Peckham Community Council

Planning Agenda

DATE: Wednesday March 21 2007  TIME: 7.00pm

PLACE: Room A2 Southwark Town Hall, Peckham Road, London SE5 8UB

1. Welcome and introductions
2. Apologies
3. Notification of any items which the Chair deems urgent
4. Disclosure of Members’ interests and dispensations
5. Matters from the previous meeting
   Minutes from the January 31 2007 (Planning) Community Council meeting, to be agreed.

6. Planning Application for Decision:

   Item1/1
   61 ASYLUM ROAD, LONDON, SE15 2RJ – Approval of reserved matters 06-AP-1872

7. Closing comments by Chair
ADDITIONAL INFORMATION

Peckham Community Council Membership
Councillor Tayo Situ  Chair
Councillor Mary Foulkes Vice Chair
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Ola Oyewunmi
Councillor Andrew Pakes

Carers’ Allowances
If you are a Southwark resident and have paid someone to look after your children, or an elderly dependant or a dependant with disabilities, so that you can attend this meeting, you may claim an allowance from the Council. Please collect a claim form from the clerk at the meeting.

Deputations
For information on deputations please ask the clerk for the relevant handout.

Exclusion of Press and Public
The following motion should be moved, seconded and approved if the Community Council wishes to exclude the press and public to deal with reports revealing exempt information.

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in paragraphs 1-15, Access to Information Procedure Rules of the Constitution.”

Transport Assistance for Disabled Members of the Public
Members of the public with a disability who wish to attend Community Council meetings and who require transport assistance in order to access the meeting, are requested to call the meeting clerk at the number below to give his/her contact and address details. The clerk will arrange for a driver to collect the person and provide return transport after the meeting. There will be no charge to the person collected. Please note that it is necessary to call the clerk as far in advance as possible, at least three working days before the meeting.

Wheelchair access
Southwark Town Hall is wheelchair accessible.

For further information, please contact the Peckham Community Council clerk:
  Rachel Bannerman
  Phone: 0207 525 1022
  E-mail: rachael.bannerman@southwark.gov.uk
  Council Website: www.southwark.gov.uk

Language Needs
If you want information on the Community Councils translated into your language please telephone 020 7525 57514. To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 0207 525 7514
PLANNING COMMITTEE

MINUTES of Peckham Community Council Planning Meeting held on Wednesday January 31 2007 at the St John’s Church Hall, 10A Meeting House Lane, Peckham SE15 2UN

The meeting opened at 7.05pm

PRESENT: Councillor Tayo Situ (Chair)

Councillors Tayo Situ (Chair), and Oyewunmi

Officers: Alison Brittain - Planning
          Linda Saunders – Legal
          Rachel Bannerman – Community Council Support Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hargrove and Livingstone

2. CONFIRMATION OF VOTING MEMBERS

The members listed as present were confirmed as the voting members.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

a) None

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

RECORDING OF MEMBERS’ VOTES

Council Procedure Rule 1.17 (5) allows a Member to record her/his vote in respect of any Motions and amendments. Such requests are detailed in the following Minutes. Should a Member’s vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The committee considered the items set out on the agenda, a copy of which has been incorporated in the minute file. Each of the following paragraphs relates to the item
bearing the same number on the agenda. In every case the planning officer introduced the item to Members.

5. **MINUTES OF PREVIOUS MEETING October 18 2006**

**RESOLVED:** Agreed

**Item 1/1 (information to be taken from agenda):** 78 FURLEY ROAD, LONDON, SE15 1UG

(06-AP-1615)

(See pages)

Proposal: Proposed demolition of existing office and industrial buildings (to rear of 74-78 Furley Road, 15-21 Holbeck Row and 63-77 Fenham Road) and replacement with 8 residential flats in a block of ground and first floors around a communal courtyard providing 8 car parking spaces; access from Furley Road.

The committee heard the officer’s presentation on the application and members asked questions of the officers.

A presentation was heard from the applicant (architects) and members asked questions from the applicant.

The objector gave a presentation

**RESOLVED:** The committee resolved that in the case of planning application number 06-AP-1615, the application be granted for the reasons set out in the report.

Chair ................................................

Date ................................................
RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.

2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.

