

Item No. 6.2	Classification: Open	Date: 9 February 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-3023 for: Full Planning Permission Address: 266 TURNEY ROAD, LONDON, SE21 7JP Proposal: Erection of 2-storey dwelling, following demolition of existing building on the site (Use Class C3).		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 26/10/2010		Application Expiry Date 21/12/2010	

RECOMMENDATION

- 1 Grant planning permission, subject to conditions.
- 2 This application is referred to Dulwich Community Council owing to the number of objections received. The associated conservation area consent application is also on the agenda for decision.

BACKGROUND INFORMATION

Site location and description

- 3 The application relates to a 2-storey 1960s building located on the south-eastern side of Turney Road, on the junction with Boxall Road. It comprises 4 garages at ground floor level and a 1-bedroom flat above. Access to the flat is via steps leading up to a raised terrace at the side of the building, facing Boxall Road.
- 4 Dulwich Hamlet Junior School is on the opposite side of Turney Road, there is a 1960s bungalow immediately to the east (268 Turney Road), a tarmac turning area and garages associated with 266 Turney Road and 50-60 Dulwich Village to the south and 2-storey houses to the west, on the opposite side of Boxall Road.
- 5 The site forms part of the Dulwich Village Conservation Area, an archaeological priority zone, the suburban density zone and an air quality management area; 52 Dulwich Village which is located to the east of the site is grade II listed.

Details of proposal

- 6 Full planning permission is sought for the erection of a 2-storey dwelling, following the demolition of the existing building on the site (Use Class C3). It would measure 8.2m wide fronting Turney Road, 11m deep fronting Boxall Road and a maximum of 9.2m high to the top of a chimney.
- 7 Materials proposed are as follows:

- Yellow London stock brick to the external walls;
- Aluminium windows;
- Pre-patinated copper to dormer surrounds;
- Clay roof tiles.

- 8 An integral garage is proposed, although this would be for use by a neighbouring property. No off-street parking is proposed to serve the dwelling.

Planning history

- 9 10-AP-3022 - Demolition of existing building. This is a concurrent application for conservation area consent which is UNDER CONSIDERATION.

- 10 10-AP-0034 - Erection of 2-storey plus basement dwelling, following demolition of existing building (Use Class C3). Planning permission was REFUSED in March 2010 for the following reasons:

1. The proposed new dwelling by reason of its general design and inappropriate detailing would introduce and incongruous aesthetic to the historic context of the area and would fail to preserve the character or appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design' 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan 2007.

2. The design of the proposed dwelling would sit uncomfortably within both Turney and Boxall Roads, in particular it fails to address the cohesive frontages of Turney Road or the sensitive proportions of the semi-detached houses that neighbour the site, nor does it seek to preserve some of the prevailing heights on these frontages. contrary to policies 3.12 'Quality in design', 3.13 'Urban design' 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan 2007.

3. The proposed second bedroom located within the basement would have no outlook and poor access to natural daylight due to the small enclosed lightwell and ground level rooflight upon which it would rely. It is not considered that such an arrangement would provide a satisfactory level of accommodation for a habitable space and as such is contrary to Policies 3.2 Protection of amenity, 4.2 Quality of residential accommodation of the Southwark Plan 2007 and to the Residential Design Guidelines Supplementary Planning Document, 2008.

4. The proposed development, by reason of the location of a terrace at first floor level on the shared rear (southern) boundary of the site may be prejudicial to the future development of the adjoining portion of land fronting Boxall Road, contrary to policy 3.11 'Efficient use of land' of the Southwark Plan 2007.

- 11 10-AP - 0047 - Demolition of existing building comprising 4 garages and a flat (Use Class C3). Application for conservation area consent REFUSED in March 2010 for the following reason:

In the absence of an approved scheme for the redevelopment of the site, the proposal would result in a harmful gap site which would fail to preserve or enhance the character or appearance of this part of the Dulwich Village Conservation Area, contrary to policy 3.16 'Conservation areas' of the Southwark Plan 2007.

