

Planning Sub-Committee B

Tuesday 11 December 2012

7.00 pm

Room G01a, 160 Tooley Street, London SE1 2QH

Membership

Councillor Darren Merrill (Chair)
Councillor Nick Stanton (Vice-Chair)
Councillor Neil Coyle
Councillor Nick Dolezal
Councillor Richard Livingstone
Councillor Wilma Nelson
Councillor David Noakes

Reserves

Councillor James Barber
Councillor Sunil Chopra
Councillor Poddy Clark
Councillor Patrick Diamond
Councillor Helen Hayes

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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Contact

Tim Murtagh, Constitutional Officer, on 020 7525 7187 or email: tim.murtagh@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Chief Executive

Date: 3 December 2012



Planning Sub-Committee B

Tuesday 11 December 2012
7.00 pm
Room G01a, 160 Tooley Street, London SE1 2QH

Order of Business

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1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	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.	
6.	MINUTES	3 - 6
	To approve as a correct record the minutes of the meeting held on 24 October 2012.	
7.	DEVELOPMENT MANAGEMENT ITEMS	7 - 11
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Date: 3 December 2012



PLANNING SUB-COMMITTEE

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the sub-committee.
3. Your role as a member of the planning sub-committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the sub-committee (if they are present and wish to speak) for **not more than 3 minutes each**.

(a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.

(b) The applicant or applicant's agent.

(c) One representative for any supporters (who live within 100 metres of the development site).

(d) Ward councillor (spokesperson) from where the proposal is located.

(e) The members of the sub-committee will then debate the application and consider the recommendation.

Note: Members of the sub-committee may question those who speak only on matters relevant to the roles and functions of the planning sub-committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the sub-committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.

7. No smoking is allowed at council committees and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: The Head of Development Manager
Chief Executive's Department
Tel: 020 7525 5437; or

Planning Sub-Committee Clerk, Constitutional Team
Chief Executive's Department
Tel: 020 7525 7420



PLANNING SUB-COMMITTEE B

MINUTES of the Planning Sub-Committee B held on Wednesday 24 October 2012 at 7.00 pm at Conference Room, G02a 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Darren Merrill (Chair)
Councillor Sunil Chopra
Councillor Nick Dolezal
Councillor David Noakes

OTHER MEMBERS

PRESENT: Councillor Lewis Robinson

OFFICER

SUPPORT: Rob Bristow (Development Management)
Andre Verster (Development Management)
Sadia Hussain (Legal Team)
Beverley Olamijulo (Constitutional Team)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillors Richard Livingstone and Neil Coyle.

3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as voting members.

Councillor Helen Hayes substituted for Councillor Richard Livingstone as a reserve member and Councillor Sunil Chopra substituted as a reserve member for Councillor Neil Coyle.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following member made a declaration regarding the agenda item below:

Agenda item 7.1 – 33 Alleyn Park, London SE21 8AT

Councillor Helen Hayes, non-pecuniary, as she wished to make representations as a ward councillor and agreed to step down for this item.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to development item 7.1.
- The member information packs containing additional photographs and maps.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 11 September 2012 be approved as a correct record and signed by the chair

7. DEVELOPMENT MANAGEMENT ITEMS

7.1 33 ALLEYN PARK, LONDON, SE21 8AT

Planning application reference number 12-AP-2247

Report: See pages 12 - 22 of the agenda and addendum report pages 1 - 3.

PROPOSAL

Erection of a two storey rear extension, replacement of pitched roof with a flat with glazed panels and roof lights; alterations to the elevations consisting of white render to first floor level, timber cladding at ground floor level, installation of new fixed glazing, sliding and glazed doors to the rear elevation and rotating shutters to glazing at first floor level on the southern elevation.

The sub-committee heard an officer's introduction to the report, and councillors asked questions of the officer.

Councillors heard representations from the objectors and representations from the applicant's agent.

Questions were asked of both representatives.

There were no local supporters present that lived within 100 metres of the development site.

Councillors Helen Hayes and Lewis Robinson addressed the meeting in their capacity as ward councillors. The ward councillors responded to questions from members of the sub-committee.

Councillors debated the application and asked questions of the officers.

Councillors Hayes and Robinson left the room. Councillors discussed the application.

The motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

1. That planning application 12-AP-2247 be granted, subject to the conditions set out in the report and additional condition contained in the addendum report.
2. That following representations made by ward members that a further condition be included to address the issue of overlooking to protect the amenity of the neighbour's property at 31A Alleyn Park, London SE21 8AT.
3. That members agreed that the condition relating to the roof should be amended to state; before any authorised works commences, details of the green roof (including a specification and maintenance plan) must be submitted and approved in writing by the Local Planning Authority.

7.2 CAMBERWELL NEW CEMETERY, BRENCHLEY GARDENS, LONDON, SE23 3RD

Councillor Helen Hayes re-joined the meeting and sat as a member of the sub-committee.

Planning application reference number 12-AP-2376

Report: See pages 23 - 33 of the agenda

PROPOSAL

To create a new section of road to link the crematorium to the chapel in Camberwell New Cemetery. A small section of existing garden will be removed to install a new carriageway linking the existing access roads together including new kerbs, footway and removal of trees.

The sub-committee heard an officer's introduction to the report, and councillors asked questions of the officer.

There were no objectors, no applicant or the applicant's agent present at the meeting.

There were no ward members who wished to speak and no local supporters present that lived within 100 metres of the development site.

Members debated the application and asked questions of the officers.

The motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning application 12-AP-2376 be granted, subject to the conditions set out in the report.

The meeting ended at 8.45 pm

CHAIR:

DATED:

Agenda Item 7

7

Item No. 7.	Classification: Open	Date: 11 December 2012	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

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 planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. 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.
 - b. 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.
 - c. 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.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. 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 maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the head of development management 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.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management 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 director of legal services, and which is satisfactory to the head of development management. 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 director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 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. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make 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.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. 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.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Gary Rice 020 7525 5437

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Kenny Uzodike, Assistant Constitutional Officer Suzan Yildiz, Senior Planning Lawyer	
Version	Final	
Dated	6 November 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		6 November 2012

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Tuesday 11 December 2012

Appl. Type Full Planning Permission
Site 34-36 VERNEY ROAD, LONDON, SE16 3DH

Reg. No. 12-AP-0375
TP No. TP/2354-34
Ward Livesey
Officer Andre Verster

Recommendation GRANT WITH 'GRAMPIAN' CONDITION
Proposal

Item 7.1

Change of use from offices (Class B1) / general industrial (Class B2) / storage or distribution (Class B8) to operations centre for a coach company with parking and storage (Sui Generis) / (Class B1) for up to 20 vehicles and coaches of varying sizes and increase of width of existing crossover.

Appl. Type Full Planning Permission
Site CHARLES DICKENS PRIMARY SCHOOL, LANT STREET, LONDON, SE1 1QP

Reg. No. 12-AP-1547
TP No. TP/1460-B
Ward Cathedrals
Officer Michèle Sterry

Recommendation GRANT PERMISSION
Proposal

Item 7.2

Extension of playground for school to the north of Lant Street and refurbishment of existing playground: comprising hard and soft landscaping with new tree and shrub planting, and timber installations; with new servicing area accessible by vehicles at the eastern end of the site; re-siting of fences within the site; with new gates erected within the site to allow emergency vehicle access.

Appl. Type Full Planning Permission
Site 4-10 LAMB WALK AND 7-9 MOROCCO STREET, LONDON, SE1 3TT

Reg. No. 12-AP-2942
TP No. TP/75-4
Ward Grange
Officer Rachel Gleave

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT
Proposal

Item 7.3

Demolition of the existing buildings and redevelopment to provide 873 sqm (GIA) of flexible commercial floorspace (A1, A2, B1 and D1 Uses) at ground floor, with 29 residential units above, in a part 3 / 4 and 5 storey building, with associated amenity spaces, refuse store, cycle parking for 44 cycles and 2 disabled parking spaces.

Appl. Type Full Planning Permission
Site HILLSIDE, 9 FOUNTAIN DRIVE, LONDON, SE19 1UP

Reg. No. 12-AP-2619
TP No. TP/2092-9
Ward College
Officer Victoria Lewis

Recommendation GRANT PERMISSION
Proposal

Item 7.4

Demolition of existing 2 storey dwelling and erection of 5 x 4-bedroom 3-storey plus basement houses with associated car parking, bin and bicycle storage and landscaped gardens (Use Class C3).

Ordnance Survey

Date 27/11/2012



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Item No.	Classification:	Meeting date:	Meeting Name:
7.1	Open	11 December 2012	Planning Sub-Committee B
Report title:	Development Management planning application: Application 12/AP/0375 for: Full Planning Permission Address: 34-36 VERNEY ROAD, LONDON, SE16 3DH Proposal: Change of use from offices (Class B1) / general industrial (Class B2) / storage or distribution (Class B8) to operations centre for a coach company with parking and storage (Sui Generis) / (Class B1) for up to 20 vehicles and coaches of varying sizes and increase of width of existing crossover.		
Ward(s) or groups affected:	Livesey		
From:	Head of Development Management		
Application Start Date 3 May 2012		Application Expiry Date 10 January 2013	

RECOMMENDATION

- 1 Grant planning permission subject to a Grampian condition.

BACKGROUND INFORMATION

- 2 The application is before Members as it is a major application and thirteen letters of objection have been received.

Site location and description

- 3 The site comprises a tall single storey industrial type building with approximately 850sqm of internal floor space. The site has a total site area of approximately 1500sqm and is located within the Urban Density Zone, the Old Kent Road preferred industrial location, Extended Archaeological Priority Zone and Air Quality Management Area.
- 4 Since submission of the application in March 2012 the use has commenced and as to date neither the Planning Enforcement Team or the Highways Team have received any complaints.

Details of proposal

- 5 The application relates to a change of use from offices (Class B1) / general industrial (Class B2) / storage or distribution (Class B8) to an operations centre for a coach company with parking and storage (Sui Generis) and an associated office (Use Class B1). The existing building would not be altered and has capacity to park up to 20 coaches of varying sizes inside. The coaches were previously stored / parked in a yard at Vauxhall in the London Borough of Lambeth.
- 6 It is also proposed to increase the width of an existing crossover from 6m to 7.5m.
- 7 The 20 vehicles would comprise 5 fifty three seat coaches, 8 thirty three seat coaches

and 7 sixteen seat coaches. The coaches would be tightly parked within the building and will be checked / serviced within the building and accessed by mobile lifts / platforms. A total of 6 off street car parking spaces for use by staff would be provided in the front yard.

- 8 The coaches would be washed down in the yard in front of the building and minor servicing and repairs would be carried out when the coaches are parked inside the building. Deep cleaning would be carried out at a commercial coach wash at Victoria coach station and major servicing would take place on a rotational basis at the premises of independent vehicle repair garages.
- 9 A total of 27 staff would be employed. In addition to 20 drivers, a total of 7 jobs would be created on site comprising 5 office staff and 2 mechanics.

Planning history

- 10 TP2354-34/PS: Planning permission was granted on 20 October 1987 for a change of use of 34-40 Verney Road from light industrial (Use Class B2) to printers (Use Class B2).
- 11 Despite the above approval the applicant states that the site has been used as an archive by the Canadian Imperial Bank of Commerce since 1987. The actual historic use of the site is therefore likely to be storage (Use Class B8).

Planning history of adjoining sites

- 12 32 Verney Road
10-AP-1611: An application for a change of use from a paper recycling centre (sui generis) to Use Class B2 (general industrial) purposes was granted on 1 September 2011. This has been implemented and the site is currently in use as a car repair and maintenance workshop specialising in 'London black cabs' (Use Class B2).
- 13 38-40 Verney Road:
11-AP-2724: Planning permission was granted on 19 January 2012 for a retrospective change of use from a waste paper recycling (Sui Generis) to a waste recycling and recovery facility (Use Class B2). The site is currently still used as such.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

Planning policy

Core Strategy 2011

- 15 Strategic policy 1 (Sustainable development)
Strategic policy 2 (Sustainable transport)
Strategic policy 10 (Jobs and Business)

Strategic policy 13 (High environmental standards)

Southwark Plan 2007 (July) - saved policies

- 16 Policy 1.2 (Strategic and preferred industrial locations)
 Policy 3.1 (Environmental effects)
 Policy 3.2 (Protection of amenity)
 Policy 3.3 (Sustainability Assessments)
 Policy 3.6 (Air quality)
 Policy 3.11 (Efficient use of land)
 Policy 5.2 (Transport impacts)
 Policy 5.3 (Walking and cycling)
 Policy 5.6 (Car parking)
- 17 For 12 months from 27 March 2012 weight can continue to be given to relevant local planning policies adopted in accordance with the Planning and Compulsory Purchase Act 2004, and those in the London Plan, in making decisions on planning applications even if there is a limited degree of conflict with the National Planning Policy Framework (NPPF). The weight given to the saved policies of the Southwark Plan should be according to their degree of consistency with policies in the NPPF.

London Plan 2011

- 18 Policy 2.17 Strategic industrial locations
 Policy 4.4 Managing industrial land and premises
 Policy 5.12 Flood risk management
 Policy 5.21 Contaminated land
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing noise and enhancing soundscapes

National Planning Policy Framework (NPPF)

- 19 Sections:
 1. Building a strong, competitive economy
 4. Promoting sustainable transport
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment

Principle of development

- 20 Saved Policy 1.2 'Strategic and preferred industrial locations' of the Southwark Plan 2007 and Strategic Policy 10 'Jobs and businesses' of the Core Strategy 2011 advises that in these areas planning permission will only be granted for development falling within 'B' use class, and 'Sui Generis' use class industries which are inappropriate in residential areas.
- 21 The use of the site as an operations centre in association with the storage and light maintenance, cleaning and distribution of vehicles would be a Sui Generis use. While on the balance of probabilities the last lawful use of the site is likely to be a B8 use class, the proposed mix of uses (B1 Use Class/Sui Generis) would not conflict with saved Policy 1.2 and Policy 10 and as such the scheme is acceptable in land use terms. The proposal would also bring a site which has been vacant since July 2011 back into use, thereby complying with section 1 'Building a strong competitive economy' of the NPPF in securing economic growth in order to create jobs and prosperity.

Environmental impact assessment

- 22 An Environmental Statement is not required with this application as the development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
- 23 The site does not exceed 0.5ha (being 0.15ha), and therefore is not classified as a Schedule 2 'urban development project'. It is considered 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.
- 24 The site has an established use as offices/general industrial/storage use, and is located outside 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

- 25 Saved Policy 3.2 Protection of Amenity and Strategic Policy 13 High Environmental Standards state that the Council will not allow development where it leads to a loss of amenity for neighbours. The amenity issues arising are considered to be any noise and disturbance in connection with activities arising from vehicles movements and washing of vehicles in the front yard. These issues form the basis of the majority of the letters of objection.
- 26 The proposed use would, in addition to 20 drivers, generate a total of 7 jobs on site comprising 5 office staff and 2 mechanics. The office staff would work between 9am and 5pm Monday to Friday and the mechanics between 8am and 6pm Monday to Friday. In this case it is likely that vehicular movements would be predominantly during weekdays between 7am and 6pm. There is no objection to these hours as a Preferred Industrial Location (PIL) is intended as an area where a business could operate seven days a week without any operating hours restrictions if it wished to do so. It is likely that any noise and disturbance in connection with activities arising from vehicles movements outside of the above hours would be less due to reduced activity on site.
- 27 The coaches would be washed down in the yard in front of the building. The distance between the side elevation and rear garden of No. 12 Ryder Drive and the front boundary of the site is approximately 16m and as there are no windows to this elevation, combined with the potentially limited activity and likely daytime hours of washing down vehicles, it is considered that this aspect of the proposal would not be detrimental to the amenity of residential properties to the north along Ryder Drive.
- 28 As the site forms part of an industrial estate the use would not be detrimental to other similar uses located immediately to the east, west and south.

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

- 29 The site falls within a Preferred Industrial Location where permission is usually only granted for development within the 'B' use class and 'Sui Generis' use class, which are inappropriate in residential areas. Other similar uses are located immediately to the east, west and south and it is not considered that these uses would have a detrimental impact on the proposed use.

Traffic issues

- 30 Strategic Policy 2 Sustainable Transport of the Core Strategy and Saved Policies 5.2 Transport Impacts and 5.3 Walking of the Southwark Plan aim to ensure that developments do not have harmful traffic impacts and make provision for sustainable forms of movement. Section 4 'Promoting sustainable transport' of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 31 The transports impacts that could potentially arise from this development are increased vehicle trips around the site, congestion along Verney Road if coaches park on the street and hazards to road users and pedestrians from widening the existing crossover. Transport issues have been raised in the letters of objection.
- 32 Details of the proposed parking arrangements for 20 coaches inside the existing building is shown on drawing number Pro BP.
- 33 The applicant recently relocated from a depot in Vauxhall where they had 17 vehicles and employed 10 full time and 4 part time drivers. Their office staff comprised 4 members of staff.
- 34 The 10 full time drivers travelled to work using the following modes of transport: 2 by motorcycle, 4 by public transport, 3 by car and 1 by cycle. The 4 part time drivers traveled to work using the following modes of transport: 2 by public transport, 1 by public transport/car and 1 by car. Office staff travelled to work using the following modes of transport: 2 by car share, 1 by car and 1 by public transport. The applicant submitted a plan showing 7 off-street car parking spaces in the front yard.
- 35 The widening of the gate / crossover is to allow easy access and egress to and from the front yard and will lead to reduction of up to 2 on street car parking spaces to the west of the new crossover.
- 36 The applicant states that although the existing building has capacity for more than 20 coaches and thereby the future expansion of the company they have no current plans to expand.
- 37 The applicant states that the coaches are used for pre-booked private hire and that school groups make up a large proportion of the client base.
- 38 The applicant submitted data showing the levels of coach movements for their fleet of 16 vehicles at their previous premises at Vauxhall. Coach movements were at its highest on weekday mornings from 7am onwards and all the coaches returned to the site by 6pm on week days. There were few vehicular movements at weekends. It is estimated that the frequency of coach movements to and from the new site would be similar to the previous pattern as described above and no objection is raised by the Council's transport planning team.
- 39 The applicant states that coach drivers would travel to and from the site by either public transport or private cars. It is not known how many staff would use public transport although it is unlikely to be high given the Public Transport Accessibility Level (PTAL) of the site of 1 (low). The applicant previously needed 7 car parking spaces (at the Vauxhall site). The applicant states that if more than 7 cars are used by staff to travel to work the additional demand can be accommodated either in the front yard or within the garage, as the spaces become available as coaches are removed and cars are parked in unallocated spaces. Despite this arrangements officer consider that, as the site is not located within a controlled parking zone, there is adequate on street parking capacity to accommodate additional on street parking associated with some staff using private vehicles to travel to and from the site.

- 40 The applicant has proposed to increase the existing vehicular crossover from 6m to 7.5m. If the crossover were left at a width of 6m it is likely that transport impacts would arise from coaches manoeuvring in order to leave and enter the site. The wider crossover would facilitate and be adequate to allow the larger 53 seat coaches to enter and leave the site in forward gear without causing traffic congestion along this section of Verney Road.
- 41 Although the wider crossover would result in the loss of up to 2 on street parking spaces it is unlikely to result in undue on street parking pressure along Verney Road. The transport officer did not raise this as an issue.
- 42 A tracking plan which shows the widened site entrance shows that a space of 4.5m to the west needs to be kept clear to allow adequate space for coaches to manoeuvre . This provision will be secured by a legal restriction, double yellow lines, to keep this area clear of parking. The application has agreed to enter into a Section 278 agreement in this regard. This is covered by a Grampian condition.
- 43 Although none of the other sites operating large vehicles in the immediate vicinity have double yellow lines, a number further to the east have white lining and “keep clear” markings.
- 44 Verney Road has traffic restrictions through the residential area approaching Ilderton Road, which includes width restriction pinchpoints and road humps, as well as signage stating “unsuitable for HGVs”. As a result, the coaches all travel to and from the west, to access Rotherhithe New Road. As no coaches will be turning towards the east, these movements are not shown on the tracking plan.
- 45 As the sightlines and visibility splays are as existing there is no objection in respect of highway and pedestrian safety matters. Given the wider pavement on the northern side of Verney Road it is likely that the pedestrian movement on the southern pavement would be less. Given the mixed industrial and residential nature of the area pedestrian movement along Verney Road is much less than roads outside, to the north of the industrial estate.
- 46 The Southwark Plan requires B2 uses to provide 1 cycle parking space per 500m², a minimum of two spaces in this case. There is no specific standard for sui generis uses. However, there is sufficient space on the site for a limited number of stands should this be required.
- 47 In light of the proposed vehicle parking layout within the existing building it is recommended that planning permission be granted subject to a condition ensuring that no more than 6 cars are parked in the front yard to enable the applicant to move coaches into the yard when they are manoeuvring other vehicles / coaches within the building. The front yard is 25m deep and 19m wide and it is considered that if the above condition is adhered to this space would be suitable to ensure that there would be no overspill of coaches onto Verney Road.
- 48 It is concluded that the proposed development would be acceptable in terms of section 4 'Promoting sustainable transport' of the NPPF as the residual cumulative impacts of development would not be severe.

Design issues

- 49 There are no design issues to consider as no external alterations to the existing building are proposed.

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

- 50 There are no listed buildings within the vicinity of the site and the site is not located within a conservation area.

Impact on trees

- 51 None identified.

Planning obligations (S.106 undertaking or agreement)

- 52 None identified.

Sustainable development implications

- 53 As no external alterations are proposed and the proposal is for change of use only, there is no scope to insist that energy efficiency be improved.

The Sustainability Assessment concludes that:

The Transport Assessment summarises that the development fits well within the predominant existing local land uses, with lower trip generation than a light industrial usage of a comparable size.

The environmental effect of noise created by the use of coaches is in context with its 'strategic and preferred industrial location' and the pollution created by the movement of vehicles will not substantiate to a level that is a concern to air quality.

The site will provide 20 jobs and increase employment opportunities in the area.

The proposed development will provide a more efficient use of the site combined with an environmental impact that is less than an equivalent industrial use of its size.

As the completed Sustainability Assessment Checklist (Appendix 1) and the summary points above provide evidence that the proposed use and scale of this development is sustainable it is recommended that in terms of sustainability this development should be granted planning permission.

Other matters

Community Infrastructure Levy (CIL):

- 54 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 55 The previous use of the site ended on 31 July 2011 and as the site has been in use as an operations centre for a coach company with parking and storage (Sui Generis) / (Class B1) since approximately April 2012 the following CIL payment is due as this is an unauthorised use:
- 56 Floorspace of building is 850sqm x £35 per sqm = £29,750.00.

Flood risk:

- 57 The site falls within Flood Zone 3a but is defended to a 1 in 1000 year standard by the Thames Tidal Defences. The proposed development is for a change of use from more vulnerable to less vulnerable.
- 58 Due to the nature of the development it is considered that a flood risk assessment (FRA) is not necessary in this instance.

