06/2012 5th floor India House 45 Curlew Street London SE1 2ND  
18/06/2012 Basement, Ground floor and mezzanine floor 32 Curlew Street London SE1 2ND

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 9 May 2012	<b>Meeting Name:</b> Bermondsey Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/0395 for: Full Planning Permission  <b>Address:</b> 29 CURLEW STREET, LONDON, SE1 2ND  <b>Proposal:</b> Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation and internal refurbishment		
<b>Ward(s) or groups affected:</b>	Riverside		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 13 February 2012		<b>Application Expiry Date</b> 9 April 2012	

### RECOMMENDATION

- 1 Grant permission subject to conditions.

### BACKGROUND INFORMATION

- 2 The application is brought before community council due to the number of objections to the scheme exceeding 3 and the recommendation to grant permission.

### Site location and description

- 3 The application relates to an existing converted warehouse dwelling situated on the west side of Curlew Street within the Tower Bridge conservation area. The dwelling occupies the whole of the converted 19th century warehouse as a single unit which has subsequently been extended to incorporate an additional floor.
- 4 The area is mixed with the adjoining properties occupied as residential units. The immediately adjoining dwelling to the north is a conversion of a similar period warehouse, and there is a row of terrace properties to the south. There is a multi-storey car park situated opposite to the site with office buildings also in the vicinity.
- 5 The site is located within part of the Bankside, Borough and London Bridge Strategic Cultural Area. The site is also within an Archaeological Priority Zone.

### Details of proposal

- 6 Alterations to the existing property consisting of the formation of a new basement level, alterations to the Curlew Street and rear elevation and a second floor rear extension.
- 7 The proposed basement level would provide space for a gym, wine cellar area and a small ancillary workshop. The proposed second floor alterations would provide space

## Previous report for information

## Appendix 4

for an additional bathroom. The dwelling would be converted into a single bedroom property with a library/study area situated to the first floor.

This is a single family dwellinghouse where there are permitted development rights for various alterations and extensions. Basement extensions with no external expression, together with alterations to windows, are normally permitted development. Permission was granted under a 2006 application to use this building as a dwelling and the permitted development rights were not removed at that time.

### Planning history

- 8 **11-AP-2151**  
Alterations and extension including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation.  
**Withdrawn:** November 2011
- 9 **07-AP-1678**  
Erection of an additional floor to provide additional living accommodation to existing dwelling house.  
**Approved:** November 2007
- 10 **06-AP-0918**  
Change of use of premises from live/work unit to residential with associated minor alterations to the external appearance of the front and rear elevation  
**Approved:** July 2006

### Planning history of adjoining sites

- 11 None identified.

### KEY ISSUES FOR CONSIDERATION

#### Summary of main issues

- 12 The main issues to be considered in respect of this application are:
- a) The design of the proposal and impact upon the conservation area
  - b) The potential impact upon the amenity of neighbouring residential properties.

### Planning policy

#### Core Strategy 2011

Strategic Policy 12 'Design and conservation'  
Strategic Policy 13 'High environmental standards'

#### Southwark Plan 2007 (July) - saved policies

3.2 'Protection of amenity'  
3.11 'Efficient use of land'  
3.12 'Quality in Design'  
3.13 'Urban Design'  
3.15 'Conservation of the historic environment'  
3.16 'Conservation areas'  
3.19 'Archaeology'

London Plan 2011

- 13 Policy 7.4 'Local character'  
Policy 7.6 'Architecture'

National Planning Policy Framework

- 14 On 27 March, the DCLG published the National Planning Policy Framework with immediate effect. The NPPF replaces previous government guidance including all PPGs and PPSs. Full weight should be given to the NPPF as a material consideration in taking planning decisions.

- the policies in the NPPF apply from the day of publication and are a material planning consideration;
- for the purpose of decision-taking, the policies in the Core Strategy, DPDs and SPDs should not be considered out of date simply because they were adopted prior to the publication of the NPPF;
- for 12 months from the date of publication, decision-takers can continue to give weight to relevant local planning policies such as LDDs adopted in accordance with the PCPA 2004 and those in the London Plan. It should be noted that the weight accorded to saved policies of the Southwark Plan (UDP) should be given according to their degree of consistency with policies in the NPPF.

**Principle of development**

- 15 Extension to a residential dwelling raises no landuse issues.

**Environmental impact assessment**

- 16 Not required for a development of this type. No significant environmental impacts would arise.

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

- 17 The properties most potentially affected by the proposed works would be those situated either side of the application dwelling: Nos. 28 and 30 Curlew Street.
- 18 No. 28 Curlew Street lies to the south west. The proposed extension would not lead to any significant impacts on the sunlight able to enter either the first or second floor openings which are situated closest to the boundary with No.29 Curlew Street. The openings at No 28 Curlew Street which are closest to the boundary with the application site are set in from the steep sloping roof to the rear of this property which creates a light well arrangement. With the pattern of the sun moving to the south of this property adequate daylight would still be afforded to these openings. With regard to outlook, the proposed extension would extend out by two metres from the rear extension of the existing dwelling extending along the existing building line which is set at a slight outward direction angle from the application property. The proposed extension would block views only directly onto the terrace balcony of the application site and views to the rear of the buildings situated along Gainsford Street. With the use of an existing balcony views into the rear courtyard area situated in the centre of these buildings would not be significantly obscured. Given the modest scale of the proposed extension and the positioning of this neighbouring dwelling, it is not considered that the proposed extension would adversely impact upon the amenity of this neighbouring property through loss of light or outlook.

- 19 Concerning No 30 Curlew Street, although the proposed extension is situated to the south of this dwelling, the proposed extension would not lead to a loss of light accessible to this property. The ground floor and first floor windows are already obscured by the ground floor and first floor protruding section of the application site. Taking into account the second floor opening which is set just below the second floor level of the application property, with the positioning of the proposed extension set in from the boundary with No. 30 by approximately 1.2m and at the proposed height, the development would not lead to a loss of light to the 2nd floor opening of the dwelling. Given that the 3rd floor of this neighbouring property is set significantly above the 2nd floor of the application site, the proposed extension would not lead to a loss of light to this opening or the dwelling as a whole. Regarding outlook from the rear elevation openings, the proposed extension, again taking into account the set in from the boundary would not lead to a loss of outlook from this dwelling.
- 20 The proposed second floor extension would accommodate a bathroom. In order to prevent any potential overlooking into the rear of No.30 Curlew Street and the properties to the north at the Thames Heights development, a condition is recommended for obscure glazing. Whilst the flat roof at this level is shown as a terrace on the existing plans, access would be through a small window, and there is no balustrade. The proposed plans show a balustrade around the flat roof area beyond the bathroom, which has full height windows. Use of the flat roof here is likely to be infrequent, given its restricted size, and a condition is recommended that it is restricted to maintenance and means of escape only, given its close proximity to neighbouring windows.
- 21 The proposed alterations to the front of the building would not affect the amenity of dwellings either side of the application site. They amount to some minor roof alterations, change to window design and relocation of a gantry to a floor higher. At the rear, french windows would be enlarged. These works would not have significant amenity impacts on neighbours.
- 22 The proposed basement would be accessed solely from the internal ground floor level of the application site subject to internal re-arrangements. It is proposed to use this space as a small gym, workshop and wine cellar ancillary to the main dwelling. The proposed basement would not have any impact in a physical sense to the neighbouring dwellings. It is considered that the proposed uses are acceptable in a domestic context ancillary to the main dwelling.

Neighbours are very concerned about the works that would be involved in the basement construction, and whether there would be structural implications. Whilst these concerns are understood, these are not planning issues and not material considerations for assessing a planning application.

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

- 23 No impact

#### **Traffic issues**

- 24 None anticipated.

#### **Design issues**

- 25 The proposed front facade would effectively be raised to remove the existing glass frontage at the top and to recreate the loading doors on all three floors. This is similar to the neighbouring dwelling which also has loading doors on each floor. The existing

loading doors at first floor level would be widened slightly with this style recreated to the second floor and the existing gantry brought to 2nd floor level. It is considered that the proposed alteration is more sympathetic to the design of the original building than the existing design which is a modern glass gable end feature. The proposed new openings would be recreated with care to reflect the features of the existing incorporating new lintels and timber painted sash windows.

- 26 Alterations at the rear introduce more glazing in the form of wider french doors. These are only visible from semi private views at the rear. The plans show use of aluminium; timber would be a more appropriate traditional material in a conservation area and a condition requiring this amendment has been included on the decision notice.

On balance, the alterations are considered to be acceptable in design terms. Much of the detailing on the house is non original work and the works to the front would be more reflective of a traditional warehouse.

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

- 27 The site is within the Tower Bridge conservation area. This is characterised in the Curlew Street area by modern development which is in contrast to the historical three storey warehouse buildings which are also evident in the area such as at 30 Curlew Street. The proposed addition would maintain the three storey element of the building and would recreate the features of it in a way which would preserve and enhance the characteristics of the main building. It is considered that with this careful recreation of the existing facade features set within the context of modern buildings, the proposed development would not adversely impact upon the character and appearance of the Tower Bridge conservation area. The development therefore accords with saved plan policy 3.16 'Conservation area' of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy

#### **Impact on trees**

- 28 None

#### **Planning obligations (S.106 undertaking or agreement)**

- 29 Not required.

#### **Sustainable development implications**

- 30 None identified

#### **Other matters**

##### Archaeology

- 31 The site is within an Archaeological Priority Zone and with the proposed works including underground excavation careful consideration must be given to the potential for archaeology at the site. After consultation with the Council's archaeology officer it was considered that details should be submitted showing how structural and engineering works will be carried out in order to carry out the excavation of the basement and also details of opportunities when archaeological excavation and recording can be carried out during the work.
- 32 The potential for post medieval archaeology relating to 'rookeries' of the Shad Thames area and pre-historic material and geographical deposits has been identified. A

## Previous report for information

## Appendix 4

programme of construction work will need to be carefully designed in order to make opportunity to maximise this potential.

