

Walworth Community Council

January 12 2010

7.00 pm

Thurlow Lodge Community Hall, Wendover, Corner of Thurlow Street and
Albany Road, SE17 2UZ

Membership

Councillor Paul Bates
Councillor James Gurling
Councillor Jelil Ladipo
Councillor Lorraine Lauder MBE (Chair)
Councillor Kirsty McNeill
Councillor Abdul Mohamed (Vice-Chair)
Councillor Caroline Pidgeon
Councillor Jane Salmon
Councillor Martin Seaton

Reserves

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd
Chief Executive



Walworth Community Council

Tuesday January 12 2010

7.00 pm

Thurlow Lodge Community Hall, Wendover, Corner of Thurlow Street and Albany Road, SE17 2UZ

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME [CHAIR]	
2.	APOLOGIES	
3.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
4.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
5.	MINUTES	1 - 3
6.	DEVELOPMENT CONTROL ITEMS	4 - 18

WALWORTH COMMUNITY COUNCIL MEMBERSHIP

Councillor Lorraine Lauder (Chair)

Councillor Abdul Mohamed (Vice-Chair)

Councillor Paul Bates

Councillor Jelil Ladipo

Councillor Caroline Pidgeon

Councillor Martin Smeaton

Councillor James Gurling

Councillor Kirsty McNeil

Councillor Jane Salmon

DATE OF DESPATCH: JANUARY 4 2010

INFORMATION TO MEMBERS OF THE PUBLIC

Access to information

You may request copies of minutes and reports on this agenda.

For a large print copy of papers, please telephone 020 7525 7187.

Deputations

For information on deputations please ask the clerk for the relevant hand-out.

Carers' allowances

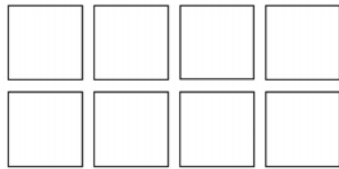
If you are a Southwark resident and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you can attend this meeting, you may claim an allowance from the council. Please collect a claim from the clerk at the meeting.

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. 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 and at least three working days before the meeting.

Wheelchair access

Wheelchair access is available. For further information please call the meeting clerk.



COMMUNITY COUNCILS
A voice for your community



MINUTES TO BE AGREED AT THE NEXT MEETING

Walworth Community Council

Planning Meeting

Thursday July 30 2009 at 7.00PM
at Thurlow Lodge, Thurlow Steet, SE17 2US

Present

Councillors: Lorraine Lauder(Chair), Jane Salmon, Caroline Pidgeon and James Gurling
Officers: Caroline Chalklin (CCDO), Gareth Phillips (Legal Officer), Becky Baker (Planning Officer)

The meeting opened at **7.0 0 pm**.

- 1. Introduction and welcome by the Chair**
Councillor Lauder began the meeting by welcoming everyone.
- 2. Apologies**
Apologies for absence were submitted on behalf of Councillors Ladipo, Seaton, Mohamed and Bates
- 3. Notification of any items the Chair deems urgent**
None.
- 4. Disclosure of Members' interests and dispensations**
Councillor Pidgeon declared a prejudicial interest in items 6 and 7i.
- 5. Confirmation of minutes**

RESOLVED: That the minutes of the Planning meeting held on February 5 2009 be approved as a true and accurate recording of that meeting.

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

6. DEVELOPMENT CONTROL**RESOLVED:**

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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

That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

*** Councillor Pidgeon withdrew from the Community Council *****6/1 1-226 PULLENS ESTATE, PENTON PLACE, AMELIA STREET AND ILIFFE STREET LONDON, SE17 3SJ****Proposal (08-CO-0095)**

Relocation of 71 satellite dishes (of no more than 1m in diameter) and 6 television antennas to be positioned behind parapet walls on Pullens Estate to the roof areas, and installation of trunking and handrails to roof level.

Procedure The Planning Officer presented the item; Members asked questions of the Planning Officer.

