

# **Camberwell Community Council**

## **Planning**

Wednesday 15 February 2012  
7.00 pm

Walworth Methodist Church, 54 Camberwell Road, London SE5 0EN

### **Membership**

Councillor Norma Gibbes (Chair)  
Councillor Dora Dixon-Fyle (Vice-Chair)  
Councillor Kevin Ahern  
Councillor Peter John  
Councillor the Right Revd Emmanuel Oyewole  
Councillor Veronica Ward  
Councillor Mark Williams  
Councillor Ian Wingfield

Members of the committee are summoned to attend this meeting

**Annie Shepperd**

Chief Executive

Date: Tuesday 7 February 2012



## **Order of Business**

- | <b>Item No.</b> | <b>Title</b>  |
|-----------------|---|
| 1.              | <b>INTRODUCTION AND WELCOME</b>                           |
| 2.              | <b>APOLOGIES</b>  |
| 3.              | <b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b> |

Members are asked to declare any interest or dispensation and the nature of that interest or dispensation which they may have in any of the items under consideration at this meeting.

**Item No.****Title****4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

**5. MINUTES (Pages 5 - 7)**

To confirm as a correct record the minutes of the meeting held on 18 January 2012 as an accurate record of the meeting.

**6. DEVELOPMENT MANAGEMENT ITEMS (Pages 8 - 12)**

**6.1. UNIT 2, 191 - 199 SOUTHAMPTON WAY, LONDON SE5 7EJ**  
(Pages 13 - 54)

**6.2. 8A AND B COLDHARBOUR LANE, LONDON SE5 9PR** (Pages  
55 - 75)

**6.3. UNIT 2, VALMAR TRADING ESTATE, VALMAR ROAD,  
LONDON SE5 9NW** (Pages 76 - 102)

**6.4. GROUND FLOOR, SOUTH CITY COURT, 52 PECKHAM  
GROVE, LONDON SE15 6AL** (Pages 103 - 134)

Date: Tuesday 7 February 2012

## **INFORMATION FOR MEMBERS OF THE PUBLIC**

---

**CONTACT:** Beverley Olamijulo, Constitutional Officer, Tel: 020 7525 7234 or email: [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)  
Website: [www.southwark.gov.uk](http://www.southwark.gov.uk)

---

### **ACCESS TO INFORMATION**

On request, agendas and reports will be supplied to members of the public, except if they contain confidential or exempted information.

### **ACCESSIBLE MEETINGS**

The council is committed to making its meetings accessible. For further details on building access, translation and interpreting services, the provision of signers and other access requirements, please contact the Constitutional Officer.

Disabled members of the public, who wish to attend community council meetings and require transport assistance in order to attend, are requested to contact the Constitutional Officer. The Constitutional Officer will try to arrange transport to and from the meeting. There will be no charge to the person requiring transport. Please note that it is necessary to contact us as far in advance as possible, and at least three working days before the meeting.

### **BABYSITTING/CARERS' ALLOWANCES**

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

### **DEPUTATIONS**

Deputations provide the opportunity for a group of people who are resident or working in the borough to make a formal representation of their views at the meeting. Deputations have to be regarding an issue within the direct responsibility of the Council. For further information on deputations, please contact the Constitutional Officer.

**For a large print copy of this pack,  
please telephone 020 7525 7234.**

## Camberwell Community Council

### Language Needs

If you would like information on the Community Councils translated into your language please telephone 020 7525 7385 or visit the officers at 160 Tooley Street, London SE1 2TZ

### Spanish:

#### Necesidades de Idioma

Si usted desea información sobre los Municipios de la Comunidad traducida a su idioma por favor llame al 020 7525 7385 o visite a los oficiales de 160 Tooley Street, Londres SE1 2TZ

### French:

#### Besoins de Langue

Si vous désirez obtenir des renseignements sur les Community Councils traduits dans votre langue, veuillez appeler le 020 7525 7385 ou allez voir nos agents à 160 Tooley Street, London SE1 2TZ

### Bengali :

#### ভাষার প্রয়োজন

আপনি যদি নিজের ভাষায় কমিউনিটি কাউন্সিল সম্পর্কে তথ্য পেতে চান তাহলে 020 7525 7385 নম্বরে ফোন করুন অথবা 160 Tooley Street, London SE1 2TZ ঠিকানায় গিয়ে অফিসারদের সাথে দেখা করুন।

### Yoruba:

#### Awon Kosemani Fun Ede

Bi o ba nfe àlàyé kíkún l'ori awon Ìgbimò Àwùjo ti a se ayipada si ede abínibí re, jọwọ tẹ wa l'aago si ori nombá yi i : 020 7525 7385 tabi ki o yaju si awon òṣiṣé ni ojúlé 160 Tooley Street , London SE1 2TZ .

### Turkish:

#### Dil İhtiyaçları

Eğer Community Councils (Toplum Meclisleri) ile ilgili bilgilerin kendi ana dilinize çevrilmesini istiyorsanız, lütfen 020 7525 7385 numaralı telefonu arayınız veya 160 Tooley Street, London SE1 2TZ adresindeki memurları ziyaret ediniz.

Igbo:

Asusu

I choo imata gwasara Council na asusu gi ikpoo ha n'okara igwe 020 7525 7385 ma obu igaa hu ndi oru ha na 160 Tooley Street, London SE1 2TZ

Krio:

Na oose language you want

If you lek for sabi all tin but Community Council na you yone language, do ya telephone 020 7525 7385 or you kin go talk to dee officers dem na 160 Tooley Treet, London SE1 2TZ.

Twi:

Kasaa ohohia,

se wopese wo hu nsem fa Community Councils ho a, sesa saakasa yie ko wo kuro kasa mu. wo be tumi afre saa ahoma torofo yie 020 7525 7385 anase ko sra inpanyinfo wo 160 Tooley Street, London SE1 2Tz.

## Planning at Community Council Meetings

**This sheet will tell you about what happens at the meeting when the community council considers a planning application, a planning enforcement case or other planning proposals.**

The community council must follow the same rules and procedures as the council's main planning committee.

The items are heard in the order printed on the agenda, but the chair may change the running order of the items.

At the start of each item, the council's planning officer will present the report about the planning application and answer points raised by Members of the committee. After this, the following people may speak on the application if they wish, but **not more than 3 minutes each**:

1. A representative (spokesperson) for the objectors - if there is more than one objector wishing to speak the time is then divided within the 3 minute time slot
2. The applicant or their agent
3. A representative for any supporters who live within 100 metres of the development site
4. A ward councillor from where the proposal is located.

The chair will ask the speakers to come forward to speak. Once the speaker's three minutes have elapsed, members of the committee may ask questions of them, relevant to the roles and functions of the community council.

Members of the committee will then debate the application and consider the recommendation.

### Note

If there are several objectors or supporters, they have to identify a representative who will speak on their behalf. If more than one person wishes to speak, the 3 minute time allowance must be shared amongst those who wish to speak. Objectors may wish to meet with other objectors in the foyer of the hall prior to the start of the meeting to appoint a representative.

Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already on the report.

**The arrangements at the meeting may be varied at the discretion of the Chair.**



## **CAMBERWELL COMMUNITY COUNCIL – Planning –**

MINUTES of the Camberwell Community Council held on Wednesday 18 January 2012 at 7.00 pm at Albrighton Community Centre, 37 Albrighton Road, East Dulwich Estate, London SE22 8AH

---

**PRESENT:** Councillor Norma Gibbes (Chair)  
Councillor Dora Dixon-Fyle (Vice-Chair)  
Councillor Mark Williams  
Councillor Ian Wingfield

**OFFICER  
SUPPORT:** Susannah Pettit (Planning Officer)  
Nicky Bradbury (Legal Officer)  
Beverley Olamijulo (Constitutional Officer)

### **1. WELCOME AND INTRODUCTIONS**

The chair welcomed councillors, members of the public and officers to the meeting.

### **2. APOLOGIES**

There were apologies for absence from Councillors Peter John, Veronica Ward, Kevin Ahern and the Right Revd Emmanuel Oyewole.

### **3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**

There were none.

### **4. ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

There were none.

### **5. MINUTES**

#### **RESOLVED:**

That the minutes for the meeting held on 12 December 2011 be agreed as an correct

record of that meeting and signed by the chair.

## **6. DEVELOPMENT MANAGEMENT ITEMS**

### **6.1 LAND TO THE REAR OF 34 GROVE PARK, LONDON SE5 8LG**

#### **Planning application reference number 11-AP-2868**

Report: See pages 12 of 27

The chair explained that both planning applications 6.1 and 6.2 would be considered together as they relate to the same site address.

#### **PROPOSAL**

*Erection of a single storey two bedroom single family dwelling and garage with associated waste and bicycle storage.*

The community council heard an officer's introduction to the report and members asked questions of the officer.

Members heard representations from an objector and the applicant's agent.

There were no local supporters or ward members who wished to make representations at the meeting.

Members debated the application and asked questions of the officers.

#### **RESOLVED:**

That planning application number 11-AP-2868 be granted subject to the conditions set out in the report.

### **6.2 LAND TO THE REAR OF 34 GROVE PARK, LONDON SE5 8LG**

#### **Planning application reference number 11-AP-2869**

Report: See pages 28 of 37

#### **PROPOSAL**

*Demolition of garage.*

#### **RESOLVED:**

That planning application number 11-AP-2869 be granted Conservation Area consent subject to the conditions set out in the report.



The meeting ended at 7.45 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 15 February 2012	<b>Meeting Name:</b> Camberwell Community Council
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Deputy Chief Executive	

## 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 Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. The matters reserved to the planning committee and community councils exercising planning functions are described in parts 3F and 3H of the Southwark Council constitution. These functions were delegated to the planning committee.

## KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate -
6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
9. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
10. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Council's case at appeal which may be substantial if the matter is dealt with at a public inquiry.
11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
12. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

#### **Community impact statement**

14. Community impact considerations are contained within each item.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Strategic Director of Communities, Law & Governance**

15. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the development & building control manager shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the strategic director of legal and democratic services, and which is satisfactory to the development & building control manager. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the strategic director of legal & democratic services. The planning permission will not be issued unless such

an agreement is completed.

17. 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, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
18. The Southwark Plan is part of the Development Plan along with the Core Strategy and London Plan. Some of the detailed Southwark plan policies were 'saved' in July 2010 with permission from the Secretary of State. Some of these policies have now been superseded by policies in the Aylesbury Area Action Plan and the Core Strategy which was adopted on April 6 2011. 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).
19. 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 obligation 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. From 6 April 2010 the Community Infrastructure Levy regulations (CIL) have given these policy tests legal force.

Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

20. 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 obligation 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 Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 <sup>nd</sup> Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1 2TZ	The named case Officer as listed or Gary Rice 020 7525 5437

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Communities, Law & Governance	
<b>Report Author</b>	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	25 October 2010	
<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 Communities, Law & Governance	Yes	Yes
Deputy Chief Executive	No	No
Head of Development Management	No	No

**ITEMS ON AGENDA OF THE CAMBERWELL CC**  
**on Wednesday 15 February 2012**

---

**Appl. Type** Full Planning Permission  
**Site** UNIT 2 191-199 SOUTHAMPTON WAY LONDON SE5 7EJ

**Reg. No.** 11-AP-4053  
**TP No.** TP/2247-54  
**Ward** Brunswick Park  
**Officer** Becky Baker

**Recommendation** GRANT PERMISSION

### *Item 6.1*

**Proposal**

Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation.

---

**Appl. Type** Full Planning Permission  
**Site** 8A AND B COLDHARBOUR LANE, LONDON, SE5 9PR

**Reg. No.** 11-AP-3030  
**TP No.** TP/2510-8A  
**Ward** Camberwell Green  
**Officer** Becky Baker

**Recommendation** GRANT PERMISSION

### *Item 6.2*

**Proposal**

Erection of additional floor to the rear extension and alterations to elevations at ground, first and second floor in connection with conversion of upper floors to 2 x1 bedroom flats, 1 x 2 bedroom flat and a studio flat.

---

**Appl. Type** Full Planning Permission  
**Site** UNIT 2, VALMAR TRADING ESTATE, VALMAR ROAD, LONDON, SE5 9NW

**Reg. No.** 11-AP-3603  
**TP No.** TP/2058-A  
**Ward** Camberwell Green  
**Officer** Becky Baker

**Recommendation** GRANT PERMISSION

### *Item 6.3*

**Proposal**

Change of use from B1(c) (Light Industrial) to a micro brewery (use class B2 General Industrial), erection of two additional floors to building, 2-storey rear extension, extension at basement level to front of building and refurbishment / remodelling of facades.

---

**Appl. Type** S.73 Vary/remove conds/minor alterations  
**Site** GROUND FLOOR, SOUTH CITY COURT, 52 PECKHAM GROVE, LONDON, SE15 6AL

**Reg. No.** 11-AP-1139  
**TP No.** TP/2247-46  
**Ward** Brunswick Park  
**Officer** Victoria Lewis

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT

### *Item 6.4*

**Proposal**

Variation of condition 10 (approved plans) which was added by non-material amendment reference: 11-AP-0551) of permission reference 06-AP-0796 dated 8th February 2010 for 'Change of use of the ground floor from vacant commercial units into 15 self-contained flats; provision of 6 additional car parking spaces (to create 24 spaces in total)' to allow the following minor material amendments:

Removal of a private 1-bedroom flat (reducing the total number of flats on the site to 14);  
Retention of existing water tank;  
Retention of existing substations;  
Relocation of refuse store;  
Relocation of cycle parking;  
Provision of one additional parking space (to provide 19 in total)  
New door to rear of building serving flat 4;  
Provision of solar panels to roof.

---

Ordnance Survey

Date 6/2/2012



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252.

<b>Item No.</b> 6.1	<b>Classification:</b> OPEN	<b>Date:</b> 15 February 2012	<b>Meeting Name:</b> Camberwell Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-4053 for: Full Planning Permission  <b>Address:</b> UNIT 2 191-199 SOUTHAMPTON WAY LONDON SE5 7EJ  <b>Proposal:</b> Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation.		
<b>Ward(s) or groups affected:</b>	Brunswick Park		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 12 December 2011		<b>Application Expiry Date</b> 6 February 2012	

## RECOMMENDATION

- 1 Grant planning permission

## BACKGROUND INFORMATION

### Site location and description

- 2 The application relates to a vacant 2-storey unit on the northern side of Southampton Way, close to the junction with Peckham Grove. It was constructed as A1 (retail) or B1 (office space), measures 616sqm and has been vacant for over two years. There is a Tesco metro immediately adjoining the site, and flats above the Tesco. The premises backs onto South City Court, a residential development on Peckham Grove. There is a vehicular access from this road which serves South City Court and the rear of the application site.
- 3 The floor area is 616sqm. The application form indicates that there is no existing car parking associated with the building.
- 4 The site forms part of the urban density zone and an air quality management area and has a public transport accessibility level (PTAL) of 2 (low).

### Details of proposal

- 5 Planning permission is sought to use the premises as a place of worship (Use Class D1), together with the removal / blocking up of two windows at ground floor level to the front elevation. It would be used by the Jehovah's Witness church as a kingdom hall and the following details have been provided:



Pattern of use and congregation size

- 6 The applicant has explained in supporting documentation that there are two floors to the building, and that there would typically be two services held more or less concurrently at a time, with one congregation per floor.
- 7 They state in letter dated 24/1/2012 that average attendances per congregation for similar Kingdom Halls, such as at 1A Scylla Rd, are around 70 - 90, so as two services are running at a time, average attendances across the building as a whole would be around 140 - 180. There would be additional meetings of the trustees and occasional smaller seminars and instruction forums, but these would be during normal working hours in the midweek period. They expect that the Southampton Way facility would be used in a similar manner.
- 8 Also, one day a year around Easter time there is an annual memorial congregation with attendance typically double that of a normal meeting. At this time therefore there could be up to 150-175 attendees per congregation per service, so up to 350 people.
- 9 The applicant states that many Kingdom Halls, whilst able to accommodate normal attendances, are unable to cater for twice that number either because the buildings are not large enough or because Local Planning Authorities control this by way of appropriate conditions. In these circumstances it is necessary to hire a hall elsewhere.

Hours of use

- 10 The application form states that opening hours are not known. However, a further statement submitted by letter dated 23/1/2012 sets out expected service times as follows:
- Mon - not open
  - Tue, Wed, Thur - 1900 - 2115 (building closed by 2200)
  - Fri and Sat - not open
  - Sunday - 0930 - 1145, 1330 - 1545, 1630 - 1845 (building closed by 1930)
- 11 The applicant has explained by letter dated 24/1/2012 that attendees sometimes arrive around half an hour in advance, but tend to leave soon after the service.
- 12 Typically meeting would be during the evenings and at weekends, although the premises would be available during daytime hours for occasional small seminars and instruction groups.

Management plan

- 13 The applicant's letter dated 23/1/2012 sets out information in relation to a Management Plan. The key measures are as follows:
- It is standard practice for all meetings of Jehovah's Witnesses to be controlled by teams of attendants.
  - At this site, the intention would be for two attendants to be stationed in the foyer before and after meetings. One of their responsibilities would be to remind congregants to respect the privacy of neighbouring residents on the way in and out of the property.
  - Notices to this effect would be placed within the foyer and other suitable spots. Time would be allocated each month to remind all attendees of their personal responsibility in this area.
  - The need to respect neighbour's privacy would also be incorporated in the concluding of announcements each week.

Parking/servicing

- 14 No off-street parking is proposed, although the applicant has stated that the owner of

the site would grant access rights to use the rear of the site to drop off and collect the elderly, people with disabilities and children.

- 15 Refuse/recyclables would be stored in the existing shared bin store.

Differences between this application and the previous refused scheme

- 16
- Noise Impact Assessment submitted
  - Travel Plan submitted
  - Transport Assessment submitted
  - Further information received by letters dated 23/1/2012 and 24/1/2012 with information to amplify the above noise impact assessment
- 17 The further information addresses matters including those set out below.
- 18 Noise Impact Assessment - sets out information from the applicant's environmental protection consultant to address the second reason for the council's refusal, being the impacts on amenity of large numbers of people arriving and leaving the premises. It sets out information on assessment of existing background noise levels at the application site. It also sets out data on background noise levels and measured noise levels before, during and after services at the Kingdom Hall at 1A Scylla Rd in Peckham, which is a two storey hall that operates with two congregations, one on each floor, as is proposed at the application site. It then draws conclusions based on superimposing the measured noise levels at Scylla Rd, on the background noise levels at Southampton Way, to give a view on the expected impacts of the proposed use.
- 19 The applicant's NIA sets out the following recommendation on conditions that could be imposed if the LPA still has concerns over the external noise from congregation member activity (relates to reason 1 of the refusal)
- Hours of use condition – to allay fears of local residents that the activity would operate into the night time period from 2300 – 0700.
  - Noise Management / Action Plan, and example of which was appended in Appendix D and a draft bespoke management plan is outlined as Appendix E.
  - Position of entrance door further away from residents (however officers note that the submitted plans are the same as the appeal scheme, namely the doors to the first floor congregational area are to the west of the building next to the Tesco, and the entrance doors to the ground floor congregational area are to the east side of the building furthest away from adjoining residents).
  - Personal permission should be sought and not a general use class change to D1, to ensure that the premises are used only by Jehovah's Witnesses so that other activities within use class D1 such as father groups that might generate higher noise levels e.g. with live music can not take over the premises at a later date unless they apply for planning permission
  - Sound insulation – if a personal permission is applied then the sound insulation should be related to typical noise levels generated specifically by Jehovah's Witnesses not any other religious activity as other forms of worship may include live music
- 20 The draft management plan in Appendix E contains the following measures:
- At least two attendants (per congregation) to be stationed on duty 20 mins prior to meetings, during meetings and 20 minutes after meetings finish to ensure the following:
    - That only the proper entry/exit doors are used
    - To remind congregants to respect the privacy of neighbouring residents on the way in and out of the property, and to ensure that children and appropriately supervised.

- That external doors are not left open during services
- In addition, Notices to this effect of reminding people to leave quietly would be placed within the foyer and other suitable spots.
- Time would be allocated each month to remind all attendees of their personal responsibility in this area.
- The need to respect neighbour's privacy would also be incorporated in the concluding of announcements each week.
- Copy of noise management plan would be held on site at all times and attendants made fully aware of its contents and their responsibilities.

21 The letters 23/1/2012 and 24/1/2012 likewise set out measures that amplify the noise impact assessment's recommendations. Proposed mitigation includes the following (this repeats some of the above information):

- Condition requiring details of a management plan to be submitted to and approved by the local planning authority prior to occupation - the applicant suggests measures such as attendants at meetings reminding people to leave quietly, notices etc and announcements at end of service to this effect)
- Condition to restrict hours of operation, and in this regard the likely hours of use are set out as follows: (Mon - not open; Tue, Wed, Thur - 1900 - 2115 (building closed by 2200); Fri and Sat - not open; Sunday - 0930 - 1145, 1330 - 1545, 1630 - 1845 (building closed by 1930)
- Information on occupancy - in this regard more information on numbers is given. The applicant states that at Scylla Rd, a comparable venue to this proposal, the average is 70-90 per congregation per floor (two services run concurrently so between 14-180 people at any one time). Evidently larger events at peak capacity are infrequent (e.g. annual memorial service at Easter - the applicant says in other areas a separate hall is often hired out as LPA conditions preclude such large numbers.
- Condition requiring details of sound insulation at any interface with a sensitive use such as a residential party wall to be submitted to and approved by the local planning authority prior to occupation

### **Planning history**

22 11AP1807 for Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation was refused 22/8/2011 for the following reasons:

1. The proposed development, owing to the potential for large numbers of people to congregate outside the building in close proximity to a number of dwellings and at evenings and weekends when the area would generally be quieter, would result in an unacceptable level of noise and disturbance to neighbouring occupiers, contrary to saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy 2011.

2. In the absence of a transport assessment detailing how people would travel to and from the site and given the limited availability of public transport in close proximity to the site, it is considered that the proposal would increase demand for on-street parking in the area, to the detriment of existing occupiers and contrary to saved policies 3.2 'Protection of Amenity' 5.2 'Transport Impacts' and 5.6 'Car parking' of The Southwark Plan UDP (2007) and strategic policy 2 'Sustainable transport' of the Core Strategy (2011).

- 23 This refusal is subject to an appeal to the Planning Inspectorate (PI reference App/A5840/A/11/21666/09/NWF). The appeal is being dealt with by written representations. The Council's Statement of case was due 31/1/2012, and final comments from both parties are due by 21/2/2012. The Inspector's site visit will be scheduled for a date after the final comments are due, and a determination should follow shortly after that.
- 24 The further information that was submitted with the current application was also submitted as further information to supplement the appeal that was lodged by the applicant in relation to the recently refused scheme. In responding to the appeal, officers have been obliged to comment on the further information and indicate what view they would have taken on the application had they been in possession of the further information.
- 25 Having regard to the appellant's grounds of appeal including reference to the additional information submitted which had not been previously seen by the Council, and which was also submitted as part of application 11AP4053, the statement outlined that the proposal, as amended by the further information, is considered to be in accordance with the Development Plan. The Council, having taken a balanced view of all material planning considerations, considers that the scheme as amended by the further information would be acceptable, as the outstanding planning concerns could be addressed by way of conditions.
- 26 The statement does advise that a determination has not been made on the current application, and notes that the council's delegation manual provides that applications that are recommended for approval, but which have three or more objections, (as in this case) fall to be determined by the relevant Community Council Planning meeting, being in this case the Camberwell Community Council.
- 27 The statement advises that this application 11AP4053 has not been determined by the Camberwell Community Council, so a determination has not been made on the scheme, and notes that the Community Council may not agree with the recommendation to grant permission.
- 28 02-AP-2008 - Demolition of existing building. Erection of part 3, part 6 and part 7 storey building retail and office units on ground and part 1st floor with 33 flats above with parking facilities at rear-access from Peckham Grove. Planning permission was granted in April 2005

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

#### Tesco metro (unit 1)

- 29 Various applications for shopfront alterations, advertisement consent, installation of an ATM and refrigeration equipment. None relevant to this application.

#### South City Court, 52 Peckham Grove

- 30 11-AP-1139 - Variation of condition 10 ('approved plans') which was added by non-material amendment reference: 11-AP-0551) of permission reference 06-AP-0796 dated 8th February 2010 for 'Change of use of the ground floor from vacant commercial units into 15 self-contained flats; provision of 6 additional car parking spaces (to create 24 spaces in total)' to allow the following minor material amendments:

- Removal of a private 1-bedroom flat (reducing the total number of flats on the site to 14);
- Retention of existing water tank;
- Retention of existing substations;

- Relocation of refuse store;
- Relocation of cycle parking;
- Provision of two additional parking spaces (to provide 26 in total);
- New door to rear of building serving flat 4;
- Provision of solar panels to roof.

Application UNDER CONSIDERATION.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

31 The main issues to be considered in respect of this application are:

- a) principle
- b) amenity;
- c) transport;
- d) design

### **Planning policy**

#### Core Strategy 2011

- 32 Strategic policy 1 - Sustainable development  
 Strategic policy 2 - Sustainable transport  
 Strategic policy 4 - Places to learn and enjoy  
 Strategic policy 10 - Jobs and businesses  
 Strategic policy 12 - Design and conservation  
 Strategic policy 13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 33 1.4 - Employment sites outside the preferred office locations and preferred industrial locations  
 1.10 - Small scale shops and services outside the town and local centres and protected shopping frontages  
 2.2 - Provision of new community uses  
 3.2 - Protection of amenity  
 3.7 - Waste reduction  
 3.11 - Efficient use of land  
 3.12 - Quality in design  
 3.13 - Urban design  
 3.14 - Designing out crime  
 5.2 - Transport impacts  
 5.3 - Walking and cycling  
 5.6 - Car parking

#### London Plan 2011

- 34 Policy 3.16 - Protection and enhancement of social infrastructure  
 Policy 6.3 - Assessing effects of development on transport capacity  
 Policy 6.9 - Cycling  
 Policy 6.10 - Walking

Policy 6.13 - Parking  
Policy 7.4 - Local character

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

35 PP13 - Transport

36 Draft National Planning Policy Framework (NPPF) 2011

The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

**Principle of development**

37 The planning permission for the wider development enables the application site to be used for A1 (retail) or B1 (office) purposes. Saved policy 1.4 of the Southwark Plan seeks to protect B class uses in certain locations, including on classified roads such as Southampton Way, and saved policy 1.10 seeks to protect existing A class uses outside of town and local centres and protected frontages. However, the premises has not been occupied since it was built, and there is no planning condition or obligation requiring it to be used, therefore there would no loss of retail or office space in this instance as they have never existed on the site. As such there would be no conflict with saved policies 1.4 or 1.10 of the Southwark Plan.

38 Saved policy 2.2 Provision of new community facilities' states that permission will be granted for new facilities provided that:

*i) Provision is made to enable the facility to be used by all members of the community;*

39 The building would be used as a place of worship, to be used as a Jehovah's Witness Kingdom Hall. It would be available to all members of the community should they wish to join. Concerns were raised in relation to the previous application that the proposed use would not be inclusive of all members of the community, but the supporting text to policy 2.3 specifically refers to places of worship. Many community uses, a youth centre or elderly persons centre for example, would only be available to a certain section of the community, therefore no objections on these grounds are raised in land use terms.

40 Concerns were raised in relation to the previous application, and reiterated in relation to this application, that there is an over-provision of places of worship in the vicinity. In addition some objectors considered that as there were other Kingdom Halls nearby such as at 1a Scylla Rd, there should be no need for this facility here. Whilst it may well be that there are many other such uses, clearly the Jehovah's Witness church considers that it has a need for a premises in this area, hence this application. The applicant has set out for example in their Planning Statement that once a congregation in one location becomes too large for effective pastoral care, another congregation is formed. The applicant has outlined that a view has been taken that the surrounding facilities are at capacity and therefore a new facility in this location is now proposed having had regard to the geographic location of members of the

congregations.