- 33 It has been recommended that conditions be attached to any consent granted requiring details of proposed archaeological works, foundation design and recording.

### Conclusion on planning issues

- 34 It is considered that the modest scale extension to the 2nd floor of the extension is acceptable and would not harm the amenity of adjoining residential properties. The proposed alterations to the front elevation are considered acceptable and would preserve the character and appearance of the conservation area. It is also considered that the formation of a basement level is acceptable and would not harm amenity. The proposed development is considered acceptable as a whole and is therefore recommended for approval.

### Community impact statement

- 35 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.

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

### Consultations

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

### Consultation replies

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

### Human rights implications

- 38 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.

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

Previous report for information

Appendix 4

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS****Strategic Director of Communities, Law & Governance**

N/A

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/208-29  Application file: 12/AP/0395  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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 3602 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Original neighbour consultee list

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Michael Mowbray, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	17 April	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Planning	Yes	Yes
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to Constitutional Team</b>	27 April 2012	



**Consultation undertaken**

**Site notice date:** 23rd February 2012

**Press notice date:** 1st March 2012

**Case officer site visit date:** 23rd February 2012

**Neighbour consultation letters sent:** 23rd February/21 March 2012

**Internal services consulted:**

Design and Conservation Team  
Archaeology Officer

**Statutory and non-statutory organisations consulted:**

Thames Water  
Environment agency

**Neighbours and local groups consulted:**

See Acoalid list in Appendix 3

**Re-consultation:**

Additional neighbour consultees sent out to residents in adjacent Canvas House development who were not included in original consultation process.

## Consultation responses received

### Statutory and non-statutory organisations

Thames Water:

Recommended the fitting of a non-return valve to avoid the risk of back flow in storm conditions. Also recommended that the applicant contact Thames Water to discuss the ownership status of their sewage pipes in order to allow access for future maintenance should the proposed works change the current access situation.

Environment Agency:

No comments received.

### Neighbours and local groups

A total of 8 letters of objection were received from adjacent and adjoining residents to the site. The objections raised the following points of concern:

- The potential loss of light to openings to the rear of No 28 Curlew Street.
- Potential overlooking from new openings onto the rear curtilage area of 28 Curlew Street.
- Potential overbearing impact upon residential properties which form part of the Thames Heights and Canvas House developments.
- The potential impact upon the Barclays/TFL cycle hire scheme, a station of which is situated opposite to the site.
- The design, in addition to the previously permitted alterations would lead to the loss of the character of the main dwelling.
- The disposal of the spoil from the excavation of the basement and the potential impact upon Curlew Street and the users of this highway.
- The stalling and inconvenience to neighbours of the works should the application be subject to archaeological assessments.
- The structural integrity of the excavation of a basement on the rest of the building and the neighbouring properties.

Objections were received from residents in the following addresses:

3 Canvas House  
5 Canvas House  
Canvas House  
7 Canvas House  
18A Thames Heights  
2 Thames Heights  
28 Curlew Street  
30 Curlew Street

### Original neighbour consultee list

#### Neighbour Consultee List for Application Reg. No. 12-AP-0395

<b>TP No</b>	TP/208-29	<b>Site</b>	29 CURLEW STREET, LONDON, SE1 2ND
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
23/02/2012	18 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	19 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	20 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	17 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	18A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	15 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	16 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	21 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	FIFTH FLOOR INDIA HOUSE 45 CURLEW STREET LONDON SE1 2ND
23/02/2012	BASEMENT GROUND FLOOR AND MEZZANINE FLOOR 32 CURLEW STREET LONDON SE1 2ND
23/02/2012	25 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	22 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	23 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	13 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	2 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	3 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	1 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 CURLEW STREET LONDON SE1 2ND
23/02/2012	30 CURLEW STREET LONDON SE1 2ND
23/02/2012	5 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	10 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	11 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	12 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	9 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	6 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	7 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB

### Neighbour reconsultation list

<b>TP No</b>	TP/208-29	<b>Site</b>	29 CURLEW STREET, LONDON, SE1 2ND
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
21/03/2012	FLAT 3 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	1 THE CANVAS HOUSE JUBILEE YARD QUEEN ELIZABETH STREET LONDON SE1 2LP
21/03/2012	FLAT 4 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 7 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 6 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 5 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr B. Green	<b>Reg. Number</b>	12/AP/0395
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/208-29
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level and modifications to the Curlew Street and rear elevations.

**At:** 29 CURLEW STREET, LONDON, SE1 2ND

**In accordance with application received on** 13/02/2012 08:01:26  
**and revisions/amendments received on** 30/05/2012

**and Applicant's Drawing Nos.** Site plan, 102 A, 103 A, 110 A, 120 A, 203 B, 210 B, 202 and 220 (rec'd 30 May 2012)

Design and Access Statement, Historic Environment Assessment, Flood Risk Assessment

**Reasons for granting permission.**

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

a] 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 3.16 seeks that the extension or alteration of buildings within conservation areas preserves or enhances the character and appearance of conservations areas.

b] Strategic Policies 12: 'Design and Conservation' which requires the highest possible standards of design for buildings and public spaces; 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

c] National Planning Policy Framework

Particular regard was had to the objections in relation to the potential impact upon the amenity of the adjoining residential properties as a result of the second floor rear extension. Also, the design of the proposed alterations to the front elevation and its ability to preserve and enhance the character and appearance of the conservation area.

However, it was considered that the proposal would present a unique and innovative design which would complement the site and adequately preserve the character and appearance of the conservation area. Given the proposed design which would preserve the existing character of the building and the acceptable scale of the development, it was considered that there would be no significant harm upon the neighbouring properties and the character and appearance of the conservation area would be preserved. 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:

203 B, 210 B and rec: 30.05.2012 202 and 220 also Design and Access Statement, Historic Environment Assessment, Flood Risk Assessment

Reason:

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

- 3 Samples of the external materials to be used in the carrying out of this permission including all proposed new fenestration detailing 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 proposed external materials in the interest of the appearance of the building in accordance with Strategic Policy 12 - Design and Conservation' of the Core Strategy and saved plan policy 3.12 'Quality in Design' of the Southwark Plan.

- 4 The windows on the north facing side elevation of the proposed 2nd floor extension shall be obscure glazed and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 30 Curlew Street and Thames Heights residential properties from undue overlooking in accordance with saved policy 3.1 'Protection of Amenity' of the Southwark Plan and Strategic Policy 13 'High Environmental standards' of the Adopted Southwark Core Strategy.

- 5 Before any work hereby authorised begins, the applicant shall submit a written scheme of investigation for a programme of archaeological works which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 6 Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 7 Before any work hereby authorised begins, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 8 Notwithstanding the plans hereby approved, the new windows in the rear elevation shall have timber frames, not aluminium as specified.

Reason

In order to be acceptable in design terms and to contribute to the character and appearance of the Tower Bridge Conservation Area, in accordance with saved policy 3.12 Quality in Design and policy 3.16 Conservation Areas of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy.

- 9 The flat roof outside the new bathroom hereby approved at second floor level shall be used for maintenance and means of escape purposes only, and not as a terrace or sitting out area.
- Reason
- 10 To protect the amenity of neighbouring residents and provide undue overlooking or noise and disturbance arising, in accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of the Core Strategy.

**Informative**

- 11 It is recommended that the developer incorporates within their proposal, protection to the property by installing a non-return valve or other suitable device to avoid the risk of backflow at a later date. It is also recommended that the applicant contact Thames Water in order to discuss access arrangements to sewer pipes which may be affected as a result of the proposed works.

**Reasons:**

This is based on the assumption that the sewerage network may surcharge to ground level during storm conditions.

# ALLEYNS SCHOOL, TOWNLEY ROAD LONDON, SE22 8SU

Ordnance Survey

Date 16/8/2012



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<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 11 September 2012	<b>Meeting Name:</b> Planning Sub Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/1759 for: Full Planning Permission  <b>Address:</b> ALLEYNS SCHOOL, TOWNLEY ROAD, LONDON, SE22 8SU  <b>Proposal:</b> Erection of first floor extension to south-west elevation to provide additional music rooms, and erection of single-storey entrance lobby to south-west elevation.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 12 June 2012		<b>Application Expiry Date</b> 7 August 2012	

### RECOMMENDATION

- 1 That planning permission be granted, subject to conditions.

### BACKGROUND INFORMATION

#### Site location and description

- 2 This application is referred to planning sub-committee because it relates to development on Metropolitan Open Land (MOL).
- 3 Alleyn's School occupies a large site on Townley Road in Dulwich. It comprises a number of buildings and sports facilities including playing fields, and the building subject to this application is used as the music school and was built in 1899. The music school is located in the north-eastern part of the site, near to Glengarry Road and Playfield Crescent.
- 4 The site forms part of an air quality management area and the suburban density zone. Part of the site falls within the Dulwich Village Conservation Area, Metropolitan Open Land and a Site for Nature Conservation Interest.

#### Details of proposal

- 5 Full planning permission is sought for the erection of a first floor extension to the south-west elevation of the building to provide additional music rooms, and erection of a single-storey entrance lobby to the south-west elevation.
- 6 The proposed first floor extension would build on top of what is currently a single-storey pitched roof element at the front of the building. The extension would have a flat roof and would be faced with render and would measure 7.8m wide x 3.4m deep x 2.5m high with a flat roof. A new window would be inserted into the existing first floor structure, facing out onto the school yard.



- 7 The front door to the music school is within the same elevation and it is proposed to build a small, glazed entrance lobby with a metal, lean-to roof. It would measure 4.8m wide x 1.6m deep x 2.4m high at its highest point.

