

Planning Sub-Committee B

Tuesday 10 December 2013

7.00 pm

Room G02, 160 Tooley Street, London SE1 2QH

Supplemental Agenda No. 1

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Item No: 7.	Classification: Open	Date: 10 December 2013	Meeting Name: Planning Sub-Committee B
Report title:		Addendum Late observations, consultation responses, and further information.	
Ward(s) or groups affected:		East Walworth, College	
From:		Head of Development Management	

PURPOSE

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

RECOMMENDATION

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

FACTORS FOR CONSIDERATION

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

3.1 **Item 7.5 – Huntsman and Hounds, 70 Elsted Street**

- 3.2 Additional representation from the objector at 38 Peacock Street, as follows:

The site has been offered for sale, and St Olave's united Charity has made an offer to purchase the pub.

Requested conditions on the following to be added to the recommendation:

1. To safeguard community amenity, the pub is closed for no longer than 6 months.
 2. The level of rent for the pub is affordable for its size and the lease period ensures its future as a pub.
 3. A reasonable Section106 is paid by the developer in lieu of the loss of public amenity space in the yard and spent on enhancing the streets around the pub.
 4. That it can only operate as an A4 pub
 5. The pub usage cannot be attacked by other residents of the development as a consequence of its reasonable operation.
- 3.3 In response to suggested conditions 1-3, officers have recommended within the agenda report that the proposal meets with planning policy. There would

therefore be no demonstrable harm resulting from the pub remaining empty, or the loss of the pub garden, that would need to be mitigated through the imposition of additional planning conditions or the necessity of a s106 payment.

Officers do however, consider that the A4 use can be protected against change of use through permitted development rights, and have proposed to add the following condition in response to suggested condition 4:

Notwithstanding the provisions of Class D of Part 4 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2013 the A4 (drinking establishment) use hereby permitted and as shown on the ground floor plan reference PL-05, shall be retained as A4, unless prior written consent is granted by the LPA.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 3.4 Officers also propose an additional condition on noise protection between residential and commercial uses:

Before any work hereby authorised begins, details of how the residential rooms within the development sharing a party element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 Leq, 5min is not exceeded due to noise from the commercial premises, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 3.5 A letter from the publican of Huntsman and Hounds and dated 27 November 2013, was received by officers on 10 December 2013. The letter is addressed to Members and states that he is satisfied that the proposal includes two darts boards in the pub, which will allow the established darts teams to continue to play. The letter also states that the rear yard has hardly been used for community events or activities and makes very little difference to the future viability of the pub. The publican confirms that he has reached an agreement with the developer, that once the pub is substantially completed, he will take occupation of the new unit under a new lease for a term of 5 years, which is longer than the standard 3 year pub tenancy.

3.6 Item 7.6 – Camber Lawn Tennis Club, Dulwich Common

3.7 Paragraph 6 of the officer report amended to read:

Erection of a new single storey clubhouse on site of former club house (which was destroyed by fire in March 2013). ***The new clubhouse will be exclusively used as a member's club only, and not rented to third parties for other use.*** The clubhouse will comprise changing rooms and other ancillary facilities for the tennis club. The proposal is 10 sqm larger than the previous building which results from its simple rectangular shape infilling some of the indentations of the previous plan form which arose from the incremental way in which the previous club house had been added to over the years. This more rational layout allows for greater accessibility with a changing room for disabled persons provided

REASON FOR LATENESS

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

REASON FOR URGENCY

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403

APPENDICES

No.	Title
Appendix 1	Further letters from consultees relating to item 7.5

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Susannah Pettit, Senior Planner; Neil Loubser Senior Planner	
Version	Final	
Dated	10 December 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	10 December 2013	

ADDENDUM APPENDIX 1

Huntsman and Hounds
70, Elsted Street
London SE17 1QG

27th November 2013

Dear Members,

Huntsman And Hounds – Planning Application

I, [REDACTED] have for the past 17 years and until very recently been the publican of the Huntsman and Hounds. I have had some health problems recently and so my niece will be taking the business over for a period of time. However I will continue as guarantor.

I have been dealing with Urbanicity No.11 LLP in relation to their proposed development of the pub and have been advising them as to the requirements for maintaining a viable pub on the site, if planning permission is granted to allow the development they want.

I have been consulted by Urbanicity since its involvement in this site, from March 2013. They have also met with me, other local residents, the Walworth Society, and local Councillors, to discuss their plans for the site.