- 12 08-AP-0809 - Demolition of existing building and erection of a 2-storey dwellinghouse with additional accommodation in the roofspace, integral garage and terrace at first floor level (Use Class C3). Planning permission was REFUSED in July 2008 for the following reasons:

1. *The proposed development, owing to its height and proximity to 268 Turney Road would result in loss of light and overshadowing to this property and would have an oppressive and overbearing impact upon a bedroom window in its west-facing flank wall, contrary to policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.*

2. *The proposed development, by reason of the location of windows on the shared rear (southern) boundary of the site would be prejudicial to the future development of the land at the rear of the site and to the amenity of future occupiers of 266 Turney Road, contrary to policies 3.2 'Protection of Amenity' and 3.11 'Efficient use of Land' of the Southwark Plan 2007.*

3. *The proposed development would result in an over-provision of parking facilities which would encourage traffic into the area and would be contrary to the objectives of encouraging alternative means of travel, contrary to policy 5.2 'Car Parking' and appendix 15 of the Southwark Plan 2007.*

4. *The proposed development by reason of its inappropriate massing, raised circular rooflight and inappropriate materials would fail to preserve the character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.16 'Conservation Areas' of the Southwark Plan 2007.*

13 08-AP-0814 - Demolition of existing house (application for Conservation Area Consent) - WITHDRAWN in August 2008.

14 Planning permission for the existing building and the bungalow at 268 Turney Road was GRANTED in 1968 (reference: TP/2292/50).

Planning history of adjoining sites

15 None recent or relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

a) the principle of the development in terms of land use and conformity with strategic policies;

b] amenity;

c] transport;

d] design and impact on the character and appearance of the conservation area and the setting of listed buildings;

e] trees;

f] sustainability;

g] archaeology.

Planning policy

Southwark Plan 2007 (July)

- 17 SP12 - Pollution
 - 3.2 - Protection of amenity
 - 3.7 - Waste Reduction
 - 3.11 - Efficient use of land
 - 3.12 - Quality in design
 - 3.13 - Urban design
 - 3.15 – Conservation of the historic environment
 - 3.16 - Conservation areas
 - 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 - 3.19 - Archaeology
 - 4.1 - Density of residential development
 - 4.2 - Quality of residential accommodation
 - 5.2 - Transport impacts
 - 5.3 - Walking and cycling
 - 5.6 - Car parking

Residential Design Guidelines SPD (Adopted September 2008)
Dulwich Village Conservation Area Appraisal (February 2006)

Core Strategy

- 18 The Council submitted the draft Core Strategy to the Secretary of State on 26 March 2010 and the Examination in Public hearings took place in July 2010. The Core Strategy policies should be considered as currently having no weight when determining planning applications as they are awaiting the Inspector's report and his finding of soundness. Applications should continue to be determined pending receipt of the Inspector's report primarily in accordance the saved policies in the Southwark Plan 2007 and the London Plan 2008.
- 19 The Inspector's report on the Core Strategy is expected in December 2010. With a recommendation of soundness from the inspector there will be a very high degree of certainty that the Core Strategy will be adopted and that a number of existing Southwark Plan policies will be replaced. In view of this, on publication of the inspector's report, all core strategy policies should be given significant weight in determining planning applications. Less weight should be given to existing policies which are soon to be replaced. Formal adoption of the core strategy is expected in early 2011.

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

- 20 PPS3: Housing
PPS5: Planning for the Historic Environment
PPG13: Transport

Principle of development

- 21 The proposal would involve replacing an existing dwelling in a predominantly residential area and this does not raise any land-use issues.

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

- 22 Policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.

