

## Planning Sub-Committee B

Wednesday 5 July 2017

7.00 pm

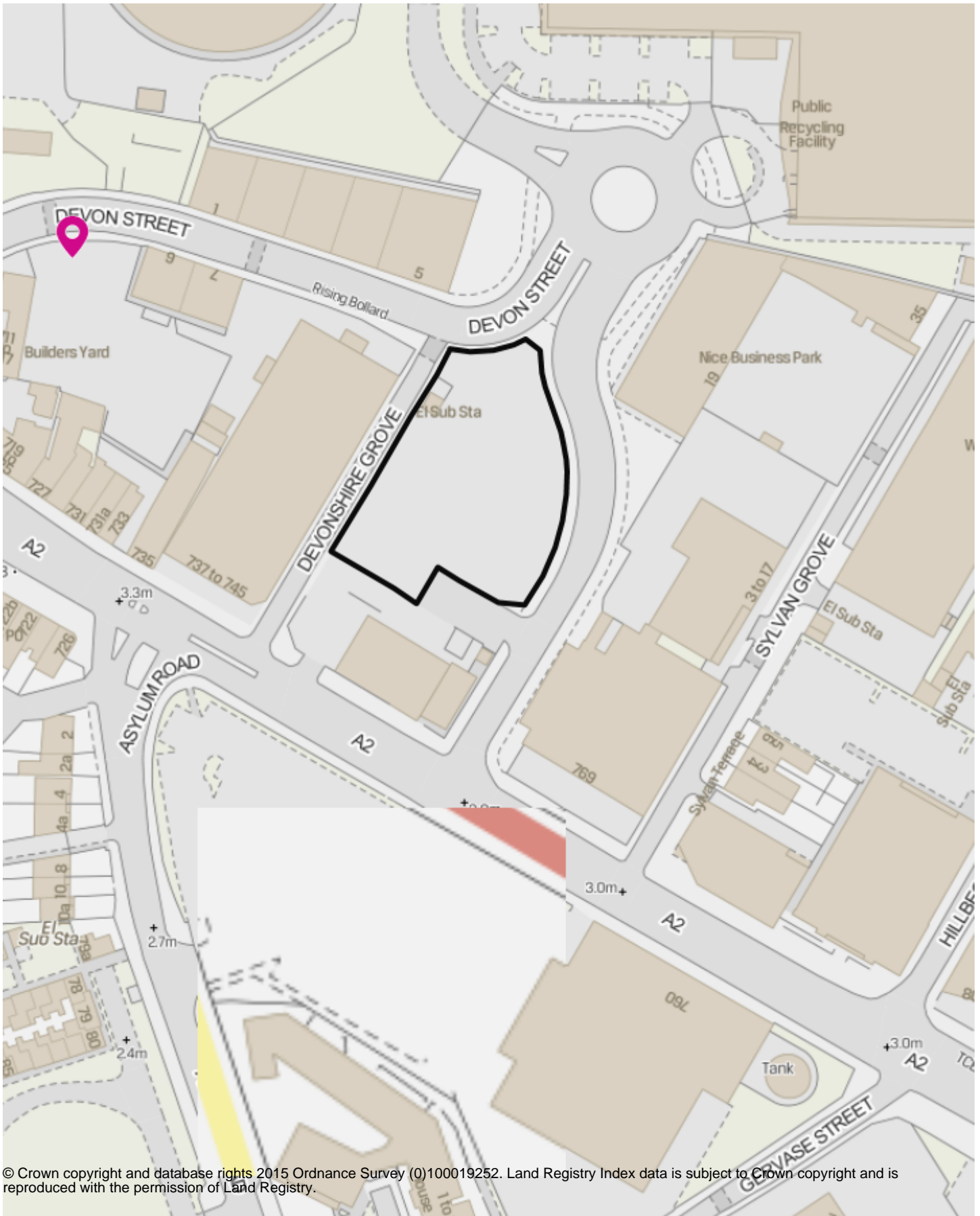
Ground Floor Meeting Room G01 – 160 Tooley Street, London SE1 2QH

## Supplemental Agenda No.1

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# ITEM 7.3 - LAND AT DEVONSHIRE GROVE AND DEVON STREET, LONDON SE15 1JR



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<b>Item No.</b> 7.3	<b>Classification:</b> Open	<b>Date:</b> 5 July 2017	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Council's own development Application 17/AP/1976 for: Council's Own Development - Reg. 3  <b>Address:</b> LAND AT DEVONSHIRE GROVE AND DEVON STREET, LONDON SE15 1JR  <b>Proposal:</b> Temporary change of use from storage and distribution (Use Class B8) to a travellers' site (Sui Generis) for 18 months with five static portacabins, space for four touring caravans and associated facilities and parking.		
<b>Ward(s) or groups affected:</b>	Livesey		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b>	19/05/2017	<b>Application Expiry Date</b>	14/07/2017
<b>Earliest Decision Date</b>	17/06/2017		