*and*

*ii) The facility is not detrimental to the amenity of present and future occupiers of the surrounding area in compliance with policies 3.2 and 5.2;*

41 Refer to the amenity section of this report below; *and*

*iii) Where developments will generate more than 20 vehicle trips at any one time a transport assessment will be required in compliance with policies 3.3 and 5.2.*

42 Refer to the transport section of this report below, where it is concluded that there remains an objection to the scheme in relation to transport impacts on the basis of the information to hand at the time that the application was determined. However, on the basis of the further information submitted on appeal, the council considers that subject to conditions if consent is granted, the transport impacts can be mitigated.

43 There are no objections to the provision of a place of worship in land use terms. There is no policy protection for the office or retail space given that the premises has never been used as such. Officers accept this principle, but are of the view that any proposed use for a particular site should comply with the provisions of the Development Plan and in particular saved policy 2.2 in relation to community facilities of the Southwark Plan 2007 and policies on amenity and transport impacts.

44 A number of objections have been received on the grounds that the appeal site would be used to greater benefit of the local community for retail or other high street type use. However each proposed use must be assessed on its merits, and regardless of whether there might be a 'better' use of the site, the one that is proposed must fall or be accepted on its merits and by reference to the Development Plan. In this case officers do not consider that there is planning policy justification for a view that the site should be 'saved' for a better or preferable retail or commercial use. The Development Plan does however provide that an application for a place of worship should be assessed according to certain criteria. In this instance, officers consider that the harm by way of transport impacts and harm to amenity, in relation to the scheme as amended, would not be such as to justify refusal.

45 Officers have had regard to saved policy 3.11 Efficient use of land of the Southwark Plan 2007, which states that developments should ensure that they maximise the efficient use of land whilst, (amongst other criteria)

i) protecting the amenity of neighbouring occupiers or users

v) making adequate provision for servicing, circulation and access to, from and through the site, and

vi) ensuring that the scale of development is appropriate to the availability of public transport and other infrastructure.

46 The policy adds that the LPA will not grant permission for development that is considered to be an unjustified underdevelopment or over development of a site.

47 As set out under the amenity and transport sections of this report below, officers consider that subject to conditions, the impacts of the scheme would be mitigated such that the amenity of neighbouring occupiers would be protected, and that the applicant has demonstrated by way of their transport assessment and the travel plan that the scale of development is appropriate to the availability of public transport and other infrastructure, including consideration of parking impacts. The scheme would therefore be an efficient use of land in accordance with saved policy 3.11.

48 The applicant has referred to Paragraph 19 of the Draft NPPF which states that 'a set of core land-use planning principles should underpin both plan-making and development management and should be taken into account by all those engaged in the planning system, from local authorities and developers through to communities, including . . . . planning policies and decisions should enable the reuse of existing resources, such as through the conversion of existing buildings'.

49

As stated above, the draft NPPF is set out as a clear and current Government objective (and accordingly should attract significant weight) and to the extent that the scheme would involve the re-use of existing premises which have been vacant for three years, the proposal is consistent with that part of the draft NPPF which the appellant has referred to.

### **Environmental impact assessment**

50 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project. Having reference to the Column 2 criteria, the site area does not exceed the initial threshold of 0.5ha. In addition it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

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

51 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; strategic policy 13 of the Core Strategy requires development to meet the highest possible environmental standards, and to avoid amenity and environmental problems that affect how people enjoy the environment in which they live and work.

52 The main issues in relation to amenity are in terms of noise and are considered to be as follows:

- noise emanating from the building as a result of services including preaching, music, amplified sound and so on, especially if the building is not adequately sound-insulated

- more generalised noise and disturbance from people arriving and leaving and in particular people congregating outside the premises, and as a result of additional traffic generated by the proposed use. Some objectors are concerned that the area is already noisy, and this scheme would exacerbate this, especially if the scheme operates with late nights or antisocial hours.

53 In relation to the former issue, several objections have been received which refer to the unsuitability of the building for a place of worship. Some objectors have stated that there are flats directly above that would be affected, and many have stated that they consider that noise from signing, music and worshipping would be untenable.

54 In response officers agree that there are flats above and to the side in close proximity which could potentially be affected by noise breakout from within the premises. However, the view on the previous application was that measures such as sound insulation of the application premises could be secured by way of conditions to mitigate impacts of noise breakout from the building. This matter therefore was not a grounds for refusal as it could be addressed by condition if all other aspects were



satisfied.

55 In addition, the issue of noise breakout from the use of the building itself did not however form part of the reasons for the previous scheme being refused. The reason for refusal was confined to,

*' The proposed development, owing to the potential for large numbers of people to congregate outside the building in close proximity to a number of dwellings and at evenings and weekends when the area would generally be quieter, would result in an unacceptable level of noise and disturbance to neighbouring occupiers'.*

In the absence of any material change to the scheme from that which was previously considered in relation to this matter, such as information which would indicate that the use would be carried out or occupied differently to what was previously considered, it would be unreasonable to now refuse the scheme for a different reason.

56 Objections from third parties were also raised in relation to the second matter (ie the reason for the refusal of the last scheme), being the potential for noise generated by people coming and going from the proposed use and congregating outside the premises, with concern that this could be at weekends/evenings and anti-social hours, resulting in unacceptable level of noise and disturbance to neighbouring occupiers.

57 On this matter, in relation to the previous scheme, officers had considered that the very close proximity to residential premises, i.e. within the same block, together with the limited public transport facilities in this area (which is considered further below), would result in an unacceptable loss of amenity to neighbouring occupiers. No details of opening hours were then provided, save that it would be unlikely that the building would be in use after 10pm. However, it was clear that meetings would typically be held during the evenings and at weekends, when arguably residents are more likely to be at home and when the area would be expected to be quieter. Although Southampton Way is a main road, it is not located in a town centre and is not very well served by public transport, and it is considered that large numbers of people congregating outside the building at the same time, and at times during which residents may expect the area to be quieter following peak traffic hours, would result in an unacceptable loss of amenity to neighbouring occupiers by reason of noise and disturbance, contrary to saved policy 3.2 and 2.3 (ii) of the Southwark Plan. Given the lack of information to allay these fears, the application was refused.

58 However, the further information submitted with the appeal and as part of this subsequent application 11AP4053, enables officers to better evaluate the amenity reason for refusal. As addressed in more detail below, the further information indicates that the scheme would not be likely to result in large numbers of people congregating outside the building, nor such as to result in an unacceptable level of noise and disturbance, subject to conditions of consent that would mitigate any impacts.

59 The council's environmental protection team have reviewed the submitted NIA. They have scrutinised the methodology of the assessment, and their views are set out below. Some residents have objected that the NIA is flawed because it does not address noise levels at the rear of the building. In response officers consider that it was valid to measure levels on the street frontage of the building, on Southampton way, because this is where the entrances to the building are and is where people would exit from. If people are gathering outside the premises, it is reasonable to assume that they would gather outside the entrance/exits, which is where the appellants' measurements were taken from.

60 The applicant has made a comparison of the proposed use with that of a two storey Kingdom Hall at 1A Scylla Rd in Peckham which is also close to residential properties.

The applicant has stated that the Scylla Rd usage would be similar to that proposed at the application site. Officers consider that this is a valid comparison because the building is also comprised of two storeys, with two congregations operating at once (one on each floor), and the size of each congregation is similar to the size of the congregations proposed for Southampton Way. In addition two of the existing congregations from Scylla Rd would move to Southampton way if consent were to be granted. The hours of use are also similar.

61 Officers have visited the Scylla Rd site when there was a service. Officers consider that although the Scylla Rd site potentially has a noisier background context as there are more buses along adjoining Rye Lane than would be typical for Southampton Way, the differences are not so great that the comparison is unjustified.

62 The Scylla Rd building has a long established use as a Kingdom hall. Building control records indicate that it there was an application to rebuild a place of worship at this site in 1990. Officers can confirm that there do not appear to be any enforcement complaints in relation to its use.

63 The methodology to test noise levels used by the applicant is set out as follows. The applicant's NIA explains that background and ambient noise levels on Southampton way outside the appeal premises were measured. The applicant then measured noise levels from a Sunday morning service when two congregations of around 100 members each were using the Kingdom Hall at 1a Scylla Rd. The resulting noise levels from Scylla Rd usage were then superimposed on the ambient and background levels measured at Southampton Way at an equivalent time.

64 There is a technical issue here which officers wish to raise. 'Ambient' noise readings include all measured noise (LAeq). 'background' levels measure the ambient level, minus the top 10% of the measured noise, which results in the noisiest events being filtered out - the events which are considered to be atypical; and therefore background levels are the more typical and represents a quieter baseline. The appellant, in their analysis/conclusions, has superimposed the Scylla Rd readings on the Southampton Way ambient readings (not the background readings). Officers consider that the background readings are the most appropriate baseline to use. Officers have therefore compared the measured readings at Scylla Rd with the background readings (i.e. quieter baseline) at Scylla Rd (Figure 4 of the appellant's NIA) .

65 It is observed that there was a 10dB difference for a period of 5 minutes between the measured levels and the background levels. Having regard to noise assessments for which objective comparisons are considered to be applicable, such as in relation to noise from plant and machinery, industry standards say that if there is a 10dB difference between measured and background levels, complaints are likely. However, this industry standard does not apply to noise such as from people, but a comparison can nonetheless be drawn.

66 Officers recognise (by reference to Figure 7 of the NIA) that for a period of 5 minutes there was a 10dB difference. However, for most of the assessed time, the difference was less than 10dB. Officers consider that there are clear differences between noise from plant and machinery, which would be ongoing and constant, and noise from people speaking/shouting and so on, which as the survey indicates, was intermittent and at a raised level for only a short period of time.

67 Officers therefore considers that the noise from people gathering after the meeting after leaving the services could not be said to be an 'unacceptable level of noise and disturbance' because the difference between background and actual noise was raised by 10dB for only a short period of time, and was therefore below a level that could be likely to result in complaints for most of the time. As the proposed use would not

operate during anti-social times during evenings and weekends, officers consider that any noise would be contained to reasonable levels, especially taking into account the proposed management plan, details of which are set out below.

- 68 The noise impact assessment includes qualitative data, as well as the quantitative data obtained by noise measurements. For example, the noise impact reports has advised that observations of a number of Kingdom Halls demonstrates that the main conversing and socialising occurs within the Hall building before and after the meetings and that often members of the congregation that are talking outside are doing so while leaving and that such conversations are generally short and/or quiet in nature. During the survey, groups did form on the pavement outside the Kingdom hall. One group, for example, started at 12.04pm, getting up to a maximum of 25 adults and five children, although the group was quite dynamic with people joining and leaving such that overall numbers were generally fewer than this. For example, the group started off as being 3-4 people, changing to 6 a few minutes later, with some leaving and some arriving soon after to bring the total to 13 and again with some leaving and others joining the size grew to 30, but after a couple of minutes was down to 8 people, and by 12.21 (17 minutes after the group first formed), there was no one congregating.

The comparative quantitative and qualitative data was drawn from the Scylla Rd Kingdom Hall nearby therefore demonstrates that large numbers of people do not tend to congregate outside, as people tend to disperse steadily in small groups or as individuals; and thirdly that of the groups which do form for short periods of time (the date suggests that this is for less than 20 minutes and not in large numbers for all of that time), and the noise levels could not be considered to be so loud as to be described as unacceptable (generally less than 10dB louder than the background noise level).

- 69 The conditions recommended in the applicant's NIA would, in the opinion of officers, serve to do two things. Firstly, the suggested conditions would directly address the council's amenity reason for refusing the appeal scheme. They refer for example to a management plan. The example management plan, as highlighted in Appendix D, would set in place measures by which (amongst other things) people attending the services at the Kingdom Hall would be discouraged from congregating outside the premises, and to encourage them to leave quietly. This directly addresses the council's reason for refusal which was in relation to the potential for large numbers of people to congregate outside the premises. In addition, the measured noise levels from Scylla Rd, superimposed on background levels at Southampton Way, indicate that any noise levels generated would be unlikely to be considered to be 'unacceptable' as the difference between measured and background levels was generally below 10dB difference' as outlined above.
- 70 The applicant's suggested hours of use condition would also address the concerns of some objectors about the use of the building at anti-social hours, by preventing late night use (i.e. after 10pm), when noise would be less likely to be acceptable. In the opinion of officers this addresses that part of the reason for refusal which refers to avoidance of 'unacceptable levels of noise and disturbance' whereby noise after 10pm is likely to be heard more acutely than noise of a similar objective level earlier in the evening, as background levels would be likely to be quieter and people more likely to be sleeping.
- 71 In addition measures that are suggested such as sound insulation of the appeal premises were considered at application stage to be acceptable to mitigate impacts of noise breakout from the building, and this matter therefore was not a grounds for refusal as it could be addressed by condition if all other aspects were satisfied.

- 72 The applicant's suggestion of a personal permission is also considered to be a valid mitigating consideration. The original application did not contain the sort of information about the nature of the services, the behaviours of typical congregations elsewhere, or how the departure of congregations would be managed to avoid the sorts of potential harm, the basis of which the council refused the scheme on. However, the further information that was submitted on appeal and with this application gives officers confidence that under the management of the applicant, the impacts of the use would not be such as to harm the amenities of surrounding occupiers, whereas a general D1 permission could potentially give rise to the sorts of impacts that objectors were concerned about with regard to noise and disturbance.
- 73 The NIA suggests that the entrances to the building should be placed at the edge of the building furthest from residential properties. The entrance to the first floor would be next to the Tesco, i.e. closest to flats adjoining. However the location of the lobby and stairs in the existing building are considered to be likely to preclude moving this entrance. The entrance to the ground floor would be further away, at the other end of the building. As the two congregations would have separate entrances, one of which is sited furthest from adjoining flats, this aspect is considered acceptable.
- 74 Overall, officers consider that the NIA submitted with the appeal and the second application adequately substantiates the applicant's claims that the scheme would not give rise to the potential for large numbers of people to congregate outside the premises resulting in unacceptable levels of noise and disturbance. Firstly, the hours proposed in the NIA suggested conditions are not anti-social hours when noise sensitivities are likely to be more acute. The council's environmental protection team were satisfied with the methodology of the noise survey that was carried out and its application to the Southampton Way site, but recommended that if consent were granted on the basis of the NIA that consent should be conditional on the recommendations contained in the NIA. For these reasons officers consider that the first reason for refusal was addressed by the further information submitted on appeal and in the second application 11ap4053.
- 75 Officers have considered the question of whether a condition limiting the number of people permitted to be in the premises should be imposed if consent is granted. The applicant has outlined in a letter dated 24/1/2012 that average attendances per congregation for similar Kingdom Halls, such as at 1A Scylla Rd, are around 70 - 90, so as two services are running at a time, average attendances across the building as a whole would be around 140 - 180. There would be additional meetings of the trustees and occasional smaller seminars and instruction forums, but these would be during normal working hours in the midweek period. Also, one day a year around Easter time there is an annual memorial congregation with attendance typically double that of a normal meeting. At this time therefore there could be up to 150-175 attendees per congregation per service, so up to 350 people. They expect that the Southampton Way facility would be used in a similar manner. In theory then if the effects of the scheme were found to be acceptable based on a particular assessed number, a condition on capacity could be imposed.
- 76 Officers have considered the tests set out in Circular 11/95 on Planning Conditions. As a matter of policy, conditions should only be imposed where they satisfy all of the tests described in the circular. In brief, these explain that conditions should be:
- i. necessary;
  - ii. relevant to planning;
  - iii. relevant to the development to be permitted;

iv. enforceable;

v. precise; and

vi. reasonable in all other respects.

77 Officers consider that a condition limiting the occupancy of premises such as a place of worship would be difficult to enforce in practice. This is because unlike a use such as a nightclub, where fire and safety regulations would require the facility itself to keep a clear count of persons admitted, a church is unlikely to keep a tally at the door of people entering. It would be unreasonable to expect planning enforcement officers to be stationed at the site at regular intervals to check numbers. For this reason, officers consider that a view needs to be taken on whether the scheme is acceptable based on the 'worst case scenario' or maximum capacity projected by the applicant, and to either grant consent or refuse it on this basis, rather than seeking to impose a limit which might be somewhere between the average and the maximum congregational sizes projected by the applicant. Conditions have been recommended to secure a noise management plan and sound insulation of the building. Officers consider that these conditions would be adequate to address the impacts of the use of the building regardless of whether it is used to peak capacity, especially if the management plan confirms the arrangements set out at Part 4 of this statement in relation to normal capacity, usage outside of services, and the management plan.

78 One objector has raised concerns that air conditioning units would be required which would add to the noise from the activity. Officers advise that air conditioning units do not form a part of the proposal and that under the current planning regulations, separate planning permission would be needed if any were proposed externally. If any future application came forward for air conditioning units they would be assessed on their merits with due regard to representations made in reasons to statutory consultation.

The applicant has pointed to a number of recent appeal decisions in relation to similar uses. The most relevant is the appeal against the Council's refusal of planning permission for an unauthorized place of worship at the Gala Bingo hall in Camberwell (APP/A5840/C/11/2147398). In the delegated report for the decision which was the subject of the appeal, it was concluded that crowd noise could not be qualified or measured. However in that case, rather than this constituting a reason for refusal, the report stated that if the scheme were approved, a condition should be imposed requiring a management plan to be implemented and periodically reviewed. On appeal, the Inspector said that, 'In the absence of any technical evidence that contradicts the findings of the applicant's professional advisers on matters of noise, I have no reason to conclude that the church or other Class D1 users need impact to an unacceptably adverse degree on the living conditions or general amenity of neighbouring occupiers'.

The appeal was dismissed, but it was on the basis of transport impacts, and not on amenity, for the reason outlined by the Inspector above. Officers consider that this case is relevant to consideration of the Southampton Way application, as the council's technical officers in Environmental Protection have found no reason to dispute the applicant's findings in relation to their noise assessment.

79 If consent is granted then conditions should be imposed as outlined above. Subject to conditions, officers are satisfied that the scheme would not result in an unacceptable loss of amenity to neighbouring occupiers by reason of noise and disturbance, in accordance with saved policies 3.2 and 2.2 (ii) of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

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

- 80 None as the surrounding land uses are mainly residential in character and therefore would not have any harmful impact on the proposed use.

### **Traffic issues**

- 81 Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highways conditions; strategic policy 2 of the Core Strategy seeks to encourage sustainable modes of transport as an alternative to the private car.
- 82 The site has a public transport accessibility level (PTAL) of 2 (low) reflecting the area's poor level of access to public transport, with the only bus route being the 343 which has a bus stop opposite the site. The site is not located in a controlled parking zone (CPZ) and there are double yellow lines on both sides of Southampton Way and on-street cycle lanes.
- 83 The council had considered that in relation to the original scheme, in the absence of a transport assessment detailing how people would travel to and from the site and given the limited availability of public transport in close proximity to the site, it is considered that the proposal would increase demand for on-street parking in the area, to the detriment of existing occupiers. Given the lack of information to allay these fears, the application was refused, in addition to the amenity issues outlined above.
- 84 However, the further information submitted with the recent appeal and as part of this subsequent application 11AP4053, enables the council to better assess what the transport impacts would be, and therefore enables consideration of whether conditions could be imposed that would mitigate any of the impacts. In particular more information has been provided in relation to parking survey and modal split, such that officers now take the view that conditions of consent could mitigate the impacts in relation to this issue. Officer's views on the acceptability of the further information are set out below.
- 85 One of the main objections from surrounding residents was in relation to pressure on existing over-burdened parking on the surrounding streets, and the poor public transport availability in the area. A number of objectors have pointed to the location of the appeal site as being within the consultation area for a proposed CPZ, pointing to the fact that this indicates that the surrounding area is under parking pressure. The applicant undertook a parking survey which states that there is ample available on street parking spaces at peak times of operation (50+ spaces). The transport assessment also has a car occupancy level which has been used to calculate the level of trip generation.
- 86 The applicant has arrived at a car occupancy level of 1 person per vehicle, which in the opinion of the councils transport officers is a very worst case scenario, and in reality highly unlikely, for the congregation members that use private vehicles. The applicant has suggested that a 22% of the congregation would use private vehicles to access the site. Looking at appendix 5 of the Transport Assessment, the other surveyed sites (Scylla road, Coldharbour Lane and New cross Road) have a similar modal split (between 21 and 25% on Sundays). Officers consider that these figures fortify the assessment that 22% of the congregation at Southampton Way would use private vehicles. The 22% modal split toward private vehicle users constitutes 31 vehicles using the very worst case scenario car occupancy level.
- 87 The applicant has used existing kingdom halls in local and comparable areas to generate realistic modal split for the proposed change of use, and a worst case

scenario car occupancy level which would be highly unlikely has also been submitted to ascertain the impact of the development on the surrounding highway network. Coupling the worst case scenario car occupancy with the results of the parking survey shows that at peak times of operation there is a significant level of on street parking available on the surrounding highway network.

- 88 As stated by a number of objectors, a CPZ has been proposed for the surrounding area. However the CPZ's operation times, being Monday to Friday 8am to 6pm, would not correlate with the proposed change of use peak times of operation, which would be weekends and evenings. Therefore, even if the CPZ were in operation, the on street parking situation would be unlikely to differ from that which would be currently experienced.
- 89 Some objections were received in relation to under-supply of cycle parking, and concerns that the scheme would rely on private cycle parking at the rear of the site which would not be accessible to the applicant. For D1 use the Southwark plan 2007 does not set out exact details of the levels of cycle parking required. However officers had recommended to the applicant at pre application stage that they look at the levels of existing cycle usage associated with the applicant's current sites and replicate that level of cycle parking provision at full application stage. Although cycle storage has been shown on the ground floor plan, the shown storage appears to be allocated for the existing residential uses. Nonetheless, it is likely that cycle storage could be provided within the foyer areas at ground floor level. Given the relatively low amount of cycle parking assessed by the applicant's modal split survey ( Appendix 5 of the Transport Assessment Rev D Oct 2011) whereby a maximum of 3 people cycled, the likely demand for cycle parking could be met within the building, or on the 5 cycle stands outside on Southampton Way. For this reason, the lack of cycle storage indicated on the plans with application is not considered to warrant a reason for refusal. Details of cycle provision could be secured by way of a condition if consent were granted.
- 90 Objections received in relation to where waste would be stored are not considered to warrant grounds of refusal for this reason, as provision would have been made for the originally consented commercial uses, and in relation to servicing and refuse vehicle access, the proposed change of use represents a significant de-intensification of use when compared with the consented A1/B1 use.
- 91 Overall, the further information submitted on appeal and as part of the subsequent application 11AP4053 has reassured officers that the proposed change of use would not impact negatively on the performance and safety of the surrounding highway network. The credibility of the information submitted in relation to low levels of car occupancy and modal split is accepted as it has been based on surveyed information in relation to existing Kingdom hall congregations at similar premises nearby and the characteristics of the Kingdom halls operation, opening up new places of worship where there is the need so that they are local to their worshippers. Officers are concerned however that other D1 uses may not operate in the same way and may be likely to generate the same uncertainty as was found in relation to the original scheme, where adequate information was simply not provided, or may attract significantly higher levels of trip generation and parking stress at peak times of usage. Therefore if the consent is granted, officers recommend that permission be made personal to the applicant.
- 92 Objections were received raising concerns that the applicant has relied for car and cycle parking provision on the land at the rear, comprising the car park associated with South City Court at 52 Peckham Grove. They consider that this would place an unacceptable additional parking burden in a private car parking area that is already in high demand by residents, that it would not be practical as the car park has an access

control system which casual users could not access, and that the management company for South City Court have not agreed to such use. Officers accept that the arrangement would be unlikely to be practical, (if the management agent were to agree that the spaces could be used), and have not relied on any parking at the rear to mitigate the overall parking demands.

- 93 For the reasons outlined above, it is considered that the proposed use would be comply with saved policies 2.2 (iii) New community facilities, 5.2 Transport impacts and 5.6 Car parking of the Southwark Plan 2007 and strategic policy sustainable transport of the Core Strategy 2011.

#### **Design issues**

- 94 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments achieve a high standard of architectural and urban design; strategic policy 12 of the Core Strategy seeks to achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.
- 95 Concerns have been raised in objections to the scheme that the proposed infilling of windows at the front of the unit, ground floor level would be out of keeping with the appearance of the Southampton Way streetscape.
- 96 Inactive frontages such as that proposed are generally discouraged but it is not considered that the proposed blocking up of the windows to this building which is at the end of the terrace, and which does not have residential uses above which would otherwise benefit from an active street frontage at ground floor level, would be so harmful to the visual amenities of the streetscene as to justify refusal. This matter was not raised as a reason for refusal of the previous scheme, and it is considered that it would be unreasonable to do so now.
- 97 The applicant has advised that, notwithstanding the foregoing, if this matter is considered to be of concern, they would be amenable to installation of obscure glass outer skin with white blockwork inner skin in place of the existing windows, which would presumably allow for a measure of soundproofing protection whilst also allowing the impression of glazed elevations to the ground floor. If consent were to be granted, details of this could be secured by way of a condition.

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

- 98 None.

#### **Impact on trees**

- 99 None.

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

- 100 None.

#### **Sustainable development implications**

- 101 Strategic policy 13 'High Environmental Standards' requires community facilities to achieve at least BREEAM 'very good'. No information has been submitted to demonstrate compliance with this standard, but the building is existing officers do not consider that it would be practicable to require evidence of the existing building being retrofitted to secure this measure.



### **Other matters**

- 102 There are no other matters arising from the proposal.

### **Conclusion on planning issues**

- 103 It is concluded that the scheme has overcome officer's concerns in relation to the previous refused application in relation to transport impacts, taking into account the further information that was submitted in relation to the transport statement and travel plan., subject to conditions to mitigate impacts in relation to transport. The application has demonstrated that the scheme would not result in large numbers of people congregating outside the premises and that there would not be an unacceptable level of noise generated, subject to conditions including adherence to a noise management plan and a personal permission in recognition of the specific manner in which the activity would operate. It is therefore recommended that planning permission be granted having regard to the policies considered and other material planning considerations.

### **Community impact statement**

- 104 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 following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as:  
- impacts on people with a particular faith/religion

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are:  
- consideration has been given to the particular impacts of the proposed faith group that would occupy the premises, as set out by the applicant in their supporting documentation, rather than applying a generalised view of how a place of worship might operate at this site

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

- 107 There were fifteen **objections** to the scheme. Issues raised are summarised as follows:  
– inadequate public transport to accommodate existing demand let alone extra demand from this use

- inadequate spare car parking capacity in the surrounding area; the consultation on a CPZ is evidence of parking pressure
- Proposed use is inappropriate in a largely residential area with flats in close proximity
- the local community would benefit more from retail in this location
- There are already enough establishments in the local area for religious worship
- the application does not include agreement to the personal planning permission recommended by the applicant's noise impact assessment and contains no proviso that noise attenuation measures will be taken such as suggested conditions;
- with or without music 300-350 attendees will be too noisy for this location
- the proposed shared waste facilities are already full with residents waste
- concerns about any reliance for cycle and car parking or drop off using the private estates facilities at South City Court (which are already in demand/need by residents and which the management agent advises would not be leased to the applicant)
- windowless frontage is ugly/would result in safety issues with no lighting in this area and possible anti-social behaviour
- concerns about behaviour of street preachers
- impacts from the activity if building is not adequately sound proofed (eg from music, singing, percussion)
- noise from additional traffic and from people coming and going from services
- methodology of the noise impact assessment not valid – noise from one such facility can't be used to predict what would happen here and no sound measurements taken at rear of premises
- the area can already be noisy and this activity would worsen this
- concerns about possible hours of use and possibility of late night and anti-social hours
- Concerns about the nature of the use, with the application mentioning sole use as worship at weekends and evenings, but some references elsewhere to seminars and instructions groups; when would such use take place – must mean use during the daytime not just weekends for worship
- consultation ran over Christmas which is unfair as many people would away at this time

108 Twenty five representations in **support** of the scheme, with reasons summarised as follows:

- The writers live locally and would appreciate having this facility within walking distance
- The proposal would be good for the community
- This type of faith group meeting unlike some others does not have noisy services with amplified music running into unsociable hours
- The applicant's noise impact assessment contains measures for noise mitigation including management plan and personal permission
- People visiting the Kingdom Hall would have the benefit of providing more custom for local shops and cafes, as well as more people on the street engendering a greater sense of security in the area
- Better to have some use made of this unit than it remain vacant

### **Human rights implications**

106 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.

