

## Planning Committee (Smaller Applications)

Tuesday 11 November 2025

7.00 pm

Ground Floor Meeting Rooms - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Cleo Soanes (Chair)  
Councillor Jane Salmon (Vice-Chair)  
Councillor Sabina Emmanuel  
Councillor Sam Foster  
Councillor Nick Johnson  
Councillor Richard Livingstone  
Councillor David Parton

### Reserves

Councillor Ketzia Harper  
Councillor Darren Merrill  
Councillor Victoria Mills  
Councillor Emily Tester  
Councillor Joseph Vambe

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

#### Babysitting/Carers allowances

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

#### Access

The council is committed to making its meetings accessible. For details on building access, translation, provision of signers or any other requirements for this meeting, please contact the person below.

#### Contact

Beverley Olamijulo on 020 7525 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

**Althea Loderick**

Chief Executive

Date: 3 November 2025



## Planning Committee (Smaller Applications)

Tuesday 11 November 2025

7.00 pm

Ground Floor Meeting Rooms - 160 Tooley Street, London SE1 2QH

### Order of Business

Item No.	Title	Page No.
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>MINUTES</b>	1 - 5
	To approve as a correct record the minutes of the meeting held on 15 October 2025.	
6.	<b>DEVELOPMENT MANAGEMENT</b>	6 - 10
	<b>6.1. GROVE HOUSE, DULWICH COMMON, LONDON, SE21 7EZ</b>	11 - 75

6.2.	<b>CAMBERWELL OLD CEMETERY PUBLIC TOILETS, FOREST HILL ROAD, LONDON SE22 0RU</b>	76 - 94
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**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF  
THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

Date: 3 November 2025



## Planning Committee (Smaller Applications)

### 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 committee.
3. The role of members of the planning committee (smaller applications) 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 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 committee will then debate the application and consider the recommendation.

**Note:** Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning 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 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.

6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.
8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants. **As meetings are usually livestreamed, speakers should not disclose any information they do not wish to be in the public domain.**
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

**Please note:**

Those wishing to speak at the meeting should notify the constitutional team by email at [ConsTeam@southwark.gov.uk](mailto:ConsTeam@southwark.gov.uk) in advance of the meeting by **5pm** on the working day preceding the meeting.

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

**Contacts:** General Enquiries  
Planning Section  
Planning and Growth Directorate,  
Tel: 020 7525 5403

Planning Committee Clerk, Constitutional Team  
Governance and Assurance  
Tel: 020 7525 7234



## Planning Committee (Smaller Applications)

MINUTES of the Planning Committee (Smaller Applications) held on Wednesday 15 October 2025 at 7.00 pm at Ground Floor Meeting Rooms - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Cleo Soanes (Chair)  
Councillor Sabina Emmanuel  
Councillor Sam Foster  
Councillor Richard Livingstone  
Councillor David Parton  
Councillor Emily Tester (reserve member)

**OFFICER** Sonia Watson, (Team Leader, Major and New Homes)  
**SUPPORT:** Michael Feeney, (External Legal Counsel, FTB Chambers)  
Andre Verster, (Team Leader, Major and New Homes)  
Liam Bullen, (Senior Planner Urban Forester)  
Zaib Khan, (Team Leader, Development Management)  
Beverley Olamijulo, (Constitutional Officer)

### 1. APOLOGIES

Apologies were received from Councillors, Jane Salmon (vice-chair) and Nick Johnson.

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed above were confirmed as voting members of the committee.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

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

- Addendum report relating to item 9.1 – development management items
- Members pack.

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

None were disclosed.

#### 5. MINUTES

##### RESOLVED:

That the minutes for Planning Committee (Smaller Applications) meeting held on 8 September 2025 be approved as a correct record and signed by the chair.

#### 6. TREE PRESERVATION ORDER (TPO): 79 AND 83 MINA ROAD AND LAND REAR - 83 MINA ROAD LONDON SE17 2QS

Report: See pages 6 to 30 of the agenda pack

The officer (urban forester) presented the report and responded to questions from Members.

The officer made reference to the two trees that were considered worthy of protection and in accordance with matters reserved for the planning committee (smaller applications). The council also received four objections and three letters in support of the TPO.

An objector to the TPO addressed the committee and responded to questions from members.

A supporter in favour of the TPO addressed the meeting and responded to questions from members.

There were no ward members present, who wished to address the meeting.

Members debated further on the tree preservation order.

A motion to confirm the tree preservation order was moved, seconded put to the vote and declared carried.

##### RESOLVED:

That the provisional TPO reference 747 (unamended) be confirmed.

#### 7. TREE PRESERVATION ORDER (TPO): 153 TURNEY ROAD, LONDON SOUTHWARK SE21 7JU

Report: See pages 31 to 51 of the agenda pack and addendum pages 3 to 11.

The officer (urban forester) presented the report and responded to questions from Members.

There were no objectors or supporters present who wished to address the meeting.

There were no ward members who wished to address the meeting.

A motion to confirm the tree preservation order was moved, seconded put to the vote and declared carried.

**RESOLVED:**

That the provisional TPO reference 748 (unamended) be confirmed.

**8. TREE PRESERVATION ORDER (TPO): OLD SALT QUAY 163 ROTHERHITHE STREET LONDON SE16 5QU**

Report: See pages 52 to 72 of the agenda pack and addendum pages 1 to 3.

The officer (urban forester) presented the report and responded to questions from Members.

The officer addressed the key points in the addendum report, the consultation responses and comments expressed by ward councillors.

There were no objectors or supporters present who wished to address the meeting.

There were no ward members who wished to address the meeting.

A motion to confirm the tree preservation order was moved, seconded put to the vote and declared carried.

**RESOLVED:**

That the provisional TPO reference 752 be confirmed, with the following amendments to the map and schedule including, variation from group to individual order as set out in the appendices of the report.

**9. DEVELOPMENT MANAGEMENT**

Members noted the development management report.

**RESOLVED:**



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.

## **9.1 ELIM ESTATE WESTERN STREET, LONDON SE1 4DA**

At 8.00pm the meeting adjourned for a five-minute comfort break. The meeting reconvened at 8.05pm

### **Planning application reference 22/AP/1887**

Report: See pages 78 to 241 of the agenda pack and addendum pages 3 to 11.

### **PROPOSAL**

*The construction of 34 social rented homes across two separate buildings, along with the provision of external community / sports / play facilities and associated landscaping and car parking.*

The committee heard the officer's introduction to the report. Members of the committee asked questions of the officers.

The objectors present addressed the committee. and responded to questions from members.

The applicants addressed the committee and responded to questions from members.

There were no supporters present, who lived within 100 metres of the development site and wished to speak.

The ward councillors were unable to attend the meeting but provided written representation about delivering new council homes. They urged the Leathermarket CBS to continue engagement with residents on the estate.

Members further debated the application.

A motion to grant the application subject to conditions and an amended condition set out in the officer's report, and the addendum report, that were presented during

the hearing, was moved, seconded, put to the vote and declared carried.

**RESOLVED:**

1. That planning permission be granted subject to conditions set out in the report and amended Condition 8 below, also the additional condition concerning the flood risk and addendum report; and for the applicant to enter into an appropriate S106 legal agreement no later than 15 April 2026.
2. That in the event the requirements of paragraph 1 above are not met by 15 April 2026, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 263 of the report.

**Condition 8 (amended):**

Play equipment and landscaping

Details of the proposed play equipment on sites 2 and 4 and associated hard and soft landscaping, shall be submitted to the local planning authority after public consultation with Elim Estate Residents, and should include details of the public engagement undertaken. The details shall be approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted permission and shall thereafter be retained and maintained for the lifetime of the development.

Reason:

To ensure that present or future users of the play area do not suffer a loss of amenity in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity), and the National Planning Policy Framework 2024.

The meeting ended at 10.10 pm.

**CHAIR:**

**DATED:**

# Agenda Item 6.

<b>Meeting Name:</b>	Planning Committee (Smaller Applications)
<b>Date:</b>	11 November 2025
<b>Report title:</b>	Development Management
<b>Ward(s) or groups affected:</b>	All
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	Not applicable
<b>From:</b>	Proper Constitutional Officer

## 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 committees. The matters reserved to the planning 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:
  - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Levelling Up, Housing and Communities and any directions made by the Mayor of London.

- b. 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.
  - c. 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.
- 6. 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.
- 7. 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 maybe substantial if the matter is dealt with at a public inquiry.
- 8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
- 9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.

### **Community impact statement**

- 10. Community impact considerations are contained within each item.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive – Governance and Assurance**

- 11. A resolution to grant planning permission shall mean that the director of planning and growth 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 director of planning and growth 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.
- 12. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning and growth 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 assistant chief executive – governance and assurance, and which is satisfactory to the director of planning and growth. 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 assistant chief executive – governance and assurance. The planning permission will not be issued unless such an agreement is completed.

13. 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.
14. 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 the Southwark Plan which was adopted by the council in February 2022. The Southwark Plan 2022 was adopted after the London Plan in 2021. For the purpose of decision-making, the policies of the London Plan 2021 should not be considered out of date simply because they were adopted before the Southwark Plan 2022. London Plan policies should be given weight according to the degree of consistency with the Southwark Plan 2022.
15. The National Planning Policy Framework (NPPF), as amended in December 2024, is a relevant material consideration and should be taken into account in any decision-making.
16. Section 143 of the Localism Act 2011 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.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010 as amended, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
  - a. necessary to make 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.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525 5403

## APPENDICES

No.	Title
None	

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services		
<b>Report Author</b>	Kamil Dolebski, Specialist Lawyer (Planning) Beverley Olamijulo, Constitutional Officer		
<b>Version</b>	Final		
<b>Dated</b>	3 November 2025		
<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>
Assistant Chief Executive – Governance and Assurance		Yes	Yes
Director of Planning and Growth		No	No
<b>Cabinet Member</b>		No	No
<b>Date final report sent to Constitutional Team</b>			3 November 2025

25/AP/0324 - Grove House, Dulwich Common, London, SE21 7EZ





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<b>Meeting Name:</b>	Planning Committee (Smaller Applications)
<b>Date:</b>	11 November 2025
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 25/AP/0324 for: Full Planning Application</p> <p><b>Address:</b> Grove House, Dulwich Common, London, SE21 7EZ</p> <p><b>Proposal:</b> Demolition of the existing residential building and the erection of a two storey dwelling including ancillary garden / bike store, terracing, parking, hard and soft landscaping.</p> <p>(This application represents a departure of Policy P57 Open Space of Southwark Plan 2022 by virtue of construction of a replacement dwellinghouse on a different footprint).</p>
<b>Ward(s) or groups affected:</b>	Dulwich Wood
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	Not Applicable
<b>From:</b>	Director of Planning and Growth
<b>Application Start Date:</b> 19.02.2025	<b>PPA Expiry Date:</b> N/A
<b>Earliest Decision Date:</b> 11.11.2025	

## RECOMMENDATION

1. That planning permission be granted subject to the conditions set out in this report.

## EXECUTIVE SUMMARY

2. Permission is sought for the demolition of the existing residential building and the erection of a two-storey dwelling including ancillary garden / bike store, terracing, parking, hard and soft landscaping.
3. The application is being referred to the Smaller Applications Planning Committee as the new development is contrary to the development plan, being the demolition and erection of a new two-storey dwelling that is located on Metropolitan Open Land (MOL), comprising of a greater footprint.

## BACKGROUND INFORMATION

### Site location and description

4. The site relates to a two-storey detached residential dwellinghouse known as Grove House, which is located on the southern side of Dulwich Common. The current property comprises four bedrooms with a workshop and detached garage. The site also comprises a large area of hardstanding in the form of a tennis court to the front and a long driveway.

5. *Figure 1 – Site Location Plan*



6. The application site is within the Dulwich Wood Conservation Area, which is the largest area of open space within the Borough and has an almost rural character and appearance, comprising open fields (including sports pitches, a golf course and allotment gardens), woodlands and occasional low-rise buildings. The open fields feature ditches and ponds, belts of trees and hedged boundaries, and are accessed by single-track roads that add to this semi-rural quality. The area is designated as Metropolitan Open Land (MOL).
7. The site is accessed from Dulwich Common (A205) via a long driveway. The majority of the southern part of the site boundaries is shared with The Dulwich and Sydenham Golf Club, separated by dense woodland features. Sports grounds are located on both west and eastern boundaries, with the Streatham and Marlborough Club and its existing pavilion clubhouse neighbouring most immediately to the east. The Camber Lawn Tennis Club courts adjoin up the northeast boundary. At the north sits Grove Allotments.