3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The Council’s powers to consider Community Council Planning business detailed in Article 10 under Role and Functions of Community Councils were agreed by the Constitutional Meeting of the Council on 25 May 2005. The Matters Reserved to the Planning Committee and Community Councils Exercising Planning Functions are described in Part 3F of the Southwark Council Constitution 2005/06. These functions were delegated to the Planning Committee and Community Councils.

KEY ISSUES FOR CONSIDERATION

5. Members are asked to determine the attached applications in respect of site(s) within the borough.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. The draft decision notice will detail the reasons for any approval or refusal.

7. Applicants have the right to appeal to the First Secretary of State against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred through employing Counsel to present the Council's case.

8. The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.

9. Where either party is felt to have acted unreasonably in an appeal involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.

10. All legal/Counsel fees and costs as well as awards of costs against the Council are borne by the Regeneration budget.

EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED
11. Equal opportunities considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Borough Solicitor & Secretary

12. A resolution to grant planning permission shall mean that the Development & Building Control Manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the Committee and issued under the signature of the Development & Building Control Manager shall constitute a planning permission. Any additional conditions required by the Committee will be recorded in the Minutes and the final planning permission issued will reflect the requirements of the Community Council.

13. A resolution to grant planning permission subject to legal agreement shall mean that the Development & Building Control Manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Borough Solicitor and Secretary, and which is satisfactory to the Development & Building Control Manager. Developers meet the Council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Borough Solicitor and Secretary. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended requires the Council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 54A of the Town and Country Planning Act 1990 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently the Southwark Unitary Development Plan adopted by the Council in July 1995 and the London Plan adopted by the Mayor of London in February 2004. The enlarged definition of “development plan” arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 106 of the Town and Country Planning Act 1990 introduced the concept of planning obligations. Planning obligations may take the form of planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:

1. restrict the development or use of the land;
2. require operations or activities to be carried out in, on, under or over the land;
3. require the land to be used in any specified way; or
4. require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.
16. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligations must also be such as a reasonable planning authority, duly appreciating its statutory duties, can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement Members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
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</thead>
<tbody>
<tr>
<td>Council Assembly Agenda 25th March 2005</td>
<td>Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB</td>
<td>Lesley John 020 7525 7228</td>
</tr>
<tr>
<td>Each application has a separate planning case file</td>
<td>Council Offices ChilternPortland Street London SE27 3ES</td>
<td>The named case Officer as listed or Phil Chambers 020 7525 5447</td>
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APPENDIX 1

Audit Trail

<table>
<thead>
<tr>
<th>Lead Officer</th>
<th>Report Author</th>
<th>Version</th>
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<tr>
<td>Glen Egan, Acting Borough Solicitor &amp; Secretary</td>
<td>Ellen FitzGerald, Acting Senior Planning Legal Officer [relevant officer], Constitutional Support Officer (Executive)</td>
<td>Final</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER

<table>
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<tr>
<th>Officer Title</th>
<th>Comments Sought</th>
<th>Comments included</th>
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<tr>
<td>Borough Solicitor &amp; Secretary</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Paul Evans Strategic Director of Regeneration</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Joe Battye, Acting Development &amp; Building Control Manager</td>
<td>No</td>
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ITEMS ON AGENDA OF THE PECKHAM CC  
on Wednesday 21 March 2007

<table>
<thead>
<tr>
<th>Appl. Type</th>
<th>Approval of Reserved Matters</th>
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<tr>
<td>Site</td>
<td>61 ASYLUM ROAD, LONDON, SE15 2RJ</td>
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| Reg. No.         | 06-AP-1872                  |
| TP No.           | TP/2424-C                   |
| Ward             | Livesey                     |
| Officer          | Sonia Watson                |

**Proposal**

Approval of Reserved Matters as required by Condition 1 (excluding landscaping) layout, scale, external appearance, means of access, discharge of condition 4 parking arrangements, condition 6 storage and collection of domestic refuse and condition 7 cycle storage of Outline planning permission granted 29/06/2006 by The Planning Inspectorate Appeal Ref: APP/A5840/A/06/2011321 for demolition of a public house and erection of a building comprising 14 residential units.