107 This application has the legitimate aim of providing for a place of worship and external alterations to the front elevation. 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.

### SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

**Strategic Director of Communities, Law & Governance**

108 None

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2247-54 Application file: 11-AP-4053 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 1137 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

### APPENDICES

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

### AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Becky Baker, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	31 January 2012	
<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 Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to the Constitutional Team</b>		6 February 2012

### Consultation undertaken

**Site notice date:** 20/12/2011

**Press notice date:** Not required

**Case officer site visit date:** 20/12/2011

**Neighbour consultation letters sent:** 19/12/2011

**Internal services consulted:**

Transport  
Environmental Protection Team

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

None

**Neighbours and local groups consulted:**

216 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 217 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 215 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 213 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 214 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 207 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 120 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AL  
 201 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 119 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AL  
 117 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AL  
 118 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AL  
 205 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 206 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 204 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 202 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 203 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 218 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 315 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 316 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 314 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 311 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 312 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 320 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 321 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 319 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 317 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 318 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 310 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 302 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 303 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 301 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 219 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 220 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 308 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 309 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 306 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 304 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
 305 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AU  
 13 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AB  
 14 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AB  
 FLAT 90 SAMUEL JONES COURT FERDINAND DRIVE LONDON SE15 6FH  
 FLAT 89 SAMUEL JONES COURT FERDINAND DRIVE LONDON SE15 6FH





416 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AW  
409 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AW  
402 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AW  
FLAT 22 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE  
FLAT 37 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 38 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 36 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 34 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 35 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 42 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 43 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 41 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 39 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 40 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 33 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 26 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 27 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 25 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 23 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 24 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 31 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 32 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 30 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 28 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 29 55 PECKHAM GROVE LONDON SE15 6PH  
FLAT 44 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 59 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 60 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 58 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 56 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 57 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 64 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 65 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 63 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 61 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 62 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 55 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 48 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 49 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 47 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 45 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 46 57 PECKHAM GROVE LONDON SE15 6PH  
FLAT 53 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 54 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 52 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 50 59 PECKHAM GROVE LONDON SE15 6PH  
FLAT 51 59 PECKHAM GROVE LONDON SE15 6PH  
90 STANSWOOD GARDENS LONDON SE5 7SR  
91 STANSWOOD GARDENS LONDON SE5 7SR  
89 STANSWOOD GARDENS LONDON SE5 7SR  
87 STANSWOOD GARDENS LONDON SE5 7SR  
88 STANSWOOD GARDENS LONDON SE5 7SR  
95 STANSWOOD GARDENS LONDON SE5 7SR  
96 STANSWOOD GARDENS LONDON SE5 7SR  
94 STANSWOOD GARDENS LONDON SE5 7SR  
92 STANSWOOD GARDENS LONDON SE5 7SR  
93 STANSWOOD GARDENS LONDON SE5 7SR  
86 STANSWOOD GARDENS LONDON SE5 7SR  
79 STANSWOOD GARDENS LONDON SE5 7SR  
80 STANSWOOD GARDENS LONDON SE5 7SR  
78 STANSWOOD GARDENS LONDON SE5 7SR  
76 STANSWOOD GARDENS LONDON SE5 7SR  
77 STANSWOOD GARDENS LONDON SE5 7SR  
84 STANSWOOD GARDENS LONDON SE5 7SR  
85 STANSWOOD GARDENS LONDON SE5 7SR  
83 STANSWOOD GARDENS LONDON SE5 7SR  
81 STANSWOOD GARDENS LONDON SE5 7SR  
82 STANSWOOD GARDENS LONDON SE5 7SR  
187C SOUTHAMPTON WAY LONDON SE5 7EJ  
UPPER FLAT 121 COLEMAN ROAD LONDON SE5 7TF  
185C SOUTHAMPTON WAY LONDON SE5 7EJ  
185A SOUTHAMPTON WAY LONDON SE5 7EJ  
185B SOUTHAMPTON WAY LONDON SE5 7EJ  
GROUND FLOOR FLAT 127 COLEMAN ROAD LONDON SE5 7TF  
UPPER FLAT 127 COLEMAN ROAD LONDON SE5 7TF  
GROUND FLOOR FLAT 121 COLEMAN ROAD LONDON SE5 7TF  
189C SOUTHAMPTON WAY LONDON SE5 7EJ  
129 COLEMAN ROAD LONDON SE5 7TF  
131 COLEMAN ROAD LONDON SE5 7TF







FLAT 34 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
69 STANSWOOD GARDENS LONDON SE5 7SR  
70 STANSWOOD GARDENS LONDON SE5 7SR  
68 STANSWOOD GARDENS LONDON SE5 7SR  
88 MARCHWOOD CLOSE LONDON SE5 7EX  
67 STANSWOOD GARDENS LONDON SE5 7SR  
74 STANSWOOD GARDENS LONDON SE5 7SR  
75 STANSWOOD GARDENS LONDON SE5 7SR  
73 STANSWOOD GARDENS LONDON SE5 7SR  
71 STANSWOOD GARDENS LONDON SE5 7SR  
72 STANSWOOD GARDENS LONDON SE5 7SR  
83 MARCHWOOD CLOSE LONDON SE5 7EX  
FLAT 38 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
FLAT 39 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
FLAT 37 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
FLAT 35 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
FLAT 36 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
183 SOUTHAMPTON WAY LONDON SE5 7EJ  
201 SOUTHAMPTON WAY LONDON SE5 7EJ  
FLAT 40 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
FLAT 41 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
211 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
212 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
210 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
208 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN  
209 SOUTH CITY COURT 52 PECKHAM GROVE LONDON SE15 6AN

**Re-consultation:**

N/A

## Consultation responses received

### Internal services

#### Transport

<b>Vehicle, Pedestrian &amp; Disabled Access</b>
<p>Pedestrian access to the development is from both Southampton Way and Peckham Grove.</p> <p>Existing and proposed vehicular access to the site is from Peckham Grove.</p> <p>The submitted plans do not show any alterations to the sites vehicular access from the highway.</p> <p>If there were to be any alterations to the developments access. Any new or altered access must have the approval of the Highways Authority, before construction. Please include the following informative:</p> <p>"The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway."</p>
<b>Sightlines/Visibility Splays</b>
Not applicable
<b>Car, Cycle and Motorcycle Parking</b>
<p><u>Cycle storage</u>  <b>Policy 5.3 (Cycle Storage)</b>  For the D1 use the Southwark plan has not exact details of the levels of cycle parking for this development however at pre application stage we suggested the applicants look at the levels of existing cycle usage associated with the applicant's current sites and replicate that level of cycle parking provision at full application stage. Although cycle storage has been shown on the ground floor plan, the shown storage is for the existing residential uses.</p> <p>The lack of cycle storage associated with the above application will not warrant a reason for refusal.</p> <p><u>Car Parking</u>  <b>Policy 5.6 (Car Parking)</b>  The above application is not located within a CPZ at present. The applicants have undertaken a parking survey which states that there is ample available on street parking spaces at peak times of operation (50+ spaces). The transport assessment also has a car occupancy level which has been used to calculate the level of trip generation.</p> <p>The applicants have arrived at an accidental car occupancy level of 1 person per vehicle (which is a very worst case scenario, and in reality highly unlikely) for the congregation members that use private vehicles. The applicants have suggested that a 22% of the congregation will use private vehicles to access the site. Looking at appendix 5 the other surveyed sites (Scylla road, Coldharbour Lane and New cross Road) have a similar modal split (between 21 and 25% on Sundays) these figure fortify the assessment that 22% of the congregation will use private vehicles. The 22% modal split toward private vehicle users constitutes 31 vehicles using the very worst case scenario car occupancy level.</p> <p>Coupling the worst case scenario car occupancy with the results of the parking survey shows that at peak times of operation there is a significant level of on street parking on the surrounding highway network.</p>

<p>It is worth noting that a CPZ has been proposed for the surrounding area. however the CPZ's operation times do not correlate with the proposed change of use peak times of operation, there for the on street parking situation is unlikely to differ from that currently experienced.</p> <p><u>Disabled parking</u></p> <p>Not applicable to the above application.</p>
<p><b>Servicing and refuse vehicle access</b></p> <p>The proposed change of use represents a significant de intensification of use when compared with the existing A1/B1 use.</p>
<p><b>Trip Generation/Highway impacts (if any)</b></p> <p>The applicants have used existing kingdom hall in local and comparable areas to generate realistic modal split for the proposed change of use.</p> <p>A worst case scenario car occupancy level which would be highly unlikely has also been submitted to ascertain the impact of the development on the surrounding highway network.</p>
<p><b>Travel Plan comments (if any)</b></p> <p>A travel plan has been submitted</p>
<p><b>Further Comments</b></p> <p>The information submitted assures the transport team that the proposed change of use will not impact negatively on the performance and safety of the surrounding highway network. The credibility of the displayed low levels of car occupancy and modal split is due to the nature of the Kingdom halls operation, opening up new places of worship were there is the need so that they are local to there worshipers. Other D1 uses may not operate this policy and are likely to generate significantly higher levels of trip generation and parking stress at peak times of usage. There for we would seek a personal permission to the applicants.</p> <p><b>Transport DC have no objections to the above application, as there will be no significant negative impact on the performance and safety of the surrounding highway network, provided the permission is made personal.</b></p>

### Statutory and non-statutory organisations

None.

### Neighbours and local groups

There were fifteen **objections** to the scheme, summarised as follows:

214 South City Court SE5 – objects on grounds that the scheme would harm the tranquillity and calm of South City Court; existing pressures on parking will be exacerbated by the scheme and buses will become even more crowded

214 South City Court SE5 – as above; and quality of life for residents would worsen and the area less attractive for prospective residents

405 South City Court SE5 – objects on grounds that if the scheme includes the use of car and cycle parking areas at the rear at South City Court this would affect both insurance as well as harm in relation to parking demand within this private car parking area where parking is designated for residents only;

- existing pressures on on-street parking will be exacerbated
- this type of business is very popular at the lower end of Walworth Rd where there is less built up residential property

204 South City Court SE5 (occupier) – Concerns about noise – the application does not include agreement to the personal planning permission recommended by the applicant's noise impact assessment and contains no proviso that noise attenuation measures will be taken such as suggested conditions;

- with or without music 300-350 attendees will be too noisy for this location
- the proposed shared waste facilities are already full with residents waste
- the transport statement refers to Southampton Way as a major bus corridor by the 343 is the only bus and is often already full; with no planned improvements in the area the scheme would worsen this situation
- if parking is proposed at the rear in the South City Court car park this is already full and in addition insurance premiums would soar in non residents used this private car park
- consultation ran over Christmas which is unfair as many people would away at this time

204 South City Court SE5 (owner) – Concerns about noise – the application does not include agreement to the personal planning permission recommended by the applicant's noise impact assessment and contains no proviso that noise attenuation measures will be taken such as suggested conditions;

- with or without music 300-350 attendees will be too noisy for this location
- the transport assessment refers to parking and drop off being available in the main car park at the rear which is a private gated estate for residents of that estate only so cannot be relied on, likewise the cycle parking, and the management agent there has confirmed no such allocation has or would be allowed
- the proposed shared waste facilities are already full with residents waste

Flat 401 South City Court SE5 – concerned that the application refers to car and cycle parking being provided at the rear in the South City Court car parking area, however the writer believes that firstly the landlord is not entitled to permit non-residents to park in that car park; secondly that the existing capacity of the car park is used up by existing residents with none to spare for third parties; thirdly that the access to those facilities is by secure access control only which third parties could not have access to

- reiterates objections to the first application even more strongly
- the applicant states that there is a comparable Kingdom Hall at 1a Scylla Rd about 2km away – in that case what is the need for this proposed facility if people are expected to walk up to 2km as set out in the transport assessment?
- Agrees with another objectors assessment that there are already enough places of worship in the area
- The noise report does not acknowledge that the Scylla Rd Hall is not adjoined by residential property and effects of large numbers of people congregating outside have not been taken adequately into account – this type of noise is different to traffic noise which people can tune out
- There is inadequate cycle parking provided for given that the cycle parking at the rear is for use of residents only and there are only 5 public stands outside on Southampton Way
- timing of the application was poorly considered as consultation is during the Christmas period when many residents are away or have little time to review the application
- Council's consultation on proposed controlled parking zone in the surrounding streets highlights that parking pressure already exists - Inadequate car parking on the streets in the surrounding area
- Blocking up the two windows at ground floor level would be unattractive and create a dark/unlit area that may become an outside urinal; blocking up the windows will also restrict the number of exits from the building in case of fire
- Concerned about number of attendees as according to the reports it varies

between 75 – 175 and no mention is made of the numbers attending Scylla Rd

- Confusion about the nature of the use, with the application mentioning sole use as worship at weekends and evenings, but some references elsewhere to seminars and instructions groups; when would such use take place – must mean use during the daytime not just weekends for worship?
- Premises unsuitable for worship as set in a non secular residential building and would not benefit the community in the same way as a non-secular organisation would
- Concerned that hours of use are not set out and also impacts of wider uses such as weddings and funerals – how many would there be a year?
- The application doesn't address how it meets national planning policies such as developing social cohesion, creating socially inclusive communities, taking into account the needs of all the community or retaining and sustaining existing community facilities
- Existing public transport infrastructure is already inadequate

119 South City Court SE15 – loss of retail space, would like to see more shops here eg Costa Coffee to build on the success of the Tesco in the vicinity which is well used - parking availability too limited in the local area and as a CPZ is proposed competition for spaces would be severe; residents of South City Court do not want to be fighting off patrons of the church for spaces within the South City Court parking area

- inadequate public transport - can;t cater to current demand let alone 300+ patrons of the proposed church
- noise pollution - the presence of a church with singing and other forms of praise in weekends would harm enjoyment of people's homes
- waste management - such an establishment would result in greater generation of waste in the area

Flat 7 193 Southampton Way SE5 – lives above the Tesco adjacent to the site; residents are already disturbed by the usage of Tesco as people congregate outside from 7am til 11pm; this continues through the night with the ATM being used

- Reiterates objections to the previous application
- parking situation is already dire with cars double parked outside Tesco and no parking available in the nearby streets – the scheme would worsen this situation
- the consultation on a CPZ in the area suggests that it would be impossible to take on further parking in the area
- parking and drop off at the area behind the building as claimed by the applicant would not be possible as it is a private estate
- noise – from singing, amplified music, chanting, celebrations such as weddings – what if any restrictions would be put on usage?
- Amount of people this proposal would create using this piece of road/pavement – more people would mean more noise but also safety concern and lack of appropriate crossing facility
- Southampton Way is (or was) a residential community street and we do not want a busy environment outside the front door
- Letters of support seem to be from people who do not live immediately next door and should be seen as biased

27 Lynbrook Grove SE5 – inadequate transport infrastructure as already evident by the congestion and parking pressures caused by Tesco adjacent to this proposal - Appendix 6 of the Transport assessment contains an out of date map which refers to Lydney Close which no longer exists as replaced by Lynbrook Grove in 2004 and where there are barely enough parking spaces for existing residents let alone

prospective church attendees (Officer note – the Appendix 7 parking survey refers to 'Lydney Close/ Lynbrook Grove') which officers take to be a correct reference as compared with the map

No specific address provided (but states 3<sup>rd</sup> floor of main South City Court building and can provide exact address on request) – increase of people in the area leading to congestion/blocking of the pavement

- More pressure on the existing limited bus service
- Increase in numbers of people using the Tesco and ATM next door
- likely increase in litter
- concerns about noise unless building is properly insulated
- noise due to increased footfall outside the premises; due to services, music, and as a result of increased people using public and private transport, and as a result of the development work
- objects to religious services not conducive to local residents e.g. services falling under either seasonal or weddings are likely to cause disruption to local community that do not follow the same calendar/celebrations
- objects to funerals being held
- according to the previous application a number of people already seem to live closer to another place of worship for their faith so no need evident for this location to be used
- there are already plenty of places of worship in this area with plenty within walking distance of this location (10 mins); therefore this one is unnecessary and may cause issues if they are competing for attendees
- given that the noise assessment states that two of the proposed six congregations using the Scylla RD site would move to this one means that this site is unnecessary as demand is already met elsewhere
- concerns about any reliance for cycle and car parking or drop off using the private estate's facilities at South City Court (issues relating to lease, resident's insurance, safety)
- highway safety – concern about traffic congestion in Peckham Grove and additional traffic impacts in general – noise, safety
- external works would create ugly facade to Southampton Way, and works to integrate proposed additional toilets would be disruptive to the community and create future problems to the systems in the future
- resident already experiences noise disruption from summer BBQs, parties and people playing music loudly and this scheme would increase the likelihood of this disruption at unsociable hours
- concerned that noise survey only assessed Southampton Way facade and the front facade of the comparative Kingdom Hall and not the area at the rear of the site and is flawed as only assesses street-side noise impacts

South City Court resident - the application does not include agreement to the personal planning permission recommended by the applicant's noise impact assessment and contains no proviso that noise attenuation measures will be taken such as suggested conditions;

- with or without music 300-350 attendees will be too noisy for this location
- the proposed shared waste facilities are already full with residents waste
- the transport statement refers to Southampton Way as a major bus corridor by the 343 is the only bus and is often already full; with no planned improvements in the area the scheme would worsen this situation
- consultation ran over Christmas which is unfair as many people would away at this time
- The writer had to move out of their home on Camberwell Rd owing to noise and disturbance from another place of worship which kept people awake until 4am on most weekends with loud music playing and excessive noise on a Sunday, which could have been avoided if residents had objected to a planning application at that

location as is the opportunity available here

Flat 5 South City Court – concerns about any reliance for cycle and car parking or drop off using the private estate’s facilities at South City Court (which are already in demand/need by residents and which the management agent advises would not be leased to the applicant)

- windowless frontage is ugly
- there are already a number of church meetings held in premises in the vicinity; massive oversupply of faith premises generally, and specifically there already two other Jehovah’s Witnesses premises nearby at Austins Court on Peckham Rye and Queens Rd so no justification for another one here
- there has been continual building or noise on the site at South City Court since 2003 so more noise now from a place of worship would destroy any quiet residents could now have hoped to expect
- transport in the area is inadequate, e.g. the 343 bus is oversubscribed already without additional pressure
- nuisance and aggression – concern about street preachers in the area already and would not want to see more
- reference to the problem faith premises at Camberwell Rd which forced another objector to move out

Flat 18 54 Peckham Grove – agrees with most of the objections already raised and reiterates objections to the previous scheme. In addition:

- disagrees with the conclusions of the submitted noise and transport assessments, in particular an argument that appears to be expressed on p22-23 of the noise impact assessment that the noise level on Southampton Way is already so excessive that this place of worship won’t make a difference; as someone who has lived here for 4 years the writer can attest to the fact that it is indeed quite noisy a lot of the time and doesn’t want the noise added to in anyway.
- disagrees with methodology of the noise assessment as considers that noise generated by one building in another road cannot be used to predict what might happen at this site
- refers to last para of 6.9 p 23-24 of the noise assessment which refers to elevated noise levels for up to 10 mins at a time; as a one off this wouldn’t be too bad but if it happens every time the Hall is used then unacceptable noise levels would build up; would not appreciate such noise 7 days a week 365 days a year.
- application states at great length how many parking spaces area available in the area but then states most attendees would walk – which is the most likely option?
- are they expecting every space in all of the surrounding roads that have been assessed or spare capacity to be used up as if so that would be a lot of congestion and disruption
- whilst application form states hours are not known the planning statement refers to anytime between 9am and 8pm and up to 10pm at weekends, as a resident would not appreciate near constant noise and disruption at these times
- concerns about any reliance for cycle and car parking or drop off using the facilities at the rear which the writer believed were for exclusive use by residents of 52/54 Peckham Grove and regardless of whether the intention was that such use were occasional or in exceptional circumstances only, it would be likely to end up being much more frequent in practice as well as used for people congregating/parking/littering and used by workers during construction of the building and for maintenance afterwards
- principle of such a use in a building surrounded by/attached to large numbers of flats is inappropriate

No address provided (but states lives next door to Unit 2 191-199 Southampton Way)

- concerned about noise, additional traffic and parking impacts, litter
  - already another place of worship just off Southampton Way, we do not need



another

- application should be supported by full reports on noise pollution/noise control covering not just the premises itself but the comings and goings of worshippers and added traffic and parking issues

No address provided – noise impacts as building was not built to required standard of sound proofing in particular as there are flats directly above and noise from a singing/worshipping congregation would be untenable

- air conditioning units would be required that would also add to noise; arrival of worshippers by foot or car would be noisy especially on Sunday mornings
- inadequate car parking in the surrounding area
- the local community would benefit more from retail in this location
- There are already enough establishments in the borough for religious worship
- the site is unsuitable for this activity

25 representations in **support** of the proposal, summarised as follows:

- The writers live locally and would appreciate having this facility within walking distance;
- The proposal would be excellent for the community;
- Places of worship can often be used to start up schemes for children helping to keep them from the dangers of the street;
- Unlike an additional bar and club, this would be a peaceful place that will help unite the community

There were 25 representations in support of the application, as summarised below:

13 Peckham Grove SE15 – disappointed that the last scheme was refused;

- this commercial unit has remained vacant for as long as 5 or 6 years, surely better being used than staying vacant;
- location of Kingdom hall here would benefit local Jehovah's Witnesses as well as wider community in terms of greater presence of people in weekends and evenings which would increase sense of safety
- this area of Southampton way is lacking in amenities and has been run down for a while; the additional people using the area for the Kingdom Hall would benefit local businesses such as shops and cafes (gives example of contribution of a Kingdom Hall to regeneration improvements in Jersey City)
- objections in terms of noise and parking outweighed by benefits outlined above
- need to consider that some local residents currently drive to services further away at New Cross
- also need to keep in mind that arrangement and consent of Jehovah's Witnesses meetings is such that noise isn't a problem, eg have short period of singing at start, middle and end of services but have no amplified sermons, live music or percussion, clapping or choir singing

42 Coleman Rd SE5 – would like to have this as our own place of worship; worshippers are modest, loyal, loving united people

78 Bushey Hill Rd SE5 – disappointed that previous application was refused; this scheme would be accessible by foot for the writer and his wife

27 Rainbow St SE5 – having such a place of worship in this area would improve the behaviour people in the area; although some churches play drums and sing aloud not all do

17 Wodehouse Ave SE5- disappointed that previous application was refused; this scheme would be accessible by foot for the writer and family as well as other local

residents

Flat 12 Burgess House Wyndham Estate – the proposal would be good for the community and surroundings

39 Welton Court 2A Crofton Rd SE5 - disappointed that previous application was refused; being able to walk to the Kingdom Hall would benefit our family (5 min walk)

Flat 1 St Georges Church 55 Wells Way SE5 – disappointed that the last scheme was refused; this scheme would benefit the writer in being able to walk to services rather than the bus to current location of Hall; for this reason would ease rather than aggravate congestion

20 Bushey Hill Rd SE5 – disappointed that the last scheme was refused; this scheme would benefit the writer in being able to walk to services and would therefore ease congestion

78 Bushey Hill Rd SE5 – disappointed that the last scheme was refused; this scheme would benefit the writer in being able to walk to services and would therefore ease congestion

14a Coleman Rd SE5 – disappointed that the last scheme was refused; this scheme would benefit the writer's family in being able to walk to services especially as they don't own a car

30 Foxcote 150 Albany Rd SE5 – this scheme would benefit the writer's family in being able to walk to services; approving this scheme would be to the benefit of Christians in the neighbourhood

13 Racine Sceaux Gardens SE5 – this scheme would benefit the writer in being able to walk to services rather than take buses as the writer currently does to New Cross services

Flat 11 South City Court SE15 – disappointed in previous refusal especially in relation to the reasons for the refusal;

- the Jehovah's Witnesses are not in the same category of some other faith groups which some objectors seem to think are renowned for loud services into the early hours

- considers that the new submission in particular part 7 of the noise impact assessment contains measures which if adopted should allay concerns especially the personal permission which is recommended, and the noise management plan detailed in appendices D and E

- anyone visiting any of the services at other Kingdom halls nearby would be likely to find their fears dispelled in relation to noise

101A Laurent Rd SE15 – would be beneficial for the writer's family to be able to walk to services here (10 mins walk)

4 Chandler Way SE15 – would be beneficial for the writer's family to be able to walk to services here

Flat 9 Samuel Jones Court SE15 – no reason given

Flat 76 Samuel Jones Court SE15 – would use the facility if consent is granted and it is only a minute's walk away

78 Furley Rd - would be beneficial for the writer's family to be able to walk to services

here (15 min walk)

140 Sedgmoor PI SE5 - scheme would be beneficial for people such as the writer with limited mobility in the local area who wish to worship here

Pentridge St SE15 – writer would benefit from being able to walk to the services here

14 Gatiskell House, Illa St SE17 - support but no reason stated

Flat 22 Wendover House Thurlow St SE17 – will allow people living in the local area to worship in a facility nearby negating need to travel by car; facility would give young people an opportunity to engage with people especially in context of worshipping God and reduce anti-social behaviour; would enable members of the community to come together

No address given - disappointed that previous application was refused; this scheme would be accessible by foot for the writer who cannot travel far

No address given – benefits in relation to the social and community aspects of faith and support engendered by the church

---

## RECOMMENDATION

---

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.

<b>Applicant</b>	Mr D. Omosheye c/o Trustees London Bermondsey Congregation	<b>Reg. Number</b>	11- <u>AP</u> -4053
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2247-54
<b>Recommendation</b>	Grant permission		

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation.

**At:** UNIT 2 191-199 SOUTHAMPTON WAY LONDON SE5 7EJ

**In accordance with application received on** 02/12/2011 08:02:05

**and Applicant's Drawing Nos.** Transport Assessment October 2011 Revision D (issue date 27/11/2011)

Transport Statement May 2011 Rev A (issue date 2/5/2011)

Noise Impact Assessment Report WA Case No. 11/003\_RBC.01 dated Sept 2011

Travel Plan November 2011

Southwark Core Strategy Review,

Planning Statement dated 5 December 2011,

Planning, Design and Access Statement April 2011

Letters from John Ovenell dated 23/1/2012 and 24/1/2012

Plans:- , Site Plan, Ordnance Survey Map, 110528 R2 - 1, 110528 R2 - 2, 110528 R2 - 3, 110528 R2 - 4, LEASE 100, LEASE 101

### Reasons for granting permission.

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

#### Strategic policies of the Core Strategy 2011

Strategic Policy 1 Sustainable Development which requires developments to improve the places we live in and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 Sustainable Development which seeks to encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 3 Shopping, Leisure and Entertainment which defines a hierarchy of town and local centres which reflect their sizes and roles.

Strategic Policy 4 Places to Learn and Enjoy seeks to ensure that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 10 Jobs and Businesses which seeks to protect business floorspace and supports the provision of additional floorspace in defined locations in the borough.

Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces.

Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

#### Saved policies of the Southwark Plan 2007

Policy 2.2 (Provision of new community facilities) states that permission will be granted for new community facilities

provided that provision is made for use by all members of the community, subject to assessment of impacts on amenity and in relation to transport impacts.

Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure.

Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area

Policy 5.6 (Car Parking) states that all developments requiring car parking should minimise the number of spaces provided.