Existing occupiers

268 Turney Road

- 23 Concerns have been raised that the proposed building would result in loss of light and sunlight to 268 Turney Road and would obscure a view out of a bedroom window in the side elevation of this property. This bungalow has a bedroom window in its flank wall directly facing the tarmac area in front of the existing house, and this bedroom has a further window in the front elevation facing Turney Road. To the rear it has a bedroom window closest to the existing house and this is the only window serving the room; beyond this there is a window and door which serve a living room.
- 24 The existing building bisects a 45 degree line taken through the centre of these windows, therefore it is unlikely that the levels of light these rooms currently receive would comply with present day standards. Although the proposed building would be 2.6m higher than the existing building, it would also be located 3m away from the boundary whereas the existing building is built right up to the boundary. It is therefore considered that on balance, the proposal would not result in any significant loss of light or overshadowing to the rooms in the rear of number 268 over and above the existing situation. The proposed dwelling would be located 4m from the secondary bedroom window in the side elevation of number 268 and although outlook from the window would undoubtedly change, given that this bedroom also has a window fronting Turney Road, no objections are raised.
- 25 With regard to privacy, there would be a stairwell window and a utility room door at ground floor level facing number 268, and the stairwell window would reach to the first floor. These have the potential to overlook number 268 therefore conditions requiring details of the boundary treatment to be submitted for approval and requiring the stairwell window to be obscure glazed is recommended, to prevent any loss of privacy.
- 26 Concerns have been raised that the proposal would cause damage to this property, although this is a matter for Building Control or a private matter between the affected parties. There would undoubtedly be some disruption during construction, but this is only a temporary process and excessive noise and dust can be dealt with under environmental protection legislation. It is noted however that this concern has been raised by other objectors and in spite of the small size of the site, a condition requiring a construction management plan to be submitted for approval is recommended.
- 27 The occupier of number 268 has raised concerns that she currently leases one of the garages on the site and that this would be lost as a result of the proposal although again, this is a private matter between the two parties and is not a material planning consideration.

27 and 29 Boxall Road

- 28 The proposed house would be located approximately 10m from 27 Boxall Road and this separation distance would be sufficient to ensure that any reduction in light or additional shadow would be minimal. There would be a separation distance of approximately 14m to 29 Boxall Road and again, any impact in terms of light and shadow would be minimal. The relationship with these properties would be typical of properties facing each other across a street.
- 29 Section 2.8 of the Residential Design Standards SPD recommends a 12m separation distance between front elevations of properties or any elevation facing a highway. Although the separation distance to 27 Boxall Road would be 2m below the standard, it is not considered that any significant loss of privacy would occur that would warrant refusal of planning permission and again, the relationship would be typical of

properties facing each other across a street.

- 30 Concerns have been raised by the occupiers of 29 Boxall Road that the proposal would result in an unacceptable loss of privacy and light pollution, given the presence of three windows at first floor level in the south-west facing elevation of the proposed building. As stated above, the separation distance would comply with the Residential Design Standards SPD therefore there are no grounds for refusing planning permission on this basis. The separation distance is also considered to be sufficient to ensure that no unacceptable light pollution would occur, which would be no greater than other properties facing each other across a street.

52 Dulwich Village

- 31 The occupier of this property has raised concerns that the proposal would restrict light into the gardens of 50 and 52 Dulwich Village on account of it being higher than the existing building, and that windows in the proposed east-facing elevation would overlook their gardens.
- 32 The gardens to 50 and 52 Dulwich Village are approximately 40 long and have garages and other structures at the end. Given this separation distance any loss of light would be minimal and would not adversely impact upon the use or enjoyment of these gardens.
- 33 With regard to privacy, the recommended condition that the stairwell window in the north-west elevation be obscure glazed would prevent views towards 268 Turney Road and 50 Dulwich Village, and the proposed oriel kitchen window in the south-east elevation would have views up Boxall Road and only oblique views over the bottom sections of the long gardens to 52 and 54 Dulwich Village, therefore it is not considered that any significant loss of privacy would occur.

Land adjoining the south of the site

- 34 This is a tarmac forecourt leading to a number of lock-up garages. Reason for refusal 2 of application reference 08-AP-0809 relates to the provision of windows on the shared boundary, on the basis that they would be prejudicial to the future development of this land and to the amenity of future occupiers of 266 Turney Road. The plans for application reference: 10-AP-0034 showed a terrace built right up to the boundary and reason for refusal 4 relates to blight of the future development of this site. The current plans show a large oriel kitchen window which would overlook this site which raises the same concerns regarding future development on the neighbouring site, but a variation condition would secure the removal of this window from the plans and the kitchen would be served by another window facing Boxall Road.

Future occupiers

- 35 The accommodation would generally be of an acceptable standard in terms of room sizes, layout and light. Bedroom 1 would be 1.5sqm undersized for a double bedroom but this is not significant and it would be used as a single bedroom.
- 36 A 42sqm garden would be located at the rear of the proposed dwelling, with additional amenity space at the front and along Boxall Road and this is considered to be sufficient. In accordance with policy 3.7 of the Southwark Plan 'Waste reduction', a refuse store has been shown on the plans and its provision prior to occupation could be secured by way of condition.