## RECOMMENDATION

1. Grant temporary planning permission for a period of 18 months, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The application site is currently used by the council's environment and leisure department for the storage of a variety of inert goods and materials such as logs and wood-chipping and to park vehicles.
3. Neighbouring uses are mainly commercial with several large retail and industrial warehouses within the vicinity. To the north of the site is the integrated waste management facility (IWMF). To the south is a facility used by a parking enforcement company and to the west is a commercial warehouse. The closest residential accommodation is located approximately 70m to the southwest of the site along Asylum Road with additional residential properties approximately 100m to the west of the site within Ullswater House.
4. The site does not contain any listed buildings and it is not within a conservation area. It is within a preferred industrial location, the Old Kent Road Action Area, the air quality management area and an archaeological priority zone. The site is also

located within Flood Risk Zone 3 and a critical drainage area.

### **Details of proposal**

5. The application is for the temporary change of use of the site from storage to a travellers' site, including the provision of five static homes with a floor area of 40 sq.m; parking for four touring caravans; a separate toilet and shower building and two other buildings each containing a commercial washing machine and drier.
6. A new pedestrian gate is proposed to the north of the existing vehicle entrance on Devonshire Grove, along with landscaping and a children's play area.
7. A total of six car parking spaces are proposed along with two areas that can together accommodate up to 20 bicycles.
8. The council provides a range of different-sized pitches for gypsies and travellers on four official sites in the Borough: Ilderton Road, Brideale Close, Burnhill Close and Spring Tide Close. In April 2017 a fire risk assessment identified that urgent works were needed to achieve compliance with fire safety regulations for the Ilderton Road site. This application has been made by the council in order to relocate some existing occupants while the work to meet the fire safety requirements are completed along with railway embankment stabilisation works and refurbishment of the pitches.

### **9. Planning history**

11/AP/0882 Application type: Full Planning Application (FUL) - Use of land to the rear of Murco Petrol Station to provide a new egress arrangement on to newly constructed exit road (serving the new IWMF) - Decision date 10/06/2011 Decision: Granted (GRA).

### **Planning history of adjoining sites**

10. 737-745 OLD KENT ROAD, LONDON, SE15 1JL - 16/AP/2873 - Planning permission was granted for the Installation of new vehicular access from Devonshire Grove.
11. 769 OLD KENT ROAD, LONDON, SE15 1NZ - 10-AP-2350 - Planning permission was granted for the construction of weatherproof retaining wall to former party wall adjoining HSS warehouse, 769 Old Kent Road London SE16.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

12. The main issues to be considered in respect of this application are:
  - a) The principle of the development in terms of land use and conformity with strategic policies.
  - b) The impact of the development on the amenity of the adjoining properties.

- c) Design Quality
- d) Flood Risk
- e) All other relevant material planning considerations.

### **Planning policy**

#### 13. National Planning Policy Framework 2012

- 1. Building a strong, competitive economy
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 10. Meeting the challenge of climate change, flooding and coastal change

#### 14. Department for Communities and Local Government - Planning Policy for Traveller sites - August 2015

- Policy A: Using evidence to plan positively and manage development
- Policy B: Planning for traveller sites
- Policy H: Determining planning applications for traveller sites
- Policy I: Implementation

#### 15. The London Plan 2016

- Policy 2.13 Opportunity Areas and Intensification Areas
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.8 Housing Choice
- Policy 3.9 Mixed and balanced communities
- Policy 4.4 Managing industrial land and premises
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.13 Safety, security and resilience to emergency

#### 16. Core Strategy 2011

- Strategic Policy 1 – Sustainable development
- Strategic Policy 2 – Sustainable transport
- Strategic Policy 9 – Homes for Travellers and Gypsies
- Strategic Policy 10 – Jobs and businesses
- Strategic policy 12 - Design and conservation
- Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

17. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.2 Strategic and local preferred industrial locations

Policy 3.2 Protection of amenity

Policy 3.8 Waste management

Policy 3.9 Water

Policy 3.11 Efficient Use of land

Policy 3.12 Quality in design

Policy 3.13 Urban design

Policy 3.14 Designing out crime

Policy 3.19 Archaeology

Policy 5.2 Transport impacts

Policy 5.3 Walking and cycling

Policy 5.6 Car parking

18. Draft Old Kent Road Action Area Plan (2017)  
 AAP 5: Optimising delivery of new homes  
 AAP 18: Walking and cycling  
 AAP 19: Highways  
 AAP 21: Car parking  
 AAP 23: Flood risk and sustainable urban drainage systems  
 AAP 26: Proposals sites