**Recommendation**

GRANT
61 Asylum Road, London, SE15

This site plan supplied by the London Borough of Southwark is for Planning and Building Control purposes only.
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Classification</th>
<th>Decision Level</th>
<th>Date</th>
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<tbody>
<tr>
<td>1</td>
<td>OPEN</td>
<td>Peckham Community Council</td>
<td>21/3/2007</td>
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</table>

**From**
Head of Development and Building Control

**Title of Report**
DEVELOPMENT CONTROL

**Proposal** (06-AP-1872)
Approval of Reserved Matters as required by Condition 1 (excluding landscaping) layout, scale, external appearance, means of access, discharge of condition 4 parking arrangements, condition 6 storage and collection of domestic refuse, condition 7 cycle storage of outline planning permission granted 29/06/2006 by The Planning Inspectorate Appeal Ref: APP/A5840/A/06/2011321 for demolition of a public house and erection of a building comprising 14 residential units.

**Address**
61 ASYLUM ROAD, LONDON, SE15 2RJ

**Ward** Livesey

**PURPOSE**

1 For consideration by Peckham Community Council due to the number of objections received.

**RECOMMENDATION**

2 Grant Approval of Reserved Matters and discharge conditions.

**BACKGROUND**

**Site location and description**

3 The site is cleared and vacant following recent demolition. It was formerly occupied by the Queen Elizabeth Public House on the corner of Asylum Road and Gervase Street. The pub had an attractive Victorian frontage with pleasant garden at the rear. The site lies on the opposite side of the road to the almshouses which form part of the Caroline Gardens Conservation Area. The scale of development nearby is mostly two storey except for the former school building now converted into flats to the east of the site.

**Details of proposal**

4 Permission is sought for the erection of a 3-storey building on the corner of Asylum Road and Gervase Street. It is proposed to provide 14 units comprising:
- 2 x 3 bed units
- 9 x 2 bed units
- 3 x 1 bed units

5 The proposed building would follow an L-shaped construction maintaining a frontage on Asylum Rd and Gervase St. The proposed second floor would be set back from the front and rear perimeters of the building on the Asylum Road frontage, which is attached to a two storey terrace. The corner and the Gervase Street elevation would be 3 storeys without any setback. The new building would generally maintain the building line established by the pub, but would step forward on the corner and have a staggered building line along Gervase Street, with a distance of between 1 metre and
2 metres from the back edge of the pavement.

Planning history

6 LBS ref. 0101598
Permission was refused in July 2002 for the demolition of the pub and construction of a part three-/part two-storey building comprising ten self-contained flats with two off-street car parking spaces, on the grounds of poor design, unsatisfactory standard of living accommodation by way of limited floor areas, inadequate provision of off-street parking, and adverse impact on the amenity of neighbouring occupiers from south-facing first-floor windows.

7 LBS ref. 03-AP-0767
In January 2004, an application for the erection a two-storey hipped roof extension and conversion of the public house into five flats and the erection for a four-storey building comprising six flats was recommended for approval by the Case Officer but refused by Peckham Community Council on the grounds that the proposal would result in the loss of a valuable community facility, with insufficient evidence submitted to demonstrate that the existing public house is no longer viable, as well as on the grounds of inadequate provision for off-street parking.

The applicant appealed the Council's decision. The appeal was dismissed in June 2004, with the Inspector stating that the appellant had provided "no substantial evidence" to support the contention that closure of the pub was the only financially sensible outcome of the pub's unviability, that the existence of four other pubs within a 400-metre radius of the appeal property "does not in itself justify the closure of this particular establishment, bearing in mind that there is significant support for its continued use from present patrons" and therefore "that there is insufficient evidence to demonstrate that the Queen Elizabeth Public House is no longer viable, and no justification in what is before me to support its closure and change of use."

8 LBS ref. 05-AP-2230
An application was submitted in November 2005 for the erection of a three-storey rear infill extension to the former public house and conversion to five flats, as well as the erection of a four-storey building comprising six flats to the rear. The application was withdrawn based upon the council's imminent refusal of it, on the grounds of failure to satisfactorily address points 6 (lack of car parking) and 7 (overlooking from third-floor penthouse) of the Inspector's report, unsatisfactory design of the new building in terms of both scale and detailed design, and the potentially adverse effect on the amenity of the occupants of Flat 1 in both the new building and the former pub, where habitable rooms were directly overlooked by the communal outdoor amenity area.