The objector spoke for up to three minutes. Members asked questions of the objector.

Councillor Pidgeon spoke for up to three minutes as Ward Councillor. Members asked questions of Councillor Pidgeon.

In response to the Chair, the Legal Officer outlined the options for Members: to grant, refuse or defer deciding the planning application to a future meeting.

Members then debated the item and voted.

Resolved: That the item be deferred for further consideration: the Housing Department be requested to submit further information on the Health & Safety aspects of the proposal.

The decision was unanimous.

Councillor Pidgeon rejoined the Community Council

NON-DEVELOPMENTAL CONTROL ITEMS

*** Councillor Gurling sought legal advice on his position as Chair of the main Planning Committee. The legal officer suggested that he did not contribute to the discussion of item 7i***

7i. Transfer of £636,217 from a number of Section 106 legal agreements to implement the Amelia Street Public Realm improvement programme

Following a design competition, Members were presented with a schedule of proposed improvements for the Amelia Street area, and asked for their comments prior to the report going to the main Planning Committee.

Councillor Pidgeon said that these were not the final proposals. There was an emphasis on streetscene and management.

Councillor Salmon asked if car parking spaces would be lost. Officers responded that a reduction of car parking would only take place after taking technical advice and consulting with residents.

Members expressed the view that residents benefitting from the scheme would be very fortunate, and had no objections to the schemes.

7ii Local Parking amendment: Penton Place (0809 Q4 004)

Tim Walker explained that cars parked on single yellow lines made Penton Place too narrow for emergency services vehicles to get down the street.

EXECUTIVE DECISION

RESOLVED: That the local parking scheme 'Penton Place – Proposed parking bay alignment and introduction of no waiting at any time restrictions' be approved for implementation, subject to the outcome of any necessary statutory procedures, combined with an informal letter to the four adjacent Tenants and Residents Associations (Newington, Pullens, Alberta and Guinness Trust)

The meeting closed at 8.20pm

Signed:

Date:

The deadline for notification of call-in under Section 18 of the Overview And Scrutiny Procedure Rules is midnight, Monday August 10 2009.

The above Executive Decisions (those marked 'EXECUTIVE DECISION') will not be implementable until after that date. If an Executive Decision of a community council is called-in for scrutiny, then the relevant decision will be held in abeyance pending the outcome of scrutiny consideration

Published Monday August 3 2009

Item No. 6.	Classification: Open	Date: 2009/10	Meeting Name: Walworth CC
Report title:		Development Control	
Ward(s) or groups affected:		All within the Walworth Community Council area	
From:		Strategic Director of Regeneration and Neighbourhoods	

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 planning business are detailed in Article 8 which describes the role and functions of the planning committee and Article 10 which describes the role and functions of community councils. These were agreed by the constitutional meeting of the Council on May 23 2007 and amended on January 30 2008. The matters reserved to the planning committee and community councils Exercising Planning Functions are described in part 3F of the Southwark council constitution 2007/08. These functions were delegated to the planning committee.

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 is 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 and Neighbourhoods budget.

EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED

11. Equal opportunities considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Legal and Democratic Services

12. A resolution to grant planning permission shall mean that the Head of Development Control 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 Head of Development Control 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 Head of Development Control 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 Strategic Director of Legal and Democratic Services, and which is satisfactory to the Head of Development Control. 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 Strategic Director of Legal and Democratic Services. 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 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
15. The development plan is currently the Southwark Plan (UDP) 2007 adopted by the council in July 2007 and the London Plan (consolidated with alterations since 2004) published in February 2008. 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).

16. 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.

