

<b>Item No:</b> 7	<b>Classification</b> Open	<b>Committee:</b> Planning Sub-Committee B	<b>Date:</b> 11 September 2012
<b>From:</b> Head of Development Management		<b>Title of Report:</b> <b>Addendum</b> Late observations, consultation responses, information and revisions.	

## PURPOSE

- 1 To advise Members of observations, consultation responses and information/revisions received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

## RECOMMENDATION

- 2 That Members note and consider the late observations, consultation responses and information/revisions received in respect this item in reaching their decision.

## FACTORS FOR CONSIDERATION

- 3 Late observations, consultation responses, information and revisions have been received in respect of the following planning application on the main agenda:

### Comments by the Head of Planning

#### 3.1 Item 7.1: 29 CURLEW STREET, LONDON SE1 2ND

#### 3.2 Amend paragraph 9 of the officer report to read:

The proposed 2nd floor rear extension would extend out by 2m approximately at a maximum width of ~~5m~~ 4m running along the boundary with No 28 Curlew Street and set in from the boundary with No 30 by 1.5m approximately. This would allow space for an additional bathroom.

#### 3.3 Additional objection received from Rights of Light Consultant on behalf of 28 Curlew Street

The proposal breaches BRE preliminary 25 degree tests in relation to a dining room window by nearly three times the recommended level, only the rear windows are mentioned in the report.

Detailed daylight and sunlight reports have been requested on three occasions and there is no reference to this in the report. A daylight and sunlight

consultant acting on behalf of 5a Canvas House has also requested a daylight and sunlight report.

9 objections have been received plus 4 additional letters including ours, which highlights genuine concerns regarding overlooking, overbearing, loss of privacy and loss of light.

We requested that the planning committee visit 28 Curlew Street which is a standard request and the case officer responded that it was not possible to ask committee members to visit.

The dates and signatures for the latest report appear to be identical to those on the second report dated 10<sup>th</sup> July 2011. Whilst our objection has been mentioned in the report, the dates and signatures should be altered accordingly. As it stands it suggests that the case officer arrived at the recommended decision before the consultation period ended.

In summary there are concerns regarding the matters outlined above and in particular, with the dates and signatories of the report as well as the opinion on the impact of the proposal upon our client's property. Should planning permission be granted without our client's concerns being adequately addressed, they will take legal advice on seeking a Judicial Review of the decision.

#### 3.4 Officer response:

The application building in its current form projects beyond the rear elevation of 28 Curlew Street and officers consider that the 25 degree BRE test has already been breached, and that the small extension that is proposed would not have a significant adverse impact over and above the existing situation. Bermondsey Community Council requested that the case officer visit the neighbouring properties including number 28, and this has been done. Following the visit to number 28 officers remain of the view that the impact upon this property would be acceptable and that a full BRE report is not necessary.

With regard to the report dates, the officer report was sent to the Council's Constitutional Team for publication on 29<sup>th</sup> August 2012 once the officer had had an opportunity to review and consider any additional responses received and to incorporate them into the report. Comments received after publication of the report are considered by officers and included in an addendum.

#### 3.5 Amend condition 4 of the draft decision notice to read as follows:

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

##### Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 30 Curlew Street, Thames Heights and Canvas House from undue overlooking in accordance with saved policy 3.2 'Protection of Amenity' of the Southwark Plan and Strategic Policy 13 'High Environmental standards' of the Adopted Southwark Core Strategy.

**3.6 Item 7.2 NORTH DULWICH TENNIS CLUB, 152A EAST DULWICH GROVE, LONDON SE22**

**3.7 Additional letter received in support of the application, from The Charter School, Red Post Hill**

The supporter writes to express gratitude for the services provided by North Dulwich Lawn Tennis Club on behalf of The Charter School. The Charter Tennis Club has been running for 5 years and several hundred students have benefited from the use of outside games areas the school is unable to match. The Friends of Charter have supported students by funding coaching, so students are both supervised in a safe environment and taught the sport by professional LTA licensed tennis coaches.

The provision of similar sporting opportunity at The Charter School would be expensive as the school would need to construct courts and arrange professional coaching. The current arrangement has seen players enter the sport with no previous experience and progress to represent the Tennis Club in competition. The club hosts and supervises Junior Match Play on Friday evenings providing local juniors the opportunity to play with their peers in a safe supervised environment.

Tennis is a sport which provides lifetime skills and physically, mentally and emotionally and is able to embrace both sexes in particular girls. However, to be able to enjoy its full benefits and advantages, one has to practise on a regular basis. North Dulwich Lawn Tennis Club offers the pupils at The Charter School an invaluable opportunity to experience this sport at a professional standard. However, due to lack of appropriate lighting, the club has been only able to offer coaching during a limited time of the year. With the acquisition of floodlights, and consequently, the extension of playtime, it would be possible for the pupils to have coaching throughout the year.

As Director of Sport at the Charter School and having witnessed one of the greatest sporting spectacles on our own doorstep it would be a shame not to keep this momentum going and have the capacity to maintain the interest. Students would relish this opportunity to play tennis all year round so I hope you are able to help.

**3.8 Additional letter objecting to the application (no address supplied)**

The objector advises that the concerns still stand and that the amendments to the application do not address the majority of the concerns previously raised.

**3.9 Item 7.3 ALLEYNS SCHOOL, TOWNLEY ROAD, SE22 8SU**

**3.10 Add the following condition following discussion with the Council's Environmental Protection Team**

The windows to the first floor extension hereby permitted shall remain closed during music lessons and rehearsals.

Reason

To ensure no loss of amenity to the neighbouring residential properties on Glengarry Road, in accordance with saved policy 3.2 'Protection of amenity' of

the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

#### **REASON FOR LATENESS**

4. The comments reported above have all been received since the agenda was printed. They all relate to an item on the agenda and Members should be aware of the objections and comments made.

#### **REASON FOR URGENCY**

5. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Sub-Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications/enforcements and would inconvenience all those who attend the meeting.

#### **RESOURCE IMPLICATIONS**

6. These are contained in the report.

#### **EQUAL OPPORTUNITY IMPLICATIONS**

7. These are contained in the report.

#### **LOCAL AGENDA 21 (Sustainable Development) IMPLICATIONS**

8. These are contained in the report.

Lead Officer: Gary Rice Head of Development Management

Background Papers: Individual case files.

Located at: Chief Executive's Department, Development management, PO Box 64529 London SE1P 5LX