### **Planning history**

- 8 Alleyn's School is subject to extensive planning history, the most relevant to this application being:
- 9 08-AP-2278 - Extend at first floor level above existing ground floor structure, creating two new music classrooms. Planning permission was GRANTED in November 2008 but not implemented and has now lapsed. The scheme now before Members is different from this earlier scheme because it proposes to insert a new window at first floor level to the south-west elevation, a triangular brick parapet at first floor level would be removed, and the current scheme includes the glazed entranced lobby extension which was not previously sought.

### **Planning history of adjoining sites**

- 10 None relevant.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 11 The main issues to be considered in respect of this application are:
- a) principle;
  - b) amenity;
  - c) design.

### **Planning policy**

#### Core Strategy 2011

- 12 Strategic Policy 4 - Places to learn and enjoy  
Strategic policy 11 - Open spaces and wildlife  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 13 2.2 - Provision of new community facilities  
3.2 - Protection of amenity  
3.12 - Quality in design  
3.13 - Urban design  
3.25 - Metropolitan open land  
3.28 - Biodiversity

- 14 London Plan 2011

Policy 3.18 Education facilities  
Policy 7.17 Metropolitan Open Land

National Planning Policy Framework (NPPF)

- 15 The NPPF came into effect on 27 March 2012 and is a material planning consideration.

Section 7 - Requiring good design

Section 8 - Promoting Healthy Communities

Section 11 - Conserving and enhancing the natural environment

**Principle of development**

- 16 The proposal to extend the existing music school at first floor level is supported in principle, as it seeks to improve and enhance an educational establishment.
- 17 In spite of the land being a tarmac playground, the area where it is proposed to erect the small entrance lobby is included in the Alleyn's school playing fields designation as Metropolitan Open Land (MOL) and a Site of Nature Conservation Interest (SNCI). As such, saved policy 3.25 of the Southwark Plan is relevant, which states that there is a general presumption against inappropriate development on metropolitan open land. It states that in such locations, planning permission will only be permitted for appropriate development which is considered to be for the following purposes:
- 18 i) Agriculture or forestry;  
ii) Essential facilities for outdoor sport and recreation, for cemeteries, and or other uses of land which preserves the openness of metropolitan open land and which do not conflict with the purposes of including land within metropolitan open land; or  
iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original dwelling; or  
iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling it replaces.
- 19 The proposed entrance lobby would not comply with any of these criteria and would therefore be contrary to saved policy 3.25. However, given that it would be very modest in size, would be predominantly glazed giving it a lightweight appearance and would be viewed against the backdrop of the existing building which itself forms part of a group, it is not considered that there would be any significant harm arising that would indicate that the development would be inappropriate. It would not impact upon the openness, use or character of the MOL therefore it is not considered that a refusal of planning permission would be warranted in this instance. Each application is considered on its own merits and for the reasons set out above, it is not considered that granting permission for the entrance lobby would set an undesirable precedent which would make it difficult to resist other applications for development on MOL on the school site.

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

- 20 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 21 Concerns have been raised by a neighbouring resident regarding noise and disturbance, including general noise from the school, during music lessons, and when building work is carried out during the holidays.
- 22 It is noted that noise currently emanating from music lessons could be as a result of the age of the building, which would not be constructed to present day standards. The applicant would have to obtain separate Building Regulations approval for the

extensions which considers detailed construction matters, and it is noted that the windows to the first floor extension would contain acoustic louvered panels which would provide light and ventilation to the rooms but would ensure that there would be no unacceptable noise and disturbance to neighbouring occupiers.

- 23 With regard to the physical impact of the proposed extensions, the nearest residential properties are on Glengarry Road which back onto the school site. However, the music school building is already 2-storeys high along the boundary with these properties and the proposed first floor extension would be located further away and would not result in any loss of light or overshadowing. The windows would face out across the school yard and would not result in any loss of privacy. The proposed entrance lobby extension would be very modest in size and would not give rise to any loss of amenity.

### **Design issues**

- 24 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design.
- 25 The proposed first floor extension would be of a scale and design appropriate to the host building and it is noted that it would be largely the same as an extension that was granted consent in 2008. The proposed entrance lobby extension would represent a very modest, lightweight addition to the building and no objections are raised on design grounds.
- 26 Part of the school site is located in the Dulwich Village Conservation Area, the boundary being approximately 155m to the south-west of where the proposed works would take place and separated by a number of buildings. In light of this and given the modest scale of the proposals, it is not considered that there would be any impact upon the setting of the conservation area.

### **Other matters**

#### Mayoral Community Infrastructure Levy (CIL)

- 27 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 28 No CIL payment is due in this instance because CIL does not apply to educational uses.

#### Biodiversity

- 29 The area of land where the proposed entrance lobby would be located is designated a site of nature conservation interest. However, it is currently tarmac and forms part of the school playground. Consequently there would be no issues with regard to biodiversity or ecology, and the Council's Ecology Officer has confirmed this.

### **Conclusion on planning issues**

- 30 No objections are raised in principle to the proposed first floor extension and although the entrance lobby extension would be located on metropolitan open land, it forms part of the school yard within a group of buildings, and the modest scale and

lightweight materials proposed is such that the openness of the MOL would be preserved. There would be no loss of amenity to neighbouring occupiers, the design of the proposal would be acceptable and there would be no impact on the site of nature conservation interest. It is therefore recommended that planning permission be granted, subject to conditions.

### **Community impact statement**

31 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 above.

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

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

33 One representation has been received objecting to the application on the grounds of noise and disturbance and inability to enjoy the garden owing to noise and disturbance, including from building works during the school holiday and from the music lessons owing to a lack of sound proofing. It is stated that the objector is a Council tenant and cannot choose where she lives.

### **Human rights implications**

34 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.

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Legal Services**

N/A.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2300-A Application file: 12/AP/1759 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5410 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Victoria Lewis, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	31 July 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	29 August 2012	

## Consultation undertaken

35 **Site notice date:** 05/07/2012

**Press notice date:** 02/08/2012

**Case officer site visit date:** 16.07.2012

**Neighbour consultation letters sent:** 02/07/2012

**Internal services consulted:**

Ecology Officer

**Statutory and non-statutory organisations consulted:** None.

36 **Neighbours and local groups consulted:**

02/07/2012	97B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	97A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	85B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	71A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	99B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	99A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	85A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	79A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	77B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	77A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	83B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	83A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	79B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	89B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	89A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	71B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	91 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	81A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	89C GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	75B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	38 HILLSBORO ROAD LONDON	SE22 8QE
02/07/2012	93 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	57 PLAYFIELD CRESCENT LONDON	SE22 8QR
02/07/2012	55 PLAYFIELD CRESCENT LONDON	SE22 8QR
02/07/2012	40 HILLSBORO ROAD LONDON	SE22 8QE
02/07/2012	87 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	FLAT 3 95 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	FLAT 1 95 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	FLAT 2 95 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	73 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	67B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	67A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	101 GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	75A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	69B GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	69A GLENGARRY ROAD LONDON	SE22 8QA
02/07/2012	24 LYTCOTT GROVE LONDON	SE22 8QX
02/07/2012	16 LYTCOTT GROVE LONDON	SE22 8QX
02/07/2012	14 LYTCOTT GROVE LONDON	SE22 8QX
02/07/2012	46 PLAYFIELD CRESCENT LONDON	SE22 8QS
02/07/2012	22 LYTCOTT GROVE LONDON	SE22 8QX
02/07/2012	20 LYTCOTT GROVE LONDON	SE22 8QX
02/07/2012	18 LYTCOTT GROVE LONDON	SE22 8QX

**Re-consultation:** Not required.

## Consultation responses received

### Internal services

#### Ecology Officer

- 37 I have reviewed this application and have no concerns regarding biodiversity and the extensions. It would be good if they could install some house sparrow boxes under the eaves but this is not a requirement just something for consideration.

#### Statutory and non-statutory organisations N/A.

#### Neighbours and local groups

- 38 One representation has been received objecting to the application on the grounds of noise and disturbance and inability to enjoy the garden owing to noise and disturbance, including from building works during the school holiday and from the music lessons owing to a lack of sound proofing. It is stated that the objector is a Council tenant and cannot choose where she lives.

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr S Born Alleyn's School	<b>Reg. Number</b>	12/AP/1759
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2300-A
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Erection of first floor extension to south-west elevation to provide additional music rooms, and erection of single-storey entrance lobby to south-west elevation.

**At:** ALLEYN'S SCHOOL, TOWNLEY ROAD, LONDON, SE22 8SU

**In accordance with application received on 30/05/2012 12:01:16**

**and Applicant's Drawing Nos.** Design and Access Statement, 499/006, 499/007 A, 07-2676-P002B, 07-2676-F002A, 499-100A, 499-110A

**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 11 – Open spaces and wildlife: States that development should improve, protect and maintain a network of open spaces and green corridors, provide sport and leisure and food growing opportunities, and protect and protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

Saved policies of the Southwark Plan 2007

3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);

3.12 Quality in Design (requires new development to achieve a high standard of architectural design);

3.13 Urban Design (advises that principle of good urban design should be taken into account in all new developments);

3.25 (Metropolitan open land) which states that there is a general presumption against inappropriate development on metropolitan open land and sets out the criteria for assessing whether development would be appropriate.