17. 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

Background Papers	Held At	Contact
Council Assembly	Constitutional Support Services, 160 Tooley Street	Tim Murtagh 020 7525 7187
Each application has a separate planning case file	Planning Dept, 160 Tooley Street	The named case Officer as listed or Gary Rice 020 7525 5447

APPENDIX 1**Audit Trail**

Lead Officer	Deborah Collins, Director of Communities, Law and Governance	
Report Author	Acting Principal Lawyer - Director's Office	
Version	Final	
Dated	2009	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Legal and Democratic Services	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Control	No	No

Date 23/12/2009



(c) Crown copyright. All rights reserved ((0)100019252) 2009

Item Number 1	Classification OPEN	Decision Level WALWORTH COMMUNITY COUNCIL	Date 12/1/2010
From HEAD OF DEVELOPMENT MANAGEMENT		Title of Report DEVELOPMENT MANAGEMENT	
Proposal (09-AP-1796) Conversion of dwelling into 3 one bedroom, self contained flats, and associated elevational alterations.		Address 3 HARMSWORTH STREET, LONDON, SE17 3TJ Ward Newington	

PURPOSE

- 1 To consider the above application at Community Council due to the number of objections received.

RECOMMENDATION

- 2
 1. Subject to the applicant (or their successors in title) first entering into an appropriate legal agreement (at no cost to the Council) by no later than 2nd February 2010, planning permission be granted subject to the S106 and conditions.
 2. In the event that the requirements of Recommendation 1 are not met by 2nd February 2010, the Head of Development Management be authorised to refuse planning permission for the reasons set out under paragraph 80.

BACKGROUND

Site location and description

- 3 The site comprises a 3 storey mid terraced dwelling that is situated to the western end of Harmsworth Street in the Newington area. There is a flat roofed dormer that has been recently constructed to the rear roof slope.
- 4 The surrounding area is predominantly characterised by similar 3 storey terraced dwellings with the exception being to the east of the application site where there are a number of 5 storey residential flat buildings including Kean House to the southeast and Irving House to the northeast.
- 5 There is an area of public open space to the east of the site, associated with Doddington Estate.
- 6 The property is not listed neither is it situated within a conservation area (the Kennington Park Road Conservation Area Boundary runs approximately 17m obliquely to the west of the property to the rear.) The site is also located within a Public Transport Accessibility Zone of 4, and the Urban Density Zone.

Details of proposal

- 7 The original submission proposed the conversion of the property into 3 flats, to comprise 2 bedroom flat on the ground floor, 1 bedroom flat on the first floor and 2 bedroom maisonette on the second and third floor (third floor loft space to contain master bedroom and bathroom).
- 8 The drawings indicate space for 3 wheelie refuse containers to be stored within the front yard area.
- 9 The only external elevational changes proposed, are the installation of a dwarf wall with railings, a door to the rear elevation would be made wider, and a new full height bay window inserted into the rear side elevation.
- 10 Due to the fact that this current application is the 3rd scheme for this development, it is clearer to set out the changes to each scheme here;

	09-AP-0246	09-AP-0909	09-AP-1796
GF	2-bed	1-bed	2-bed
1ST	1-bed	1-bed	1-bed
2ND	2-bed	2-bed	2-bed
3RD	maisonette	maisonette	maisonette

Amendments

- 11 During the course of the application, amendments were received to reduce the proposal to 3 x 1 bedroom flats. The flats were also reconfigured so that the bedrooms and bathrooms for the ground and first floor flats are located at the rear, within the rear element. Kitchen and living accommodation in all three flats are arranged above each other, and the top 2 floors are now a one-bedroom maisonette.

Planning history

- 12 08-AP-2827: Certificate of Lawfulness was granted on 23/12/08 for a rear dormer.
- 13 09-AP-0246: Planning permission was refused on 28/04/09 for the conversion of the house into 3 flats (2 x 2 bed and 1x 1 bed). It was refused on the grounds that:

The proposed overall floor space of each flat and the size of the living/dining/kitchen area of the 2 bedroom ground floor flat, and the proposed 3rd and 4th floor 2 bedroom maisonette flat do not meet the minimum floor areas set out in the Minimum Floor Area Table of the Adopted Residential Design Standards Supplementary Planning Guidance 2008 and consequently would result in a cramped and substandard level of amenity and accommodation for future residents, which is contrary to Policies 3.2 'Protection of Amenity' and 4.2 'Quality of Residential Accommodation' of The Southwark Plan 2007.

