

Nina Rickman

2 June 2021

**TO ALL MEMBERS OF THE ADVISORY COMMITTEE**

(and via the Trustee Intranet, to all other members of the Board of the Incorporated Trustees of The Dulwich Estate, for information)

**NOTICE IS HEREBY GIVEN** that a meeting of the Advisory Committee will be held on Tuesday, 8 June 2021 at 4:30 p.m., via Teams. Electronic invite to the meeting to follow.

Please find attached your Advisory Committee papers for the meeting on Tuesday 8 June 2021. So that we have a productive and informative meeting, can I ask that you raise any detailed questions direct with me and request any further information, or clarification of items, prior to the meeting. Finally, please can you confirm your attendance or apologies, if you are unable to make the meeting.

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**A G E N D A**

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3. **Matters arising**

Date of Meeting Item Raised	Details of Action	Update
9 March 2021	Meeting between representatives and accounts department to discuss reformatting of the accounts presentations.	Meeting took place on 14 May 2021. Paul Greenwood agreed to summarise the points made and discuss them with the Scheme Manager, the Chief Executive and the Chairman and to introduce a new reporting format at the June Meeting of the Advisory Committee.
9 March 2021	Determine true cost of processing applications.	Three applications have been identified and time spent is being recorded against these. Update will be providing at November meeting.
9 March 2021	Summary of what items are covered under "Repairs General" is to be provided with the accounts.	Summary included in June Agenda.
9 March 2021	Guideline Review - a further revised draft would be circulated to the Committee after receiving comments from our legal advisers and The Dulwich Society.	Updated guidelines circulated with June Agenda.
9 March 2021	Green policy is to be developed	Committee will be updated at the June meeting.
9 March 2021	Two Stage Licence Process	Originally it was decided to recruit for a surveyor to undertake this role, however since then the Consultant Architect has resigned and will be leaving at the beginning of August. The decision has been made to employ a Surveyor to encompass both roles for 4 days a week.
9 March 2021	Frank Dixon Way/Close - summary of outstanding issues to be forwarded to Nina Rickman.	To be addressed under Advisory Committee representative queries.
9 March 2021	Advisory Committee Terms of Reference.	Included with 8 June Agenda.

4.

## *The Scheme of Management*

### **THE MANAGEMENT CHARGE**

for the Accounting Period from 1 April 2020 to 31 March 2021

#### **SUMMARY OF EXPENDITURE LESS INCOME & RECHARGES**

	<b>Actual Year Ended March 2021 £</b>	<b>Budget Year Ended March 2021 £</b>	<b>Actual Year Ended March 2020 £</b>
<b>NET AMENITY EXPENDITURE - Schedule 2</b>	168,738	159,815	148,646
<b>NET BASIC EXPENDITURE - Schedule 3</b>	258,688	280,012	297,840
<b>TOTAL MANAGEMENT CHARGE</b>	<b>427,426</b>	<b>439,827</b>	<b>446,486</b>

#### **Headlines:**

Although the Total Management Charge is down some 5% on last year and 2% on budget the two components have not moved in the same direction.

#### ***Amenity Expenditure***

Amenity expenditure is some 14% up on prior year and 8% up on budget.

All the significant variances lie under the Repairs headings be that in the Woods, Paths and Roads, and Other Areas. Although expenditure on paths and roads has been much lighter than anticipated this year, this has been more than offset by significant spending on posts, chains, railings and gates both in the Woods and across the Estate, which comprise c.95% of both Other Repairs and Maintenance categories.

#### ***Basic Expenditure***

Staff costs are below budget and last year's outturn primarily as a result of reduced cross-charging from the Estate due to changes in the allocation of Office Services costs.

Freehold licence income increased by c.£29,000 (c.33%) over last year and this activity drove an increase of c.£13,000 (c.10%) in Professional Fees excluding audit costs.

No costs have been allocated to Enforcement this year as this cost heading has been previously reserved for specific costly cases outside the normal run of approval and monitoring.

#### **Note**

Please note that these numbers have not been finally audited and so there may be changes as part of the certification process although these would not be expected to be significant.

5.

## *The Scheme of Management*

### **AMENITY AREA & CERTIFICATION COSTS**

	<b>Actual Year Ended March 2021 £</b>	<b>Budget Year Ended March 2021 £</b>	<b>Actual Year Ended March 2020 £</b>
<b>AMENITY AREA COSTS</b>			
<b>DULWICH WOODS</b>			
Maintenance Contract	9,877	9,000	9,141
Tree Works	8,821	7,000	6,067
Other Repairs & Maintenance	18,347	6,500	5,921
<b>OTHER AMENITY AREAS</b>			
Gardening Contract	54,432	52,000	51,043
Tree Works	10,386	10,000	12,870
Repairs to Paths & Roads	9,410	40,000	41,700
Salting, Sweeping & Gully Cleaning	4,933	7,000	7,891
Garden Refuse Removal	11,970	15,000	12,285
Other Repairs & Maintenance	56,853	25,500	15,743
<b>TOTAL WORKS DONE</b>	<b>185,029</b>	<b>172,000</b>	<b>162,661</b>
<b>MANAGEMENT CHARGE - 15% (exc. VAT)</b>	23,128	21,500	20,334
<b>OTHER COSTS &amp; FEES</b>			
Public Liability Insurance	4,081	3,800	3,332
Tree Consultants	6,751	9,000	6,457
Auditor	1,241	800	680
Certification Costs - Share	4,544	5,788	4,598
<b>TOTAL AMENITY EXPENDITURE</b>	<b>224,774</b>	<b>212,888</b>	<b>198,062</b>
<b>RECHARGED TO THE DULWICH ESTATE</b>	(56,036)	(53,073)	(49,416)
<b>NET AMENITY EXPENDITURE</b>	<b>168,738</b>	<b>159,815</b>	<b>148,646</b>
<i>% Recovered from Residents &amp; Tenants</i>	<i>75.07%</i>	<i>75.07%</i>	<i>75.05%</i>
<b>CERTIFICATION FEES &amp; COSTS</b>			
Staff & Office	3,650	3,900	3,920
Surveyor	3,840	8,000	6,340
Auditor	2,284	1,500	1,252
<b>TOTAL SHARED BETWEEN AMENITY &amp; BASIC</b>	<b>9,774</b>	<b>13,400</b>	<b>11,512</b>

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## The Scheme of Management

### BASIC EXPENDITURE

	Actual Year Ended March 2020 £	Budget Year Ending March 2020 £	Actual Year Ended March 2019 £
<b>STAFF COSTS</b>			
Administrator	141,327	147,350	128,709
Heads of Department	15,000	15,000	21,445
Other Staff	17,054	25,000	25,843
	<b>173,381</b>	<b>187,350</b>	<b>175,997</b>
<b>PREMISES &amp; OFFICE COSTS</b>			
Rent & Rates	22,000	22,500	23,598
Utilities & Cleaning	6,109	7,500	7,473
Telecommunications	7,616	2,250	2,191
Printing, Postage & Stationery	4,849	8,500	9,752
Office Equipment Depreciation	8,068	8,000	7,020
Website & IT Maintenance	2,499	4,500	6,550
Other Office Costs	4,832	4,200	6,167
	<b>55,973</b>	<b>57,450</b>	<b>62,751</b>
<b>PROFESSIONAL FEES</b>			
Solicitors	16,418	5,500	17,890
Surveyors & Architects	82,596	70,500	61,875
Tree Consultants	41,309	43,000	47,223
Auditor	5,040	900	789
	<b>145,363</b>	<b>119,900</b>	<b>127,777</b>
<b>OTHER COSTS &amp; FEES</b>			
Scheme Enforcement	0	15,000	16,626
Certification Costs - Share	5,230	7,612	6,914
	<b>5,230</b>	<b>22,612</b>	<b>23,540</b>
<b>TOTAL BASIC EXPENDITURE</b>	<b>379,947</b>	<b>387,312</b>	<b>390,065</b>
<b>INCOME</b>			
Freehold Licences	(118,956)	(105,000)	(89,033)
Registration Fees	(2,303)	(2,300)	(3,192)
	<b>(121,259)</b>	<b>(107,300)</b>	<b>(92,225)</b>
<b>NET BASIC EXPENDITURE</b>	<b>258,688</b>	<b>280,012</b>	<b>297,840</b>

7. **Advisory Committee Terms of Reference**

Attached as Appendix I are the Terms of Reference for this Committee.