#### Summary of neighbour consultation responses

19. A total of five objections have been received in response to the proposed development: four from developers or local land owners and one from a resident. The objections raise the following concerns:

- There are existing traveller sites within the area and there is no need for more.
- Detrimental impacts surrounding business.
- Security issues.
- Increased traffic.
- Amenity impacts through increased noise.
- Concerns that the site would permanently become a traveller site.
- That the development would restrict future development of the site and neighbouring sites, contrary to the Draft Old Kent Road Action Area Plan.

#### Statutory consultee responses

20. Environment Agency - No objection subject to a condition detailing flood mitigation measures.

### **Principle of development**

21. The site is currently used for storage (Use Class B8) by the council's environment and leisure department. The surrounding uses are all of a similar commercial nature, with large retail buildings close by.
22. The national planning guidance set out in the Planning Policy for Traveller Sites is to be read alongside the general policies of the National Planning Policy Framework. The guidance, first issued in 2012 and updated in 2015, places a requirement on local authorities to set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of their area.
23. Policy H of the guidance outlines that local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:
  - a) the existing level of local provision and need for sites.
  - b) the availability (or lack) of alternative accommodation for the applicants.
  - c) other personal circumstances of the applicant.
  - d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites.
  - e) that they should determine applications for sites from any travellers and not just those with local connections.
24. The existing level of provision in the borough is 42 pitches across the four sites referred to above. A needs assessment for sites is something that the council is in the process of commissioning. The applicant has looked at a number of sites in the borough, including existing gypsy and traveller sites, and believes the Devonshire Grove site is the most suitable. When identifying the site it was important for the Council to ensure the temporary site was large enough to accommodate all of the occupants that would need to be relocated and to minimise disruption to the occupants and their families. In particular, a number of the children attend the Ilderton Road Primary School.
25. Policy H goes on to state that when considering applications, local planning authorities should attach weight to the following matters:
  1. effective use of previously developed (brownfield), untidy or derelict land.
  2. sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.
  3. promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children.
  4. not enclosing a site with so much hard landscaping, high walls or fences, that

the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

26. This application is for a temporary period only in order to allow safety works on the existing Ilderton Road gypsy and traveller site. It utilises a brownfield site that is not efficiently used and appropriate consideration has been given to the landscaping and maintaining an open character to the site. It includes generous cycle parking and a children's play area to encourage a healthy lifestyle.
27. Policy H also outlines that local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:
  - a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise.
  - b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events).
  - c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site.
28. Planning objections for this application relate to the use of the land and the possibility of it preventing future development, although objectors have mentioned the impact on amenity. Controls referred to above are more closely related to impacts on amenity which are addressed below.
29. The site is located within a preferred industrial location and saved policy 1.2 of Southwark Plan 2007 seeks to protect such areas against the loss of industrial employment land. The policy goes on to note that permission should only be granted for uses within B use class or sui generis use class industries. The site is however situated on the southern most boundary of the PIL and the immediately adjoining uses are storage or light industrial (with the exception of the IWMMF). Given the temporary nature of the proposed development, it is not considered to be contrary to saved policy 1.2.
30. Objectors have raised concern that the proposed development would be contrary to the Draft Old Kent Road Action Area Plan (OKR AAP), in particular the allocation of the site as a future development site (site designation 17). The OKR AAP sets out the Council's aspirations for the opportunity area over the next 20 years, including mixed use development in some preferred industrial locations. The Preferred Option version of the OKR AAP was consulted on between June and early November 2016. The council is currently consulting on a number of changes to the preferred options policies, including new and amended policies. This consultation is taking place between June and September 2017. Paragraph 216 of the NPPF states that in certain circumstances decision-takers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan. As the OKR AAP is currently at Preferred Option stage it holds limited weight in decision making now.
31. The site is located within proposed strategic site allocation OKR17. The OKR AAP envisages significant change to this area including residential development, town



centre and employment uses. The site allocation comprises land parcels in different land ownerships and the plan acknowledges strategic delivery and collaboration will be required to support growth, including delivering new infrastructure, to achieve the long term aspirations of the OKR AAP. The relationship of any new development proposals in OKR17 with the IWMF and access road would need to be taken into account. Any future permanent development proposals (taking into account adopted policy or the emerging OKR AAP) would not be affected by a temporary use of the site for 18 months, taking into account the complexities to be resolved before any permanent development could start. The proposal is therefore considered to be acceptable and in accordance with adopted policies.