- 14 09-AP-0909: Application was withdrawn: (see notes in amenity section for reasons).

Planning history of adjoining sites

- 15 2B Harmsworth Street - 07-AP-1335 – Planning permission was refused for the alteration to the roof of the first floor rear extension to form a roof terrace at second floor level together with erection of parapet wall and formation of a door opening onto the terrace. The reason for refusal was that the use of the outdoor terrace would be likely to result in a loss of amenity in terms of loss of privacy, overlooking and potential noise disturbance.

FACTORS FOR CONSIDERATION

Main Issues

- 16 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 conversion of the house on the amenity of the neighbouring and future residents of the site.
 - c] Whether the application has complied with the concerns raised in previous applications.

Planning Policy

- 17 Southwark Plan 2007 [July]
 Policy 2.5 - Planning obligations
 Policy 3.2 - Protection of Amenity
 Policy 3.7 - Waste reduction
 Policy 3.11 - Efficient Use of Land
 Policy 3.12 - Quality in Design
 Policy 3.13 - Urban Design
 Policy 4.1 - Density of Residential Development
 Policy 4.2 - Quality of Residential Accommodation
 Policy 4.3 - Mix of Dwellings
 Policy 5.2 - Transport impacts
 Policy 5.3 - Walking and Cycling
 Policy 5.6 - Car Parking
- Residential Design Guidelines Supplementary Planning Guidance 2008.
- 18 London Plan 2004
 3A.1 Increasing London's supply of housing
 3A.2 Borough housing targets
- 19 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
 Planning Policy Statement 3: Housing

Consultations

- 20 Site notice date: 20/10/09 Press notice date: N/A
- Neighbour consultation letters sent: 21/10/09
- Case officer site visit date: 20/10/09 (and previously, 18/06/09 Accompanied by applicant's associate, Paul.)
- Internal consultees
 Transport group
- Statutory and non-statutory consultees
 N/A

Neighbour consultees

A number of local residents were consulted. See attached list in Acolaid.

Re-consultation

N/A

Consultation repliesInternal consultees21 Transport Planning:

Due to site constraints, it is not possible to provide cycle storage on this site. However, the provision a folding cycle for each dwelling is welcomed, providing this is a good will gesture and the home owner is not bound by any contract regarding the cycle.

This proposal is located in an area with a medium TfL PTAL rating (4) reflecting the area's medium level of access to all forms of public transport.

Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network.

This development is proposed as car free and, as such, is contrary to Southwark Plan Policy 5.6.

However, given there are site constraints and that this is in a CPZ, it is not expedient to request on site parking.

In order that the TMO can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the TMO, either through a S106 agreement, unilateral undertaking or Grampian condition.

Statutory and non-statutory consultees

22 N/A

Neighbour consultees23 1 Harmsworth Street: Objection

- Harmsworth Street is typically heavily parked. 3 additional cars on the street would further add to the pressure.

- There is not enough space in front of the house for the three bicycles, three refuse bins and three recycling boxes.

- There is an excess of flats in the area, and not enough good sized family houses. There is a good school in the area, and people with primary school aged children would need houses like 3 Harmsworth Street to be able to bring up children. It is unhealthy for a community to be made up too much of young professionals and insufficiently families with children, which would enrich the community and make it more friendly and cohesive.

24 6 Harmsworth Street: Objection

- There is no space in front of the house for the recycling bins and containers necessary for the extra dwellings proposed.

- The development proposes to convert one house to three dwellings for ten people in an already high density population area. It will bring with it noise, parking and inevitable traffic problems when these are due to be compounded already by the nearby Braganza Street development. Local people including children walking to and from the adjacent school will therefore also be detrimentally affected.