The Committee's **IEWS** are **INVITED**.

8. **Updated guidelines**

Attached as Appendix II are the updated guidelines.

The Committee is **INVITED** to **COMMENT**.

9. **Scheme of Management Information Table**

Date of Committee Meeting	No. of building Apps Received since Last Meeting	Decisions				No. of Breaches	Enforcements			No. of Arbitrations	Japanese Knotweed			Residents Associations	
		Approved/ Approved in Principle	Still Pending	Refused			Total on Current List	Removed from List since Last Meeting	Added to List Since Last Meeting		Total on List receiving ongoing treatment (as of 5 Nov 2019)	Removed from List since Last Meeting	Added to List since Last Meeting	No. of Meetings held with RA	New RA Registration Applications
12 Nov 2019	60	21	38	1	0	167	5	114	1	14	2	1	15	0	
10 Mar 2020	52	17	37	2	0	183	20	4	0	14	0	0	14	0	
9 Jun 2020	43	8	35	0	0	185	0	2	0	Please see response in agenda			7	2	
10 Nov 2020	70	42	28	0	0	190	5	10	0	14	0	0	10	0	
9 Mar 2021	87	51	36	0	1	187	10	7	0	14	0	0	4	0	
8 Jun 2021	70	30	39	1	1	177	13	3	0	14	0	0	8	1	

The Committee is **INVITED** to **COMMENT**.

10. **Matters raised by the Advisory Committee representatives**

Attached as Appendix III are the queries raised by the Advisory Committee representatives, for general discussion at the meeting.

11. **Any other business**

12. **Date of next meeting** - 9 November 2021.

## Advisory Committee (“the Committee”)

### Terms of Reference

#### 1. Purpose

Clause 16 of the Scheme of Management states:

16. a) The rights and powers conferred on the Managers by the Scheme are conferred on the Managers for the purpose of enabling them to preserve the amenities of the Estate for the common benefit.
- b) (i) The Managers shall form a consultative committee (to be known as "The Advisory Committee") of not less than 8 persons of whom half shall be representatives of the Managers and half shall be representatives of and nominated by such residents or amenity societies as the Managers consider appropriate the number of representatives of each such society being determined by the Managers.
- (ii) The Managers shall convene meetings of The Advisory Committee not less than twice a year.
- (iii) Prompt notice of all applications made or notices served under clauses 3(a) 4 or 6(a) or (b) hereof shall be given by the Managers to every member of The Advisory Committee and the original applications or notices and any supporting documents shall be made available for their inspection. The Managers shall have regard to any representations made to them by the members of The Advisory Committee concerning such applications or notices or otherwise concerning the amenities of the Estate.

The purpose of the Committee is to:

Create a forum of exchange of views on the implementation of the Scheme of Management (“the Scheme”), for oversight of accounts, i.e. budget and expenditure, and to provide an opportunity to make representations concerning applications for consent under the Scheme.

#### 2. Membership

The Committee will comprise eight members (“the Members”) appointed as follows:

- 2.1 Four Estate Trustees, as Managers of the Scheme, nominated by the Managers and one of whom will be the Chairman of the Estate Trustees.
- 2.2 Two of each of the following:
  - a) Representatives from an amenity society/amenity societies. Such amenity societies to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.
  - b) Representatives from a residents association/residents associations. Such residents associations to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.



The residents association and amenity society representatives will each serve a two year term. In the period 2021-2022 one residents association representative and one amenity society representative will each only serve for one year (2021).

The Chairman of the Estate Trustees may, with due cause, on one month's written notice replace any of the nominated bodies with a new representative.

The Chairman of the Committee shall be the Chairman of the Estate Trustees.

### **3. Meetings and Procedures**

3.1 There will be three ordinary meetings of the Committee in each calendar year and the formal agenda and supporting reports for each meeting of the Committee will be dispatched to all members of the Committee, normally not less than seven days before the meeting; supplementary reports will be prepared and circulated to all Members if appropriate.

3.2 At each meeting, the date of the following meeting will be confirmed.

3.3 It is open to any Member to invite the Chairman to call a further meeting or meetings.

3.4 It is open to any Member to invite the Chairman to place any item of business on the agenda. All such requests which are within the scope of the Scheme will be agreed to.

3.5 The agenda for all meetings of the Committee will include the following items:

- a) Approval of the minutes of the previous meeting.
- b) Matters arising (from the minutes of the previous meeting in the format of a rolling action log).
- c) Matters Raised by Members of the Committee.
- d) Any other business.
- e) Date of next meeting.

4. The quorum for ordinary meetings shall be five Members, at least 2 of whom must be Estate Trustees.

### **5. Its activities**

The Committee's activities at ordinary meetings shall include:

5.1 Reviewing any proposals to amend or extend the scope of policy guidelines.

5.2 Commenting on any change in procedure for residents obtaining consents required under the Scheme.

5.3 Raising any issue with regards to the Scheme of Management Amenity areas as noted in the Appendix to the Scheme.

- 5.4 Reviewing and making representations on the accounts:
- a) At its summer meeting, a report will be submitted to the Committee confirming the final figures for the net expenditure for the previous financial year.
  - b) At its autumn meeting, a report will be submitted to the Committee showing the net expenditure to the end of September and the first forecast of the financial out-turn for the full-year.
  - c) At its autumn meeting, the Committee may make representations to the Managers concerning the net expenditure for the remainder of the financial year and the preparation of the budget for the following financial year.
  - d) At the spring meeting, a report will be submitted to the Committee showing the net expenditure to the end of December and the revised forecast of the financial out-turn for the full-year.
  - e) At the spring meeting, a report will be submitted to the Committee setting out the budget for the next financial year.
- 5.5 Approving the Surveyors nominated by the Managers to be appointed under the Scheme.
- 5.6 Commenting annually on the proposed fees for applications under the Scheme for alterations to the external appearance of property and for the registration of change in ownership.

## **6. Minutes & Actions**

The decision of the Committee and any actions arising from the meeting are to be recorded in the minutes of each meeting and reported to all Members.

## **7. Arrangements in relation to matters not included above as coming within the scope of the ordinary meetings of the Committee, will be as follows:**

- 7.1 A list will be prepared weekly and circulated to all Members, of the following:
- a) Applications for consent under clauses 3(a), 6(a) and 6(b) of the Scheme
  - b) Notices served relating to breaches of the Scheme.
- 7.2
- a) As part of the procedure of consultation, letters are sent to the immediate neighbours of a property in respect of which an application has been submitted, informing them of the application (with a summary or description of its scope and extent) and inviting comments. A copy of the letter will be sent, at the same time, to the members who are invited to inspect the plans and make comment, if they so wish.
  - b) As part of the procedure of consultation, the Planning and Architecture Group of the Dulwich Society is informed of applications that have been submitted, and their members are invited to comment on the applications; those comments, if any, will be reported to the Scheme of Management Committee if applicable.

- 7.3 Applications made with supporting plans and other documents (as defined in the Scheme) will be available for inspection, by contacting the Secretary in the Scheme of Management office. Copies of notices served under clauses 3(a), 4 or 6(a) or (b) with other documents (as defined in the Schemes) will be made available for inspection by Members of the Committee on request.
- 7.4 Where applicable, representations made by the Members will be reported to the Scheme of Management Committee. The Managers will have regard to all such representations, in reaching their decision.
- 7.5 A summary of decisions made by the Scheme of Management Committee will be circulated to the Members after each meeting.
- 7.6 The Managers will supply to the Committee a draft of the Managers' Certificate, which sets out the basis of the calculation of the annual Management Charge and the total amount charged to each property, and the Managers shall have regard to any representations made to them by any Members so long as such representations are made within 14 days of receipt of the draft certificate.

## **8. Confidentiality**

It is important that the Members of the Committee should feel able to discuss matters at its meetings, knowing that confidences will be respected by others present. Members are required to keep all information provided to them and the content of any discussions confidential at all times.

## 1. GUIDELINES FOR BOUNDARY CHANGES

### WALLS, HEDGES, FENCES, RAILINGS AND GATES

**Replacement walls and fences do not require approval if they match the existing design and materials.** Paragraph 4. of the Scheme of Management, requires an owner to keep structures on the property clean and in good repair, including boundary walls and fences.