#### Policies of the London Plan 2011

Policy 3.16 - Protection and enhancement of social infrastructure

Policy 6.3 - Assessing effects of development on transport capacity

Policy 6.9 - Cycling

Policy 6.10 - Walking

Policy 6.13 - Parking

Policy 7.4 - Local character

#### Planning Policy Statements [PPS] and Guidance Notes [PPG]

PPS1 Delivering sustainable development

PPG13 Sustainable transport

Particular regard was had to the principle of the proposed land use, transport impacts and impacts on the amenities of surrounding occupiers that would result from the proposed development, where it was considered that the use was acceptable in principle, and that subject to conditions, there would be no material harm arising in relation to impacts on the surrounding highway network or in relation to parking. Whilst there would be some impacts in relation to noise there would be mitigation of impacts afforded by conditions of consent, including measures such as a management plan which would ensure that the activity would not operate during anti social hours, and as consent would be personal to the applicant in recognition of the specific manner in which the activity would operate, such that the scheme would not have such a harmful impact in relation to noise as to justify refusal. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

#### **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 Except as otherwise provided for by the conditions of this consent, the development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:  
110528 R2-1, 110528 R2-2, 110528 R2-3, 110528 R2-4, LEASE 100, LEASE 101

Reason:

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

- 3 This permission shall be personal to Trustees London Bermondsey Congregation for the purposes of Kingdom Hall (place of worship) within Use Class D1 and shall not enure for the benefit of the land.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and considers that under the management of Trustees London Bermondsey Congregation the proposal

would not give rise to a loss of amenity or harm in relation to transport impacts in accordance with Strategic Policies 2 - Sustainable transport and 13 - High environmental standards of The Core Strategy 2011 and Saved Policies 2.2 Provision of new community facilities, 3.2 Protection of Amenity, 5.2 Transport impacts and 5.6 Car parking of the Southwark Plan 2007.

- 4 The use for D1 purposes hereby permitted shall not be carried on outside of the following hours:  
 - Monday to Saturday – 0800 - 2115 (building shall be closed by 2200)  
 - Sunday and Bank Holidays - 0930 - 1845 (building shall be closed by 1930)

Reason

To safeguard the amenities of nearby residential occupiers, in 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.

- 5 Before the use hereby permitted commences, a noise management plan, outlining measures to mitigate any noise and disturbance to neighbouring occupiers caused by people who are attending the site, outside the building, arriving at and leaving the site, shall be submitted in writing to the local planning authority for its written approval. The site shall thereafter be operated in strict accordance with the agreed details in the approved noise management plan at all times.

Reason

To ensure that the occupiers and users of the surrounding residential units do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the application premises in accordance with Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 6 The  $L_{Fmax}$  from services held within the premises shall be attenuated to ensure that it does not exceed the L90 at all octave band frequencies between 31.5Hz and 8kHz 1m from the facade of the nearest noise sensitive premises and maintained thereafter. Details of a scheme to demonstrate that this requirement is met shall be submitted to the Local Planning Authority prior to the use commencing, and the scheme shall thereafter be carried out in accordance with the approved details.

Reason

To ensure that the occupiers and users of the surrounding residential units do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the application premises in accordance with Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 7 Before the use hereby permitted commences, details of how the walls within the commercial premises within the development sharing a party element with residential uses shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 is not exceeded due to noise from the application 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 in accordance with Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 8 Prior to commencement of the use hereby permitted, details shall be submitted to the Local Planning Authority for approval in writing setting out details by way of elevation, sections and plans detailing the installation of obscure glass outer skin with white blockwork inner skin in place of the existing windows, which shall allow for a measure of soundproofing protection in accordance with conditions 4 and 8 above, whilst also allowing the appearance of glazed elevations to the ground floor, and the scheme shall thereafter be carried out in accordance with the approved details.

Reason.

To ensure a satisfactory external appearance to the building in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design of The Southwark Plan 2007

- 9 a) Before the use hereby permitted commences the applicant shall submit in writing and obtain the written approval of the local planning authority to a Travel Plan setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.
- b) At the start of the second year of operation of the approved Travel Plan a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order that the use of non-car based travel is encouraged in accordance with Saved Policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 Car Parking of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252



<b>Item No.</b> 6.2	<b>Classification:</b> OPEN	<b>Date:</b> 15 February 2012	<b>Meeting Name:</b> Camberwell Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-3030 for: Full Planning Permission  <b>Address:</b> 8A AND B COLDHARBOUR LANE, LONDON, SE5 9PR  <b>Proposal:</b> Alterations to and erection of additional floor to the two storey rear extension and alterations to elevations at ground, first and second floor in connection with conversion of upper floors to 2 x1 bedroom flats, 1 x 2 bedroom flat and a studio flat.		
<b>Ward(s) or groups affected:</b>	Camberwell Green		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 31 October 2011		<b>Application Expiry Date</b> 26 December 2011	

## RECOMMENDATION

- 1 Grant planning permission subject to conditions

## BACKGROUND INFORMATION

### Site location and description

- 2 The proposal site currently comprises one building that has two elements to it, as follows.
  - 8A is a corner building on the corner of Valmar Rd and Coldharbour Lane. It forms the end of the terrace on Coldharbour Lane and contains a ground floor retail shop (Use Class A1) and residential flats on the two floors above. It is three storeys in height.
  - 8B is to the rear of 8A and continues the terrace into Valmar Road. It is two storeys in height and appears to have been built at a later stage than 8A. There is a vacant commercial unit (Use Class B1) on the ground floor of 8B, and a studio flat on the first floor level.
- 3 There is a side alley/rear yard within the site boundary to the east of the existing building. There is an existing brick wall separating the alley from a right of way access from Valmar Rd.
- 4 The surrounding area is mixed, comprising mainly commercial uses at ground floor with residential above on Coldharbour Lane, and predominantly residential on Valmar Road.
- 5 The site forms part of the Camberwell Green Conservation Area. The site is within the Urban Density Zone, Camberwell District Town Centre, Camberwell Action Area, Archaeology Priority Zone (APZ) and Air Quality Management Area (AQMA).

**Details of proposal**

6 This is a revised scheme following the Council's refusal of a previous application (LBS Reg 10-AP-0121) refused in July 2010. The current scheme is for alterations to the existing rear extension and erection of additional floor to the two storey rear extension and alterations to elevations at ground, first and second floor in connection with conversion of upper floors to 2 x1 bedroom flats, 1 x 2 bedroom flat and a studio flat.

7 The proposal would provide, through internal alterations to the upper floors of No. 8A, 2, one bedroom self-contained units. It is proposed to demolish part of No. 8B and erect a second floor extension to provide 1 studio and 1 two bedroom self-contained flat. In effect, the use and mix of residential dwellings on the site would change from:

Existing - 3 x two bedroom flats and a studio flat (four flats)

Proposed - 2 x one bedroom flats, 1 x two bedroom flat (duplex) and 1 studio flat (four flats).

The unit/room sizes are as follows:

1 Bed flat (sqm)  
 Bedroom - 12  
 Kitchen diner - 9.3  
 Living room - 14.2  
 Bathroom - 3.5  
 Storage 3.2  
 Total **50sqm**

1 Bed flat (sqm)  
 Bedroom - 12.6  
 Open plan living and kitchen - 27  
 Bathroom - 3.5  
 Storage - 1.6  
 Total **52sqm**

Studio total **36sqm**

2 Bed flat (sqm)  
 Bedroom - 14.8  
 Bedroom - 14  
 Open plan living and kitchen - 27  
 Bathroom - 3.5  
 Storage - 1.8  
 Total **66sqm**

8 The ground floor elevation of 8B fronting Valmar Rd would be altered to install shopfront windows. The use would however remain as a single commercial unit.

9 Refuse, recycling and cycle storage would be located within the rear yard, adjoining the boundary with No. 8. An opening would be created from the right of way to allow for the cycle store and bins to be accessed from the right of way. The applicant has provided evidence by way of title deeds that indicate that the land outlined in red as part of this application site has a right of way over the access way.

10 The rear extension would be constructed to form a mono pitch roof raised above the existing roof level, mirroring the existing sloping roof form. The height of the rear projection would increase from 4.9m to 6.9m at the eaves level which faces the adjoining property No. 8 Coldharbour Lane (ie 2m increase in height). The height of

the parapet wall would increase from 6.5m to 8.1m fronting Valmar Road (ie increase of 1.6m in height).

- 11 New windows would be installed in the Valmar Rd elevation at first and second floor levels, and rooflights would be inserted into the new proposed roof to the extension. There would be a new entrance to the flats from Valmar Road.
- 12 Amendments to current application following its original submission
- amendment to Valmar Rd elevation by insertion of three circular windows at second floor level
  - revised plan showing a gate to allow access to the proposed rear bin store area which is accessed from the right of way at the rear of the site, where the existing brick wall currently is located
  - the design of the rear extension was amended by altering the proposed double pitch roof design, to a mono-pitch roof, and the pitch of the roof was made shallower
  - cycle storage for five bikes was added within the rear yard area
  - more information was submitted regarding refuse collection arrangements
  - the internal layouts were amended largely in relation to the stairwell and access arrangements
  - dormer window which was originally proposed to the roof of 8B facing No. 8 has been omitted
- 13 Changes from the refused scheme 10AP0121
- Materials - previously proposed mixture of timber cladding and render. As officers considered these materials to be unsympathetic within the area, materials now proposed include matching bricks, timber windows with cast stone elements and a slate roof.
  - An external staircase proposed in the refused scheme has now been removed from this application.
  - The originally proposed side dormer window to the roof has now been omitted
  - Within the rear property, 8B, there is now proposed to be a studio and a 1-bed flat whereas the previous scheme proposed a studio and a 2-bed flat
  - Roof to rear extension revised to now comprise a mono-pitched roof extension with a parapet wall.

### **Planning history**

- 14 Ref 10-AP-0121 - Planning application was refused on 8 July 2010. The proposal was for: 8a: Conversion of existing units into 2 x 1 bedroom (self contained) flats and; 8b: Erection of a second floor rear extension with remodelled elevations and conversion of existing unit into a studio flat, and a new 2 bedroom self contained flat on second floor.

This application 10-AP-0121 was refused on the following grounds:

1. *The proposed extension by virtue of its inappropriate design, scale, height and massing and poor quality materials would fail to be sufficiently subservient to the host building and would be over dominant in the streetscene, and would not make a positive contribution to the character and distinctiveness of the local environment, harmful to visual amenities and detrimental to the character and appearance of this part of the Camberwell Green Conservation Area. Furthermore, due to the increase in bulk and massing the extension will be overbearing upon the rear of the adjacent unit at No. 8 Coldharbour Lane, which is to the north, harmful to the amenities of these occupants. The proposal is therefore contrary to Policies 3.2 'Protection of Amenity', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) July 2007.*

2. *The size of the residential units proposed does not comply sufficiently with the*

*Council's minimum room size/floorspace standards and as such would result in the provision of sub-standard and cramped residential accommodation. The proposal is therefore contrary to Policy 4.2 'Quality of Residential Development' of the Southwark Plan (UDP) July 2007 and Residential Design Guidelines (SPD) October 2008.*

*3. In the absence of measures to protect the existing mature street tree in the Camberwell Green Conservation area, the proposal would result in the loss of this street tree or its severe pruning which is considered to compromise its local amenity value to the conservation area. The proposal is therefore contrary to Policies 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) July 2007.*

#### 06-EN-0631

- 15 The Council served an Enforcement Notice on 20 April 2007 on the ground floor of the property for the unauthorised change of use from a bakery to hot food take-away. An appeal was made against the Council's Enforcement Notice. The appeal was dismissed in March 2008.

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

#### 1 Valmar Road

- 16 9200230 - planning permission granted 28/05/1992 for the conversion of the 1st and 2nd floors to provide 2 self contained flats.
- 17 09-AP-2241 - planning permission refused 04/01/2010 for erection of single storey rear extension and installation of extractor duct to rear, in connection with change of use of ground floor from betting shop (Use Class A2) to cafe/restaurant (Use Class A3). It was refused on the grounds of unacceptable design in relation to the extract duct and inadequate information in relation to impacts of the extract system such as noise.
- 18 10-AP-0549 - planning permission granted 03/06/2010 for erection of a single storey rear extension at ground floor level and installation of extract duct to rear, in connection with change of use at ground floor level from betting office (use class A2) to cafe/restaurant (Use Class A3).

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

- 19 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) Impact of proposed development on the amenity of adjoining occupiers
  - c) Impact of proposed development on the character and appearance of the surrounding area and Camberwell Green Conservation Area
  - d) Traffic and highway impacts

#### **Planning policy**

- 20 Core Strategy 2011  
Strategic Policy 1 Sustainable development  
Strategic Policy 2 Sustainable transport

Strategic Policy 3	Shopping, leisure and entertainment
Strategic Policy 5	Providing new homes
Strategic Policy 10	Jobs and businesses
Strategic Policy 11	Open spaces and wildlife
Strategic Policy 12	Design and conservation
Strategic Policy 13	High environmental standards
Strategic Policy 14	Implementation and delivery

Southwark Plan 2007 (July) - saved policies

- 21 Policy 1.4 - Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations  
 Policy 1.7 – Development Within Town and Local Centres  
 Policy 3.2 - Protection of Amenity  
 Policy 3.11 - Efficient Use of Land  
 Policy 3.12 - Quality in Design  
 Policy 3.13 - Urban Design  
 Policy 3.15 - Conservation of the Historic Environment  
 Policy 3.16 - Conservation Areas  
 Policy 3.28 Biodiversity  
 Policy 4.2 - Quality of Residential Accommodation  
 Policy 5.1 - Locating Developments  
 Policy 5.3 – Walking and Cycling  
 Policy 5.6 - Car Parking

London Plan 2011

- 22 Policy 2.15 Town centres  
 Policy 3.3 Increasing housing supply  
 Policy 3.5 Quality and design of housing developments  
 Policy 3.9 Mixed and balanced communities  
 Policy 3.11 Efficient use of land  
 Policy 4.2 Offices  
 Policy 4.7 Retail and town centre development  
 Policy 5.18 Construction, excavation and demolition waste  
 Policy 6.3 Assessing effects of development on transport capacity  
 Policy 6.9 Cycling  
 Policy 6.13 Parking  
 Policy 7.4 Local character  
 Policy 7.6 Architecture  
 Policy 7.8 Heritage assets and archaeology  
 Policy 7.14 Improving air quality  
 Policy 7.15 Reducing noise and enhancing soundscapes

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 23 PPS3 Housing  
 PPS 5 Planning and the Historic Environment

- 24 Draft National Planning Policy Framework

The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable

economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

### **Principle of development**

#### Land use

- 25 The proposal is for extensions and alterations in connection with continued provision of commercial (Use Class B1) floorspace at ground floor level, and provision of four flats on upper levels. There would be a small decrease in the amount of B1 floorspace, owing to amendments to be made in relation to the location of staircases giving access to upper floors, however this is considered to be negligible and would not harm the viability of the unit for commercial use. Objections have been received about the acceptability of the commercial use but this is established and there is no change of use proposed, as feared, to a takeaway.
- 26 Although the number of habitable rooms would decrease on the site from 10 to eight, the amount of floorspace would not be reduced. For these reasons, and as the residential use on upper floors is already established, there is no objection in principle of the proposed mix of uses.
- 27 The scheme raises no conflict with the draft NPPF comprising as it does the proposed re-use of an existing developed site and as officers consider that it would be sustainable development. Overall the principle of the proposal is acceptable subject to assessment in relation to impacts on transport, amenity and design. These matters are addressed below.

#### Quality of accommodation for future occupiers

- 28 The previous scheme for 1 x two bedroom, 2 x one bedroom and 1 studio flat was refused in part on grounds that the quality of the accommodation would be unacceptable by reference to the Council's minimum room size/floorspace standards as set out in the Residential Design Guidelines (SPD) 2008.
- 29 Since that decision, the Council's Residential Design Standards SPD has been revised to be consistent with the minimum room sizes set out in the adopted London Plan 2011. These standards are more onerous than the 2008 SPD and it is these standards which the proposal should comply with.
- 30 The unit and room sizes are set out in Para 7 of this report. It can be seen that the proposed flats comply with the minimum unit size requirements and with the exception of one of the 1-bed flats having a living room that would be 2sqm smaller than the minimum required, the room sizes are also complied with. Although no private outdoor amenity space would be provided, there is none associated with the existing four flats and it is common along the terrace of which this site forms a part for there to be no private amenity space for flats above the commercial properties. For these reasons, and as provision of private amenity space is difficult to achieve in conversions, this is considered to be acceptable. The 2sqm shortfall for one of the living rooms is not considered to result in such harm to living conditions as to warrant refusal for this reason.
- 31 Officers recommend that the residential rooms on the upper floors should be adequately insulated from noise transfer from the ground floor commercial use, to prevent noise nuisance from the commercial use. This matter can be addressed by way of a condition if planning permission is granted.

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

- 32 The erection of an additional floor to the rear of the property (ie to 8B) would result in

an increase in height of 2m at the eaves level as the property faces No. 8. This has been amended both from the originally submitted plans, but also in relation to the previously refused scheme. The previously refused scheme had proposed a higher extension with a flat roof, which had been considered to be unacceptable both in relation to its appearance but also as having an overbearing impact on No. 8.

- 33 The current plans, with a mono pitch roof and parapet wall lower than previously proposed, are considered to be acceptable with regard to the impact on No. 8, the height at the eaves having been reduced relative to No. 8 and the roof pitch having been made shallower.
- 34 A dormer window which was originally proposed under the refused scheme to the roof of 8B facing No. 8 has been omitted. Velux windows are now proposed to the top floor flat and their installation as opposed to the dormer would limit any overlooking from the site to the adjoining residents on Coldharbour Lane. The external staircase proposed in the refused application 10-AP-0121 has been omitted. Overall, no harm by reason of loss of privacy from the development is envisaged.
- 35 One of the reasons for refusal of the previous application was that it was considered that the increase in bulk and massing the extension would be overbearing upon the rear of the adjacent unit at No. 8 Coldharbour Lane, which is to the north. This revised application proposes a mono-pitched roof and is lower than was previously proposed. The roof is at its lowest point closest to No. 8, with the pitch rising away from No. 8, and it is not considered that the development would now have an overbearing impact on the adjoining residents.
- 36 The applicant has submitted a BRE daylight and sunlight report which demonstrates that whilst there would be some loss of light to No. 8, in particular to the first floor rear window to No. 8 (W4 in the BRE report), the loss of light is small and is within the tolerances suggested as being acceptable under the BRE guidelines. For this reason it is not considered that the harm arising would be such as to justify refusal of the scheme on this ground.
- 37 Overall officers consider that the proposal would now comply with saved Policies 3.2 and 3.11 of The Southwark Plan and SP13 of The Core Strategy in relation to protection of amenity.
- 38 Objections were raised with concerns about the operation of the ground floor commercial use on the amenity of residents, especially in relation to hours and especially if this were a takeaway. The application is for continued office use, (Use class B1). If a takeaway were proposed, a new planning application would be required. There is no evidence that the existing commercial use is subject to a restriction on opening hours, and as there are already residential uses above, it is difficult to justify a restriction on opening hours. However, a condition could be imposed should Members consider it justified, in relation to protection of amenity for surrounding occupiers.

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

- 39 The area has a mixture of commercial and residential uses, and the adjoining uses would not have a harmful impact on the building as reconfigured.

#### **Traffic issues**

- 40 The proposal makes no provision for off street car parking which is mainly due to the constrained nature of the site with the existing building covering the entire site area.

However, the lack of car parking provision is acceptable in this instance as the application site within very close proximity of a number of buses and Elephant and Castle and Denmark Hill stations are a bus ride away. The site is also located within a Controlled Parking Zone (CPZ) where parking restrictions are enforced. However, given that there would be no overall increase in the number of residential units from the four existing units, it is not considered that it would be reasonable to exempt future residents from obtaining car parking permits.

- 41 Cycle storage for the four flats would be located to the rear of the site, with access from the access way from Valmar Rd. It is considered that if consent is granted a condition should be imposed to require this to be provided.
- 42 Refuse storage with separate contained areas for the flats and for the commercial use is proposed within the rear yard. The commercial bin store would be accessible from the rear of the unit, whilst the residential bin stores would be accessible from the access way from Valmar Rd. The applicant has stated that in order to allow for rubbish to be collected, the gate would remain open to operatives (at least on collection days).
- 43 Objections have been received that have questioned the applicant's right of access to this rear alleyway. The applicant has submitted the title deeds demonstrating their right of way. Officers consider that it may not be practicable for the refuse operatives to be expected to go to the bin store area, and indeed objectors have advised that they would object if the gate to the access from Valmar Rd were left unlocked for such a purpose. In this instance, officers consider that it would be reasonable to expect that residents take the bins out to the street in collection day, as happens with the existing arrangement for the four flats. Whilst not ideal there is no curtilage within the site that is otherwise accessible from the street.

#### **Design issues**

- 44 In terms of massing, the scheme has been amended so that it now has a mono-pitched roof and is more in keeping with the host building and the rear projections seen on this terrace. Whilst the pitch of the roof is more shallow than the existing, this is considered to be a small difference and not one that would be harmful to the appearance of the building.
- 45 The height of the building has been reduced from the previously refused scheme. It now has a height of 8.1m compared to the previous 8.5m. Whilst this is not a significant reduction in height, the design nonetheless gives the impression that the rear building comprises a two storey building fronting Valmar Road, as opposed to the three storey appearance under the previous application 10-AP-0121.
- 46 The building at the rear would have a high parapet wall to allow for the mono-pitched roof behind. Whilst this parapet wall is slightly higher than most seen in the surrounding area, it reads satisfactorily with the three storey element at 8A Coldharbour Lane. The string courses and cornices to the parapet aligns and provides some continuity for the corner location. The parapet wall facing Valmar Road does not read as an additional floor and it does not go above the eaves of the adjoining terraced properties on Valmar Road. The height and massing of the extension is now considered more acceptable and would appear sufficiently subservient to the host building. The fenestration arrangement on Valmar Road is well proportioned.
- 47 The proposal would now use matching bricks, timber windows, cast stone elements and slate roof. The scheme was revised in January 2012 to provide for three oriel windows towards the top of the Valmar Rd elevation. These were provided in response to officer's concerns that the top flat would otherwise benefit only from top



rooflights, with no direct out look. The windows are modest in size and it is not considered that their insertion would harm the appearance of the building.

- 48 Representations have been received regarding the proposed shopfront on Valmar Road raising concerns that the ground floor commercial unit, with its proposed two new doors and two large windows, would not be not in keeping with the Victorian building. There was also concern that the unit would appear as two small commercial units. In response officers consider that there is already an existing commercial unit (office use), and the scheme would remain with one ground floor unit, so there is no change of use proposed. The applicant's rationale for creating the two shopfront windows is so that the fenestration pattern is aligned with the upper floor windows and to provide some kind of rhythm on this facade. The creation of the shopfront would provide more of an active frontage in keeping with the established use than exists at present.
- 49 The issue of the loss of part of the existing structure is also a material consideration in this conservation area. The building at the rear, although not of outstanding architectural merit in its own right, complements the original building and any replacement would need to be of sufficient design quality to allow its demolition. The revised proposal is now of satisfactory design quality.
- 50 Overall, it is considered that the design of the scheme would be in keeping with the character of the existing and adjoining buildings and would preserve the character and appearance of the Camberwell Green Conservation Area. The proposal would therefore comply with saved Policies 3.12, 3.13, 3.15 and 3.16 of The Southwark Plan and SP12 of The Core Strategy.

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

- 51 The application property is not adjoined to or adjacent to a listed building. Impacts on the character and appearance of the conservation area are assessed above where it was concluded that the character and appearance of the conservation area would be preserved.

#### **Impact on trees**

- 52 There is a street tree adjacent to the application site. The third reason for the refusal of the previous scheme was to harm arising by the removal of the street tree. This scheme retains the street tree so no objection is raised in this case. Conditions should be imposed if consent is granted for details of measures of tree protection to be provided.

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

- 53 None.

#### **Conclusion on planning issues**

- 54 Officers consider that the proposed scheme has overcome the previous reasons for refusal. In particular, the extension at the rear would now be sufficiently subservient in scale to the main building fronting Coldharbour Lane, and the detailed design of the extension is considered to preserve the character and appearance of the conservation area. The scale and massing of the extension are such that there would be no harm to the amenities of adjoining occupiers as to justify refusal of the scheme, in particular in relation to over-dominance, privacy or loss of sunlight or daylight. The proposed flats now comply with the Council's minimum floor space standards for dwellings with one exception, the effect of which is not so harmful as to justify refusal. The street tree

would now be retained. In addition the scheme raises no conflict with the draft NPPF the goal of which is to secure sustainable development. It is therefore recommended that consent be granted subject to conditions.

### **Community impact statement**

55 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 following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: No issues.

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

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

57 There were six objections originally to the scheme, and further responses were received to the re-consultation on the revised plans.

Main reasons for objection are summarised as follows:

- land at the rear of the building is private and the applicant has no legal right of way over the access way at the rear
- ground floor commercial unit design is not in keeping with the look of the Victorian building
- concern that the proposal would create two ground floor commercial units
- spiral staircase will split the offices into two parts and questions about health and safety and fire regulations.
- building work would be disruptive; noise pollution.
- impacts on No 8 in relation to loss of privacy and sunlight, and noise and disturbance
- increase in height would not make positive contribution to the conservation area
- development would add to the waste storage problem; refuse arrangements are impractical
- location of cycle storage questionable
- concerns about impact of building works on the resident's parking bays and access in Valmar Road
- additional traffic

In response to the re-consultation two letters had been received at the time of writing. Further responses will be reported to the Camberwell Community Council planning meeting. The further responses raised the following main concerns:

- reiterate original objections and in particular that the scheme would exacerbate existing noise and disruption to the area

- concerns about loss of parking in the area as a result of building works
- concerns about fly-tipping and waste problems in the area being exacerbated by more commercial premises on Valmar Rd
- concerns about the operation of the ground floor commercial use on amenity of residents - especially in relation to hours and especially if this were a takeaway.

### **Human rights implications**

- 58 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.
- 59 This application has the legitimate aim of providing for extensions and refurbishment in connection with mixed use residential and commercial development. 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.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

- 60 None

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2510-8A  Application file: 11-AP-3030  Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5460 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Becky Baker, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	26 January 2012	
<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 Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to the Constitutional Team</b>		6 February 2012

## Consultation undertaken

**Site notice date:** 06/10/2011

**Press notice date:** 06/10/2011

**Case officer site visit date:** 06/10/2011

**Neighbour consultation letters sent:** 05/10/2011

### Internal services consulted:

Design Team  
Environmental Protection  
Urban Forester  
Transport Planning

### Statutory and non-statutory organisations consulted:

None required.

### Neighbours and local groups consulted:

05/10/2011	10 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FLAT C 10 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FLAT ABOVE 8 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FLAT ABOVE 8A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FIRST FLOOR FLAT 4 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FIRST FLOOR FLAT 11 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	10B VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	10C VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	6A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	8A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FLAT A 10 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	4A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FLAT ABOVE 6 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	8 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	8B COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	6 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	GROUND FLOOR FLAT 11 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	GROUND FLOOR FLAT 17 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT B 1 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FIRST FLOOR AND SECOND FLOOR FLAT 6A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	SECOND FLOOR FLAT 11 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	TOP FLOOR FLAT 6 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	GROUND FLOOR FLAT 4 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	SECOND FLOOR FLAT 4 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	GROUND FLOOR FLAT 7 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 2 15 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 1 9 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 1 15 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 3 9 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT A 1 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 2 9 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 3 15 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	GROUND FLOOR FLAT 8 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 1 4A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	FIRST FLOOR FLAT 8 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	SECOND FLOOR FLAT 8 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	APARTMENT 3 3 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	1 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 2 4A COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	APARTMENT 2 3 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 2 2 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	MIDDLE FLAT 17 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT B 6 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	6A VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 3 2 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	APARTMENT 1 3 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT 1 2 VALMAR ROAD LONDON SE5 9NG	26/09/2011

05/10/2011	TOP FLAT 17 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	7 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	5 VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	12 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	10A VALMAR ROAD LONDON SE5 9NG	26/09/2011
05/10/2011	FLAT B 10 COLDHARBOUR LANE LONDON SE5 9PR	26/09/2011
05/10/2011	13 VALMAR ROAD LONDON SE5 9NG	26/09/2011
20/06/1837	FLAT 3 8 VALMAR ROAD LONDON SE5 9NG	03/11/2011
20/06/1837	by email	03/11/2011
20/06/1837	FLAT 1 3 VALMAR ROAD LONDON SE5 9NG	16/11/2011

**Re-consultation:**

08/11/2011

20/1/2012

## Consultation responses received

### Internal services

Environmental Protection Team - No objections subject to conditions relating to sound insulation.