Traffic issues

- 37 Policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in any adverse highway conditions.
- 38 Concerns have been raised that the height of the building and its position on the plot, standing closer to Turney Road than the existing building, would reduce visibility at an already a restricted junction with a history of traffic accidents, and which is heavily used by parents associated with the school opposite. However, the Transport Group has reviewed the application and has not raised any concerns in this regard.
- 39 An existing vehicle crossover would be removed and the pavement reinstated, and a new crossover provided to serve the dwelling. The new access would be located further away from the junction and would in any event require separate approval from the Highway Authority, and an informative to this effect is recommended. A condition requiring details of boundary treatment to be submitted for approval would improve the appearance of the site and would ensure visibility at the new crossover into the garage.
- 40 Policy 5.6 relates to car parking and states that all developments requiring parking should minimise the number of spaces provided; appendix 15 requires a maximum of 1.5-2 spaces per unit. The site has a Public Transport Accessibility Level (PTAL) of 2 (low).
- 41 The Design and Access Statement states that the four existing garages on the site are not used, although a representation from a neighbouring resident appears to contradict this. Concerns have been raised that the loss of these garages would increase demand for on-street parking in an already congested area. It is noted that the integral garage would be for use by a neighbouring property and there would be no off-street parking to serve the proposed house. However, as current policy emphasis is to reduce the level of parking as a way of encouraging alternative modes of transport, no objections are raised.
- 42 No cycle parking has been shown on the plans, although there would be scope to provide it within the curtilage and a condition for details is recommended.

Design and impact upon the character and appearance of this part of the Dulwich Village Conservation Area and the setting of the Grade II listed 50 and 52 Dulwich Village

- 43 Concerns have been raised that the building would cover most of the site and that it would appear larger than any of its neighbours.
- 44 The site is small and extremely constrained. The proposal involves the redevelopment of a site created at the previously subdivided rear of the Grade II listed 50 Dulwich Village at the corner of Boxall Road and Turney Road. Across the way is the Dulwich Village C of E Infants School and to the west Turney Road is a cohesive part of the Dulwich Village Conservation Area, made up of characterful semi-detached properties and paired villas. Immediately opposite on Boxall Road is a semi-detached cottage which effectively marks the entrance to Boxall Road.

Policy 3.12 Quality in design

- 45 Policy 3.12 asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. When we consider the quality of a design we assess the appropriateness the proposed fabric, geometry and function of the proposal as well as the overall concept for the design.

- 46 The design is a modest modernist scheme which has drawn from the features and materials of this historic area to arrive at a design that is appropriate to this prominent junction in the conservation area. The scheme takes traditional features prevalent in the area like the steep sloping roof forms and prominent chimneys of the semi-detached properties on Boxall Road and the double-height bays of the school opposite and reinvents them in a confident and modern way.
- 47 The proposed materials would be appropriate, facing brickwork with slate roofs and patinated copper trimming to the bay window would relate this design to its context however, the strength of the design will arise from the selection of all these materials and the detailed architectural execution of the design. To this end the materials including the proposed brick bond and detailed drawings should be reserved by condition with samples presented to officers on site for their approval. A feature of the area is a decorated brick work and the brick bond chosen for this scheme will give this design its inherent quality. A condition requiring details of the proposed boundary treatment to be submitted for approval is also recommended, to help the building to assimilate into the streetscene and to ensure pedestrian safety.
- 48 In its geometry, the design reflects the character of the area. The east-west alignment of the principle roof reflects that of its historic neighbour opposite on Boxall Road and echoes its form at this prominent junction. At the same time the scheme uses its roof form three-dimensionally, changing to a dropped gabled form to the south to reflect the character of Boxall Road, whilst at the same time addressing this important approach. Its scale and massing are considered to be appropriate.
- 49 Finally, in a conservation area such as this which is characterised by residential properties, a proposal for a family residence is not only appropriate, it is desirable in this location.
- 50 In conclusion, the proposed design is much improved when compared to the most recent refusal, it would have elegant proportions and proposes the use of quality materials and would preserve and enhance the character and appearance of this part of the conservation area.