If you propose to make an application to alter the design, then the following information should be taken into consideration:

#### Walls

Low brick walls at the front of properties should be constructed from facing bricks with brick copings. Brick walls should not be painted and in most cases, London stock bricks should be used with flush brushed pointing. Walls and their foundations should be constructed to withstand any ground movement, swelling or shrinkage caused by nearby trees. An appointment should be made with the tree consultant if there is a possibility of foundations impacting on tree roots. The suitable height of the wall depends on the location, and neighbouring properties may provide a reference for an in keeping design.

#### Hedges

Hedges provide a green, softening element to front boundaries when planted behind a low fence or wall, unifying individual roads and whole areas. Planting or carrying out work to a hedge does not require approval, but please do not allow them to become a nuisance or cause damage to neighbouring property. Generally accepted hedge heights are 1 metre (3ft) for front gardens and 2 metres (6ft) for rear gardens. Common varieties of hedges can be bought at these heights rather than waiting for them to become established.

#### Suitable species

Indigenous species such as privet, elaeagnus and euonymus, or tree species such as holly, yew or beech are recommended evergreens which have moderate or low water demand.

#### Unsuitable species

Leyland cypress are not suitable species due to their density and fast-growing nature. They can reach more than 35 metres (100 ft) in height and keeping them at a reasonable size is very labour intensive as they can grow up to 10cm per week at certain times. Leyland cypress is classed by the Building Research Establishment as having a high-water demand and should not be planted close to buildings. For further advice, please book an appointment with the tree consultant via the Scheme of Management Office.

## **Fences**

Particular types of front garden fences, painted or unpainted, open picket fences or close-boarded timber, are often specific to groups of houses on the Estate. The original type of fence should be retained when repairs are carried out and original details, such as decorated fence posts, should be preserved. Vertical close-boarded fences often define the boundaries between properties in rear gardens. Raising the height of fences may have a negative impact on your neighbours and privacy between properties can usually be achieved with careful planting.

We advise that you discuss proposed changes to the fence with your neighbour, to establish if there will be any increased shadowing of their garden that would concern them. Applications for changes to fences on the shared boundary will be considered with input from the affected neighbour. Include detailed dimensions and local ground levels on both sides of the fence, with your application submissions. A detailed drawing will be required on which you should clearly annotate materials and finishes. Many houses built after 1950 feature minimal fencing with low posts and rails marking the boundaries. Higher fencing would change the character of these developments, so instead, planting should be used to improve privacy between properties at the rear. Secondary fencing is not permitted.

## **Railings and Gates**

Metal railings are often used to define the boundaries of schools and institutional buildings in Dulwich. They are unlikely to be approved as enclosures to residential boundaries as they may change the unique 'rural' character. Exceptions may be made where the design preserves the open character, but detailed dimensioned drawings, visuals and samples will be required to demonstrate this. Avoid ornate metal railings and gates and keep designs simple and understated

## **WHAT TO INCLUDE IN YOUR APPLICATION**

Drawings illustrating proposed construction heights and a description of materials, coping and pier details.

Photographs of local references can also be provided in support of the application.

Detailed dimension and local ground levels on both sides of the fence when altering the height of a fence.

## 2. GUIDELINES FOR CONSERVATORIES

All conservatories are subject to approval under the Scheme of Management even though they may be exempt from planning permission:

Conservatory design and size should be appropriate to the house and garden and should not have a negative impact on neighbours in terms of scale, massing, privacy and light pollution. There must be adequate access for cleaning and maintaining walls and roofs within the grounds of the property – normally a passage of at least 600mm (2ft) between conservatory walls and the boundary. This is not a requirement where the conservatory is built against a suitable party wall.

For properties constructed pre-1940 the material should be timber. The roof framing may be partially powder coated aluminium, 1:5 frame details would be required for approval. Aluminium or steel heritage conservatory products may be considered but must be in keeping with the style and character of the property.

UPVC conservatories are only considered acceptable for post-1940s properties, subject to the frame details, which must also be in keeping with the main property.

### WHAT TO INCLUDE IN YOUR APPLICATION

- 1:5 frame details will be required. Most manufacturers will be able to provide this.

### 3. GUIDELINES FOR HARDSTANDINGS IN FRONT GARDENS

Under the Scheme of Management, proposals to form hardstandings for off-street parking, resurfacing of an existing drive with a different material or hardstanding and any other alterations that would change the appearance of a property, require prior written approval. Consideration must be given to the impact on the streetscape. Where a hardstanding is acceptable, the type of paving materials and associated landscaping must be approved and where necessary, permissions must be obtained from the local authority, particularly if changes are required to the pavement or kerb. The local authority will take into account road safety and will be responsible for creating the dropped kerb. If you live on a road owned and maintained by the Estate, permission to alter the pavement or kerb would need to be obtained from the Estates Department.

The following factors will be taken into account when a licence application is made for a hardstanding or for the resurfacing of an existing hardstanding:

At least 50% of the total garden area should be planted. Applications which would result in the loss of a substantial proportion of front garden, will not usually be approved. Green spaces in front of dwellings with a wide variety of trees and shrubs are important features of the traditional character of the Estate.

The material which forms the hardstanding, drive and associated landscaping must be in sympathy with the design of the property and streetscape. Modern estates like the Whytefield Estate were carefully landscaped when they were originally built. The consistent pallet of materials and details created cohesive developments which set them apart from others at the time. These paving materials should be conserved.

Traditional and unique properties should have sensitive natural paving materials such as gravel, stone, bonded gravel or 'hoggin', granite sets. Heritage block paving and resin bound gravel materials will also be considered. Hardstandings will not be approved where it is considered they would have a negative impact on the setting and architectural character of a group of houses.

The width of the entrance created on the front boundary for vehicle access should be kept to a minimum to reduce the visibility of parked cars on driveways.

Where possible, the hardstanding should be designed with planting which screens the parked vehicle from the road.

Careful consideration should be given to surface water drainage and proposals and the use of a porous surface on the hardstanding is encouraged. This may avoid the need for additional drainage.

The approved planting scheme must be maintained to provide adequate screening of a parked vehicle. When plants and shrubs die, the freeholder is expected to plant replacements.

Electric car charging points should be concealed within garages where possible. Where this is not possible, they should be discretely located.

#### **Exceptions to the 50% planting guideline**

This will only be considered on Turney Road, subject to detail, where most of the terraced properties can provide a minimum area of 28%. A template for this street has been approved by the residents' association, The Dulwich Society and Scheme of Management and can be found at

[www.turneyandburbage.org.uk](http://www.turneyandburbage.org.uk) Further exceptions may be considered if the following criteria have been met.

- The landscape design is of excellent quality
- The green character of the streetscape would be enhanced overall, for example through vertical planting of trees and shrubs and screen planting
- Parked cars must be screened from view from the street as far as possible
- The maximum area possible is planted.

#### WHAT TO INCLUDE IN YOUR APPLICATION

- Accurate dimensioned drawings to a scale of 1:50.
- Changes proposed to the front boundary (walls, hedges, gates and other features) must be shown in elevation on the drawings.
- The dimensions of the paved area should be included on the drawings together with details of the materials proposed.
- Details of the planting scheme should also be provided – further information may be requested if these are not comprehensive.
- Details of any tree work required



#### 4. GUIDELINES FOR EXTENSIONS

All extensions are subject to approval under the Scheme of Management regardless of whether planning permission from the local authority is required or received.

Extensions must not have a negative impact and therefore, when considering applications, the quality of design and the impact on neighbouring properties and the streetscape will be carefully assessed. Flat roofs of extensions must not be used as terraces/balconies.

Windows in extensions should normally match the design and materials of the existing windows. See Guidelines for Replacement Doors and Windows for further information.

We recommend that you discuss your plans with your neighbours first to understand any impact on them, before developing detailed designs.

##### Rear extensions

The size of the original property and the density of development will determine the appropriate size of an extension. Extensions should not have a negative impact on neighbours and generally, it is better to avoid building up to the boundary.

Where amenity is not detrimentally affected, the managers will consider rear extensions to a maximum of 3m from the rear wall of the main house, a maximum of 3m high (to the parapet of a flat roof), or 2.6-3m to the eaves of a pitched roof design. However, applications are assessed on a case by case basis, with ground levels, proportions, orientation and relationship to neighbours being taken into account.