9 LBS ref 05-AP-2232
Outline planning permission (reserving all matters) for the demolition of all buildings on site and the erection of a new building comprising a total of 14 residential units, was refused on 6/2/2006 for the following reasons;
1. The application is for outline planning permission with all matters reserved for future consideration. It is considered that, in the absence of plans showing layout, height, bulk and massing to demonstrate that no harm would arise to future occupiers and neighbouring residents, the proposed development is likely to be unacceptable in amenity terms. Furthermore, no information has been provided on how parking impacts are to be dealt with, and as such, it is considered that a development of 14 flats is likely to give rise to loss of amenity to neighbours through increased demand for off-street parking spaces.

2. Insufficient evidence has been submitted to support the loss of the public house as a significant community facility or to support the contention that the ongoing disuse of the pub constitutes the only possible outcome of the public house's unviability. In light of the Council's refusal of the previous application (LBS ref. 03-AP-0767)
and the Inspector's dismissal of the appeal against the Council's decision (ref. APP/A5840/A/04/1139259) on that basis, the proposal cannot be considered to have addressed the reasons for the refusal and the appeal dismissal, nor to comply with policies C.1.3 'Retention of Community Facilities and Public Buildings' in the adopted UDP (1995) and 2.1 'Enhancement of Community Facilities' in the emerging UDP (February 2005).

A planning appeal was lodged in respect of the last application (05-AP-2232). The appeal decision dated 29 June 2006 granted consent for the outline permission subject to conditions in respect of the approval of all reserved matters. The inspector decision is relevant to the consideration of this case as he comments on the following issues.

Loss of the public house - this was considered acceptable given that the business had already closed and that there were sufficient other public houses within the radius set out in policy 1.11 of the Draft Southwark Plan.

Living conditions - With regard to the indicative drawings originally submitted with the application the inspector considered that windows could be sited to avoid harmful overlooking. In respect of visual impact he attaches weight to the proximity of the conservation area but states that.....' nothing in the relationship of adjoining residences or gardens suggests to me that a well-designed building to provide 14 units should cause harm. The size of each unit and their distribution on site is a matter for future detail consideration, .......there is sufficient perimeter of site to provide an attractive, interesting facade that would not appear intrusive in the outlook of existing residents.

Parking - The inspector did not consider that the proposed development would result in parking pressure given that there are few residential frontages along Gervase Street and consequently a number of available on street parking spaces.

Design - The Inspector does not comment on specific design but on the height indicated he states, 'Building on the corner plot of the appeal site to the indicated height should not appear out of scale ..... in this location.' He does not attach any merit to the existing public house and considers its demolition acceptable.

LBS ref 06-AP-0432 - Erection of a two storey side hipped roof extension and conversion of public house into 5 flats and erection of a four storey building comprising 6 flats. Application withdrawn, as the pub was demolished following the grant of outline planning permission in June 2006.

LBS ref 06-AP-0570 - Outline permission for demolition of a public house and erection of a building comprising of 14 residential units. This application has been held in abeyance at the request of the applicant.

Planning history of adjoining sites

Planning permission was granted on 23/4/2001 for the redevelopment of the Asylum Centre on Asylum Road to provide 48 residential units.

FACTORS FOR CONSIDERATION

Main Issues

The main issues in this case are:

a] the principle of the development in terms of land use and conformity with strategic policies.
b] the impact of the proposed development in terms of amenity to the adjoining residential units and effect on the character of the adjacent conservation area.

**Planning Policy**

At its meeting on 24th January 2007 the Council resolved to adopt the Southwark Unitary Development Plan 2007 [Proposed final draft for adoption Jan.2007] subject to referral to the Secretary of State. The policies in the Southwark Unitary Development Plan 2007 now have significant weight in the determining of planning applications. Whilst the 1995 Unitary Development Plan remains the statutory development plan until such time as the Southwark Unitary Development Plan 2007 is formally adopted, the Council will give predominant weight to the 2007 plan policies in determining pending applications unless material considerations indicate otherwise.