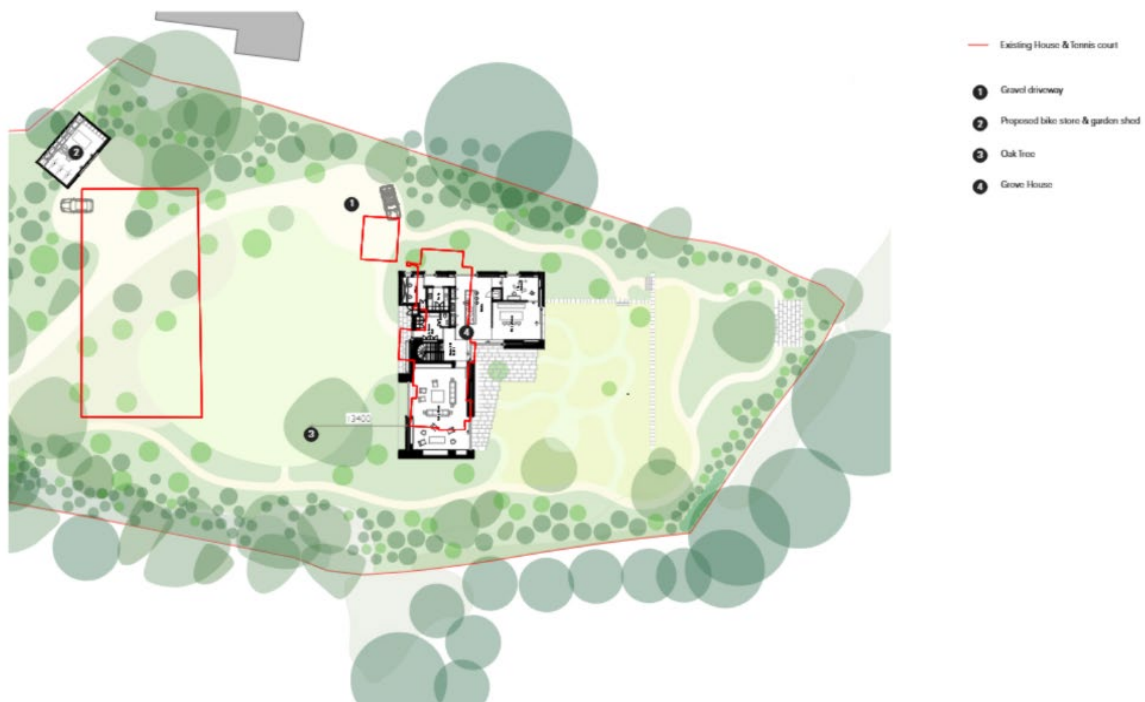
8. *Figure 2 – Existing site ariel view with surrounding context*



## Details of proposal

9. The proposed development is for the demolition of the existing residential building and the erection of a two-storey dwelling including ancillary garden / bike store, terracing, parking, hard and soft landscaping.
10. An application was previously submitted under ref: 23/AP/2800 for 'Demolition of the existing dwellinghouse and the erection of a part-one, part-two storey dwellinghouse including ancillary outbuildings, pool, hard and soft landscaping, bike and bin store.'. This application was withdrawn following Case Officer advice that the application would be refused due to the harmful erosion of Metropolitan Open Land and further technical matters.
11. Pre-application advice was later sought under ref: 24/EQ/0171 for the same principle of development albeit with a new design. The advice concluded that the Council are likely to support a replacement dwelling that does not impact on the openness and character of the Metropolitan Open Land. The pre-application submission was deemed to have made welcomed revisions on the previously withdrawn full application (23/AP/2800) and provided advice on further amendments and additional information required in the event of a full planning application.
12. This application has made significant amendments following the withdrawal of the previous scheme (23/AP/2800). It proposes a more compact design situated largely within the footprint of the existing dwelling with a reduced footprint. In contrast to the earlier proposal, which featured an extensive layout with two prominent wings extending toward the site boundaries, the current scheme adopts a more restrained approach. Notably, the previously proposed swimming pool and substantial rear outbuilding have also been omitted, further contributing to the reduction in overall built site coverage.

13. The proposed dwelling in this application would have a maximum height of 8.16m, a GIA of 791sqm (including basement) and footprint of 372sqm.
14. *Figure 3 – Proposed site plan*



### Amendments to the application

15. Revisions were provided during the application concerning the following:
- Revisions to the Biodiversity Net Gain Metric and associated Biodiversity / ecological assessment following Ecologist consultation comments.
  - Revisions to the highways note to consider passing points along the driveway and pruning works required following Urban Forester comments.
  - Revisions to section drawings to show the solar photovoltaic panels on the roof.
16. The nature of the revisions did not warrant public re-consultation.

### **Consultation responses from members of the public and local groups**

17. Two site notices were displayed on 04.03.2025 and neighbour letters were sent to the properties at the north on Dulwich Common as well as the surrounding sports clubs and allotments. A Press Notice was also issued on 25.02.2025.
18. 1 public comment was received. The 1 objection is outlined below:
- The contemporary design is not in keeping with the surrounding period houses and architectural style.
  - The proposal harms the group value of the homes on Dulwich Common, and is unlikely to be approved by the Dulwich Estate.

- An extension of the existing building would be more suitable.
19. The material planning considerations have been addressed throughout the Officer report below.

### **Planning history of the site, and adjoining or nearby sites.**

20. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 3.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

21. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use
  - Affordable housing and development viability
  - Quality of accommodation
  - Design, including landscaping, ecology and biodiversity net gain
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
  - Transport and highways, including car parking and cycle parking
  - Environmental matters, including construction management, flooding and land contamination
  - Energy and sustainability
  - Mayoral and borough community infrastructure levy (CIL)
  - Consultation responses and community engagement
  - Community impact, equalities assessment and human rights.
22. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

23. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2021 and the Southwark Plan 2022. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
24. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

## Planning policy

25. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2024) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

## ASSESSMENT

### Principle of the proposed development in terms of land use

26. The principle of a replacement residential dwelling on the site is supported in land-use terms subject to compliance with the other relevant development plan policies.

### Metropolitan Open Land

27. The key aspect is the application site's location within designated Metropolitan Open Land (MOL) - Dulwich Common Allotments and Tennis Club. This is recognised as having the status of Green Belt, being London's equivalent, preventing urban sprawl and maintaining the openness and permanence of the landscape. Despite the general presumption in favour of sustainable development, all development is regarded as inappropriate and, by definition, harmful.
28. Policy P57 (Open Space) of the Southwark Plan 2022 is clear that "development will not be permitted within MOL". It does, however, relent for exceptional circumstances, which are as below:
1. *It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; or*
  2. *It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building or It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.*
29. Policy P57 is in general accordance with the London Plan 2021 on Metropolitan Open Land. The London Plan regards MOL as "strategic open land within an urban area" and highlights the important role it plays within London's green infrastructure. The plan is a material consideration and affords MOL the same status and level of protection as Green Belt. As stated in its policy G3.A(1), "MOL should be protected from inappropriate development in



accordance with national planning policy tests that apply to the Green Belt."

30. The proposed demolition of the single family-sized dwelling and its replacement with a house of similar size to the original (including its garage) in terms of footprint and/or volume would accord with part 3 of the above policy and as such is supported as a general approach.
31. The policy guidance of paragraph 153-160 of the NPPF on Green Belts applies equally to Metropolitan Open Land. Whilst it resists inappropriate development within the Green Belt (para 154), it sets out a number of very exceptional circumstances where development could be undertaken. This includes category (d) and (g), which is of relevance in this instance. It refers to:
- (d) "the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces";*
- (g) "limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt."*
32. There is already a dwelling on the application site, therefore there is already built development in the form of a house and all associated activity and paraphernalia on the site. The site therefore meets the definition of Previously Developed Land in the Glossary of the NPPF.
33. The GIA/GEA/height of the proposed development is as follows in comparison to the existing dwelling and the previously withdrawn scheme:

	Existing	Withdrawn scheme 23/AP/2800	Proposed
Total GIA	397 sqm	642 sqm 105 sqm ancillary buildings	791 sqm
Total GIA excluding basement	N/A	N/A	577 sqm
Footprint GEA	240 sqm	783 sqm	428 sqm
Footprint of house	210 sqm	651 sqm	372 sqm
Max height (ridge)	9.09m	7.427m	8.16m

34. As noted above, the submission has significantly improved since the previously withdrawn application (23/AP/2800) and the subsequent pre-application advice. The previously withdrawn application had extensive built coverage with a footprint almost 3x the existing. The footprint proposed as part of this application is less wide-ranging and sits broadly on the footprint of the existing house and attached garage/workshop, extending c.3m to one side in length (27m) and similar in depth (c.11m), but partly extending rearward by an additional 10m to form an 'L'-shaped layout. The two-storey replacement house with its flat roof would rise 8.16m above grade when viewed from the



front, which would be 0.93m below the ridge height of the current house, although slightly taller than the attached garage/workshop. The moderate setback of the upper floor would reduce its sense of height and massing, albeit mostly in nearby views to the front and rear only.

35. Importantly, the current proposal includes a substantial basement which would have a footprint of 214sqm, which significantly increases the total GIA of the new dwelling. In relation to the impact on the openness and character of the MOL it is considered that the inclusion of the proposed basement would have a negligible impact and is therefore acceptable in this regard.
36. This application considers the relationship between the footprint to its volume and considers whether the new massing enhances the openness and landscape quality, working towards satisfying Policy P57 first-and-foremost, and secondly the requirements of the Southwark's Plan for development within a conservation area (Policy P20 and P21). In line with pre-application advice, the submission has provided verified townscape views, detailed landscaping plans and highlighted the sustainability benefits of the development in support of the application, all of which are discussed throughout the assessment.
37. The verified views and model shots from several locations around the site are shown in Figure 4. They indicate that the existing house is largely obscured from view by mature planting, glimpsed from Cox's Walk and more so from the adjoining sports fields, with its white-painted windows occasionally visible. The new development would appear no more overt, while in views from the adjoining sports fields its slightly lower form and deep-set timber windows allows the building to sit quieter within the heavily planted perimeter landscaping. With the additional proposed landscaping, the development would sit well within the conservation area. Moreover, it would not unduly affect the character of the MOL, appearing to have having no greater impact on the openness of the Green Belt than the existing house, despite its moderately larger footprint.

38. *Figure 4 – verified views and models*

*Grove Allotments with proposed outline*



*Cox's walk with proposed outline*





*Cox's walk 2 with proposed outline*



*Streatham and Marlborough Cricket Field*

*Existing*





*Proposed*



*Dulwich and Sydenham Golf Club*

*Existing*





*Proposed*



*Dulwich and Sydenham Golf Club 2*

*Existing*





*Proposed*



*Trevor Bailey Sports Ground 1*





*Trevor Bailey Sports Ground 2**Existing**Proposed*

39. As evidenced in the verified views, despite there being an increase in the footprint of the scheme, Officers consider that the proposed dwelling sits comfortably within the surrounding context and does not give rise to any harmful impact on the openness and character of the MOL. The proposal therefore demonstrates compliance with exception (g) for Green Belt development in the NPPF. As discussed throughout the assessment, the proposal also includes detailed landscaping that would contribute to the character of the MOL, implementation of sustainable measures as well as the inclusion of an attenuation tank, affording public benefits to the scheme.
40. It is to note that Officers do not consider that any further extension or revised proposal on the site increasing the GIA or footprint further would be supported on the site. Therefore, the current proposal would be the maximum to be found acceptable and a condition to restrict permitted development rights would be attached to the decision notice.

### **Affordable housing and development viability**

41. Policy P1 of the Southwark Local Plan (2022) is not applicable to this application as there is no net increase in the number of dwellings on site.