Environmental issues:

- 59 Environmental issues have been assessed in terms of Strategic Policy 11 Open spaces and wildlife of the Core Strategy, saved Policy 3.28 Biodiversity of the Southwark Plan 2007 and section 11 'Conserving and enhancing the natural environment' of the National Planning Policy Framework 2012.
- 60 The impact on air quality is the main environmental matter that is considered to be a material consideration. This issue has been raised in the letters of objection.
- 61 This site is within an Air Quality Management Area where planning permission is usually granted for development where it would not lead to a reduction in air quality. Although no air quality assessment report has been submitted it is considered that given the industrial nature of the environment and the nature of adjacent sites as a waste recycling and recovery facility and a vehicle repair garage respectively the impact on air quality would be negligible. The Council's Environmental Protection Team did not object to the proposal.

62 Consultation:

Objectors raised concerns about the consultation process, particularly that a property in Ryder Drive received a consultation letter on 25 April 2012. The local planning authority sent consultation letters to neighbouring properties, including some along Ryder Drive, on 27 March 2012 and the 21 day consultation period ended on 19 April 2012. It is not known why delivery of the consultation letter was delayed in this instance.

- 63 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.
- 64 Members should note that this application has been advertised by means of site notice and in the press and consultation by individual letter has been undertaken over an area surrounding the site. As such, officers are satisfied that the type of extent of consultation meets the Council's consultation policy as set out in the Statement of Community Involvement.

Conclusion on planning issues

- 65 The use of the site as an operations centre for a coach company with parking and storage (Sui Generis) and an associated office (Use Class B1) is policy compliant and it is considered that the proposal would not be detrimental to the amenity of adjacent properties. The transports impacts would not lead to an unacceptable level of vehicle trips around the site and as the coach parking and associated vehicular manoeuvring movements would be within the site would not lead to congestion along Verney Road.

Community impact statement

- 66 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 above.

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

Consultations

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

Consultation replies

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

70 Summary of consultation responses

Thirteen letters of objection have been received raising the following concerns:

Environmental:

The ventilation of the exhaust fumes if all 20 coaches start at the same time will have an adverse effect on the air quality.

An environmental assessment would be required.

This development is not in keeping with the local environment and will be hugely disruptive to the dense residential area of Ryder Drive.

Amenity:

Noise and pollution would be detrimental to residential properties to the north of the site.

Potential noise due to unsocial operating times.

Transport issues:

Traffic congestion along Verney Road.

Increased number of vehicles using Verney Road.

Increased parking stress along Verney Road.

The development would impede the flow of traffic on and make the use of Verney road increasingly hazardous.

The company to which this application refers is already conducting works at the site and is using the entire length of Verney road for the use of its vehicles - 3 buses were parked down the other end of Verney road and nowhere near the proposed site. This shows that the impacts of this planning approval would not be limited to the immediate vicinity and disruption would be widespread.

Other matters:

Inadequate consultation.

Human rights implications

- 71 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.
- 72 This application has the legitimate aim of providing a coach company business at this location. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2354-34 Application file: 12/AP/0375 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5457 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Andre Verster, Team Leader (Planning)	
Version	Final	
Dated	17 August 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	29 November 2012	

Consultation undertaken

Site notice date: 15/03/2012

Press notice date: 7/06/2012

Case officer site visit date: 17/04/2012

Neighbour consultation letters sent: 27/03/2012

Internal services consulted:

Transport
Environmental Protection

Statutory and non-statutory organisations consulted:

Environment Agency

Neighbours and local groups consulted:

14 RYDER DRIVE LONDON SE16 3BB

13 RYDER DRIVE LONDON SE16 3BB

12 RYDER DRIVE LONDON SE16 3BB

38-40 VERNEY ROAD LONDON SE16 3DH

34-36 VERNEY ROAD LONDON SE16 3DH

15 RYDER DRIVE LONDON SE16 3BB

11 RYDER DRIVE LONDON SE16 3BB

7 RYDER DRIVE LONDON SE16 3BB

32 VERNEY ROAD LONDON SE16 3DH

ALLARD HOUSE 18 VERNEY ROAD LONDON SE16 3DH

10 RYDER DRIVE LONDON SE16 3BB

9 RYDER DRIVE LONDON SE16 3BB

8 RYDER DRIVE LONDON SE16 3BB

Cabinet Member for Finance, Resources and Community Safety Labour Councillor for Livesey Ward (Councillor Livingstone)

Re-consultation:

N/a

Consultation responses received

Internal services

Transport:

No objection subject to a condition that the front yard be kept clear to ensure that there is space for coaches to manoeuvre into and out of the building.

Environmental Protection:

No objections. However since the operation is within a air quality management area this department would like as an informative for management to ensure that coaches are not left parked outside with their engines running.

Statutory and non-statutory organisations

Environment Agency:

No objection.

Neighbours and local groups

Thirteen letters of objection have been received raising the following concerns:

Proposed use / business:

The introduction of this business is entirely out of keeping with the existing industrial activities that occupy Verney Road, particularly as operations would not be restricted to usual hours of business.

Inadequate Consultation:

A resident at a property in Ryder Drive received the consultation letter nearly 2 weeks after the 12 April 2012 (on 25 April) and states that this was the only notification received to make them aware of the proposed developemnt. Concerns were raised that this has not allowed residents to raise objections within the stipulated time period (21 days).

Environmental Impact Assessment:

The details of the planning application also state that under the heading of "environmental Impact assessment status" that this is "Not required by Regs & nothing submitted". The objector believes that this is incorrect as an environmental assessment would be required due to the close proximity of the site to a dense residential and the inevitable increase in:

- Air pollution
- Noise pollution
- Congestion

- Risk of injury to other road users (pedestrians, cyclists and motor vehicle users)

Environmental:

The ventilation of the exhaust fumes if all 20 coaches start at the same time will have an adverse effect on the air quality.

Amenity:

A dense residential area is located extremely close to the site meaning that the resultant noise and air pollution would have significant negative externalities on a large number of people:

The exhausts generating air pollution could be as close as 5 metres from the open windows of the closest residents, should coaches be manoeuvring or stationary with their engines on at the north side of the road.

Buses/coaches operate outside standard hours and when reversing have a loud & audible warning sound, especially when in close proximity, resulting in disruption to residents with young children (of which there are many in Ryder drive), and other residents' sleeping/relaxation patterns.

It is not clear what the operating hours would be. Generally coach operators operate from all hours of the day to satisfy the demands of customers. If coaches are required to be working in the early hours it would lead to major vehicle movements at unsociable hours due to space issues on the site.

Transport issues:

The proposal would result in a negative impact on health and safety in the area as the large vehicles with significant blind spots could potentially injure all types of road user and pedestrians and Verney Road is a key access road and through-road.

Verney Road is the key access road to Ryder Drive and the surrounding residential area. The congestion caused by large vehicles both parked and manoeuvring on the highway, in addition to the extra vehicles belonging to employees based at the site being parked there, would significantly hamper the free flow and movement of traffic to the detriment of road safety.

Verney Road is not a wide road and with current parking numbers two cars can just pass each other. If coaches are parked on the road only one vehicle will be able to pass at a time. The proposed development would lead to increased parking stress and congestion along Verney Road.

The proposed development would have approximately 25 employees on site. This will mean that more parking would be required for their vehicles. It is a fair walk from the nearest public transport links and it is unlikely that half of the employees would use public transport. As the front yard would be used to manoeuvre coaches into and out of the building staff could not use the yard to park their vehicles.

Twenty coaches will require a lot of parking space and it is likely that coaches would be moved on to Verney Road during the day. This will have a horrendous effect on accessibility on Verney Road.

In the past there have been significant problems resulting from heavy goods vehicles parking along Verney Road, blocking the main route in and out of the Bohamy Estate located to the north of the site. There are concerns that a coach company could create similar problems given the size of the vehicles in question.

The widening of the existing crossover would lead to the loss of one on street car parking space. This would increase on street car parking stress along Verney Road.

Other:

The proposal will reduce the residential property prices in the vicinity for the reasons cited above.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Bliss Transport Ltd	Reg. Number	12/AP/0375
Application Type	Full Planning Permission	Case Number	TP/2354-34
Recommendation	Grant with 'Grampian' Condition		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use from offices (Class B1) / general industrial (Class B2) / storage or distribution (Class B8) to operations centre for a coach company with parking and storage (Sui Generis) / (Class B1) for up to 20 vehicles and coaches of varying sizes and increase of width of existing crossover.

At: 34-36 VERNEY ROAD, LONDON, SE16 3DH

In accordance with application received on 10/02/2012 08:00:37

and Applicant's Drawing Nos. Pro SP, Pro BP, 1-01; b/SLASouthwarkVerney1-01 revB; Design and access statement, Final Transport Assessment 12 July 2012; Sustainability Assessment.

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

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; 2 (Sustainable transport) which seeks to encourage walking, cycling and the use of public transport rather than travel by car; 10 (Jobs and Business) which seeks to protect business floorspace and supports the provision of additional floorspace in defined locations in the borough and 13 (High environmental standards) which requires developments to meet the highest possible environmental standards.

Saved policies of the Southwark Plan 2007

1.2 (Strategic and preferred industrial locations); 3.1 (Environmental effects) seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development; 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity; 3.3 (Sustainability Assessment) protects against the loss of amenity, including disturbance from noise, to present and future occupiers on or in the vicinity of the application site; 3.6 (Air quality) advises that permission will not be granted for development that would lead to a reduction in air quality; 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; 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design; 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 and 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 2.17 Strategic industrial locations
Policy 4.4 Managing industrial land and premises
Policy 5.12 Flood risk management
Policy 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes

National Planning Policy Framework: Sections

1. Building a strong, competitive economy
4. Promoting sustainable transport
10. Meeting the challenge of climate change, flooding and coastal change

11. Conserving and enhancing the natural environment

Particular regard was had to the impact on amenity of neighbouring properties, the transport network and parking along Verney Road that would result from the proposed development but it was considered that the proposal would not be detrimental to the amenity of adjacent properties and that the transports impacts would not lead to an unacceptable level of vehicle trips around the site or congestion along Verney Road. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following conditions:

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

Pro BP, Pro SP, 1-01; b/SLASouthwarkVerney1-01 revB.

Reason:

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

- 2 The front yard shall only be used as a manoeuvring area for coaches and no more than 6 staff or visitors vehicles shall be parked in the front yard at any time and the front yard shall not be used for any other purpose for as long as the development is occupied.

Reason:

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Saved Policies 3.2 Protection of Amenity and 5.2 Transport Impacts of the Southwark Plan, Strategic Policies 2 Sustainable Transport and 13 High Environmental Standards of the Core Strategy 2011 and the National Planning Policy Framework 2012.

- 3 The use shall cease to operate if, after 3 months, double yellow lines have not been painted to secure a space of 4.5m west of the new crossover.

Reason:

To ensure that a space of 4.5m to the west of the crossover hereby approved is kept clear to allow adequate space for coaches to manoeuvre in the front yard in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

Informatives

- 1 This application granted is subject to the Mayoral Community Infrastructure Levy. The Liability Notice issued by Southwark Council will state the chargeable floor space and current rate. The relevant parties will need to submit an Assumption of Liability Notice and a Commencement Notice to Southwark Council prior to Commencement. There are a number of legal requirements for the relevant parties to adhere to. For more information on this see the DCLG website at <http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>
- 2 The site is located within an air quality management area and the applicant should ensure that coaches are not left parked outside with their engines running.

Ordnance Survey

Date 27/11/2012



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Item No.	Classification:	Date:	Meeting Name:
7.2	Open	11 December 2012	Planning Sub-Committee B
Report title:	Development Management planning application: Application 12/AP/1547 for: Full Planning Permission Address: CHARLES DICKENS PRIMARY SCHOOL, LANT STREET, LONDON, SE1 1QP Proposal: Extension of playground for school to the north of Lant Street and refurbishment of existing playground: comprising hard and soft landscaping with new tree and shrub planting, and timber installations; with new servicing area accessible by vehicles at the eastern end of the site; re-siting of fences within the site; with new gates erected within the site to allow emergency vehicle access.		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 22 May 2012		Application Expiry Date 17 July 2012	

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 The site is located to the north of the Charles Dickens Primary School and comprises of a strip of brownfield land and a tarmac area. The site incorporates a section of Lant Street which was closed as part of the extension of the playground accommodation for the school and this has been secured by the implementation of security fencing to the boundaries. A 'stopping up order' for Lant Street has previously been approved as part of the works to extend the playground for the school, which was approved in 2004 and has been implemented (as set out in planning history section of this report). There are existing vehicle access gates on both sides of the site.
- 3 Surrounding the site are predominantly residential dwellings in the form of both houses and flats, in the wider area there are also commercial uses. The area is not situated within a conservation area nor are there any adjacent listed buildings. The application site falls within the Central Activities Zone, Air Quality Management Area, Archaeological Priority Zone, Bankside and Borough Town Centre and Opportunity Area.

Details of proposal

- 4 The application is for the provision of additional outside play facilities for the school

which comprise of the brownfield site and tarmac area being divided into three areas.

- 5 The first area provides a garden space with play decks, that can be used for seating, performances and informal play area. Moveable powder coated steel planters will also be used to provide a green playable courtyard space. Each deck measures 1.2 metres by 2.4 metres with a variable height from .2 metres to .6 metres. The Planters will measure 1.2 metres by .6 metres with a height of .6 metres with a watering system and provision of drought tolerant planting. A play area covered in 'Kushionfall' is provided, a recycled shredded wood product, with the outer area having an open grade tarmac surface
- 6 The second area extends the existing tarmac area to create a small sports area for football and netball. The school, according to their planning agent, has a severe lack of large open flat space for sports activities, a situation which they state this scheme would help to remedy. The area will be marked out for the sports and will have a moveable netball post and football goal. The third area is to be used to improve service access for deliveries so that they can park off-street. There is an existing vehicle gate to this area.
- 7 In respect to the enclosure of the areas, the garden space will be separated from the sports area by a 0.9 metre high timber fence, partly created from relocating the existing fence around the year 1 outdoor space. New 3.7 metre wide gates instead of the existing solid barrier are proposed to allow access to the playground for the rest of the school during play time and also to provide fire engine access to the School House. Other equipment comprises of playhouses which can be accessed by year one children with the higher deck and access of 1.2 metres high, only being accessed by older children during playtime. Seating and low rise decking is provided across the site, along with planting areas.
- 8 The existing cherry trees will be provided with tree seats around them in timber to match the style of the existing boundary treatment around the year one outdoor space.
- 9 The existing eco garden will have its fence removed to connect it with the rest of the playground. Low rise planters of oak sleepers will be provided around the edge of the garden, consisting of fruit trees underplanted with strawberries. A long bed with a pictorial meadow mix sown in it, is also provided. The existing 2.1 high weld mesh fence around the eco garden is to be relocated to form the boundary of the service area. This is screened by shrub planting which will provide part of the rain water attenuation/infiltration system .
- 10 This proposal does not involve the closure of Lant Street nor call into question the ability to re-visit this matter, as closure was previously approved in 2004 (04-CO-0151) and has already been implemented.
- 11 Discussions have taken place with the applicants about the potential to provide a footpath within the proposal. It was identified that possibly a footpath could be provided on the north boundary of the site. The applicants produced a statement to emphasise that they had considered carefully the provision of a footpath but could not consider it as a feasible option for the following reasons:-
 - The footpath would have a serious and adverse impact on teaching, learning, safeguarding and sports provision at the school, if a potentially dangerous and insecure alleyway were to be created along the northern edge of the Lant Street site.
 - An urgent need for increased play and learning space for the children has been stated by Ofsted several times.
 - Nearly all the children live in flats, have no garden or access to a productive garden, orchard or greenhouse.

- Current space is a safe and relaxing refuge for their children, parents encouraged to spend time with their children in the garden after school.
- In order to fit in all the elements approved in the 2006 change of use the school needs a secure boundary to be able to use all the outside space.
- Proposal would increase amount of space per child from 3 to 6 sqm which is an improvement on existing but is still less than the 12 sq m which is the normally guideline requirement for inner city schools.
- This amount would fall further if a footpath were provided.
- A footpath would need to be 2.5 metres wide for pushchairs to pass, and as such take up more than 16% of the available site.
- When the development is complete the site will be open plan to allow varied opportunities including team sports, multi use games area which requires the whole of the north area.
- Benefits of the open space include developing the children's gross motor skills, balance equipment, adequate space to run safely and use scooters and bikes etc.
- Concerns that teachers time will be taken up by supervising an external boundary with a public alleyway rather than focus on teaching.
- Need for children to be independent and responsibility to play unsupervised.
- Current inability to offer the best provision in all areas given the limited availability to conduct PE lessons. Mint Street Park provision poor.
- Emphasise improving sporting opportunities and creating an Olympic legacy
- Trying to complete the site for 2 years feels that it benefits everybody to see a purposeful and fully used site as soon as possible.
- That there would be a limited benefit to the local community of a pedestrian alleyway, with only minimally reduced walking times and no loss of amenity, but with very real adverse impact to security for both the school and the wider community.

Planning history of the Site and the adjoining school

- 12 02-CO-2124 – Planning permission granted for the installation of photovoltaic (solar) panels and ancillary equipment on school roof.
- 13 04-CO-0015 – Planning permission refused for closure of part of Lant Street and use of the former highway land and adjoining land on north side of Lant Street as a playground, multi use game area and garden for the school together with the erection of boundary fencing.
Reason for Refusal:
The proposed playground extension would be reason of its need to permanently close Lant Street preventing through traffic from accessing Southward Bridge Road or Borough High Street via Lant Street fail to give priority to improve safety conditions for essential traffic contrary to Southwark's Unitary Development Plan [July 1995].
- 14 04-CO-0151 – Planning permission granted for change of use of part of Lant Street to provide a nursery playground, a multi use games area and garden for primary school. (Traffic Assessment submitted with application detailing that there would be no material impact upon the traffic movements on the local highway and of those pedestrian trips that would be diverted, the walking distances would increase only slightly. The council as Highway Authority, and Transport for London, had no objections to the proposal.)
- 15 07-AP-2740 – Planning permission granted for removal of existing external entrance stair and refurbishment of the existing building and new build extension to create a new accessible welcome and reception area, a new teaching space with roof deck and

an external teaching terrace. Changes to pedestrian and vehicular access.

- 16 08-CO-0021 – Planning permission granted for construction of a new single storey “eco canopy” shelter, perimeter fencing and creation of garden on western part of site.
- 17 09-AP-0172 – Approval of Details – Detailed drawings of landscaping scheme as required by condition 2 of planning permission dated 21-05-2008 LBS Reg. 08-CO-0021 for construction of a new single storey “eco canopy” shelter, perimeter fencing and creation of garden on western part of site. (Subsequently withdrawn)
- 18 09-AP-0171 – Approval of Details – Detail of the Eco Canopy shelter and associated garden as required by condition 3 of planning permission dated 21-05-2008 LBS Reg. 08-CO-0021 for construction of a new single storey “eco canopy” shelter, perimeter fencing and creation of garden on western part of site. (Subsequently withdrawn)

Planning history of adjoining sites

- 19 23 Lant Street
02-AP-1231 - Planning permission dated 29.10. 2002 for the erection of a six storey residential development to form 6, 2 bedroom units.
- 20 Land bounded by Lant Street, Sanctuary Street, Weller Street and Peabody Estate
00-AP-1820 - Planning permission dated 8.1.2003 fro the erection of 3, five storey blocks comprising of 55, one bedroom, 36, two bedroom and 3, three bedroom units.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 21 The main issues to be considered in respect of this application are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
 - b] the design of the proposal;
 - c] the impact upon the amenity of adjoining occupiers;

Planning policy

- 22 Local Development Framework 2011
- Central Activities Zone
 - Air Quality Management Area
 - Archaeological Priority Zone
 - Bankside and Borough Town Centre and Opportunity Area

Core Strategy 2011

- 23 Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Strategic transport
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 24 Policy 3.2 Protection of amenity
Policy 3.12 Quality in design
Policy 3.13 Urban design

London Plan 2011

- 25 Policy 3.6 Children and young people's play and informal recreation facilities
Policy 7.5 Public Realm

National Planning Policy Framework (NPPF)

- 26 The NPPF is a material planning consideration. The sections relevant to the consideration of this application are
- 7. Requiring good design.
 - 8. Promoting healthy communities

Principle of development

- 27 In principle there is no objection to the development which seeks to improve the play facilities provided at the school, by fitting out the playground area in line with the previous approval for the change of use. The scheme would accord with development plan and National Planning Policy Framework policies and guidance in relation to healthy communities and in relation to enhancement to educational facilities and children's play. This proposal does not include the road closure; this has already been approved and implemented.

Environmental impact assessment

- 28 Not required due to the small scale of the development.

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

- 29 It is not considered that the use of the playground during normal school hours will affect the amenity of adjoining occupiers. The proposal does not include lighting and therefore could not reasonably be used outside daylight hours. A condition has been requested by the Environmental Protection Team to the effect that the play area is only used during school hours and/or during daylight hours. The older children will also only have access to it during playtimes. The tallest deck area is 1.2 metres and it is not considered that this will result in overlooking to adjoining occupiers or loss of sunlight or daylight.

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

- 30 While the area is predominantly residential, the users of the proposed scheme will not be affected by adjoining users or occupiers.

Traffic issues

- 31 Existing gates are to remain but a new internal double gate is proposed for access to the play area by the older children and to provide an access point for a fire engine. An

area with an existing vehicle gate is to be formalised as a parking area for service vehicles and it is considered that as it is at the end of the 'no through road' it will not give rise to any harm in relation to traffic impacts. The scheme is also considered to be beneficial in relation to provision for servicing vehicles to be parked off the public highway.

Design issues

- 32 It is considered that the appearance of the proposed landscaping being constructed mainly of timber but with some metal planters, would enhance the appearance of the area, as would the provision of planting.

Impact on trees

- 33 The existing cherry trees are to be retained and seating supplied around them which would not result in harm to the trees. New small ornamental trees and fruit trees are proposed.

Planning obligations (S.106 undertaking or agreement) and CILL Liability

- 34 None required due to the scale of the development.

Sustainable development implications

- 35 The proposal has taken into account this issue by the use of sustainable materials and by providing a rain water attenuation/infiltration system.

Other matters

Archaeology

- 36 The application will have no impact upon significant archaeological remains.

Concerns raised about lack of consultation

- 37 Residents in Bittern House, Bittern Street have objected to lack of consultation. In the case of minor applications, such as the application proposal, adjoining properties are consulted. As this proposal may give rise to additional noise from the playground properties adjoining and across the road from the application site were notified. Bittern Court is over 100 metres away from the application site. Site notices were displayed at both ends of the site. There has been a representation received that letters were not sent to all the addresses on the consultation list, 284 letters in total. The council's records indicate that the letters were despatched, and there have been no objections received from those residents on the consultation list that they had not received a letter.