Policy 3.13 Urban design

- 51 The site is located on Turney Road close to the junction with Dulwich Village, and a prominent intersection of the Dulwich Village Conservation Area. Whilst the buildings currently on the site are of little value in themselves, Turney Street itself is a very important street within the conservation area and retains much of its historic character of paired villas and Victorian terraces.
- 52 The proposed design has been developed from the most recent refusal. That scheme proposed a Swiss-chalet style design which was considered alien to the area and it was felt that the design did not reflect the direct relationship with Turney Road or the sensitive proportions of the semi-detached houses opposite on Boxall Road.
- 53 In urban design terms, the house needs to present a front onto Turney Road and relate more directly to that frontage whilst also addressing Boxall Road as this will be the main approach to the residence. Its should address the corner with Boxall Road more directly and should seek to preserve some of the prevailing heights on these important frontages.
- 54 There is certainly scope for a modern reinterpretation of this historic townscape in this location which is separated by Boxall Road from its immediate historic neighbours however, it does need to reflect the proportions and features so typical of the area.

The scheme addresses Turney Road and Boxall Road confidently and uses features typical of the area to reinforce its relationship with its context. The double-height bay window and the striking chimney design give these features, so characteristic of the area, a modern twist that would be appropriate and relevant in this location. Most importantly, the form of the proposed development has been scaled back since the previous applications, a basement removed and the overall scale and massing reduced to reflect that of the semi-detached cottages on Boxall Road with their dropped eaves line, prominent chimney breast and steep raking roof. The scheme retains the prevailing eaves heights, steep roof profile and the footprint of these cottages and as result the buildings would compliment each other at the entrance to Boxall Road. In the view of officers, it is not necessary to replicate the design of the existing buildings on Boxall Road but the form and scale of the proposal on this site is sensitive and the current scheme does this successfully.

- 55 Finally, the separation of this site by the intervening property to the east and the substantial mature garden beyond together with its more direct relationship with Turney Road and Boxall Road means that this site has lost its connection with the listed property at 60 Dulwich Village and can no longer be considered a building that falls within the curtilage of the original property. As such, its more direct relationship is with the conservation area and its two frontages onto Turney Road and Boxall Road.

Policy 3.16 Conservation areas

- 56 Policy 3.16 states that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Officers are satisfied that the proposed scheme, by its use of features and materials that are characteristic of the area will make a positive contribution to the conservation area and introduce a quiet, modern addition to this historic context.
- 57 Through the careful choice of materials and architectural detailing the scheme will compliment the character of the area preserving and enhancing this historic context. The scale of the scheme is modest and appropriate; it will not dominate its context and will echo the forms in the immediate area.

Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites

- 58 Policy 3.18 states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building or an important view(s) of a listed building.
- 59 Further, Policy HE 7.5 of PPS5, Planning for the Historic Environment states that *“Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.”*
- 60 A scheme on this site affects not only the setting of the conservation area but also potentially the setting of two important listed buildings at numbers 50 and 52 Dulwich Village. The site is at the end of the garden of two listed buildings – and would have fallen within the original curtilage of these buildings and earlier maps of Southwark reflect this. However, in the view of officers, the particular topography of the site, its distance from the original listed structures and its direct relationship with Turney Road and Boxall Road are more relevant in this modern context. In the view of officers, the modest scale, sensitive use of materials, features and architectural detailing will mean that this proposal would compliment its historic context, becoming a fitting addition to the Turney Road streetscape and the conservation area.

- 61 The existing building on the site which is proposed to be demolished under the associated application for Conservation Area Consent is a barren stretch of tarmac and garage block and is not a positive contributor to the conservation area. Policy 3.16 states that within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless, in accordance with PPS5.
- 62 The garages are of a modern design faced in concrete with roller shuttered doors. They are certainly not considered to be positive contributors to the conservation area. In these instances the harm to the heritage asset of the conservation area as a whole has to be assessed as set out in PPS5.
- 63 Policy HE 9.4 of PPS5 states that "*Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:*
(i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and
(ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss."
- 64 In this instance the loss of the buildings can be considered given the high quality of the replacement design. Evidently, the replacement of these garages helps to secure the optimal use of this use of this site and the nominal harm of the loss of these buildings is more than compensated by a high quality three-dimensional design proposed by this scheme. In the view of officers the proposal complies with this policy and national guidance.