Walls built on a shared boundary cause disruption and may require access from the neighbouring property, so applications of this nature will only be considered with a letter of agreement from the neighbour concerned. Where the neighbour hasn't given written agreement, it is usual to request that the wall is offset 600mm from the boundary. Existing extensions will be taken into consideration and there may be cases where no further extension can be approved.

##### Side extensions

Side extensions, particularly those visible from the street, can have a negative impact on the streetscape and character of the area. Generally, extensions should not result in infilling between properties, or the appearance of this. Extensions which would result in terracing are not normally permitted. Consideration should be given to the impact of glazed roofs to side extensions to ensure that bedrooms in neighbouring properties are not adversely affected.

The following factors will be amongst those considered when reviewing a licence application for a side extension:

- The conservation of a group of houses which may have significant spaces between them, will generally take precedence over individual requirements.
- Significant views between buildings seen from communal areas are to be retained.
- Passages giving direct access from front to rear gardens are to be retained. Access passageways should be a minimum of 1m wide with 0.8m being acceptable in some cases.

### **Front extensions**

Extensions at the front of a property, such as enclosing porches, are unlikely to be approved, as they change the original character of the property.

### **Conversion of garages**

The conversion of garages for residential use may result in a loss of off-street parking. In most cases it is necessary to show that at least two cars can be parked on the existing drive, for the works to be approved. Please also refer to Guidelines for Hardstandings.

Garage doors are often important original features within a group of properties. If this is the case, the original garage doors and colour must be retained.

Traditional single storey garage and link buildings are common features of houses on the Estate. They are often located between properties to retain the low density open character of the area. While conversion may be possible, these structures should be conserved to retain the character of the Estate.

### **Windows and doors**

Windows must be in keeping with the main house. In pre-1940s properties this usually means timber to match. At ground floor level, good quality powder coated aluminium or steel windows and doors may be suitable if they are not seen from beyond the boundaries and the design is of good quality.

### **Roof materials**

Slates, clay tiles, zinc or lead cladding, good quality high performance roofing membranes, and green roofs are suitable subject to the detail. Fascia details at 1:10 - may be required to demonstrate design quality. Roofing felt is not normally permitted.

## 5. GUIDELINES FOR THE DESIGN OF LOFT CONVERSIONS

Many properties on the Estate have lofts which could potentially be used as additional living space. Roof lights or dormer windows are required to provide natural light and these changes require approval.

Loft conversions are subject to a variety of rules and regulations and it is essential to seek expert professional advice. Structural design, access, means of escape, thermal insulation and other issues are subject to the building regulations and require local authority approval. Planning permission may also be required.

### General

Proposals for a loft conversion should be in keeping with the original design of the property and where appropriate, to properties in the vicinity.

Roof extensions and proposals to change the profile of the roof are unlikely to be approved. Mansard roofs will generally not be approved. Consult a specialist loft company or an architect who will carry out a detailed measured survey and can advise on building regulations.

### Dormer windows

Traditional dormer windows do not dominate a roof and therefore as a general rule, the width of the dormer should not exceed half the width of the roof and the height of the dormer should not exceed half the height from eaves to ridge.

The proportions of the house need to be considered. Large detached properties may require two or three dormers rather than one large dormer, in order to reduce the scale and this may be less than 50% of the width of the roof. Properties with rear two-storey additions are a special case. See page 18 for an acceptable template for these projects. The rear dormer width may need to be less than 50% of the width of the main roof to ensure that the size does not dominate.

In order to ensure that the loft conversion does not spoil the character of an individual house and/or groups of houses, the design of the dormer window should comply with the following:

- It should be located at the rear and not, generally, at the front or side of the property.
- The size should be in proportion to the size of the roof and should complement the style and period of the property.
- On properties with rear additions, the dormer should be no higher than the ridge of the back-addition roof. Party walls should not be raised.
- No form of balcony or external terrace should be included
- No external rainwater gutters or down pipes should be visible and UPVC fascias are not suitable.
- Windows must match the main house in material and fenestration design. White painted timber is most common, but good quality dark grey powder coated aluminium to match the

cladding material colour may be acceptable subject to detail. High quality heritage UPVC windows, which are very similar to timber, may also be acceptable in some cases where maintenance access is difficult. Cladding materials should match or complement the existing roofing (see also Guidelines for External Repairs, Replacement and Redecoration - Roofs, Chimneys and Walls). Generally, lead or zinc cladding are preferred over slate or tile, as these are in keeping, low maintenance and concealed gutters can be more easily achieved.

#### WHAT TO INCLUDE IN YOUR APPLICATION

- Drawings in support of the application must include construction detail at a scale of not less than 1:20 and must accurately show the front and side elevations, and a section through the dormer including the internal floor level.
- Detail drawings are required to demonstrate that rainwater will be discharged via concealed gutters and carefully designed roof falls.
- Additional design drawings may be requested in order to fully understand design and construction detail.
- The materials for the window and cladding must be specified.

#### Roof lights

Small roof lights are a feature of many traditional houses on the Estate, often providing natural light to stairs and landings. These traditional roof lights have a slender cast iron frame set into the roof tiles. Copies of this style of roof light are now marketed as 'conservation roof lights'. Modern roof lights have more conspicuous frames and flashings and stand proud of the roof finish which can be visually obtrusive.

Please note the following when making an application for a roof light:

- New roof lights in the front of a property that are visible from the street will not be permitted.
- If an original roof light in the front of a property is being replaced, please send an image of the original to the Scheme of Management Office. A conservation type roof light of the same size in the same place does not require a licence, but please provide a record of what you have replaced.
- Small roof lights may be acceptable at the side of the house if set back from the road. A conservation roof light should be specified.
- Roof lights at the rear of the property will be approved as long as they do not dominate the roof.
- Roof lights which open to form a balcony will not be approved.

## 6. GUIDELINES FOR EXTERNAL REPAIRS, REPLACEMENT AND REDECORATION - ROOFS, CHIMNEYS AND WALLS

All changes to the external appearance of a property are subject to approval under the Scheme of Management, even if they are exempt from planning permission. The preservation of what may appear to be small architectural details all contribute to the exceptional visual appeal of the area and help maintain high standards for all residents.

### Roofs

Replacement roofing should match the material originally used in the construction of the property. Decorative ridge tiles should be retained and match the colour of the original. Care should be taken to match clay tiles when these are repaired or replaced. Antiqued tiles that reproduce the colour and texture of weathered tiles are preferable in most cases. Concrete tiles are not an acceptable substitute for clay.

There are groups of houses on the Estate, for example, in Croxted Road, where properties with concrete tiled roofs adjoin properties of a similar period and design with slate roofs. This may be because concrete tiles were used to repair bomb damage in the 1940s. When these concrete tiles are replaced, the original clay or slate should be reinstated. Samples of roofing material should be approved before works are carried out by contacting the Scheme of Management Office.

Copper, which weathers to a soft green colour, has been used for roofs on some Dulwich houses since the 1960s. As this is a very durable material, it should not need to be replaced, but if it does, a similar copper-faced material should be used.

### Chimneys

Chimneys are characteristic of many houses, which were originally heated by fires. The removal of significant chimney stacks that would change the character of an individual house or a group of houses will not be approved. The removal of internal chimney breasts does not require approval, but can result in structural problems, particularly on party walls. Expert advice from a structural engineer should be sought before proceeding with such projects.

### Brickwork

Brickwork should not be painted and the removal of paint from brickwork is actively encouraged. If brickwork needs repointing, it should match the original colour and character. The appearance of brickwork matures and mellows over time and this can be adversely affected by the wrong pointing. Until the 1930s, most brickwork was laid using lime-rich mortar, flush with the face of the bricks. Hard cement mortar that finishes proud of the brick face detracts from the appearance of the bricks and can also damage the bricks over time.

Many traditional houses in Dulwich have different brickwork at the front, side and rear. Victorian and Edwardian builders paid particular attention to the design of the front elevation using red brick with tuck pointing. Red coloured mortar, matching the colour of the brick, was finished flush with the face of the brickwork and a fine, dark grey, imitation joint was then applied. Tuck pointing can be restored by specialist contractors.

### **Rendering**

Various rendered finishes have been used on the Estate in the past. These add character and should be retained. In repairing these surfaces, freeholders are encouraged to preserve the character of the building by replicating the original external finish. New cladding is unlikely to be approved.