Road Closure

- 38 The road closure in Lant Street has previously been approved and implemented and does not form part of this application.

Conclusion on planning issues

- 39 The proposal will provide much needed outdoor play area for the children and in planning terms will not impact on the amenity of neighbouring properties, will provide a new 'greener environment' and improve the appearance of the area. The proposal will also have the benefit of allowing the school to be serviced from an off road space

rather than the public highway. Therefore planning permission is recommended, subject to conditions.

Community impact statement

- 40 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.
- 41 The proposal provides additional play space for the Charles Dickens School which is currently below the normal guideline of 12 square metres per child, but the proposal will only increase this by 3 to 6 sqm and therefore even with the use of the whole area available the outdoor space is still below the normal guidelines for outdoor space. The provision of the suggested footpath for residents would not only reduce the 6 metres area available per child but would also impact on the existing productive orchard, garden and greenhouse. Furthermore it would reduce the site area by 16% and the school and local residents have sited the problems with providing a narrow isolated pathway that snakes around the back of buildings as not being attractive to use by pedestrians with little surveillance the path would be little used.
- 42 However, residents in Lant House, Redman House, Trundle House and Bittern Street consider that there should be a footpath around the school playground so residents can once again walk from one end of Lant Street to the other. However, a Traffic Assessment submitted with the 2004 application for the closure of Lant Street and the provision of additional play space for the school stated that there would have no material impact upon the traffic movements on the local highway and of those pedestrian trips that would be diverted, the walking distances would increase only slightly. The council as Highway Authority, and Transport for London, had no objections to the proposed closure of Lant Street. Members' of the Borough and Bankside Community Council Planning meeting at that time considered that while the proposal would disadvantage some elements of the community that on balance the school needed the additional land to provide better outdoor playspace for the children. While officers have investigated with the school the possibility of the provision of a footpath around the north side of the school to improve access for the mobility impaired, it is considered that the footpath may be little used, particularly in the evening, without any natural surveillance while depriving children of an increased playspace in an area of mainly flatted properties with little private playspace. Therefore, on balance the proposal is considered to be acceptable as submitted.
- 43
- 44 Conditions are recommended to safeguard local residents from additional noise and disturbance that may be caused by the provision of the additional equipment in the playground by restricting the hours of use in the evening and at weekends.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 47 Objections have been raised by residents of Bittern House, Bittern Street and one resident of Redman House Lant Street on the following grounds
- 48 Proposal will result in the access along Lant Street not being re-instated, resulting in the elderly, people with mobility issues, children and their parents having to use busy main roads which in wintry conditions can be dangerous. An elderly resident not being easily able to visit friends in Lant Street after it was abruptly closed without consultation. Lack of consultation on this application and letters not being sent.

Human rights implications

- 49 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.
- 50 This application has the legitimate aim of providing an outdoor play area for a school. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1460-B Application file: 12/AP/1547 Southward Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5453 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Michèle Sterry, Team Leader (Planning)	
Version	Final	
Dated	22 November 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	29 November 2012	

Consultation undertaken

Site notice date: 6 June 2012

Press notice date: N/A

Case officer site visit date: 6 June 2012

Neighbour consultation letters sent: 1 June 2012

Internal services consulted:

Transport Team
 Archaeology
 Arboriculturalist
 Environmental Protection Team
 Childrens Services

Statutory and non-statutory organisations consulted:

Metropolitan Police

Neighbours and local groups consulted:

FLATS 1-10 56A LANT STREET LONDON SE1 1RD
 FLATS 1-33 56 LANT STREET LONDON SE1 1RE
 UNIT 2A SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ
 UNIT 1A SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ
 FIRST FLOOR 133-135 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 5A SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ
 UNIT 1B SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ
 UNIT 4B SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ
 THIRD FLOOR 133-135 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 3A SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ
 UNIT 4A SIGNAL HOUSE 137A GREAT SUFFOLK STREET LONDON SE1 1PZ

UNITS 1-6 52 LANT STREET LONDON SE1 1QP
 FLATS 1-19 54 LANT STREET LONDON SE1 1RF
 133-135 GREAT SUFFOLK STREET LONDON SE1 1PP
 FLATS 1-49 LANT HOUSE LANT ESTATE LANT STREET LONDON SE1 1PJ
 FLAT 1-9 TRUNDLE HOUSE LANT ESTATE TRUNDLE STREET LONDON SE1 1QS
 UNIT 1 SUFFOLK HOUSE 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 3 SUFFOLK HOUSE 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 2 SUFFOLK HOUSE 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 5 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 6 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 9 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 FLAT 39A LANT HOUSE LANT ESTATE LANT STREET LONDON SE1 1PJ
 UNIT 4 SUFFOLK HOUSE 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 8 SUFFOLK HOUSE 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT 7 SUFFOLK HOUSE 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP

131 GREAT SUFFOLK STREET LONDON SE1 1PP
 FLAT 1-47 4 SANCTUARY STREET LONDON SE1 1EA
 1-12 GAITSKELL WAY LONDON SE1 1EF
 1 - 33 ISAAC WAY LONDON SE1 1EE
 UNIT C 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT D SECOND FLOOR 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT A 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 UNIT B 127-129 GREAT SUFFOLK STREET LONDON SE1 1PP
 FLATS 1-25 SIGNAL HOUSE 137 GREAT SUFFOLK STREET LONDON SE1 1PZ

FLATS 1-6 54 LANT STREET LONDON SE1 1RF
FLATS 1-6 2 WELLER STREET LONDON SE1 1QZ

Re-consultation:

N/A

Consultation responses received

Internal services

Archaeologist - The application will have no impact upon significant archaeological remains, therefore no archaeological response is necessary.

Arboriculturalist - Standard tree protection and landscaping conditions are required.

Environmental Protection Team -

The new MUGA would appear to be for 'primary' use only as it does not appear to have substantial ball retention fencing; therefore I have no issues.

The application has not been completed in respect of times of use; if this is to be limited to schools times + daylight summer use I have no issues in respect of people noise.

Condition required in respect to land contamination.

Transport Team - No objection.

Statutory and non-statutory organisations

None

Neighbours and local groups

Objections to the proposal

Lant and Bittern Tenants' and Residents' Association

This TRA represents over 200 households (in Lant House, Redmond House, Trundle House, and Bittern House) who have been impacted by the full closure of Lant Street,

The committee objects to this proposal on the grounds that once again no pathway allowing pedestrians to walk from one end of Lant Street to another is included. In general residents are not opposed to the closure of Lant Street to traffic and the opportunity this gives the School to provide larger and improved facilities for children, however residents also want to retain some form of pedestrian access along Lant Street. Residents now have to make a substantial detour to visit neighbours, amenities and businesses at the other end of the street - this inconvenience has been imposed upon the community without proper consultation.

In their own campaign the School is using highly emotive and misleading language - local residents are not asking for 'access though the school'. All we request is reinstatement of pedestrian access along Lant Street - something which the community has enjoyed for over 200 years. One option could be a pathway around the perimeter of the playground - there is a local example of this by Disney Place where a pedestrian route has been incorporated between a high brick wall and school playground.

On behalf of its members the Committee therefore requests that Southwark Planning reconsider the application in view to incorporating a pedestrian route for the benefit of local residents, amenities and businesses.

Occupier of **46, Lant House Lant Street** objects on the following grounds:-

I object to the lack of public access to this new green space which was originally supposed to be provided when the closure of Lant Street was first proposed.

Resident at **6 Bittern House, Bitterns Street** objects on the following grounds

It is with regret that I have concerns as to the application, and process with which the planning application has been executed.

Quite a number of households have received NO formal notification of this application, local residents of BITTERN HOUSE, LANT HOUSE and REDMAN HOUSE.

Whilst the distribution list on the website indicates notice had gone out, a quick survey of persons at these house addresses can confirm that they did not receive the notices of the planning permission. This is not an isolated incident (that notice was reported to have been given, yet a 'mix up' within the notification department(s) within Southwark have failed to actually post notices..... That aside

Attached are 3 objections to the planning permission application 12/AP/1547, from residents who cannot or do not have access to the internet at this time.

I also submit objections (making this a 4th) to the planning permission 12/AP/1547 - Charles Dickens School proposals

I share the same concerns that this recent application is harmful to the well being of the community, school patrons, persons with mobility / disabilities and the elderly.

For a number of years now, the arguments on access around the perimeter of the Charles Dickens grounds have been ongoing with the local residents, community, Tenants and Resident's associations. From the dubious way which initial permission to 'absorb' the roadway adjacent to the school, despite objections, 'no further concerns' decision granted the school the grounds, whilst this has been granted, planning to work on a 'walkway or access route' whilst maximising the land space of the school and activity area, in a safe compromise for all concerned.

I have been in the meetings with the schools board of directors, local community and councillors to find a way forward.

This application seems to negate all of this work, and WILL cause a detrimental effect on the local area and community.

Witnessing children and mothers slipping on iced pathways and falling into the roadside along "Marshalsea road" and "Great Suffolk Street" is of grave concern to all. This is not to mention the current "detour" which diverts persons close to "Mint Street Park" which has had serious incidents recently of assault.

There are many elderly and less bodied people living around the area, and this closure means they struggle to access Borough High Street, with its many bus routes, tube stations and shops.

In winter, with icy weather local roads and pavements can become treacherous for children, elderly and people with mobility problems, so the closure of Lant Street means detouring around main roads (Marshalsea Road and Great Suffolk Street), which in wintry conditions can be dangerous.

The school initially engaged with the local community, with a view to creating pedestrian access around the perimeter, however this latest planning permission prevents the local

community from negotiating a way forward which benefits both the school and the community.

Occupier of **8 Bittern House Bittern Street** objects on the following grounds:-

Not informed in writing as is the usual procedure with planning permission in the local area.

There have been talks with the school that a pathway around the edge of the grounds would be beneficial to the community including persons with mobility problems, school children and elderly.

These proposed plans appear to stop this access (around the edge of the old Lant Street) from happening in the future, which would divert children, less able people around to the main and busy roads.

This can be very dangerous in slippery or icy weather, I feel more discussion is needed to go forward.

Occupier of **13 Bittern House Bittern Street** objects on the following grounds:-

Having read the proposal, it appears that the hard and soft landscaping will completely cut off future development in partnership between the local community and the school for allowing safe and easy access to the local area's.

My concern is not only for elderly members of the community who have lived on this estate for years, but those with mobility problems, and also younger children (and parents) who are currently forced to walk along busy main roads, which are treacherous in bad weather conditions, snow and ice. Elderly and Children should not have to walk or slip into main roads at these times.

The elderly need a safe and direct route between Bittern/Lant houses and Redman house which leads to local shopping.

I would like this matter to have further discussion.

I would also add that I've received no formal information on these proposals through the post. This is wrong.

Occupiers of **16 Bittern House Bittern Street** object on the following grounds

Not informed in writing, only from neighbours, there aren't notices on local lamp posts as is normal.

The permission grants soft and hard landscaping and new gates which would appear to block of any future plans of allowing pedestrian access for the local community, school children, pram access and elderly.

This raises a number of issues that effect safety, access, especially in bad weather conditions taking account of busy main roads.

I feel more discussion is needed for a better proposal, as these current ones will have a negative impact on the immediate, local area, community and residents.

Occupier of **22 Redman House Lant Street** objects on the following grounds:-

As an elderly resident of Lant Street, through access was abruptly stopped and cut off without warning and this has made it difficult for me to visit friends at the other end of my street. I now have to take a different route, which causes discomfort.

As a resident I was not consulted before Lant Street was closed off, nor was I consulted about plans of Charles Dickens School to make this closure permanent.

I feel further consultation and discussion needs to take place with local residents before a main road is closed as the closure has made it very difficult for local residents.

Occupier of **8 Sudrey Street** objects and requests that a public thoroughfare between both halves of Lant Street can be added to the design.

Occupier in Isaac **Way** objects as they consider they have been left off the consultation list and is affected by the closure and noise from the school. it would be better to re-open the public right of way that this road has been subject to, for many [hundreds of years].

Believes the children already have a large play area in the school, but that they only have to walk to Mint Street Park for a large grass area.

The occupiers flat directly overlooks the blocked off Lant Street and even with double glazing the screaming from the teachers [often worse than the kids] is a nightmare if I have worked overnight and need to sleep in the mornings or indeed any time Mondays to Fridays. School caretaker appears to be doing a lot of odd jobs at the moment waking us up by 7am last Saturday with banging. If the school get a further permission for work on the road the noise will be unacceptable, as it was when they dug up the tarmac and reinforced the closed gates in Lant Street, a while ago. The flat has no other windows or view, apart from to overlook this area, I have no escape nor peace in my own house.

Letters of support

35 e-mails of support have been received from **parents/grandparents whose children/grandchildren attend the school and local residents** on the following grounds:-

Children of the school will benefit from a bigger area for sports and outside activities, at the moment they walk to Mint Street Park which eats into their precious PE time, dog owners do not clear up after their pets in the park, higher risk being exposed to traffic. Being an open space it is not possible to do games there. Walking to Mint Street is hazardous with narrow pavements and cars and vans often take the corners too fast and very close to the pavement with no regard to pedestrians, particularly young ones, who are more likely to appear out of nowhere.

The extension to the playground cannot possibly be significant for anyone except the children of the school. It is ridiculous that they have to trek, along a road that is used as a rat run by local traffic, to a local park instead of using facilities within the school.

Concerns about the lack of provision of sports activities, one local parent had considered moving out of the area they love for this reason. Following on from the Olympics and Paralympic Games in London, the children have acquired a greater interest in sport. A parent believes that it will boost the children's moral in developing early interest in sports.

I'm a new mum and whilst my daughter is not old enough to go to school she is interested in any initiative which helps make schools more child friendly. Too many young families are moving away because of lack of facilities and perceived 'good' schools.

Charles Dickens is a great school doing a fantastic area, only area of concern is the lack of exercise classes which has been attributed to not having a dedicated PE ground. I cannot see what can take priority to this. I am a local resident and would never object to anything that is for the greater good. Building schools, emergency services is an entirely

different thing to building bars and restaurants, more luxury flats or offices.

The area has been in limbo and the children should be able to take advantage of this space without delay.

Borough Babies (an online forum of parents and carers in SE1) support the proposal for the following reasons

- Borough is an amazing community which would be even better if more family friendly. This means our Council investing in schools which can offer the best possible education and give young children opportunities they do not get at home ie access to safe outside educational space that most of them do not get either at home or even at many local parks, free from traffic dangers, in which they can learn and experience the world freely.
- All local parents would have grave concerns how children will be safeguarded if public access through Charles Dickens school is allowed. The closure of Lant Street means only a slightly longer journey from one end of the street to the other, via Marshalsea Road, and we consider the greater benefit to the community as a whole to be in the best possible learning environment for the children of our community.
- Further, we would say to the Councillors who have called this scheme into committee that we from discussion on the Forum that there are many local voters who are in favour of this scheme. Too often, it is only those who object whose voices are heard. To convince local families that you have their best interest at heart, please approve this scheme immediately and do not create further delay.

Cathedral School Parent Forum - supports the proposal as it will greatly enhance local children's opportunity and exposure to ecological, natural and environmental issues, provide much needed open space for physical activity and improve sporting provision for local children in our borough where it is greatly needed.

Occupier of 5 La Gare 53 Surrey Row supports the proposal on the following grounds:-

- A pedestrian footpath would not benefit anyone, it is true of course that it was once a fully functioning street, but it is now a much used space for a truly magnificent school.
- A pedestrian path would compromise the use and security of school children and their activities. This is nothing to do with their being a dividing fence but more to do with the presence of adults along the perimeter making the job of security all the harder for no apparent gain. If the fence is solid then it makes the path more isolated and dangerous to use.
- Due to a lack of surveillance, the path would be very unsuccessful and unpleasant. One kind of space which is negative in the heart of urban areas is pedestrian pathways that snake their way through the backs of buildings. They may be used if people feel confident to walk down them but the vast majority of the time they are underused because people feel insecure. That in turn adds to the lack of use in a downward spiral which encourages those who are seeking isolated spaces to do what ever it is they cannot do in more active public places. As I'm sure you are aware, the Police have warned against this very path in this location and seems to have been ignored. Added to that it will take up an immense amount of space that the school could use to great effect being hemmed in by recent medium rise apartments.

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.

Applicant	Mrs T. Dequincey Charles Dickens Primary School	Reg. Number	12/AP/1547
Application Type	Full Planning Permission	Case Number	TP/1460-B
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Extension of playground for school to the north of Lant Street and refurbishment of existing playground: comprising hard and soft landscaping with new tree and shrub planting, and timber installations; with new servicing area accessible by vehicles at the eastern end of the site; re-siting of fences within the site; with new gates erected within the site to allow emergency vehicle access.

At: CHARLES DICKENS PRIMARY SCHOOL, LANT STREET, LONDON, SE1 1QP

In accordance with application received on 14/05/2012 08:02:21

and Applicant's Drawing Nos. 400-97-S01, 400-97-L01, 400-97-L02A and Design and Access Statement

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 12 - Design and conservation states that development will 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.

Strategic Policy 13 - High environmental standards states that 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.

Saved policies of the Southwark Plan 2007

Policy 3.2 - Protection of amenity - seeks to protect and enhance amenity standards throughout the borough.

Policy 3.12 - Quality in Design - promoted good design for all developments.

Policy 3.13 - Urban design - seeks to secure a high standard of urban design from all developments.

Policies of the London Plan 2011

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 7.5 Public Realm

National Planning Policy Framework [NPPF] 2012

Section 7. Requiring good design.

Section 8. Promoting healthy communities

The proposal will provide much needed outdoor play area for the school children and in planning terms will not impact on the amenity of neighbouring properties, will provide a new 'greener environment' and improve the appearance of the area. The proposal will also have the benefit of allowing the school to be serviced from an off road space rather than the public highway. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance. The local planning authority delivered the decision in a timely manner

Subject to the following conditions

:

- 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: 400-97-L02A

Reason:

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

- 3 The landscaping and planting shown on the drawings hereby approved (400-97-L02A) shall be carried out in the first appropriate planting season following the completion of the building works. Any trees or shrubs that is found to be dead, dying, severely damaged or diseased within two years of the completion of the works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason:

To ensure that the details of the scheme are in accordance with Strategic Policy 12 - Design and conservation and Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

- 4 An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site, and shall be submitted to and approved in writing by the Local Planning Authority, prior to works commencing. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced.

The report of the findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

The report shall be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and Saved Policy 3.1 Environmental effects of the Southwark Plan 2007.

Agenda Item 7.3

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Document Ref: 1001-0012
 1/1 Planning application

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Site Plan
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September 12
0483 001 P2

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Item No.	Classification:	Date:	Meeting Name:
7.3	Open	11 December 2012	Planning Sub-Committee B
Report title:	Development Management planning application: Application 12/AP/2942 for: Full Planning Permission Address: 4-10 LAMB WALK AND 7-9 MOROCCO STREET, LONDON, SE1 3TT Proposal: Demolition of the existing buildings and redevelopment to provide 873 sqm (GIA) of flexible commercial floorspace (A1, A2, B1 and D1 Uses) at ground floor, with 29 residential units above, in a part 3 / 4 and 5 storey building, with associated amenity spaces, refuse store, cycle parking for 44 cycles and 2 disabled parking spaces.		
Ward(s) or groups affected:	Grange		
From:	Head of Development Management		
Application Start Date 28 September 2012		Application Expiry Date 28 December 2012	

RECOMMENDATIONS

- 1 That planning permission is granted subject to conditions and the applicant entering into a legal agreement.
- 2 In the event that the legal agreement is not entered into by 21st December 2012 then the Head of Development Control be authorised to refuse planning permission for the reasons set out in paragraph 93 of this report.

BACKGROUND INFORMATION

3 Site location and description

The application site is located on the corner of Lamb Walk and Morocco Street. It forms the south west corner of a triangular 'island' bounded by Bermondsey Street, Morocco Street and Lamb Walk. The Bermondsey Street Conservation Area includes the surrounding buildings that are located in the remainder of this 'island' area, including buildings to which the application site and buildings are attached. The application site itself however is outside of the conservation area. The buildings currently existing on the application site are single and two storeys in height.

- 4 Surrounding the site there are buildings that range between 2 and 4 storeys in height, with some buildings rising above this, but usually using set back areas or pitched roofs to accommodate this additional height. A number of fine buildings appear in the surrounding area, many representing the historical grain of the area, reminiscent of its previous industrial character, mainly represented as converted warehouses. The corner of Bermondsey Street and Morocco Walk has a particularly fine warehouse building that dominates the corner, and listed buildings are found at 124 – 130 & 132

Bermondsey Street and 2 – 4 Leathermarket Street close to the site.

- 5 The existing buildings on the site total 1,371sqm in area, and are in use as a rehearsal studio with storage space, canteen, recording studio and offices associated with the music industry and audio hire company. This existing use has been established through a Certificate of Lawfulness of Existing Use planning reference 12-AP-1236 as being sui generis (that is, not within any of the use classes defined in the Use Class Order).

Details of proposal

- 6 The application proposes the demolition of existing buildings on the site and construction of a mixed use development with 873sqm of commercial floorspace at ground floor, and 29 residential units over first to fourth floors in a maximum 5 storey building. The building is proposed to be four storeys with set back fifth storey onto the corner for Morocco Street and Lamb Walk, stepping down to four storeys and then three storeys as it continues along Lamb Walk towards Bermondsey Street.
- 7 The proposed building has a maximum height of 15.85m at fifth storey, and this storey is largely set back over 2m from the street edge, with a maximum height onto the street of 13.9m (4 storeys), before stepping down to 10.4m (3 storeys) at the point closest to Bermondsey Street on the eastern boundary.
- 8 At ground floor level there are 4 separate commercial units proposed, with the intention that these have a flexible range of uses permitted, allowing operation of class A1 (shops / retail), A2 (financial or professional services), B1 (office) and D1 (non-residential institutional) uses across these units. A substation, cycle store and refuse stores for both the residential and commercial uses are also proposed at ground floor level. In addition to this 2 disabled parking bays are also included and accessed from Lamb Walk.
- 9 The entrance to the proposed residential units is also located on the ground floor and accessed from Lamb Walk. There are 29 residential units proposed over first to fourth floors. At first floor level a podium courtyard space forms the communal amenity area for the residential units. The podium is located over the commercial units, and rooflights are included to allow the rear of the commercial units access to natural light. Each residential unit is also provided with a private balcony space, generally located onto the Lamb Walk and Morocco Street frontages. The proposed residential units that are located on Lamb Walk towards the eastern end of the site are accessed via an external walkway, located to the rear of the building.
- 10 The proposed residential units are described in the following table.