**Southwark Plan January 2007**

3.2 Protection of Amenity
3.3 Sustainability Appraisal
3.4 Energy Efficiency
3.5 Renewable Energy
3.7 Waste Reduction
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban Design
3.14 Designing Out Crime
3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites

4.1 Density of Residential Development
4.2 Quality of Residential Accommodation
4.3 Mix of Dwellings
4.4 Affordable Housing

5.1 Locating Developments
5.3 Walking and Cycling
5.6 Car Parking

**Southwark Unitary Development Plan 1995 [UDP]**

E.3.1 Protection of Amenity
H.1.3 New Housing
H.1.4 Affordable Housing
H.1.5 Dwelling Mix of New Housing
H.1.7 Density of New Residential Development
H.1.8 Standards for New Housing
T.1.3 Design of Development and Conformity with Council Standards

**London Plan 2004**

3A.4 Housing Choice
4B.3 Maximising the Potential of Sites

**Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]**

PPG 3
PPG13

**Consultations**

**Site Notice**
10/11/2006

20 Press Notice
26/10/2006

21 Internal Consultees
Transport

Statutory and non-statutory consultees
N/A

23 Neighbour consultees
See attached list.

24 Re-consultation
N/A

Consultation replies

25 Internal Consultees
Conservation and Design
Transport

26 Statutory and non-statutory consultees

27 Neighbour consultees
7 Gervase Street - Objects to lack of parking, as Gervase Street has sheltered housing units and needs access for day centre buses and ambulances. There is insufficient amenity space with the proposed development.

14E Asylum Road - Objections to the external appearance/design. The immediate surrounding area is made up of Georgian architecture. The proposal is totally out of character. The absence of off-street parking at no. 61 will cause chaos.

14A Asylum Road - Objects to the design which resembles a stack of portacabins.

14 Asylum Road - Objects to the overall design, lack of front garden and lack of parking.

65B Asylum Road - Objects to the lack of parking, height of the proposed building and loss of privacy.

65 Asylum Road - Objects to the design, height and loss of light to kitchen windows. Objection is also raised to the lack of parking for the proposed development.

21 Caroline Gardens - Supports the development but with concerns on parking and the suggests the size of the building matches those of nos 65 and 67 Asylum Road.

24 Caroline Gardens - Supports the development providing there is enough parking spaces.

28 Re-consultation
N/A

PLANNING CONSIDERATIONS
Principle of development
29 The granting of outline permission has established in principle the provision of a residential development of 14 units with no off-street parking. It is highlighted that this is not a full planning application but an application for approval of reserved matters and conditions pursuant to outline approval.

Environmental impact assessment
30 None required.

Impact of proposed development on amenity of adjoining occupiers and surrounding area
31 Daylight and sunlight
The proposed building lies to the north of the residential terrace along Asylum Road. As such, it is unlikely to result in a loss of sunlight to this terrace. The footprint and overall height of the building is greater than that of the pub, particularly along the Gervase Street frontage where the height of the building would be 9 metres and lie within 6 metres of the rear garden boundary of no. 63 Asylum Road. This would inevitably lead to a sense of enclosure, not previously experienced. However in the Inspector's decision and his account taken of the previous Inspector's decision which included a similar pattern of development he states, 'The size of each unit and their distribution on site is a matter for future detail consideration, however, my view is that there is sufficient perimeter of site to provide an attractive, interesting facade that would not appear intrusive in the outlook of existing residents.'

Privacy
32 In respect of any potential loss of privacy the proposal would include a glazed expanse of wall on the rear elevation to the Gervase Street frontage, this would form a corridor to the flat entrances. The proposed glazing would be sand blasted up to 1.8 metres above each floor level this would restrict the potential to overlook the rear gardens of the terrace along Asylum Road. It is proposed that there would only be high level windows on the upper floors to the rear elevation of the building fronting Gervase Street; the other window would be angled away so they would face the direction of the former school building. On the second floor there would be two balconies one fronting Asylum Road and the other to the rear amenity areas, subject to an adequate level of screening to the rear balcony this is unlikely to give rise to any unacceptable levels of overlooking. It is recommended that a condition be imposed to ensure that the screening and obscure glazing is maintained for the duration of the use.

Impact of adjoining and nearby uses on occupiers and users of proposed development
33 The proposed use of the building as residential would be compatible with the surrounding area which is predominately residential.

Traffic issues
34 There is no off-street parking provided as part of this development. The applicant has agreed to pay the cost of an off-street parking space marked out as a disabled bay along Gervase Street. The Council's highway section have no objections to this, and have raised no objection to the absence of any off street parking for the scheme overall. The lack of parking has been a constant objection by many of the local residents, however the inspector took the view that there was nothing to substantiate that there was a parking problem in the area, and comments, ' ... I do note a significant length of Gervase Street without residential frontages, and available for parking, and that the Council have no firm plans for controls indicating that the area is not one where serious problems are identified. The site is on two bus routes, close to many other frequent routes on Old Kent Road and within walking distance of the suburban station at Queens Road. I consider this a site where residents could chose
to be car-free, although there is no need for an undertaking in my opinion......'