25 8 Harmsworth Street: Objection

- Its a shame to lose the house to flats. There are 6 unconverted house in the terrace of 8.

- There is not a shortage of smaller flats for young professionals. There is in fact a shortage of large single family units.

- The converted dwelling at 3 Harmsworth Street comprises two flats and not three as stated in the application.
- The proposed layout breaks up the generously sized rooms into smaller meaner spaces. In particular there are no bathrooms, instead only shower rooms. There are times, even for the most dynamic young professional, when only a soak in the bath will do.
- The ground floor flat is shown as providing two single rooms and a shower room. That space could be used to provide one double bedroom and a good sized bathroom which could then provide excellent accommodation for the disabled or elderly - two ground for whom there really is a shortage of suitable accommodation.
- The rubbish and recyclin facilities need re-consideration. There is not enough room for the three wheelie bins and three recycling boxes required.

26 Re-consultation
N/A

PLANNING CONSIDERATIONS

Principle of development

- 27 Policy 4.3 (Mix of Dwellings) of The Southwark Plan 2007 and the Residential Design Standards supplementary planning document state that "Permission will not be granted for the conversion of a single dwelling house of 130 square metres or less original net internal floorspace, into 2 or more dwelling units".
- 28 The property has a net internal original floorspace, including only that part of the loft with at least 1.5m floor to ceiling height, of approximately 139m² in total area which is therefore greater than the 130m² minimum dwelling size for a property to be able to be converted into additional residential units and therefore is in accordance with Policy 4.3 (Mix of Dwellings) of The Southwark Plan 2007.
- 29 As such there is no objection in principle to the conversion of the dwelling into additional residential flat units.
- 30 The objection raised the issue of problems associated with the increased density on site, and altering the social structure of the area by encouraging short term lets and young professionals. The proposal is located in an area where policy 4.1 encourages densities of 200-700 Habitable rooms per Hectare (HR/Ha). The density proposed here would be 540HR/Ha. This is in line with policy 4.1. It is also in line with London Plan policy 3A.2 Borough Housing Targets, which seeks intensification of housing through provision of development at higher densities, where consistent with the principles of sustainable residential quality.

Environmental impact assessment

31 N/A

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

32 Internal floor areas.

Advice given in respect of the previously withdrawn scheme was as follows;

"The revision to the ground floor flat from two bedrooms to one has resolved the concern in relation to that flat. However, the maisonette remains too small to be a two-bedroom unit. It is considered that the maisonette would be better arranged as a one bed flat with bedroom in the converted loft."

33 The amendments received on officer advice, during the course of the application to

form three x one bedroom flats, have resulted in a more generous and coherent layout for the flats. The relocation of the bedrooms to the rear of the building, on the ground and first floor flats will be a better solution than having bedrooms facing onto the front yard.

Room Sizes

- 34 Rooms sizes comply with the room size standards, with the only exception being the bedroom to the Ground Floor unit, which is 10.5sqm (the minimum set out in the SPD guidelines is 12sqm). The living room dining room and kitchen are combined and measure 23sqm. The minimum required standard in the SPD is 27sqm, however, there is space in a rear entry room / storage area which leads out onto the garden, which has an area of 4.2sqm. This can be used for useful storage within the flat and would compensate for the shortfall in the living room. The layout of this flat is otherwise considered to be the best it could be within the floorplan in a conversion scheme, and negotiations during the course of the application have achieved this.
- 35 All the other rooms within the scheme meet with the required standards. Stacking is much improved in the current amended scheme.
- 36 The proposal complies with policy 3.2 Protection of Amenity.

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

- 37 There is not considered to be any adverse impact on the future residents of the proposed flats, arising from nearby developments.