Transport Planning - No objections subject to details of cycle storage to be provided (note that plans were subsequently submitted showing cycle parking to be provided at the rear of the site, so a condition should be imposed requiring this to be provided as shown).

### Statutory and non-statutory organisations

N/A

### Neighbours and local groups

Six objections received as follows:

Flat 3, 8 Valmar Road – extensive building work at the very opening of Valmar Road will make their journey to and from home extremely difficult; nowhere for the residents to house their multiple bins; alleyway to the rear is private property; to overload the buildings on Valmar Road/Coldharbour Lane junction with residents will deteriorate the enjoyment of their home.

7 Valmar Road – land at the rear of the building is private and the applicant has no legal right of way for refuse storage; ground floor commercial unit design is not in keeping with the look of the Victorian building; the applicant is creating two new doors and two large windows which appears like a shop front; the proposal would create two very small commercial units from one unit; spiral staircase will split the offices into two parts and questions about health and safety and fire regulations.

10-14 Coldharbour Lane – building work would be disruptive; noise pollution.

8 Coldharbour Lane – the development has been reduced in height and bulk to an extent, but scheme will still have a negative impact on the enjoyment of occupiers of No. 8 of their property by way of privacy and sunlight; windows on the proposed development would negatively impact on the privacy enjoyed on the roof terrace; adds to the noise and disturbance; loss of sunlight to bedrooms; increase in height would not make positive contribution to the landscape; development would add to the waste storage problem; the applicant has no right of way to the access way at the rear from Valmar Rd.

Anonymous - to add additional floor and shop front in a conservation area and an unspoilt Victorian residential road is inappropriate; mature tree adjacent to the site would be in jeopardy; contradiction of plans; no right of way; refuse storage area would be impractical; there should be refuse storage for the shop; location of cycle storage is questionable.

Flat 1, 3 Valmar Road - questions the likely impact of building works on the resident's parking bays and access in Valmar Road; additional traffic; additional waste would be a problem.

### Re-consultation

SE5 9PR - reiterates original objection and in particular that the scheme would exacerbate existing noise and disruption to the area

Address not provided (but states is opposite the proposed ground floor commercial use on Valmar Rd) - reiterates original objections, and in particular concerns about loss of parking in the area as a result of building works, concerns about fly-tipping and waste problems in the area being exacerbated by more commercial premises on Valmar Rd, concerns about the operation of the ground floor commercial use on amenity of residents - especially in relation to hours and especially if this were a takeaway.



---

## 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.

---

<b>Applicant</b>	Mr J. O'Reilly	<b>Reg. Number</b>	11-AP-3030
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2510-8A
<b>Recommendation</b>	Grant permission		

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Erection of additional floor to the rear extension and alterations to elevations at ground, first and second floor in connection with conversion of upper floors to 2 x1 bedroom flats, 1 x 2 bedroom flat and a studio flat.

**At:** 8A AND B COLDHARBOUR LANE, LONDON, SE5 9PR

**In accordance with application received on 14/09/2011  
and revisions/amendments received on 31/10/2011**

16/11/2011

19/01/2012

**and Applicant's Drawing Nos.** Site plan, CHL11-EX00, CHL11-EX01 B, CHL11-EX02 B, CHL11-IMG, Title deed CHL11-PL01 D, CHL11-D01, CHL11-PL02 B, CHL11-PL03 C, CHL11-PL100 D, CHL11-PL04 E, CHL11-ELO1 B1 7/12/11, CHL11-ELO3 C, CHL11-ELO2 B  
Un-numbered sheet - accommodation schedule  
Design and Access Statement, Daylight and Sunlight Report

**Reasons for granting planning permission.**

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

a] Saved Policies of The Southwark Plan 2007:

Policy 1.4 (Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations ) ensures that a range of uses are encouraged and the retention of employment uses.

Policy 1.7 (Development within Town and Local Centres) ensures that development within the town and local centres does not harm its vitality or viability and that A Class use space is protected.

Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.7 (Waste Reduction) states that all developments are required to ensure adequate provision of recycling, composting and residual waste disposal, collection and storage facilities, and in relation to major developments this will include addressing how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure

Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design

Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments.

Policy 3.15 (Conservation of the Historic Environment) requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance.

Policy 3.16 (Conservation Areas) requires development within conservation areas to preserve or enhance the character or appearance of the area.

Policy 3.28 (Biodiversity) requires biodiversity to be taken into account in the determination of planning applications and

the inclusion in developments of features which enhance biodiversity will be encouraged.

Policy 4.2 (Quality of Residential Development) aims to achieve good quality housing to provide for the accommodation needs of the borough.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area.

Policy 5.6 (Car Parking) seeks to ensure that car parking is minimised, but also to control overspill parking in order to prevent loss of amenity.

b] The Core Strategy 2011

SP 1 (Sustainable Development) ensures more intense development for a mix of uses in the growth areas and making sure development makes the most of a site's potential and protects open space.

SP 2 (Sustainable Transport) aims to encourage walking, cycling and the use of public transport rather than travel by car.

SP 5 (Providing New Homes) aims to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive environments.

SP 10 (Jobs and Businesses) seeks to increase the number of job in Southwark and create an environment in which business can thrive

SP 11 Open Spaces and Wildlife protects important open spaces, trees and woodland from inappropriate development.

SP 12 (Design and Conservation) ensures design of development is of the highest possible standards.

SP 13 (High Environmental Standards) requires development to meet the highest possible environmental standards.

c] London Plan (2011)

Policy 2.15 Town centres, Policy 3.3 Increasing housing supply, Policy 3.5 Quality and design of housing developments, Policy 3.9 Mixed and balanced communities, Policy 3.11 Efficient use of land, Policy 4.2 Offices, Policy 4.7 Retail and town centre development, Policy 5.3 Sustainable design and construction, Policy 5.12 Flood risk management, Policy 5.18 Construction, excavation and demolition waste, Policy 6.3 Assessing effects of development on transport capacity, Policy 6.9 Cycling, Policy 6.13 Parking, Policy 7.4 Local character, Policy 7.6 Architecture Policy 7.8 Heritage assets and archaeology, Policy 7.14 Improving air quality and Policy 7.15 Reducing noise and enhancing soundscapes.

d] Planning Policy Statements [PPS] PPS 1 'Delivering Sustainable Development', PPS 3 'Housing', PPS 5 'Planning and the Historic Environment'

Particular regard was had to the impact of the development on the character and appearance of the Camberwell Green Conservation Area that would result from the proposed development, but it was considered that this would preserve the character of the area. I Regard was also had to impacts on the amenity of adjoining and nearby occupiers and the development potential of adjoining sites, and it was considered that there would be no undue harm arising. There was not considered to be harm arising by reason of transport impacts, and it was considered that the scheme would provide for a good quality of residential accommodation. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

**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:  
CHL11-PL01 D, CHL11-D01, CHL11-PL02 B, CHL11-PL03 C, CHL11-PL100 D, CHL11-PL04 E, CHL11-ELO1 B1 7/12/11, CHL11-ELO3 C, CHL11-ELO2 B

Reason:

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

- 3 The facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building and the conservation area in accordance with Saved Policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.16 'Conservation areas' of The Southwark Plan 2007 and Strategic Policy 12 'Design and Conservation' of The Core Strategy 2011.

- 4 Before the first occupation of the flats and ground floor commercial unit hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced CHL11-PL01 rev D shall be provided and made available for use by the occupiers of the premises 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 Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 5 Before the first occupation of the flats hereby approved, the cycle storage facilities for 5 bicycles as shown on drawing CHL11-PL01 rev D 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 Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

- 6 Prior to works commencing on site, including any demolition, details of the means by which any existing trees (including the street tree located on Valmar Rd) are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted to and approved in writing by the Local Planning Authority, and the protective measures shall be installed and retained throughout the period of the works in accordance with any such approval given and protective fencing must not be moved or removed without the explicit written permission of the Local Authority Arboriculturalist. Within the protected area, no fires may be lit, no materials may be stacked or stored, no cement mixers or generators may be used, no contractor access whatsoever is permitted without the explicit written permission of the Local Authority Arboriculturalist under the supervision of the developer's appointed Arboriculturalist. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the

Reason

To ensure the protection of the existing trees in accordance with Strategic Policy 11 – Open spaces and wildlife of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.28 Biodiversity of The Southwark Plan 2007.

- 7 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 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).

Ordnance Survey

Date 6/2/2012



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252.

<b>Item No.</b> 6.3	<b>Classification:</b> OPEN	<b>Date:</b> 15 February 2012	<b>Meeting Name:</b> Camberwell Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-3603 for: Full Planning Permission  <b>Address:</b> UNIT 2, VALMAR TRADING ESTATE, VALMAR ROAD, LONDON, SE5 9NW  <b>Proposal:</b> Change of use from B1(c) (Light Industrial) to a micro brewery (use class B2 General Industrial), erection of two additional floors to building, 2-storey rear extension, extension at basement level to front of building and refurbishment / remodelling of facades.		
<b>Ward(s) or groups affected:</b>	Camberwell Green		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 18 November 2011		<b>Application Expiry Date</b> 13 January 2012	

## RECOMMENDATION

- 1 Grant planning permission

## BACKGROUND INFORMATION

### Site location and description

- 2 The application relates to a two-storey building plus basement located in Valmar Trading Estate, which is to the north-east of Valmar Road, between Valmar Road and Denmark Hill. Pedestrian and vehicular access is via a gated entrance from Valmar Road. Unit 2 is constructed of red / brown brick, with a corrugated metal roof. The basement is currently used for archive storage for Hepburns Solicitors and storage for TBAC, the ground floor is used by a company called Antic for storage and workshop facilities, and on the first floor there are three artists studios, a design studio for Antic Design and offices for BW foods.
- 3 To the north of the site there are flats forming part of the Samuel Lewis Trust estate, the rear of properties on Denmark Hill and other units within the estate are to the south and east, and the rear of residential properties on Valmar Road are to the south-west.
- 4 The site forms part of the Urban Density Zone, an archaeological priority area, an air quality management area and the Camberwell Action Area. The rear of properties on Denmark Hill which adjoin the trading estate form part of the Camberwell Green Conservation Area.

### Details of proposal

- 5 The proposal is for change of use from B1(c) (Light Industrial) to B2 (General Industrial), erection of two additional floors to the existing building, and a two-storey rear extension, extension at basement level to front of building and refurbishment /

remodelling of facades. The scheme would extend and modify the building to create 454sqm of additional office floorspace (Use Class B1a) to be used by Antic (a pub company) to occupy as their new head quarters and for use as a micro brewery. The micro brewery would occupy the basement and ground floors of the building. The upper floors would be for B1 office/light industrial use as per the previously consented scheme.

- 6 In detail, the following external alterations are proposed.

Erection of an two additional floors to building:

The extension would increase the height of the building by 2.5m at its south-western end (closest to Valmar Road) and 6.5m at its north-eastern end closest to unit 1 which is occupied by a number of different businesses. The new second floor level would be clad with brick and the new top floor would be constructed of metal.

Erection of a 2-storey rear extension:

This would be in the western corner of the building, infilling a gap between units 2 and 3 and would measure 7.6m wide, a maximum of 3m deep and would provide additional office space on the ground floor with a terrace above.

Extension at basement level to the front of building:

This would be in the form of a lightwell which would project 2m beyond the front building line to allow more light into the existing basement accommodation. It would be enclosed by a balustrade.

Refurbishment / remodelling of facades:

The existing brick to the building would be retained; new windows would be provided together with enlarged render banding; there would be a new access ramp to the front and an existing canopy would be removed.

Supporting documentation

- 7 The applicant submitted an Impact Assessment including details in relation to waste, traffic impacts, noise and odour. A Waste Management plan was also submitted. The Impact Assessment indicates the following:

- Brew activities will take place during normal working hours, ie Monday to Friday 9am - 5pm
- Vehicle movements associated with the brew functions would be around 25 per month at full production, which based on 48 week operation per year would mean 6.2 deliveries per week or approximately one per day
- The original application in 2011 was approved on the basis of projection of around 10 deliveries a day to the building as a whole; the one delivery per day for the brew operation is included in this amount
- the windows to the west elevation at ground floor would be omitted from this scheme, being those closest to the nearest residential properties which are 19m away
- the area where most cask movement would occur would be in the 'cold room' located in the east flank of the building, furthest away from neighbouring residents. The applicant has indicated in their noise assessment that there is provision for a double layer of insulation to increase sound insulation.
- deliveries involving cask movement are included within the projected 10 per day and would be twice a week
- Parts 7 and 8 of the impact assessment deal with odour assessment and mitigation and outline details of a built in condenser unit that would be installed to prevent noticeable odour from being released from the building

- 8 The Waste Management plan states that waste products are not hazardous, and sets out measures for their removal and end use. For example some of the waste products such as spent hops and brewers grains are removed via a registered company for animal feed. An amended plan 220-ga-00 d - revised basement plan - was received, which indicated that the bin store would be enclosed (as in internal) and the spent

hops would be in enclosed euro bins.

#### Differences between this application and the previous 2011 application

- 9 This application follows the grant of planning permission for a similar scheme in 2011. That scheme related to the same extensions and alterations as are proposed now, but involves a partial change of use as well, from use class B1 (light industrial/office) to use class B2 (general industrial). The applicant has explained that their intention had always been to operate a micro brewery, but they had not been aware until just before the previous application was due to be determined that the proposed micro brewery use fell within Use Class B2 general industrial. They had shown that part of the site which was to be for the micro brewery as being 'use class B1(c), however a micro brewery falls to be considered as use class B2 general industrial, necessitating a change of use application.
- 10 As the application was due to be determined, the applicant proceeded with the previous application (but with no change of use). The grant of the previous permission for extensions./alterations (but not including change of use) has therefore established that the principle of the extensions is acceptable.
- 11 Whilst the application for extensions and alterations was granted, the extensions and alterations have not yet been carried out, so a planning application is therefore required for the scheme in its entirety (ie for the extensions/alterations and the change of use).
- 12 There is a change to the external appearance of the building from what was consented previously, which is the infill of our windows in the ground floor west elevation facing the closest residential properties, which is now proposed. The reason for the windows to be now in-filled is to improve the sound insulation of the building.
- 13 There would be an extract riser outlet rising 1m above roof level, as had been approved under the previous application. No additional flues are proposed as part of this application.

#### **Planning history**

- 14 Planning permission LBS Reg 11AP0616 granted 21/7/2011 for Change of use from B1(c) (Light Industrial) to B2 (General Industrial), erection of two additional floors to building, 2-storey rear extension, extension at basement level to front of building and refurbishment / remodelling of facades.
- 15 TP/2058-A - Erection of five warehouse units with ancillary offices and a detached house on the site of Alliance and Nelson Works. Planning permission was granted in June during the 1970s (exact date illegible on decision notice). This is the planning permission for units 2-7 on the estate but unit 2 appears to pre-date this. From its appearance unit 2 looks as if it dates from the 1950s and is understood to have always been in office use.
- 16 TP/2058-A/SDW - Change of use from warehousing to general industrial (manufacturing of catering equipment). Planning permission was GRANTED in 1983. This was a personal permission and the use was to revert back to warehousing upon cessation of the use.

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

- 17 Unit 1 (now occupied by Jahnesis Parts Finder Service Club, The Black Ant Company and TBAC Investments Ltd).  
Use as antiques and auction room. Planning permission was GRANTED in January 1979 (ref: SL/362/N).



SL7362/R - Construction of entrance porch at front of building and link walkway at rear. Planning permission was GRANTED in July 1997.

- 18 Unit 1a (occupation unknown)  
09-AP-1849 - Erection of additional floor and external alterations including balconies to west, north and south facing elevations, in connection with change of use from antique warehouse (use class Be) to artist studios (use class B1), providing 10 No. artist studios (5 no. on each floor), and associated cycle parking and refuse storage. Planning permission was GRANTED in February 2010.
- 19 Unit 3 (now occupied by Mitie Transport Services Ltd).  
No planning history.
- 20 Unit 4 (now occupied by AD Events International Ltd).  
757-87 - Use for industrial purposes within class B1 Planning permission was GRANTED in June 1987.
- 21 Unit 5 (now occupied by Pub Paraphenalia).  
TP-2058-A - Change of use from warehouse to light industrial use, namely the manufacture of theatre scenery. Planning permission was GRANTED in January 1977.
- 22 Unit 6 (now occupied by Kings Healthcare NHS Trust Finance Department).  
949-88 - Change of use from B1 to B2 use for the manufacture of security grills. Planning permission was GRANTED in July 1988.
- 23 Unit 7 (now occupied by Burton Saw International Ltd).  
TP/2058-A/FB - Change of use from warehouse to light industrial use, namely the repair and servicing of television sets. Planning permission was GRANTED in April 1978.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

- 24 The main issues to be considered in respect of this application are:
- a) land use principles;
  - b) amenity;
  - c) transport impacts, and
  - d) design and impact on the setting of the Camberwell Green Conservation Area

### Planning policy

#### Core Strategy 2011

- 25 Strategic policy 1 - Sustainable development  
Strategic policy 2 - Sustainable transport  
Strategic policy 10 - Jobs and businesses  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 26 1.4 - Employment sites outside the preferred office locations and preferred industrial locations;

- 3.2 - Protection of amenity
- 3.6 - Air quality
- 3.7 - Waste reduction
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.14 - Designing out crime
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking

#### Camberwell Green Conservation Area Appraisal

#### London Plan 2011

- 27 3B.2 - Office supply and demand
- 4B.1 - Design principles for a compact city

#### Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 28 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 29 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

#### **Principle of development**

- 30 Saved policy 1.4 of the Southwark Plan seeks to retain employment sites outside preferred office and preferred industrial locations. The policy does not distinguish between general and light industrial uses. The proposal is to provide additional floor space within use class B1, light industrial, (as existing), and for use of the basement and ground floor for general industrial use as a micro brewery within use class B2, within an established trading estate. This raises no conflict with saved policy 1.4. Employment sites outside the preferred office locations and preferred industrial locations. Objectors have raised concerns that the principle of general industrial use on a small trading estate close to residential properties should not be accepted. Their concerns relate in the main part to impacts on amenity and from transport impacts, which are assessed below. The principle however is considered to be acceptable.
- 31 Strategic policy 10 (2) of the core strategy 2011 is also relevant, which states that the Council will protect existing business floorspace in the central activities zone, town and local centres, strategic cultural areas, action area cores, Camberwell Action area (of which the site forms a part), and on classified roads. The proposal would comply with the provisions of policy 10 therefore there are no objections to the principle of the proposed development in land use terms in this location.

#### **Environmental impact assessment**

- 32 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project. Having reference to the Column 2 criteria, the site area identified by the red line boundary does not exceed the initial threshold of 0.5ha.

Although it appears that the Valmar Trading Estate as a whole exceeds 0.5ha, it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

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

- 33 The scheme raises two main issues in relation to amenity. Firstly, impacts as a result of the extensions and alterations that are proposed. Secondly, impacts from the proposed change of use to use class B2 general industrial which need to be considered.
- 34 The first matter was considered in relation to the previous application, 11AP0616 granted 21/7/2011, where it was concluded that the scheme would not harm the amenities of adjoining occupiers by reason of the proposed external works or impacts of the additional floor area for light industrial use. There is no change arising from this application or material change in planning policy or circumstances which would lead officers to a different conclusion on these matters now. For completeness, the assessment of the impact of the proposed extensions and alterations is repeated below.
- 35 In relation to the second matter, change of use to a micro brewery (use class B2 general industrial) did not form part of the previous proposal, so the impacts will need to be considered in full now.

#### Impacts of the extensions/alterations

- 36 in relation to Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 37 The proposal is to create additional floorspace within use class B1 class, light industrial/offices. B1 light industrial/offices uses generally sit comfortably alongside residential uses. As such there are no concerns regarding the proposed expansion of the B1 use on this site use in terms of its amenity impact as a result of the use itself, subject to conditions as set out in the recommendation. In addition, the proposed micro brewery results in a change of use to general industrial, being use class B2. The amenity impacts of the proposed B2 use for a micro brewery are assessed below.
- 38 Concerns have been raised that the proposed extensions would result in a loss of light and privacy to the rear of properties on Valmar Road, the rears of which back onto the estate.
- 39 Closest to the properties on Valmar Road the proposed extension would increase the height of the building by 2.5m, and there would be a separation distance of 19m. The applicant has submitted a daylight and sunlight report based on the Building Research Establishment (BRE) guidance which concludes that no unacceptable loss of light would occur, and that the proposal complies with the BRE guidance. Whilst the extension would certainly be visible from the neighbouring dwellings, officers consider that the 19m separation distance would be sufficient to ensure that adequate outlook would be retained.
- 40 With regard to privacy, the west facing elevation which faces the rear of properties on Valmar Road would contain windows at all levels; the building currently has windows at ground and first floor level only. The Residential Design Standards SPD 2011 requires a window-to-window separation distance of 21m to maintain privacy and the proposal would be just below this at 19m. Whilst officers acknowledge that it is not

always possible to achieve this distance, given the number of windows proposed in the west elevation and because the office space to be created would benefit from windows on the other elevations, the applicant has agreed to delete the ground floor windows in the west elevation (as shown on Dwg 330-E:-03 C), and has also agreed that the first floor windows in the west elevation can be obscure glazed and top-opening, and a condition to this effect is recommended. However, the 21m rule normally only applies to the relationship of habitable rooms to residential properties in facing elevations, not commercial premises. Nonetheless a condition is recommended having regard to the concerns raised in objections to the scheme and as the applicant has indicated on the plans that these windows would be obscure glazed.

- 41 A terrace is proposed at top floor level in the west elevation which has the potential to overlook gardens on Valmar Road. It would not be particularly large, 15.6sqm, and officers do not consider that it would result in undue noise and disturbance. In order to prevent a loss of privacy however, a condition for details of a screen to be erected along its western edge is recommended. This could be lightweight in nature, obscure glazing for example, which would not be harmful in terms of light and outlook to residences on Valmar Road.
- 42 Concerns have also been raised regarding additional night time noise. The applicant has advised that there are currently around 10 deliveries to the building per day, which usually take place Mondays to Fridays, 08:00 to 19:00, with some deliveries on Saturdays, and that an additional four deliveries per day during the same hours are likely as a result of the proposal. This is not considered to be a significant increase and the hours are considered reasonable, and a condition limiting deliveries to these hours is recommended.
- 43 The proposed extension would not result in any loss of amenity to neighbouring units within the estate and would be 27m from flats in the Samuel Lewis Trust Estate, which is considered to be sufficient distance to ensure that no loss of amenity would occur to properties within this Estate.

Impacts resulting from change of use to general industrial - use class B2 (micro brewery use)

- 44 The main issues officers consider may arise in relation to the proposed use for a micro brewery, and that have also been identified in objections to the scheme, are noise (eg from vehicle movements, rolling of casks, cask washing, operation of plant and machinery including extract equipment, and from workers on the site); and odour.

Noise

- 45 The applicant submitted an Impact Assessment that indicates the following mitigation in relation to noise:
- operating hours would be 9m - 5pm Monday to Friday
  - the initially proposed windows at ground floor to the west elevation closest to residential properties, (ie windows serving the micro brewery area) be unfilled
  - the area in which cask movement would occur is a 'cold room' which is to be located in the east flank of the building, furthest from residential neighbours. As shown on the plans the cold room requires a double wall construction which provides increased sound insulation compared with standard wall.
  - refrigeration unit would operate 24/7 and it is stated that this would operate within a well insulated room in the building. The room is not adjacent to nearby residential properties and the applicant's view is that it would not be audible outside the building. Pumps are to be used to move liquids around the brewery. The applicant states that there would be no more than three pumps in use at different times of the brew cycle, and each would not be operated for more than 30 minutes at a time. The applicant has compared the noise emitted to that of a vacuum cleaner, and has stated that they would be used only on brew days (as outlined above Mon - Fri 9m to 5pm)
  - cask movement - the applicant states that this would be audible at certain times in the process.

46 In response to concerns from officers about the impacts of the cask-cleaning process, the applicant has confirmed the brewer would be using a double head fixed Cask Washer (the oblong as shown on the floor plan); as there is no need to line the barrels up for this process the size of the available space is adequate. The brewer is clear that no works would happen outside (including cask storage) primarily for hygiene reasons. The applicant has stated that if there remain concerns that activities could be happening outside, they confirm that this is not part of the proposed operation, and that they would be happy for a condition to be imposed in this regard.

47 The Council's Environmental Protection Team were consulted on the scheme and were satisfied that the scheme would not result in harm to amenity as a result of noise from the operation, subject to recommended conditions in relation to noise from plant and machinery.

#### Odour

48 The applicant's Impact Assessment states that the built in condenser unit, details of which are provided in an Appendix to the assessment, would ensure that no noticeable odour is released into the air from the building from boiling wort (one of the odour-emitting processes used). They state that similar systems have been used in residential areas of closer proximity than in this case, without causing nuisance or complaint. In relation to the other odour-producing process, fermentation, the release of gases is dealt with by low level extraction. The applicant has stated that notwithstanding their view that it is unlikely that there are complaints during operation as a result of odour, enough space has been allowed within the building for mechanical ventilation and that as a responsible landlord the applicant would provide additional services should they be required.

49 The Council's Environmental Protection Team were consulted on the scheme. In relation to odour which was raised as being of concern to nearby residents, they commented that they have considered the details submitted to deal with the potential odour arising from the proposed use of premises. According to the information submitted the condensation process should eliminate the release of odour to air. They have recommended that to ensure that the system is maintained and operated at all time so as not to cause a nuisance a condition is imposed that would require the developer to undertake post operational assessments to ensure that the process does not emit odour that can be witnessed beyond the perimeter of the building.

50 Officers consider that although the principle of such a condition seems reasonable, in practice conditions have to be precise and enforceable in order to comply with the Government's guidance on planning conditions. Given that there is no objective standard available in relation to odour, (as for example there are for noise from plant/machinery), officers do not consider that a condition could be imposed that would set a particular standard against which odour could be measured. However, the applicant's Impact Assessment provides information that officers consider could be used for planning enforcement purposes. If consent is granted, this would be precise and enforceable to give certainty to the applicant and to neighbours about measures that should be complied with in respect of odour and to address any issues arising if there is perceived to be a problem.

51 For example, Part 8 (odour mitigation) states that, 'in the unlikely event of a complaint during operation, sufficient space has been provided for mechanical ventilation. As a responsible landlord the applicant would provide additional services should they be required'. Officers consider that if consent were granted, and there were complaints about odour, the applicant has indicated that they would take steps to resolve the problem. A condition requiring the applicant to adhere to their own proposed noise and odour mitigation measures should therefore be imposed.

Waste

- 52 The applicant has submitted a waste management strategy which indicates what would happen to the various waste products leaving the site. It doesn't however address where and how waste products would be stored on the site awaiting removal. Some residents have raised concerns about this matter, for example in relation to spent grain which it is feared could smell if left outdoors, and vermin issues again if biodegradable waste is left outdoors. The applicant has confirmed that the bin store would be enclosed (ie internal to the building) and the spent hops would be in enclosed euro bins. The underground bin store for spent hops is shown on the revised basement plan, but as the plans do not show the waste storage areas in detail otherwise, and as there is room on site for such areas to be designated, it is recommended that if consent is granted a condition should be imposed requiring further details of refuse storage areas to be provided.

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

- 53 None.