Impact on trees

- 65 There is a mature London Plane tree located on the footpath in front of the site on Turney Road, and a Whitebeam tree growing on the site. An arboricultural report has been submitted with the application which recommends that pile and beam foundations be used to ensure no damage to the Plane tree, and a condition to this effect is recommended. A number of large lower limbs of the tree would have to be removed at the applicant's expense in order to accommodate the proposed building, and an informative alerting the applicant to this is recommended. The Whitebeam is identified as a poor specimen and its removal and planting of a replacement tree is recommended, and again this can be secured by way of a planning condition.

Sustainable development implications

- 66 Policy SP12 of the Southwark Plan 'Pollution' requires all developments, where appropriate, to reduce pollution and improve the environmental performance of buildings, especially for energy, water and waste management.
- 67 The Design and Access Statement states that energy saving measures in the design of the building and sustainability and low maintenance in the choice of building components are to be implemented. Possibilities include rain-water harvesting for watering the garden and flushing toilets, solar water heating panels and a high standard of insulation, and these measures would be welcomed.

Archaeology

- 68 Policy 3.19 of the Southwark Plan requires planning applications affecting sites within

Archaeological Priority Zones to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development. Such an assessment has been submitted with the application and reviewed by the Council's Archaeologist, and a number of conditions are recommended.

Other matters

Density

- 69 Policy 4.1 of the Southwark Plan requires a density of 200-350 habitable rooms per hectare. The development would achieve a density of 325 habitable rooms per hectare and would therefore comply with policy 4.1.

Conclusion on planning issues

- 70 It is concluded that the proposal would comply with the relevant policies in the Southwark Plan, and that the character and appearance of this part of the Dulwich Village Conservation Area and the setting of listed buildings at 50 and 52 Dulwich Village would be preserved.

Community impact statement

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

Consultations

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

Consultation replies

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

75 Summary of consultation responses

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

- Loss of light;
- Light pollution;
- Intrusive balconies are proposed;
- Loss of privacy and overlooking;
- Loss of view (response - this is not a material planning consideration);
- Traffic generation;
- Loss of garages;
- Lack of parking;
- Harm to highway safety;
- Construction impact (response - this is not a material planning consideration);
- Excessive plot coverage and mass;
- The current open outlook and street rhythm would be lost;

- Property devaluation (response - this is not a material planning consideration);
- Loss of tree on site.

76 One representation has been received in support of the application on the grounds that the design has taken the site and surrounding buildings into consideration and would be a huge improvement for this central village corner location.

77 One representation has been received requesting further information in respect of privacy and amenity, and whether there would be a terrace for the proposed dwelling (response - the enquirer was advised over the telephone that a terrace shown on the previous applications has been removed).

Human rights implications

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

79 This application has the legitimate aim of providing a new 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-50 Application file: 10-AP-3023 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Victoria Lewis, Planning Officer	
Version	Final	
Dated	12 January 2011	
Key Decision ?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to the Community Councils Team	1 February 2011	

Consultation undertaken

80 **Site notice date:** 09/11/2010

Press notice date: 04/11/2010

Case officer site visit date: 09/11/2010

Neighbour consultation letters sent: 05/11/2010

Internal services consulted:

81 Transport Planning
Archaeologist
Aboricultural Officer

Statutory and non-statutory organisations consulted: N/A.

82 **Neighbours and local groups consulted:** Notification letters have been sent to properties on Turney Road, Dulwich Village and Boxall Road.

Re-consultation: N/A.

Consultation responses received

Internal services

83 Transport Planning

1.) Any existing access which will be made redundant as a result of this development must be reinstated, with Highways approval. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction - informative recommended.

2.) The applicant should note that as detailed in the Vehicle Access Policy Appendix 4 of the Sustainable Transport SPD the minimum width of a crossover is 3 metres where it meets the site boundary, the width needs to increase to 4.2 metres at the kerb edge. While the maximum crossover width allowed is 5 metres, increasing to 6.2 metres at the kerb edge.

3.) Vehicular Visibility Splays

The applicant would need to provide pedestrian and vehicular visibility splays, in line with a 30 mph road. Vehicular visibility splays on a 30mph road are based on the Sight Stopping Distance and is assessed at 43m, as stated in Manual for Streets 7.5.