Table 1: Schedule of Accommodation

Unit No.	No. bedrooms & Tenure	Living space (sqm)	Bedroom 1 (sqm)	Bedroom 2 (sqm)	Bedroom 3 (sqm)	Total floor area (sqm)	Amenity Space (sqm)
1st Floor							
1	Intermediate 3 bed	31.1	12.1	7.2	7	78.6	14.2
2	Intermediate 1 bed	24.5	12.3	-	-	50.2	4.3
3	Intermediate 2 bed [w]	28.4	15.2	9.9	-	75.8	7.1
4	Intermediate 1 bed	24.8	13.3	-	-	52.9	3.6

5	Intermediate 2 bed	27.6	12	12	-	71.9	4.3
6	Intermediate 2 bed	27.6	12	12	-	71.9	4.3
7	Intermediate 2 bed	27.6	12	12	-	71.9	4.3
8	Intermediate 2 bed	27.6	12	12	-	72	4.3
9	Intermediate 1 bed	24	12	-	-	52.7	13.4
2 nd Floor							
1	Private 3 bed	31.1	12.1	7.2	7	78.6	10.1
2	Private 1 bed	24.5	12.3	-	-	50.2	4.3
3	Private 2 bed [w]	28.4	15.2	9.9	-	75.8	7.1
4	Private 1 bed	24.8	13.3	-	-	52.9	3.6
5	Private 2 bed	27.6	12	12	-	71.9	4.3
6	Private 2 bed	27.6	12	12	-	71.9	4.3
7	Private 2 bed	27.6	12	12	-	71.9	4.3
8	Private 2 bed	27.6	12	12	-	72	4.3
9	Private 1 bed	24	12	-	-	52.7	3.7
3 rd Floor							
1	Private 2 bed	28.5	12.7	12.1	-	78.6	0.0
2	Private 1 bed	24.5	12.3	-	-	50.2	4.2
3	Private 2 bed [w]	28.4	13.3	-	-	75.8	7.1
4	Private 1 bed	24.8	13.3	-	-	52.9	3.6
5	Private 2 bed	27.6	12	12	-	71.9	4.3
6	Private 2 bed	27.6	12	12	-	71.9	4.3
7	Private 2 bed	27.6	12	12	-	71.9	4.3
8	Private 2 bed	27.6	12	12	-	72	4.3
4 th Floor							
1	Private 3 bed	32.2	14.3	13.1	7.3	92.7	35.9
2	Private 3 bed	31.8	14.5	13.3	8	93.9	17.3
3	Private 3 bed	31.9	13.2	12.7	7.5	96	17.3

3x Wheelchair units [w]

- 11 The proposed development includes both private and intermediate (shared ownership) tenures, with the 9 affordable units located at first floor level.

12 Planning history

12-AP-1236 – Established use certificate granted for use of 4-10 Lamb Walk and 7-9 Morocco Street as rehearsal rooms, storage space, canteen, recording studio and offices associated with the music industry and audio hire company.

There are previous applications concerning the use of the site, but these are not of relevance to this application.

13 **Planning history of adjoining sites**

12-AP-2197 – 142 Bermondsey Street

Planning permission granted for construction of 3rd floor level roof extension fronting Bermondsey Street; extension at 1st and 2nd floors over rear ground floor part of building on Lamb's Walk; external alterations to doors and windows, including projecting box window extension at 2nd floor level; use of the building as Class A1 retail on ground floor front and as 2 flats and 1 live work unit.

KEY ISSUES FOR CONSIDERATION

14 **Summary of main issues**

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] design issues including layout, heights, massing and elevations
- c] impact of development on heritage assets, including Conservation Area and setting of Listed Buildings;
- d] impact on trees;
- e] housing mix and type;
- f] quality of accommodation;
- g] traffic issues;
- h] impact on the amenities of occupiers of adjoining properties;
- i] planning obligations; and
- j] energy and sustainability.

15 **Planning policy**

Designations:-

Central Activity Zone

Air Quality Management Area

Borough, Bermondsey and Rivers Archaeology Priority Zone

Bankside, Borough and London Bridge Opportunity Area

Core Strategy 2011

1 – Sustainable development

2 – Sustainable transport

- 5 – Providing new homes
- 6 – Homes for people on different incomes
- 7 – Family homes
- 10 – Jobs and business
- 12 – Design and conservation
- 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

- 1.5 Small business units
- 2.5 Planning obligations
- 3.1 Environmental effects
- 3.2 Protection of amenity
- 3.4 Energy efficiency
- 3.6 Air quality
- 3.7 Waste reduction
- 3.11 Efficient use of land
- 3.12 Quality in design
- 3.13 Urban design
- 3.14 Designing out crime
- 3.15 Conservation of the historic environment
- 3.18 Setting of listed buildings, conservation areas and world heritage sites
- 3.19 Archaeology
- 4.1 Density of residential development
- 4.2 Quality of residential accommodation
- 4.3 Mix of dwellings
- 4.4 Affordable housing
- 4.5 Wheelchair affordable housing
- 5.1 Locating developments
- 5.2 Transport impacts
- 5.3 Walking and cycling
- 5.6 Car parking
- 5.7 Parking standards for disabled people and the mobility impaired
- 6.2 London Bridge opportunity area

Supplementary Planning Documents

Affordable Housing SPD 2008 & Draft 2011
 Planning Obligations SPD 2007
 Residential Design Standards SPD 2011
 Sustainable Design and Construction SPD 2008

London Plan 2011

- 3.3 Increasing housing supply;
- 3.5 Quality and design of housing developments;
- 3.6 Children and young people's play and informal recreation facilities;
- 3.9 Mixed and balanced communities;
- 3.11 Affordable housing targets;
- 3.16 Protection and enhancement of social infrastructure;
- 4.3 Mixed use development and offices;
- 5.1 Climate change mitigation;
- 5.2 Minimising carbon emissions;
- 5.3 Sustainable design and construction;
- 5.5 Decentralised energy networks;
- 5.7 Renewable energy;
- 5.11 Green roofs and development site environs;

- 5.12 Flood risk management;
- 5.13 Sustainable drainage;
- 6.9 Cycling;
- 6.10 Walking;
- 6.13 Parking;
- 8.2 Planning obligations.

National Planning Policy Framework (NPPF)

The NPPF came into effect on 27 March 2012 and is a material planning consideration.

Principle of development

- 16 The application site is located in the Central Activity Zone and the Borough, Bankside and London Bridge Opportunity Area. In this area the Core Strategy describes that a mix of uses will be expected, and that in Bermondsey Village as well as housing development will be expected to provide office, retail, tourism, culture or entertainment facilities. The application site is located adjacent to Bermondsey Street, where the strategy sets out the specific vision for development to continue to be attractive with a hive of activity, and through the control of evening night-time uses to keep a good balance of uses and protect the character of residential areas. The Southwark Plan also includes saved policy 4.1 'Density of residential development' which describes that within the Central Activity Zone development should be between 650-1100 habitable rooms per hectare, typically between 6-8 storeys high, based on the general character of the area and its accessibility to public transport.
- 17 This application proposes a mix of residential and commercial floorspace. It is proposed that the commercial floorspace at ground floor could be used for a flexible range of uses, either A1 retail shops, A2 financial and professional services, B1 office and / or D1 non-residential institutional uses such as day-centres, crèches, schools or galleries. These uses alongside the residential uses proposed are appropriate according to the vision described in the Core Strategy for this area. The existing use on the site is not protected, since while saved policy 1.4 would protect office or industrial floorspace within B1 use class, as the floorspace on this site is sui generis, that protection would not apply. The proposed development has a density of 899 habitable rooms per hectare, which is within the expected range for the Central Activity Zone where the site is located. Therefore there are no concerns regarding the principle of the mixed use development proposed in this area, at this density. However the acceptability of the specific development proposed will be dependent upon an assessment of the scheme against all other relevant local, central and national adopted policies, and this assessment is carried out below.

Environmental impact assessment

- 18 This application does not require an Environmental Statement, as according to the Regulations, the site is not classified as a Schedule 2 'urban development project' by virtue of its site area which is less than 0.5ha (being 0.1ha), and it is not considered that the development would come within any other schedule of the regulations due to the scale and nature of the development.

Design issues

- 19 Strategic policy 12 'Design and conservation' of the Core Strategy states that development should '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'. The policy goes on to assert that development

should conserve or enhance the significance of Southwark's heritage assets their settings and wider historic environment. Saved policy 3.13 'Urban design' of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape. Saved policy 3.12 'Quality in design' asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive and high amenity environments people will choose to live in, work in and visit. Paragraph 61 of the NPPF 2012 also notes that planning decisions should address the integration of new development into the built and historic environment.

- 20 The application site is located in an area with a sensitive context, being immediately adjacent to the Bermondsey Street Conservation Area that appears to the north and east, and situated on the prominent corner of the Lamb Walk and Morocco Street intersection. The site itself is visible from Bermondsey Street in the same view as the White Cube Gallery.
- 21 Surrounding residents have raised concerns regarding the height of the proposal. The scale of existing development around this site varies from three and four-storey blocks on Bermondsey Street, four and five-storey Victorian warehouses on Leathermarket and Morocco Street, contemporary four-storey housing blocks opposite to the west on Morocco Street and the two-storey gallery building opposite to the south on Lamb Walk. In this context the scale of the proposed development is acceptable, being a largely four-storey development stepping down to three-storeys towards Bermondsey Street, with a set back fifth level predominantly onto Morocco Street and the western-half of Lamb Walk. The set back to the upper level is mainly over 2m from the buildings main frontage which is adequate to reduce its visual impacts from the immediate streetscape. The scale of the proposed building is considered acceptable within the site's immediate context. The proposed fifth storey is finished with a flat roof, with limited modulation of its massing, but following advice from officers, an increased depth and size has been included to window openings to provide additional interest. Given the additional set back of the fifth storey, these windows are an adequate distance from surrounding residents and therefore would not impact unreasonably on the privacy of adjoining occupiers. Therefore the height of the development is in keeping with the surrounding context.
- 22 The massing of the development has been broken down to reflect the traditional plot widths, through a rhythm of vertical recesses in the facades. This is responsive to the general historic urban grain of Bermondsey Street, with two larger bays onto the corner of Morocco Street and next to Lamb Walk. This subtle articulation, augmented by other detailed design and materials, is a positive feature of the scheme and in-keeping with the general pattern of development that predominates within both the conservation area and the wider environs of its setting.
- 23 The composition, detail design and materiality of this proposal are key elements that inform the acceptability of this proposed development, in this area with such a sensitive context. Saved Policy 3.12 Quality in design, requires new buildings to embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities as well as preserving or enhancing the historic environment. As noted above, the composition of the overall development is designed to break up the bulk through the use of vertical recesses in the facade to create 'bays' that are reflective of the historic urban grain. Each 'bay' is proposed to have an individual emphasis, provided through a subtle change in brickwork colour and fenestration pattern, a shop-frontage (or other functional-feature) contained within the ground-floor masonry framing, along with other design features to give each element some character and variety. In terms of proportions, the

development has a strong base, which is characterised by the shopfronts / entrances / servicing and delineated by a recessed steel channel at first floor level. The middle-level is defined by the three floors of residential use, above which there is the 'lighter' top-level formed by the set-back 4th floor (5th storey) with its zinc-shingled cladding.

- 24 The main residential entrance and servicing are located centrally on the Lamb Walk frontage, with the residential entrance demarked by glazing and a coloured-brick panel to either side, as well as a glass canopy over. The entrances to the waste and cycle stores are given reduced visual prominence by having solid timber doors, and the gated frontage to the double parking-bay will be given added artistic articulation, the developed detail of which needs to be secured by condition.
- 25 One of the most prominent elements of this overall scheme will indeed be the corner onto Morocco Street / Lamb Walk, and this has been treated as one of the main focal points of the development. There are a number of examples of prominent corner buildings within the conservation area, most notably on the junction of Leathermarket and Morocco Street, and these buildings show how subtle articulation can emphasise corner elements. The design of the corner element has been modified during the course of the application to give it more focus and interest. The commercial unit now has its main entrance on the corner with a double-doorway, and the three levels above include recessed balconies to the wheelchair units, which have been enlarged and opened-up, backed with a fully glazed wall. The parapet at the top of the corner element has been raised with an arched feature and a soldier-course of European metric brickwork for subtle emphasis; the other parapets are also emphasised by a decorative soldier-course in the brickwork.
- 26 The eastern gable elevation visible from Bermondsey Street is limited in its potential for fenestration because of the close adjacency of the site at 142 Bermondsey Street. Nevertheless the gables are articulated with sideways looking windows with an external face of aluminium shingles to relate to the top-floor cladding, which will add interest and variety to this elevation.
- 27 In terms of materials officers consider that brick is the most appropriate principal facing material, and this will ground the development within its context. The quality and character of these bricks will be crucial to the success of the scheme, and sample panels on-site should be required by condition. The depth of window-reveals has also been set at a minimum of 125mm, which should give added depth and character to the elevations. The design of the fenestration will be similarly important, and an alternating pattern of window types (within a limited palette of styles) is proposed, in PPC aluminium framing. Similarly important will be the shop-fronts, for which a more traditional design style has been proposed during the course of the application using an aluminium framing with the stall-riser, sill and over-panel constructed from re-constituted stonework. The use of zinc-shingles for the cladding of the top floor-level should provide a more sympathetic detailing than standard metal cladding sheets, and a sample panel should also be required on-site for approval.
- 28 The site has a constrained footprint, and in order to provide a sufficient quantum of commercial floorspace that would be attractive and viable to potential occupiers, it is necessary to develop almost the entire footprint of the site at ground floor level. In these circumstances, the inclusion of a first floor terrace behind the street fronting blocks is a rational response to the development of the site, and provides suitable amenity space for future residents. The central courtyard space will be the heart of this scheme in terms of amenity, and therefore a high quality and innovative landscaping solution is required, that both enhances the space and provides a useable area for all residents, this should be conditioned to require information relating to detail design and maintenance. All units must also provide the required private amenity space, and the use of inset balconies, as shown, is more suitable within this

historic streetscape.

- 29 The residential access, refuse-store, double-garage and cycle-store are all grouped together onto Lamb Walk, and this makes sense in terms of the general layout of the development and is rational given the site constraints. The development works do not specify any public realm works or improvements, however planning obligations would be attached to any planning approval to secure a financial contribution from the developer to contribute towards the surrounding public realm, and the legal agreement would also outline that a section 278 agreement with the Highway Authority is required for the reinstatement of pavements surrounding the site following construction.

- 30 Impact on character and setting of a listed building and/or conservation area
 Saved Policy 3.18 Setting of listed buildings, conservation areas, states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building or the setting of the Conservation Area. This proposal will have a significant impact upon the setting of the Bermondsey Street Conservation Area, as well as some more limited impact upon the rear-setting of the Grade II listed buildings at 124-132 Bermondsey Street. The proposal has a large landscaped courtyard amenity space at first floor level, which is considered to be a significant improvement on the existing situation of expansive and unattractive shallow-pitch roofs to the rear (internalised) townscape. The street elevations have been designed to portray a well-modulated scheme with features and facing materials that are responsive to the character of the Bermondsey Street Conservation Area, and have potential to enhance the setting of the conservation area, to a significantly more positive extent than the existing buildings on the site.

- 31 To summarise, the proposal is considered to be a rational and well-considered scheme that reinforces the urban grain, and will enhance the streetscape and the setting of the Bermondsey Street Conservation Area.

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

- 32 Saved policy 3.2 'Protection of amenity' of the Southwark Plan, states that planning permission will not be granted for developments that result in a loss of amenity to surrounding occupiers.

- 33 Daylight and Sunlight
 Neighbouring residents have raised concerns that the development will significantly impact on surrounding occupier's daylight and sunlight, particularly in Leathermarket Court. A Daylight and Sunlight Report has been prepared by BVP for the application site, which assesses the proposed development against the Building Research Establishments (BRE) guide 'Site Layout Planning for Daylight & Sunlight: A Guide to Good Practice'. The BRE Guide states that 'If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25 degrees to the horizontal, then the diffused daylighting of the existing building *may be* affected.' This would then require a further testing to establish whether there is an adverse impact as a result of the development upon existing surrounding occupiers daylight and sunlight.

- 34 In terms of daylight, two methods were used to test levels, the Average Daylight Factor (ADF) and the Vertical Sky Component (VSC). The ADF calculation assesses the quality and distribution of light within a room served by a window and takes into account the VSC. The VSC calculates the amount of daylight reaching the outside face of the window. In considering the impact upon sunlight, the test is based upon a calculation of annual probable sunlight hours (APSH) which is an annual average

based upon probability. The sunlight test only needs to be carried out if the window faces affected within 90 degrees of due south.

- 35 The BRE guidance explains that a property should retain a VSC level of at least 27%, in order to confirm that diffused daylighting remains satisfactory. Should a property receive a VSC level of less than 27% following construction of a new development, then the proposed VSC should not be less than 0.8 times its former (existing) value, if the reduction in daylight is to remain unnoticeable. In the event that the VSC is less than 0.8 times its former value, ADF can then be used to assess whether the resulting daylight levels are acceptable. ADF uses VSC to confirm the angle of sky visibility and then formulates the quality of daylighting within the room, taking into account the outcome to the room's use. BRE recommends the following minimum ADF values, 2% for kitchens and open plan living, 1.5% for living rooms, and 1% for bedrooms.
- 36 The report assesses the possible impacts upon windows at the following addresses: 5 Morocco Street, 124 Bermondsey Street, 124-132 Bermondsey Street and 84-107 Morocco Street.
- 37 In summary, the proposed development would not cause significant adverse affect to the amount of daylight or sunlight received by neighbouring residential property. The approved extension at 124-132 has also been included in a subsequent test, and with this extension in place, the report suggests that there would be some impact upon surrounding residents daylight and sunlight, however this is as a result of the extension at that site, and not the proposed development on this site. The results are set out in more detail below.
- 38 **5 Morocco Street**
There are 11 windows that have been tested at this address; of these 11 there are 5 that retain a VSC in excess of 27%. Of the remaining 6 windows, 5 have a resulting VSC which is not less than 0.8 times the former (existing) value. Therefore there are no significant adverse impacts to the daylight levels to these windows. The remaining single window has a VSC of 25.9%, with a value 0.74 times its former value, which is only marginally less than the 0.8 value suggested in the BRE guidance. This single window also appears to serve a non-habitable space (potentially a bathroom or corridor), given its small size when compared to other windows in the building, and as such, its daylight level would not normally be considered to be as significant as that in a habitable space such as a livingroom.
- 39 **120-122 Bermondsey Street**
This property is used for commercial purposes, and therefore the BRE testing methodology is less appropriate. It is not considered that, taking into account the character of the area, the impact of this development would significantly impact on the usability of the space.
- 40 **124 Bermondsey Street (the rear parts of the property that have a common boundary with the application site)**
There are 15 windows that have been tested at this address, of these 12 retain a VSC of 27% or more following development of this application site. There are 3 windows that have a VSC in excess of 27% currently that would have a VSC reduced below 27% following construction of the proposed development. Of these 3 windows, only 1 would experience a new VSC value less than 0.8 times its former value. However this is 0.75 times the former value, and therefore would not represent a significant change. It is also of relevant that this window serves a room that is also served by other windows, which due to their orientation would not experience any alteration to the amount of daylight received as a result of the proposed development.
- 41 **124-132 Bermondsey Street**

The ground floor elements of this address are for retail and other commercial purposes. Residential use is confined to first, second and third floors, and these are the windows that have been tested. Out of the 17 windows tested, 12 retain a VSC level in excess of 27%, and the remaining 5 all have readings that are all at least 0.85 times (or more) of the former value. Therefore there would be not significant alteration to the daylighting received by residents in this property as a result of this proposed development.

- 42 134-142 Bermondsey Street
 Given the recently approved extension to 142 Bermondsey Street, the report has considered this address in the following scenarios:-
 By calculating the existing VSC;
 By calculating the proposed VSC with the development in situ; and
 By calculating the VSC with the approved development for the rearward extension of 142 Bermondsey Street, both with and without the proposed development that is the subject of this report.
- 43 Results for 134-142 Bermondsey Street without the extension to no.142 Bermondsey Street.
 This daylight test concludes that all of the properties would either have a VSC in excess of 27% or a value not less than 0.82 times the former (existing) value, following construction of the proposed development.
- 44 Results for 134-142 Bermondsey Street assuming extension to no.142 Bermondsey Street.
 The extension to 142 Bermondsey Street would (if constructed) significantly alter the daylight levels to windows at the rear of 134-142 Bermondsey Street whether the proposed development subject to this application is constructed or not. With the extension in place two ground floor windows and two first floor windows would have a VSC value less than 0.8 times its former value – even without the current proposed development in place.
- 45 Results for 134-142 Bermondsey Street assuming extension to no.142 Bermondsey Street and construction of the current application proposal.
 Where the current Lamb Walk proposal is not considered and only the no.142 extension is built out, six out of nine windows satisfy the BRE guidelines. This remains the same with the proposed Lamb Walk development in place, alongside the extension at 142 Bermondsey Street.
- 46 84-107 Leathermarket Court
 This 4 storey building is built onto the back of the pavement of the narrow Morocco Street, and as a result the building has a close proximity to the application site. The Average Daylight Factor (ADF) has been calculated for properties in this building, which is a more comprehensive test of the daylight and sunlight impacts that can be used when the internal use and layout of dwellings is known. Of the 28 rooms tested, only 3 living rooms on the ground floor would fail the ADF test after construction of the proposed development, however even these rooms would retain values of 1.41, 1.42 and 1.46 which is only marginally below the 1.5 value required for living rooms. Therefore there is an impact upon the daylight to these rooms, and it is likely that this impact will be perceptible to occupiers. This is an unfortunate consequence of the application proposal, however the units are dual aspect and therefore as a whole, dwellings will retain adequate lighting levels, with minor impacts to only a handful of individual rooms.
- 47 In relation to sunlight, this largely satisfies BRE guidance, except to the west side of Morocco Street, where there is a minor impact to winter sunlight. This is where the availability of winter sunlight is already low, and is typical of a dense urban

environment, and therefore some level of loss is to be expected.

48 In conclusion on daylight and sunlight impacts, it is clear that there are impacts on adjoining occupier's daylight and sunlight as a result of the development, but that these are largely within the acceptable range of impacts set out in the BRE guidelines. The guidelines should not be applied rigidly, particularly in dense urban areas, where lower daylight levels may be expected. The scale of the proposed development is acceptable for the area, with density levels and heights that would be expected here, and in light of the existing site condition with lower rise (single and 2 storey) buildings, any development on this site for a more efficient use of the land, including an increased scale, will impact lighting levels to surrounding properties. Therefore it is considered that the benefits that this development scheme offers, included the provision of much needed housing at a suitable scale for the area, outweigh the minor impacts upon the lighting levels to a limited number of surrounding residential properties.