**Traffic issues**

- 54 Transport impacts were considered in relation to the previous application, 11AP0616 granted 21/7/2011, where it was concluded that the scheme would not have any harmful impact on the highway network and that impacts in relation to servicing and parking could be accommodated and impacts mitigated subject to conditions if consent is granted. The applicant has advised that the vehicle movements associated specifically with the micro brewery use would be included within the projected vehicle movements that were set out and assessed as part of the previous application. For example:
- Vehicle movements associated with the brew functions would be around 25 per month at full production, which based on 48 week operation per year would mean 6.2 deliveries per week or approximately one per day
  - The original application in 2011 was approved on the basis of projection of around 10 deliveries a day to the building as a whole; the one delivery per day for the brew operation is included in this amount
  - deliveries involving cask movement are included within the projected 10 per day and would be twice a week
- 55 The previous scheme had been found to be acceptable in relation to transport impacts, and there is no therefore no change arising from this application or material change in planning policy or circumstance which would lead officers to a different conclusion on these matters now. For completeness, the assessment of the impact of the proposed extensions and alterations is repeated below.
- 56 The site has a public transport accessibility level (PTAL) of 6 (good) reflecting the good public transport links in the vicinity.
- 57 Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions, and concerns have been raised by residents that the proposal would generate more traffic into and out of the estate.
- 58 It is not considered that the increase in floorspace proposed would generate significant additional traffic. The applicant states that there are currently around six people employed in the building and this would increase by eight as a result of the proposal, (ie around 14 in total). The site is very well located for public transport. It is not considered that the additional four vehicle deliveries per day would result in any adverse transport impact and there is adequate manoeuvring space on-site.
- 59 Saved policy 5.3 seeks to ensure that developments adequately cater for the needs of pedestrians and cyclists; for B1 class floorspace one cycle parking space is required

per 250sqm, requiring two spaces for a development of this size. No cycle parking has been shown on the plans therefore a condition requiring details to be submitted for approval is recommended.

- 60 Saved policy 5.6 establishes maximum parking standards and for B class uses a maximum of 1 parking space is required per 1,000sqm of floorspace.
- 61 The building currently contains 1,064sqm of B1 floorspace and has 15 parking spaces which are shared by units one and two, which is well in excess of the Council's maximum. The proposal would create an additional 454sqm of floorspace and the application form states that 14 spaces would be provided (one marked space is not currently used because it forms part of an access way). In spite of the loss of one albeit unused parking space, parking provision would remain well in excess of the Council's maximum requirement and officers consider that it would be sufficient to accommodate the parking needs of the development. The Transport Planning Team has requested that future occupiers of the development be prevented from obtaining parking permits in the adjacent Controlled Parking Zone by way of a section 106 agreement, but given that the unit currently has its own parking well in excess of the maximum standard, it is not considered that the proposal would result in overspill parking that would warrant this.

### **Design issues**

- 62 Design was considered in relation to the previous application, 11AP0616 granted 21/7/2011, where it was concluded that the scheme would have an acceptable design and appearance and would preserve the setting of the nearby Camberwell Green Conservation Area. There is no change arising from this application or material change in planning policy or circumstance which would lead officers to a different conclusion on these matters now. For completeness, the assessment of the impact of the proposed extensions and alterations is repeated below.
- 63 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments achieve a high standard of architectural and urban design, and policy 3.18 requires the setting of listed buildings, conservation areas and world heritage sites to be preserved. Strategic policy 12 of the Core Strategy seeks to achieve high quality developments and to preserve the Borough's historic environment.
- 64 The existing building is not considered to be of any particular architectural merit and the proposed works would improve its appearance and hopefully secure its long-term use.

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

- 65 The site is not in a conservation area, but the boundary of the Camberwell Green Conservation Area adjoins the rear of unit 3 in the trading estate. Whilst the proposal would increase the height of the building, it is not considered that it would be unduly prominent, and it would not be visible from street level on Denmark Hill. As such, officers consider that the proposal would preserve the setting of the adjacent conservation area. There are no listed buildings in the vicinity of the site.

### **Impact on trees**

- 66 None.

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

- 67 None required.

### **Sustainable development implications**

- 68 Strategic policy 13 of the Core Strategy seeks to ensure that developments meet high environmental standards. It requires all non-residential developments to achieve at least BREEAM excellent and a condition to this effect is recommended. As with the previous scheme, it is noted that the proposal involves work to an existing building, therefore officers recommend that the condition be worded to provide some flexibility, in the event that the constraints of the existing building are such that an excellent rating cannot be achieved.
- 69 Overall, the entire building would be upgraded and new windows provided, both of which would better insulate the building. Wheelchair access would be improved as a result of the proposal, with an access ramp provided to the front and a lift internally.

### **Other matters**

#### Security

- 70 Saved policy 3.14 of the Southwark Plan states that development in both the private and public realm should be designed to improve community safety and crime prevention.
- 71 The applicant has advised that the gates into the estate are locked at night and that there is CCTV on unit 2, which would be upgraded for the proposed development. In addition, the Design and Access Statement submitted with the application states that the additional windows in the remodelled building would increase natural surveillance of the area and upgraded lighting would be provided. It is noted that the Metropolitan Police Secure by Design Officer has no objections to the proposal and given these considerations, officers do not consider that the proposal would result in a loss of security to neighbouring residents.

### **Conclusion on planning issues**

- 72 Officers consider that, subject to conditions, the proposal for change of use would not harm the amenities of surrounding occupiers having regard to transport impacts, noise and odour in particular. The principle of the building extensions and alterations had been found to be acceptable in relation to the previous scheme 11AP0616 and there have been no material changes in circumstance or planning policy as to come to a different view now. It is considered that the scheme would comply with the relevant saved policies of the Southwark Plan and those of the Core Strategy. It is therefore recommended that planning permission be granted.

### **Community impact statement**

- 73 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 following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: none

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: none required

### **Consultations**

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



### **Consultation replies**

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

### **Summary of consultation responses**

76 Five objections were received and two letters in support, summarised as follows.

Objections are on the grounds of:

- effects of additional traffic (noisy vehicle movements, additional volume of traffic and operation at all hours)
- industrial type use inappropriate on a small trading estate in a residential area
- noise from employees at all hours
- odour
- waste and consequent vermin problems

The letters of support cited support for employment use and that the mitigation proposed by the applicant seemed to address the concerns about noise, odour and waste.

### **Human rights implications**

77 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.

78 This application has the legitimate aim of providing for alterations and extensions in connection with a change of use in relation to existing business premises. 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.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

79 None.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Site history file: TP/2058-A Application file: 11-AP-3603 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 1137 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

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

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Becky Baker	
<b>Version</b>	Final	
<b>Dated</b>	30 January 2012	
<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 Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to the Constitutional Team</b>		6 February 2012

## APPENDIX 1

**Consultation undertaken**

**Site notice date:** 1/12/2011

**Press notice date:** 1/12/2011

**Case officer site visit date:** 1/12/2011

**Neighbour consultation letters sent:** 2/12/2011

**Internal services consulted:**

Transport  
Environmental Protection Team  
Archaeology

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

None.

**Neighbours and local groups consulted:**

02/12/2011	440 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	439 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	438 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	441 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	444 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	443 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	442 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	437 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	348 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LZ
02/12/2011	347 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LZ
02/12/2011	346 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LZ
02/12/2011	433 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	436 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	435 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	434 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	539 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	538 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	537 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	540 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	543 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	542 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	541 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	536 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	447 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	446 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	445 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	448 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NA
02/12/2011	535 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	534 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	533 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9NB
02/12/2011	238 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	237 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	236 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	239 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	242 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	241 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	240 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	235 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	230 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	148 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	147 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	231 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	234 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	233 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	232 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY

02/12/2011 341 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 340 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 339 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 342 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 345 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 344 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 343 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 338 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 333 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 244 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LY  
 02/12/2011 243 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LY  
 02/12/2011 334 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 337 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 336 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 335 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LZ  
 02/12/2011 GROUND FLOOR FLAT 52 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 44A VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 GROUND FLOOR FLAT 4 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 42A VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 44C VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 SECOND FLOOR FLAT 26 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 SECOND FLOOR FLAT 4 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 GROUND FLOOR FLAT 38 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 2 24 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 1 24 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 42B VALMAR ROAD LONDON SE5 9NE  
 02/12/2011 FLAT 3 24 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 GROUND FLOOR FLAT 26 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FIRST FLOOR AND SECOND FLOOR FLAT 46 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 FIRST FLOOR AND SECOND FLOOR FLAT 6A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 WORKSHOP BLOCKS C AND D SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 ESTATE OFFICE SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 JAYMAC HOUSE VALMAR ROAD LONDON SE5 9NP  
 02/12/2011 52-54 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 SECOND FLOOR FLAT 76 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 42C VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 42B DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 TOP FLOOR FLAT 6 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FIRST FLOOR AND SECOND FLOOR 48-54 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 REAR OF 44-50 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 REAR OF 42 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 UNIT 7 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 UNIT 6 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 UNIT 3 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 FLAT ABOVE 6 COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 FLAT ABOVE 8A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 FLAT ABOVE 8 COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 8 COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 UNIT 1 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NP  
 02/12/2011 1A MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 545 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9NB  
 02/12/2011 544 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9NB  
 02/12/2011 UNIT 5 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 UNIT 4 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 6 COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 8B COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 FIRST FLOOR FLAT 4 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FIRST FLOOR AND SECOND FLOOR FLAT 44 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 FORTY AND A HALF VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FIRST FLOOR FLAT 26 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 42A DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 44B VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FIRST FLOOR FLAT 38 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 30B VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 28C VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 28A VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 4 COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 10B VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 30A VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 28B VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 10C VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 2 4A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 FLAT 1 4A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 FLAT B 72 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 FIRST FLOOR 1A AND 1B UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 BASEMENT GROUND FLOOR AND PART FIRST FLOOR VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 FIRST FLOOR 2B UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 FIRST FLOOR 2A UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 FLAT A 72 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 64-70 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 GARAGE REAR OF 62 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 FLAT B 34 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 4 24 VALMAR ROAD LONDON SE5 9NG

02/12/2011 FLAT 5 24 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 6 24 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 7 24 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 38 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 FIRST FLOOR 2A AND 2B UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 FLAT 38 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 44 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 66 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 64 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 46 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 GROUND FLOOR AND PART FIRST FLOOR UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 BASEMENT RIGHT UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 BASEMENT LEFT UNIT 2 VALMAR TRADING ESTATE VALMAR ROAD LONDON SE5 9NW  
 02/12/2011 12B VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 2 2 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT C 18 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 MIDDLE FLAT 52 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 40A DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 FLAT 3 2 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT 1 2 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT A 18 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 6A VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT B 6 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 TOP FLAT 74 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 12C VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT B 18 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 TOP FLAT 38 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT C 34 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 TOP FLOOR FLAT 76 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 6 CALEB COURT 1 MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 FIRST FLOOR FLAT 8 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT A 34 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 GROUND FLOOR FLAT 8 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 SECOND FLOOR FLAT 8 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 5 CALEB COURT 1 MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 FIRST FLOOR FLAT 76 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 GROUND FLOOR FLAT 12 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 1 CALEB COURT 1 MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 4 CALEB COURT 1 MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 3 CALEB COURT 1 MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 2 CALEB COURT 1 MILKWELL YARD LONDON SE5 9PP  
 02/12/2011 FLAT B 22 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT A 50 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 40 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT B 50 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 4A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 2A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 FLAT C 50 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 FLAT A 22 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 48 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 46 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 10A VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 2 COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 142 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 141 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 140 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 143 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 146 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 145 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 144 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 139 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 134 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 8A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 6A COLDHARBOUR LANE LONDON SE5 9PR  
 02/12/2011 135 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 138 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 137 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 136 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON SE5 9LX  
 02/12/2011 34 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 76 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 56-60 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 40 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 14 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 12 VALMAR ROAD LONDON SE5 9NG  
 02/12/2011 36 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 74 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 72 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 68 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 28-32 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 42 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 62 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 48-54 DENMARK HILL LONDON SE5 8RZ  
 02/12/2011 36 VALMAR ROAD LONDON SE5 9NG





02/12/2011	130 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	132 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	131 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	127 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	123 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	122 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	124 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	126 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	125 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	133 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LX
02/12/2011	208 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	207 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	209 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	211 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	210 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	206 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	202 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	201 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	203 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	205 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY
02/12/2011	204 SAMUEL LEWIS TRUST ESTATE WARNER ROAD LONDON	SE5 9LY

**Re-consultation:**

None.



## Consultation responses received

### Internal services

Transport - no objections; comments incorporated into report

Environmental Protection Team - In relation to odour which was raised as being of concern to nearby residents, they commented that they have considered the details submitted to deal with the potential odour arising from the proposed use of premises. According to the information submitted the condensation process should eliminate the release of odour to air. They have stated that to ensure that the system is maintained and operated at all time so as not to cause a nuisance it is recommended that a condition is imposed that would require the developer to undertake post operational assessments to ensure that the process does not emit odours that can be witnessed beyond the perimeter of the building.

In relation to noise and vibration, they state that they have considered the information submitted including the impact assessment. While the documents aim to set out the reason why noise will not be an issue, this department would like some more scientific assessment to be carried out to confirm the impact. As a result this department will require the following to be attached as a condition.

#### Condition

The noise level from any plant (e.g. air handling /conditioning, heating ), together with any associated ducting, shall be 10(A) dB or more below the lowest measured external ambient  $L_{Aeq, T^*}$  at the site boundary. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, you are required to submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate compliance with the above requirements. The supplementary acoustic report must include:

- i) A schedule of all plant and equipment installed;
  - ii) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
  - iii) Manufacturer specifications of sound emissions in octave or third octave detail;
  - iv) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- i) The lowest existing  $L_{Aeq, T}$  measurement as already established.
  - ii) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

#### Reason

To ensure that users of the surrounding area not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant and that the operation of plant does not add by cumulative effect to the existing sound environment in accordance with Policy 3.1 'Environmental Effects of the Southwark Plan 2007.

\* $L_{Aeq, T}$ .  $T = 1$  hr between 07:00 and 23:00 and 5min between 23:00 and 07:00.

#### Archaeology

The proposal involves construction work within an existing basement. This construction work, and subsequent impacts are limited to the area of the basement,

therefore no archaeological response is necessary for this application.

### **Statutory and non-statutory organisations**

None.

### **Neighbours and local groups**

Five objections received summarised as follows:

28B Valmar Rd - main concerns are on impact on price and saleability of objector's property, and harm to quality of life, for following reasons:

- considers the development to be unsuitable for this location being a small industrial estate in a residential area
- concerns about noise up to 24 hours a day, 7 days a week, from increased vehicles arriving, leaving and engines running and reversing with reversing bleeps/messages and driving over speed bumps in front of 28B; lorry/van divers with phones on loudspeaker and amplified ring tones and conversations; loading/unloading of barrels and barrels being rolled/dropped all hours of day and night; deliveries at all hours; waste collection at all hours; noise from workers congregating on site and shouting when unloading etc; machinery and extract fans running all hours; noise and disturbance from construction work.
- increased traffic on Valmar Rd, width of the street is unsuitable for HGVs and large trucks, and harmful bearing in mind proximity to Crawford Road Primary School
- additional two storeys would block light to No. 28
- increased lighting on site at night at back of No. 28 would disrupt sleep
- disagreeable/toxic odours at all hours and in all seasons; concern that avoidance of strong odours would oblige occupiers to live with house windows closed at all times and concern about health implications.
- concern about water useage
- concern about waste and potential for vermin to be attracted to industrial quantities of foodstuffs, adding to current problems

16 Valmar Rd -objections as summarised above

28C Valmar Rd - main concerns are about the proposed change of use to a microbrewery, including impacts such as odours, noise from ventilation equipment, and traffic.

- noise impacts - noise from the Trading Estate is amplified already owing to the way it is constructed; these impacts would be exacerbated especially if deliveries, barrel collection and waste removal occur during weekends or after normal working hours; concern about noise from extract fans running 24 hours; noise from vehicles going over speed bumps; noise from employees especially after normal business hours; construction noise
- increased traffic - Valmar Rd's narrow width makes it unsuitable for HGVs and large trucks; speed bumps are there for a reason
- toxic odours at all hours and in all seasons; concern that avoidance of strong odours would oblige occupiers to live with house windows closed at all times and concern about health implications.
- proximity to Crawford Road Primary School - concern about traffic impacts in relation to school children, and view that brewery odours are unsuitable for young children to be exposed to
- concern about water useage
- concern about waste and potential for vermin to be attracted to industrial quantities of foodstuffs, adding to current problems
- concern that the consultation letter did not specifically refer to a microbrewery and was sent at Christmas when residents may not have time to respond (Officers advise that the local planning authority has a statutory duty to consult on applications and to determine them within statutory time scales, and there are no statutory provisions that

require consultation periods to be extended at Christmas or any other period).

### 38 Valmar Rd

- wonders if the previously proposed modifications to the original scheme still stand (ie height modified and massing pulled back from back gardens in Valmar Rd)
- concern that change from 'light industrial' to 'general industrial' suggests more activity, noise and disturbance
- concern about specific operation as microbrewery, specifically odour, and noise from movement of metal barrels
- concern that timing of application has meant that consultation was carried out over the Christmas period when people may be away or otherwise pre-occupied

### 18B Valmar Rd

- concern about increase in traffic, noise and disturbance as a result of the change from 'light' to 'general' industrial use

Two letters of support received, summarised as follows.

Camberwell Society - supports this application to provide employment and a use for this unit.

Resident of Valmar Rd (street number not stated) - considers that as the permission for the extensions has been agreed, and residents will be subjected to noise and disturbance no matter what, the change of use to allow for a microbrewery is not a matter to be concerned about, based on the writer's discussions with the applicant and other research on the subject.

- modern micro brewery's appear not to make much noise
- odour is unlikely to be an issue - odour is associated with certain parts of the brewing process of which there would be a maximum of four per week at this site, and the proposal seems to have the right extraction units in place to avoid excessive external smell
- hours of operation would be limited to Mon - Fri 9-5
- there are already lorries passing by late at night and early morning; the microbrewery would result in only one extra delivery per day when operating at full capacity and deliveries would be during office hours only
- some concern about waste products in particular spent grain, which if left unattended outside could result in odour but the writer has been assured by the applicant that this would not happen here.

Assuming all of the above are correct the writer raises no objection. However the writer hopes that if there are problems he can complain to the applicant and/or the council, but whilst he recognises that more difficult to address after the fact if there are problems, he can't really protest on the chance that the applicant is being untruthful now.

---

## 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.

---

<b>Applicant</b>	Antic Brewing Limited	<b>Reg. Number</b>	11-AP-3603
<b>Application Type</b>	Full Planning Permission	<b>Case</b>	TP/2058-A
<b>Recommendation</b>	Grant permission	<b>Number</b>	

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Change of use from B1(c) (Light Industrial) to a micro brewery (use class B2 General Industrial), erection of two additional floors to building, 2-storey rear extension, extension at basement level to front of building and refurbishment / remodelling of facades.

**At:** UNIT 2, VALMAR TRADING ESTATE, VALMAR ROAD, LONDON, SE5 9NW

**In accordance with application received on 31/10/2011 12:01:19  
and revisions/amendments received on 31/01/2012**

**and Applicant's Drawing Nos.** 110-LP-01, 100-SP-01, 200-GA-00, 200-GA-01, 200-GA-02 A, 300-EL-02 A, 300-EL-01, 300-EL-03, 220-GA-00, 220-GA-01, 330-EL-03 B, 220-GA-01, 330-EL-02 b

110-SP-01 A, 220-GA-00-D, 220-GA-01 C, 220-GA-02 A, 220-GA-03 A, 220-GA-04 A, 220-GA-05 A, 330-EL-02 C, 330-EL-01, 330-EL-03 C, 330-EL-04 A

Impact Assessment for the Proposed Micro brewery @ Valmar Works 2 Ref 500-IA-00  
Waste Management for the Proposed Micro brewery @ Valmar Works 2 Ref 500-IA-00  
Design and access statement Ref Valmar - 300-03  
Email from Antic-Ltd dated 2/2/2012 in relation to washing of casks

**Reasons for granting permission.**

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

a] Saved policies of the Southwark Plan (2007):

- 1.4 - Employment sites outside the preferred office locations and preferred industrial locations (which seeks to protect existing B class floorspace in certain locations);
- 3.2 - Protection of amenity (which seeks to ensure an adequate standard of amenity for existing and future occupiers)
- 3.6 (Air Quality) advises that permission will not be granted for development that would lead to a reduction in air quality.
- 3.7 - Waste reduction (which requires developments to provide adequate refuse storage and recycling facilities)
- 3.12 - Quality in design (which requires developments to be of a high standard of architectural design)
- 3.13 - Urban design (which requires developments to be of a high standard of urban design)
- 3.14 - Designing out crime (which requires development to improve community safety and crime prevention)
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites (which requires the settings of these heritage assets to be preserved)
- 5.2 - Transport impacts (which seeks to ensure that developments do not result in adverse highway conditions)
- 5.3 - Walking and cycling (which requires developments to cater for the needs of pedestrians and cyclists)
- 5.6 - Car parking (which establishes maximum parking standards).

Residential Design Standards SPD (2008)  
Camberwell Green Conservation Area Appraisal

b] Core Strategy (2011)

Strategic policy 1 - Sustainable development (which requires development to improve the places we live and work in and enable a better quality of life for Southwark's diverse population, in a way that respects the limits of the planet's resources and protects the environment);  
Strategic policy 2 - Sustainable transport (which seeks to encourage sustainable modes of transport within the borough)  
Strategic policy 10 - Jobs and businesses (which seeks to increase the number of job in Southwark and create an environment in which business can thrive)

Strategic policy 12 - Design and conservation (which seeks to secure high quality developments and to protect the borough's historic environment)

Strategic policy 13 - High environmental standards (which requires development to help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change.

c] London Plan (consolidated with alterations since 2004)

3B.2 - Office supply and demand

4B.1 - Design principles for a compact city

d] Planning Policy Statements [PPS] and Guidance Notes [PPG]:

PPS1 - Delivering sustainable development

PPS4 - Planning for sustainable economic growth

PPS5 - Planning for the historic environment

PPG13 - Transport

Particular regard was had to the impact of the proposed change of use and the building extensions on the amenities of neighbouring properties, but given the management plan and mitigation measures proposed by the applicant, separation distance between the building and the rear of properties on Valmar Road and subject to conditions in relation to noise, odour and waste management, and to prevent a loss of privacy, it was considered that no adverse impacts would occur. Overall the proposal was not considered to give rise to harm in relation to noise, odour or traffic impacts and would preserve the setting of the adjacent Camberwell Green Conservation Area. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

**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:  
110-SP-01 A, 220-GA-00-D, 220-GA-01 C, 220-GA-02 A, 220-GA-03 A, 220-GA-04 A, 220-GA-05 A, 330-EL-02 C, 330-EL-01, 330-EL-03 C, 330-EL-04 A

Reason:

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

- 3 The windows at first floor level and above in the west facing elevation of the building shall be obscure glazed and top-opening only.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises on Valmar Road from undue overlooking, in accordance with saved policy 3.2 'Protection of Amenity' of the Southwark Unitary Development Plan (2007) and Strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 4 Details of a 1.8m high privacy screen to be erected along the western edge of the terrace at top floor level shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, and the screen erected prior to the first use of the extension and retained as such thereafter.

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises on Valmar Road from undue overlooking, in accordance with saved policy 3.2 'Protection of Amenity' of the Southwark Unitary Development Plan (2007) and Strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 5 Details of the facilities to be provided for the secure storage of at least two cycles shall be submitted to and approved by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order

to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with saved policy 5.3 'Walking and cycling' of the Southwark Plan (2007) and Strategic policy 2 'Sustainable transport' of the Core Strategy (2011).

- 6 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse have been submitted to and approved in writing by the Local Planning Authority and the facilities approved have been provided and are available for use prior to the first occupation of the extension. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with saved policy 3.7 'Waste reduction' of the Southwark Plan (2007) and Strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 7 The scheme shall be carried out in accordance with the measures set out for noise and odour mitigation, as set out in Parts 5, 6, 7 8 and 9 of the submitted Impact Assessment for the Proposed Micro brewery @ Valmar Works 2 Ref 500-IA-00, unless details varying these arrangement have been submitted to and approved in writing by the Local Planning Authority. No cask washing or storage associated with the micro brewery use shall be carried out outside the building, in accordance with the email from Antic-Ltd dated 2/2/2012.

Reason

To prevent nuisance by reason of odour and noise generated from the use hereby permitted, and to ensure compliance 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.

- 8 Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be constructed to achieve a rating of at least BREEAM excellent and a BREEAM certificate submitted to the local authority.

Reason:

In order to comply with Strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 9 There shall be no deliveries to the building outside the hours of 08:00-19:00 Mondays to Saturdays.

Reason

In order to ensure that there would be no loss of amenity to neighbouring residential occupiers, in 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).

- 10 This permission shall be personal to Antic Brewing Ltd for the purposes of microbrewery (within use class B2) and shall not ensure for the benefit of the land.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and considers that under the management of Antic Brewing Ltd the proposal would not give rise to a loss of amenity 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.

- 11 The noise level from any plant (e.g. air handling /conditioning, heating ), together with any associated ducting, shall be 10(A) dB or more below the lowest measured external ambient  $L_{Aeq, T^*}$  at the site boundary. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, the consent holder shall submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate compliance with the above requirements. The supplementary acoustic report shall include:

- i) A schedule of all plant and equipment installed;
- ii) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- iii) Manufacturer specifications of sound emissions in octave or third octave detail;
- iv) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- i) The lowest existing  $L_{Aeq, T}$  measurement as already established.
- ii) New noise monitoring data, measurement evidence and any calculations demonstrating that plant

complies with the planning condition.

Reason

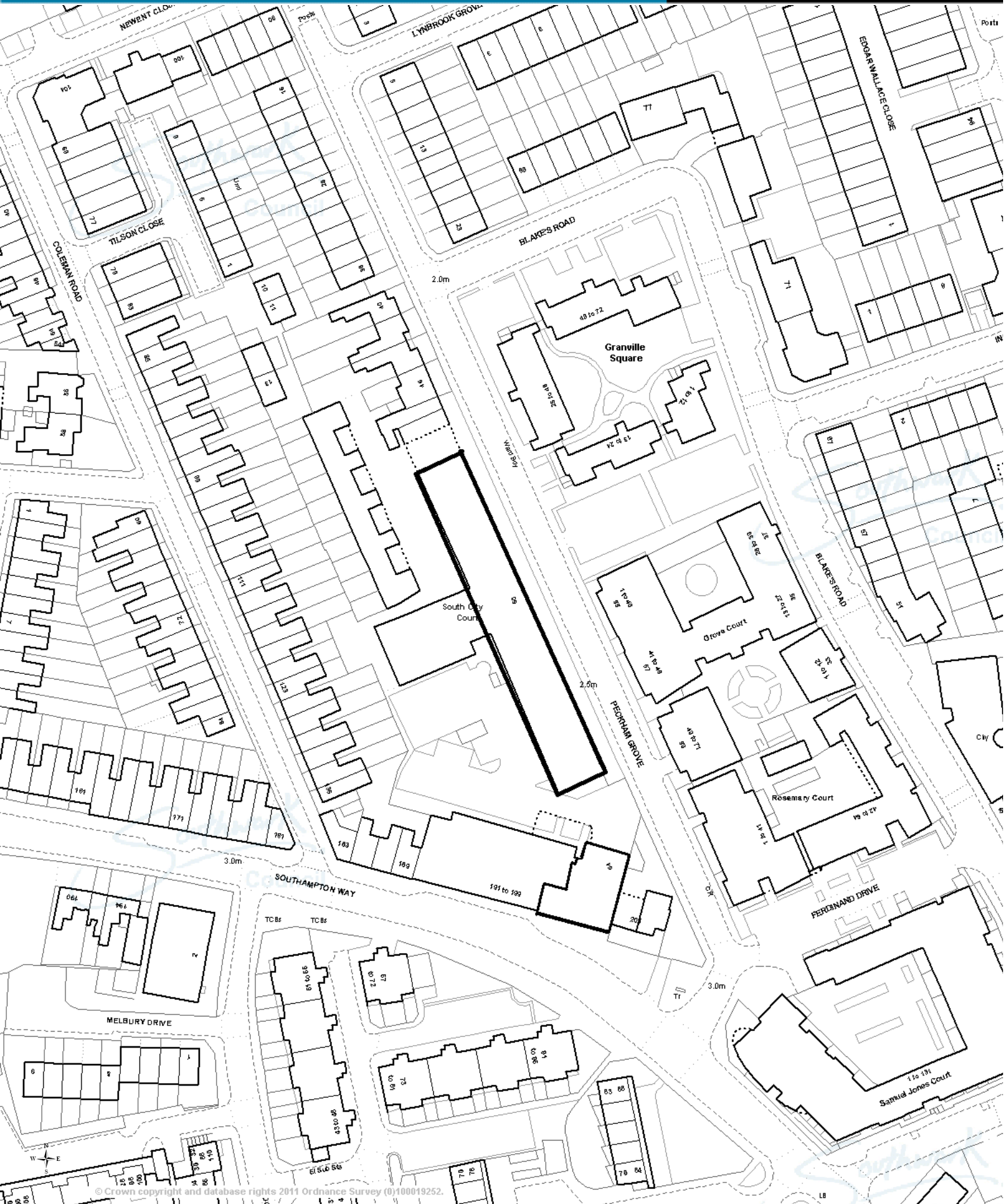
To ensure that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant and that the operation of plant does not add by cumulative effect to the existing sound environment in accordance with Saved Policy 3.1 'Environmental Effects' of the Southwark Plan 2007 and Strategic Policy 13 - High environmental standards of The Core Strategy 2011.