32. The proposal is for the temporary use of the site for static homes and touring caravans on a site that is presently used for vehicle storage and chipping wood - which is not an efficient use of the land. The current use will be re-located to a nearby site within private ownership on Bianca Road. Saved Southwark Plan [2007], Strategic Policy 20 and emerging AAP policy 26 specify that a temporary planning permission may be granted to allow good use to be made of a vacant site prior to the commencement of a permanent scheme. Although the site is not vacant, there is a clear need for this, more efficient, use of the land, to allow safety works to take place on the permanent site. This change of use is within the spirit of the policies.
33. Temporary uses have been permitted on other allocated sites in order to maximise their use whilst development proposals come forward (e.g. Borough Triangle (ref: 16/AP/1576) and the Print Works in Canada Water (ref: 16/AP/3318)); as such the proposal is consistent with the council's approach on other allocated sites to allow for temporary uses that are an efficient use of land.
34. Strategic Policy 9 outlines that the key objectives for traveller sites is to:
  1. Safeguard the existing four traveller and gypsy sites in Southwark.
  2. Identifying new sites for additional facilities to meet the needs of travellers and gypsies having regard to:
    - The need for safe access to the road network.
    - The impact on the local environment and character.
    - The impact on amenity.
    - The availability of essential services, such as water, sewerage and drainage and waste disposal.
    - The proximity to shops, services and community facilities.
    - The need to avoid areas at high risk of flooding.
35. The proposed temporary use safeguards an existing gypsy and traveller site because it is required to facilitate essential safety improvements to the Ilderton Road site. Substantial weight should be given to this fact.
36. Overall the temporary use is in accordance with the relevant national and local policies, subject to the impacts on neighbours, transport and other material planning considerations. The proposal is acceptable in principle.

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

37. Policy H of the DCLG Planning Policy Guidance for Traveller Sites says that local planning authorities should consider how they can overcome planning objections. Objections from neighbours on amenity refer to the impact that the proposal would have on commercial uses. All neighbouring uses close to the site are non-residential, with offices and the IWMF situated to the north of the site, a storage and distribution use to the west and retail units to the east and south of the site. The closest residential uses are over 70m away from the site and as such would not be significantly affected by the proposed development.
38. In terms of the amenity of the commercial uses, their operation would not be significantly affected by activities on the site. This is because the temporary use would be residential which, by its very nature, is less disturbing than many non-residential uses. Indeed, there would be fewer vehicle movements from the proposed use than there presently are.
39. The proposed buildings are all single storey and would not result in any impacts on daylight/sunlight or outlook because of their height and distance from neighbouring buildings. There are no residential properties adjacent and there would also be no significant overlooking issues into the neighbouring commercial uses.
40. Officers are satisfied that there would not be any significant impacts in terms of amenity on the surrounding premises or properties and thus accords with saved policy 3.2 'Protection of Amenity' of the Southwark Plan and Policy H of the national guidance, subject to a condition limiting the number of vehicles and touring caravans on the site at any one time. Because of the distance to residents and the commercial nature of the immediate surroundings, other controls of the type referred to in Policy H are not considered necessary.

### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

41. Although the majority of the uses surrounding the site are commercial they are not heavy industrial uses and as such are unlikely to harm the amenity of the residents that would move onto the site.
42. The IWMF is approximately 70m away from the northern end of the site. The proposed site is further from the IWMF than residents on Hillbeck Close and future residents of the recently consented residential scheme at 8-34 Sylvan Grove. The permission for the IWMF included conditions to control noise and odour. These conditions would similarly protect future residents on this site.

### **Transport issues**

43. The council's transport team noted that the new crossover proposed is close to junction to the south of the site, but as this is a dead-end, it would not affect highway safety.