Pebbledash render was popular in the early twentieth century, notably with the Arts and Crafts movement. This durable finish was not intended to be painted. However, roughcast render and the smooth renders of the late Georgian and early Victorian periods (often used to imitate the appearance of stone) were lime washed and painted.

### **Painting**

Painting previously unpainted surfaces is unlikely to be approved, as is the use of obtrusive colours out of harmony with those of neighbouring properties.

See separate guidelines for replacement doors and windows

## 7. GUIDELINES FOR REPLACEMENT DOORS AND WINDOWS

The residential buildings on The Dulwich Estate are wonderfully diverse in terms of period and style. Doors and windows are important aspects of the character of these properties.

The original doors and windows should only be replaced where absolutely necessary. In these cases, they should be accurate copies of the original including the colour and materials used. Unless replacement doors and windows are exact replicas of the design and materials of the original, they are subject to approval under the Scheme of Management.

Each application for changes to windows, doors and garage doors will be considered on its merit as are all applications, and in the context of our policy for that particular type of property. Changes to the design and colour of windows is unlikely to be approved when in a group of properties of the same design, in order to preserve the streetscape.

### Doors

If original doors cannot be retained, replacements should replicate both the design and materials. Replacement garage doors should be appropriate to the design and period of the house. Original hardwood garage doors should be retained where possible. Where a standard door (including the garage door) is an original feature of a group of houses, replacement doors should match the original design. If the colour of the door was previously specified in the lease, the replacement must be painted appropriately.

### Windows

Georgian, Victorian and early twentieth century houses all have timber doors and windows. Small panes of glass are supported by timber glazing bars and leaded lights are also a traditional feature. Timber windows can be replaced, where necessary, without changing the building's original appearance. In most cases, it's possible to find double glazed timber windows that faithfully reproduce the original design. This is not the case with leaded light windows, so secondary glazing should be used to improve their thermal and acoustic performance. Traditional leaded lights have slightly irregular individual panes which gives them a sparkle. This is lost in modern substitutes which have thin strips of lead stuck to the surface of a single sheet of glass.

Steel windows have been used in Dulwich since the 1930s. Early steel windows, such as those used in Roseway, resemble traditional cast iron and have glazing bars. From the 1950s, steel windows were installed in some of the Wates built homes. Some manufacturers still supply double glazed steel windows, but do not replicate the glazing bars. The practice of including a plastic grid between two panes of double glazing to imitate a glazing bar has a detrimental effect on a property's appearance and will not be approved.

It is unlikely that aluminium or UPVC windows will be approved in houses built before 1940 or in traditionally designed houses built after this date.

Guidance on the care, repair, and upgrading of traditional windows is available as a free publication from Historic England ([www.historicengland.org.uk](http://www.historicengland.org.uk). Contact 0370 333 0607). Where replacement windows in aluminium or UPVC are approved, they will need to match the originals in terms of:

- Similar frame dimensions
- Frame colour
- Overall style
- Pane sub-division into opening and fixed lights
- Mullion and transom widths
- Glazing rebate

Windows for extensions should also normally match the design of the existing windows. Where previous, unlicensed replacement of windows or doors has been carried out, we may require these to be modified or replaced as a condition of approval for a subsequent application for works. The piecemeal replacement of windows is discouraged.

#### WHAT TO INCLUDE IN YOUR APPLICATION

- Drawings which clearly show the dimensions of both the existing and proposed frames.
- Photos of existing windows marking in blue the windows/doors to be changed.
- Proposed elevation drawings of windows and doors.



## 8. GUIDELINES FOR SATELLITE DISH AERIALS

Almost all satellite dish installations require approval. Visually unobtrusive cable TV is often a good alternative. However, if you decide to proceed with installing an external dish-style aerial, please note the following, before making your application.

- The satellite dish must not be visible from the road or located above the eaves of the roof and must be unobtrusive to neighbours.
- The maximum permitted diameter is 600mm (2ft).
- Dish aerials are not usually permitted in front gardens. If the satellite dish is unobtrusive to neighbours in the rear or side garden, this may be acceptable.
- You may be asked to paint the dish so that it blends in with its surrounding.

### WHAT TO INCLUDE IN YOUR APPLICATION

- Please provide a clear photo of the property with your application, marked with the intended location and confirmation of size.

## 9. GUIDELINES FOR CHANGE OF USE

### Businesses in residential properties

Freeholders of residential property subject to the Scheme of Management do not require approval to conduct business from the property if it:

- Has no adverse visual effect on their property or on its locality.
- Causes no disturbance of any sort.
- Does not cause parking problems by parking commercial or other vehicles by employees and visitors connected with the business.
- Uses discreet business signage only at the boundary of the property.
- Is of a scale and nature which is compatible with a residential area.

The use of residential properties as hostels, nurseries, crèches, care homes and other commercial activities will usually require prior approval. It may also require planning permission and local authority approval. Any activity which is considered to be detrimental to the neighbourhood may be stopped.

### Subdivision of residential properties

Proposals to subdivide houses into flats or other self-contained residential units require prior approval as well as planning consent.

The Scheme of Management states: 6. (a) *“Without the prior consent in writing of the Managers no enfranchised property shall be used for any purpose whatsoever other than that for which it could lawfully be used immediately before the date of enfranchisement and without prejudice to the generality of the foregoing no property or part of a property which could only lawfully be used for one occupation at that time shall be used for two or more occupations”*

The subdivision of property alters the streetscape and erodes the original character and landscape of the Estate and will only be considered under exceptional circumstances.

## 10. GUIDELINES FOR SWIMMING POOLS AND HOT TUBS

The main consideration in granting a swimming pool licence is the impact it may have on neighbours.

- The size of the pool must be proportionate to the size of the garden. In general swimming pools will not usually be permitted in garden smaller than 320sq. metres and should not exceed one-ninth of the total area of the rear garden.
- Pools should be sited at least 3 metres (9ft) away from adjacent boundaries and be at least 6 metres (20ft) from any neighbouring house or building.
- In general, swimming pools should be screened. A detailed landscaping plan may be required.
- The plant room servicing the swimming pool should be properly constructed in keeping with the design of the house. It should be in a soundproof enclosure, sited away from neighbouring properties.
- Similar requirements apply to hot tubs. They should be sited a minimum of 2m from the shared boundary.

## 11. GUIDELINES FOR SHOP FRONTS

A shop front should be designed with consideration for the architectural character of the building and its neighbours, as well as expressing its own identity.

These guidelines pay particular reference to the Victorian and Edwardian commercial buildings that dominate The Dulwich Estate, but the same principles apply to shops in Georgian buildings.

Elements of the shop front that are part of the original permanent construction of a terrace should be retained or reinstated where necessary. They include:

- Party wall pilasters and console brackets
- Cornices and fascia
- The location of blind boxes
- The stall riser

Mouldings, weathering details and original decorative elements should be retained and restored with care. The sides of buildings on corner sites also require attention.

In most cases for new or replacement shop fronts within post-war developments, a well detailed traditional design is preferred. Exceptional contemporary design using good quality materials may also be considered.

Fascia signs must not exceed the original depth.

Shop signage should be low key and in keeping with well-designed lettering and good quality materials. See the diagram for suitable locations for signage.

Where possible signwriting should be used. Signs may be illuminated with appropriate projecting light fittings. Illuminated back lit signs will not be approved.

Painted timber joinery is preferred for frames and doors. Aluminium and plastic are not suitable materials. The design of stall risers (the panel under the window) also needs to be given careful consideration in terms of materials and maintenance.

Security grilles, where appropriate, should be installed inside the glass to avoid obtrusive casings. Awnings and canopies should be designed in sympathy with the architectural character of the building using traditional good quality materials. Shiny plastic canopies and blanking out the windows of occupied shops is not permitted.

Signage that can be fixed to the glazing of the shopfront and blade signs (if applicable) must be professionally produced, high quality graphics that do not obscure more than 15% of the glass.

Applicants are required to demonstrate they have complied with the Equalities Act 2010 (previously referred to as the Disability Discrimination Act) in order to ensure the premises is accessible for wheelchair users etc.

Changes to shop fronts require planning permission, and may also require advertisement consent, listed building consent, and conservation area consent. Please contact the relevant local authority for further advice.