4.) Pedestrian Visibility Splays

Pedestrian visibility is a standard 2 metres by 2 metres splay.

5.) Car Parking

This proposal is located in an area with a low TfL PTAL rating (2), reflecting the area's poor level of access to all forms of public transport. Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network. Given the number of units/use class of this development a maximum of 1.5-2 spaces are permitted. A garage is incorporated into the design to provide off-street parking for the development, therefore it is acceptable.

6.) Cycle storage

As a garage is provided it is deemed that there is adequate cycle storage for the proposed development.

7.) Disabled parking

No wheelchair acceptable units have been provided in association with the proposed development and there would be no lift to the first floor, therefore it is unlikely that blue badge holders would reside in the proposed development.

Servicing and refuse collection will be under taken from Turney Road and Boxhall Road. Due to site constraints no off-street serving facilities can be provided. Given the nature of the proposed development and the central location of the bin stores it is not thought there will be:

- A) many service vehicle movements associated with the above application
- B) refuse vehicles stationary in the highway for an extended period.

Transport DC have no objections to this application.

84 Archaeologist

A programme of archaeological observation and recording during groundworks is recommended. Conditions recommended.

85 Aboricultural Officer

Agree with comments in the Aboricultural report that pile foundations are acceptable and that the Whitebeam tree is appropriate for removal and replacement, both via condition.

The development will require a number of large lower limbs to be removed from the large adjacent street tree which over sails the site. This could be dealt with via a s274 payment.

Statutory and non-statutory organisations

N/A.

Neighbours and local groups

86 268 Turney Road

Object to the application on the following grounds:

- Loss of light;
- Loss of view (response - this is not a material planning consideration);
- The owner of 268 Turney Road leases one of the garages on the site (response - this is not a material planning consideration);
- The access to the proposed replacement garage would not be convenient for 268 Turney Road;
- No provision for storage of the contents of the existing garage during building works (response - this is not a material planning consideration);
- Impact of vibrations and building works on 268 Turney Road and loss of security during building works (response - these would be construction impacts which are not material planning considerations, but owing to neighbour concerns a condition requiring a construction management plan to be submitted for approval is recommended);
- Harm to highway safety;
- The anticipation of the inevitable noise, dirt and disruption is already affecting the health of the owner of this property ((response - these would be construction impacts which are not material planning considerations).

87 50 Dulwich Village and 29 Boxall Road

Object to the application on the following grounds:

- Loss of urgently needed garages;
- Lack of parking;
- Harm to highway safety;
- Traffic generation;
- New location of dwelling at front of plot is more harmful than earlier plans for the site;
- Loss of privacy and overlooking;
- Light pollution;
- Proposed balconies would be intrusive;

- Excessive level of plot coverage and mass would appear larger than neighbouring buildings;
- The current open, sylvan outlook would be obscured / mostly lost;
- Property devaluation (response - this is not a material planning consideration);
- Inconvenience, stress, anxiety and highway hazard / nuisance during construction (response - construction impact is temporary and is not a material planning consideration);
- The structure would break the rhythm of the street design;
- It is gratifying that the mature Plane tree would be preserved;
- The Whitebeam tree on the site should be preserved.
-

88 52 Dulwich Village

Object to the application on the following grounds:

- Loss of light and overlooking of gardens of 50 and 52 Dulwich Village;
- Loss of light to 268 Turney Road;
- Disruption and traffic chaos;
- Noise during building works and stress for the owner of 268 Turney Road (response - construction impact is temporary and is not a material planning consideration);
- Inconvenience during demolition work and impact on vehicle washdown area (response - construction impact is temporary and is not a material planning consideration);
- Query what precautions are included in the plans to minimise disruption, noise, mess and dust during building works (response - construction impact is temporary and is not a material planning consideration).

89 54 Dulwich Village

Request further information in respect of privacy and amenity, and whether there would be a terrace for the proposed dwelling (response - the enquirer was advised over the telephone that a terrace shown on the previous applications has been removed).

90 64 Dulwich Village

Support the application on the grounds that the design has taken the site and surrounding buildings into consideration and would be a huge improvement for this central village corner location.