A cycle store for 14 bicycles is provided on the ground floor close to the entrance of the building, this would comply with the requirements of the Southwark Plan and the Adopted UDP.

Taking account of the inspectors comments it considered that the lack of parking can not be substantiated as a reason for refusal.

**Design issues**

Improvements have been made to the design since the original submission of this application in June 2005. Although previously both traditional and contemporary designs had been put forward for consideration (and both rejected), this current scheme has adopted a modern design approach. It is considered that the footprint of the building which has outline approval lends itself more towards a modern design. In this instance, the modern design is also considered to be preferable to a poorly designed pastiche which lacks accurate and appropriate detailing and fails to respond well to its surroundings.

The loss of the former Queen Elizabeth Public House is regrettable as it was an attractive building which sat well in its corner location. The proposed scheme does not make such a comfortable replacement, however it is acknowledged that the detailed design is to some extent constrained by the fact that the principle of a building containing 14 flats are already established in outline.

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

The planning Inspector in consideration of the redevelopment of the site took account of the proximity of the Caroline Gardens Conservation Area and the group of listed almshouses. He acknowledges that the proposal would have an impact on the of views into and out of the area and states that ' Building on the corner plot of the appeal site to the indicated height should not appear out of scale in my judgement in this location.'

**Planning obligations [S.106 undertaking or agreement]**

Whilst the application is for 14 units which triggers the requirement for affordable housing under the current Supplementary Planning Document, at the time of the Inspectors decision (29 June 2006), this policy was not in place and there is no requirement for affordable housing or any other contributions in respect of this application which is for the approval of reserved matters.

**Other matters**

Dwelling Mix - The proposed mix of units would include a mix of dwellings including 2 x 3 bedroom flats on the ground floor with direct access to a private amenity space.

Private Amenity Space - The garden area on the ground floor would be divided into two areas providing outside space to the two 3-bedroom units, three of the other units would have access to small balcony area. The level of open space provided by the development would be limited totaling approxiamately 130 sq. metres, which is 60 sq. metres below the suggested minimum provision in the Adopted Supplementary Planning Guidance. Given the constraints imposed by having to provide 14 units within the site, it is unlikely that a higher level of amenity space could be achieved without providing more balconies which may give rise to issues of overlooking.

Refuse storage and collection - This would be from Gervase Street, it is considered that the refuse and recycling area would be adequate for the units provided.

The provision of the disabled parking space on street has been assessed and is
considered acceptable.

**Conclusion**

44. The application site has been subject to a number of decisions in recent years. In assessing the merits of the current proposal, and looking at the Inspectors' assessment of the outline scheme, it is considered that whilst the development would result in some loss of amenity to the adjoining properties, taking into account the inspectors' decision such a loss would not be so significant such that would warrant refusal of the scheme.

45. The main area of concern raised by a number of residents was that of car parking and the loss of the existing public house building. The public house has since been demolished and the Inspector's decision last year accepted its loss and replacement with a new building. Likewise with parking the inspector has conceded that no parking needed to be provided within this location. Given the extent of independent assessment of the development it would be unreasonable for the Council to withhold consent. It is therefore recommended that permission be granted.

**COMMUNITY IMPACT STATEMENT**

46. 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.

**SUSTAINABLE DEVELOPMENT IMPLICATIONS**

47. The reuse of the land to provide residential development is in line with Government guidance on the use of brownfield sites. The proposal would promote the use of bicycles with no off street car parking and secure cycle storage within the development.