Traffic issues

Parking

- 38 The traffic group have suggested that a CPZ exemption would be necessary in this instance. The site is located in an area with a medium TfL PTAL rating (4) reflecting the area's medium level of access to all forms of public transport, and this site is situated in a CPZ. Therefore, in order to prevent possible overspill parking from the development, to ensure that car parking pressure in the already heavily parked area is not unduly increased by the additional 2 units, and to encourage sustainable transport choices in areas that are well served by public transport, a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits.
- 39 The applicant has asked for an allowance for 1 permit only. For the reason that the existing house had one permit in the first place, it is considered that a reasonable solution would be exempting two of the three flats from applying for a permit. Only one of the flats would be able to apply which would mean that the impacts of the scheme on parking demand in the area would be identical as if the property remained as a single house.

Cycle storage

- 40 In response to concerns raised in previous applications the applicant has undertaken to supply each flat with folding bikes. The transport team welcome this gesture, and acknowledge that due to site constraints it is not possible to provide secure, weatherproof and convenient cycle storage for each of the proposed flats. The ground floor flat has the opportunity of storing cycles in the rear garden. This, along with the CPZ exemption will encourage the occupiers of the proposed flats the encouragement to use sustainable means of transport.

Waste storage

41

There are 3 receptacles shown on the ground floor plan, and these are positioned in the small front yard and accessed by a proposed opening in the front boundary. The the amount of refuse storage provided for is sufficient for the 3 flats. A difficulty with flat conversions is that refuse storage is often difficult to accommodate due to the constrained communal external areas. However the flats proposed here are only single person flats, and would therefore not generate as much waste as a large family may. To this end, it is envisaged that the occupiers of the flats would store refuse within the units, (or in the garden in the case of the ground floor flat) and place refuse in the receptacles on the days of collection. This solution has been applied in other conversion cases. Furthermore it is considered that a reason for refusal based on cramped refuse storage would be difficult to sustain for a scheme of this scale.

- 42 The management of the flats would need to control this, as once again, site constraints prevent there from being a suitable-sized bin enclosure outside the property which is accessible to all three flats.
- 43 With a CPZ exemption for two of the proposed flats, the proposal is in line with policies 2.5 Planning obligations, 3.7 Waste Reduction, 5.3 Walking and Cycling, and 5.6 Car Parking. It is considered that matters in relation to cycle parking and reuse storage would be adequate for the development and are considered acceptable on balance given the constraints of the site.

Design issues

- 44 The removal of the lean-to on the rear elevation and creation of a window is acceptable, and the front dwarf wall with 2 openings is considered to be a modest alteration, and in accordance with the streetscene. All external alterations are in accordance with policy 3.12 Quality in Design.

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

- 45 No listed buildings or conservation areas are likely to be affected by the proposal.

Planning obligations [S.106 undertaking or agreement]

- 46 The applicant has agreed to make a payment of £2,750 to amend the Traffic Management Order, to exempt the residents of two of the tree flats from applying for parking permits, as set out in the Transport section above.
- 47 In the absence of a legal agreement being completed within a reasonable timescale from the date of the Council's resolution to grant permission, i.e. by 02/02/10, the applicant will have failed to adequately mitigate against the impacts of the development and, in accordance with Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, it is recommended that the application be refused for the following reasons:
- 48 The development fails to mitigate against the effects of increased parking pressure that would arise as a result of the additional flats proposed, and would as a result, fail to encourage sustainable mode of transport and discourage reliance on the private vehicle, which is contrary to policy 5.6 Car Parking, of the Southwark Plan.

Other matters

- 49 No further issues raised.

Conclusion

- 50 The proposal is considered acceptable, with the CPZ exemption and the reduction in the size of the units.

COMMUNITY IMPACT STATEMENT

51 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.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

52 None envisaged.

HUMAN RIGHTS

53 This planning application engages certain human rights under the Human Rights Act 2008 (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. This application has the providing for additional residential units. The rights potentially engaged by this application, including a 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.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Susannah Pettit	Planning Officer -Development Management [tel. 020 7525 5405]

CASE FILE	TP/1035-3
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk

RECOMMENDATION LDD MONITORING FORM REQUIRED

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.