44. No large vehicles would be on site other than those delivering mobile homes and removing them at the end of the temporary use. Residents would bring up to four tow caravans or camper vans; these would all be located within designated parking areas on the site, a condition is proposed to limit the numbers of caravans and campervans to those shown on the submitted plans. The residents would not be allowed to bring trucks onto the site or conduct any activity requiring large vehicles. The site would have a vehicle access gate exclusively for the use of the travellers and as such no vehicle conflict is anticipated with the APCOA access.
45. The proposal includes six car parking spaces for the proposed residents. The applicants note that not all of people who would move have car parking spaces on the existing Ilderton Road site and as such six parking places would provide sufficient spaces for the number of cars for the residents being decanted. Whilst this is more cars than would normally be acceptable within a location with a good PTAL of 3/5, as it is to accommodate the existing number of cars currently available for residents for a temporary period, the level of parking is acceptable. A condition is recommended to limit the parking on the site to within these six spaces in order ensure that additional vehicles are not parked within the site, as this could result in additional fire safety concerns.
46. Access into and out of the site would be from Devonshire Grove which is a one way street which provides access for the IWMF, the proposal would provide a visibility splay at the entrance to the site which would allow for sufficient visibility into and out of the site. Furthermore, the number of vehicular movements within the site would still be relatively limited and would be less than the lawful business use within the site, as such the proposal would not result in any increased highway safety concerns
47. Two areas of cycle storage are proposed which together would provide 20 spaces; an appropriate provision for the use. An enclosed refuse area is also proposed which can be easily accessed by refuse vehicles. Compliance conditions are proposed to ensure that these are provided on site.

### **Design issues**

48. The proposed structures are modular temporary buildings which are functional in their design and appearance and which would provide the space required in the most sustainable form of development possible with minimal impact on surrounding uses.
49. The application site is not situated within a conservation area and none of the buildings surrounding the site are listed. There are some listed buildings situated along Asylum Road however these buildings are in excess of 100m to the southwest of the site; the positioning of the proposed structures are sufficiently removed from the listed buildings so as to not result in any significant harm to their setting.
50. The space for caravans and parking would not reduce the visual amenity of the area as the existing site is already used for storage of cars as well as other materials.
51. Indeed, the proposed landscaping would help visually improve the site which at present just consists of hard landscaping. This would allow for improvements to the living accommodation for the future occupiers of the site.

**Impact on trees**

52. There are no trees located within the site and therefore no concerns are raised here.

**Planning obligations (S.106 undertaking or agreement)**

53. Not required for an application of this nature.

**Flood risk**

54. The Environment Agency have advised that the site is at low residual risk and that they have recommended that a flood evacuation plan is developed, an informative is recommended to ensure that this is produced. It is presently a site with hardstanding, which would remain and not affect surface water drainage.

**Other matters**

55. Temporary structures and uses are not subject to CIL liability.

**Conclusion on planning issues**

56. The proposed temporary use is acceptable in principle and allows for existing tenants within the Ilderton Road Gypsy and Traveller site to be relocated for a temporary period, allowing much needed works to be undertaken to improve the existing Ilderton Road Gypsy and Traveller site. The amenity impacts and transport impacts of the proposed development would not be significantly detrimental. For these reasons, it is recommended that temporary planning permission is granted.

**Community impact statement**

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

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

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

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

**Consultations**

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

### **Consultation replies**

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

### **Human rights implications**

60. The Housing and Planning Act 2016 provides that local housing authorities should consider the needs of people *'residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed.'*
61. Planning policy for traveller sites defines "gypsies and travellers" to mean: *'persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'* The occupants of Ilderton Road are considered to fall within this definition.
62. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
63. This application has the legitimate aim of providing a temporary permission for a Gypsy and Traveller site to allow for required maintenance to the existing site. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.
64. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the Council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.
65. The Equality Act 2010 does not define race, however case law has established that Roma gypsies and Irish travellers are covered by the protected characteristic of race for the Equality Act 2010. In this case, the travellers to be relocated are Irish travellers.

### **REASONS FOR LATENESS**

66. A total of 5 objections were received late in the consultation period which triggered the referral to the planning sub-committee.

## REASONS FOR URGENCY

67. The applicants require consideration of the application as a matter of urgency in order to allow for the residents of the existing Ilderton Road site to be moved so that the urgent embankment works can be undertaken.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2420-A Application file: 17/AP/1976 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Alex Cameron, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	30 June 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	30 June 2017	