49 Impact upon the privacy of adjoining occupiers

A number of residents have raised concerns regarding the impact upon their privacy as a result of the proposed development. Southwark's Residential Design Standards SPD states that developments should retain a distance of at least 12m across highways and 21m to the rear between residential blocks. There are no overlooking conflicts to the rear of the site, with all neighbouring habitable room windows at over 21m away, or in oblique view, and therefore existing dwellings have an acceptable relationship to the proposed development. Across the highway on Lamb Walk there is only the White Cube Gallery opposite, and therefore no residential habitable room windows would be impacted. Opposite the development across Morocco Street there is the residential development of Leathermarket Court. The area around the site is characterised by a narrow historical street layout, with Lamb Walk, Morocco Street, Leathermarket Street and Bermondsey Street all exhibiting street widths less than 12m. The narrowest of these streets is Morocco Street, with distances between facades on the street being between approximately between 8 and 10 metres.

50 Therefore the development will naturally have a closer proximity to neighbouring properties on the other side of Morocco Street, if it is to follow the established urban grain of development in the area, with the building set on the back of pavement line. The applicant has however sought to address possible overlooking concerns, through a sensitive window arrangement, that responds to the location of windows on the opposite side of Morocco Street. This minimises any conflict and possible instances of overlooking, but in any case given the character of the street, windows will have a closer proximity than 12m to neighbouring properties. It is not considered that there is any significant adverse impact upon the privacy of adjoining occupiers as a result of the development, which follows the established street character and urban grain of the area.

51 Impact during construction

A number of residents have raised concern regarding impacts from the development during the demolition and construction phases resulting from noise, dust, and heavy vehicle traffic. These matters can be adequately managed through the development and submission of a Construction Management Plan, which officers would review prior to any approval. This can be secured as part of conditions attached to any planning permission. The Construction Management Plan would ensure that mitigation measures are put in place on the site, to reduce impacts from dust and noise, and ensure that traffic movements are managed in a safe manner, perhaps through the use of marshals to supervise heavy goods vehicle movements on the site. Therefore it is recommended that in the event that planning permission is granted, a condition is attached to required submission of a Construction Management Plan for approval by the Local Planning Authority.

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

- 52 The proposed uses on the site are reflective of those uses that exist in the surrounding area, and therefore are appropriate for this location. There are no activities or uses on surrounding sites which would be incompatible with additional residential occupiers.

Quality of residential accommodation

- 53 Saved policy 4.2 'Quality of residential accommodation' states that planning permission will be granted for residential development, where it achieves good quality living conditions, and includes high standards of accessibility, outlook, privacy, natural daylight, ventilation, outdoor amenity space, safety, security and protection from pollution including noise and light.

54 Daylight

A Daylight and Sunlight Assessment has been submitted with the application, and includes the results of daylighting tests upon surrounding properties as well as the proposed accommodation. The Average Daylight Factor (ADF) has been considered within the proposed development, and applying the BRE guidelines, only one bedroom falls below the recommended ADF guideline for bedrooms, having a value of 0.7 rather than 1. This represents a good pass rate, and demonstrates the overall good access to daylight for the proposed residential units in the development.

- 55 In addition to the daylight test, it is necessary to assess the outlook from the proposed dwellings. In the proposed development, 23 units are dual aspect, which represents 79.3% of the proposed development. This is an excellent proportion of the development, and has been possible on this constrained site as a result of the use of an external access deck arrangement. The applicant has addressed the potential for adverse impacts upon the privacy of occupants, from the use of the access deck, by creating a series of voids in front of windows preventing neighbouring occupiers passing too close to windows in the development. This has the added benefit of increasing the amount of daylight to windows below. This solution results in a number of benefits to future occupiers, including allowing occupiers the benefit of individual front doors from the deck, and is therefore a positive aspect of the proposed design.

56 Outlook, privacy and disturbance

Supplementary Planning Guidance for Residential Design Standards 2011 states that in order to prevent unreasonable problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:

- A minimum distance of 12m at the front of the building and any elevation that fronts onto a highway;
- A minimum distance of 21m at the rear of the building.

- 57 As discussed in paragraph 47 above, the proposal retains a minimum distance between the proposed blocks and habitable room windows servicing properties to the rear of 21m. However across Morocco Street distances are approximately between 8 and 10m. These distances are reflective of the surrounding typology to streets, and therefore this is an appropriate design response for the area. Where there are any habitable room windows that appear in opposite facades, these have been arranged to minimise instances of conflict, and as far as possible, habitable windows do not appear directly opposite neighbouring windows. In light of the existing character to streets in this area, the distance across the street is considered to be acceptable.

58 Outdoor amenity space

Policy 4.2(ii) of the Southwark Plan and Section 3.2 of the SPD on Residential Design

Standards states that development should provide high standards of outdoor/green amenity space. The draft SPD advises that development should as a minimum meet and seek to exceed the following standards:

- 50m² of communal space per development;
- For units containing 3 or more bedrooms, 10m² of private amenity space;
- For units containing 2 or less bedrooms, ideally 10m² of private amenity space, and where this is not possible the remaining amount should be provided to the communal amenity space requirement.

59 The application proposal includes 200sqm of communal amenity space on a raised first floor roof terrace area. As the expected child yield for the proposed development is less than 10 formal play provision is not required, however the podium courtyard has been designed to allow for informal play for young children. There are 5no. 3 bedroom units in the scheme each provided with in excess of the 10sqm minimum requirement for private amenity space. Of the remaining 24no. 1 and 2 bedroom units, private amenity space provision is in the form of balconies and totals 126.1sqm, therefore the outstanding 133.9sqm should be made up within the communal area. This in addition to the required 50sqm of amenity space would mean that the communal terrace would need to be a minimum of 183.9sqm in size. As the development includes a 200sqm terrace (excluding lightwells and walkway areas), the proposal fully complies with this amenity space requirement.

60 Internal space standards

Supplementary Planning Document for Residential Design Standards 2011 details minimum space standards for residential units. The table below describes the range of unit size proposed in this scheme, compared to the Residential Design standards.

61 Size of units

Unit size	Minimum standard (sqm)	Proposed size range (sqm)
1 bed (2 persons)	50	50.2-52.9
2 bed (3 persons)	61	71.9-78.6
2 bed (4 persons)	70	
2 bed (average)	66	
3 bed (4 persons)	74	92.7-96
3 bed (5 persons)	86	
3 bed (6 persons)	95	
3 bed (average)	85	

62 The proposal meets or exceeds the required space standards, and this is reflective of the good quality of residential accommodation proposed.

63 All developments must incorporate the principles of inclusive design, with suitable access for people with disabilities or those who are mobility impaired. The development includes two lifts to access above-grade wheelchair units, and units are designed to comply with the South-East London Housing Partnership design guidance on Wheelchair Housing. There are 3 units designed to be wheelchair accessible, each with 2 bedrooms, and forming 10% of the development on a habitable room basis.

64 Overall the quality of accommodation provided within the development is good, and this is a positive feature of the application proposal.

Affordable housing

65 Strategic policy 6 'Homes for people on different incomes' requires development in the Bankside, Borough and London Bridge opportunity area to include 35% affordable

housing, and saved policy 4.4 'Affordable housing' of the Southwark Plan states that this affordable housing should be split 70:30 between social rent and intermediate tenures.

- 66 The Affordable Housing SPD goes on to describe how to calculate the percentage of affordable housing within developments, based upon the number of habitable rooms. The definition of a habitable room is also described and additional allowance given for rooms over 27.5sqm, so that where a habitable room is 27.5sqm or more in size, it counts as two habitable rooms. In addition to this requirement saved policy 4.5 'Wheelchair affordable housing' allows a discount from the affordable housing requirement of one habitable room for every affordable wheelchair accessible unit in a development. Taking these policy considerations into account the requirement on this site is for 33.8% affordable housing, which equates to 29.8 habitable rooms out of a total of 88 habitable rooms. The proposal includes 30 affordable habitable rooms and therefore satisfies the quantum of affordable housing required.
- 67 Turning to the tenure breakdown of the affordable housing in the scheme, it is clear that the policy requirement for a 70:30 ratio of social rent to intermediate is not satisfied, and that the proposal includes intermediate affordable housing only, to be offered on a shared ownership basis. The applicant has sought to justify this proposal on the basis of both the physical site constraints and the financial implications of providing an additional tenure on the site.
- 68 The applicant seeks to justify this approach as set out below:-
- Due to its location, the medieval grain of the local environment, proximity of the conservation area, and the deficiency in pavements supporting the general highway, there are physical constraints which represent an abnormal cost for the development;
 - The size and configuration of the site and the need to promote both commercial and residential floorspace makes the provision of an additional core problematic. The provision of an additional core could compromise the deliverability of the commercial units, the level of active frontage, and the number of residential units provided on upper levels, which would ultimately impact the viability of the proposal and related quantum of affordable housing provided overall;
 - Registered Social Landlords (RSLs) do not wish to see affordable accommodation provided on split floors and do not want to assume any managerial responsibilities on other floors, as a result of affordable housing being distributed across all levels. Instead RSLs are seeking a self contained area, which in this scheme, represents a single floor level where residential units supplied are tenure-neutral. (Tenure-neutral refers to the quality and standard of accommodation, which is the same regardless of whether a unit is a private or affordable tenure).
- 69 It is recognised that the application site is constrained, and that the inclusion of a separate core to facilitate the construction of social rent units on the site would not be practical if the scheme is to include an attractive commercial ground floor. In addition to this, the requirements of an additional core would also result in the overall reduction in the number of units on site, which would impact the delivery of affordable housing as part of the development.
- 70 A Viability Appraisal has been provided with the application to fully explain the costs associated with development. This appraisal has been assessed by the Council's valuation specialists, but agreement has not been reached as to whether the inputs into the appraisal, and therefore its conclusion that the scheme could not support social rented housing, are reasonable. At the moment, officers do not accept that, based on considerations of viability alone, the development could not support social rented housing.
- 71 The fact that the development does provide 34% affordable housing, albeit all as

shared ownership units, is a positive feature of the development when considered in the current market. In addition, the applicant has agreed to offer these units within Southwarks affordability criteria (rather than the Mayors higher cost thresholds) which would make them more affordable to those on lower incomes trying to secure shared ownership housing. It is also accepted that it would be extremely difficult to incorporate social rented units into this relatively small development, given the usual need for a separate core for these units. However, officers consider that the scheme may be able to support an off-site contribution to affordable housing whilst remaining viable, subject to final agreement on the terms of the financial appraisal. This would be in the form of an in lieu payment to the Council's Affordable Housing Fund, to support the direct delivery of new social rented housing.

- 72 There is no methodology or formula in existing adopted policies upon which a contribution based on these specific circumstances would be based. Officers have therefore suggested a calculation that would reflect the cost difference to the developer in providing 100% shared ownership units rather than 70% social rented, (with the remaining 30% as shared ownership). This resulting sum is a figure of £346,140.
- 73 The applicant continues to contend that the viability of the scheme could not support the suggested in lieu payment for social rented units. Negotiations remain ongoing, and Members will be advised of any conclusions to the negotiations in an Addendum report. In the event that by the Committee date agreement has still not been reached, then it is recommended that the S106 agreement include provision for the financial appraisal to be further reviewed prior to construction, once matters such as build costs can be verified. This would establish whether an in lieu contribution (not exceeding £346,140) could be supported by the development. In those circumstances, the payment would be required to be made prior to occupation of an agreed proportion of the private units, and used solely for the construction of new social rented housing units.

Dwelling Mix

- 74 Strategic policy 7 'Family homes' requires developments with 10 or more units to have at least 60% 2 or more bedrooms, and in the Central Activities Zone (outside of the London Bridge area) 20% of units should have 3 or more bedrooms. The application site provides 72% 2 or more bedroom units and 17% of units have 3 bedrooms. While the percentage of units with 3 (or more) bedrooms is less than the 20% normally required, this equates to one unit in the application proposal. Therefore while the shortfall in the number of 3 bedroom units in the development is contrary to policy, and would ordinarily be considered a significant failing in a scheme, it is recognised that in the case of this relatively small development the shortfall is limited to a single unit.
- 75 It is recognised that the tight footprint of the proposal represents difficulties in providing the required levels of family housing, while also retaining an appropriate scale of development and a viable scheme. Therefore in light of the individual circumstances of this application site, and given that the shortfall equates to a single unit, on balance it is considered that the development is acceptable in terms of its dwelling mix.

Traffic issues

- 76 Strategic policy 2 of the Core Strategy 'Sustainable transport' sets out that through development, the council will encourage walking, cycling and the use of public transport. The application site is located in a high PTAL (Transport for London Public Transport Accessibility Level) area of 6, and therefore benefits from excellent links to public transport. The site is close to a number of bus routes from Long Lane to the

south and Tooley Street to the north, as well as being situated within walking distance to London Bridge Station, where there is a range of national rail, underground and bus routes.

77 Access

The pedestrian and vehicle access to the proposed disabled parking bays is from Lamb Walk. The applicant will need to seek approvals from the Highway Authority for works to create this access. The arrangements are considered to be acceptable for the purposes of the Planning Authority.

78 Cycle storage

The development includes provision for 44 residential cycle storage spaces, within the ground floor of the development, accessed from Lamb Walk. The storage is in the form of Sheffield stands, and provides in excess of the minimum number of cycle spaces, and this is a welcome feature of the development. In order to clarify that the proposed number of spaces can be provided in the cycle storage space show, more detailed plans should be requested in the event that planning permission is granted, and this can be secured by condition.

79 The commercial units will also require cycle storage, and this will need to be separate to the residential storage provided. Currently the submitted plans do not show the location of the commercial cycle stores, as this is difficult to illustrate at this stage, prior to a tenant for the units being found. However there is scope within the current layout to provide cycle storage, and therefore it is acceptable to reserve the submission of the details of cycle storage for the commercial units by condition.

80 Car parking

The site is located in the central activity zone, in a controlled parking zone and has an excellent PTAL. Therefore parking should be minimised on the site. The development is proposed to be car free, with the exception of disabled parking, and this is acceptable, particularly in light of the extensive provision for cycle storage as part of the residential development proposed. Because parking is restricted in this area, there should not be any overspill parking, and residents will be exempt from obtaining parking permits, to ensure that additional residents parking does not take place on street.

81 Two disabled parking bays are proposed within the site boundary, accessed from Lamb Walk. Given the constrained footprint of the site, the provision of these two bays is considered acceptable. Ordinarily, it would be required that cars enter and exit a site in a forward gear, however in light of the low pedestrian movement in Lamb Walk and the low number of vehicle movements associated with the site, there are no objections to the proposed arrangements which require vehicles to reverse into or out of the site.

82 As part of the mitigation of the car free nature of the site, the developer will be required to finance the membership of residents to a car club scheme. This will discourage personal car ownership, whilst allowing residents to use a car when essential, as part of a car club. The developer will be required to finance membership for residents for a minimum of three years.

83 Servicing

It is proposed that servicing is undertaken from on the street. While ordinarily servicing would be expected to be undertaken from within the site, given the small size of the commercial units, the constrained footprint of the development, and the substantial area of ground floor already taken up with refuse stores, entrances, cycle stores and parking, it would not be possible to also provide space for servicing in on the site. Therefore it is accepted that through an adequate Servicing Management

Plan, the commercial units can be appropriately serviced from on street. Currently the end use of each unit is not known and therefore it is appropriate to request a Servicing Management Plan as part of conditions attached to any planning consent.

Planning obligations (S.106 undertaking or agreement)

- 84 Saved policy 2.5 of the Southwark Plan and Policy 6A.5 of the London Plan advise that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its merits against relevant policy, guidance and other material considerations when assessing planning obligations.
- 85 The table below demonstrates the standard contributions generated from the Supplementary Planning Documents s106 toolkit and the contributions proposed by the applicant:

Planning obligations

Planning Obligation	Amount of planning gain calculated by toolkit	Applicant contribution
EDUCATION	£24,264	£24,264
EMPLOYMENT DURING CONSTRUCTION	£20,847	£20,847
EMPLOYMENT DURING CONSTRUCTION MANAGEMENT FEE	£1,690	£1690
PUBLIC OPEN SPACE	£4,308	£4,308
CHILDREN'S PLAYSPACE	£3,851	£3,851
SPORT'S DEVELOPMENT	£21,027	£21,027
TRANSPORT STRATEGIC	£14,188	£14,188
TRANSPORT SITE SPECIFIC	£14,500	£14,500
PUBLIC REALM	£21,750	£21,750
HEALTH	£32,738	£32,738
COMMUNITY FACILITIES	£4,452	£4,452
Sub-total	163,615	163,615
ADMIN CHARGE (2%)	3,272.30	3,272.30
TOTAL	£166,887.30	£166,887.30

In summary, the applicant intends to fully comply with the sums generated by the toolkit. In addition to the above, it is also proposed that the developer provide the Council with £2,750 to cover the cost of amending the Traffic Management Order, making future occupiers of the development exempt from applying for parking permits. The developer will also fund membership for all residential occupiers for a minimum of 3 years to a car club provider, as well as provide the Council with £3,000 for Travel

Plan Monitoring.

- 86 These financial contributions are required to mitigate the impacts of the development and will be used to improve local infrastructure for the proposed future occupiers of the development, as well as existing occupiers in the area. The contributions are required because of the increased population that the development would result in, and the related strain that will result upon surrounding infrastructure, particularly the transport network.
- 87 **In accordance with the recommendation, if the Section 106 Agreement is not signed by 21st December 2012, the application should be refused for the reason below:**
'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, health care service, the transport network, and employment and the proposal would therefore be contrary to Saved policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan'.

Sustainable development implications

- 88 Strategic policy 13 'High environmental standards' of the Core Strategy 2011 requires developments to meet the highest possible environmental standards, including targets based on the Code for Sustainable Homes and BREEAM (Building Research Establishment Environmental Assessment Method) standards. This includes requiring residential development to achieve a minimum of Code for Sustainable Homes Level 4, and other non-residential development to achieve at least a BREEAM 'excellent' except community uses which should achieve a minimum BREEAM level of 'very good'. Major Developments are also expected to achieve a 44% saving in carbon dioxide emissions above building regulations requirements for energy efficiency, as well as achieving a reduction in carbon dioxide of 20% from using on-site or local low and zero carbon sources of energy. The policy also requires major developments to reduce surface water run-off by at least 50%.
- 89 The applicant has submitted a Code for Sustainable Homes (CSH) Pre-assessment and BREEAM Construction Pre-assessment. The CSH pre-assessment describes that the development as currently designed has the potential to achieve code level 4 for the residential accommodation proposed. The BREEAM Pre-assessment describes that the development as currently designed could achieve BREEAM 'very good' within the commercial units proposed. However the policy requirement is to achieve BREEAM 'excellent', and therefore further work is required to ensure that this will be achieved. As the scheme is only in the initial design stages, it is possible to incorporate measures to achieve the BREEAM 'excellent' rating. Both of these requirements should be secured by condition, and following the construction design stage, and subsequent fit out, further assessments should be submitted to demonstrate that the scheme can achieve the required CSH and BREEAM requirements, and once certification is achieved, this should be provided to the Local Planning Authority to evidence the achievement of the criteria.
- 90 The submitted Energy Strategy describes how the Mayor's energy hierarchy has been incorporated into the design of the scheme. The fabric of the building and energy efficient measures will ensure that the proposal applies the 'Be Lean' and 'Be Clean' criteria set out in the London Plan. In order to 'Be Green' and satisfy Southwark's policy requirement to reduce carbon emissions on the site by at least 20%, it is proposed to incorporate a combination of air source heat pumps and photovoltaic panels. Air source heat pumps are a low carbon energy form, while photovoltaic's are a zero carbon energy form (when in operation) and therefore both of these types of energy forms come within the definition of renewable energy, and will reduce carbon

emissions by a minimum of 20%. Officers consider this to be a welcome contribution to improving the energy efficiency of the development.

Other matters

- 91 Community Infrastructure Levy
S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material “local financial consideration” in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 92 Existing on this site there is 1,315sqm (GIA) of sui generis floorspace. The proposed development consists of 3,192.9sqm (GIA), made up of 2,319.9sqm residential floorspace and 873sqm commercial floorspace. This means the development is liable for a Mayoral CIL payment of £64,466.50.
- 93 Trees and Biodiversity
There are no trees existing in the site area that would be impacted by this application. The existing development is low in biodiversity, and therefore the incorporation of a biodiverse roof, is a welcome addition. This roof, along side landscaping in the communal podium amenity space, will be a welcome improvement to biodiversity features on the site. The inclusion of this ‘green’ roof should be secured by condition. A Preliminary Bat Report has been submitted with the application, this describes that there is no evidence of roosting bats on the site, but recommends a precautionary approach during demolition and particularly the removal of the roof. This can be secured by condition.

Conclusion on planning issues

- 94 The application proposal provides much needed housing, with 34% affordable housing provided on a shared ownership basis within Southwarks affordability thresholds. The development has been designed to respond appropriately to the context and character of the area, particularly the adjacent Bermondsey Street Conservation Area. There are no significant adverse impacts to surrounding occupiers that would warrant a refusal of the application, when considering the overall benefits that result in relation to the provision of attractive new commercial spaces and good quality residential dwellings on a site that currently contributes little to the streetscape in this area.
- 95 Therefore it is recommended that planning permission is granted, subject to conditions and the developer entering into a legal agreement with the council.

96 Community impact statement

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 above.
- c) The likely adverse or less good implications for any particular communities/groups

have been also been discussed above.

The applicant has also undertaken consultation with surrounding residents regarding the proposed development, and this is described in the submitted Statement of Community Involvement. The documents describe that individual stakeholder meetings were carried out between May 2012 and July 2012, with presentation to neighbourhood forum on 21st June and a public exhibition on the 28th June 2012. Initial contact was made with through introductory letters to Southwark Councillors and all other stakeholders. The public exhibition was advertised on the SE1 Forum and weekly newsletter, and letters were sent to residents to invite them to attend. The exhibition was attended by 70 members of the public and a total of 29 feedback forms were received. The feedback suggested that in general the local community are generally supportive of the principle of the redevelopment of the site. The main points of concern related to the height of buildings, design and ensuring that the commercial floorspace reflected existing industries in Bermondsey.

97 **Consultations**

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

98 **Consultation replies**

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

Summary of consultation responses

No objections received from internal or statutory consultees, some comments recommending conditions relating to ecology enhancement, flood risk, construction impacts, and submission of detailed drawings / materials.

22 responses received from neighbours in objection to the application, in summary the main concerns are:-

Incorporation of A4 (drinking establishment) use (Case Officer comment:- this has subsequently been removed from the applied uses, at the applicant's request);

Height of the proposal and related design in context of surrounding buildings and conservation area;

Loss of light and privacy due to close proximity of development and proposed height;

Lack of parking;

Construction impacts on surrounding residents in relation to dust and noise, and traffic impacts during construction; and

Traffic impacts as a result of occupation of development.