### **Quality of accommodation**

#### Internal minimum space standards

42.	<b>Room</b>	<b>Proposed (sqm)</b>	<b>Required (sqm)</b>	<b>Complies?</b>
	<b>Ground Floor</b>			
	Living room	105	15	Yes
	Kitchen/dining room	96	12	Yes
	Play room	18	N/A	N/A
	Office	14	N/A	N/A
	Pantry	10	N/A	N/A
	W/C	2	3.5	No
	<b>First Floor</b>			
	Master Bedroom	61	12	Yes
	Master Bedroom Bathroom 1	17	3.5	Yes
	Master Bedroom Bathroom 2/Dressing Room	19	3.5	Yes
	Guest Room	20	12	Yes
	Guest Room En-Suite	6	3.5	Yes
	Bedroom 1	21	12	Yes
	Bedroom 1 En-Suite	6	3.5	Yes
	Bedroom 2	25	12	Yes
	Bedroom 2 En-Suite	7	3.5	Yes
	<b>Basement</b>			



Hot Plant Room	32	N/A	N/A
Cold Plant Room	32	N/A	N/A
LV Switch Room	10	N/A	N/A
Laundry/Service Room	54	N/A	N/A
AV Room	11	N/A	N/A
Storage	30	3	Yes

43. The table above indicates the approximate proposed internal floorspaces of the dwelling. Overall, the dwelling complies with the minimum internal space required for a 4B8P dwelling (124 sqm), comfortably exceeding requirements in all rooms besides the WC. Whilst the ground floor WC does not comply with the requirements, as this is an additional bathroom to supplement the house, it is not required to strictly meet this minimum standard. The dwelling would have appropriately sized storage and ancillary facilities. The proposed development provides a high standard of residential accommodation and therefore is considered acceptable in this regard.

### Finished floor levels

44. Section drawings indicate that the rooms would exceed the minimum 2.3m floor to ceiling height requirement which is considered acceptable.

### Outlook, privacy, daylight and sunlight

45. It is considered that the dwelling would receive adequate daylight and sunlight, have a sufficient outlook and maintain privacy. Pocket shutters have been included within the internal design to windows/doors to maximise privacy to the occupiers.

### Outdoor amenity space

46. The application site comprises a considerable amount of front and rear garden space, as such an excess of 50sqm private garden space would remain following construction of the replacement dwellinghouse.

## **Design**

### Site context

47. The site is a good-sized residential property set within large front and rear gardens that include a tennis court to the front. The house is located some 180m to the south of the main road, Dulwich Common, and is accessed via a private gate and single track that emerges onto the main road opposite Fireman's Alley. The house is positioned to the rear of no.2-32 (even) Dulwich Common and the allotment gardens, and is surrounded by the play courts and sports grounds of the Camber Lawn Tennis Club, Streatham and Marlborough Cricket Club, Dulwich and Sydenham Golf Course and Trevor Bailey Sports Facility.

48. The site is on the northern slope of Sydenham Hill, although more towards the base of the hill than its ridge, where the ground levels begin to steepen. The tree-lined public footpath of Cox's Walk and the woodlands of Sydenham Wood are nearby to the east and northeast of the site.
49. The current building is not listed but is located within the Dulwich Wood conservation area and on land that forms part of designated Metropolitan Open Land (MOL). The Dulwich Wood conservation area comprises mainly Dulwich Park, the green open space of Dulwich Common and the adjacent woodlands and is characterised by the formal parkland and semi-rural landscape. The conservation area contains a mix of Victorian houses and mid-20th century housing, which are positioned along the perimeters of the park, former common and woodland, with the modern housing laid out in small estates and designed to respond to their wooded backdrop. The MOL covers a similar area of land as the conservation area, but extends beyond its boundaries to include the adjacent grounds of Dulwich College, Mary Datchelor sports grounds and the parkland of Belair Park.
50. *Figure 5 – Ariel photo of the site*



## Heritage considerations

51. The existing house is of good quality and appears well-maintained, but is neither of particular architectural merit, nor of local significance, and is therefore not regarded as a Non-Designated Heritage Asset.
52. The house is two-storeys with an additional small attic storey, and dates from the 1970s. The architecture is broadly Arts and Crafts in style, featuring brown brickwork with hanging red tiled detailing, a large pitched and hipped roof with overhanging eaves, white-framed multi-pane windows tucked beneath the eaves, and tall brick chimneys. The building is occasionally glimpsed from Cox's Walk and from the main road, but is more evident in views from the adjoining sports fields and allotments, where it is seen amongst the trees. It becomes more visible from the higher grounds of the golf course, where its roof becomes visible above the treeline.
53. Overall, it reads as a residential property set within generous grounds, surrounded by a belt of trees and against a backdrop of open fields and woodland. There is no overt relationship with the landscape, with the building and its adjacent matching garage sitting unassumingly within its setting. As such, the property makes a neutral contribution to the local conservation area.
54. The demolition of the property would not be resisted on heritage grounds, where the replacement architecture is of high quality and would make a positive contribution to the character and appearance of the conservation area.

## Height, scale and massing

55. The application scheme is for a replacement house that sits broadly on the footprint of the existing house and attached garage/workshop, extending c.3m to one side in length (27m) and similar in depth (c.11m), but partly extending rearward by an additional 10m to form an 'L'-shaped layout. The building is similarly two storeys, providing four bedrooms with ensuite facilities, but includes an unlit extensive basement for plant and storage. The new house adopts a flat roof form rather than the hipped and pitched form of the existing, with the first-floor setback 1.8m from the front and rearmost facades.
56. The design approach adopts the current building footprint (including attached garage), with a moderate increase to the rear that does not result in considerable increase in massing. The 'L'-shaped form is deemed sensible, both in terms of extending the footprint and ensuring a well-planned layout. The 10m extension to the rear is large, but not disproportionate to the scale of the house, although it does represent a loss of MOL. The submission confirms the building footprint of 372 sqm, compared to an existing 210 sqm, which is a 77% increase; while the total residential floorspace is 791 sqm, compared to an existing 397 sqm; although 214 sqm is within the basement. Overall, while there is a sizeable increase in volume, this is in part due to the relatively modest size of the current building. The replacement building adopts a relatively compact form, and as such, the increase in size remains sufficiently moderate.

57. In terms of scale, however, the two-storey replacement house with its flat roof will rise 8.16m above grade when viewed from the front, which would be 0.93m below the ridge height of the current house, although slightly taller than the attached garage/ workshop. The moderate setback of the upper floor will reduce its sense of height and massing, albeit mostly in nearby views to the front and rear only. Importantly, a large extent of the proposed volume is at basement level, which has no external manifestation and is for storage and plant only.
58. As such, the general approach is welcome from a design perspective, making for a more rational and compact built form that would appear different in height and massing than the current building, but no larger in scale when seen from the north, northeast or south. It would be more expansive when viewed from the east and west, where the rear addition would be seen, although the outcome is not obtrusive. This is confirmed by the townscape views that have been submitted and discussed earlier in the assessment.
59. The scheme, however, includes an outbuilding, which is a single storey structure, set away from the main house. It provides a garage and storage space and is c.55 sqm, which is larger than the current garage (30sqm), but not especially large for a modern garage, and remains sufficiently ancillary in scale and location.
60. *Figure 6 – Proposed elevations of new dwelling and outbuilding (north, west, east, south)*



**Key**

- Existing House
- Copper
- Brick
- Douglas fir

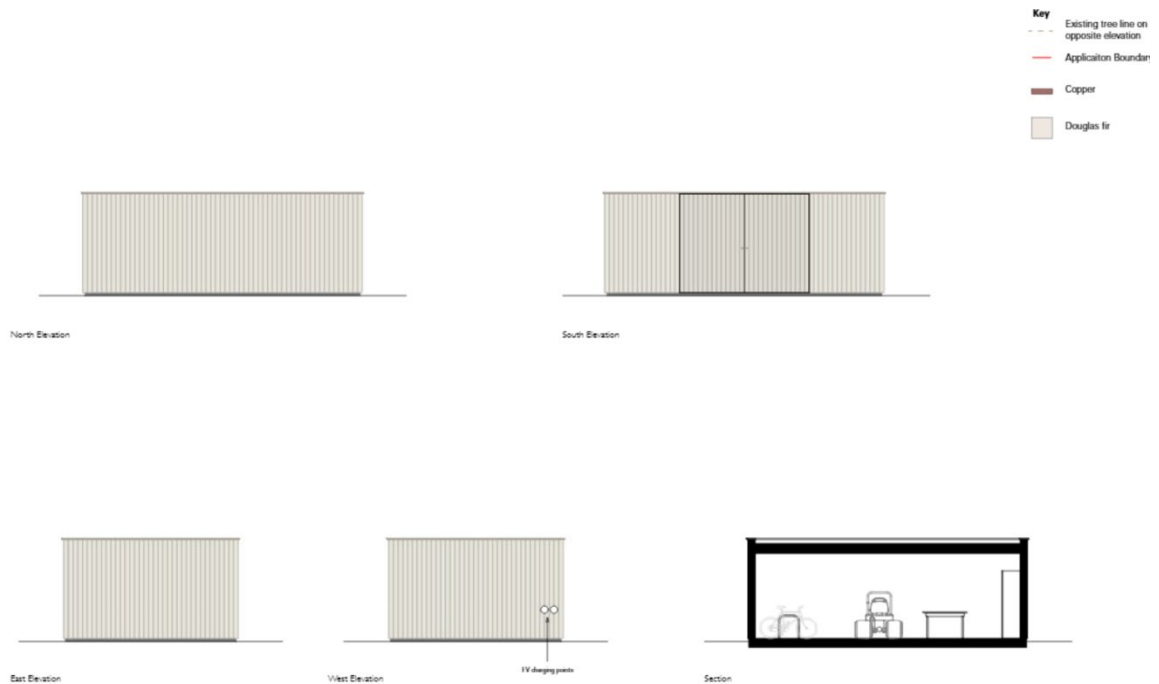
**Key**

- Existing House
- Copper
- Brick
- Douglas fir
- Existing level of cricket field beyond

**Key**

- Application
- Existing Ho
- Copper
- Brick
- Douglas fir





### Architectural design and materials

61. Regarding the elevational architecture of the replacement house, the designs are for a contemporary villa that adopts more of a contextual modern style. The front façade has a robust, well-composed design, with a good sense of symmetry, solidity and visual order, with the upper floor slightly suppressed in appearance. The contemporary portico adds articulation and legibility to the entrance in an understated manner that is appealing. The rear has a more transparent and informal appearance, but with the mullioned openings bringing good depth and articulation to the facades. The clean appearance of the roofline adds to the horizontality of the built form, contrasting with the verticality of the columns and mullioned openings.
62. The designs feature large picture windows with deep reveals, its punched-hole openings both expressing a solidity to its masonry as well as cleverly concealing pocket shutters at ground floor level for security. The final details of the windows, reveals and shutters would be confirmed by condition, along with weathering details and the design of the rainwater goods to ensure the high-quality design. The colonnaded design at the rear, with the mullion fin details, offers a welcome design contrast to the formal front elevation, and a greater sense of privacy. The final details of the fins and soffits would also be confirmed by condition.
63. The proposed use of Petersen brick and Douglas fir timber is supported, as is copper for the roof details and other trims, providing a high-quality materials palette. The brickwork shown is in a slim, roman format (527x38mm), which offers strong visual interest, although the final bonding and mortar finish would be confirmed by sample panels. The brick is hand-made and hand-moulded, and a muted beige in colour with cool, dusty shades, but has sufficient warmth and domestic quality and would sit well with the timber. The proposed use of



Douglas Fir timber is welcome, being the more robust of the softwoods, as well as offering a richer tone and visual quality. The choice of copper for the cappings sits well with the material palette. The outbuilding is simple in design, comprising elevations in vertical timber boarding, using Douglas fir, and a flat roof with copper trims, that complements the main house.