\*L<sub>Aeq, T</sub> T= 1 hr between 07:00 and 23:00 and 5min between 23:00 and 07:00.

- 12 The use hereby permitted shall be carried out in accordance with the measures set out in the submitted Waste Management Plan for the Proposed Micro brewery @ Valmar Works 2 Ref 500-WM-00.

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 Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252.



<b>Item No.</b> 6.4	<b>Classification:</b> OPEN	<b>Date:</b> 15 February 2012	<b>Meeting Name:</b> Camberwell Community Council
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 11-AP-1139 for: S.73 Vary/remove conds/minor alterations</p> <p><b>Address:</b> GROUND FLOOR, SOUTH CITY COURT, 52 PECKHAM GROVE, LONDON, SE15 6AL</p> <p><b>Proposal:</b> Variation of condition 10 (approved plans) which was added by non-material amendment reference: 11-AP-0551) of permission reference 06-AP-0796 dated 8th February 2010 for 'Change of use of the ground floor from vacant commercial units into 15 self-contained flats; provision of 6 additional car parking spaces (to create 24 spaces in total)' to allow the following minor material amendments:</p> <ul style="list-style-type: none"> <li>• Removal of a private 1-bedroom flat (reducing the total number of flats on the site to 14);</li> <li>• Retention of existing water tank;</li> <li>• Retention of existing substations;</li> <li>• Relocation of refuse store;</li> <li>• Relocation of cycle parking;</li> <li>• Provision of one additional parking space (to provide 19 in total);</li> <li>• New door to rear of building serving flat 4;</li> <li>• Provision of solar panels to roof.</li> </ul>		
<b>Ward(s) or groups affected:</b>	Brunswick Park		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 1 July 2011		<b>Application Expiry Date</b> 30 September 2011	

## RECOMMENDATION

- 1 (i) Grant Planning Permission subject to the applicant first entering into an appropriate legal agreement on or before the 7 March 2012.
- (ii) In the event that the legal agreement is not entered into by 7 March 2012, the Head of Development Management be authorised to refuse planning permission for the reasons set out in paragraph 76 below.

## BACKGROUND INFORMATION

### Site location and description

- 2 South City Court is a five storey building with accommodation in the roofspace, T-shaped in plan and situated on the western side of Peckham Grove at its southern end near its intersection with Southampton Way. The main bulk of the building fronts Peckham Grove with a five storey extension (see planning history) having been added at the rear. The application relates to the ground floor of the main building which is

currently unoccupied and boarded up, and there are flats on the upper floors of the building. There is a row of 18 parking spaces in front of the building which has a dropped kerb onto Peckham Grove.

- 3 The site forms part of the urban density zone and an air quality management area.

### **Details of proposal**

- 4 On 8th February 2010 planning permission was granted to change the use of the ground floor of the building fronting Peckham Grove from vacant commercial units to 15 self-contained flats (reference: 06-AP-0796). This permission involved relocating two existing substations and water tank at the front of the building. It has since come to light that it is not possible to relocate these, therefore the application before Members is for an amendment to the earlier permission which would enable the substations and water tank to remain, and to provide 14 flats instead of 15.

- 5 The mix of dwellings would be as follows:

2 x studio flats  
2 x 1-bed flats;  
8 x 2-bed flats;  
2 x 3-bed flats.

- 6 Flats 11, 12, 13 and 14 would be affordable (shared ownership, and comprising 2 x 2 bed and 1 x 3-bed) and flats 12 and 13 would be wheelchair accessible (2 x 2-bed).

- 7 The proposal involves the following other alterations:

#### Relocation of refuse store:

- 8 On the approved plans for permission reference 06-AP-0796 the refuse store was shown as being located at the front of the building, immediately next to the main communal entrance door into the building. The plans now being considered show the refuse store for the 14 flats being located next to parking space 11, but also at the front of the building.

#### Relocation of cycle parking:

- 9 On the approved plans for permission reference 06-AP-0796 the cycle parking is shown as being located at the front of the building, immediately next to what should have been the refuse store and close to the communal entrance to the building. It is now proposed to locate the cycle parking near to parking space 12 at the front of the building.

#### Parking spaces to front of building:

- 10 The approved plans for application reference 06-AP-0796 showed 27 parking spaces at the front of the building including two accessible parking spaces, although when permission was granted at Community Council it was subject to an additional condition requiring a revised parking layout showing 24 parking spaces only (including two disabled parking spaces) to be submitted for approval.

- 11 When first submitted the application now before Members proposed 26 parking spaces in the front of the building, but this has since been reduced to 19 at the request of officers, to enable additional landscaping to be provided.

#### New door to rear of building serving flat 4:

- 12 This door is understood to be already in place at the rear of the building, and flat four would be accessed from the rear.

Provision of solar panels to roof:

- 13 The consented scheme for 15 flats showed 16 solar panels located broadly in the centre of the front block. It is now proposed to provide 26 panels on the northern end of the front block (this is an amendment during the course of the application).

Other amendments sought during the course of the application:

- 14 Alterations have been made to the layout of the wheelchair accessible units (flats 12 and 13). Two of the originally proposed one-bed flats were amended to studio flats (units 8 and 9) as they were significantly below the unit size standards for one-bed flats.

**Planning history**

- 15 11-AP-0551 - Non-material amendment to planning permission reference: 06-AP-0796 dated 08/02/2010 (for 'Change of use of the ground floor from vacant commercial units into 15 self-contained flats; provision of 6 additional car parking spaces (to create 24 spaces in total)) comprising the addition of a condition listing the approved plans. Amendment AGREED on 17th March 2011.
- 16 06-AP0796 - Change of use of the ground floor from vacant commercial units into 15 self-contained flats; provision of 9 additional car parking spaces. Planning permission was GRANTED on 8th February 2010 following the completion of a section 106 agreement.
- 17 Planning permission (Lbs.Reg.No:0001199) with legal agreement was granted on 05/10/2001 for conversion and erection of 5 storey extension of existing industrial building to provide 86 self-contained flats; construction of 3 storey office building (B1) and 3 storey residential building comprising of 20 residential units with 106 off-street car parking spaces, 52 cycle storage spaces plus landscaping at 48 - 52 Peckham Grove (now known as South City Court). This consent was implemented although the ground floor commercial units (Use class B1) were never occupied since they were completed.
- 18 Planning application (Lbs.Reg.No: 05-AP-1336) was withdrawn on 23/09/2005 for erection of a new residential block comprising 13 apartments - 8 X 1 bed, 4 X 2 bed and 1 X 3 bedroom at Site A, 50 Peckham Grove.
- 19 Planning application (Lbs.Reg.No: 05-AP-1339) was withdrawn on 07/10/2005 for erection of two X two-storey semi-detached dwelling houses at Site B, 50 Peckham Grove.

**Planning history of adjoining sites**69a Peckham Grove (Site opposite application premises to the east)

- 20 08-AP-2613 - Variation of condition 6 on approved application 06-AP-1600 to allow parking spaces to be offered to surrounding residential blocks in the vicinity. Planning permission was REFUSED on 27th January 2009 for the following reasons:
1. *There is insufficient justification to allow the removal of Condition 6 to permit the parking spaces to be sold off to people not living within the development. It is considered that the monetary value placed on the spaces is not indicative of the demand from residents living in the development and suitable alternatives to promote their use by occupiers of the building have not been fully explored. As such the proposal would result in continued on street parking by residents of the development within an area that is heavily parked, in a low Public Transport Accessibility Level and where demand for on-street parking is likely to increase*

*due to new development under construction. The proposal is therefore considered contrary to Policies 5.2 Transport impacts and 5.6 Car parking of the Southwark Plan 2007.*

2. *The management of the use of the car park by others not resident within the development has not been detailed within the application. It is unclear what impact this may have on the amenity and security to the existing residents. As such the proposal is considered contrary to Policies 3.2 Protection of amenity and 3.14 Designing out crime of The Southwark Plan 2007.*

- 21 06-AP-1600 - Demolition of existing workshops and erection of part 4 and part 5 storey buildings containing 110 flats with parking at semi-basement level (approved 22/9/05 under ref 04-ap-1601): amendments to include changes to fenestration/elevation, relocation of cycle parking and a scheme of natural ventilation to car park and resultant amendment to ground floor external landscape layout. Planning permission was GRANTED on 2nd April 2008.

- 22 Planning permission (Lbs.Reg.No: 04-AP-1601) with legal agreement was granted on 22/09/2005 for demolition of existing workshops and erection of part 4 and part 5 storey buildings containing 110 flats with parking at semi-basement level.

Unit 2, 199 Southampton Way

- 23 11-AP-4053 - Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation - UNDER CONSIDERATION.

- 24 11-AP-1807 - Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation. Planning permission was REFUSED on 22nd August 2011 for the following reasons:

*1. The proposed development, owing to the potential for large numbers of people to congregate outside the building in close proximity to a number of dwellings and at evenings and weekends when the area would generally be quieter, would result in an unacceptable level of noise and disturbance to neighbouring occupiers, contrary to saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy 2011.*

*2. In the absence of a transport assessment detailing how people would travel to and from the site and given the limited availability of public transport in close proximity to the site, it is considered that the proposal would increase demand for on-street parking in the area, to the detriment of existing occupiers and contrary to saved policies 3.2 'Protection of Amenity' 5.2 'Transport Impacts' and 5.6 'Car parking' of The Southwark Plan UDP (2007) and strategic policy 2 'Sustainable transport' of the Core Strategy (2011).*

- 25 An appeal has been lodged and is **under consideration** by the Planning Inspectorate (reference: APP/A/5840/A/11/2166609).

**KEY ISSUES FOR CONSIDERATION**

**Summary of main issues**

- 26 The main issues to be considered in respect of this application are:
- a) principle;
  - b) amenity;

- c) design and appearance;
- d) transport;
- e) planning obligations (s106).

### **Planning policy**

#### Core Strategy 2011

- 27 Strategic policy 1 - Sustainable development
- Strategic policy 2 - Sustainable transport
- Strategic policy 5 - Providing new homes
- Strategic policy 6 - Homes for people on different incomes
- Strategic policy 7 - Family homes
- Strategic policy 12 - Design and conservation
- Strategic policy 13 - High environmental standards
- Strategic policy 14 - Implementation and delivery

#### Southwark Plan 2007 (July) - saved policies

- 28 2.5 Planning Obligations
- 3.2 Protection of Amenity
- 3.7 Waste reduction
- 3.9 Water
- 3.11 Efficient Use of Land
- 3.12 Quality in Design
- 3.13 Urban Design
- 3.14 Designing Out Crime
- 4.2 Quality of Residential Accommodation
- 4.3 Mix of Dwellings
- 4.4 Affordable Housing Provision
- 5.1 Locating Developments
- 5.2 Transport impacts
- 5.3 Walking and Cycling
- 5.6 Car Parking
- 5.7 Parking Standards for the Mobility Impaired

Residential Design Standards SPD (October 2011)

Planning Obligations SPD

Sustainable Design and Construction SPD

Affordable housing SPD

#### 29 London Plan 2011

- Policy 3.3 Increasing housing supply
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy

Policy 6.9 Cycling  
 Policy 6.10 Walking  
 Policy 6.13 Parking  
 Policy 7.3 Designing out crime  
 Policy 7.4 Local character  
 Policy 7.5 Public realm  
 Policy 7.6 Architecture  
 Policy 8.2 Planning obligations

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 30 PPS 1 Delivering Sustainable Development  
 PPS 3 Housing  
 PPS5 Planning for the historic environment  
 PPG 13 Transport  
 PPG 25 Development and Flood Risk
- 31 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 32 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

**Principle of development**

- 33 The principle of providing residential units on the ground floor of the building has already been established through the granting of planning permission for 15 flats (reference:06-AP-0796). This application is before Members owing to the inability to remove a substation and water tank which means that it is only possible to build 14 flats. This does not raise any land use issues and it is noted that the 14 flats for which permission is sought are largely complete on site.
- 34 Strategic policy 5 of the Core Strategy advises that a density of between 200-700 habitable rooms per hectare is permissible in the urban density zone, of which the site forms part. Based solely on the land to which the application relates, i.e. the ground floor of the front block, the proposal would achieve a density of 330 habitable rooms per hectare and would therefore comply with strategic policy 5.
- 35 Strategic policy 6 of the Core Strategy states requires developments in the Brunswick Park ward to provide 35% private housing and 35% affordable housing (the remainder is for the applicant to decide).
- 36 The consented scheme for 15 flats secured 4 affordable housing units (intermediate housing/shared ownership) including two wheelchair accessible units. This equated to 25% provision but policy 4.5 of the Southwark Plan, which has been saved, allows one affordable habitable room less for every affordable housing unit which complies with the wheelchair design standards, therefore the affordable housing provision was policy compliant. The same is applicable now, as the scheme would still provide 4 affordable units, with a total of 13 habitable rooms which equates to 32.5% affordable housing (based on there being 40 habitable rooms in the proposed development). Taking into

account that two wheelchair accessible affordable units are proposed, the proposal remains policy compliant in respect of affordable housing. Concerns have been raised by a neighbouring resident regarding impact on property value, but this is not a material planning consideration and cannot be taken into account.

- 37 In terms of tenure and mix, the consented scheme for 15 flats permitted 2 x 2-bed wheelchair accessible affordable units, 1 x 2-bed affordable unit and 1 x 3-bed affordable unit. The current scheme is for exactly the same mix of affordable and wheelchair accessible units.
- 38 Strategic policy 7 of the Core Strategy requires developments of 10 or more residential units in the urban density zone to provide at least 60% of units with 2 or more bedrooms and 20% of units to have 3, 4 or 5 bedrooms.

The proposed development would achieve the following:

- 2 or more bedrooms - 71%
- 3, 4 or 5 bedrooms - 14%.

- 39 Whilst the proposal would fall below the Council's current requirement in terms of the percentage of 3, 4 and 5 bedroom dwellings within the scheme, given that the proposal is essentially to amend an existing permission to allow one less flat to be built, officers consider that this provision is acceptable in this instance.

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

- 40 Saved policy 3.2 of the Southwark Plan seeks to ensure that developments achieve an adequate standard of amenity for existing and future occupiers, and 4.2 requires residential developments to be of a good standard.

#### Existing occupiers

- 41 Concerns have been raised regarding impact on security via the provision of new doors into the building, additional wear and tear as a result of additional occupants, and concerns regarding the construction, maintenance and cost of the solar panels. This last matter is dealt with separately in the sustainability section of this report.
- 42 The integral refuse and cycle stores proposed at the front of the building are not that dissimilar to the arrangement permitted under the consented scheme for 15 flats. Access would be for residents only, and when the flats are occupied, there would be additional natural surveillance of this area.
- 43 The consented scheme showed 5 flats being accessed from the rear of the site, three on the southern end of the block and a further two on the northern end. The scheme now before Members proposes 6 flats accessed from the rear of the building, the additional door being to flat 4, and it is not considered that this would result in any loss of amenity for existing occupiers.
- 44 Concerns have also been raised that proposed flat nine would have its front door from within the communal corridor which was not shown on previous plans. Whilst this is noted and it would clearly increase the use of the communal areas, it is not considered that this would result in a loss of amenity to neighbouring occupiers. Use of the communal space is a matter for the landowner and leaseholders and not a matter over which it is possible to exercise planning control.
- 45 An adequately sized refuse store is proposed at the front of the building, in a broadly

similar position to that permitted under the 15 flat scheme, and it is not considered that this would result in any loss of amenity to existing occupiers. Concerns have been raised that there is already more than adequate refuse storage on the site, and whilst this may be the case, the proposed refuse storage provision would be conveniently located for those flats which would have direct access from the front of the building. The plans contain an annotation that the flats which would be accessed from the rear would use existing stores at the rear of the building, and no objections are raised in this regard.

#### Future occupiers

- 46 Concerns have been raised by a neighbouring occupier regarding the size of the proposed flats and the standard of accommodation this would create.
- 47 Minimum flat and room size standards are set out in the Councils' Residential Design Standards SPD (2011) which requires a minimum of 36sqm for a studio flat, 50sqm for a 1-bed flat, 61sqm for a 2-bed flat and 74sqm for a 3-bed flat. The proposal would achieve the following:
- 48 Flat 1 (2-bed) 70sqm  
 Flat 2 (2-bed) 63sqm  
 Flat 3 (2-bed) 63sqm  
 Flat 4 (1-bed) 49sqm (1sqm below standard)  
 Flat 5 (2-bed) 69sqm  
 Flat 6 (3-bed) 85sqm  
 Flat 7 (1-bed) 48sqm (2sqm below standard)  
 Flat 8 (studio flat) 40sqm (4sqm below standard)  
 Flat 9 (studio flat) 35sqm (1sqm below standard)  
 Flat 10 (2-bed) 75sqm  
 Flat 11 (2-bed) 59sqm (2sqm below standard)  
 Flat 12 (2-bed) 65sqm  
 Flat 13 (2-bed) 65sqm  
 Flat 14 (3-bed) 79sqm.
- 49 The shortfalls in floorspace standards for flats 4, 7, 8 and 9 and 11 are not considered to be significant. In particular given that the proposal is for an amendment an existing permission, the effect of which would be for one less flat within the development, it is not considered that the small amount of shortfall in relation to these units would be sufficient grounds for refusing planning permission. Officers have reviewed the layout of the proposed wheelchair units and following some minor modifications, they are found to be acceptable and suitable for wheelchair users.

#### **Traffic issues**

- 50 Saved policy 5.2 of the Southwark Plan seek to ensure that developments do not result in adverse transport impacts and 5.6 establishes maximum parking standards. The site has a public transport accessibility level (PTAL) of 2 (low) and a Controlled Parking Zone is in the process of being implemented in this area.
- 51 The layout of the proposed parking spaces would be acceptable and would not result in any harm to highway safety; a condition requiring them to be completed prior to the occupation of the flats is recommended.
- 52 The consented scheme permitted 24 parking spaces (including 2 disabled spaces) to serve 15 flats. When first submitted the application now before Members proposed 26 spaces to serve 14 flats, and this raised concerns regarding an over provision of parking and a lack of landscaping to the front of the site. Following discussions with



officers it is now proposed to provide 19 parking spaces at the front of the building, 12 of which are already allocated to existing residents in the block and the remaining seven would be for occupiers of the new flats, equating to a 50% parking provision (7 spaces for 14 flats).

- 53 In addressing the objections that there is already too much car parking and that the allocated spaces at the front are un-necessary, officers have sought clarification about the existing number of flats within the development as a whole, and the amount of parking. These matters are set out below, for information.

- **Existing number of flats in the entire building;**

This application relates to the ground floor of Block A (see red line on attached plan SITE-01 Rev A), where 14 units are proposed as opposed to the 15 previously consented. The remainder of the T-shaped building fronting Peckham Grove contains 86 flats as approved by planning application Ref. 0001199 dated 05/10/2001.

- **Existing number of parking spaces on the entire site;**

The 'entire site' comprises not only the T-shaped building containing the 86 flats described above. There is also a 3 storey office building and a 3 storey residential building containing 20 residential units as approved by planning application Ref. 0001199 dated 05/10/2001. The entire site currently contains 103 car parking spaces (see attached plan titled 'Peckham Grove car parking as existing') for the 106 residential units and 3 commercial/office units within it.

- **Proposed number of parking spaces on the entire site;**

- 54 There are currently 18 parking spaces in front of Block A. This application (as revised) now proposes 19 spaces in front of Block A. The 19 spaces comprise 5 spaces (1 of which is temporary as it is in front of the sub-station access) and 2 disabled spaces between the 14 new flats. The remaining 12 parking spaces will be allocated back to existing residents already parking there as indicated on attached drawing no. 492-900C.

- **Number of parking spaces on the entire site which have already been allocated to existing residents.**

All of the existing parking spaces on the site have already been allocated to existing residents or businesses within the wider site.

- 55 Although the site has a low PTAL of just 2, this provision is considered to be acceptable given that a controlled parking zone is due to be introduced, and overspill parking from the development can be controlled by exempting future occupiers from being able to obtain parking permits; a condition to this effect is recommended. Given that no adverse highways impacts are anticipated and the opportunities that providing less parking presents in terms of landscaping and streetscape, the proposed level of parking is considered to be acceptable and each of the wheelchair accessible units would have its own accessible parking space.

- 56 Saved policy 5.3 of the Southwark Plan requires developments to adequately cater for the needs of pedestrians and cyclists.

- 57 The approved plans for application reference: 06-AP-0796 showed 17 cycle parking spaces plus 1 space per 10 units for visitors and these were to be located in a dedicated cycle store at the front of the building. It is now proposed to provide 16 cycle parking spaces, also within a dedicated store at the front of the building and this provision is considered to be acceptable, equating to one cycle space per flat, plus 10% for visitors. The store would be convenient, weatherproof and secure, and a

condition requiring it to be provided prior to occupation of the flats is recommended.

- 58 Concerns have been raised that across the entire site there would be an over provision of cycle parking spaces, but officers note that for the proposed 14 flats, the provision would be acceptable. In addition, since the application was first submitted the number of car parking spaces has been reduced, therefore the proposed cycle parking is considered to be necessary in terms of planning policy.

### **Design issues**

- 59 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments achieve a high standard of architectural and urban design and strategic policy 12 of the Core Strategy, Design and conservation' seeks to create high quality environments.
- 60 The proposed alterations to the exterior of the building are not considered to be significant when compared to the consented scheme for office units at ground floor level (reference: 0001199) or the consented scheme for 15 flats (reference: 06-AP-0796). External facing materials are to match existing and this can be secured by way of a planning condition. The proposed installation of solar panels to the roof of the building are considered to be acceptable in design terms and given the height of the building, would not cause harm to its appearance.
- 61 The front of the site at present is a rather uninspiring row of 18 parking spaces, which contributes very little to the streetscape of Peckham Grove. It is also acknowledged that a considerable amount of utilities work appears to have been undertaken on the pavement outside the site, although this is outside the scope of planning control.
- 62 In order to enhance the streetscape the number of parking spaces proposed at the front of the site has been reduced, so that additional landscaping could be provided. Although no detailed plans have been formulated at this stage in terms of species and planting densities, the proposed site plan shows that 10 new birch trees would be planted along the front of the site, set within planted areas (shrubs). In addition, the pathways to the front of the flats are shown as being paved which would clearly distinguish them from the tarmac parking spaces, and some redundant ramps which are currently in place at the front of the building would have to be removed. It is recommended that a condition be imposed upon any forthcoming planning consent requiring a detailed landscaping plan, including provision for 10 trees, to be submitted for approval. The Council's Urban Forester has reviewed the details submitted to date and has advised that they are acceptable.

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

- 63 Saved policy 3.18 of the Southwark Plan seeks to ensure the setting of listed buildings, conservation areas and world heritage sites is preserved. Numbers 40-46 Peckham Grove which adjoin the site to the north are grade II listed. It is considered that the proposed enhancements to the streetscene by way of provision of landscaping would enhance the setting of these heritage assets.

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

- 64 The previous permission for 15 flats on the site secured the following section 106 contributions:

£80,340.00, which is broken down as follows:

- Education - £16,625

- Strategic transport - £13,563
- Health - £13,515
- Public Realm - £11,250
- Open space - £17,093
- Employment during construction - £6,720
- Administration fee @ 2% - £1,575

65 The applicant had originally proposed that despite the scheme comprising one less unit than had originally been proposed, they would agree to the original s106 being applied. Officers were concerned that applying the s106 charges for 14 units, at the same rate as for the 15 units, would be unjustified given that the CIL regulations do require clear justification for charges based on mitigation of impacts of the scheme. The on-line s106 toolkit for developers was run for the revised scheme. The toolkit carries out the calculations based on the formulae contained in the s106 SPD, but the charges are updated year on year according to indexation (RPI). As a consequence, the s106 contributions came out with some different figures, and the figures are also adjusted owing to the dwelling mix as now varied. The amended contributions based on the revised scheme are as follows.

Total £74 409, which is broken down as follows:

- Education - £12 481
  - Strategic transport - £6528
  - Health - £15 314
  - Public Realm - £10 500
  - Open space - £15 949
  - Employment during construction - £10 064
- (sub-total £72 950)
- Administration fee @ 2% - £1459

**TOTAL £74 409**

- 66 Officers consider that without the contributions towards local infrastructure provision as detailed below the proposed development would have an unacceptable impact on the local area. The justification for the particular contributions is addressed below.
- 67 The Council's adopted Core Strategy Policy 14 justifies the planning requirement for contributions towards local infrastructure as a principle. The adopted 2007 S106 Planning Obligations SPD details and justifies the borough wide requirement for employment and training (construction); education; transportation; children's play, sports development; health; public realm on major new developments. These are the primary policies that state the necessity in planning terms for the obligation.
- 68 The SPD details the borough wide need for education expansion. By 2012 (reception), 2013 (primary and secondary) the boroughs schools will either be at or exceed the DfES 95% capacity levels. The contribution sought is a small contribution relative to the cost of providing additional places and can be used in conjunction with other funding to increase capacity for new developments.
- 69 The SPD set the policy need and justification for the Employment and Training obligations and associated contributions, ensuring that developers are sustainable in their job creation and help improve the areas they will form a part of. The Council is likely to work with Southwark Works to deliver the work opportunities, unless the developer wishes to undertake the provision themselves.
- 70 The strategic transport contribution would go towards improvements such as towards

Peckham Rye station area. It is proposed to make substantial improvements to the setting of Peckham Rye station. Peckham Rye is identified in the Mayor's Transport Strategy as a strategic interchange and the project will complement planned improvements to the station itself which will become increasingly important with the arrival of London Overground services in 2012. Proposals include improvements to the station fabric and the re-creation of a public square outside the station, improving the setting of the station while reducing journey times. Planned delivery is split into a number of phases from 2012/13 to 2015/16.

- 71 Public realm and Open Space, signage and street lighting surrounding the proposed development will need to be improved as the area will be more intensively used, at different times of the day with an additional residential population. The Council will also look at tree planting, wildlife and biodiversity measures and an expansion of the works to Burgess Park which is within walking distance. In addition, there is a project to 'Revitalise Camberwell'. Southwark and Lambeth Councils in partnership with TfL are to invest in Camberwell town centre to uplift and transform the streetscape, providing stronger links between commercial centres, employment centres and green space. The scheme, while focusing on transport issues, will provide the opportunity for coordination across a range of regeneration activities and initiatives in the area.
- 72 New developments are required to contribute to these improvements, as they would generate a substantial pressure on the local public open space amenities with no corresponding improvement to adequately deal with it. Increased revenue through the rates and Council tax would take time to both feed into the system and to identify the appropriate service area to target. This could lead to a decrease in the quality of open space provision, at a time of increasing use.
- 73 The Southwark Play Strategy 2007-12, shows a deficit against the standard ratios for play provision for 11-16 year olds and family friendly play spaces across the borough. While the Council is committed to enhancing the open space and play provision for the existing population, it is vital new developments make a contribution to improved provision for which they will use and benefit. Contributions will be targeted, but not limited to Elephant and Castle sport centre as it has potential for improvements but is nearly at capacity.
- 74 The levels of the contributions sought are established in the S106 Planning Obligations SPD, and represent only a contribution towards the full cost of the mitigation rather than the full cost. Therefore officers consider that all the obligations sought are necessary in planning terms, reasonable and directly related to the proposed development as per the CIL 2010 Regulations.
- 75 The applicant has agreed to the revised amounts and a s106 is being drafted to secure the above obligations. However, the agreement should be secured in a timely manner. In the event that the legal agreement is not entered into by 7 March 2012, it is recommended that the Head of Development Management be authorised to refuse planning permission for the reasons set out below.
- 76 In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on the public realm, public open space, the transport network, health facilities and employment and the proposal would therefore be contrary to Saved policy 2.5 Planning obligations of the Southwark Plan 2007 and Strategic Policy 14 of the Core Strategy 2011, and Policy 8.2 Planning obligations of the London Plan 2011.