3.28 Biodiversity (states that the LPA will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant).

Policies of the London Plan 2011

Policy 3.18 Education facilities

Policy 7.17 Metropolitan Open Land

National Planning Policy Framework (2011)

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

No objections are raised in principle to the proposed first floor extension and although the entrance lobby extension would be located on metropolitan open land, it forms part of the school yard within a group of buildings, and the modest scale and lightweight materials proposed is such that the openness of the MOL would be preserved. There would be no



loss of amenity to neighbouring occupiers, the design of the proposal would be acceptable and there would be no impact on the site of nature conservation interest. 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:

499-100A, 499-110A

Reason:

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

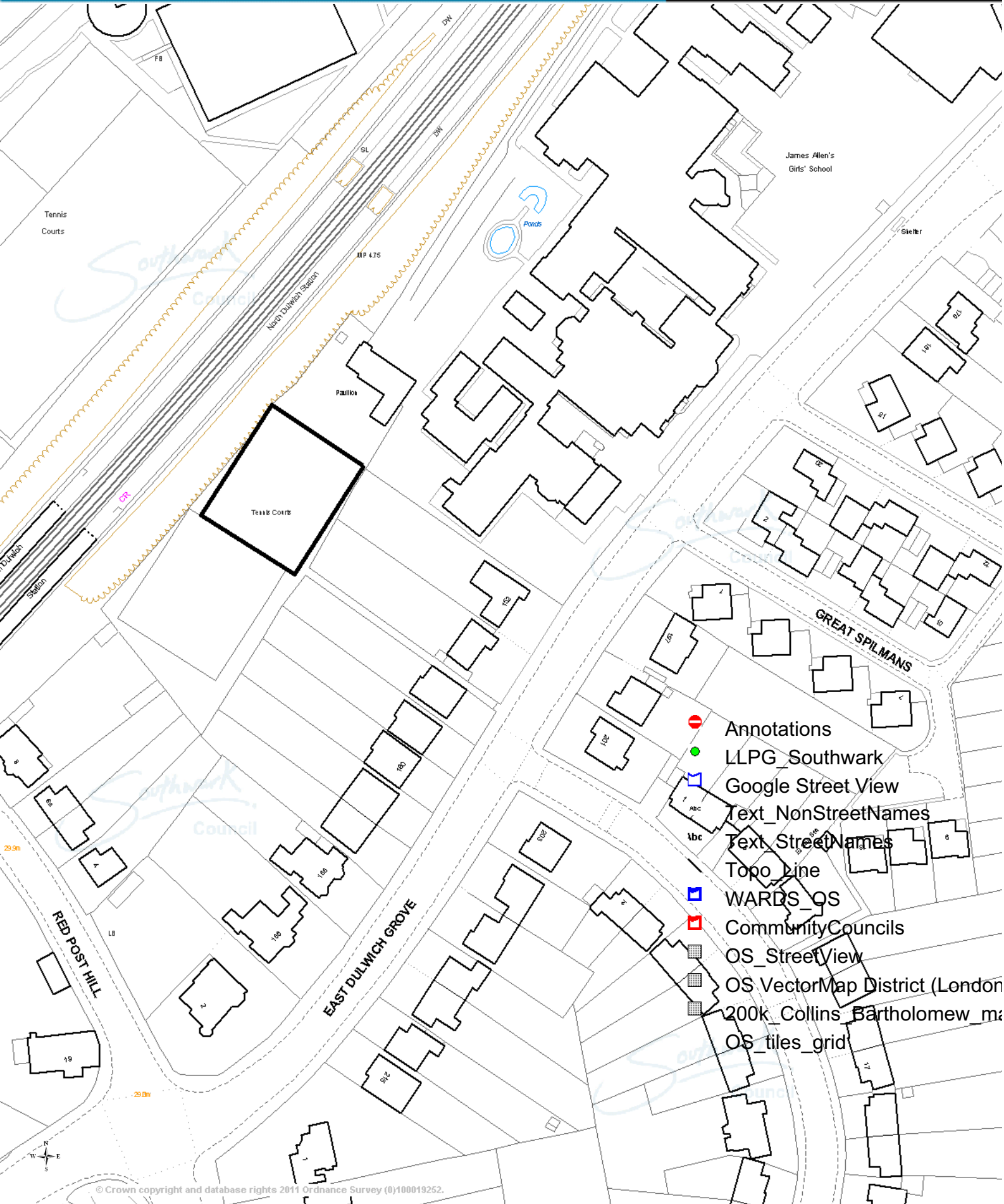
- 3 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

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), SP12 -Design and Conservation of the Core Strategy 2011 and section 7 of the NPPF (2012).

Ordnance Survey

Date 28/8/2012



<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 11 September 2012	<b>Meeting Name:</b> Planning Sub Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/1794 for: Full Planning Permission  <b>Address:</b> NORTH DULWICH TENNIS CLUB 152A EAST DULWICH GROVE LONDON SE22  <b>Proposal:</b> Erection of six floodlights to tennis courts 1 and 2.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 1 June 2012		<b>Application Expiry Date</b> 27 July 2012	

## RECOMMENDATION

- 1 That planning permission be granted, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

- 2 This application is before Members following a 'call-in' request by local ward members, (Councillors Toby Eckersley and Michael Mitchell) with agreement from the chair of the main planning committee.
- 3 The application relates to North Dulwich Tennis Club which is located on the north-western side of East Dulwich Grove, close to the junction with Red Post Hill. The club is located at the rear of a number of houses and shares its northern boundary with James Allen's Girls School (JAGS). The club comprises 4 tennis courts and a single-storey clubhouse, and currently has around 164 members and three qualified coaches. It is accessed via a gated pathway between numbers 154 and 156 East Dulwich Grove.
- 4 The site forms part of an air quality management area, the suburban density zone and Dulwich Village Conservation Area. North Dulwich train station is to the west of the site, and the railway embankments are designated borough open land and a site of nature conservation interest. Two maple trees within the rear garden of number 154 are protected by Tree Preservation Order 413.

### Details of proposal

- 5 Full planning permission is sought for the erection of 6 x 8m high floodlighting columns around courts 1 and 2. They would be green in colour and would include a rear shield to minimise light spillage. Members would have to use a token to activate the lights, which would be fitted with automatic cut-off switches. When the application was

originally submitted permission was sought to use the floodlighting between 15:00-22:00 Monday to Saturday, and 15:00-18:00 on Sundays and Bank Holidays. However, following discussions with officers this has since been reduced and the following hours of use are now sought:

- 6 1st May-30th September - 15:00-21:00 Monday to Saturday;  
1st October-30th April - 15:00-20:00 Monday to Saturday;  
All year round - 15:00-18:00 on Sundays and Bank Holidays.

### **Planning history**

- 7 The only planning history for the site is for the erection of a single-storey extension to the clubhouse which was granted consent in 1972 (reference: TP/2120/150). The supporting information states that the club was founded in the early 1900s.

### **Planning history of adjoining sites**

- 8 None directly relevant. There have been a number of applications for householder and tree works on the adjoining properties on East Dulwich Grove and Red Post Hill.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 9 The main issues to be considered in respect of this application are:
- a) principle;
  - b) amenity;
  - c) design and impact upon the character and appearance of the Dulwich Village Conservation Area;
  - d) transport;
  - e) ecology.

### **Planning policy**

#### Core Strategy 2011

- 10 Strategic policy 1 - Sustainable development  
Strategic policy 2 - Sustainable transport  
Strategic policy 4 - Places to learn and enjoy  
Strategic policy 11 - Open spaces and wildlife  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 11 3.2 - Protection of amenity  
3.12 - Quality in design  
3.13 - Urban design  
3.14 - Designing out crime  
3.16 - Conservation areas  
3.28 - Biodiversity  
5.6 - Car parking

#### London Plan 2011

- 12 Policy 3.19 Sports facilities

Policy 7.8 Heritage assets and archaeology

National Planning Policy Framework (NPPF)

- 13 The NPPF came into effect on 27 March 2012 and is a material planning consideration.

Section 4 - Promoting sustainable transport

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

**Principle of development**

- 14 The proposal is to provide floodlighting to two tennis courts within an established tennis club, and this does not raise any landuse issues.

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

- 15 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 16 Neighbouring residents have raised concerns that the proposed development will result in unacceptable levels of noise and light pollution, especially during the winter months when the trees surrounding the site will lose their leaves, and will compromise security and could lead to increased incidences of burglary.
- 17 With regard to noise and disturbance, it is noted that the club is located at the rear of a number of houses, and that access is via a pathway between numbers 154 and 156. The rear gardens to the houses on East Dulwich Grove are approximately 37m long and those on Red Post Hill around 36m long, and there are generally mature trees along the boundaries with the tennis club.
- 18 Owing to concerns regarding the impact on the amenity of the neighbouring properties the proposed hours of use of the floodlighting have been reduced from 22:00 as originally requested, to 21:00 in the summer months between May and September, and until 20:00 from October to April. These hours are considered to be a reasonable compromise in terms of enabling the club to make a better use of its facilities, and protecting the amenity of neighbouring occupiers. There are currently no restrictions on the hours during which the courts can be used, although this would be dictated by daylight levels and the applicant has advised that during the summer months members play up until around 21:30-22:00. It is the view of officers that the reduced hours of floodlighting now proposed would improve the facilities offered by the club and would not unduly compromise the ability of people to enjoy their homes and gardens.
- 19 A number of residents have stated that a precedent for more limited hours of use for floodlighting has been set at Alleyn's School in Townley Road, for which planning permission was granted in June last year for the erection of 8 floodlighting to an existing sports pitch (reference: 11-AP-0495). They were restricted by a condition and can only be used up until 18:30 Monday to Saturday between the 1st October and the 31st March, not at all on Sundays and bank holidays. However, this condition was imposed for ecological reasons to ensure no harm to a site of nature conservation interest and to protect the habitats and populations of known bat species in the area; the condition was not imposed on amenity grounds. It is noted that there are two

floodlit tennis courts at JAGS sports club on the opposite side of the railway line which can be used until 21:00 Monday to Saturday.