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 24/05/2017

**Press notice date:** n/a

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 25/05/2017

#### Internal services consulted:

Flood and Drainage Team

#### Statutory and non-statutory organisations consulted:

Environment Agency

#### Neighbour and local groups consulted:

Unit 2 777 Old Kent Road SE15 1NZ

760 Old Kent Road London SE15 1NJ

Unit 1 777 Old Kent Road SE15 1NZ

101 Caroline Gardens Asylum Road SE15 2SE

2 Asylum Road London SE15 2SB

747-759 Old Kent Road London SE15 1NZ

722b Old Kent Road London SE15 1NG

Southwark Integrated Waste Management Facility 43 Devon Street SE15 1AL

720 Old Kent Road London SE15 1NG

724 Old Kent Road London SE15 1NG

102 Caroline Gardens Asylum Road SE15 2SE

10a Asylum Road London SE15 2SB

Apartment A 6 Asylum Road SE15 2SB

Milestone Court 1 Wales Close SE15 2SL

Apartment K 6 Asylum Road SE15 2SB

Apartment G 6 Asylum Road SE15 2SB

4a Asylum Road London SE15 2SB

2a Asylum Road London SE15 2SB

79a Caroline Gardens Asylum Road SE15 2SE

4 Asylum Road London SE15 2SB

10 Asylum Road London SE15 2SB

8 Asylum Road London SE15 2SB

Unit 3 Daisy Business Park SE15 1PD

1 Sylvan Terrace Sylvan Grove SE15 1PB

789-799 Old Kent Road London SE15 1NZ

2 Sylvan Terrace Sylvan Grove SE15 1PB

4 Sylvan Terrace Sylvan Grove SE15 1PB

3 Sylvan Terrace Sylvan Grove SE15 1PB

726 Old Kent Road London SE15 1NG

336 Commercial Way London SE15 1QN

720a Old Kent Road London SE15 1NG

First Floor And Second Floor Flat 729 Old Kent Road SE15 1JL

Unit 3 25-39 Devon Street SE15 1JR

First Floor 777 Old Kent Road SE15 1NZ

Block A Room 3 Milestone Court SE15 2SL

724a Old Kent Road London SE15 1NG

Block A Room 6 Milestone Court SE15 2SL

Unit 6 Daisy Business Park SE15 1PD

Rear Flat 724 Old Kent Road SE15 1NG

Flat 1 719-721 Old Kent Road SE15 1JL

Flat 2 719-721 Old Kent Road SE15 1JL

Flat 4 719-721 Old Kent Road SE15 1JL

Flat 3 719-721 Old Kent Road SE15 1JL

723 Old Kent Road London SE15 1JL

Flat 723 Old Kent Road SE15 1JL

Room 7 720 Old Kent Road SE15 1NG

Room 6 720 Old Kent Road SE15 1NG

Room 8 720 Old Kent Road SE15 1NG

First Floor Flat 720a Old Kent Road SE15 1NG

Room 9 720 Old Kent Road SE15 1NG

Room 5 720 Old Kent Road SE15 1NG

Room 1 720 Old Kent Road SE15 1NG

Room 2 720 Old Kent Road SE15 1NG

Room 4 720 Old Kent Road SE15 1NG

Room 3 720 Old Kent Road SE15 1NG

Second Floor Flat 720a Old Kent Road SE15 1NG

Block A Room 4 Milestone Court SE15 2SL

Block A Room 2 Milestone Court SE15 2SL

Block A Room 5 Milestone Court SE15 2SL

Block A Room 1 Milestone Court SE15 2SL

Second Floor And Third Floor 735 Old Kent Road SE15 1JL

Lower Ground Floor Ground Floor And Part First Floor 735

722a Old Kent Road London SE15 1NG

720b Old Kent Road London SE15 1NG  
 5 Sylvan Terrace Sylvan Grove SE15 1PB  
 727 Old Kent Road London SE15 1JL  
 711-713 Old Kent Road London SE15 1JL  
 Flat 1 729 Old Kent Road SE15 1JL  
 737-745 Old Kent Road London SE15 1JL  
 346 Commercial Way London SE15 1QN  
 338 Commercial Way London SE15 1QN  
 6 Sylvan Terrace Sylvan Grove SE15 1PB  
 340 Commercial Way London SE15 1QN  
 344 Commercial Way London SE15 1QN  
 342 Commercial Way London SE15 1QN  
 Unit 6 25-39 Devon Street SE15 1JR  
 Unit 5 25-39 Devon Street SE15 1JR  
 Unit 7 25-39 Devon Street SE15 1JR  
 Rear Of 731a Old Kent Road SE15 1JL  
 721 Old Kent Road London SE15 1JL  
 Unit 2 25-39 Devon Street SE15 1JR  
 726a Old Kent Road London SE15 1NG  
 Flat 8 Milestone Court SE15 2SL  
 2-20 Devon Street London SE15 1JR  
 Unit 1 25-39 Devon Street SE15 1JR  
 Unit 4 25-39 Devon Street SE15 1JR  
 Unit 5 First Floor Daisy Business Park SE15 1PD  
 767-775 Old Kent Road London SE15 1NZ  
 Unit 5 Ground Floor Daisy Business Park SE15 1PD  
 Units 1 And 2 Daisy Business Park SE15 1PD  
 Flat 7 Milestone Court SE15 2SL  
 Apartment H 6 Asylum Road SE15 2SB  
 Apartment R 6 Asylum Road SE15 2SB  
 Apartment I 6 Asylum Road SE15 2SB  
 Unit B 6 Asylum Road SE15 2SB  
 Apartment J 6 Asylum Road SE15 2SB  
 Apartment Q 6 Asylum Road SE15 2SB  
 Apartment M 6 Asylum Road SE15 2SB  
 Apartment L 6 Asylum Road SE15 2SB  
 Apartment N 6 Asylum Road SE15 2SB  
 Apartment P 6 Asylum Road SE15 2SB  
 Apartment O 6 Asylum Road SE15 2SB  
 Unit C 6 Asylum Road SE15 2SB  
 Flat 3 Milestone Court SE15 2SL  
 Flat 2 Milestone Court SE15 2SL  
 Flat 4 Milestone Court SE15 2SL  
 Flat 6 Milestone Court SE15 2SL  
 Flat 5 Milestone Court SE15 2SL  
 Flat 1 Milestone Court SE15 2SL  
 Unit E 6 Asylum Road SE15 2SB  
 Unit D 6 Asylum Road SE15 2SB  
 Unit F 6 Asylum Road SE15 2SB  
 First Floor And Second Floor Flat 722b Old Kent Road SE15 1NG