## 12. GUIDELINES FOR GARDEN STRUCTURES

Garden buildings and structures include sheds, greenhouses, outbuildings, summerhouses, bike and bin storage, play structures for children, pergolas, raised decks, terraces and patios. All require Scheme of Management approval.

Fixed external barbeques are not generally permitted due to the nuisance caused by smoke to neighbouring properties.

Please consider the impact of any proposed building or structure on neighbours. The character of back gardens should be preserved, and garden buildings must not be used for overnight accommodation or any activity that may disturb other residents' peaceful enjoyment of their gardens.

Garden buildings and landscaping should be designed to minimise the impact on neighbours. Buildings must be in proportion to the garden – large buildings in small gardens will not be permitted. The height of the building should be kept to a minimum – it may help to sink the building below ground level. The building should be made from suitable materials and be in keeping with its surroundings.

Please note the following specifications:

- Roofs of buildings should be covered with slate, tiles, cedar shingles or durable planting. Avoid felt roofing, but good quality dark grey or dark green high performance roofing membranes may be suitable.
- Walls of garden buildings should be at least 1m from all boundaries.
- Height should be a maximum of 2.5m in most cases.
- Building or structure should be screened from the neighbours with well-maintained mature evergreen planting, especially where windows and/or glass doors overlook neighbouring properties. The height of boundary fences could also be raised to maintain neighbours' privacy, but this should be agreed with your neighbour and requires Scheme of Management Approval.
- Garden buildings must be located a minimum of two meters away from mature trees and in order to prevent future damage to the building it is likely that piled foundations of up to 5m will be required.
- Gardens should generally not be used to house plant machinery. In locations where this may be considered acceptable, the building must be sound proofed in accordance with Local Authority building regulations.

Tree houses and climbing frames are unlikely to be approved if they would result in children playing above the level of boundary fences and intrude on neighbours in adjoining properties.

Raised hard landscaping, for example, terraces and patios, can cause loss of privacy. Please give consideration to neighbours' privacy by including suitable screening.

A raised deck, terrace or patio is considered to be greater than 200mm above existing ground level and requires permission.

### WHAT TO INCLUDE IN YOUR APPLICATION

- A scaled plan of the garden showing the location of the structure and any nearby trees (including those in adjacent gardens).
- Plans and elevations of the structure with materials and dimensions.
- Screening proposals.
- Foundation details.
- A detailed arboricultural report which should identify all trees and their exact locations to a scale of either 1:50 or 1:100. The report should include the following:

- Specie variety and approximate age of tree (ie mature, sapling etc)
- Height and spread of the tree and the diameter of the trunk at 1.50m above ground level
- The root protection area shown as a radius from the centre of the trunk as detailed in BS 5837
- A level survey together with any proposed alterations to existing levels

### 13. GUIDELINES FOR SOLAR ENERGY PANELS & SOLAR THERMAL COLLECTORS

The Dulwich Estate supports the installation of unobtrusive solar panels as an energy saving measure. Most installations require prior approval.

If you are installing solar panels, please note the following:

- Solar panels should not be conspicuous when viewed from the road or other public spaces, such as parks, public gardens or sports grounds.
- Solar panels on the front roof of a property are highly unlikely to be approved. Instead, consider installing them on flat roofs, rear extensions, behind parapets and on garden buildings. A significant amount of energy can be generated on flat and east or west facing roofs as well as south facing ones.
- Panels should not visually dominate the roof and as a guide this means no more than 50 per cent of the rear roof. Where panels will cover a significant area of the roof, they should be integrated into the roof finish.
- The material of the solar panels should be appropriate to the original roofing material. Solar panels that are similar in appearance to slate roof finishes are now available, and integrated solar panels may be less visually intrusive than those mounted externally, for example, on rails. Fewer panels are required for heating water than for electricity generation. Those which generate electricity do not have to be located on a roof – consider less conspicuous locations at a low level in rear gardens, on flat roofs or on garden buildings.

The installation of solar panels on a roof is normally subject to building regulations and the ability of the existing roof to carry the weight of the panels will need to be checked. Electrical installation is also subject to these regulations. For more information go to Government guidance at [www.planningportal.co.uk/info/200130/common\\_projects/51/solar\\_panels/4](http://www.planningportal.co.uk/info/200130/common_projects/51/solar_panels/4).

The Energy Saving Trust ([www.energysavingtrust.org.uk](http://www.energysavingtrust.org.uk)) gives accurate and independent advice on how to reduce carbon emissions, use water more efficiently and save money on energy bills, including electricity generation.

#### WHAT TO INCLUDE IN YOUR APPLICATION

- A scaled roof plan showing the location of the panels.
- Details of the installation (in-line, integrated or raised).

## 14. GUIDELINES FOR TREE WORKS

Dulwich has a vast array of wonderful ancient trees. They create an almost rural environment in an otherwise built up area of South London.

Paragraph 6.(b) of the Scheme of Management provides that without the prior written consent of the Managers no trees of any kind (other than fruit trees, shrubs and seedlings) at any time growing on property shall be lopped, cut down, destroyed or removed. In this connection, 'fruit trees' excludes ornamental species such as cherry trees. You are urged to contact the Scheme of Management office if there is any doubt as to whether or not permission is necessary.

Our policy is to maintain healthy trees, especially mature specimens. It is therefore necessary to get prior approval before pruning or carrying out any works.

The services of the Scheme's tree consultant are free and he can be contacted through the office on 0208 299 1000.

In granting permission for works to trees under the Scheme of Management, neither the Managers, their employees nor the Tree Consultant give any opinion, either explicit or implied, as to the current state of health of a tree.

### How to apply for tree works

1. Make an appointment with the tree consultant through the Scheme of Management office, to inspect the tree(s) which are subject to the proposed works.
2. In most cases, the tree consultant will also wish to meet the applicant to discuss the proposals. The tree consultant can generally approve applications for minor works and grant a licence for these.
4. Proposals to remove a tree in a prominent position on the Estate or major tree works are generally referred to the Scheme of Management Committee who will make a site visit, usually accompanied by a member of The Dulwich Society's tree committee.
5. If works are approved, a licence will be issued.
6. Under the terms of the licence, all works must be completed within 52 weeks.
7. In addition to obtaining written consent under the Scheme of Management, applications in respect of trees located in a Conservation Area and those subject to a Tree Preservation Order also require the consent of the local Council.

### Care of established trees

Trees should be retained in their natural shape and form wherever possible. In order to avoid damaging the tree or adjacent property or causing injury, large trees should only be pruned by experienced professionals. Following the managers' approval for tree works, a licence is issued. A list of tree surgeons is available from the Scheme of Management Office. The Arboricultural Association can supply a list of approved contractors and some local authorities have a list of contractors they recommend.



Large trees may need thinning by an experienced professional to avoid excessive shade. A healthy tree may easily be ruined or killed by drastic lopping and unskilled pruning can produce areas which are affected by fungus and decay, as well as making the tree structurally unsound. However, with expert attention it is possible to reduce the density of a tree whilst still retaining its height and natural form.

Trees close to buildings can cause problems and the removal of a tree can result in ground heave. In Dulwich, the sub soil is composed of heavy shrinkable clay and severe structural problems, aggravated by root activity, can arise during excessive dry periods. Nearby trees are often blamed for exacerbating the situation and owners should take the advice of a chartered surveyor or structural engineer if such problems arise, as well as informing their insurance company, who should forward their report to us.

Paragraph 6. (d) of the Scheme of Management states that nothing shall be done upon any property which may be or grow to be a nuisance, annoyance or damage to any neighbouring owners or which the Managers shall reasonably consider to be detrimental to the neighbourhood. You may be contacted about a tree or trees that are reported as causing a nuisance to neighbours, usually by causing excessive shadowing. In such cases you will be required to take steps to reduce the nuisance as guided by the tree consultant.

### **Choosing a new tree**

Most species of tree will grow in a wide range of soils. However, please give careful thought to the eventual size of a new or replacement tree and its root system. The Scheme's tree consultant is available to give help and advice about suitable species.