64. The designs include rooftop photovoltaic solar panels (PVs), which are shown on the roofplan. Their provision in support of a sustainable energy strategy is further welcome. Section drawings were provided during the application to show that the PVs are sufficiently set back from the parapet edge and low-lying to remain hidden behind the parapet upstand and not clutter the clean roof lines, including in the views from Cox's Walk, given the topography.
65. Overall, the proposed architecture is of high quality, its villa form appearing well-composed and compelling in its restrained elegance. The designs offer a welcome responsiveness to the landscaped setting, with its formal driveway and circular lawn to the front and more natural woodland setting to the rear. With confirmation by conditions of its high-quality detailing and material finishes, the development would likely make a positive contribution to the local conservation area.
66. *Figure 7 – CGI's*







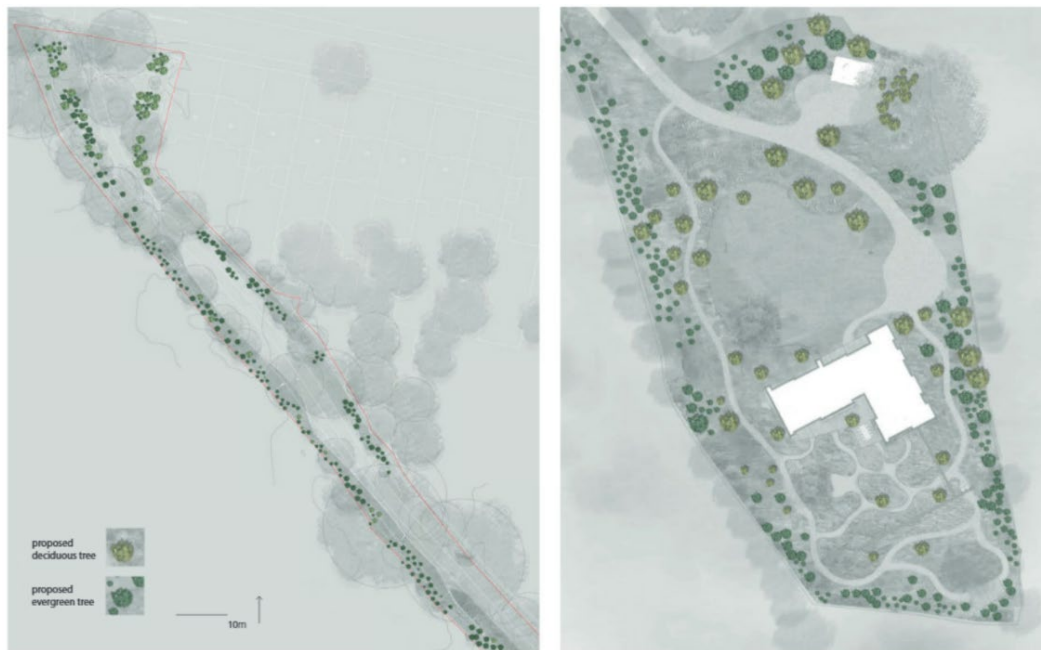


67. The proposal offers a sufficiently compact built form and a more elegant design that is of higher architectural quality and has the potential to be more complementary to its landscaped setting and to the local conservation area in general. While its footprint and volume are larger, the building is no taller than the current house and a considerable element comprises basement plantroom. Its appearance within the wider landscape would not result in an evident reduction in the open character of the landscape and loss of MoL. Subject to confirmation of design details and a brickwork sample panel, no Officer objection is raised on design grounds.

## Landscaping and trees

68. The current Tree Stock at the site comprises a mixture of native and exotic species, primarily Ash, Oak, Horse Chestnut and Lime, interspersed with hedging species, fruit trees and limited conifers.
69. Of these, the prominent Arboricultural features are a single mature Oak within the front lawn (protected by TPO 697), the long avenue marking the drive and curtilage planting along historic field boundaries to the South and West. Some of these trees are in decline and a separate tree works notification under ref: 24/AP/2543 was granted by the Council. Some have been recommended for felling in the Arboricultural Impact Assessment and are said to hold little significance and do not visually affect the character of the area.
70. The application proposes several tree planting works and landscaping changes which intend to both enhance the landscape and maximise privacy to the site as well as ensuring the proposed dwelling does not harm the openness of the MOL. On the south side of the garden, the application proposes meadow planting. Contributing to the wider setting would be a reinforced framework of woodland ensuring the future of the boundary tree planting as a significant feature in the landscape of Dulwich Common. The oval shaped clearing to the north of the house is to be restored to lawn and species rich meadow. New trees would be planted around the edging as well as infilling along the natural gap that exists to the eastern side with the Streatham and Marlborough Cricket Club.
71. The new tree planting would be based on native species but with a proportion of non-native species that are more resistant to climate change. Native species would include oak, hornbeam, field maple, yew, whitebeam, spindle, hawthorn and hazel. Exotic species include tulip tree, black walnut, sweetgum, yellow buckeye, Zelkova serrata and holm oak.
72. The application also proposes to restore and reinforce the boundary planting to the site which visually encloses the grounds from the surrounding landscape. The existing mature trees would be protected during construction. Herbaceous planting is also proposed to make a highly biodiverse and varied garden within the perimeter tree belt. Planting would include native species throughout, interwoven with planting of garden origin to extend the season of pollination.
73. The council's urban forester is in support of the application and has recommended conditions to secure further details with regards to the trackway, submission of an Arboricultural method statement as well as hard and soft landscaping plans. The urban forester has recommended a bespoke condition for a no dig trackway to be installed prior to any demolition with details to be submitted to and approved by the council. This is to include details of two passing points. Further details would also be secured through an Arboricultural Method Statement, to include details of pruning works required to facilitate the trackway. The full details of the proposed hard and soft landscaping would also be secured by condition. These have been agreed by the applicant.

74. *Figure 8 – tree planting schedule*



### Ecology and biodiversity

75. The site is adjacent to the Dulwich and Sydenham Hill Golf Course Site of Importance for Nature Conservation (SINC) to the south. The submitted Preliminary Ecological Appraisal considers the impact of the proposal on the surrounding ecological and biodiversity.
76. Bat surveys were conducted in 2023 and confirmed the presence of a roosting bat within the building onsite. As outlined in the submitted Ecology Assessment, a Natural England low-impact license would be required to undertake works on the building. Bat Conservation Trust guidelines state that: ideally, the survey data should be from the most recent optimal survey season before a planning or licence application is submitted. A condition would be attached to the decision notice to ensure a European Protected Species License EPS is submitted and approved by the Local Planning Authority before any demolition or construction works takes place which would impact on bats.
77. The council's ecologist has also recommended conditions for the submission of further details regarding bat roosting features, sparrow boxes and invertebrate features. These are required prior to any superstructure works commencing on site and have been agreed by the applicant.

### Biodiversity Net Gain

78. In England, Biodiversity Net Gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

79. Based on the information submitted by the applicant, this site is considered to be required to deliver mandatory BNG. This will require the approval of a biodiversity gain plan before development has begun. This is because none of the statutory exemptions or transitional arrangements apply.

### Biodiversity Gain Hierarchy

80. Planning authorities must take into account how the Biodiversity Gain Hierarchy (set out in set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015) has been applied and, if it has not been applied, the reason or absence of a reason when determining the application.
81. The Biodiversity Gain hierarchy sets out a list of priority actions:
- first, in relation to onsite habitats which have a medium, high and very high distinctiveness, the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects; and
  - then, in relation to all onsite habitats which are adversely affected by the development, the effect should be compensated by prioritising the enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered offsite gains and finally the purchase of biodiversity credits.
82. The data below has been taken from the Biodiversity Net Gain Metric and Biodiversity Gain Plan submitted with the application:
- Habitat degradation has occurred onsite. It is understood that this has been recorded within the metric
  - The proposed application would result in a -10.72% biodiversity net loss in habitat units and a -100.00% biodiversity net loss in hedgerow units
  - The proposed development would result in a deficit of 0.93 habitat units, and a deficit of 0.06 hedgerow units and would not satisfy the trading rules
  - It is understood that offsite units will be purchased from a habitat bank to achieve 10% BNG and meet trading rules, as set out in the ecological report.
83. Planning regulations require an assessment of whether the proposed habitat works to deliver biodiversity net gain onsite will deliver a significant increase in the biodiversity value of the site, compared to the pre-development biodiversity value. The distinctiveness, condition and size of the biodiversity habitat to be delivered are all considerations which must be balanced.
84. Non-significant enhancements are habitat enhancements whose loss will not significantly decrease the development's biodiversity value.
85. Government guidance (PPG Biodiversity, 2024) on determining whether BNG to be delivered on a development site is 'significant' sets out five factors. These are set out below.

<b>Does the proposed habitat delivered contain;</b>	<b>Assessment</b>
Habitats of medium or higher distinctiveness in the biodiversity metric.	N/A
Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development.	N/A
Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development.	N/A
Areas of habitat creation or enhancement which are significant in area relative to the size of the development .	Vegetated garden is 0.4573 hectares of a total habitat area of 0.65 hectares.
Enhancements to habitat condition e.g. from poor or moderate to good.	N/A

86. The BNG to be provided as part of this development is considered to be insignificant. Non-significant enhancements are habitat enhancements whose loss will not significantly decrease the development's biodiversity value. A Habitat Management and Monitoring Plan and a legal agreement or condition setting out a commitment to maintain the biodiversity net gain for 30 years will therefore not be required. However, in accordance with the Regulations, a Biodiversity Gain Plan will still need to be submitted and approved by the council before the commencement of development.

## **Fire Safety**

### Policy D12 (A) of the London Plan (2021)

87. Policy D12 (A) of the London Plan 2021 requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).
88. Summary of information contained in the Planning Fire Safety Strategy:



- Provision for access, fire provisions and assembly points would remain as existing and unaltered in the proposal
- The proposal would create vehicular route within the landscape proposal which would be accessible by fire appliances
- There would be multiple points of escape and assembly points in zones which are a safe distance from the dwelling due to the size of the site
- Smoke detectors and an automatic fire detection and alarm system would be installed, within all habitable rooms and the circulation lobby
- The kitchen would be fitted with a heat detector
- Fire extinguishers and a fire blanket would be retained in the property
- The proposed development would be constructed to minimise the risk of fire spread in line with Approved Document Part B
- The proposal is two stories and all habitable rooms on both ground and first floor would have access to escape windows/doors with safe means of escape.

89. The planning fire safety strategy is acceptable given the scale of development.
90. Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is “third-party independent and suitably-qualified”. The council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.
91. A Fire Statement has been provided for this proposal. The statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development.

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

### **Privacy and overlooking**

92. The application site benefits from being located to the end of a long driveway, bounded by Grove Allotments, Streatham and Marlborough Cricket Ground and Trevor Bailey Sports Ground. The nearest residential properties are to the north on Dulwich Common, a minimum 150m away.
93. As such the proposed windows and doors to the replacement dwelling are unlikely to cause any significant privacy or overlooking concerns to neighbours given the sites isolated location and screened boundary.

### Daylight and sunlight impacts

94. Similar to the outlined above, given the site's location, extent of land and distance away from any neighbouring residential properties, the replacement dwelling would unlikely cause any significant impacts to daylight and sunlight levels received by neighbours.

### Sense of enclosure and loss of outlook

95. Due to the separation distance between the application site and nearby residential properties, the replacement dwelling is unlikely to give rise to neighbour amenity impacts by way of causing a sense of enclosure or loss of outlook. The proposal would also include additional planting and landscaping that would contribute to the additional screening of the site.

### Noise

96. It is noted that the proposed basement would house plant equipment associated with the development. Given its internal and below ground level location, any proposed plant would unlikely give rise to detrimental noise impacts to neighbours.
97. As recommended by the Council's Environmental Protection Team (EPT) a condition would be attached to the decision notice to ensure that the dwelling is designed that specified internal noise levels are not exceeded due to environmental noise.

## **Transport and highways**

### Site layout

98. The application site is in PTAL 1b, which indicates a very low level of access to the public transport network. The site has existing vehicle access from Dulwich Common. Dulwich Common is a classified road and lies on TFL's road network. The site also lies near Lordship Lane which is on the TLRN. There is a bus stop in front of the site entrance.

### Refuse storage arrangements

99. Refuse and recycling bins would be stored in a concealed sheltered enclosure adjacent to the front door. The waste and recycling storage bins would be transferred from the storage area to an accessible point at the driveway where they would be taken to the inside of the front gate for weekly collections. This arrangement is the same as existing and so does not raise any new Officer concern.

### Car parking

100. The applicant is proposing 2 car parking spaces for the development and has confirmed there would be no net increase in car parking.
101. The applicant is also proposing to introduce an Electric Vehicle Charging Points (EVCPs). This is viewed positively and supports environmental planning objectives.
102. As per Southwark Plan Policy P54, on-street parking permits will not be available for residents or businesses in current or future CPZs. This would be secured by compliance condition.