Old Kent Road SE15 1JL  
 Upper Ground Floor And First Floor 735 Old Kent Road SE15 1JL

Third Floor 777 Old Kent Road SE15 1NZ  
 Second Floor 777 Old Kent Road SE15 1NZ  
 26 Hillbeck Close London SE15 1EE  
 25 Hillbeck Close London SE15 1EE  
 27 Hillbeck Close London SE15 1EE  
 29 Hillbeck Close London SE15 1EE  
 28 Hillbeck Close London SE15 1EE  
 24 Hillbeck Close London SE15 1EE  
 20 Hillbeck Close London SE15 1EE  
 2 Hillbeck Close London SE15 1EE  
 21 Hillbeck Close London SE15 1EE  
 23 Hillbeck Close London SE15 1EE  
 22 Hillbeck Close London SE15 1EE  
 3 Hillbeck Close London SE15 1EE  
 8 Hillbeck Close London SE15 1EE  
 7 Hillbeck Close London SE15 1EE  
 9 Hillbeck Close London SE15 1EE  
 334 Commercial Way London SE15 1QN  
 332 Commercial Way London SE15 1QN  
 6 Hillbeck Close London SE15 1EE  
 31 Hillbeck Close London SE15 1EE  
 30 Hillbeck Close London SE15 1EE  
 32 Hillbeck Close London SE15 1EE  
 5 Hillbeck Close London SE15 1EE  
 4 Hillbeck Close London SE15 1EE  
 19 Hillbeck Close London SE15 1EE  
 Land At 2-20 Devon Street SE15 1JR  
 Flat 4 721 Old Kent Road SE15 1JL  
 Unit 20 Daisy Business Park SE15 1PD  
 Flat 3 721 Old Kent Road SE15 1JL  
 Unit 21 Daisy Business Park SE15 1PD  
 720c Old Kent Road London SE15 1NG  
 Unit 1040 737-745 Old Kent Road SE15 1JL  
 Flat 2 721 Old Kent Road SE15 1JL  
 Flat 1 721 Old Kent Road SE15 1JL  
 Unit 4 Daisy Business Park SE15 1PD  
 15 Hillbeck Close London SE15 1EE  
 14 Hillbeck Close London SE15 1EE  
 16 Hillbeck Close London SE15 1EE  
 18 Hillbeck Close London SE15 1EE  
 17 Hillbeck Close London SE15 1EE  
 13 Hillbeck Close London SE15 1EE  
 1 Hillbeck Close London SE15 1EE  
 10 Hillbeck Close London SE15 1EE  
 12 Hillbeck Close London SE15 1EE  
 11 Hillbeck Close London SE15 1EE

8 Waterloo Court I 0 Theed Street SE1 8ST  
 Daisy Business Park 19-35 Sylvan Grove SE15 1PO  
 C/O Pearl & Couits Ltd Third Floor

**Re-consultation:** n/a



**APPENDIX 2****Consultation responses received****Internal services**

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

C/O Pearl & Couits Ltd Third Floor  
Daisy Business Park 19-35 Sylvan Grove SE15 1PO  
Email representation  
346 Commercial Way London SE15 1QN  
8 Waterloo Court 10 Theed Street SE1 8ST

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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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<b>Applicant</b>	Mr Martin Kovats Southwark Council - Housing	<b>Reg. Number</b>	17/AP/1976
<b>Application Type</b>	Council's Own Development - Reg. 3	<b>Case</b>	TP/2420-A
<b>Recommendation</b>	Grant permission for limited period	<b>Number</b>	

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### Draft of Decision Notice

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**Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:**

Temporary change of use of from storage and distribution (Use Class B8) to a travellers' site (Sui Generis) for 18 months with 5 static portacabins, space for 4 touring caravans and associated facilities and parking.