99 **Human rights implications**

This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of providing a mixed use, commercial / residential 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/75-4 Application file: 12/AP/2942 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5597 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Rachel Gleave, Planning Officer	
Version	Final	
Dated	29 November 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		29 November 2012

Consultation undertaken

Site notice date: 19/10/2012

Press notice date: 04-10-2012

Case officer site visit date: 19-10-2012

Neighbour consultation letters sent: 15-10-2012

Internal services consulted:

Archaeology Officer
Design and Conservation Team
Environmental Protection Officer
Housing Regeneration Initiatives
Planning Policy
Public Realm
Transport
Ecology Officer

Statutory and non-statutory organisations consulted:

Metropolitan Police
Environment Agency

Neighbours and local groups consulted:

860 letters sent to addresses on Bermondsey Street, Lamb Walk, Morocco Street, Leathermarket Street, Brunswick Court, Newhams Row, Tanner Street, Whites Grounds, Black Swan Yard, Tyers Gate, Leathermarket Court, Royal Oak Yard, Bell Yard Mews, Swan Court and City Walk.

Re-consultation:

n/a

Consultation responses received

Internal services

1 Archaeology Officer

The applicants have provided a desk-based assessment that includes numerous maps showing occupation of the proposal site since the mid 18th century. The conclusions reached in this document state there is likely to be a Roman presence on site. This is unlikely, from a survey of surrounding archaeology, the most likely significances will relate to the geoarchaeology, prehistory and post-medieval land use and settlement. The applicant's archaeologists have recommended a programme of monitoring of site investigation works. This is not adequate to satisfactorily assess the archaeological potential of the proposal and a programme of archaeological evaluation works, including a geoarchaeological assessment, should be secured by condition. Depending upon the results of such works mitigation measures may well be appropriate. As the evaluation has yet to be undertaken the foundation design should be secured by condition to enable the preservation of archaeological remains should such material be identified during the evaluation.

2 Environmental Protection Officer

No objections subject to conditions regarding air quality assessment, noise & vibration assessment, land contamination assessment, construction management, odour and plant noise.

Comments:-

Air Quality

The Create Consulting Engineers Ltd AQ assessment (ref: MP/AS/P12-376/01, dated: Sept 2012) does not demonstrate the impact the current Air Quality may have on the health of the future residential occupiers being brought onto the site. The estimated background levels of NO₂ at the application site are stated to be above the Air Quality Strategy objective and therefore a risk assessment outlining the potential impact on public health and possible mitigation is required. Conditions are recommended relating to this.

Noise and Vibration Assessment

The Hann Tucker Associates noise survey (ref: 18132/PPG24, dated: Sept 2012) provides an assessment monitoring the existing noise climate at the site that has been undertaken, however no mitigation proposals have been proposed in order to protect the future residential occupiers from unacceptable levels of external noise. A condition requiring a scheme of acoustic protection is recommended, along with a condition relating to noise insulation between flats. The applicant must also demonstrate that an acceptable level of insulation is provided between the party partitions between the ground floor commercial units and the first floor residential flats.

The applicant is applying for a range of class uses (A1, A2, A4, B1 & D1) for the 4 ground floor commercial premises in order to maximise lease potential. A4 use at the site causes serious noise concerns. The plot on the corner of Lamb Walk and Morocco St is set back off the more commercial Bermondsey Street and in comparison to the latter it is relatively quieter and street activity (vehicles, pedestrians etc) is much less. The plot is also bordered by existing residential units to the north, west and east and the proposal also includes residential to be housed above the ground floor. Operational use for an A4 establishment(s) at this site will look to operate late into the night and the noisy activities associated will inevitably create a new late night noise source in the immediate vicinity which could conceivably cause disturbance/possibly nuisance to the existing residents (i.e. music from the premises, ancillary patron noise - access to and from the

premises, smokers outside etc). The commercial bin stores to the NW and SE of the site are also located beneath bedrooms within flats 1.1 and 1.9 and thus late night clearances/glass bottle dumps could disturb residents sleeping above. It is felt that the impact of one or more A4 premises being granted permission to operate at this site could have an effect on the existing residential amenity in the close vicinity and therefore it is recommended that the applicant withdraws the proposal for A4 use within this proposal. However, if it is decided that A4 use is deemed appropriate for this site then EP request that a number of conditions are placed onto any planning permission granted which will look to control the operations of A4 use and in turn protect the existing/new residents from associated noise. The conditions, which are attached below, include; restriction of delivery/refuse collection times, restriction on times when refuse/bottle removal from premises can be undertaken, restriction of operational times & request that any entrance into the premises is lobbied.

(Case Officer Comment:- A4 use removed from planning application).

It is expected that plant equipment / air conditioning units / extraction plant will be installed within the majority of the use classes applied for. Any future plant installed as part as of this permission must be installed and operated so as not to emit a noise level which increases the existing background noise levels. Conditions are recommended to secure appropriate noise levels.

Land Contamination

The Southern Testing Site Investigation / Preliminary phase II Report (ref: J10978, dated: 25/05/2012) states that due to the existing structures on site only 1 location has been tested to date. It is stated within the report that a "future, second phase of investigation is planned, to include a number of trial pits and a borehole when the site has been vacated". The contaminated land condition is therefore recommended with a full risk assessment to follow, in particular the suitability of the soils in relation to plastic underground utility pipes if being installed.

Construction Management Plan

As mentioned above, the plot is surrounded by existing residential properties. The demolition and construction works planned could conceivably cause disturbance to surrounding residents and premises if not properly controlled. Full details relating to construction practices and noise/dust mitigation are expected to be provided within a Construction Management Plan.

3 Transport – see Transport section above.

4 Design – see Design section above.

5 Housing Regeneration Initiatives

Registered Providers are averse, for management reasons, to having affordable rented and private accommodation within the same core. Therefore I have no objection to all 9 affordable housing units being of intermediate tenure. Should the council's assessment of the viability appraisal support a greater affordable housing contribution, then support this in the form of an in lieu payment.

6 Ecology Officer

Satisfied that the submitted surveys demonstrate that there are no bats roosting on the development site;

The proposed brown roof and new soft landscaping will enhance biodiversity on this site and contribute to the BREEAM and CfSH evaluation;

As the site is close to local parks, installation of bird boxes is desirable. At least 1 box should be suitable for black redstarts; and

Recommend conditions regarding brown roofs and bird / bat boxes.

Statutory and non-statutory organisations

- 7 Environment Agency
No objection to the planning application subject to conditions regarding raised floor levels, setting less vulnerable uses at upper levels, that appropriate flood resistant and resilient measures are in place.

Neighbours and local groups

- 8 22 responses in objection to the application.
- 9 100 Leathermarket Court
Object to the demolition so close to surrounding property;
Request that the following is addressed:-
Loss of privacy and private light for those residential properties facing onto Morocco Street;
Concern regarding the hours that construction works can take place;
What will be done to ensure that the Leathermarket Court walls remain clean?; and
Query the construction timeframe.
- 10 84 Leathermarket Court
No regard to the adjoining conservation area and the character of the area seems to have been ignored;
The height of the development is a concern so close to Leathermarket Court, it will make flats dark and feel oppressive;
Neighbouring flats will be overlooked and there will be no privacy;
Morocco Street is a narrow street and delivery vans already have a problem, a large mixed development will also generate far more traffic and exacerbate the situation further;
Dangerous for children walking on the street with large construction vehicles; and
Construction hours should be restricted. The new development is close to Leathermarket Court, 10m from windows. The noise and dirt will be a major issue.
- 11 1 Leathermarket Street
Object to the inclusion of A4 commercial units;
Concern regarding the narrow width of streets surrounding the site and large construction vehicles associated with the development;
Question the location of air quality monitoring stations. Should be positioned at the junction of the most used streets in Bermondsey immediate locality would be of interest in establishing whether the London Borough of Southwark complies with EU regulations;
The design of the proposed building is not sympathetic to the character of the neighbouring conservation area. A modern design could benefit the area, rather than a bland development; and
There is no regard to the heights of any of the adjoining premises, Leathermarket Court being the first to be affected in terms of privacy and daylight loss.
- 12 97 Leathermarket Court
Concerned about:-
Noise and pollution during demolition;
Increased traffic in Morocco Street during construction works and beyond;
Ability of local road infrastructure to cope; and
Loss of privacy and natural light.
- 13 73 Leathermarket Court
4 storeys is too high and will block out natural light from reaching flat;
Will lead to a loss of privacy;

These impacts will affect the value of surrounding properties;
Construction hours should be restricted; and
Building should be 3 storeys to respond to surrounding character.

- 14 68 Leathermarket Court
Loss of privacy during construction and post construction;
Loss of natural light resulting from the new 4 storey building;
Noise and air pollution during the demolition of the existing building; and during construction;
Increased traffic during the work;
Dust and dirt on the facing wall of Leathermarket court which will be costly to clean;
Working hours during construction should be restricted; and
Concern regarding road infrastructure issues both during construction and post completion.
- 15 Resident of Leathermarket Court
Extremely concerned about the reduction of light and privacy from these proposals. There will definitely be a reduction of natural light and there will be people living just metres away from surrounding windows;
The increased traffic during construction and after will be terrible considering the already narrow roads, and amount of cars that regularly pass through;
The increased noise and air pollution;
No mention of compensation for cleaning Leathermarket Court facing the construction site;
No mention of a restriction on working hours; and
No parking providing.
- 16 99 Leathermarket Court
Concerned that the proposed new development will adversely affect surrounding residents in terms of both loss of natural light and noise pollution.
- 17 8 Elm Court, Royal Oak Yard
Concerns regarding the amount of construction traffic this development will generate along Bermondsey Street, which is already becoming increasingly noisy and congested with heavy goods traffic using the road as a shortcut to the Shard and London Bridge developments;
Construction traffic should be limited and monitored.
- 18 5 Morocco Street
The 5th floor is too high in relation to all the other surrounding buildings and therefore is out of keeping with the area. The 5th floor is also very unattractive, intrusive and doesn't enhance the proposed development.
- 19 8 The Glasshouse, Royal Oak Yard
Concerned about the height of the proposal, and that it won't be in keeping with the rest of the landscape.
- 20 401 Cedar Court, 1 Royal Oak Yard
Object to the height of the proposal. The top three stories would be immediately facing Cedar Court and Larch Court and would overlook the occupiers of these properties;
Lamb Walk is a narrow road, and locating another tall building on it will create a canyon;
The proposed development will not be in keeping with its neighbours, on the south and east sides buildings are 2 storeys and on Morocco Street there is a 3 storey building;
- 21 409 Vesta Court, City Walk
Overall supportive – but have the following concerns:-
The A4 classification would create negative impacts in this quiet, family area;

The height of the proposed building should not exceed the height of the neighbouring Leathermarket Court, ideally the height should be 4 storeys.

22 94 Leathermarket Court

The increased height of the proposed development would therefore block a significant amount of natural light that surrounding occupiers currently enjoy, and also the larger windows / balconies will look directly into our property ensuring that neither party have any privacy;

Concerned regarding the proposed commercial units, and the impacts from deliveries to these units in the narrow surrounding streets;

The lack of parking facilities will result in illegal parking and trespassing on private property;

The quality of roads and pavements must be improved in the area, before this site can be developed, also question the capacity of roads to handle construction traffic in addition to that associated with the London Bridge development;

Object to the demolition of existing buildings and construction of new buildings. The distance to Leathermarket Court is narrow and dust, dirt, noise and debris from demolition will be detrimental to surrounding occupiers; and

The environmental statement makes no mention that the short distance across the street between Leathermarket Court and Morocco Street will mean that the noise from the demolition and construction will be generated about 10m from someone's bedroom window, and there is no reference to limit on hours of working.

23 102 Hestia House, City Walk

Concern regarding the inclusion of the A4 unit;

The proposal is too tall for the location and higher than the current building, it will be a very different character to the existing buildings and look out of place.

24 116 Bermondsey Street

The development is unnecessary and far too large for the neighbourhood; and Parking is difficult enough as it is – no more buildings please.

25 3 Hestia House, City Walk

Object to the inclusion of A4 use in the commercial floorspace.

26 102 Cedar Court, 1 Royal Oak Yard

Object to the proposal, it will significantly impact the view from surrounding properties living room, dining room and bedrooms.

27 Responses from:-

70 Leathermarket Street

57 Leathermarket Street

84 Leathermarket Court (2 responses)

98 Leathermarket Court

96 Leathermarket Court

With the following objections:-

Concern regarding noise and air pollution during demolition;

Has re-use of the existing structure been sufficiently considered;

Buildings too high, in close proximity to existing residential properties, having an overbearing impact on these properties, adversely affecting the outlook and creating an unacceptable sense of enclosure for occupants;

The flexibility of commercial uses proposed aggravate pedestrian safety at the Lamb Walk / Morocco Street junction, whilst the scale and mix of development will generate additional vehicle movements and result in the potential for greater movements and change the character of the street generally;

Scheme doesn't take into account the historic context within which the site is located,

nor show any regard to the character of the adjoining conservation area;
The fine grain character and medieval architectural character has not been maintained with the proposed development, specifically the general street width of Morocco Street;
Proposed development fails to respond to the local context in its design and by virtue of its inward looking nature and the quality for the spaces and environments it creates;
No mention of compensation for cleaning of Leathermarket Court walls;
Increased traffic on Morocco Street, during construction and beyond, on narrow streets;
Concern regarding the capability of the existing road infrastructure to cope with the construction vehicles and increased traffic from completed development;
No parking for 3 bed family units;
No restricting on working hours (construction) despite close proximity to bedroom windows;
Overlooking has not been addressed, physical constraints of Morocco street, its extreme narrowness, makes it impossible to avoid overlooking; and
Loss of privacy and natural light.

28 *Case Officer Comment:-*

Following objections raised by residents, the applicant has elected to remove the request for an A4 (drinking establishments) use on the site, and therefore the application has been altered to reflect this. Other concerns regarding the height, resultant impacts upon the character of the area and surrounding properties, impacts during construction, traffic and other issues, are addressed above in the main body of the report.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Mr J. Ansell Irving Yass and Philip Beckman as Trustees of the Benjamin Leighton Daughter's s	Reg. Number	12/AP/2942
Application Type	Full Planning Permission	Case Number	TP/75-4
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of the existing buildings and redevelopment to provide 873 sqm (GIA) of flexible commercial floorspace (A1, A2, B1 and D1 Uses) at ground floor, with 29 residential units above, in a part 3 / 4 and 5 storey building, with associated amenity spaces, refuse store, cycle parking for 44 cycles and 2 disabled parking spaces.

At: 4-10 LAMB WALK AND 7-9 MOROCCO STREET, LONDON, SE1 3TT

In accordance with application received on 10/09/2012 08:05:09

and Applicant's Drawing Nos. 0483 010 P2; 0483 011 P2; 0483 012 P2; 0483 020 P2; 0483 021 P2; 0483 022 P2; 0483 100 P26; 0483 101 P26; 0483 102 P26; 0483 103 P26; 0483 104 P26; 0483 105 P26; 0483 200 P17; 0483 201 P17; 0483 202 P17; 0483 203 P17; 0483 204 P17; 0483 315 P2; 0483 316 P2.

Affordable Housing Policy Statement; Air Quality Assessment; Daylight, Sunlight & Overshadowing; Design & Access Statement dated 5th September 2012; Flood Risk Assessment; Heritage Statement; Noise Survey; Planning Statement; Statement of Community Involvement; Transport Statement; Travel Plan; BREEAM New Construction Pre Assessment; Code for Sustainable Homes Pre-assessment; Energy Strategy; Preliminary Bat 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:-

1.5 Small business units states that the Local Planning Authority will encourage business and commercial developments.

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.

3.1 Environmental effects seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

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

3.4 Energy efficiency advises that development should be designed to maximise energy efficiency.

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 states that all developments are required to ensure adequate provision of recycling, composting and residual waste disposal, collection and storage facilities.

3.11 Efficient use of land advises developments to ensure the maximum efficiency of land use on sites.

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

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

3.14 Designing out crime seeks to ensure that development in both the private and public realm is designed to improve community safety and crime prevention.

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.

3.18 Setting of listed buildings, conservation areas and world heritage sites advises that permission will not be granted for developments that would not preserve or enhance the immediate views and/or wider settings of a listed building, conservation area or world heritage site.

3.19 Archaeology advises that planning applications within Archaeological Priority Zones (APZ) should be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.

4.1 Density of residential development specifies the density ranges expected for developments in the different designations of central, urban and suburban zones in the borough.

4.2 Quality of residential accommodation asks developments to achieve certain standards in the quality of accommodation they provide.

4.3 Mix of dwellings advises all major residential new-build development to provide a mix of dwelling sizes and types.

4.4 Affordable housing outlines the expected percentage of affordable housing to be delivered by particular sized schemes in particular areas of the borough.

4.5 Wheelchair affordable housing advises that for every wheelchair affordable housing unit, one less affordable housing habitable room will be required.

5.1 Locating developments advises that the location of a development 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 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.

5.3 Walking and cycling advises development to accommodate and promote good facilities and routes for both pedestrians and cyclists.

5.6 Car parking advises all developments to minimise the number of spaces provided.

5.7 Parking standards for disabled people and the mobility impaired advises development to provide adequate parking for disabled people and the mobility impaired.

6.2 London Bridge opportunity area sets out the aims that development in the London Bridge opportunity area should seek to achieve.

b) Policies of the Core Strategy 2011.

1 – Sustainable development describes how the Local Planning Authority will seek to improve places through sustainable development.

2 – Sustainable transport sets out that through development, we will encourage walking, cycling and the use of public transport.

5 – Providing new homes sets out that development should meet the housing needs of people who want to live in Southwark.

6 – Homes for people on different incomes states that development will provide homes, including social rented, intermediate and private for people on a wide range of incomes.

7 – Family homes describes that development will provide more family housing.

10 – Jobs and business states that we will increase the number of jobs in Southwark through development.

12 – Design and conservation states that development will achieve the highest possible standards of design.

13 – High environmental standards sets out that development will respect the limits of the planet's natural resources, reduce pollution and damage to the environment, and help us to adapt to climate change.

The development is an efficient use of an existing brownfield site, creating much needed new housing, including affordable housing. Particular regard was had to the effect of the development on the character and appearance of the Bermondsey Street Conservation Area where it was considered that the character and appearance would be preserved by the scheme. Regards was also had to the impacts on the amenities of adjoining occupiers, and whilst the impacts on daylight and sunlight were acknowledged it was not considered that these were not so severe as to warrant refusal of planning permission. Planning permission was granted as there are insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

Subject to the following conditions:

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
0483 010 P2; 0483 011 P2; 0483 012 P2; 0483 020 P2; 0483 021 P2; 0483 022 P2;
0483 100 P26; 0483 101 P26; 0483 102 P26; 0483 103 P26; 0483 104 P26; 0483 105 P26; 0483 200 P17;
0483 201 P17; 0483 202 P17; 0483 203 P17; 0483 204 P17; 0483 315 P2; 0483 316 P2.

Affordable Housing Policy Statement; Air Quality Assessment; Daylight, Sunlight & Overshadowing; Design & Access Statement dated 5th September 2012; Flood Risk Assessment; Heritage Statement; Noise Survey; Planning Statement; Statement of Community Involvement; Transport Statement; Travel Plan; BREEAM New Construction Pre Assessment; Code for Sustainable Homes Pre-assessment; Energy Strategy; Preliminary Bat Report.

Reason:

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

- 2 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

- 3 **Flood Risk**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment by Fairhurst dated September 2012 with reference 93501/R1/2, and the following mitigation measures:

- any 'more vulnerable' uses such as residential accommodation, will be set above 1 in 200 year tidal flood level at the first floor level and above, only 'less vulnerable' uses will be set at the ground floor;
- appropriate flood resistant and resilient measures should be implemented within the ground floor level, where practical considerations allow, using the guidance contained within Approved Document C of the Building Regulations and the document 'Improving the flood performance of new buildings: flood resilient construction' which was published by the Department for Communities and Local Government (CLG) in 2007.

Reason:

To reduce the impact of flooding on the future occupants and the proposed building in accordance with Strategic policy 13 'High environmental standards' of the Core Strategy 2011.

- 4 **Archaeological Evaluation**

Before any work hereby authorised begins, excluding demolition, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 5 **Archaeological Mitigation**

Before any work hereby authorised begins, excluding demolition, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

6 **Archaeological Foundation Design**

Before any work hereby authorised begins, excluding demolition, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

7 **Archaeological Reporting**

Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

8 **Design**

The following samples of facing-materials shall be made available on site for inspection by the Local Planning Authority, and approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

- i) minimum 1m² sample panel of brickwork, mortar and pointing, for each facing brick to be used;
- ii) minimum 1m² sample panel of the roof cladding tiles;
- iii) sample-boards for all other facing materials and colour finishes.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The NPPF 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; 3.15 Conservation of the Historic Environment; Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan 2007.

9 Section detail-drawings at a scale of 1:5 (unless otherwise noted) through all principal features on the facades, including:

- Parapets, roof edges, and acoustic screening;
- junctions between building elements/adjacent buildings;
- heads, sills and jambs of all openings;
- balconies and terraces;
- structure/glazing/cladding to the set-back top-levels;
- boundary treatments;
- an elevation of the garage entrance gates at 1:20/25;
- an elevation of the residential entrance-bay at 1:20/25;

shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the quality of the design and details is 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 and; 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites, of The Southwark Plan 2007.

10 **Wheelchair accessible units standard required**

Prior to occupation of the development, the wheelchair accessible units hereby approved, and as shown on the drawings attached to this permission, shall be constructed and fitted out to the South East London Wheelchair Design Guide.

Reason

To ensure the wheelchair units approved are delivered to the relevant standard in accordance with saved policies 3.12 Quality in Design, 3.13 Urban Design and 4.3 Mix of dwellings of the Southwark Plan 2007.

11 **Code for Sustainable Homes**

- a) Before any above grade work hereby authorised begins, an independently verified Code for Sustainable Homes interim certification that seeks to achieve a minimum Level 4 or equivalent Code Level rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;
- b) Before the first occupation of the building hereby permitted, a Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with saved policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

12 **BREEAM**

- (a) Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum '*excellent*' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;
- (b) Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with strategic policy 13 'High environmental standards' of the Core Strategy 2011.

13 **Energy**

The development to be completed in accordance with the approved Energy Strategy attached to this planning permission.

Reason

To ensure the energy efficiency of the development in accordance with strategic policy 13 'High environmental standards' of the Core Strategy 2011.

14 **Cycle Storage- details to be submitted**

Before the any work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure storage of cycles (for both the commercial and residential uses on the site) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided 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

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.

15 **Service Management Plan**

No development shall take place until a Service Management Plan detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development

shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

16 Landscaping

Prior to commencement of the development above grade, a detailed landscaping and planting plan for the podium area, to be submitted for the Local Planning Authority for Approval, and planting to be carried out in the first season following the completion of the building works.