Please avoid the following, especially where space is at a premium:

- Forest type trees such as oak, beech, lime, ash, horse chestnut, plane, or Norway maple or cypress, unless there is full scope for ultimate development of the branch and root system.
- Large inappropriate species, such as willow or poplar trees, in small gardens or close to buildings or underground services. Such trees have extensive root systems which could damage nearby buildings, especially in areas where the sub soil is highly shrinkable clay.
- Fast-growing, dense crowned trees, such as cypress, close to boundaries in restricted situations. Such trees will require regular maintenance in order to prevent them affecting adjoining properties through lateral growth and shading.

## 15. GUIDELINES FOR NEW BUILD PROPERTIES

A variety of architectural styles have developed on the Estate since it was established 400 years ago. Residential examples include 18th century cottages, Georgian villas and town houses, streets of Victorian and Edwardian terraced and semi-detached houses and a large number of mid-century modern homes that have been built since the 1950s.

The Scheme of Management states: 6. (a) *“Without the prior consent in writing of the Managers no enfranchised property shall be used for any purpose whatsoever other than that for which it could lawfully be used immediately before the date of enfranchisement and without prejudice to the generality of the foregoing no property or part of a property which could only lawfully be used for one occupation at that time shall be used for two or more occupations”*

The subdivision of plots alters the streetscape and erodes the original character and landscape of the Estate and will only be considered under exceptional circumstances.

Proposals for new developments are assessed on their own merit. They must be in keeping with the character of the Estate and their immediate setting. Proposals must enhance the locality and have a positive impact by having excellent design standards. They must not detrimentally impact residential amenity. Proposals should incorporate high standards of energy efficiency and sustainability.

General requirements:

- If the site has existing buildings or structures their suitability for demolition must be assessed. Buildings of heritage interest, streetscape merit or group value are unlikely to be deemed suitable for demolition and replacement with a different design.
- Like for like' repairs can be carried out to a property without a licence. Some owners may find it preferable to completely rebuild a property in which case the rebuilt property must precisely match the design, dimensions and detail of the original property in every respect. In cases such as this, a detailed building survey is required documenting the design, dimensions and detail of the original property. Any change to the external appearance of a property requires a licence application and all demotions (partial and total) of a property require a licence
- The density and type of dwellings should be carefully considered and should be a response to local need. Please refer to the Local Plan at The London Borough of Southwark at [www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan](http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan).
- Proposals must consider the relationship with neighbouring properties and the streetscape. This will include the scale and massing of buildings. A detailed character analysis of the immediate area is required.
- Proposals should consider the space between buildings, massing and the front and rear building lines of adjacent dwellings. Backland development is unlikely to be approved. Existing building lines and spaces between neighbouring dwellings must be shown on drawings to ensure that the context of the proposal is fully considered.
- Walls built on a shared boundary cause disruption and may require access from the neighbouring property, so applications of this nature will only be considered with a letter of agreement from the neighbour concerned. Where the neighbour hasn't given written agreement, it is usual to request that the wall is offset from the boundary
- New housing development should not cause a loss of amenity to neighbouring residents. This means a loss of daylight or sunlight, a loss of privacy, an overbearing impact or loss of visual amenity. The distance between habitable rooms, the placement of windows, massing and orientation will be examined, and applicants may be required to submit additional supporting information. Balconies or Juliet balconies will not be permitted.
- Proposals should demonstrate an improvement to the streetscape such as increased planting, improved materials or creating a more 'open' character due to lowered fences and walls.

- All existing trees should be clearly described on a site layout plan. A proposed landscape plan is required, detailing any necessary work to existing trees in order to facilitate the development. A tree protection plan and arboricultural report will also be required. Which should also include trees in nearby gardens.
- Proposals should use a local palette of materials which are appropriate and in keeping with their setting. Samples are likely to be required as a condition of a licence.
- Windows in new build dwellings should normally match the proportions and materials of nearby properties. Alternative materials and styles may be considered but typical 1:5 scale drawings and product information are required in addition to the general elevation drawings, to demonstrate why the proposed windows and doors could be suitable.
- All developments must have a minimum of 50% soft planting to the front garden area. A scale drawing and calculation of this area is required. Sufficient car and cycle parking provision must be made. Parking should not dominate property frontages and layouts should minimize the visual impact of parked cars through the implementation of soft planting.
- Rear garden space must be proportionate to the size of the development and of suitable design quality. Provision must be made for screening to preserve or improve neighbours amenity.
- Boundary treatments ie. fences, gates and hedges should match the predominant original style in the street or the group.
- Space should be provided for refuse storage and cycle parking as part of the landscape design. Refuse storage should not negatively impact the streetscape or neighbouring properties and should therefore be well screened. 1:50 drawings are required for any proposed new structures (as described in Guidance note 12).
- All developments should include a sustainability statement, including a landscape strategy and biodiversity strategy. Solar panels and green roofs are encouraged for new developments (refer to guidance note 13).
- The design should make provision for mechanical plant to be housed within the property or within suitable acoustic enclosures which meet the Local Authority requirements. Heating, ventilating or mechanical plant housed in enclosures in front or rear gardens must be well screened.

**QUERIES FOR THE DULWICH ESTATE SCHEME OF MANAGEMENT ADVISORY COMMITTEE  
8 June 2021**

**THE RESIDENT ASSOCIATION AND AMENITY REPRESENTATIVES WILL BE:**

Martyn Deane, James Thompson - Residents' Associations

Sue Badman, Jeremy Prescott - Dulwich Society

1. Consideration of progress on matters raised at the last meeting (some not necessary as they may be raised for further discussion below)
  
2. Terms of reference of the Advisory Committee update:
  - a) Timetable for written terms of reference for the Advisory Committee
  - b) Guidelines, what input required and what is timetable
  - c) Green policies update on the policy development and timetable
  - d) FAQs - (to Advisory Committee - Have we got any key questions we need to publish online?)
  
3. Further discussion on the role of the Advisory Committee in the licence approvals process:
  - a) Update from Jeremy's attendance at the Dulwich Society Planning & Architecture Sub-Committee meeting
  - b) Further discussion as to what AC members can add to the process.
  - c) Compare to the role that the Dulwich Estate trustee members of the Advisory Committee with the amenity society members.
  
4. Description of the role and responsibilities of the Advisory Committee on the SoM website
  - a) Distinction between "amenities of the Estate" and the Amenity Areas
  - b) Role including planning applications, amenities and the managers certificate
  
5. Development of the process of licence approvals
  - a) Date for new 2 stage licence process start?
  - b) Publication of licence decisions on the website - long time-lag between decision and publication of decision.
  - c) Might be worth noting the number of garden buildings which are non-compliant with guidelines and that the P&A group in April had 14 objections at their last visit - is the SoM office and /or the architect making clear to applicants what is not acceptable?

6. Financial including meeting on 14 May with Paul Greenwood:
  - a) Inclusion of commentary and graphics
  - b) Revisions to the format of the accounts numbers (analysis of repairs)
  - c) Management accounts future development as aid to management of SoM
  - d) Cost analysis between business as usual and licence approvals update
  - e) Advisory Committee involvement in the budgetary process
  - f) Budgetary timetable and involvement of Advisory Committee involvement outside the meeting cycle
  - g) Please provide the scope of digital service delivery and an update on progress.
  
7. Relations with Southwark update
  
8. Specific issue queries:
  - a) Update on status of enforcement
  - b) Consideration of making the planning guidelines more prominent on the website. Perhaps between “How to apply” and “Your application: what happens next” on the page “Applications for building works”.
  - c) Consideration of publishing a map of the SoM area on the website (Southwark has a mapping tool with a layer for the Dulwich Estate at <https://geo.southwark.gov.uk/connect/analyst/mobile/#!/main>)
  - d) Burial Ground - questions from residents about more reopening. Can it be opened more frequently?
  - e) Progress with the Knotweed treatment?
  - f) Grove Tavern update
  
9. Sue Badman of the Dulwich Society visited Frank Dixon Way (FDW) and Close (FDC) last week with Penny Stern, Chair of the RA (and also Chair of the PAS). As per the last Advisory Committee meeting here is a summary of the main issues as shown and reported by Penny Stern:
  - a) Work has restarted on number 7 FDW, as have the major problems with delivery lorries blocking the road and path. The RA is glad that the DE have reseeded the worst of the damage to the amenity strip opposite the site (at the owner's expense) and reinstated the temporary fencing. No work has been done to the amenity strip immediately outside the site, which is an unsightly patch of mud. The contractor knows that he should have a banksman supervising deliveries, traffic problems etc. The RA is grateful that Dominic replied to their last email within a couple of hours. At other times, particularly after heavy rain, water from the site is again being drained in a hosepipe across our only footpath - causing problems for the elderly, wheelchair users and disabled buggy users.
  - b) The site hoarding to number 7 includes two fence panels as the 'gate' - increasingly fragile and insecure. So back to the issues of ensuring that deliveries can be made safely without interference to neighbours' lives and proper planning of sites.