**At:** LAND AT DEVONSHIRE GROVE AND DEVON STREET, LONDON SE15 1JR

**In accordance with application received on 18/05/2017 12:01:13**

**and Applicant's Drawing Nos.** P1.01 - Location Plan and Site Plan:

P1.02 - Existing and Proposed Site Plan Rev F:

P1.03 - Existing and Proposed Site Plan (showing site elevations):

P1.04 - Proposed Cabin Floor Plans and Elevations:

Design and Access Statement:

Flood Risk Assessment.

**Subject to the following seven conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The use of the site as a traveller site the erection of buildings hereby permitted shall not be retained after 14/12/2018 on or before which date the use shall cease and the buildings shall be removed from the site.

Reason

In approving a temporary permission, the local planning authority has had regard to need to safeguard the traveller site on Ilderton Road which this development would facilitate and the fact that the site is in a preferred industrial location and part of strategic site allocation OKR 17 (as defined in the draft Old Kent Road Area Action Plan 2017). The local planning authority considers that a temporary use would meet the requirements Policy H of Planning policy for traveller sites 2015 and Strategic Policy 9 of the Core Strategy while not unreasonably affecting the development potential of the site in the future or its longer term B class use.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

P1.02 - Existing and Proposed Site Plan Rev F:

P1.03 - Existing and Proposed Site Plan (showing site elevations):

P1.04 - Proposed Cabin Floor Plans and Elevations:

Reason:

For the avoidance of doubt and in the interests of proper planning.

**Pre-occupation condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 3 Before the first occupation of the site hereby permitted, the refuse storage arrangements shown on the approved drawings referenced P1.02 rev F - Existing and Proposed Site Plan and P1.04 Rev - Proposed Cabin Floor Plans and Elevations, shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

**Reason**

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 4 Before the first occupation of the site the cycle storage facilities as shown on drawing P1.02 Rev F - Existing and Proposed Site Plan, shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

**Reason**

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 5 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

**Reason**

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 6 No additional car parking shall be permitted on the site other than those shown on Dwg no.P.1.02 rev F (showing six spaces only).

**Reason**

To ensure compliance with Strategic Policy 2 - Sustainable Transport, 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity and 5.2 Transport Impacts of the Southwark Plan 2007.

- 7 No more than 5 static portacabins and 4 touring caravans as shown on Dwg no.P.1.02 rev F shall be permitted on site.

**Reason**

To ensure compliance with Strategic Policy 2 - Sustainable Transport, 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity and 5.2 Transport Impacts of the Southwark Plan 2007.

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The application was validated promptly.

**Informative**

The application site lies within a flood risk zone and you are advised that a flood plan, for implementation in the event of a flood or likelihood of a flood, should be prepared by the property owners/occupiers as to how they will manage their own flood risk before the premises are occupied. Further information about flood risk zones and how to prepare a flood plan can be found at [www.environment-agency.gov.uk/flood](http://www.environment-agency.gov.uk/flood).

**PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18**

**NOTE:** Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: telephone 020 7525 7234.

Name	No of copies	Name	No of copies
<b>To all Members of the sub-committee</b>			
Councillor Cleo Soanes (Chair)	1	Environmental Protection Team	1
Councillor Maria Linforth-Hall (Vice-Chair)	1		
Councillor Nick Dolezal	1	Communications	By email
Councillor Octavia Lamb	1	Louise Neilan, media manager	
Councillor Damian O'Brien	1		
Councillor Sandra Rhule	1		
Councillor Catherine Rose	1	<b>Total:</b>	22
<b>(Reserves to receive electronic versions only)</b>		<b>Dated: 17 February 2017</b>	
Councillor Evelyn Akoto			
Councillor Anne Kirby			
Councillor Eliza Mann			
Councillor Darren Merrill			
Councillor Leo Pollak			
<b>Officers</b>			
Constitutional Officer, Hub 2 (2 <sup>nd</sup> Floor), Tooley Street	10		
Jacquelyne Green/Selva Selvaratnam, Hub 2 (5 <sup>th</sup> Floor), Tooley Street	2		
Alex Gillott /Jon Gorst, Legal Services, Hub 2 (2 <sup>nd</sup> Floor), Tooley Street	2		