### Cycle parking and cycling facilities

103. The applicant is proposing 4 long stay cycle parking spaces within a secure and weatherproof store (garage) which is viewed positively. All spaces are in Sheffield stand form which is welcomed. The spaces are London Cycling Design Standards compliant with a minimum of 1200mm clear space between stands, or 600mm to one side. It was recommended by Transport Policy that one 1 cycle parking space provided is designed to accommodate disabled, adapted and cargo bicycles with at least 1800mm clear space between stands, or 900mm clear space to one side. As per the plans provided, one side has 900mm however the applicant outlined that 1800mm between would mean significantly reorganising the space and creating spatial inefficiencies which compromise the functionality of the space. The current arrangements were therefore accepted by the Case Officer on balance.

### Vehicle Access / Crossovers

104. The vehicle access would remain as existing. Transport Policy outlined that no new vehicle crossovers may be introduced to the site. This is because the Highway Authority has the power to take decisions on where vehicle crossovers and new accesses can and cannot be introduced to the public highway on classified as well as residential, non-classified roads taking into account highway safety, through The Highways Act 1980 and s184 of the act.

## **Environmental matters**

### Construction management

105. Due to the sensitive location of the site on the TLRN, a Demolition / Construction Environment Management Plan must address how effects of construction on the environment will be avoided, minimised or mitigated. This would be secured by a pre-commencement condition which the applicant has agreed to.
106. The applicant must also demonstrate how construction using public highways can be safely accomplished and how vehicular movements will be minimised and controlled to reduce danger to vulnerable road users. The Highways Team



outlined that the D/CEMP must also include wheel washing facilities to prevent mud entering the public highway. The unmade vehicle access route must also be protected, as construction vehicles using it may deposit mud onto the highway. It is outlined that measures such as temporary hard surfacing or steel plates could be implemented.

107. Due to the sensitive location and size of the scheme, penalties will be meted out to transport operators not complying with the routing of construction vehicles and delivery slots.

### Flood risk and sustainable drainage systems

108. The development site is in Flood Zone 1, as identified by the Environment Agency flood map. Zone 1 is lowest risk, which indicates a low probability of flooding from watercourses. The submitted Flood Risk Assessment and Drainage Strategy prepared by Price & Myers dated January 2025 has been reviewed and outlined below.
109. The British Geological Society maps provided show that there are no superficial deposits at the site, and that the London Clay forms the bedrock geology at this location. Therefore, groundwater is not expected to be present at shallow depths on site.
110. The proposed development is also at low risk of flooding from rivers, groundwater, and sewer surcharge.
111. The EA's indicative flood risk from surface water map shows that a part of the site is at "High" risk of flooding from surface water. Topographical surveys show that there is an earth bund and a network of drainage ditches surrounding the site. These direct overland flows away from the building, mitigating the risk of flooding from surface water to the development.
112. The ground levels surrounding the proposed building are designed so that the ground levels fall away from the buildings. The existing earth bund would be replaced and extended, reducing the risk of flooding from surface water to the proposed development.
113. The proposal includes a rainwater harvesting tank which reuses surface water for irrigation purposes. The surface water drainage strategy proposes to discharge surface water via an existing drainage ditch running along the northern border leaving the site through a culvert. This strategy proposes to discharge surface waters to this drainage ditch adjacent to the site via an attenuation tank with a Hydro-Brake control. A rectangular attenuation tank sized 8m wide, 9m long and 0.5m deep and Hydro-Brake with orifice size 75mm is proposed to attenuate the main house, garage and terrace areas run-off to 2.5 l/s, improving the existing scenario.
114. Permeable surface systems are proposed for the new driveway area providing

suitable pollution mitigation in the process. The reduction in flow rates from impermeable areas on site means the proposal would reduce flood risk in the local area.

115. The proposed inclusion of an attenuation tank to the site is viewed favourably by the council due to its wider public benefits. It would help reduce localised flooding and pressure on local sewer systems, in turn protecting nearby properties and infrastructure. This therefore adds weight to support the proposed replacement dwelling on Metropolitan Open Land considering that a public benefit is also provided.

### Land contamination

116. The council's environmental protection team was consulted on the application and advised a site contamination condition is attached to the decision notice requiring the submission of a Phase 1 Desktop Study prior to the commencement of development. This is to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors. This was agreed by the applicant.

### **Energy and sustainability**

117. Given the scale of the development an Energy Assessment is not required as part of the validation requirements, however, Policy P70 of the Southwark Plan still requires development to minimise carbon emissions on site. The applicant has provided energy and carbon information within the Design and Access Statement. The application has demonstrated how it has complied with the energy hierarchy (Be Lean, Be Clean and Be Green) and demonstrated carbon emission reductions against the baseline.
118. The application proposes a Ground Source Heat Pump to provide the building with heating, cooling and hot water by tapping into the below ground temperature and being powered by renewable electricity. Photovoltaic panels would be installed to the roof, enabling a system of minimum 5kph, which would reduce the demands of the property on the local energy network with the potential to re-provide additional energy produced. The dwelling has been designed with either passive cross ventilation or stack ventilation through vented roof lights. Glazing to the south or west would have integrated external blinds and the first-floor west elevation is recessed from the façade to create additional solar shading and deep reveals at ground floor further assist with reducing overheating. The proposal also includes a Mechanical Ventilation with Heat Recovery (MCHR) system to regulate the temperature of space and reduces heating demands and energy use across the dwelling, which also removing excess heat and supplying consistent temperatures.

119. Section 8.4 of the Design and Access Statement shows that the proposed development would achieve an 86% decrease in CO2 emissions over the Part L baseline (London Plan requirement for major new homes is 35%) by its energy efficiency measures, inclusion of photovoltaic (PV) panels and the use of a Ground Source Heat Pump.
120. Overall, the proposal is considered to accord with the aims of Policy P70 of the Southwark Local Plan given the scale of development proposed.

### **Mayoral and borough community infrastructure levy (CIL)**

121. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail. Southwark's CIL will provide for infrastructure that supports growth in Southwark.
122. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 Zone. Based on the planning application, the gross amount of CIL is approximately £288k (pre-relief), consisting £56k of Mayoral CIL and £232k of Borough CIL. It should be noted that this is an estimate, and the floor areas on approved drawings will be checked and the "in-use building" criteria will be further investigated, after planning approval has been obtained. Potentially 100% of CIL Self-Build Relief can be claimed before commencement of development. The claimants must submit both CIL Forms 2 & 7 (Part 1) after the grant of permission but before material operations such as demolition starts on site.

### **Consultation responses from external and statutory consultees**

123. Transport for London (TfL):
  - TfL Spatial Planning has no strategic comments to make on this planning application.
  - Dulwich Common supports numerous bus routes. In the event that implementation of the development impacts users of those services such as alighting or accessing bus stops or requires the temporary re-routing of bus services or other such arrangements, these must be agreed with TfL before the work.
  - All vehicles associated with the development must only park / stop at permitted locations and within the time periods permitted by existing on-street restrictions.

Officer Comment: Noted.

## Consultation responses from internal consultees

124. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response where necessary.

125. Design and Conservation:

- The proposals are for the replacement of the existing 1970s family-sized house with its modest, Arts and Craft-style appearance with a larger, contemporary villa within a heavily landscaped setting within the Dulwich Woods conservation Area. The site is also designated MoL.
- The submission offers a sufficiently compact built form and a more elegant design that is of higher architectural quality and has the potential to be more complementary to its landscaped setting and to the local conservation area in general.
- While its footprint and volume are larger, the building is no taller than the current house and a considerable element comprises basement plantroom.
- Its appearance within the wider landscape would not result in an evident reduction in the open character of the landscape and loss of MoL.
- Subject to confirmation of design details and a brickwork sample panel, no objection raised on design grounds.

Officer Comment: The Design and Conservation Officer's full comments have been considered in design section of the report.

126. Ecology:

- The site is adjacent to the Dulwich and Sydenham Hill Golf Course Site of Importance for Nature Conservation (SINC).
- Bat surveys in 2023 confirmed the presence of a roosting bat within the building onsite. As is detailed within the ecology assessment a Natural England low-impact licence will be required to undertake works on the building.
- The proposed application would result in a -10.72% biodiversity net loss in habitat units and a -100.00% biodiversity net loss in hedgerow units. The proposed development would result in a deficit of 0.93 habitat units, and a deficit of 0.06 hedgerow units and would not satisfy the trading rules.
- It is understood that offsite units will be purchased from a habitat bank to achieve 10% BNG and meet trading rules, as set out in the ecological report.
- Recommended conditions: European Protected Species Licence, Construction Environment Management Plan, Bat boxes, invertebrate features, sparrow boxes.
- Recommended informative: nesting birds.

Officer Comment: The ecologist's comments have been considered in the Ecology and Biodiversity section of the report.

## 127. Planning Policy:

- Officers consider that the volume and massing of the building would result in a development that does not fundamentally harm the sense of openness of the designated land, due to proposed planting as well as existing vegetation, both within and outside of the development site
- The possible impacts are lessened further by the proposed schedule of planting in the building's grounds
- The Design and Access statement that accompanies this application includes a Visual Impact Assessment. Whilst officers have some concerns over the impact of the development from the Streatham and Marlborough Cricket pitch, all other views have seemingly little impact on the openness of the space
- The retention of perimeter trees and the proposal to push the replacement building slightly northwards towards a band of existing trees would help to obscure the building from wider views
- The application has demonstrated how it has complied with the energy hierarchy and demonstrated carbon emission reductions against the baseline.

Officer Comment: The Planning Policy comments have been considered in the principle of the proposed development and energy and sustainability sections of the report.

## 128. Urban Forester:

- Approve subject to conditions for tree protection, access trackway and landscaping.

Officer Comment: The Urban Forester's comments have been considered in the landscaping and trees section of the report.

## 129. Flood Risk Management:

- We can confirm that this is a minor application and therefore is outside of the LLFA's statutory duty to review.

Officer Comment: Noted.

## 130. Transport Policy:

- 4 long stay cycle parking spaces in a secure and weatherproof store is considered acceptable. Recommended that 1 cycle parking space is designed to accommodate disabled, adapted and cargo bicycles with at least 1800mm clear space between stands, or 900mm clear space to one side
- As per Southwark Plan Policy P54, on-street parking permits will not be available for residents or businesses in current or future CPZs
- The applicant is proposing 2 car parking spaces for the development. If the

applicant can confirm that there is no net increase in car parking this is acceptable

- The applicant is proposing to introduce an Electric Vehicle Charging Points (EVCPs). This is viewed positively and support environmental planning objectives
- Vehicle access to remain as existing. No new vehicle crossovers may be introduced to the site
- The pedestrian access is to remain as existing
- No comment on the proposed refuse/recycling arrangements
- Due to the sensitive location of the site on the TLRN, a Demolition Plan and a Construction Environment Management Plan must address how effects of construction on the environment will be avoided, minimised or mitigated. This can be conditioned
- The applicant must also demonstrate how construction using public highways can be safely accomplished and how vehicular movements will be minimised and controlled to reduce danger to vulnerable road users
- Due to the sensitive location and size of the scheme, penalties will be meted out to transport operators not complying with the routeing of construction vehicles and delivery slots
- A Minor Section 278 and/or Section 184 agreements may need to be entered into to manage any footway resurfacing or replacement required once works for the proposed development are complete. Highways to confirm on this element.

Officer Comment:

- The transport team's comments have been considered in the transport and highways section of the report.

#### 131. Highways:

- Wheel washing facilities as part of construction management to be provided on site to prevent mud entering the public highway. The unmade vehicle access route must also be protected, as construction vehicles using it may deposit mud onto the highway. Measures such as temporary hard surfacing, steel plates could be implemented
- Construction Environmental Management Plan condition should include a request for the above mitigation measures.

Officer Comment:

- The highways officer comments have been considered in the transport and highways section of the report.

#### 132. Environmental Protection:

- Recommend approval with conditions regarding internal noise levels, site contamination and construction environment management plan.

Officer Comment:

- The Environmental Protection team comments have been considered in the

noise, contamination and transport and highways section of the report.

133. Archaeology:

- Further consideration of this application, examination of more historic maps has led to the conclusion that the identification of significant archaeological material is unlikely on this site. The former housing at this location is documented through maps and some illustrative material held by the London Archive, therefore no archaeological response is necessary.

Officer Comment: Noted.