I am satisfied that the proposal that has been submitted by them provides for 2 darts boards which will allow the established darts teams to continue to play. This is an important aspect of the business and important for the community. They have also made changes to their plans to take into account my requirements for cooking and storage facilities to the basement.

Although there is a yard area to the rear of the pub, it has hardly been used for community events and activities and makes very little if any difference to the future viability of the pub. Also, I have not needed to use any of the upstairs rooms for function space in connection with the pub, and all of these rooms have been used as private living space (e.g. bedrooms) for roughly 20 years.

Urbanicity and I have reached an agreement that once the development is substantially completed, I will take occupation of the new unit under a new Lease for a term of 5 years – which is longer than the standard 3 year pub tenancy.


The owners, Urbanicity, have assured me that the bar will be completed as soon as possible to allow normal trade to return as quickly as possible.

I am happy with these arrangements and do not understand why there are objections to the proposal when a pub will remain in place for myself and the community and the attractive part of the existing pub building is also going to be preserved.

The proposal from Urbanicity has my support and that of my family.

Yours faithfully [REDACTED]

[REDACTED]



26th June 2013

Mr. S. Bevan
Director of Planning
Southwark Council
160 Tooley Street
London SE1 2TZ

Dear Simon,

Ref: Huntsman & Hounds Public House

I am writing as a local resident and collective of local people who use the Huntsman pub and value the architectural heritage of Walworth to raise concerns about the future of the Huntsman & Hounds pub at 70 Elsted Street SE17 1QG which we believe is under imminent threat of closure and possible demolition. We are seeking support in relation to the future of the Huntsman PH in the light of the expected forthcoming planning application by the new owner (we understand that the property was recently sold by Admiral Taverns Nevada property to a private limited company) to change its use and/or to radically alter the building. Local people are keen that this valuable community asset is preserved in its current form both as a historic building and to retain its use as public house in the longer term.

This letter sets out how we view the Huntsman & Hounds pub as a key heritage feature (of architectural merit), as an irreplaceable community asset (through its use as a pub and as a sports and social venue) and as a significant feature in the successful delivery of the adjacent Aylesbury Area Action Plan (AAP).

We are therefore asking for guidance as to the options which are on offer to the community and for the support which Southwark may be able to offer in relation to this community asset.

The new owner appears to have a track record of developing pubs as HMOs or shutting them down and selling them on as development sites; we are concerned that they may not be aware of how this particular part of Walworth is earmarked for sustainable development and ongoing improvement in the coming years.

The Huntsman & Hounds Pub: is listed as a valuable heritage asset

We have seen documentation produced in March 2012 by the Walworth Society (which aims to, "Be a voice for people in Walworth and to preserve and protect its rich architectural heritage.") that identifies the Huntsman & Hounds pub as a potential 'community asset' worthy of 'local listing' as well as the adjacent streets including Elsted St and Tisdall Place as being of 'townscape merit'. We believe that the Huntsman fits well within an area which is worthy of Conservation Area designation.

In light of developments taking place through the Aylesbury Area Action Plan, we feel designation of a new Conservation Area would be an appropriate action by the Council and help to identify and proactively seek to protect an area of particular architectural character and merit for the benefit of the greater community in a time of considerable change.

The Huntsman & Hounds pub, along with a number of other notable buildings would sit at the heart of this proposed Conservation Area. The current pub (1892) appears to replace an earlier building, indicating that this site has always been used as a public house. The current building is important in terms of its façade and Victorian shop front in particular which has remained relatively unchanged over time (including a side entrance on Tisdall Place) but also for its massing and huge flank walls built of London stock with brick banding. The pub is also joined to 16 Tisdall Place, which from map research appears to be one of only 2 original houses that were built when the street was originally laid out between 1850 & 1879.

The Huntsman & Hounds pub: a key component for East Street's development as outlined under the Aylesbury Area Action Plan

Although the pub sits just outside the AAAP, the area action plan outlines how new populations in the immediate East Street/Thurlow Street vicinity will need new and improved facilities including shops, cafes and restaurants. Under Section Com 1 (Location of Social and Community Facilities) there is 2500 m² of employment space and 300m² of new shops planned for East Street (opposite the existing terrace of shops and only 25 meters from the Huntsman & Hounds pub). This policy substantiates a strong argument for the pub use being retained on the ground floor. This should not preclude its current use being developed to include other uses such as a café, bicycle repair shop or business hub thereby encouraging daytime use by home workers and local SMEs who are also mentioned in the AAAP in relation to this immediate area. Indeed the pub has a generous and protected yard that could be used to encourage more activity and use by local community throughout the day. The current landlord is committed to welcoming new customers into the pub; indeed he says there are immediate opportunities for providing amenity for both retired people and for younger people as well as his

current clientele.