**LEAD OFFICER**  
Mr David Stewart  
Interim Head of Development & Building Control

**REPORT AUTHOR**  
Sonia Watson  
Team Leader Development Control [tel. 020 7525 5434]

**CASE FILE**  
TP/2424-C

**Papers held at:**  
Regeneration Department, Council Offices, Chiltern, Portland Street  
SE17 2ES [tel. 020 7525 5403]

List of neighbour consultees

14 ASYLUM ROAD LONDON  SE15 2RL  
84 STAVELEY CLOSE LONDON  SE15 2JN  
166 CAROLINE GARDENS ASYLUM ROAD  
LONDON  SE15 2SH  
25 SCYLLA ROAD LONDON  SE15 3NY  
45A NAYLOR ROAD LONDON  SE15 1QJ  
18 HOOKS CLOSE LONDON  SE15 2TP  
79 MEETING HOUSE LANE LONDON  SE15 2TU  
55 FRIERN ROAD LONDON  SE22 0AU  
10 Ravenet Court Ravenet Street London
FLAT 14 GRENIER APARTMENTS 18 GERVASE STREET LONDON SE15 2RS
FLAT 15 GRENIER APARTMENTS 18 GERVASE STREET LONDON SE15 2RS
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Flat 47 Grenier Apartments 18
Gervase Street London SE15 2RS
Flat 48 Grenier Apartments 18
Gervase Street London SE15 2RS
Site 79-161 Ilberton Road London
SE16 3JZ
Site MTR223 79-161 Ilberton Road
London SE16 3JZ
343-347 Ilberton Road London SE15
1NW
313-320 Ilberton Road London SE15
1NW
12 Asylum Road Peckham London SE15
2RL
65B Asylum Road Peckham London SE15
2RJ
6 Ivanhoe Road London SE5 8DH
14E Asylum Road London SE15 2RL
Christ Church Vicarage 79 Asylum Road
London SE15 2RJ
65A Asylum Road London SE15 2RJ
178 Peckham Rye London SE22 9QA
Flat B 14 Asylum Road London SE15 2RL
House of Commons London SW1A 0AA
67A Asylum Road London SE15 2RJ
Approval has been GIVEN for the following details:

Approval of Reserved Matters as required by Condition 1 (excluding landscaping) layout, scale, external appearance, means of access, discharge of condition 4 parking arrangements, condition 6 storage and collection of domestic refuse and condition 7 cycle storage of Outline planning permission granted 29/06/2006 by The Planning Inspectorate Appeal Ref: APP/A5840/A/06/2011321 for demolition of a public house and erection of a building comprising 14 residential units.

At: 61 ASYLUM ROAD, LONDON, SE15 2RJ

In accordance with application received on 26/09/2006

and Applicant's Drawing Nos. 03009.01.101, 03009.02.100, 03009.02.101, 03009.02.200A.

Subject to the following conditions:

1. The glazing on the south elevation of the building shown on drawing 03009.02.200 as obscure glazed 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 along Asylum Road from undue overlooking in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan January 2007 Modifications Version and Policy E.3.1 ‘Protection of Amenity’ of the Southwark Unitary Development Plan.

2. The screen to the balcony on the top floor of the east elevation 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 along Asylum Road from undue overlooking in accordance with Policy 3.2 Protection of Amenity of the Southwark Plan January 2007 Modifications Version and Policy E.3.1 ‘Protection of Amenity’ of the Southwark Unitary Development Plan.

3. No part of the development hereby approved shall be occupied until the disabled parking bay as shown on drawing no. 03009.02.100 has been provided and is available for use.

   Reason
   In order to ensure that the needs of people with mobility difficulties are adequately catered for, and in accordance with Policy 5.7 Parking Standards for Disabled People and the Mobility Impaired of the Southwark Plan Modifications Version January 2007.

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:

a] Policies 3.2, 3.7, 3.11, 3.12, 3.13, 4.1, 4.2, 4.3, 5.1 and 5.3 of the emerging Southwark Unitary Development Plan [Jan.2007].


c] Policies 3A.4 and 4B.3 of the London Plan [2004].
Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

Informatives

1 At least 6 months before the occupation of the new buildings or units of accommodation hereby permitted you are advised that you must obtain the Council's approval for the numbering and naming of buildings and the naming of any new streets created by the development. Application forms can be obtained from the Street Naming and Numbering service at the Council's Regeneration Department, Council Offices, Chiltern, Portland Street, London SE17 2ES (Tel: 020-7525-5403).

2 The planning permission granted includes alterations and amendments to areas of public highway which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal (Client) Engineer Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway.

3 The Council's formal approval as local planning authority of the following details of the development is still required and you are reminded that failure to comply with the terms and requirements of the condition[s] listed below would result in a breach of planning control liable to enforcement action:

Condition
5 Samples and details of materials to be used in the external surfaces of the building
8 Landscaping and boundary treatment
9 Archaeology and soil contamination
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