134. Community Infrastructure Levy (CIL):

- The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 Zone. Based on the planning application, the gross amount of CIL is approximately £288k (pre-relief), consisting £ 56k of Mayoral CIL and £232k of Borough CIL. It should be noted that this is an estimate, and the floor areas on approved drawings will be checked and the "in-use building" criteria will be further investigated, after planning approval has been obtained.
- Potentially 100% of CIL Self-Build Relief can be claimed before commencement of development. The claimants must submit both CIL Forms 2 & 7(Part 1) after the grant of permission but before material operations such as demolition starts on site.

Officer Comment: The CIL Officer comments have been discussed in the CIL section of the report.

135. Network Development:

- We do not have any issues with the CMP.

Officer Comment: Noted.

136. Waste Management:

- No response.

Officer Comment: Noted.

## **Community impact and equalities assessment**

137. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.

138. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

139. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
    - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
    - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
    - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
  3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
140. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

### **Human rights implications**

141. This planning application engages certain human rights under the Human Rights Act 1998 (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.
142. This application has the legitimate aim of a replacement dwelling. 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.

### **Positive and proactive statement**

143. The council has published its development plan on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
144. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.



### Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

### CONCLUSION

145. The proposed replacement dwelling would contribute positively to the character and appearance of the area, the Dulwich Wood Conservation Area and despite the increase in footprint would not harm the openness of the MOL. The replacement dwelling would provide a high quality of accommodation with significant landscaping works, high energy efficiency and contributes to the reduction of flood risk in the local area. It is therefore recommended that planning permission be granted subject to the imposition of suitable conditions.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Planning and Growth Directorate 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

### APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

**AUDIT TRAIL**

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth		
<b>Report Author</b>	Agneta Kabele, Planning Officer		
<b>Version</b>	Final		
<b>Dated</b>	28 October 2025		
<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, Resources		No	No
Strategic Director, Environment, Sustainability and Leisure		No	No
Strategic Director, Housing		No	No
<b>Date final report sent to Constitutional Team</b>			27 October 2025

**APPENDIX 1****Recommendation**

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

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<b>Applicant</b>	Mr Jason Statham	<b>Reg. Number</b>	25/AP/0324
<b>Application Type</b>	Minor application		
<b>Recommendation</b>		<b>Case Number</b>	PP-13730474

**Draft of Decision Notice****for the following development:**

Demolition of the existing residential building and the erection of a two storey dwelling including ancillary garden / bike store, terracing, parking, hard and soft landscaping.

Application represents a departure of Policy P57 Open Space of Southwark Plan 2022 by virtue of construction of a replacement dwellinghouse on a different footprint.

Grove House Dulwich Common London Southwark

**In accordance with application received on 5 February 2025 and Applicant's Drawing Nos.:**

PROPOSED SITE PLAN GH\_149 received 05/02/2025

Existing Plans

Proposed Plans

PROPOSED NORTH ELEVATION GH\_180 received 05/02/2025

PROPOSED WEST ELEVATION GH\_181 received 05/02/2025

PROPOSED EAST ELEVATION GH\_182 received 05/02/2025

PROPOSED SOUTH ELEVATION GH\_183 received 05/02/2025

PROPOSED ELEVATIONS TO STUDIO & GARDEN STORE GH\_204 received 05/02/2025

#### Other Documents

PROPOSED BLOCK PLAN GH\_148 received 05/02/2025

PROPOSED GROUND FLOOR GH\_150 received 05/02/2025

PROPOSED 1ST FLOOR GH\_151 received 05/02/2025

PROPOSED BASEMENT GH\_152 received 05/02/2025

PROPOSED ROOF PLAN GH\_153 received 05/02/2025

PROPOSED ROOF PLAN - GARDEN STORE & BIKE STORE GH\_253 received 05/02/2025

PROPOSED CONTEXTUAL SECTION GH\_185 received 05/02/2025

PROPOSED CONTEXTUAL SECTIONS GH\_186 received 11/02/2025

PROPOSED CROSS SECTION GH\_184 REV 01 received 06/05/2025

PROPOSED GROUND FLOOR - GARDEN STORE & BIKE STORE GH\_252 REV 01 received 06/05/2025

PROPOSED SECTION GH\_187 received 06/05/2025

ARBORICULTURAL IMPACT ASSESSMENT TSS/GVH/AIA/01B received 05/02/2025

#### **Time limit for implementing this permission and the approved plans**

2. 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.

#### **Permission is subject to the following Pre-Commencements Condition(s)**

3. Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering, foundation or construction details and any proposed activity within root protection areas or the influencing distance (30m) of local trees required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.

In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) - Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard. NHBC 4.2.13 Tables for Foundations Near Trees

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2024 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

4. Prior to commencement, including demolition, the 'no dig' trackway shall be installed for the entirety of the length of the driveway and include for 2 passing points. The details of which, including materials, cross sections and installation method shall be submitted to and approved in writing by the Local Authority.

The trackway shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

Works shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations, BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard.

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2024; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

5. a) Prior to the commencement of any development, a phase 1 desktop study of the historic and current uses of the site and adjacent premises shall be carried out together with an associated preliminary risk assessment including a site walkover survey, identification of contaminants of the land and controlled waters and develop a conceptual model of the site with conclusion



and recommendations whether a Phase 2 intrusive investigation is required. This report shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

b) If the phase 1 site investigation reveals possible presence of contamination on or beneath the site or controlled waters, then, prior to the commencement of development works, an intrusive site investigation and associated risk assessment shall be completed to fully characterise the nature and extent of any contamination of soils and ground water on the site.

c) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.

d) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.

e) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework (2024); Policy P56 (Protection of amenity) and Policy P64 (Contaminated land

and hazardous substances) of the Southwark Plan (2022).

6. No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.);
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations; and
- A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London.

To follow current best construction practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <https://www.southwark.gov.uk/construction>;

- Section 61 of Control of Pollution Act 1974;
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise';
- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration';
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration;
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting; and
- Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards (<https://nrmm.london>).

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework (2024); Policy P50 (Highway impacts), Policy P56 (Protection of amenity), Policy P62 (Reducing waste), Policy P64 (Contaminated land and hazardous substances), Policy

P65 (Improving air quality) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

7. No works demolition or construction which would impact on bats will be undertaken until a copy of the EPS is submitted and approved by the Local Planning Authority.

Reason: To comply with the Habitat and Species Regulations 2010 and Wildlife & Countryside Act (1981) (as amended).

**Permission is subject to the following Grade Condition(s)**

8. (i) Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 2; Bee bricks and/or invertebrate hotels shall be provided and the details shall include the exact location, specification and design of the habitats.

(ii) Full details of the features and mapped locations to meet the requirements of (i) shall be submitted to and approved in writing by the Local Planning Authority

(iii) Evidence shall be submitted in writing to the Local Planning Authority to show that the features have been installed in full in accordance with part (ii)

(iiii) The Bee bricks and/or invertebrate hotels shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and maintained in perpetuity

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2024); Policy G1 (Green Infrastructure),

Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

9. (i) Details of bat tubes, bricks or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 2; bat tubes, bricks or boxes shall be provided and the details shall include the exact location, specification and design of the habitats.

(ii) Full details of the roost features and mapped locations to meet the requirements of (i) shall be submitted to and approved in writing by the Local Planning Authority

(iii) Evidence shall be submitted in writing to the Local Planning Authority to show that the roost features have been installed in full in accordance with part (ii)

(iiii) The bat tubes, bricks or boxes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and maintained in perpetuity

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2024); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

10. Details of two bird boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than two house sparrow terraces shall be provided. Details shall include the exact location, specification and design of the bird boxes. The

boxes shall be installed in suitable locations on mature trees or on buildings prior to the first occupation of the site.

The bird boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and the Local Planning Authority agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2024); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

11. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, available rooting space, tree pits, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season.

Works shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations, BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard.



Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2024; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

12. Prior to above grade works, detailed plan, section and elevation drawings at a scale of 1:5 or 1:10 should be provided for:
  - i. Windows, reveals and shutters;
  - ii. Weathering details;
  - iii. Rainwater goods;
  - iv. Fins and soffits;

including details of materials, glazing and opening mechanisms as appropriate shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the architectural detailing is of a suitably high quality and appropriate to the context of the conservation area in accordance with the National Planning Policy Framework 2024, Policy D4 (Delivering good design) of the London Plan 2021 and Policies P13 (Design of places), P14 (Design quality) and P20 (Conservation areas) of the Southwark Plan 2022.

13. Prior to above grade works commencing (excluding demolition and archaeological investigation), material samples/sample panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall remain on site for inspection for the duration of the building's construction and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with the National Planning Policy Framework (2024), Policy D4 (Delivering good design) of the London Plan (2021) and Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

**Permission is subject to the following Pre-Occupation Condition(s)**

14. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. Prior to the new development being first brought into use/occupied a bat friendly Lighting Plan shall be submitted to and approved by the Local Planning Authority.

Reason:

To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act (1981), (as amended), and because bats are known to be active in vicinity of the development site.

**Permission is subject to the following Compliance Condition(s)**

15. 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 that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with the National Planning Policy Framework (2024); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

16. Before the first occupation of the development hereby approved, the refuse storage arrangements (individuals bin stores, routes to bin stores, bin collection locations, levels and gradients to and from the store, bulky waste storage) as shown on the drawings hereby approved shall be provided and made available to the users of the development. Thereafter, such facilities shall be retained and maintained in perpetuity.

Reason:

To accord with Southwark's requirements for Waste Management and refuse collection arrangements (Waste Management Strategy Extension 2022 - 2025).

17. Before the first occupation of the development hereby approved, the cycle facilities (including cycle storage, showers, changing rooms and lockers where appropriate) as shown on the drawings hereby approved; shall be provided and made available to the users of the development. Thereafter, such facilities shall be retained and maintained in perpetuity.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to

encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework (2024); Policy T5 (Cycling) of the London Plan (2021); and Policy P53 (Cycling) of the Southwark Plan (2022).

18. No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within any future controlled parking zone in Southwark in which the application site is situated.

Reason:

In order to limit an increase in on-street parking and to promote sustainable modes of travel in accordance with the National Planning Policy Framework (2024); Policy T6 (Car parking) of the London Plan (2021); Policy P50 (Highway impacts) and Policy P54 (Car Parking) of the Southwark Plan (2022).

19. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 35dB  $L_{Aeq T \dagger}$ , 30 dB  $L_{Aeq T^*}$ , 45dB  $L_{AFmax T^*}$

Living and Dining rooms - 35dB  $L_{Aeq T \dagger}$ .

\* - Night-time 8 hours between 23:00-07:00

† - Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework (2024); Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

20. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 2015 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved.

Reason:

To safeguard the character and the amenities of the premises and adjoining properties in accordance with the National Planning Policy Framework (2024) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

## Informatives

- 1 Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is:  
  
"third-party independent and suitably-qualified" The Council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The Council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.  
  