- 20 The application includes a lighting study which considers the effect of the proposed floodlighting on the adjoining sites. The study is based on there being 12 floodlights around the courts, to include lighting to courts 3 and 4, and finds that even if all of the courts were lit, no unacceptable light pollution would occur. Notwithstanding that, the application now before Members is only for lighting around courts 1 and 2.
- 21 Residents have raised concerns that the lighting study does not take into account that the trees at the end of their gardens lose their leaves during the winter months and that they would experience unacceptable levels of light pollution. The proposal has however, been reviewed by the Council's Environmental Protection Team which has advised that no unacceptable light pollution would occur. There would be some light spillage onto the bottom part of their rear gardens, but this would not be to an extent that would cause any significant loss of amenity. The lights would be fitted with automatic cut-off switches, and a condition to secure this is recommended to ensure that they cannot be used beyond the specified times.
- 22 Concerns have also been raised that the provision of floodlighting could represent a security risk and increased incidence of burglary. Whilst this is noted, improving the security of areas often involves improving the lighting, and the Metropolitan Police adviser is of the view that the proposal could improve security at the back of the houses owing to the increased use and provision of lighting.

### **Transport**

- 23 Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse transport impacts, and 5.6 establishes maximum parking standards.
- 24 Concerns have been raised that the proposal would increase demand for parking during the evenings when it is required by residents, and that if permission is granted it should be on the basis that the club has to secure some parking for its members.
- 25 The site has a public transport accessibility level (PTAL) of 3 (medium) and is within walking distance of North Dulwich railway station; the number 37 bus stops outside JAGS. There are double yellow lines around the junction of East Dulwich Grove and Red Post Hill, none outside the application site, then double yellow lines just after 152 East Dulwich Grove and onwards, in front of JAGS. A number of the properties along this part of East Dulwich Grove have their own off-street parking at the front, often for more than one car. It is not considered that the extended hours of use that the proposal would permit would significantly increase demand for parking to a degree that would warrant the refusal of planning permission, as it would permit people who were already at the site to play for longer, therefore no significant increase in parking demand is anticipated. The club has advised that approximately half of its members walk or cycle to the club and that the requirement for the floodlights is to enable continuity of play between seasons and to retain its current members, and that the number of members is unlikely to increase significantly.

### **Design and impact upon the character and appearance of the conservation area**

- 26 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design; 3.16 requires developments to preserve or enhance the character or appearance of designated conservation areas.
- 27 No concerns have been raised regarding the appearance of the lighting columns per

se, but concerns have been raised that the site is located in a conservation area and that the introduction of floodlighting would be harmful to its appearance. Whilst this is noted, conservation area status does not necessarily prevent the provision of floodlighting and there are other floodlit sports facilities in the conservation area, including the Old Lawn Tennis and Croquet Club in Gallery Road. Given that the lights would only be on during specified hours it is not considered that there would be any undue harm to the character or appearance of the conservation area, and the site is not widely visible from the public realm. It is also noted that there is lighting to the station, which is within the conservation area and is also grade II listed.

### **Ecology**

- 28 Saved policy 3.28 of the Southwark Plan 'Biodiversity' states that the Local Planning Authority will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant.
- 29 The railway embankments to North Dulwich Station which is to the west of the site are designated borough open land and a site of nature conservation interest, and neighbouring residents have raised concerns as to whether the proposal would impact upon wildlife and whether this has been considered in the application submission.
- 30 The application has been reviewed by the Council's Ecology Officer who has advised that as the lighting would very specific to the courts, there would appear to be very little light pollution and a negligible impact on the adjoining site of nature conservation interest.

### **Other matters**

#### Mayoral CIL

- 31 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 32 The proposal is for the provision of plant / equipment which is not CIL liable.

### **Conclusion on planning issues**

- 33 The proposed development raises no landuse issues and subject to conditions, would not result in any significant loss of amenity to neighbouring occupiers. The proposal would preserve the character and appearance of this part of the Dulwich Village Conservation Area and would not impact upon the adjoining site of nature conservation interest. It is therefore recommended that planning permission be granted.

### **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.

- 35 a) The impact on local people is set out above.
- 36 b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- 37 c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

- 40 Two representations have been received in support of the application, from 6a Red Post Hill and 209 East Dulwich Grove.
- 41 Nine representations have been received objecting to the application, from 4 and 6 Red Post Hill, 154, 158A, 160, 162, 164B and 166 East Dulwich Grove, and one address withheld.
- 42 Following reconsultation on the reduced hours of use, 5 people wrote back stating that they still objected to the application, including one new objection (no address provided). Full details are at Appendix 2.

### **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 floodlighting. 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**

#### **Director of Legal Services**

- 45 None.



**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2120-150 Application file: 12/AP/1794 Southwark Local Development Framework and Development Plan Documents	Chief Executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone:: 020 7525 5410 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Victoria Lewis, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	18 July 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		29 August 2012

## Consultation undertaken

45 **Site notice date:** 21/06/2012

**Press notice date:** 21/06/2012

**Case officer site visit date:** 09/07/2012

**Neighbour consultation letters sent:** 19/06/2012

**Internal services consulted:**

46 Ecology Officer  
Environmental Protection Team  
Metropolitan Police

**Statutory and non-statutory organisations consulted:** None

47 **Neighbours and local groups consulted:**

Date Printed	Address
19/06/2012	158B EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	162 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	158A EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	152 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	154 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	156 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	168 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	164A EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	154A EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	160 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	160A EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	164B EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	164C EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	2 RED POST HILL LONDON SE21 7BX
19/06/2012	4 RED POST HILL LONDON SE21 7BX
19/06/2012	6A RED POST HILL LONDON SE21 7BX
19/06/2012	THE VILLAGE GARDEN 12 RED POST HILL LONDON SE21 7BX
19/06/2012	10 RED POST HILL LONDON SE21 7BX
19/06/2012	166 EAST DULWICH GROVE LONDON SE22 8TB
19/06/2012	144 EAST DULWICH GROVE LONDON SE22 8TE
19/06/2012	HAMPTONS 12 RED POST HILL LONDON SE21 7BX
19/06/2012	6 RED POST HILL LONDON SE21 7BX
19/06/2012	8 RED POST HILL LONDON SE21 7BX
19/06/2012	NORTH DULWICH RAILWAY STATION RED POST HILL LONDON SE21 7BX
21/06/2012	144 EAST DULWICH GROVE LONDON SE22 8TE
20/06/1837	by email
20/06/1837	209 EAST DULWICH GROVE LONDON SE22 8SY

48 **Re-consultation:** The same residents and anyone not originally consulted but who commented on the application were reconsulted on 31st July 2012 following the reduction in the proposed hours of use, and were given an additional 14 days to comment.

## Consultation responses received

### **Internal services**

#### Ecology Officer

- 49 I have reviewed this application and have the following comments: I considered the impact on bats but as the lighting is very specific to the courts there appears to be very little light pollution.
- 50 As long as the lights are installed in compliance to the plan there would be negligible impact on the adjacent SINC site and the wildlife there.

#### Environmental Protection Team

2nd July 2012

- 51 I am satisfied that the proposed height and intensity of the proposed floodlighting to courts Nos 1 & 2 will not result in spillage to the nearest residents properties of 152- 158 East Dulwich Grove during evening seasonal use.
- 52 The applicant has not indicated times of use, it would be appropriate for this to be restricted/ tailored to weekday Saturdays / Sunday to ensure minimal disturbance from play use and people departures; I suggest we impose a condition.

10th July 2012

- 53 The proposed hours of use are acceptable. I believe they consulted residents on these times so should be fine.

#### Metropolitan Police

- 54 Thank you for asking me to comment on this application. I understand why there are objections, however from what I have seen proposed the increased use of the area and proposed lighting levels may well increase security not diminish it.

### **Statutory and non-statutory organisations N/A.**

### **Neighbours and local groups**

- 55 Two representation has been received in support of the application on the following grounds:
- The club provides a valuable facility but is limited as members who work or study during the day cannot use the facilities in the winter months during the week owing to a lack of floodlights;
  - The club will be able to manage access to the facilities responsibly and without causing nuisance to neighbours which will increase rather than decrease security considerations in the area;
  - Other sports clubs in the area have floodlighting and this puts the tennis club at a disadvantage as they do not have any;
  - It is important for local adults and children to be able to use the facility all year round not just at the weekends during winter months;

- Noise should not be a significant factor as tennis is not considered a noisy sport;
- The club has taken precautions against the impact of light on the surrounding properties which could also be regulated by setting a suitable end time for play.

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

- The proposal would spoil the look of the area and would be harmful to the conservation area.
- Should be treated in the same vein as floodlighting permitted at Alleyn's School, i.e. to be used up to 18:00 on weekdays only.
- The original proposal that the applicant showed to neighbours was for 12 floodlights and they may try to increase the number of lights in the future.
- There has been no consideration of the impact of the additional use of the facilities.
- Light pollution and trees surrounding the site are deciduous and will not provide any screening during winter months when the lighting would be used the most.
- Concerns that the Environmental Protection Officer has not properly considered the impact of the proposals.
- Loss of privacy.
- Noise pollution.
- There are already many similar floodlit facilities in the area.
- Increased security risk and risk of burglary.
- Could lead to applications to hold social functions in the clubhouse and redevelopment of the club house.
- Will increase demand for parking during the evenings, and if permission is granted the club should be required to secure some parking for its members.
- Impact on wildlife.
- Sympathetic to the aims of making the facility more available to local school children but the 10pm floodlighting will only benefit adult members.
- Membership of the club is low and does not warrant floodlighting.

#### Re-consultation on reduced hours

57 Five representations were received objecting to the application raising the same concerns as listed above.

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr P Wright North Dulwich Tennis Club	<b>Reg. Number</b>	12/AP/1794
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2120-150
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Erection of six floodlights to tennis courts 1 and 2.

