

Item No. 6.2	Classification: OPEN	Date: 13 April 2011	Meeting Name: Dulwich Community Council
Report title:	Development Management planning application: Application 10-AP-2197 for: Conservation Area Consent Address: SITE TO THE REAR OF 28 CRESCENT WOOD ROAD, LONDON, SE26 6RU Proposal: Demolition of a garage block of ten garages		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 30 July 2010		Application Expiry Date 24 September 2010	

RECOMMENDATION

- 1 Grant conservation area consent, subject to conditions. This is being reported to Community Council together with an application for redevelopment of the site, owing to the number of objections received.

BACKGROUND INFORMATION

- 2 This application set out in appendix A was deferred with the full planning application 10/AP/2135.

Previous report

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RECOMMENDATION

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BACKGROUND INFORMATION**Site location and description**

- 2 The site lies within the Dulwich Wood Conservation Area and adjoins the boundary with a Grade II listed building at 41 Sydenham Hill. The original curtilage of no. 28 was subdivided at the rear and had a solid palisade fence demarcating the new boundary with a row of low level single storey garages at the back of the site. The site rises in level from the front of no.28 and adjoins the back gardens of nos. 40 Crescent Wood Road and 41 and 81 Sydenham Hill. The rear of the site is bounded by Leylandi trees in the rear garden of 41 Sydenham Hill and there are two Beech trees to the west.

Details of proposal

- 3 Conservation area consent is sought for the demolition and removal of the existing block of ten garages currently located on the rear boundary of the site.

Planning history

- 4 Planning permission was refused (07/AP/2381) on 21/01/2008 for the redevelopment of the site into 5 x 3 storey residential dwellings.
- 5 03-AP-1023: In September 2003 planning permission was granted for the construction

of a roof extension to the main building to form a new third floor to provide 2 flats; the erection of a two storey side extension at 1st and 2nd floor levels to extend 2 flats on each of the first and second floors, alterations to door and window openings on south and east elevations.

- 6 Planning permission was granted in 1969 for the change of use of the building at 28 Crescent Wood Road to 19 self-contained bed-sit flats together with the erection of 10 garages and parking bays for 10 cars at the rear of the site.

Planning history of adjoining sites

- 7 n/a

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 8 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) the impact of the removal of the garages upon the Dulwich Wood Conservation Area and the adjoining listed building.

Planning policy

Southwark Plan 2007 (July)

- 9 3.16 Conservation areas
3.18 Setting of listed buildings, conservation areas and world heritage sites

Core Strategy

- 10 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.
- 11 The Inspector's report on the Core Strategy is expected in early 2011. 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 will follow in 2011.

Core Strategy Policies
Strategic Policy 12 Design and conservation

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

12 PPS 5 Planning and the historic environment

Principle of development

13 The garages do not make a positive contribution to the conservation area, therefore there are no objections in principle to their removal.

Environmental impact assessment

14 Not required for this application type.

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

15 The loss of the garages is unlikely to give rise to any harmful impacts although it is acknowledged that the demolition process is likely to cause a temporary loss of amenity through noise and dust. It is considered that given the close proximity to no. 28 Crescent Wood Road and the use of the same access, this could be managed with a construction management plan which could be imposed by condition.

Traffic issues

16 The garages have not been used as such for a number of years. Parking for residents of no. 28 Crescent Wood Road is provided to the front and rear of the property. The area is not within a controlled parking zone and not considered to be in an area of parking stress.

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

17 The garages have remained derelict for some time and whilst hidden behind a high fence such that they are not visible from the street they do not make a valuable contribution to the conservation area.

Impact on trees

18 The existing garages are in close proximity to the Beech trees to the west of the site, and a condition around the protection of these trees and any trees affected on adjoining land is recommended should conservation area consent be granted.

Planning obligations (S.106 undertaking or agreement)

19 Not required for this type of application.

Sustainable development implications

20 The garages are over 40 years old and have not been used for some time, this application would facilitate the redevelopment of the site for housing which would represent a more sustainable use of the site.

Other matters

21 This application is accompanied by a full planning application of a single family dwelling. The removal of the garages with a landscaping condition would not be considered harmful to the conservation area and would allow this consent to be implemented separately.

Conclusion on planning issues

- 22 Conservation area consent is sought for the demolition and removal of the existing garages on site. In principle there is no objection to the loss of the garages subject to conditions covering management of the work, protection of the trees and the replacement of the garages with an approved development or an approved landscaping scheme.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as above

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are contained within the conditions should conservation area consent be granted.

Consultations

- 24 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 2.

Consultation replies

- 25 Details of consultation responses received are set out in Appendix 3.

Summary of consultation responses

- 26 The consultations responses received refer to the associated planning permission rather than the loss of the garages, although comments are raised around the use of the site in conjunction with the existing house.

Human rights implications

- 27 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.

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 29 n/a

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2570-8 Application file: 10-AP-2197 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Sonia Watson, Senior Planning Officer	
Version	Final	
Dated	31 March 2011	
Key Decision	Grant conservation area consent	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team	4 April 2011	

Consultation undertaken

Site notice date: 09/08/2010

Press notice date: 12/08/2010

Case officer site visit date: 10/03/2010

Neighbour consultation letters sent: 09/08/2010 and 20/09/2010

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

English Heritage.

Neighbours and local groups consulted:

83 SYDENHAM HILL LONDON SE26 6TQ
81 SYDENHAM HILL LONDON SE26 6TQ
26 CRESCENT WOOD ROAD LONDON SE26 6RU
24 CRESCENT WOOD ROAD LONDON SE26 6RU
77 SYDENHAM HILL LONDON SE26 6TQ
FLAT 8 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 7 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 9 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
55 CRESCENT WOOD ROAD LONDON SE26 6SA
53 CRESCENT WOOD ROAD LONDON SE26 6SA
59 CRESCENT WOOD ROAD LONDON SE26 6SA
57 CRESCENT WOOD ROAD LONDON SE26 6SA
51 CRESCENT WOOD ROAD LONDON SE26 6SA
42 CRESCENT WOOD ROAD LONDON SE26 6RU
40 CRESCENT WOOD ROAD LONDON SE26 6RU
46 CRESCENT WOOD ROAD LONDON SE26 6RU
44 CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 15 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 14 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 17 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 16 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 13 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 10 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 1 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 12 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 11 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 4 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 3 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 6 HIGH TREES MANSIONS 28 CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 5 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 21 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 19 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 18 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 20 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
FLAT 2 HIGH TREES MANSIONS CRESCENT WOOD ROAD LONDON SE26 6RU
22 CRESCENT WOOD ROAD SE26 6RU
26 CRESCENT WOOD ROAD SE26 6RU
STABLE FLAT 41 SYDENHAM HILL LONDON SE26 6TH
THE LODGE 41 SYDENHAM HILL LONDON SE26 6TH
GAMEKEEPERS COTTAGE 41 SYDENHAM HILL LONDON SE26 6TQ
BELTWOOD 41 SYDENHAM HILL LONDON SE26 6TH

Dulwich Society

Re-consultation:

n/a

Consultation responses received

Internal services

n/a

Statutory and non-statutory organisations

English Heritage - no comments to offer.

Neighbours and local groups

No 24 Crescent Wood Road - Generally supports the application but concerned about overspill parking already felt from the main building onto the road. Would like building to remain as one storey. Would like the trees to be protected during the course of construction.

No. 26 Crescent Wood Road - Concern that house with a basement would transform into two storeys over time, subject to the property not increasing further in height does not oppose the development.