Reason:

To ensure that the details of the scheme are in accordance with saved policies 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

17 Green roofs

Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:

- a) biodiversity based with extensive substrate base (depth 80-150mm);
- b) laid out in accordance with plan [xxx] hereby approved; and
- c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 3D.14; 4A.3; 4A.9 and 4A.11 of the London Plan 2008 policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

18 Bird and bat boxes

Details of bird nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 4 nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 3D.14; and 4A.3; of the London Plan 2008, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

19 Bats

The development to be carried out in accordance with the recommendations in the approved Preliminary Bat Report attached to this planning permission.

Reason

To ensure the development protects existing biodiversity in accordance with policies: 3D.14; and 4A.3; of the London Plan 2008, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

20 **Air Pollution**

Before any work hereby authorised begins, a site report detailing the proposed methods to minimise future occupiers' exposure to air pollution shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given and the approved scheme shall be implemented prior to occupation of the development and shall be permanently maintained thereafter.

Reason:

To ensure that end users of the premises do not suffer a loss of amenity by reason of pollution in accordance Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

21 **Environmental Management Plan**

No development shall take place, including any works of demolition, until an Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Environmental Management Plan shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site during demolition and construction and will include the following information for agreement;

- i) A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures;
- ii) Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts;
- iii) Arrangement for publicity and promotion of the scheme during construction;
- iv) A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.

All demolition and construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance, 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).

22 **Internal noise levels**

The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms- 30dB $L_{Aeq, T}^*$ and 45dB L_{AFmax}

Living rooms- 30dB $L_{Aeq, T}^\dagger$

*- Night-time 8 hours between 23:00-07:00

†Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011).

23 **Plant Noise**

(a) Before any work hereby authorised begins, an acoustic report detailing the rated noise level from any plant, together with any associated ducting (which shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises) shall be submitted to and approved in writing by the Local Planning Authority and the method of assessment is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. Prior to occupation or commencement of the use hereby permitted, the plant and equipment shall be installed and constructed in accordance with any such approval given and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

(b) Within one month of the installation of the plant and equipment, a further acoustic report to demonstrate compliance with the requirements approved at (a) shall be submitted to and approved in writing by the Local

Planning Authority.

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.

24 Residential standard- party walls

Details of soundproofing to be inserted between the livingrooms and bedrooms of the dwellings and the commercial space, to demonstrate that there would be a minimum of a 5dB improvement compared with the Building Regulations standard stated in Approved Document E, shall be submitted to and approved in writing by the Local Planning Authority. The sound-proofing shall be carried out in accordance with the details thereby approved prior the occupation of the dwellings and retained as such thereafter.

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.

25 Residential standard- sound transmission between commercial and residential properties

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).

26 Hours of Use

The use any ground floor premises associated with this permission shall be restricted to the following operating hours;
Monday – Saturday: 07:00 – 24:00
Sundays: 07:00 – 23:00

Reason:

To safeguard the amenities of neighbouring residential properties 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.

27 Servicing hours

Any deliveries, unloading and loading to the commercial units (including refuse collection and refuse removal from the commercial units to the bin store) shall only be between the following hours: Monday to Saturday - 07:00 - 20:00, Sundays/ Bank Holidays - not at all.

Reason:

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

28 Contaminated Land

a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk

assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, A detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

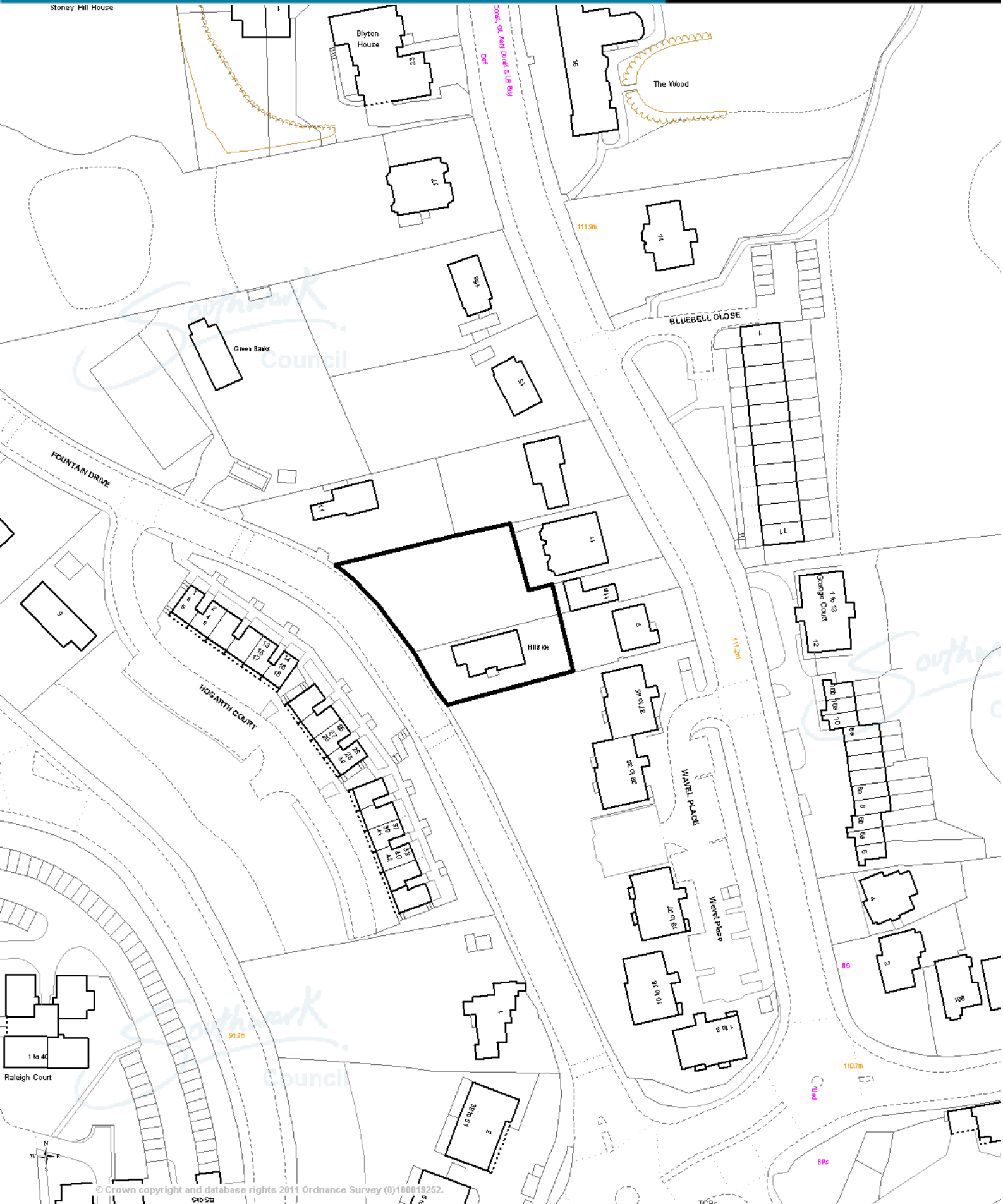
Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors 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).



Ordnance Survey

Date 27/11/2012



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Item No. 7.4	Classification: Open	Date: 11 December 2012	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 12/AP/2619 for: Full Planning Permission Address: HILLSIDE, 9 FOUNTAIN DRIVE, LONDON, SE19 1UP Proposal: Demolition of existing 2 storey dwelling and erection of 5 x 4-bedroom 3-storey plus basement houses with associated car parking, bin and bicycle storage and landscaped gardens (Use Class C3).		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 21 August 2012		Application Expiry Date 16 October 2012	

RECOMMENDATION

- 1 That planning permission be granted, subject to conditions. This application is referred to Members following an agreed referral request.

BACKGROUND INFORMATION

Site location and description

- 2 The application site is located on the eastern side of Fountain Drive in the College area of the borough. This site contains two parts, 9 Fountain Drive (known as Hillside) which comprises a dwelling and garden, and a vacant plot which adjoins this to the north and which would have originally formed part of the garden to 11 Sydenham Hill which adjoins to the east. The site has a moderate slope, and although much of the vacant plot is grassed, there are a number of trees located around the site boundaries.

- 3 The surrounding area is characterised by a combination of large detached houses and some more recent terraced housing located opposite on Fountain Drive. 11 Fountain Drive (Northside) is a detached dwelling which adjoins the northern boundary of the vacant plot. The site is located within the suburban density zone.

Details of proposal

- 4 Full planning permission is sought for the erection of 5 x 4-bedroom houses on the site, following the demolition of the existing building at 9 Fountain Drive (Hillside). The houses would be three-storeys high plus a basement, although the basement would effectively be at entry level.
- 5 The houses would be arranged to form a terrace of three houses on the northern part of the site closest to 11 Fountain Drive, and a pair of semi-detached houses on the southern portion of the site where 9 Fountain Drive is currently located. Each house would have an off-street parking space accessed from a shared driveway.

- 6 The materials proposed are as follows:
- 7 External walls - Brick to lower ground floor front elevation with timber cladding above, timber cladding to the remainder of the elevations (Chestnut);
Roofs - Green roofs;
Windows and doors - triple glazed within hardwood frames.
Boundary treatment - brick retaining walls to the street, timber fencing and hedging to the rear.

Amendments

- 8 The plans have been amended to remove a dining room window from the side elevation of the northernmost house facing 11 Fountain Drive, and the property names / addresses and elevation heights have been added to the drawings.

Planning history

- 9 The following applications relate to the vacant part of the site and not the part which contains 9 Fountain Drive (Hillside), for which there is no planning history:
- 10 08-AP-1267 - Redevelopment of site to provide a detached dwellinghouse with access from Fountain Drive (application for outline planning permission with Access and Scale to be determined at this stage). Illustrative plans show a 3 storey building with undercroft parking for 2 cars. Planning permission was REFUSED in June 2009 for the following reason:
- 11 The proposed dwelling by reason of its height, mass, and bulk would fail to respond positively to its surroundings. The inappropriate scale the building would be an incongruous feature within the street scene having a visually detrimental impact upon the character and appearance of Fountain Drive. As such the proposal is considered contrary to Policies 3.2 Protection of Amenity, 3.11 Efficient use of Land and 3.13 Urban Design of The Southwark Plan 2007.
- 12 An appeal was subsequently lodged and was ALLOWED, the Inspector finding that the scale and height of the building would appropriately respond to the local context with no unacceptable harm to the character or appearance of the area, and that it would not cause any loss of amenity to neighbouring properties (reference:APP/A5840/A/09/2118471/WF).
- 13 07-AP-1328 - Erection of a two-storey detached house with double garage, 2 parking space and 6 bike parking spaces. Outline planning permission was REFUSED in September 2009 for the following reasons:
- 14 1. The siting and layout of the dwellinghouse due to its extensive footprint, in particular the 18 metre frontage parallel to the road, is considered to have a harmful visual impact upon the character of the local area, which is for buildings to be more subservient to the mature gardens. The development would therefore be contrary to policies 3.2 'Protection of Amenity' , 3.11 'Efficient Use of Land' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.
- 15 2. The development would require the removal of mature vegetation, the extent of clearance and impact on the health and vitality of retained vegetation has not been assessed, and likewise there is no detail of avoidance, protection or mitigation measures. There are potentially significant adverse effects on the natural environment, habitat, streetscene and public amenity from these works, and therefore it is considered that the development would be contrary to policies 3.1 'Environmental

Effects' and 3.2 'Protection of Amenity' of The Southwark Plan [UDP] July 2007.

- 16 3. There is an overall lack of detailed information provided in support of the outline planning application, and therefore it is not possible to assess accurately the likely impacts on privacy, overlooking, character of the area, streetscape, transport, waste, and general amenity of the site and wider neighbourhood. Therefore it has not been demonstrated that the development would have acceptable impacts and as such it is considered to be contrary to policies 3.1 'Environment Effects', 3.2 'Protection of Amenity', 3.11 'Efficient Use of Land', 3.12 'Quality in Design', 4.2 'Quality of Residential Accommodation', 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of The Southwark Plan [UDP] July 2007.
- 17 4. The proposed building height shown on the plans has been taken from the top of the boundary fence rather than at true ground level. This combined with the lack of a topographical survey or heights shown on other (side) elevations results in an inaccurate building height, in particular the height relationship with the adjacent buildings along Fountain Drive. Insufficient information has been provided to demonstrate that the indicated height of the building would not cause harm to the amenity of the neighbouring properties or to the streetscape, therefore the development is considered to be contrary to policies 3.2 'Protection of Amenity' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.

Planning history of adjoining sites

11 Fountain Drive (Northside)

- 18 Planning permission was GRANTED for the erection of a first floor side extension in 1987 (reference: TP/2343/13/JS).

11 Sydenham Hill

- 19 07-AP-1303 - Conversion of main house to form 8 flats, with alterations to the windows and doors in all elevations and the provision of two new front dormers, a new dormer to each side roof plane and three new rear dormers, creating new accommodation within the basement, ground, first and second floors. Single storey rear extension and refurbishment of lodge (to remain a single dwelling), removal of rooflights from side roof plane and the replacement / provision of new doors and windows to side elevations. Provision for landscaping, 6 car parking spaces, 9 cycle parking spaces and refuse store to front. All in association with the creation of additional residential accommodation. Planning permission was GRANTED in October 2007.

11a Sydenham Hill

- 20 10-AP-0132 - Partial demolition and rebuilding of existing dwelling to include extension of lower ground floor to North elevation, erection of solar chimney in rebuilt roof, addition of new window and door openings to rebuilt front, side (North) and rear elevations at lower ground, ground and first floor, and revisions to parking layout to front of dwelling (Use Class C3). Planning permission was GRANTED in July 2010.
- 21 08-AP-2843 - Change of use from single dwelling to 2 houses and window / door alterations at lower ground and ground floor level (north, east and west facing elevations) (Use Class C3). Planning permission was REFUSED in March 2009 for the following reason:
- 22 The removal of 6 car parking spaces shown in connection with the development of the lodge and the main house (approved under ref 07-ap-1303) and replacement with 2

spaces only for occupiers of the lodge, is considered to be unacceptable in parking terms and would lead to inadequate off street parking for the proposed occupiers of both 11 and 11a Sydenham Hill. As such, in this low PTAL area, this would lead to additional on street parking demands and detrimental impacts on highway and pedestrian safety. The proposal is therefore contrary to Policy 5.6 Car Parking of the Adopted Southwark Plan 2007.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) principle;
- b) amenity;
- c) transport;
- d) design;
- e) trees;
- f) sustainability;
- g) ecology.

Planning policy

Core Strategy 2011

- 24 Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 7 - Family homes
 Strategic policy 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 25 3.2 - Protection of Amenity
 3.7 - Waste reduction
 3.11 - Efficient Use of Land
 3.12 - Quality in Design
 3.13 - Urban Design
 3.28 - Biodiversity
 4.2 - Quality of Residential Accommodation
 5.2 - Transport Impacts
 5.3 - Walking and Cycling
 5.6 - Car Parking

Residential Design Standards SPD (2011)
 Sustainable Design and Construction SPD (February 2009)
 Dulwich SPD (draft - March 2009)

26 London Plan 2011

Policy 3.3 Increasing housing supply
 Policy 3.5 Quality and design of housing developments
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking

Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.21 Trees and woodlands

National Planning Policy Framework (NPPF)

- 27 The NPPF came into effect on 27 March 2012 and is a material planning consideration.
- 28 Section 4 - Promoting sustainable transport
 Section 6 - Delivering a wide choice of high quality homes
 Section 7 - Requiring good design
 Section 10 - Meeting the challenge of climate change, flooding and coastal change
 Section 11 - Conserving and enhancing the natural environment

Principle of development

- 29 There is already a dwelling on the site of 9 Fountain Drive and the principle of a residential development on the vacant part of the site has been established through the granting of outline planning permission for a dwelling (reference: 08-AP-1267). This permission remains extant and the applicant can apply for approval of the reserved matters up until June 2013.
- 30 Family sized houses are proposed and strategic policy 7 of the Core Strategy states that development will provide more family housing with 3 or more bedrooms for people of all incomes to help make Southwark a borough which is affordable for families.
- 31 The draft Dulwich SPD seeks to resist development on back gardens (paragraph 38) and whilst this is noted and the vacant plot part of the site has characteristics of a backland site, there is a pattern of subdivision between Sydenham Hill and Fountain Drive that is well established, and the proposed houses would front the street and be set within generous plots rather than being located behind existing houses.

Density

- 32 A number of residents have raised concerns that the proposed development would represent an overdevelopment and overcrowding of the site which would be out of character with the area.
- 33 The appearance of the proposed development is considered in the design section of this report but with regard to numerical density, the proposal would only equate to 147 habitable rooms per hectare and strategic policy 5 of the Core Strategy permits a density range of between 200-300 habitable rooms per hectare in the suburban density zone. Whilst the proposed density falls slightly short of the specified range, the site banks up steeply towards Sydenham Hill which results in a more limited area for development. The density is considered appropriate for the site context. The quality of the proposed accommodation must also be taken into account when considering whether overdevelopment would occur, and this is considered in full in the amenity section of this report.

Impact of proposed development on amenity of existing and future occupiers

- 34 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers and 4.2 requires new residential development to provide a good standard of accommodation; further guidance is contained within the Residential Design Standards SPD (2011).

- 35 It has not been possible to make accurate comparisons between the consented outline permission and what is now proposed, because the outline permission appears to have been based on inaccurate survey details. A more detailed survey has been carried out for this application, which the planning agent has confirmed is correct. On 13th November 2012 officers visited the site to view two poles connected by a length of rope which had been erected marking out the height and position of the rear elevation of the southern-most house within the terrace of three; this house was selected because it would be closer to its neighbours than any of the other proposed houses. The poles were viewed from the rears of 11 and 11a Sydenham Hill and this was carried out to enable officers to complete their assessment of the impact upon the neighbouring properties.

Existing occupiers

- 36 Concerns have been raised that the proposed development would result in an unacceptable loss of outlook, loss of privacy and overshadowing and these matters are considered below in respect of the adjoining properties. Noise and air pollution have been raised as concerns and whilst the proposal would certainly introduce activity onto the site, it is not considered that any unacceptable pollution would occur. There may be some temporary impacts during the construction process but if this is deemed to be causing a nuisance to neighbouring residents, it can be dealt with under environmental protection legislation. It is also noted that the application includes an outline construction environmental management plan which seeks to minimise these impacts.

11 Fountain Drive (Hillside)

- 37 This is a property comprising garage space at ground floor level with a bungalow above. It has most of its habitable windows in its southern elevation facing the application site, and it benefits from a large garden on various levels owing to the topography of the site.
- 38 There would be approximately 11m between this property and the proposed northernmost house on the application site, which would be at an oblique angle because the proposed houses would be set slightly further back than number 11. This separation distance is considered to be sufficient ensure that no significant loss of light or outlook would occur and it is not considered that the enjoyment of the garden would be compromised. Whilst the orientation of the site is such that some shadow would be cast towards number 11 throughout the day, this would fall onto a small part of the garden and would not be unduly harmful.
- 39 No windows are shown in the side elevation of the northernmost house and the insertion of windows or dormers into this elevation could give rise to unacceptable overlooking, therefore a condition removing permitted development rights is recommended.

37-45 Wavel Place

- 40 This is a block of flats located to the south-east of the site and which fronts and is accessed from Sydenham Hill; it has windows in its rear elevation facing down the slope towards Fountain Drive. There would be a separation distance of 22m between the rear of Wavel Place and the proposed southernmost house. This would be sufficient to maintain an adequate level of light and outlook, particularly as Wavel Place is at a higher ground level and the structures would be at an oblique angle to each other rather than back-to-back. The Residential Design Standards SPD recommends a 21m window-to-window separation distance to maintain privacy and this would be exceeded in this instance.

9 Sydenham Hill

- 41 This property is located to the east of the site and would be back-to-back with the proposed pair of semi-detached houses. The separation distance would be a minimum of 28m and as this house occupies an elevated position in relation to the proposed houses, the development would not result in any unacceptable loss of light, outlook or overshadowing. Whilst the view from this property would undoubtedly change, this cannot be taken into account and it is not considered that its amenity would be unduly compromised; the Council's recommended 21m privacy distance would be exceeded.

11 Sydenham Hill

- 42 This large building contains a number of flats and has a patio area at the rear which adjoins the application site. The separation distance to the proposed houses would be 22m and again, when combined with the elevated position this building occupies in relation to the site, it is considered that no significant loss of light or outlook would occur and acceptable levels of privacy would be maintained.

11a Sydenham Hill

- 43 This is a former coach house within the curtilage of number 11 and is currently undergoing extension and refurbishment. The separation distance to the proposed houses would be a minimum of 24m which is considered adequate to maintain acceptable levels of light, outlook and privacy.

13 Sydenham Hill

- 44 This large detached house is located to the north-east of the site with views from its rear windows and gardens facing down towards 11 Fountain Drive (Northside). The northernmost dwelling would be approximately 29m from the rear elevation of this house which would be sufficient to ensure that no loss of amenity would occur.

Hogarth Court

- 45 This development comprises three terraced blocks located on the western side of Fountain Drive which is at a lower ground level. The separation distance would be approximately 30m across a road and no loss of amenity would occur.
- 46 Objections have been received from 5, 6 and 7 Fountain Drive which are located on the opposite side of the road, between 60-100m away from the site. Whilst there would be views of the proposed development from these houses, given the separation distance it is not considered that they would experience any loss of amenity with regard to light, shadow, outlook and privacy. Objections have also been received from Greenbanks (Fountain Drive), 15a Sydenham Hill, 2 and 6 Rockhill, both of which are much further north and would not experience any loss of amenity as a result of the proposal.

Future occupiers

- 47 Each of the proposed houses would measure 238sqm, significantly exceeding the minimum (average) requirement of 110sqm as set out in the Residential Design Standards SPD and all of the individual room sizes would comply with the Council's standards.
- 48 The top floor accommodation comprising bedrooms, bathrooms and storerooms would only be lit by way of rooflights and whilst it would generally be preferable for windows

to be provided, they would provide adequate light and ventilation, particularly as bedrooms are generally considered to be less sensitive given that they are predominantly used at night.

- 49 Concerns have been raised that the top floor accommodation may in the future require dormer windows, although the proposed roof form is such that this could be difficult to accommodate. In any event, given that the separation distances to the properties at the rear would exceed the Council's standards, it is not considered that the addition of dormers would result in any loss of amenity. As previously stated it is recommended that the northernmost house has its permitted development rights removed, and also the southernmost house because windows or dormers in its side elevation could cause blight to the adjoining site were it ever to come up for development.
- 50 With regard to amenity space, section 3 of the Residential Design Standards SPD requires new housing to have a minimum of 50 sqm of private garden space; the gardens should be at least 10m in length and should extend across the entire width of the dwelling. The proposed development would comply with these standards with the gardens measuring 231, 121, 190, 210 and 179sqm and all exceeding 10m in length and being full width. Refuse storage would be provided in a convenient location at the front of the houses.