Applicant	Mr W Peterman	Reg. Number	09-AP-1796
Application Type	Full Planning Permission	Case Number	TP/1035-3
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Conversion of dwelling into 3 one bedroom, self contained flats, and associated elevational alterations.

At: 3 HARMSWORTH STREET, LONDON, SE17 3TJ

In accordance with application received on 15/08/2009 08:06:22

and Applicant's Drawing Nos. JN100/SP/100, JN100/OG/302, JN100/OG-03/100, JN100/OG-03/101D, JN100/OG/301B, JN100/OG/300, JN100/LP/100.

Subject to the following condition:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: JN100/OG/302, 301 rev B, JN100/OG-03/101 Rev D

Reason:

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

- 3 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 the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Policy 3.12 'Quality in Design' of the Southwark Plan 2007

Reasons for granting planning permission.

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

- a] Policies 2.5 - Planning obligations; 3.2 - Protection of Amenity; 3.7 - Waste reduction, 3.11 - Efficient Use of Land; 3.12 - Quality in Design; 3.13 - Urban Design; 4.1 - Density of Residential Development; 4.2 - Quality of Residential Accommodation; 4.3 - Mix of Dwellings; 5.2 Transport impacts, 5.3 - Walking and Cycling; 5.6 - Car Parking of the Southwark Plan [July 2007].
- b] Policies 3A.1 Increasing London's supply of housing; 3A.2 Borough housing targets of the London Plan [2004].
- c] Planning Policy Statement 3: Housing.

Particular regard was had to the quality of the housing that would result from the scheme and the impacts in relation to car parking, as well as refuse and cycle storage impacts that would result from the proposed development and amendments to the layout of the flats resulted in these issues being ameliorated. It was considered that there would be no harm arising from the proposed development such that refusal could be justified. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

-

Agenda Annex

MEMBERS & EXTERNAL DISTRIBUTION LIST MUNICIPAL YEAR 2009/10

COUNCIL: WALWORTH COMMUNITY COUNCIL

NOTE: Original held by Community Council Development Team
Amendments to Gerald Gohler (Tel: 020 7525 7420)

<u>OPEN</u>	<u>COPIES</u>	<u>OPEN</u>	<u>COPIES</u>
TO ALL MEMBERS OF THE COMMUNITY COUNCIL:		EXTERNAL	
Councillor Lorraine Lauder Chair	1	Borough Commander	1
Councillor Abdul Mohamed Vice-Chair	1	Southwark Police Station	
Councillor Paul Bates	1	323 Borough High Street	
Councillor James Gurling	1	London SE1 1JL	
Councillor Jelil Ladipo	1		
Councillor Kirsty McNeil	1		
Councillor Caroline Pidgeon	1		
Councillor Jane Salmon	1	TRADE UNIONS	
Councillor Martin Seaton	1	Euan Cameron, UNISON Southwark Branch	1
		Roy Fielding, GMB/APEX	1
OTHER MEMBERS:		Mick Young TGWU/ACTS	1
Councillor Fiona Colley	1	Tony O'Brien, UCATT	1
Councillor Eckersley	1		
		HOUSING OFFICES	
Libraries	6	Walworth Area Housing Officer	2
Local Studies Library	1		
Press:		One Stop Shop Walworth	1
Southwark News	1	151 Walworth Road	
819 London Road Cheam Surrey	1	London, SE17 1 RY	
South London Press	1		
		TOTAL DISTRIBUTION	76
MEMBERS OF PARLIAMENT		DATED: January 4 2010	
Harriet Harman, M.P.	1		
Simon Hughes, M.P.	1		
INTERNAL			
Community Councils Officer	40		
Alan Blissett	1		
Richard Parkins	1		
Nagla Stevens	2		
Valerie Shawcross	1		
GLA Building			
City Hall			
Queen's Walk			
London SE17 2AA			