The fire risk assessment/statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The legal responsibility and liability lies with the 'responsible person'. The responsible person being the person who prepares the fire risk assessment/statement not planning officers who make planning decisions.
- 2 All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

## Relevant planning policy

### National Planning Policy Framework (the Framework) 2024

The revised National Planning Policy Framework ('NPPF') as published on 12 December 2024 sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

Paragraph 224 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting Green Belt
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

### The London Plan 2021

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D10 Basement development
- Policy D12 Fire safety
- Policy D14 Noise
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H4 Affordable Housing
- Policy G1 Green infrastructure
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature



- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 3 Energy infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.1 Residential parking
- Policy T7 Deliveries, servicing and construction

## **Southwark Plan 2022**

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- P1 Social rented and intermediate housing
- P2 New family homes
- P11 Self and custom build
- P13 Design of places
- P14 Design quality
- P15 Residential design
- P16 Designing out crime
- P18 Efficient use of land
- P20 Conservation areas
- P21 Conservation of the historic environment and natural heritage
- P22 Borough views
- P23 Archaeology
- P50 Highways impacts
- P53 Cycling
- P54 Car Parking
- P56 Protection of amenity
- P57 Open space
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P62 Reducing waste
- P65 Improving air quality
- P66 Reducing noise pollution and enhancing soundscapes
- P67 Reducing water use
- P68 Reducing food risk
- P69 Sustainability standards
- P70 Energy

## **Supplementary Planning Documents**

The following relevant Supplementary Planning Documents (SPDs) are adopted:

- Dulwich SPD 2013
- Heritage SPD 2021
- Section 106 Planning Obligations and Community Infrastructure Levy SPD 2025
- Design and Access Statements SPD 2007
- Householder Development SPD 2025

### Relevant planning history

Reference and Proposal	Status
<p><b>23/AP/2800</b>  Demolition of the existing dwellinghouse and the erection of a part-one, part-two storey dwellinghouse including ancillary outbuildings, pool, hard and soft landscaping, bike and bin store.</p> <p>(This application represents a departure Policy P57 Open Space of Southwark Plan 2022 by virtue of construction of a replacement dwellinghouse on a different footprint).</p>	<p>Application withdrawn  21/02/2024</p>

## Consultation undertaken

**Site notice date:** 04/03/2025

**Press notice date:** 13/03/2025

**Case officer site visit date:** 04.03.2025

**Neighbour consultation letters sent:** 20/02/2025

### Internal services consulted

LBS Design And Conservation Team [Formal Consultation]  
 LBS Ecology Officer  
 LBS Planning Policy [Formal Consultation] - General  
 LBS Urban Forester  
 Flood Risk Management & Urban Drainage Team  
 LBS Transport Policy Team  
 LBS Highways Development & Management  
 LBS Environmental Protection Team  
 LBS Archaeologist  
 LBS Community Infrastructure Team  
 LBS Network Developments Construction Management Plans  
 LBS Waste Management Team  
 LBS Ecology Officer

### Statutory and non-statutory organisations

Transport For London

### Neighbour and local groups consulted:

Trevor Bailey Sports Ground Dulwich	20 Dulwich Common London Southwark
Common London	18 Dulwich Common London Southwark
Marlborough Cricket Club Dulwich	16 Dulwich Common London Southwark
Common London	14 Dulwich Common London Southwark
Dulwich Common Allotments Dulwich	12 Dulwich Common London Southwark
Common London	10 Dulwich Common London Southwark
Camber Lawn Tennis Club Dulwich	8 Dulwich Common London Southwark
Common London	6 Dulwich Common London Southwark
32 Dulwich Common London Southwark	4 Dulwich Common London Southwark
30 Dulwich Common London Southwark	2 Dulwich Common London Southwark
28 Dulwich Common London Southwark	Dulwich And Sydenham Hill Golf Club
26 Dulwich Common London Southwark	Grange Lane London
24 Dulwich Common London Southwark	
22 Dulwich Common London Southwark	

**Re-consultation:**

**APPENDIX 5****Consultation responses received****Internal services**

LBS Design & Conservation Team [Formal]  
 LBS Ecology  
 LBS Planning Policy  
 LBS Urban Forester  
 LBS Flood Risk Management & Urban Drain  
 LBS Transport Policy  
 LBS Highways Development & Management  
 LBS Environmental Protection  
 LBS Archaeology  
 LBS Community Infrastructure Levy Team  
 LBS Network Development  
 LBS Ecology

**Statutory and non-statutory organisations**

Transport for London

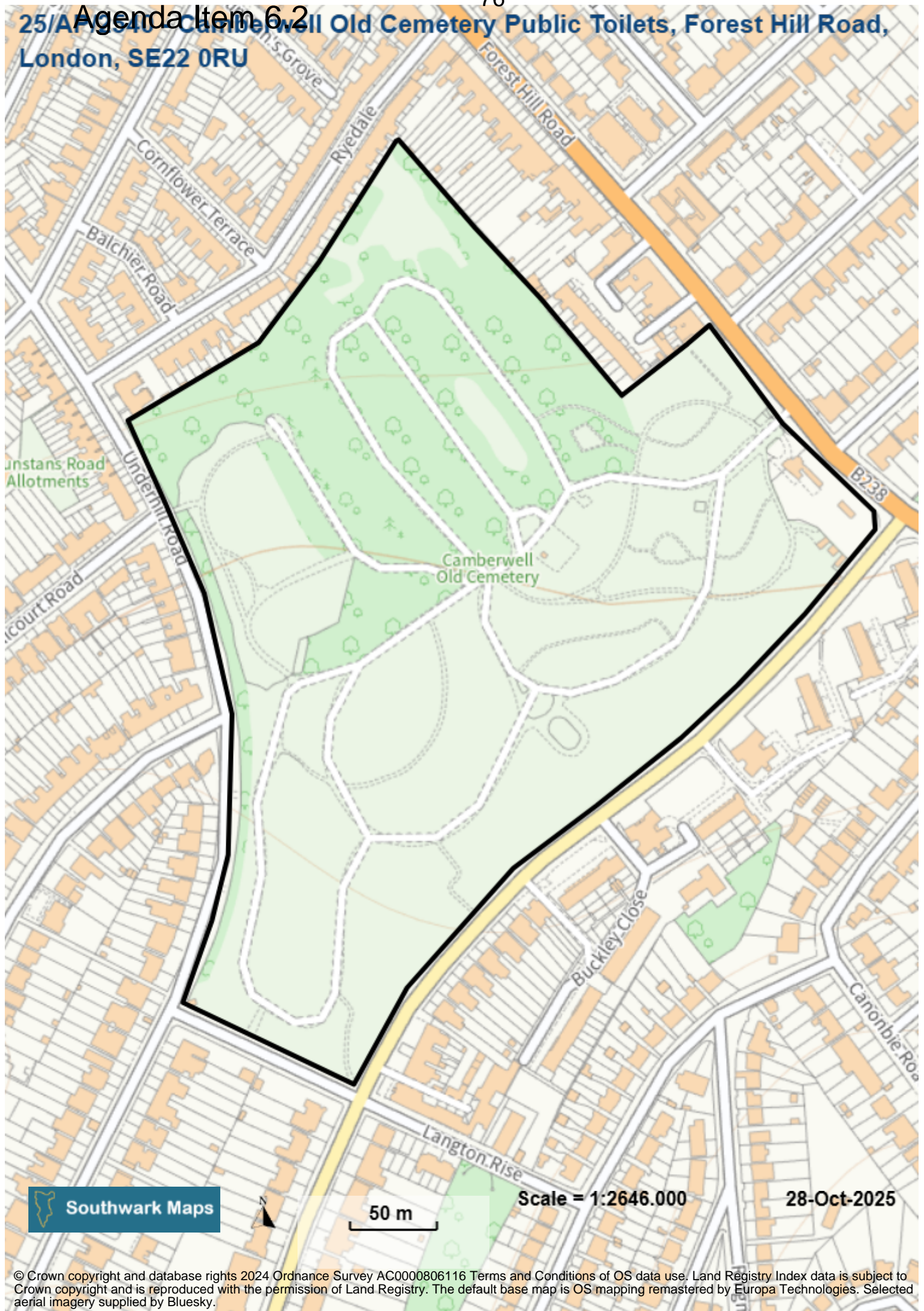
**Neighbour and local groups consulted:**

23 Frank Dixon Way London Southwark



# Agenda Item 6.2

25/A/AR/1940 - Camberwell Old Cemetery Public Toilets, Forest Hill Road, London, SE22 0RU



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Meeting Name:	Planning Committee (Smaller Applications)	
Date:	11 November 2025	
Report title:	<b>Development Management planning application:</b> Application 25/AP/2540 for Full Planning Application  <b>Address:</b> Camberwell Old Cemetery Public Toilets, Forest Hill Road, London, SE22 0RU  <b>Proposal:</b> Replacement of the existing single storey temporary building providing public toilets within Camberwell Old Cemetery, with a new permanent single storey public toilet building, of the same size and on the same footprint. Includes associated groundworks and making good.	
Wards or groups affected:	Dulwich Hill	
Classification:	Open	
Reason for lateness (if applicable):	Not Applicable	
From:	Director of Planning and Growth	
Application Start Date: 17 September 2025		Application Expiry Date: 12 November 2025
Earliest Decision Date: 22 October 2025		

## RECOMMENDATION

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

## BACKGROUND INFORMATION

### Site location and description

2. The application site is Camberwell Old Cemetery, located on Forest Hill Road. The cemetery covers about 30 acres and was established in the mid-19th century. By the late 20th century, around 300,000 burials had taken place. Most new burials now occur at Camberwell

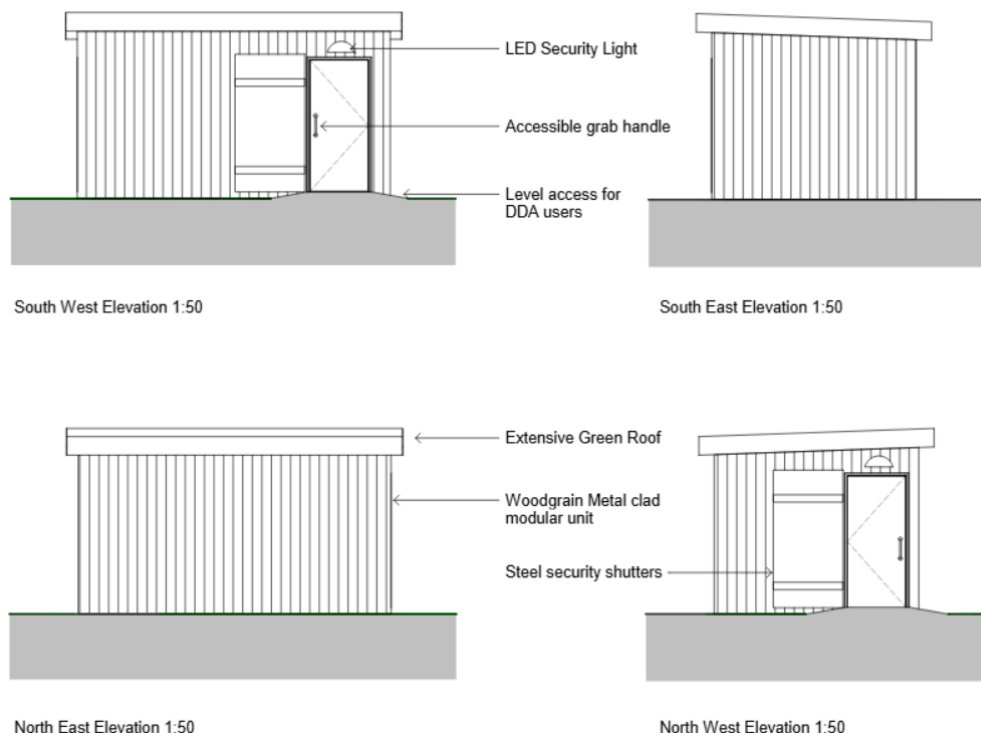
New Cemetery, which opened in 1934.

3. The site is mostly flat with some gentle slopes. At the main entrance, there is a gate lodge and a set of wrought and cast-iron gates and railings designed in the Gothic Revival style. Both the lodge and the gates are Grade II listed buildings. The cemetery is also an important wildlife and nature conservation site, containing woodland, mature trees, grassed areas, and more formally maintained grounds.
4. The site is in East Dulwich/ Peckham Rye, and the surrounding area is mainly residential with Edwardian terraced houses and some newer housing developments. To the south and east there are residential streets and to the east lies Peckham Rye Park. Forest Hill Road has a few local shops, cafes and pubs but the wider surroundings are mostly residential.
5. The site is subject to the following designations:
  - Green Chain Park
  - Site of Importance for Nature Conservation
  - Metropolitan Open Land (MOL)
  - Suburban Zone South
6. The site is not located within a conservation area. The Lodge to Camberwell Old Cemetery is Grade II listed, as are the gates, piers and railings to the cemetery. The Camberwell Old Cemetery War Memorial to the east of the site is also Grade II listed.

## **Proposal**

7. The proposed development is for the replacement of the existing single storey temporary building providing public toilets within Camberwell Old Cemetery, with a new permanent single storey public toilet building and associated groundworks and making good.
8. The block would be a 16 square metre woodgrain metal clad modular unit with steel security shutters and an extensive green roof. It would have level access and accessible grab handles. The existing hardstanding would be adapted to support the new toilet provision.