Traffic issues

- 51 Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions, 5.3 considers the needs of pedestrians and cyclists and 5.6 establishes maximum parking standards.
- 52 The site has a public transport accessibility level (PTAL) of 3 (medium) and is not located in a controlled parking zone, although there is a cycle lane on the eastern side of Fountain Drive which passes outside the site and on which vehicles are not permitted to park.
- 53 Concerns have been raised that the proposed development would be harmful to highway safety, would lead to on-street parking on Fountain Drive, and that the width of the road is narrower than stated in the transport statement submitted with the application.
- 54 The application has been reviewed by the Council's Transport Planning Team and no objections are raised with regard to the siting of the proposed off-street parking spaces on the grounds of highway safety, subject to the submission of more detailed plans for the proposed vehicle crossovers which can be secured by way of a condition.
- 55 Saved policy 5.6 of the Southwark Plan requires a maximum of between 1.5 and 2 off-street parking spaces for residential properties in the suburban density zone, and concerns have been raised by both Transport Planning Team and neighbouring residents that this would be insufficient provision and is likely to result in cars parking on-street. Whilst this is noted, the use of maximum standards is a measure to encourage people to use alternative modes of transport other than the private car and providing less parking is one way of achieving this. Fountain Drive is on a bus route and it is approximately an 11 minute walk from Sydenham Hill station and 15 minutes from Crystal Palace Station, and in light of this it is not considered that a refusal of planning permission on the grounds of lack of parking could be substantiated. Sufficient space is shown on the plans to enable cars to turn on site avoiding the need to reverse onto the road, and a condition to maintain the manoeuvring space is recommended.

- 56 Five cycle parking spaces would be provided for each of the houses and a condition is recommended to ensure this is provided prior to occupation and retained as such thereafter.

Design issues

- 57 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design.
- 58 Concerns have been raised that the proposed houses owing to their number, height, scale and massing, detailed design and materials would be out of character with the area, which consists predominantly of detached houses set within large gardens. There are concerns that the proposal would be harmful to the visual amenities of the street and contrary to the Council's policies.
- 59 Whilst this is noted, at paragraph 6 of the appeal decision which granted outline consent for a dwelling on the vacant part of the site the Inspector concludes that the site is in an attractive residential area, but one that displays no particular architectural style or uniformity. The current proposal would make a contemporary response to the site and no objections are raised in this regard given the mixed character of the area. In terms of scale and building line the proposal is considered to sit comfortably within the streetscene, responding to the curve in the road and the topography of the site. Concerns have been raised regarding the durability and long-term appearance of the timber cladding, and a condition requiring this to be treated is recommended.
- 60 The Dulwich Wood Conservation Area is approximately 80m to the north-west of the site and given this separation distance it is not considered that its setting would be affected.

Impact on trees

- 61 An arboricultural report has been submitted with the application and has been reviewed by the Council's Urban Forester, who has advised that whilst the development would alter the notable woodland character of the site, the plot layout and design successfully seeks to retain the trees of greatest amenity value. Of the 23 trees affected by the proposed development, 9 would require removal in order to facilitate the development and suitable mitigation by way of replanting would be required through a landscaping plan; further conditions to protect the retained trees on the site are recommended.

Sustainable development implications

- 62 The proposed houses would achieve Code for Sustainable Homes level 5 which would exceed the Council's target of level 4 as required by strategic policy 13 of the Core Strategy; a condition to secure at least level 4 is recommended. The applicant is also proposing to use ground source heat pumps and photovoltaic and solar thermal panels and these measures are welcomed.

Ecology

- 63 Saved policy 3.28 of the Southwark Plan states that the Local Planning Authority will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant.
- 64 An ecological survey has been undertaken and a report submitted with the application.

The report concludes that the primary features of ecological value are the mature trees to the north of the site, the majority of which are to be retained and that the proposal would not have a significant impact upon the ecological or biodiversity value of the site. The report has been reviewed by the Council's Ecologist who agrees with its findings and recommends a number of conditions, including a condition for the eradication of Japanese knotweed which is present on the site.

- 65 The ecological assessment considered the presence of bats, and a separate bat survey was carried out in relation to 9 Fountain Drive (Hillside), which would be demolished as part of the proposals. The findings of the survey are that the building was highly unlikely to support roosting bats and this too has been agreed by the Council's Ecologist. Natural England have been consulted on the application and have raised no objections. In addition to landscaped gardens, the proposals would incorporate green roofs, bird and bat boxes.

Other matters

Mayoral Community Infrastructure Levy (CIL)

- 66 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 67 The existing dwelling on the site is lawfully occupied at present therefore its floor area (250sqm) can be subtracted from the proposed new floorspace for the purposes of CIL. In this instance a total of 940sqm of new floorspace would be provided and a CIL payment of £32,900 is due (940sqm x £35).

Conclusion on planning issues

- 68 The proposed development would be acceptable in landuse terms, would provide an acceptable standard of accommodation for future occupiers and would not result in any significant loss of amenity to neighbouring occupiers. The design of the proposal would be acceptable and replacement tree planting could be secured by condition. The houses would exceed the Council's Code for Sustainable Homes targets and there would be no adverse impacts with regard to ecology. It is therefore recommended that planning permission be granted.

Community impact statement

- 69 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 above.

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

Consultations

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.

70 Summary of consultation responses

13 representations have been received objecting to the proposal, from the following addresses:

5, 6, 7, 11 and Greenbanks on Fountain Drive, 9, 13 and 15a Sydenham Hill, 2 and 6 Rockhill, Wavel Place (no number provided), 5 Hogarth Court and one response with the address withheld.

- 71 One representation has been received in support of the proposal from Flat 6, 11 Sydenham Hill.

Human rights implications

- 72 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of providing 5 houses. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2092-9 Application file: 12/AP/2619 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Victoria Lewis, Senior Planning Officer	
Version	Final	
Dated	5 October 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	29 November 2012	

Consultation undertaken

73 **Site notice date:** 12/09/2012

Press notice date: Not required.

Case officer site visit date: 12/09/2012

Neighbour consultation letters sent: 03/09/2012

Internal services consulted:

74 Ecology Officer
Transport Planning
Urban Forester

Statutory and non-statutory organisations consulted:

75 Natural England
Thames Water

Neighbours and local groups consulted:

03/09/2012	20 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	21 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	22 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	2 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	17 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	18 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	19 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	27 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	28 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	29 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	26 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	23 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	24 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	25 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	16 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	FLAT 9 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	HILLSIDE FOUNTAIN DRIVE LONDON	SE19 1UP
03/09/2012	RIDGEWAY 6 FOUNTAIN DRIVE LONDON	SE19 1UW
03/09/2012	FLAT 8 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	FLAT 5 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	FLAT 6 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	FLAT 7 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	13 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	14 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	15 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	12 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	1 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	10 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	11 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	3 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	7 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	8 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	9 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	6 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	44 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	45 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	5 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	11A SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	15A SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	9 SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	13 SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	15 SYDENHAM HILL LONDON	SE26 6SH

Re-consultation:

- 76 The applicant was asked to annotate detailed dimensions and heights on the drawings and to supply a detailed rear elevation and a drawing showing how much of the buildings could be seen from the rear of 11a Sydenham Hill. Following this neighbouring residents were reconsulted on 23rd October 2012 and given until 8th November 2012 to make any additional comments.

Consultation responses received

Internal services

Ecologist

- 77 The habitat survey is acceptable and I agree with the findings. The habitat report mentions a separate bat survey which should be submitted as soon as possible.
- 78 The Design and Access statement covers biodiversity in Para 6.6 and landscaping in Para 7. The statement mentions green roofs, bat and bird boxes and retention of mature trees along Fountain Drive. I welcome all of these features inclusion in the development and once delivered they would mitigate for any habitat loss and enhance the site for biodiversity. There is no landscape plan submitted, it would be very helpful to see a landscape plan so we could determine this plan in relation to biodiversity.
- 79 Following receipt of the bat survey for Hillside:
- 80 The survey is acceptable. Light pollution should be kept to a minimum as recommended in the bat and habitat reports. Conditions recommended.

Transport Planning

81 **Vehicular Access**

Two points of access are proposed, with the existing access outside Hillside amended and a new point of access proposed to the north. An existing crossover which will be made redundant will need to be reinstated as footway.

- 82 More detailed plans of the proposed vehicle crossovers are required which show that the applicant can demonstrate the principles of design contained within Appendix 4 of the *Southwark Council Sustainable Transport Supplementary Planning Document* which provides information related to LBS's Vehicle Access Policy. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction. Please include the following informative:

- 83 "The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer through entering into a S278 agreement. 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. The applicant is recommended to view Appendix 4 of the *Southwark Council Sustainable Transport Supplementary Planning Document* "

Vehicular Visibility Splays

- 84 Visibility splays and safety will be assessed by the Highways Authority, but guidance can be found in Appendix 4 of the *Southwark Council Sustainable Transport Supplementary Planning Document* and the DfT's Manual for Streets Section 7.

Policy 5.3 (Cycle Storage)

- 85 Table 6.3 of the Mayor's London Plan 2011 states that for residential units there is a requirement for a minimum of 1 space per 1 or 2 bed unit; and a minimum of 2 spaces for each 3+ bed unit. Policy 5.3 of the *Southwark Plans* requires cycle parking to be

- secure, convenient and weather proof.
- 86 We recommend Sheffield stands as the preferred cycle storage method in all cases and request that the applicant makes every attempt to provide these in the design of the development. The applicant has provided a lower ground floor plan which shows how each unit will be provided with a space for 5 cycles. Although this level of provision is welcomed, it is noted that a two-tier system is proposed which are not recommended; although manufacturers will often state the ease of use of such systems, it is known that the elderly, children and the mobility-impaired often have difficulty in using them.

Requirement

- 87 Given that this is a new development involving the demolition of existing buildings it cannot be argued that there are site constraints to providing cycle parking which conforms to the minimum standards of our best practice guidance. The applicant is required to submit to the Council, for approval, detailed and scaled drawings to demonstrate the storage to be of the dimensions, and be of a recommended style as stated in our best practice guidance:
- Cycle Parking Guide for New Residential Developments produced by Transport Initiatives LLP;
 - Manual for Streets, sections 8.2.21-8.2.24 produced by the DfT;
 - Workplace Cycle Parking Guide produced by TfL.

88 **Policy 5.6 (Car Parking)**

This proposed development is located in an area with a TfL PTAL rating of 3 reflecting the area's medium level of access to all forms of public transport and is not located within a CPZ. Developments are required to provide off street parking to avoid any overspill parking associated with the development.

- 89 Table 15.4 in the Southwark Plan, states that for residential developments the parking standard for the suburban zone is 1.5 to 2 spaces per unit. Given that these are 4-bedroom family units we would expect that some, if not all of the units would have more than one car.
- 90 As stated by the applicant, there are no parking controls along the western kerbside of Fountain Drive, however we would not welcome any development which leads to vehicles being parked on the road especially in this location where the road bends and the council have invested in improving cyclist safety.
- 91 The applicant has proposed only 1 space per unit which is considered unacceptably low, especially as there are no site constraints to providing a sufficient level parking.
- 92 **Refuse and Recycling Storage**
Each unit at the site will be provided with a 240l bin for recycling and a further 240l bin for refuse. Where space allows, these must be placed to the front of the property within the site boundary. Further bins for garden waste will also be provided and should be accommodated.
- 93 **Service Parking and Access**
Servicing and refuse collection will be undertaken from Fountain Drive. Due to site constraints no off street serving facilities can be provided. Given the nature of the proposed development and the location of the bin stores it is not thought there will be:

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

94

Construction Management Plans

Should the construction of a development require the occupation or closure of the carriageway or footway, involve a high volume of construction related vehicle trips, or any other significant impact on the highway network then a Construction Management Plan is required prior to any demolition or construction works on site.

- 95 This development is not expected to create a vehicular trip generation which will have a significant negative impact on the highway network.

The Transport DC team do not object to this application in principle. However, until the above issues are addressed we cannot recommend an approval.

In summary, the applicant is required to revise plans/ provide further details regarding:

- I. Cycle Parking;
- II. Car parking;
- III. Vehicle access.

Urban Forester

- 96 The plot layout and design successfully seeks to retain the trees of greatest value to amenity. However, development will unavoidably alter the notable woodland character of the site which is characterised by the existing large, mature trees and extensive canopy cover. Although an arboricultural report has been submitted, which correctly identifies root protection areas, the recommended protection measures require further confirmation in order to adequately ensure retained trees will not be damaged. This is of most concern in relation to the proposed major excavation and necessary ancillary works, including the prevention of site access between the two plots as envisaged.
- 97 The report itself adheres to the former British Standard 5837 (2005) which has since been superseded. Recommendations with an arboricultural report should therefore be updated in light of this, especially in relation to supervision by a site arboriculturalist.
- 98 Of the 23 trees affected by the proposed development 9 will require removal in order to facilitate construction, representing a loss of 39% of the total stem diameter (8.32m² tree girth). Suitable mitigation will be required within a landscape plan; conditions recommended.

Statutory and non-statutory organisations

Natural England

- 99 Natural England has adopted standing advice for protected species. The protected species survey has identified that bats, a European protected species may be affected by this application. Natural England supports the precautionary measures detailed in the bat survey.

Neighbours and local groups

- 100 13 representations have been received objecting to the application on the following

grounds:

- Overdevelopment and overcrowding of the site;
- The area is characterised by houses within large plots;
- Inappropriate design, height, scale and massing and harm to the character and appearance of the area;
- It is not clear whether the applicant owns the Hillside part of the site which could result in partial completion of the development;
- Lack of detailed information and difficulty in obtaining detailed information including building heights;
- Loss of privacy and outlook;
- Overshadowing and loss of light;
- Access, parking and highway safety;
- Impact on trees, wildlife and ecology;
- Difficulties in enforcing sustainability measures;
- Unreliable information in the application;
- Noise and air pollution including during construction;
- Discrepancy in consultation documents regarding whether 3 or 4 bedroom houses are proposed;
- It is not clear what vegetation will remain on the site;

101 One representation has been received in support of the application on the following grounds:

- it would make a positive contribution to the area;
- the site needs to be used / developed;
- it promotes sustainable and green development;
- there is a need for family housing.

Re-consultation

102 Following re-consultation representations have been received from 5, 6, 7 and 11 Fountain Drive, 9 Sydenham Hill and 5 and 35 Hogarth Court, objecting to the proposal on the following grounds:

- Parking, road safety and road widths marked inaccurately on the application drawings;
- overshadowing, loss of light and overlooking;
- the additional details provided increases concerns regarding impact on the neighbouring properties;
- overdevelopment and overcrowding;
- lack of detailed information;
- loss of trees;
- questions the need to demolish an existing building which fits well into the landscape;
- questions what powers are available to ensure the development is completed in accordance with the plans;
- lack of outdoor amenity space;
- there was a delay in the objections from residents being posted on the Council's website;
- visual impact of the sedum roofs if they are not properly maintained;
- request that a site visit be undertaken from 9 Sydenham Hill - response - a site visit was undertaken from the rears of 11 and 11a Sydenham Hill which would be the closest neighbours to the proposed houses;
- increased traffic.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Mr J. Smart Bespoke Home Ltd	Reg. Number	12/AP/2619
Application Type	Full Planning Permission	Case Number	TP/2092-9
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing 2 storey dwelling and erection of 5 x 4-bedroom 3-storey plus basement houses with associated car parking, bin and bicycle storage and landscaped gardens (Use Class C3).

At: HILLSIDE, 9 FOUNTAIN DRIVE, LONDON, SE19 1UP

In accordance with application received on 09/08/2012 08:03:53

and Applicant's Drawing Nos. 018-300 Rev A, 018-301 A, 019-001 C, 019-011 C, 019-012, 019-015 C, 019-020 C, 019-021 B, 019-025 C, 019-030 A, 019-031-A, 019-032 C, 019-033 A, 019-034 A, 019-035, 019-040 C, 019-041 D, 019-042 D, 019-043 D, 019-044, 019-048 C, 019-049, 019-060 C, 019-061 C, 019-062 C, 019-063B, 019-070, 019-071, Design & Access Statement, Outline Construction Environmental Management Plan, Bat Assessment, Arboricultural Survey, Transport Statement, Phase 1 Habitat Survey

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: 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 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 11 - Open spaces and wildlife: States that development should improve, protect and maintain a network of open spaces and green corridors, provide sport and leisure and food growing opportunities, and protect and protect and improve habitats for a variety of wildlife.

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.

Saved policies of the Southwark Plan 2007

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);

3.11 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);

3.28 Biodiversity (states that the LPA will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant).

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);

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).

Policies of the London Plan 2011

Policy 3.3 Increasing housing supply

Policy 3.5 Quality and design of housing developments

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.21 Trees and woodlands

National Planning Policy Framework (2011)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

The proposed development would be acceptable in landuse terms, would provide an acceptable standard of accommodation for future occupiers and would not result in any significant loss of amenity to existing occupiers. The design of the proposal would be acceptable and replacement tree planting could be secured by condition. The houses would exceed the Council's Code for Sustainable Homes targets and there would be no adverse impacts with regard to ecology. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following conditions:

- 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:

018-300 Rev A, 018-301 A, 019-001 C, 019-011 C, 019-012, 019-015 C, 019-020 C, 019-021 B, 019-025 C, 019-030 A, 019-031-A, 019-032 C, 019-033 A, 019-034 A, 019-035, 019-040 C, 019-041 D, 019-042 D, 019-043 D, 019-044, 019-048 C, 019-049, 019-060 C, 019-061 C, 019-062 C, 019-063B, 019-070, 019-071

Reason:

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

- 3 Notwithstanding the provisions of Classes A, B, C or E of Part 1, Schedule 2 of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the northernmost and southernmost dwellinghouses hereby permitted without the prior written consent of the Council, to whom a planning application must be made.

Reason

In the interests of the amenity of neighbouring residential properties and to ensure that no blight would occur to adjoining sites, in accordance with saved policies 3.2 'Protection of amenity' and 3.11 'Efficient use of land' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 4 The refuse and recycling 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 without the prior written consent of the Council as local planning authority.

Reason

In order to ensure that the refuse and recycling 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 car parking spaces, manoeuvring space, waiting bays and driveways shown on the approved plans shall be completed before the dwellings hereby permitted are occupied, and thereafter shall be kept free of obstruction and available for the parking, waiting and manoeuvring of vehicles associated with the dwellings.

Reason

To ensure that there would be adequate parking facilities to serve the development and in the interests of highway safety, in accordance with saved policies 5.2 'Transport impacts' and 5.6 'Car parking' of the Southwark Plan (2007) and strategic policy 2 'Sustainable transport' of the Core Strategy (2011).

- 6 Detailed drawings of the vehicle crossovers into the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure that the proposal will not compromise highway safety in accordance with saved policy 5.2 'Transport Impacts' of The Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

- 7 The cycle storage facilities shown on the approved plans shall be provided before the dwellings hereby approved are occupied, and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

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).

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

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area, in accordance with 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).

- 9 A pre-commencement meeting shall be arranged with the Council's Urban Forester, the details of which shall be submitted to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site. Further to the pre-commencement meeting and prior to works commencing, including any demolition or changes to ground levels, an arboricultural report shall be submitted to and approved in writing by the Local Planning Authority, giving details of the means by which any existing trees on or directly adjacent to the site are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, building plant or other equipment and shall include a schedule of monitoring or supervision by a site arboriculturist.

The protective measures shall be installed and retained throughout the period of the works in accordance with the recommendations contained in the arboricultural report and any such approval given and shall not be moved or removed without the explicit written permission of the Local Authority Urban Forester under the supervision of the developer's appointed arboriculturalist. Within tree root protection areas any excavation must be dug by hand such that any roots found to be greater than 25mm in diameter are retained and worked around. If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is 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.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity and adaptation to climate change, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 10 Before any work hereby authorised begins, details of the foundation works and changes to levels to be used in the construction of this development, showing how the roots will be protected, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the use of trial holes or trenches to check for the position of roots. The development shall not be carried out otherwise than in accordance with any such approval given and all works shall adhere to National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity and adaptation to climate change, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 11 Before any above grade work hereby authorised begins, detailed drawings (scale 1:50) of a hard and soft landscaping scheme showing provision for the planting of at least 9 replacement trees and details of the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 3996 Nursery stock specification, BS: 5837 Trees in relation to construction and BS: 7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity, adaptation to climate change, in addition to the attenuation of surface water runoff, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; The London Climate Change Adaption Strategy Action 19 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.13 Urban Design: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 13 Before any above grade work hereby authorised begins, details (including a specification and maintenance plan) of the green roofs to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given and maintained as such thereafter.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity and adaptation to climate change, in accordance with NPPF Parts 7, 8, 11 & 12; London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.13 Urban Design; Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 14 Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of the Japanese Knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include measures to prevent the spread of

Japanese Knotweed during any operations such as mowing, strimming or soil movement, and measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act (1981). The development shall be carried out in accordance with the details thereby approved.

Reason

Japanese knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

- 15 Details of bird and bat nesting boxes and bricks including their exact location, specification and design shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade work. No less than 5 nesting boxes and 5 bat bricks shall be provided they shall be installed in accordance with the approved details prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with saved policy 3.28 'Biodiversity' of the Southwark Plan and strategic policy 11 'Open spaces and wildlife' of the Core Strategy (2011).

- 16 The development hereby permitted shall be carried out in accordance with the recommendations in the Phase 1 Habitat Survey dated June 2012 and the Bat Assessment of Hillside dated May 2012.

Reason

To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with PPS9, policy 3.28 of the Southwark Plan, and Strategic Policy 11 of the Southwark Core strategy.

- 17 The dwellings hereby permitted shall achieve at least Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that at least Code Level 4 has been achieved.

Reason

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

- 18 The buildings hereby permitted shall fully comply with the dimensions shown on the approved drawings, and the ridge height of the terrace of 3 houses shall be no more than 2.4m higher than the ridge height of 11 Fountain Drive and the ridge height of the pair of houses shall be no more than 3.4m higher than the ridge height of 11 Fountain Drive, as shown on drawing number 019-040 Rev C.

Reason:

To ensure that the buildings do not exceed the heights shown on the approved plans in the interests of visual and residential amenity and in order to accord with saved policy 3.2 'Protection of Amenity' of the Southwark Plan (2007) and Strategic Policy 13 'High Environmental Standards' of the draft Core Strategy (2011).

Informatives

- 1 The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer through entering into a S278 agreement. 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. The applicant is recommended to view Appendix 4 of the Southwark Council Sustainable Transport Supplementary Planning Document.
- 2 With regard to condition 9, you are advised as that excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'. In any case, all works must adhere to BS5837: Trees in relation to construction (2012) and BS3998: Recommendations for tree work (2010).

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