The Huntsman & Hounds pub: an irreplaceable community social centre

The Huntsman is a thriving social centre with the current landlord being in occupation (with his family) for 17 years; altogether he has had association with the pub for more than 30 years. It is the only pub in the immediate neighbourhood and is linked closely with the shops & buses on East Street. The other nearest pub, the Rose & Crown on Rodney Road is linked to another set of shops and serves a different community.

The pub currently supports three darts teams playing on three nights per week in the Rising Sun Mixed League, the Southwark League and the Darwin Darts League and hosting both local & South London teams (stretching from Crystal Palace to Wandsworth).

The pub also hosts family parties and celebrations because of its central and accessible location, being close to Elephant & Castle and offering affordable prices and party catering.

The pub has a history of raising money through events for charities including Guide Dogs for the Blind, Marie Curie Cancer Care and Lennox Children's Cancer Fund. On 18th May the community ran a quiz night raising £200 for the Elimination of Leukaemia Fund. Their next charity night event is scheduled for 29th June. The current pub community is committed to supporting its possible evolution including attracting new customers through events and introducing new facilities and uses.

The community is aware that through the AAAP another local pub, the former King William IV public house in Albany Road was earmarked to be acquired by the Creation Trust to provide additional facilities for Walworth Academy and the new secondary school. Although this purchase did not happen, the Huntsman Community believe that this local pub should be considered as a building that is of similar status and therefore is one that could also be considered a viable community asset worthy of purchase and development for continued community use if it were to be offered for sale on the open market. It is believed that the pub was recently sold within the trade to an individual who buys pubs directly from breweries that are in need of repair, thereby allowing them to negate their responsibilities. This pub has been owned by five different breweries within the last 17 years and is in need of some investment if it is to be developed and to attract new customers.

The evolution of the Huntsman & Hounds pub: consultation with the community

The Aylesbury Area Action Plan clearly positions community consultation at the core of its ethos. No consultation has been done with the local community to date

about any proposed change in use or the immediate or long term future of the pub building when the current landlord's lease runs out in Nov 2013.

Because this building is clearly such an important community asset, the community is seeking reassurance that the Council might act to record the merits and future possibilities for the pub building and its surrounds and could outline how these can be protected using the relevant adopted planning policies and the Aylesbury Area Action Plan.

The Huntsman & Hounds : ensuring development is of high design quality

We recognize and support the Council's AAAP policy that seeks to attract the "best private sector developers and architects" who will actively "create a series of neighborhoods, each with its own character".

From our initial research, the community believes that the current owner has a track record of delivering poorly designed HMOs with disregard for both the host building and existing local communities. We have seen pictures of other pubs lying derelict in other town centers.

It is for this reason that we request an urgent dialogue to ensure that the important issues which we have described above are agreed and acted upon. We are acutely aware that if action is not taken swiftly another valuable community asset & active community centre will be irrevocably lost despite the participation of a thriving local community which wishes to preserve and develop it.

Yours faithfully

[REDACTED]
The following individuals have contributed & support this letter:

- [REDACTED] landlord of the Huntsman & Hounds
- [REDACTED] Treasurer of Rodney Road TRA & pub user
- The Darwin League Darts team - Huntsman & Hounds

Cc Simon Hughes MP

Stephen Douglas - Southwark Council

Michael Tsoukaris - Southwark Council

[REDACTED] The Walworth Society

Cllr Martin Seaton - East Walworth ward

Cllr Rebecca Lury - East Walworth ward

Cllr Darren Merrill - East Walworth ward

Cllr Dan Garfield - Faraday ward

Cllr Abdul Mohamed - Faraday ward

Cllr Patrick Diamond - Newington ward

Cllr Neil Coyle - Newington ward

Cllr Catherine Bowman - Newington ward

Charlotte Benstead - Creation Trust

Friends of Salisbury Row Park

[REDACTED] - Friends of Nursery Row Park