**At:** NORTH DULWICH TENNIS CLUB 152A EAST DULWICH GROVE LONDON SE22

**In accordance with application received on** 01/06/2012 08:01:32

**and Applicant's Drawing Nos.** PA001, PA002, PA003, PA004, Tennis Court lighting Proposal (March 2012), Design and Access Statement

**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 1 – Sustainable development: requires new developments to help meet the needs of a growing population in a way that respects the planet's resources and protects the environment.

Strategic Policy 2 – Sustainable transport: requires new developments to help create safe attractive, vibrant and healthy places for people to live and work by reducing congestion, traffic and pollution.

Strategic Policy 4 – Places to learn and enjoy: encourages developments to contribute to a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 11 – Open spaces and wildlife: States that development should improve, protect and maintain a network of open spaces and green corridors, provide sport and leisure and food growing opportunities, and protect and protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

Saved policies of the Southwark Plan 2007

3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);

3.12 Quality in Design (requires new development to achieve a high standard of architectural design);

3.13 Urban Design (advises that principle of good urban design should be taken into account in all new developments);

3.14 Designing Out Crime (requires developments to incorporate design measures that discourage crime)

3.16 Conservation Areas (requires developments to preserve or enhance the character or appearance of the conservation area)

3.28 Biodiversity (states that the LPA will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant).

5.6 Car Parking (states that all developments requiring car parking should minimise the number of spaces provided).

Policies of the London Plan 2011

Policy 3.19 Sports facilities

Policy 7.8 Heritage assets and archaeology

National Planning Policy Framework (2012)

Section 4 - Promoting sustainable transport  
 Section 7 - Requiring good design  
 Section 8 - Promoting healthy communities  
 Section 11 - Conserving and enhancing the natural environment  
 Section 12 - Conserving and enhancing the historic environment

The proposed development raises no landuse issues and subject to conditions, would not result in any significant loss of amenity to neighbouring occupiers. The proposal would preserve the character and appearance of this part of the Dulwich Village Conservation Area and would not impact upon the adjoining site of nature conservation interest. 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:

PA002, PA003, PA004, Tennis Court lighting Proposal (March 2012)

Reason:

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

- 3 The floodlighting hereby permitted shall not be used outside of the following hours and shall be fitted with automatic cut-off switches so that the lights automatically switch off at the specified times.

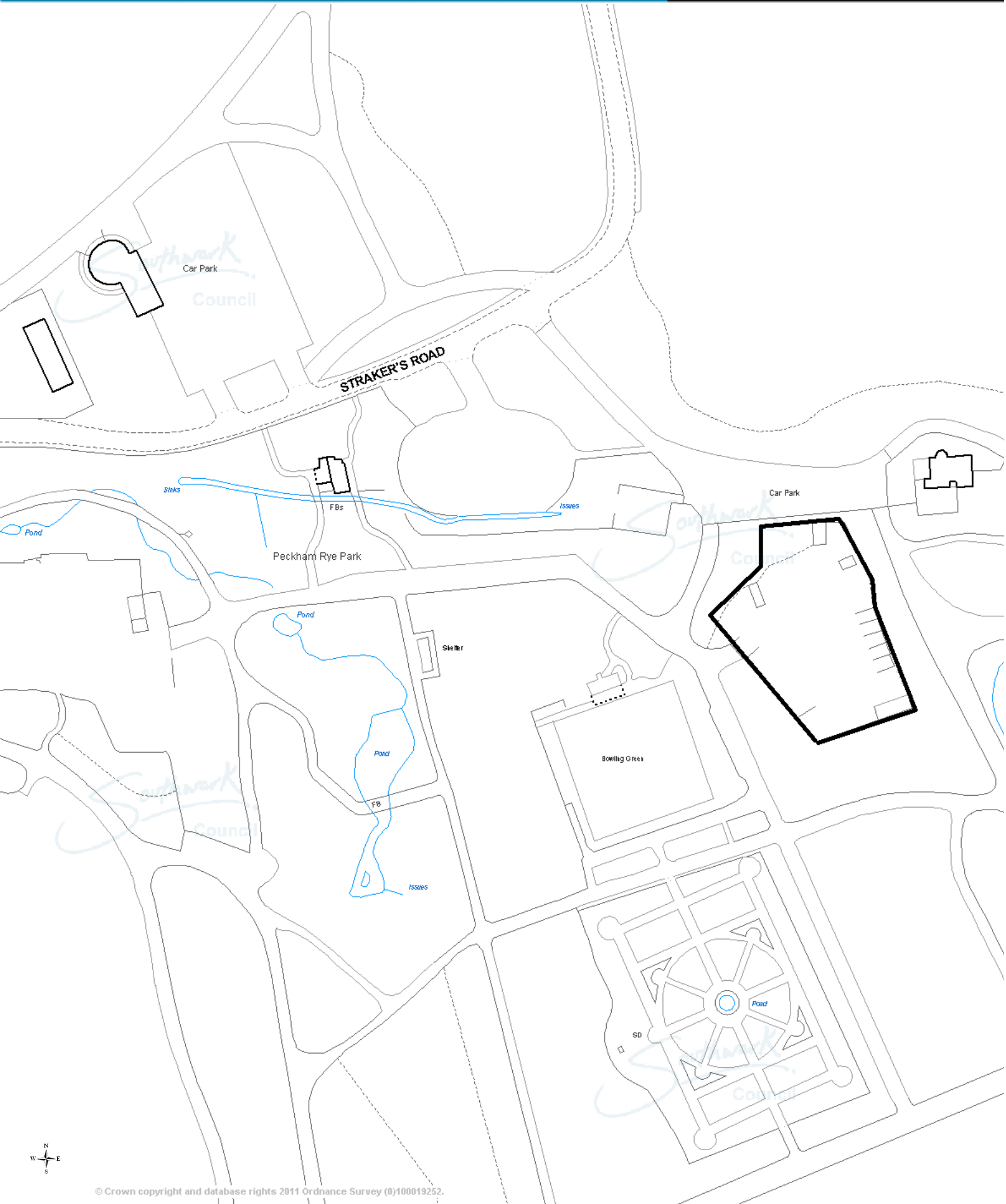
1st May-30th September - 15:00-21:00 Monday to Saturday;

1st October-30th April - 15:00-20:00 Monday to Saturday;

All year round - 15:00-18:00 on Sundays and Bank Holidays.

Reason

To ensure no loss of amenity to the adjoining residential properties, in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).



<b>Item No.</b> 7.4	<b>Classification:</b> Open	<b>Date:</b> 11 September 2012	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/1635 for: Council's Own Development - Reg. 3  <b>Address:</b> PECKHAM RYE PARK, PECKHAM RYE SE15  <b>Proposal:</b> Relocation of existing Portacabin buildings comprising 3 changing units and 1 storage unit to permanent location within the maintenance yard in Peckham Rye Park.		
<b>Ward(s) or groups affected:</b>	Peckham Rye		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 21 May 2012		<b>Application Expiry Date</b> 16 July 2012	

## RECOMMENDATION

- 1 Grant detailed planning permission, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

- 2 The above application, is for Sub-Committee consideration as it affects Metropolitan Open Land (MOL).
- 3 The application site refers to the maintenance yard located a short distance from Strakers Road within Peckham Rye Park, adjacent to the Bowling Green and Ponds. The site is currently occupied by various sheds, waste disposal areas and temporary buildings associated with the ongoing maintenance of Peckham Rye Park and Peckham Rye Common. The entire site is surrounded by metal palisade fencing and a vehicular access is present to the west of the site onto one of the park pathways.
- 4 Peckham Rye Park, which is listed on English Heritage's Register of Parks and Gardens, is adjacent to Peckham Rye Common both of which are classified as Metropolitan Open Land.

### Details of proposal

- 5 Planning consent is sought for the relocation of four portacabin-type buildings comprising three changing units and one storage unit from the car park adjacent to Cafe on the Rye on Strakers Road, to a permanent location within the southern section of the maintenance yard in Peckham Rye Park. The development includes the provision of a new gate in the southern boundary of the maintenance yard with a new path to link with the existing footpath in Peckham Rye Park.



- 6 On the inside of the gate a ramp will be provided to ensure a level access for mobility impaired in compliance with DDA requirements. Park officers will hold the keys to the site and portacabins which will remain locked when not in use. The portacabins are to serve the various sports groups that use Peckham Rye Common.

### **Planning history**

- 7 08/CO/0019 - Installation of a 12.19m x 2.44m x 2.59m container to replace a 6.095m x 2.44m x 2.59m container.  
Granted – 05/05/2008
- 8 07/CO/0081 - Installation of three storage containers of 12.19m x 2.44m x 2.59m converted for use as sports changing rooms and one container 6.095m x 2.44m x 2.59m for storage use.  
Granted for a Limited Period – 05/09/2007
- 9 07/CO/0054 - Demolition of existing facilities, construction of single storey building providing support facilities to adventure playground and formation of a multi-use-games-area.  
Granted – 03/03/2008
- 10 07/CO/0047 - Installation of a metal container 12m x 2m x 2m for use as a temporary changing facility (until August 07 approx) (retention of container that is already in situ).  
Granted for a Limited Period – 30/03/2007
- 11 07/CO/0011 – Installation of a metal container unit (12.19m x 2.44m x 2.59m) for use as temporary changing facilities for a period of 28 days from date of decision notice.  
Granted – 15/02/2007
- 12 05/CO/0182 - Erection of a single-storey building for use as a cafe (Class A3) and changing rooms; refuse store.  
Granted – 01/03/2006
- 13 04/CO/0024 - Removal of existing bowling green buildings and erection of a new single storey bowling pavilion and associated works.  
Granted – 04/08/2004
- 14 03/AP/1844 - To refurbish existing play structures together with construction of new multi-use games area on existing ball court and new skate park on existing tennis court; construction of new single storey day centre/clubhouse building.  
Granted – 27/11/2003
- 15 01/AP/1492 - Construction of a new cafe building (revised scheme).  
Granted – 18/01/2002

### **Planning history of adjoining sites**

- 16 No planning history of relevance.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

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

- a) The principle of the development in terms of land use and conformity with strategic policies and the National Planning Policy Framework;
- b) The impact on the visual and leisure amenity of the open space;
- d) The impact on Peckham Rye Park, a heritage asset;
- e) All other relevant material planning considerations.