### **Sustainable development implications**

- 77 Strategic policy 13 'High environmental standards' of the Core Strategy expects

development will help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change. Major developments must achieve the following:

- Code for Sustainable Homes level 4 for residential developments;
- A 44% saving in carbon dioxide emissions above the building regulations from energy efficiency, efficient energy supply and renewable energy. An energy statement would be required to demonstrate how this would be achieved;
- A reduction in carbon dioxide of 20% from using on-site or local low and carbon zero sources of energy;
- A 50% reduction in surface water run-off.

- 78 In the case of entirely new build schemes, unless there were particular site constraints developments would be expected to meet the above targets. This proposal is for a conversion however, and is in fact an amendment to an existing permission to provide 14 rather than 15 flats.
- 79 The consented scheme for 15 flats included the provision of 16 solar panels on the roof of the building, which would have achieved a 10% renewable energy target used by the Council at the time. It was acknowledged that it fell short of the 20% carbon dioxide reduction target sought under the 2008 London Plan, but the applicant advised that there was no scope to provide further measures as this would impact upon the viability of the scheme. The roof panels are shown on the approved plans as being located within the middle section of the front block.
- 80 Sustainability targets have become more stringent since the permission for 15 flats was granted, and the proposal would remain below current sustainability targets set out in the Core Strategy. It is now proposed to provide 26 solar panels which would all be located towards the northern end of the front block. Consequently the proposal would meet the 20% renewable energy target. In terms of its overall carbon dioxide reduction, the scheme would achieve 35% and the target is 44%, but again, given the constraints associated with the conversion of an existing building, this is considered on balance to be acceptable. The dwellings would also only achieve Code for Sustainable Homes (CfSH) level 2.
- 81 The applicant has confirmed that the proposed PV panels will meet the 20% renewable energy target and result in a 35% reduction in carbon dioxide emissions (as confirmed in the submission documents). The PV panels have been taken into account in the CfSH score. As this proposal is a conversion rather than a new build, there are no building Regulations requirement to achieve any higher than Code Level 2 that is currently proposed.
- 82 Officers recognise that there are practical constraints to the level of energy performance improvement that can be achieved through this scheme, as the project is residential conversion of a former commercial property. The applicant has noted that this being the case, there are a number of CfSH credits that cannot be achieved due to the building's construction (i.e. structure, services and drainage). It is considered however that this scheme has taken a reasonable approach (including the 20% renewable via roof top PVs).
- 83 Concerns have been raised as to whether the additional solar panels would benefit all residents within the building or just those occupying the 14 flats, issues regarding construction and maintenance are raised, and whether they would affect Wi-Fi and result in electro-magnetic and radio frequency interference.
- 84 The applicant's agent has advised that the intention is that the electricity will feed in to the nearest landlords meter and that it would benefit all flats within the building, but

this cannot be confirmed until after a full technical appraisal is undertaken (post planning). The panels would need some degree of maintenance, and ultimately replacement, however as with all such installations, the 'free' electricity the panels provide should offset those costs. The applicant has advised that it is not therefore anticipated that the installation would cause an increase in Service Charges for existing residents. The method of construction & installation has not been determined yet, however is highly likely to involve temporary scaffold, edge protection and craneage. Whilst the completed installation is not expected to cause any problems to the existing flats, the residents are protected by the landlord's obligations within the lease. Solar panels are used on many modern residential developments, particularly schemes for 10 or more units given the Council's sustainability policies, and should not cause any loss of amenity for residents.

- 85 No information has been provided with regard to surface water run-off although again, it is noted that the proposal is for conversion of an existing building, and additional landscaping would be provided at the front.

#### **Other matters**

- 86 There are no other matters arising from the proposal.

#### **Conclusion on planning issues**

- 87 This proposal has arisen owing to the inability to relocate two existing substations and a water tank within the building, meaning that a consented scheme of 15 flats cannot be built. It is now proposed to build 14 flats instead and to make some other relatively modest alterations to the building, and it is noted that the flats are largely in place on site. The proposal would fall short in terms of its sustainability criteria, but efforts have been made to improve this through the course of the application, and as the proposal is for conversion of an existing building, this is also considered on balance, to be acceptable. The proposal would create 14 dwellings within the currently vacant ground floor of the building and these would add to the housing stock in the borough. The traffic and amenity impacts are considered to be acceptable, and the provision of landscaping would improve the visual amenities of the streetscene. It is therefore recommend that planning permission be granted, subject to a section 106 agreement.

#### **Community impact statement**

- 88 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.
- 89 a) The impact on local people is set out above.

#### **Consultations**

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

#### **Consultation replies**

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

- 91 Summary of consultation responses

Objections have been received from 5 properties, details of which are set out at Appendix 2 of this report.

### **Human rights implications**

- 92 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.
- 93 This application has the legitimate aim of providing 14 flats. 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.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

- 94 None.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2247-46  Application file: 11-AP-1139  Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5410 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Becky Baker, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	3 February 2012	
<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 Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Leisure	No	No
<b>Date final report sent to the Constitutional Team</b>		6 February 2012



### Consultation undertaken

**Site notice date:** 19/07/2011

**Press notice date:** 14.07.2011

**Case officer site visit date:** 19.07.2011

**Neighbour consultation letters sent:** 11/07/2011

**Internal services consulted:**

Urban Forester  
Transport Planning  
Planning Policy

**Statutory and non-statutory organisations consulted:** N/A.

**Neighbours and local groups consulted:**

11/07/2011	FLAT 17 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 18 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 16 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 14 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 15 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 19 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 23 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 24 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 22 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 20 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 21 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 13 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 5 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 6 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 4 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 2 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 3 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 7 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 11 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 12 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 10 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 8 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 9 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE
11/07/2011	FLAT 56 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 57 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 55 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 53 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 54 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 58 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 62 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 63 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 61 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 59 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 60 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 52 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 44 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 45 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 43 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 42 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 46 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 50 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 51 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 49 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 47 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF
11/07/2011	FLAT 48 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF

11/07/2011 FLAT 43 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 44 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 42 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 40 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 41 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 45 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 49 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 50 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 48 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 46 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 47 57 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 39 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 31 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 32 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 30 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 28 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 29 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 33 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 37 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 38 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 36 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 34 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 35 55 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 66 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 67 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 65 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 63 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 64 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 68 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 1 ROSEMARY COURT PECKHAM GROVE LONDON SE15 6FE  
 11/07/2011 FLAT 71 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 69 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 70 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 62 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 54 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 55 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 53 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 51 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 52 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 56 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 60 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 61 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 59 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 57 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 58 59 PECKHAM GROVE LONDON SE15 6PH  
 11/07/2011 FLAT 64 ROSEMARY COURT FERDINAND DRIVE LONDON SE15 6FF  
 11/07/2011 109 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 111 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 107 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 103 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 105 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 115 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 123 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 125 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 117 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 119 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 101 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 44 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 45 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 43 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 41 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 42 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 46 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 183 SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 201 SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 47 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 48 GRANVILLE SQUARE LONDON SE15 6DX  
 11/07/2011 185C SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 187C SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 185B SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 189C SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 185A SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 UPPER FLAT 121 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 GROUND FLOOR FLAT 127 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 UPPER FLAT 127 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 GROUND FLOOR FLAT 121 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 189B SOUTHAMPTON WAY LONDON SE5 7EJ  
 11/07/2011 133 COLEMAN ROAD LONDON SE5 7TF  
 11/07/2011 97 COLEMAN ROAD LONDON SE5 7TF







22/07/2/11 (to correct a reference number in the description of development) and  
15/11/2011 (following the receipt of amended plans).

## Consultation responses received

### Internal services

#### Urban Forester

I can confirm that the design and specifications are acceptable.

#### Transport Planning

##### Cycle storage

The existing level of cycle storage has been proposed. As the development will be losing one housing unit, the developments over all cycle provision will exceed the councils minimum cycle parking standards, which is welcomed,

The applicants have provided semi horizontal cycle parking racks (Broxap Neath) typically the transport team would not accept a whole cycle store with this type of cycle storage as this type of racking may be troublesome for some cycle users who are unable to lift/push cycles up into the proposed racking.

The transport team have not made comment on application 06-AP-0796 in which this type of racking was proposed, therefore in this instance given the previous application, and the fact that no objections were raised to the proposed type of racking, the Transport Team deem it unreasonable to object to this.

##### Car Parking

The above application constitutes a loss in over all dwellings, but the level of on site parking has not been reduced. The provision for on site car parking is still within maximum parking levels stated in the Southwark plan.

Servicing and refuse collection will be under taken from Peckham Grove. Due to site constraints no off street serving facilities can be provided. Given the nature of the proposed development and the central location of the bin stores it is not thought there will be:

- A) many service vehicle movements associated with the above application
- B) refuse vehicles stationary in the highway for an extended period.

Transport DC have no objections as there will be no significant negative impact on the highway network, or the performance and safety of the surrounding highways.

For major applications a S106 contribution should be sought using the S106 SPD standard charge formula. Additional site specific mitigating works (listed below) to be negotiated separately to this and calculated by the Transport Group. Any additional S106 money requested by TfL will be negotiated separately.

#### Planning Policy

No response received at the time of writing.

**Statutory and non-statutory organisations** N/A.

### Neighbours and local groups

312 South City Court

Object to the proposal on the following grounds:

Increase in parking spaces:

1. The increase in parking spaces is not necessary as there is already an over provision of spaces;
2. The same landlord / developer attempted to sell parking spaces built at 69a Peckham Grove but their planning application was rejected;
3. Increased parking is at the expense of the removal of planting;
4. There are already double yellow lines in front of this development and on-street parking outside 69a is soon to be come limited time waiting;
5. The development of the Samuel Jones estate has produced further parking spaces that remain unallocated as the sales / rental process has not been successful;
6. Living on the cusp of zone 1 and 2 gives little need to own a car;
7. The parking was agreed by two community planning meetings in 2010 and there is no logistical change to warrant more spaces.

Reduction in planting - this is unacceptable and there is already a lack of planting in Peckham Grove despite promises being made by the developers:

1. There is a lack of planting at 69a which was constructed by a different division of the same developer / landlord. Breach of planning is currently being investigated because no planting was carried out;
2. There is a planning breach for lack of tree planting in South City Court, with nine new planters installed;
3. The developer knocked down and removed a tree planted on Peckham Grove and this has yet to be replaced;
4. No planting was carried out to the front of the building since occupation began in December 2002;
5. The landscaping was agreed via two community planning meetings in 2010 and to reduce this would be against environmental demands on the street.

Flat sizes:

The smallness of the flats was raised at the first of the two community planning meetings and the number of flats was reduced to 15. This has now been reduced to 14 hence the new submission, however it seems that the size of the flats have been reduced even though there are fewer of them, and it is suggested that they do not give a decent size of living space;

Entry points to flats:

These have been altered so that there are more entry points at the back of the property than agreed at the previous planning meetings. This will cause problems as they will need to access the building and car parks at the back of the property, although there are parking spaces on the social housing side of South City Court there are none on the private side. Why park your car to the front of your home when you cannot get access to it? There are parking problems in South City Court with the landlord bringing in parking enforcement to the front of the building and discussions are ongoing as to how this could be implemented in the secure car parks. There is one flat that has a limited access point to the back of the property whilst having a ramp to a non-existent door at the front of the building. There is a hallway linking these so it is unmistakable and the case officer is investigating it.

Bin stores:



The bin store to the front was to suffice for all flats but those now gaining access from the back have to use the bin stores there. I was advised that the new bin store to the front was necessary yet clearly it was not. There remain three bin stores currently not in use, they do not have bins in them, and could be used for additional bin stores.

Cycle storage:

There is already an oversupply of cycle storage on the estate and I am unsure why Southwark has insisted on more. My understanding of this was to reduce the need for car usage, which is another reason not to allow more parking spaces.

These comments are restricted to the changes in the plans from those originally agreed in 2010. I would also like to raise that the solar energy panels remain uninstalled. Although I am pleased they have altered their plans to use the power generation for the communal areas, I believe more could be done to increase this. They are not yet up to the 20% demand or using any sizeable part of the roof and its an opportunity to allow the generation of sustainable energy to be at the forefront of this development. There are numerous plans now available which would lead to a cost effective implementation of solar panels to the benefit of all residents, as well as money generation for the landlord.

405 South City Court

22nd July 2011:

- Queries whether it would be possible to extend this flat to provide an additional bedroom, with the possibility for solar panels on the roof;
- It remains unclear as to how the addition of solar panels on the roof will benefit all residents of South City Court;
- What guarantee do we have that the panels won't adversely affect our living conditions? How are they insulated from our flat below? Is there a recommended minimum thickness of insulation or any potentially harmful affects?
- Please confirm if the levels of EMI (electromagnetic interference) and RFI (radio frequency interference) emitted will make any noise or affect Wi-Fi functionality?
- Please provide more information on the proposed time frame for installation and how they will be maintained, as this could prove to be quite a nuisance.

28th November 2011

When I purchased the property in September of last year it was with the understanding that the ground floor would be developed into 15 flats. At that time were not made aware that solar panels were to be installed on the roof of the building. The revised planning application has brought the solar panels to my attention. Please answer the following questions:

- It remains unclear as to how the addition of solar panels on the roof will benefit all residents of South City Court;
- What guarantee do we have that the panels won't adversely affect our living conditions? How are they insulated from our flat below? Is there a recommended minimum thickness of insulation or any potentially harmful affects?
- Please confirm if the levels of EMI and RFI emitted will make any noise or affect Wi-Fi functionality?
- Please provide more information on the proposed time frame for installation and how they will be maintained, as this could prove to be quite a nuisance.

No address provided:

We have recently bought a flat within the building and we were assured there weren't any plans for works to be carried out in the near future with the exception of turning the ground floor spaces into flats - which was already underway when we started the legal procedures to buy our flat.

We have now received a letter from Southwark Council with details of other works that seemed part of the same application. We would be grateful if you could confirm the following:

- Removal of a private 1-bedroom flat: is this on the ground floor? What is the reason for the removal and how will that space be used?
- Retention of existing water tank - was there a need to change this?
- Retention of existing substations: what are they specifically?
- Relocation of refuse store - which one does it refer to? Currently there is a large store in the parking space, it is that one, where will it be relocated to? There are lots of flats in the building and it would be unreasonable to locate it inside the building - this would also introduce pest problems.
- Relocation of cycle parking: where do they plan to relocate it and would it be reduced?
- Provision of two additional parking spaces: where? On the front of the property or in the courtyard parking space? Currently all the space available has already been allocated for parking - more parking slots might make it difficult to manoeuvre when parking
- New door to rear of building serving flat 4: is this a private door for that specific flat to the rear of the building?
- Provision of solar panels to the roof: is this for the 52 Peckham Grove building? Concerns over increase of service charges. Also how would we benefit from this since heating and hot water are managed by individual flats?

No address supplied:

- Can you tell me whether the whole building (South City Court Block A) will benefit from the energy captured by the solar panels? It has been rumoured that only the newly created flats on the ground floor would have the benefit of the electricity created.
- Can you clarify which area of the roof the panels are to be located on? I have concerns regarding the installation of the panels and how this will affect the integrity of the flat roof.
- Further to the installation of the panels I would like to know if maintenance and repairs will impact on the roof itself and the residents who live directly below, as I do myself.
- I would like assurances that the cost of the installation will not be passed to the residents.
- With regard to maintenance costs I would like to know who will be paying for these.

No address supplied:

25th July 2011

Object to the application on the following grounds:

1. The quality of the work carried out so far leads me to believe that the work to be continued will not be good enough and may actually be dangerous to the structure of the building (an example being the foam filler of the new ground floor window by the main door).

2. The work carried out so far is not in sympathy with the rest of the building (the new windows at the front do not match the windows at the floors above, the internal door fitted at the main corridor is nothing like the other flat's main entrances) leading me to believe this work will not be either - possibly damaging the values of the other flats in the building, but certainly making the environment not as nice to live in.
3. The plans submitted previously were not followed (as shown with the internal door on the main corridor) leading me to believe that this work will not be either.
4. The solar panels need to power all of the shared internal electrics for the building (for every floor) and the design needs to change to incorporate this.
5. Additions of doors to the outside of the building will compromise its security and may lead to specific targeting by the criminal community, therefore another door should not be added.

30th November 2011

Continue to object for the following reasons:

The initial plan did not show the main door to a flat within the main corridor of the main block but the new one does. This should not be allowed as it gives rise to further entrance to the main building further compromising security and creating wear and tear. The main doors to the ground floor flats should remain on the outside of the main building.

As expressed previously, previous plans were not followed therefore I do not believe these ones will be either, therefore planning should not be allowed unless all aspects are certain to be included, with compensation to residents if not. This is as the overall environment planned will be compromised and may therefore lead to further objections unless plans are followed exactly. An example is the placement of paving ramps to the front of the building which should be to front doors of new flats, but instead lead to walls. These are obviously ludicrous. Previous example given being the main door entrance to a flat in the main corridor (as referenced above).

Also previously expressed, the quality of work done so far is not of an acceptable standard and will be damaging to the value of the properties and the experience of living in the building. I do not believe further work should be attempted / allowed until this is corrected. The new main front door in the main entrance corridor does not match any other front door within the property; foam filler on windows being used poorly on the main fascia, possibly creating a dangerous environment if the window is either not sealed correctly or could move.

Although admirable that there is an insistence that new flats should be affordable, I am concerned that this could devalue the current flats in the property and therefore object to this provision (unless a reasonable compromise is reached).

I am not clear from the new plans whether the solar panels power all of the shared electrics within the building or not. If not (and in fact supply the new flats instead of the building) I object on the grounds that something which would affect all the residents should service all the residents.

I strongly agree with the insistence on the landscaping in terms of additional shrubs, trees and hardscaping and therefore would insist on its inclusion within any permission given. However, continue to object to the overall plans submitted.

---

## 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.

---

<b>Applicant</b>	Packamist Ltd	<b>Reg. Number</b>	11-AP-1139
<b>Application Type</b>	S.73 Vary/remove conds/minor alterations	<b>Case</b>	TP/2247-46
<b>Recommendation</b>	Grant subject to Legal Agreement	<b>Number</b>	

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Variation of condition 10 (approved plans) which was added by non-material amendment reference: 11-AP-0551) of permission reference 06-AP-0796 dated 8th February 2010 for 'Change of use of the ground floor from vacant commercial units into 15 self-contained flats; provision of 6 additional car parking spaces (to create 24 spaces in total)' to allow the following minor material amendments:

- Removal of a private 1-bedroom flat (reducing the total number of flats on the site to 14);
- Retention of existing water tank;
- Retention of existing substations;
- Relocation of refuse store;
- Relocation of cycle parking;
- Provision of one additional parking space (to provide 19 in total)
- New door to rear of building serving flat 4;
- Provision of solar panels to roof.
- ;

**At:** GROUND FLOOR, SOUTH CITY COURT, 52 PECKHAM GROVE, LONDON, SE15 6AL

**In accordance with application received on 06/04/2011**

**and Applicant's Drawing Nos.** Site plan (site-01A), 492-100 Rev E (ground floor plan as previously approved), 492-401A, 492-801, 492-900 D, 492-902A, 492-905, 05009-D-021A, PV-001, 20% target briefing note.

Reasons for granting permission.

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

Core Strategy (2011)

Strategic Policy 1 – Sustainable development: requires new developments to help meet the needs of a growing population in a way that respects the planet's resources and protects the environment.

Strategic Policy 2 – Sustainable transport: requires new developments to help create safe attractive, vibrant and healthy places for people to live and work by reducing congestion, traffic and pollution.

Strategic Policy 5 – Providing new homes: requires that the housing needs of people who want to live in Southwark are met by providing as much housing as possible, whilst ensuring that land remains for other types of development.

Strategic Policy 6 – Homes for people on different incomes: requires that developments provide as much affordable housing as is reasonably possible, whilst also meeting the needs for other types of developments and encouraging mixed communities.

Strategic Policy 7 – Family homes: encourages the provision of units with 3 or more bedrooms for people of all different incomes, and that developments provide enough space for the needs of occupants.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

Strategic Policy 14 Implementation and Delivery which ensure that the strategic vision and objectives for Southwark are implemented to ensure that the borough continues to be successful and vibrant.

Southwark Plan (2007) saved policies

2.5 (Planning Obligations) seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant, in accordance with Circular 05/2005 and other relevant guidance.

- 3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);
- 3.7 Waste Reduction (advises that developments should make adequate provision for the storage and collection of waste and recyclables);
- 3.9 (Water) seeks to ensure that all developments should incorporate measures to reduce the demand for water, recycle grey water and rainwater, and address surface run off issues, and have regard to prevention of increases in flooding and water pollution.
- 3.11 Efficient Use of Land (seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoid compromising development potential, providing adequate access, circulation and servicing, and matching development to the availability of infrastructure);
- 3.12 Quality in Design (requires new development to achieve a high standard of architectural design);
- 3.13 Urban Design (advises that principle of good urban design should be taken into account in all new developments);
- 3.14 Designing Out Crime (requires developments to incorporate design measures that discourage crime)
- 4.2 Quality of Residential Accommodation (states that planning permission will be granted for new residential developments provided that they achieve good quality living conditions, high standards of accessibility, including seeking to ensure that new housing is built to Lifetime Homes standard, privacy and outlook, natural sunlight and daylight, space, including green space, safety, and protection from pollution);
- 4.3 Mix of Dwellings (which states that all major residential new build and conversion schemes should provide a mix of dwelling sizes to cater for the range of housing needs in the borough);
- 4.4 Affordable Housing Provision (which establishes affordable housing targets for the borough);
- 5.1 Locating Developments (which states that the location of developments throughout the borough must be appropriate to the size and trip generating characteristics of the development)
- 5.2 Transport Impacts (states that permission will not be granted for developments that have an adverse affect on the transport network and that there is adequate provision for servicing, circulation and access;
- 5.3 Walking and Cycling (seeks to ensure that there is adequate provision for cyclists in and around the site);
- 5.6 Car Parking (states that all developments requiring car parking should minimise the number of spaces provided).
- 5.7 Car Parking standards for the disabled and mobility impaired, which advises that developments must provide adequate parking for disabled people.

#### London Plan (2011)

Policy 3.3 Increasing housing supply, Policy 3.5 Quality and design of housing developments, Policy 3.8 Housing choice, Policy 3.9 Mixed and balanced communities, Policy 3.10 Definition of affordable housing, Policy 3.11 Affordable housing targets, Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes, Policy 3.13 Affordable housing thresholds, Policy 5.3 Sustainable design and construction, Policy 5.7 Renewable energy, Policy 6.9 Cycling, Policy 6.10 Walking, Policy 6.13 Parking, Policy 7.3 Designing out crime, Policy 7.4 Local character, Policy 7.5 Public realm and Policy 7.6 Architecture, 8.2 Planning obligations

#### Planning policy guidance notes and statements

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS5 Planning for the historic environment

PPG 13 Transport

PPG24 Planning and Noise

PPG 25 Development and Flood Risk

Particular regard was had to the quality of the residential accommodation and the dwelling mix, where it was considered that the scheme would be acceptable. Consideration was also given to the shortfall in terms of the reduction in carbon dioxide emissions, but given that the proposal is for the conversion of an existing building on balance, this was also found to be acceptable. The proposal would create 14 dwellings within the currently vacant ground floor of the building and these would add to the housing stock in the borough. The traffic and amenity impacts were found to be acceptable, and the provision of landscaping would improve the visual amenities of the streetscene. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

#### **Subject to the following condition:**

- 1 The development hereby permitted shall be begun before the end of three years from the date of the original permission LBS Reg 06AP0796 dated 8/2/2010 (ie the development shall be begun before 8/2/2013).

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:

492-401A, 492-801, 492-900 D, 492-902A, 492-905, 05009-D-021A, PV-001

Reason:

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

- 3 The cycle storage facilities as shown on the approved plans shall be provided before the flats hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose.

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 saved policy 5.3 'Walking and cycling' of the Southwark Plan (2007) and strategic policy 2 (Sustainable transport) of the Core Strategy (2011).

- 4 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

In order that the Council may be satisfied 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 saved policy 3.7 'Waste reduction' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 5 The parking spaces shown on the approved plans shall be completed prior to the occupation of the flats and shall be retained as such thereafter for use by occupiers of the flats.

Reason

To ensure the availability of adequate parking facilities for the development, in accordance with saved policy 5.6 'Parking standards' of the Southwark Plan (2007).

- 6 Unless otherwise specified on the approved drawings, the facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

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 saved policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan (2007) and strategic policy 12 'Design and conservation' of the Core Strategy (2011).

- 7 The solar panels hereby permitted shall be installed and fully operational prior to the occupation of the flats, and shall be retained as such thereafter.

Reason

In the interests of sustainable development, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 8 Detailed drawings of a landscaping scheme including provision for the planting of 10 trees at the front of the site together with shrubs, and showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works. Any tree or shrub required to be retained or to be planted as part of the approved landscaping scheme that is found to be dead, dying, severely damaged or seriously diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced by specimens of similar or appropriate size and species in the first suitable planting season.

Reason

In the interests of the visual amenity of the streetscene and the setting of the building, in accordance with saved policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 9 The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the measured L<sub>A90</sub> level at the nearest noise sensitive premises.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007), Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and PPG24- Planning and Noise.

- 10 Before the development hereby permitted is occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the area at any time.

Reason

In order to ensure that there would be no overspill parking from the development, in accordance with saved policy 5.6 'Car parking' of the Southwark Plan (2007) and strategic policy 2 'Sustainable transport' of the Core Strategy (2011).

This page is intentionally blank.



## MEMBERS &amp; EXTERNAL DISTRIBUTION LIST

MUNICIPAL YEAR 2011- 2012

## CAMBERWELL COMMUNITY COUNCIL

NOTE: Original held by Community Councils Team; amendments to Beverley Olamijulo (Tel: 020 7525 7234)

OPEN	COPIES	OPEN	COPIES
<b>To all Members of the Community Council:</b>			
Councillor Norma Gibbes (Chair)	1		
Councillor Dora Dixon-Fyle (Vice Chair)	1		
Councillor Kevin Ahern	1		
Councillor Peter John	1		
Councillor Right Revd Emmanuel Oyewole	1		
Councillor Veronica Ward	1		
Councillor Ian Wingfield	1		
Councillor Mark Williams	1		
		<b>TOTAL DISTRIBUTION</b>	<b>33</b>
<b>LIBRARIES</b>			
Camberwell Library	1		
Local Studies Library	1		
<b>PRESS</b>			
Southwark News	1		
South London Press	1		
<b>MEMBERS OF PARLIAMENT</b>			
Harriet Harman MP	1		
<b>COUNCIL OFFICERS</b>			
Vikki Lewis Hub 4, 5th floor, Tooley Street	1		
Sadia Hussain Hub 2, 2 <sup>nd</sup> Floor, Tooley Street	1		
Constitutional Officer (Community Councils) Hub 4 , 2 <sup>nd</sup> floor, Tooley Street	16		
Shahida Nasim LBS Audit Manager Ground Floor Tooley Steet	1		