*Proposed elevations:*



9. The existing building providing public toilets is temporary and was granted under planning permission 14/AP/1214 on 27 June 2014 for 'Erection of a temporary building providing two new public toilets within the existing cemetery'.
10. Subsequently, planning permission 21/AP/0472 was granted on 22 April 2021 for 'Variation to Condition 4 of planning application 14/AP/1214 for erection of a single storey temporary building providing 2 new public toilets within the existing cemetery. For the retention of the public toilet for a further 5 years' This was subject to the following condition:

*The toilet block, hereby approved, shall be not be retained after the end of five years from the date of this permission or when the construction of a new, permanent toilet facility in the cemetery is completed and operational, whichever is sooner. Once removed, the land on which this approved toilet block is located and the land immediately adjacent the toilet block shall be restored to its former state (i.e. pre construction).*

*Reason*

*The type of building is not such as the Local Planning Authority is prepared to approve other than for a limited period, having regard to the materials and the structure and to protect the openness of the*



*Metropolitan Open Land in accordance with Strategic Policy 11 'Open Spaces and Wildlife' and Strategic Policy 12 - Design and conservation of The Core Strategy (2011), policies 3.12 Quality in Design, 3.13 Urban Design and 3.25 'Metropolitan Open Land' of the Saved Southwark Plan (2007), Policy G3 'Metropolitan Open Land' of the London Plan (2021) and the National Planning Policy Framework 2019.*

11. The temporary toilet block permission expires on 22 April 2026.

*Existing toilet block on site:*



## **Details of consultation**

12. Two site notices were displayed on 01 October 2025 and as such the public consultation period expired on 22 October 2025.
13. No comments were received from members of the public.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

14. The main issues to be considered in respect of this application are:
  - Principle of the proposed development in terms of land use
  - Design quality and heritage
  - Impact upon amenity of neighbours
  - Trees, landscaping, ecology and biodiversity



## **Legal context**

15. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2021 and the Southwark Plan 2022.
16. There are also specific statutory duties, including in respect of the Public Sector Equalities Duty and certain designated heritage assets, which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

## **Planning policy**

17. The statutory development plans for the Borough comprise The London Plan (2021) and the Southwark Plan (2022). The National Planning Policy Framework (2024) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

## **ASSESSMENT**

### **Principle of the proposed development in terms of land use**

18. The application proposes the erection of a permanent single story public toilet building on Metropolitan Open Land (MOL) in place of an existing temporary toilet block. The acceptability of the proposed land use depends on its impact on the MOL.

### **Metropolitan Open Land (MOL)**

19. As the site is designated MOL, it should be protected from inappropriate development in line with national planning policy tests that are applied to Green Belt, as required by Chapter 13 (Protecting the green belt) of the National Planning Policy Framework (NPPF) (2024) and Policy G3 (Metropolitan Open Land) of the London Plan (2021). These policies outline that development on MOL should only be approved in special circumstances. Paragraphs 154 and 155 of the NPPF outline that such exceptional circumstances include the

provision of appropriate facilities in connection with the existing use of land or a change of use for outdoor sport, recreation, cemeteries, burial grounds or allotments, if these facilities preserve the openness of the green belt.

20. Policy P57 (Open Space) of the Southwark Plan (2022) states that development will not be permitted on MOL. In exceptional circumstances development may be permitted when:
  - *It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and it does not affect its openness of MOL and do not conflict with its MOL function; or*
  - *It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building or*
  - *It consists of the replacement of an existing building, providing that the new building is no larger than the building it replaces.*
21. The development can therefore be considered in line with the NPPF and London Plan as it is a provision of an appropriate facility in connection with existing use of land within Camberwell Old Cemetery.
22. The development is consistent with Policy P57 (Open Space) of the Southwark Plan (2022), as the new block functions as an ancillary facility essential to the operation of the cemetery. It therefore supports, rather than conflicts with, the role of the MOL. The proposal replaces an existing temporary structure with a permanent building of higher design quality. Given its only marginally greater width of 0.9 metres, and the fact it will be 0.11 metres shallower while remaining single storey, the development would not harm the openness of the MOL.

## **Design quality and heritage**

23. Camberwell Old Cemetery as a cemetery is not listed, locally listed or in a conservation area. It is however a designated Green Chain Park, Site of Importance for Nature Conservation (SINC) and MOL. There are a few Grade II listed buildings and structures, including the war memorial, monument, gate piers and railings and the lodge, along its eastern boundary with Forest Hill Road but they are over 140m away from the toilet block, which is located near the centre of the cemetery.
24. The existing toilet block contains two DDA WC units. It is a modular unit in a cuboid form; 4m wide, 3.5m deep and single storey; and

cladded in dark green timber panels with steel security shutters for the doors. It is however noted that the existing toilet block as built differs from the consented schemes in terms of footprint and detailed design.

25. The proposed toilet block would be a modular unit measuring 4.9m wide, 3.29m deep and 2.9m tall. It has a flat roof, slightly pitched to facilitate drainage, with eaves that overhangs by 0.18-0.24m. Two DDA WC units would be accommodated like the existing. While the proposed toilet block is slightly larger than the existing, it remains modest in scale in relation to the large cemetery in which it is sited. It would not appear visually intrusive or harm the openness of the MOL.
26. The proposed toilet block would be cladded in dark brown woodgrain metal in horizontal profiles, offering a timber appearance with better durability. Doors would be insulated dark brown with grey steel security shutters. The outlets and downpipes will be matt black uPVC. The proposed design is modern and not of exceptional quality but acceptable for a modest toilet block in a non-heritage context.
27. Associated works to the surrounding hardstanding to create level access is minor in nature and would not affect the quality of the green space in the wider vicinity. A standard condition for materials is recommended, subject to this the development is not considered to have any negative impacts on design or heritage.

### **Impact upon amenity of neighbours**

28. The proposed building would be located within the grounds of the cemetery. There are no immediate neighbours to the site. The nearest neighbours to the site are outside the cemetery boundary on Rockells Place (to the southeast) over 100 metres from the block.

### **Outlook and privacy**

29. Given the sites location within the burial grounds and nature of the proposal being a public toilet block, it is not considered that the proposed building would cause any harmful overlooking or privacy impacts to nearby residential properties.

### **Daylight and sunlight**

30. As outlined above, the proposed public toilet building would be located centrally within the cemetery. The proposed building would be

of modest dimensions reaching a maximum height of 2.9m. The building would not interfere with any nearby residential properties habitable windows to cause an adverse impact on daylight and sunlight levels.

### Sense of enclosure and loss of outlook

31. The proposed building would be modular unit measuring 4.9m wide, 3.29m deep and 2.9m tall. It would not be of a scale to impact on nearby properties outlook nor would it cause a sense of enclosure given its location.

## **Trees, landscaping, ecology and biodiversity**

### Trees and ecology

32. Whilst there are trees within the cemetery, given the site's location away from trees, the fact an existing building is being replaced and the minor scale of development it is not considered that there would be any impact on trees.
33. The existing hardstanding that is currently on site would be adapted to support the new toilet provision and made good. There would be no loss of grass areas within the cemetery.

### Biodiversity Net Gain (BNG)

34. In England, Biodiversity Net Gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
35. The application site is considered exempt from the requirement to deliver mandatory BNG as it would be deemed below the threshold given that it is only existing hardstanding and built form that would be affected. Developments below the threshold are development that does not impact a priority habitat and impacts less than:
  - 25 square metres (5m by 5m) of on-site habitat
  - 5 metres of on-site linear habitats such as hedgerow
36. Notwithstanding this, an extensive green roof is proposed which is supported as it would promote biodiversity.

## **Mayoral and borough community infrastructure levy (CIL)**

37. The proposal does not involve new build of at least 100 square metre gross internal area (GIA) floorspace or involve the creation of one or more dwellings. As such the development is not CIL liable

## **Human rights implications**

38. This planning application engages certain human rights under the Human Rights Act 1998 (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 a replacement toilet block. 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.

## **Positive and proactive statement**

40. The council has published its development plan on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
41. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

42. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	No
If the pre-application service was used for this application, was the advice given followed?	N/A
Was the application validated promptly?	Yes

If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	N/A
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	Yes

## CONCLUSION

43. It is recommended that planning permission be granted, subject to appropriate conditions, for the removal of the existing single-storey temporary public toilet building within Camberwell Old Cemetery and its replacement with a permanent single-storey facility of improved design and quality.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Planning and Growth Directorate 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 07521218227 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Tegan Blake, Graduate Planner	
<b>Version</b>	Final	
<b>Dated</b>	27 October 2025	
<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, Resources	No	No
Strategic Director, Environment, Sustainability and Leisure	No	No
Strategic Director, Housing	No	No
<b>Date final report sent to Constitutional Team</b>		28 October 2025

## APPENDIX 1

### Recommendation

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

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<b>Applicant</b>	Miss T Miller London Borough of Southwark	<b>Reg. Number</b>	25/AP/2540
<b>Application Type</b>	Local Authority Development	<b>Case Number</b>	PP-14307875
<b>Recommendation</b>			

### Draft of Decision Notice

#### for the following development:

Replacement of the existing single storey temporary building providing public toilets within Camberwell Old Cemetery, with a new permanent single storey public toilet building, of the same size and on the same footprint. Includes associated groundworks and making good.

Camberwell Old Cemetery Forest Hill Road London Southwark

In accordance with application received on 5 September 2025 and Applicant's Drawing Nos.:

Location Plan 11238--00-0101 S3 A received 05/09/2025  
 PROPOSED ELEVATIONS 11238- ZZ-3201 S3A received 05/09/2025  
 PROPOSED BLOCK PLAN 11238- 00-3101 S3A received 05/09/2025  
 PROPOSED GROUND FLOOR 11238- 00-3102 S3A received 05/09/2025  
 DRAINAGE AND INCOMING SERVICES 536/104 received 05/09/2025  
 2 POD DDA COMPLIANT WC ND3098 - OPTION1 received 05/09/2025  
 PROPOSED BLOCK PLAN 11238- 00-3101 S3A received 05/09/2025

#### Time limit for implementing this permission and the approved plans

- 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.

#### Permission is subject to the following Compliance Condition

- 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 a high quality finish in terms of design in accordance with the National Planning Policy Framework (2024); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

## APPENDIX 2

### Relevant planning policy

The relevant chapters in the NPPF (National Planning Policy Framework, 2024) are:

- Chapter 11 Making effective use of land
- Chapter 12 Achieving well designed and beautiful places
- Chapter 13 Protecting Green Belt (applies to Metropolitan Open Land)
- Chapter 15 Conserving and enhancing the natural environment

The relevant policies in The London Plan (2021) are:

- Policy D4 Delivering good design
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodland
- Policy S7 Burial space
- Policy S6 Public toilets

The relevant policies in the Southwark Plan (2022) are:

- P13 Design of places
- P14 Design quality
- P18 Efficient use of land
- P56 Protection of amenity
- P57 Open space
- P60 Biodiversity
- P61 Trees

## APPENDIX 3

### Relevant planning history

09/AP/2805 - Installation of new gates to Camberwell Old Cemetery on the corner of Wood Vale and Langton Rise

GRANTED: 10 February 2009

12/AP/0682 - Raising of ground levels on Langton Rise and Wood Vale frontages, by a maximum of 1m to allow for the provision of burial space. Works also include removal of trees, the import of soil, new pathways and associated soft landscaping.

GRANTED: 07 June 2012

14/AP/1214 - Erection of a single storey temporary building providing 2 new public toilets within the existing cemetery.

GRANTED: 25 June 2014

15/AP/3185 - Remediation and remodelling of part of the cemetery close to Underhill Road; drainage works; the laying out of new access paths and associated landscaping.

GRANTED: 16 October 2015

21/AP/0472 - Variation to Condition 4 of planning application 14/AP/1214 for erection of a single storey temporary building providing 2 new public toilets within the existing cemetery. For the retention of the public toilet for a further 5 years.

GRANTED: 22 April 2021

## APPENDIX 4

### Consultation and re-consultation undertaken

**Internal services consulted:**

Urban Forester  
Design and Conservation Team  
Parks and Cemeteries Team  
Arboricultural Team

**Statutory and non-statutory organisations:**

N/A

**Neighbour and local groups consulted:**

N/A

**APPENDIX 5****Consultation responses received****Internal services:**

Design and Conservation Team

**Statutory and non-statutory organisations:**

N/A

**Neighbour and local groups consulted:**

N/A

**OPEN****COMMITTEE:****PLANNING COMMITTEE (SMALLER APPLICATIONS)****MUNICIPAL YEAR 2025-26****NOTE:**

Original held in Constitutional Team; all amendments/queries to Beverley Olamijulo, Constitutional Team, Tel: 020 7525 7234

**OPEN**

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