### **Planning policy**

#### Core Strategy 2011

- 18 SP4 - Places for learning, enjoyment and healthy lifestyles
- SP11 - Open spaces and wildlife
- SP12 - Design and conservation
- SP13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 19 2.1 - Enhancement of community facilities
- 3.2 - Protection of amenity
- 3.11 – Efficient use of land
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.15 Conservation of the Historic Environment
- 3.25 Metropolitan Open Land

#### National Planning Policy Framework (NPPF)

- 20 The NPPF came into effect on 27 March 2012 and is a material planning consideration. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.
- 21 8). Promoting healthy communities.
  - 11). Conserving and enhancing the natural environment.
  - 12). Conserving and enhancing the historic environment.

### **Principle of development**

- 22 The subject site is located within an area identified on the Council's UDP Proposals Maps as being Metropolitan Open Land. The principal policy with regards to this land is saved policy 3.25 (Metropolitan Open Land). Saved policy 3.25 states:
- 23 There is a general presumption against inappropriate development on Metropolitan Open Land. Within Metropolitan Open Land (MOL), planning permission will only be permitted for appropriate development which is considered to be for the following purposes:
  - i. Agriculture and forestry; or
  - ii. Essential facilities for outdoor sport and outdoor recreation, for cemeteries,

and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or

iii. Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or

iv. Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.

- 24 The proposed development concerns the relocation of three portacabins that provide changing rooms and shower facilities for the sports use on Peckham Rye Common and one storage portacabin. These are considered to comply criterion (ii) of the appropriate uses as specified by Policy 3.25 and as such it is not a departure from The Southwark Plan 2007 (July) or The Core Strategy 2011 (April).
- 25 Therefore there is no land use objection to the principle of the proposal for the relocation of the four portacabins to the maintenance yard site provided that the proposal will not unacceptably impact upon the openness of the land. In this respect, given the small scale of the development and the purpose of the proposal being ancillary to the MOL, it is not considered that this proposal will result in a detrimental impact on the openness of the MOL to an extent to warrant refusal.

#### **Environmental impact assessment**

- 26 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**

- 27 Saved policy 3.2 Protection of Amenity, of The Southwark Plan and SP13 - High Environmental Standards of The Core Strategy seek to protect residents from harmful impacts, such as loss of outlook and noise, arising from development.
- 28 The residential properties situated closest to the application site are located to the southwest of the site along Peckham Rye. These properties are situated approximately 130m away from any part of the site. This is a substantial distance away from the maintenance yard and therefore there is no undue overlooking, loss of privacy or noise issues expected as a result of the proposal.
- 29 The development will also have a very limited impact on the visual amenity of the park and its surroundings. The portacabins are being relocated from a prominent and visible location to a more appropriate, screened area, comprising the maintenance yard. They will blend into the existing installations on the maintenance depot and will have no significant impact in terms of the visual amenity of the park and gardens.
- 30 As such, it is not considered that the proposed development will impact upon the amenities of any of the properties neighbouring Peckham Rye or to the parkland itself to an extent to warrant refusal of the planning application and it is therefore considered in accordance with policy 3.2 Protection of Amenity.

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

- 31 The proposal will not result in a conflict of use detrimental to amenity. The

neighbouring uses of the application site are Metropolitan Open Land, and as this proposal is ancillary to the use of the park as open space, no impacts are expected.

#### **Traffic issues**

- 32 The Transport Team have not raised any issues with the proposed development as it is not considered that the proposal will impact upon pedestrian movements.

#### **Design issues**

- 33 Saved policy 3.12 - Quality in Design of The Southwark Plan 2007 and SP12 - Design and Conservation of The Core Strategy seek to promote a high standard of design throughout the borough in order to enhance public spaces. In design terms the portacabins are typical modular buildings measuring 12.2 metres in length, 2.6 metres in height and approximately 3 metres in width.
- 34 In terms of design, the modular buildings are of no particular design merit. The proposed new gate, pathway and extended fence are of no concern with regards to design and will match the existing fence in scale and appearance. As the units are now being relocated within the maintenance yard they will be located in a more appropriate location that is generally more concealed from public view and within the immediate surrounding context, they are considered acceptable.

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

- 35 There are no listed buildings situated within or close to the application site and it is not situated within a conservation area. There are no harmful impacts arising in the registered Peckham Rye Park and as such the proposal is considered to comply with the heritage policies of The Southwark Plan, The Core Strategy and Section 12). Conserving and enhancing the historic environment of the National Planning Policy Framework 2012.

#### **Impact on trees**

- 36 The applicant does not propose the removal of any trees; however it is considered reasonable to impose a planning condition to protect trees within and around the application site from damage during building works.

#### **Planning obligations (S.106 undertaking or agreement)**

- 37 No planning obligations or S106 Agreements are required as part of this planning application.

#### **Sustainable development implications**

- 38 The proposal raises no sustainability implications.

#### **Other matters**

##### **39 Community Infrastructure Levy**

S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker.

- 40 Mayoral CIL is to be used for strategic transport improvements in London, primarily

Crossrail. Given that there is no increase in floorspace of the cabins proposed, the Mayoral CIL liability is zero.

### **Conclusion on planning issues**

- 41 The use and location of the proposed portacabins is considered to be acceptable. They will support the open space sports uses within the park, and are being relocated to a more discrete position, which does not harm the openness of the park.

### **Community impact statement**

- 42 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**

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

### **Consultation replies**

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

### Summary of consultation responses

- 45 All comments received in response to the proposed development have been summarised and addressed below;

- 46 Transport – No objections.  
**Response** – Noted.

- 47 English Heritage - No objections raised, the development should be decided in accordance with local policy.  
**Response** - Noted and agreed.

- 48 Friends of Peckham Rye Park - Support the application and would like the current location of the cabins to be returned to its previous condition as soon as possible after the cabins are removed.

- 49 **Response** - Noted, an informative has been included on this consent with regards to returning the car park location of the cabins to its previous condition.

### **Human rights implications**

- 50 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.

- 51 This application has the legitimate aim of providing sports facilities and storage. 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**

- 52 **Director of Legal Services**

N/A

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2614-A  Application file: 12/AP/1635  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5365 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Terence McLellan, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	11 September 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	29 August 2012	

## Consultation undertaken

**Site notice date:** 30/05/2012

**Press notice date:** 31/05/2012

**Case officer site visit date:** 30/05/2012

**Neighbour consultation letters sent:** 01/06/2012

**Internal services consulted:**

Transport

**Statutory and non-statutory organisations consulted:**

English Heritage  
Friends of Peckham Rye Park

**Neighbours and local groups consulted:**

01/06/2012 178 Peckham Rye London SE22 9QA  
01/06/2012 PO Box 59640 London SE22 2AJ

**Re-consultation:**

Re consultation not required.



## Consultation responses received

### **Internal services**

Transport – No objections.

**Response** – Noted.

### **Statutory and non-statutory organisations**

English Heritage - No objections raised, the development should be decided in accordance with local policy.

**Response** - Noted and agreed.

Friends of Peckham Rye Park - Support the application and would like the current location of the cabins to be returned to its previous condition as soon as possible after the cabins are removed.

**Response** - Noted, an informative has been included on this consent with regards to returning the car park location of the cabins to its previous condition.

### **Neighbours and local groups**

No response to date.

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Ms P Krishnan London Borough of Southwark - Environment & Leisure	<b>Reg. Number</b>	12/AP/1635
<b>Application Type</b>	Council's Own Development - Reg. 3	<b>Case Number</b>	TP/2614-A
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:**

Relocation of existing portacabin buildings comprising 3 changing units and 1 storage unit to permanent location within the maintenance yard in Peckham Rye Park.

**At:** PECKHAM RYE PARK, PECKHAM RYE SE15

**In accordance with application received on 21/05/2012 12:02:07**

**and Applicant's Drawing Nos.** 224758/B/001 Rev A, 224758/B/100/Rev/A, 224758/B/101/Rev/A, 224758/B/120/Rev/A, 224758/G/01, 1002 EXT, 1002 EXT11, Location 01, Location 02, Location 03, Location 04, Planning Design and Access Statement, Supporting Statement.

#### 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

- SP4 - Places for learning, enjoyment and healthy lifestyles - seeks to provide and enhance community facilities.
- SP11 - Open spaces and wildlife - seeks to protect and improve open spaces and biodiversity within the borough.
- SP12 - Design and conservation - securing good design and protection of heritage assets.
- SP13 - High environmental standards - aims to protect and enhance amenity and environmental standards in the borough.

##### Saved policies of the Southwark Plan 2007

- Policy 2.1 (Enhancement of Community Facilities) states that permission will not be allowed for a change of use from D class community facilities unless particular criteria can be met in relation to the need for the particular existing facility or provision of another locally accessible facility with similar or enhanced provision that can meet identified needs of the local community facility users.
- Policy 3.1 (Environmental effects) seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.
- Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.
- Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure.
- 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 ) seeks to ensure that heritage assets are preserved or enhanced.
- Policy 3.25 (Metropolitan Open Land) seeks to ensure that developments do not unacceptably impact upon the openness of the land.

##### The National Planning Policy Framework 2012

- 8). Promoting healthy communities.
- 11). Conserving and enhancing the natural environment.
- 12). Conserving and enhancing the historic environment.