- c) Some neighbours are unhappy with the appearance of the temporary fencing (orange plastic), but the RA sees no other reasonable way of protecting the verges.
- d) There has been no, or very little, work on number 9 FDW for some months. It is evident that the project will not be complete by the end of May, which was the most recent completion date supplied to the DE by the owner. The hoarding is a disgrace and no effort has been made to tidy up the weeds or crumbling garden wall. What pressure is the DE exerting to make the owner tidy up the street frontage and then to finish the scheme?
- e) The RA has had no update from the SoM office on the as-built vs consented issues on 3, 8, 9 and 10 FDW. It would be good to know when the RA might be told of any decisions.

10. Matters raised by the Dulwich Society:

- a) Ongoing issues with hoardings - we had a specific case in East Dulwich Grove opposite Gilkes Crescent (see photo). One resident has been vociferous about the hoarding graffiti and written to the SOM office and spoken to the builders, Methodic of Clapham.



- b) The Estate is advertising for a new surveyor - see link below: <https://www.thedulwichestate.org.uk/whats-happening/we-are-recruiting-building-surveyor>. Could the SOM explain how the new surveyor that is currently being recruited fits in and what about the third-party surveyor they mentioned at the last AC meeting.
- c) The Dulwich Society has been in touch with Adrian Brace recently about the Gilkes Development. The site has been sold on to another developer by McCullochs. The existing or new developer has taken down the hoarding which blocks Gilkes Place/Crescent without notifying the council thus reopening the road. The road will be closed again under an emergency order. In due course the 12 houses to be built there will be subject to the SOM. This site is receiving political attention by councillors and MP. There are concerns about the ongoing poor condition of the site and the blight on the amenity of residents who have endured this for several years. With the advent of a new developer, what will the Estate do to ensure the developer maintains the site to a high standard before and during the construction period?

*The Advisory Committee, Resident and Society Representatives*

21 May 2021

## Minutes of the meeting of the Advisory Committee

### held virtually via TEAMS

### on Tuesday 8 June 2021

Present: Representatives of the Managers:

Andreas Köttering (Chairman)  
Irene Bishop  
Caroline Price

Representatives of The Dulwich Society:

Sue Badman  
Jeremy Prescott

Representatives of Residents Associations:

Martyn Deane (PWCWR Residents Association)  
James Thompson (Stradella and Springfields Residents Association)

In attendance: Staff of The Dulwich Estate: Simone Crofton (Chief Executive), Adrian Brace (Director of Property), Andy Irvine (Financial Accountant), Nina Rickman (Administrator)

#### 1. Apologies for absence

Apologies for absence received from Pamela Dusu.

#### 2. Minutes of the meeting held on 9 March 2021

The second line of Minutes to be updated to read 'the meetings of the committee'.

It was clarified that invites to view plans at the Estate are optional. **Post Meeting Note:** Should members of the Committee wish to view any of the applications then they should contact Rachel Shlewet who will make the plans available.

#### 3. Matters arising

- Meeting between representatives and accounts took place on 14 May - can be removed from Action Log.
- Determine true cost of processing applications – Committee to be updated in November.
- Summary of what items are covered under "Repairs General" is to be provided with the accounts – see item 4 of minutes.
- Guideline review – await further comments from representatives and then finalise.
- Green Policy – a further update to be provided at November meeting.
- Two stage licence process – Madeleine has decided to leave at the beginning of August. Now looking for a surveying role for more days of the week to provide much needed additional

support to the team. The role will cover the two-stage process and Madeleine's role. An agency has been engaged.

- Frank Dixon Way – Site visits have been arranged. Update to follow in due course.
- Terms of reference – await further comments from representatives and then finalise.

4. **The Scheme of Management – The Management Charge for the accounting period from 1 April 2020 to 31 March 2021**

Andy Irvine, introduced the report circulated with the agenda, which the Committee **NOTED**.

5. **The Scheme of Management – Amenity Area and Certification Costs**

Andy Irvine, introduced the report circulated with the agenda, which the Committee **NOTED**. Comments were made in relation to the following:

- More details are to be provided on the repairs i.e an analysis of the top three items. Useful to have a longer view about what the expenditures are and why. Variations in the budget should trigger commentary.
- Illegal BMX track and concerns about the paths in the woods - Wildlife Trust is looking at cost and then an update can be provided at the next meeting.

6. **The Scheme of Management – Basic Expenditure**

Andy Irvine, introduced the report circulated with the agenda, which the Committee **NOTED**. Comments were made in relation to the following:

- Consultants fees – these flex depending on the level of application received.
- Auditors fees – these will change to approximately £1250.00.

7. **Advisory Committee Terms of Reference**

The Committee will review the Terms of Reference away from the meeting and revert back to the Administrator via email with their comments. Comments were made in general as follows:

- Include a paragraph on how the Committee representatives participate in the budget process.
- Paragraph 2.2 and membership re: clarification of dispute – residents in or who have been in conflict, or are in ongoing arbitration, is considered a conflict of interest and therefore should not participate in the meeting.
- Text related to the purpose of the committee should include reference to amenity and the amenities.
- The ToR will not be published on the website as the committee is confidential.

8. **Updated guidelines**

The Administrator informed the Committee that the guidelines included with the agenda are as a result of consultation with the Dulwich Society and also have received the input of our



solicitors in order to ensure their enforceability. Any further comments must be sent to the Administrator within a week of the meeting so they can be published.

9. **Scheme of Management information table**

Japanese Knotweed

Simon Hoare confirmed that the ambition is to reduce the number of cases. It takes approximately 3 years for each site to be dormant to consider the site to be eradicated.

10. **Matters raised by the Advisory Committee representatives**

James Thompson guided the Committee through the matters raised with comments in particular on the following (i.e. numbering taken from the Agenda):

2. c) Green Policy. Simone Crofton advised we're scoping the entire project, putting together a working group. A high-level overview was requested. Simone Crofton will provide a roadmap for the November meeting.
- d) FAQs – questions to be created by the Society and forwarded to the Administrator.
3. Andreas Köttering confirmed there is no obligation to comment on licence applications. The Scheme of Management is providing an opportunity to do so if the representatives wish.
4. There is some website text that looks half complete. Jeremy Prescott will send the administrator a note on this.
5. a) The Administrator confirmed that there will be a description for the new two-stage process for the website.
- b) The Administrator confirmed that she has requested the website to be updated more quickly.
- c) There are clear guidelines on garden buildings. The Administrator advised the Committee to continue making their comments with regards to applications of this nature as it helps to support the Managers stance.
6. c) In response to comments that the accounts aren't very analytical. Paul Greenwood confirmed in a separate meeting with the representatives that they will be made more appropriate.
- g) It was suggested it would be useful to see the overall digital delivery plan. The Administrator impressed the need from everybody to sign residents up to our digital campaign as we're struggling to get everyone on board.
7. Simone Crofton confirmed that she had little communication with Southwark directors recently and was frustrated with the lack of notice of Southwark initiatives. The external

advisory members suggested there is a potential need for Southwark councillors to be educated on the role of the Estate.

8.
  - a) Enforcement – the Administrator confirmed that although the figures suggest there is less enforcement taking place, there is in fact a great deal of enforcement but it is just involving less legal input.
  - c) Dulwich Estate map – it's a project that must be taken forward and will be actioned asap.
  - d) Burial Ground – the Estate would need to carefully consider whether or not this should be made more accessible. There are damage, health and safety and insurance matters to consider. Volunteers could be considered in order to open the burial ground perhaps once a month.
9. Frank Dixon Way.
  - c) Temporary fencing was requested by the residents association.
  - d) No 9 – due to start work and state of site has been raised.
  - e) Madeleine did site visits and the Administrator will report back accordingly.
10.
  - a) Hoarding should now be green.

11. **Any other business**

There was no other business.

12. **Date of next meeting**

9 November 2021

16.07.2021