Particular regard was had to the potential impact of the proposal on the character and openness of the Metropolitan Open Land and impact on the amenity of neighbouring properties and parkland. The use of the portacabins in connection with sport was acceptable, and due to the modest scale of proposed development there would be no impact on the openness of the park. The development would be a substantial distance from any residential properties, and as such it will not result in any impacts on neighbouring properties' amenities. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

#### **Schedule**

- 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: 224758/B/101/Rev/A, 224758/B/120/Rev/A, 224758/G/01, 1002 EXT, 1002 EXT11.

**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.

- 4 Details of the means by which the existing trees on the site are to be protected from damage by construction works, foundations, vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted to and approved in writing by the Local Planning Authority 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), Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and the provisions of The National Planning Policy Framework 2012.

#### **Informative**

As the proposal will remove the existing portacabins from the car park any repairs to the surface will need to be agreed with parks & Open Spaces.



<b>Item No.</b> 7.5	<b>Classification:</b> Open	<b>Date:</b> 11 September 2012	<b>Meeting Name:</b> Planning Sub Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/1913 for: Full Planning Permission  <b>Address:</b> DULWICH SPORTS GROUND CLUBHOUSE TURNEY ROAD LONDON, SE21 7JH  <b>Proposal:</b> Erection of single-storey extension to provide additional changing rooms.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 11 July 2012		<b>Application Expiry Date</b> 5 September 2012	

## RECOMMENDATION

- 1 That planning permission be granted, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

- 2 This application is before Members because it relates to development on Metropolitan Open Land (MOL).
- 3 Dulwich sports ground is a multi-use sports facility located on the south-western side of Turney Road, behind a number of terraced and semi-detached houses. It is a nine hectare site boarded by Turney Road to the north, Burbage Road to the east, Belair Park to the south and a railway line to the west.
- 4 Access to the site is between numbers 100 and 108 Turney Road and there is a 2-storey clubhouse on the northern part of the site, behind the houses, which contains changing rooms, showers, WCs, a kitchen, function room and bar; there are three single storey storage buildings alongside. The facility is operated by Southwark Community Sports Trust and is run by volunteers from local sports organisations, and offers facilities for football, cricket and rugby.
- 5 The site forms part of an air quality management area, the suburban density zone, the Dulwich Village Conservation Area and Metropolitan Open Land (Dulwich College sports ground).

### Details of proposal

- 6 Full planning permission is sought for the erection of a single-storey extension which would essentially infill a gap between the existing clubhouse and one of the storage buildings, connecting the two. It would be used to provide two additional changing rooms and would measure 9m wide x 4.8m deep x 2.4m high with a flat roof;

materials to match existing. The plans show other internal alterations but these do not require planning permission.

### **Planning history**

- 7 12-AP-0114 - Re-surface two existing artificial cricket surfaces and provide two additional artificial surfaces. Lawful development certificate GRANTED in April 2012.

### **Planning history of adjoining sites**

- 8 None relevant.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

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

### **Planning policy**

#### Core Strategy 2011

- 10 Strategic policy 4 - Places to learn and enjoy  
Strategic policy 11 - Open spaces and wildlife  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 11 3.2 - Protection of amenity  
3.12 - Quality in design  
3.13 - Urban design  
3.16 - Conservation areas  
3.25 - Metropolitan open land

Dulwich Village Conservation Area Appraisal (February 2006)

#### London Plan 2011

- 12 Policy 3.19 Sports facilities  
Policy 7.8 Heritage assets and archaeology

#### National Planning Policy Framework (NPPF)

- 13 The NPPF came into effect on 27 March 2012 and is a material planning consideration.

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 12 - Conserving and enhancing the historic environment

### **Principle of development**

- 14 Saved policy 3.25 of the Southwark Plan states that there is a general presumption against inappropriate development on metropolitan open land. It states that in such locations, planning permission will only be permitted for appropriate development which is considered to be for the following purposes:
- 15 i) Agriculture or forestry;  
 ii) Essential facilities for outdoor sport and recreation, for cemeteries, and or other uses of land which preserves the openness of metropolitan open land and which do not conflict with the purposes of including land within metropolitan open land; or  
 iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original dwelling; or  
 iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling it replaces.
- 16 The proposal is to provide additional changing rooms to be able to cater for 15 a-side rugby union. This is required in connection with an existing outdoor sport and recreation facility, and it would be located within a group of existing buildings and would preserve the openness of the MOL. It is therefore considered that the proposal would comply with saved policy 3.25 of the Southwark Plan.

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

- 17 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 18 The proposed extension would be located approximately 18m from the rear boundaries of 150 and 152 Turney Road, which each have rear gardens of approximately 27m in length. This separation distance would be sufficient to ensure that no loss of amenity would occur. The proposal would represent a very modest extension set within a very large site and it would not result in any harm to the amenity of neighbouring properties.

### **Design and impact upon the character and appearance of this part of the Dulwich Village Conservation Area**

- 19 Saved policy 3.12 of the Southwark Plan requires development to be of a high standard of architectural design and 3.16 requires the character and appearance of conservation areas to be preserved or enhanced.
- 20 The proposed extension would be very modest in size and would be lower than the buildings either side that it would be attached to. The use of matching materials would help it to blend in and in terms of views from outside the site, these are only likely to be from the upper floor windows of the adjoining properties on Turney Road. In light of this it is considered that the design of the proposal would be acceptable and that the character and appearance of this part of the Dulwich Village Conservation Area would be preserved.

### **Other matters**

#### Mayoral CIL

- 21 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial

consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

- 22 The proposed extension would create less than 100sqm of floorspace (43.2sqm would be created) and therefore is not CIL liable.

### **Conclusion on planning issues**

- 23 The proposed development would be acceptable in principle and would improve the facilities at the sports ground. No loss of amenity would occur and the design of the proposal would be acceptable and would preserve the character and appearance of this part of the Dulwich Village Conservation Area. It is therefore recommended that planning permission be granted.

### **Community impact statement**

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

- 25 a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### **Consultations**

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

### **Consultation replies**

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

### **Summary of consultation responses**

- 27 No representations have been received.

### **Human rights implications**

- 28 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 29 This application has the legitimate aim of providing a single-storey extension. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.



**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS****Director of Legal Services**

N/A.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2546-B  Application file: 12/AP/1913  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5410 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Victoria Lewis, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	21 August 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		29 August 2012

## Consultation undertaken

**Site notice date:** 27/07/2012

**Press notice date:** 19/07/2012

**Case officer site visit date:** 19/07/2012

**Neighbour consultation letters sent:** 18/07/2012

**Internal services consulted:** None

**Statutory and non-statutory organisations consulted:** None

**Neighbours and local groups consulted:**

18/07/2012	160 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	158 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	156 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	162 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	168 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	166 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	164 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	144 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	142 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	140 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	146 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	154 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	152 TURNEY ROAD LONDON	SE21 7JJ
18/07/2012	150 TURNEY ROAD LONDON	SE21 7JJ

**Re-consultation:** Not required.

**Consultation responses received**

**Internal services** N/A.

**Statutory and non-statutory organisations** N/A.

**Neighbours and local groups** No representations have been received.

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## RECOMMENDATION

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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.

<b>Applicant</b>	Mr Hartley SCST	<b>Reg. Number</b>	12/AP/1913
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2546-B
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Erection of single-storey extension to provide additional changing rooms.

**At:** DULWICH SPORTS GROUND CLUBHOUSE TURNEY ROAD LONDON, SE21 7JH

**In accordance with application received on** 13/06/2012 12:01:26

**and Applicant's Drawing Nos.** Site location plan, 141\_P\_001A, 141\_P\_010A, 141\_p\_101A, 141\_p\_110 Rev/A, Design & Access Statement

**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 4 – Places to learn and enjoy: encourages developments to contribute to a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 11 – Open spaces and wildlife: States that development should improve, protect and maintain a network of open spaces and green corridors, provide sport and leisure and food growing opportunities, and protect and protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

Saved policies of the Southwark Plan 2007

3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);

3.12 Quality in Design (requires new development to achieve a high standard of architectural design);

3.13 Urban Design (advises that principle of good urban design should be taken into account in all new developments);

3.16 Conservation Areas (requires developments to preserve or enhance the character or appearance of the conservation area)

3.25 (Metropolitan open land) which states that there is a general presumption against inappropriate development on metropolitan open land and sets out the criteria for assessing whether development would be appropriate.

Policies of the London Plan 2011

Policy 3.19 Sports facilities

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan Open Land

National Planning Policy Framework (2012)

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 12 - Conserving and enhancing the historic environment

The proposed development would be acceptable in principle and would improve the facilities at the sports ground. No loss of amenity would occur and the design of the proposal would be acceptable and would preserve the character and appearance of this part of the Dulwich Village Conservation Area. 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:

141\_p\_101A, 141\_p\_110 Rev/A

Reason:

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

- 3 The facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building and the character and appearance of the Dulwich Village Conservation Area, in accordance with saved policies 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan (2007), strategic policy 12 'Design and conservation' of the Core Strategy (2011) and section 7 'Requiring good design' of the NPPF (2007).

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**PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2012-13**

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

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Councillor Mark Gettleson	1		
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Councillor James Barber	1		
Councillor Sunil Chopra	1		
Councillor Poddy Clark	1	<b>Dated: 26 June 2012</b>	
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Constitutional Officer (Community Councils) Hub 4 (2 <sup>nd</sup> Floor), Tooley St.	15		
Claire Cook Planning, Hub 2 (5 <sup>th</sup> Floor) Tooley St.	1		
Suzan Yildiz / Nick Bradbury, Legal Services Hub 2 (2 <sup>nd</sup> Floor) Tooley St.	1		
<b>Total:</b>	35		