

# Borough, Bankside and Walworth Community Council

Saturday 8 December 2012  
1.00 pm

Walworth Academy, 34 - 40 Shorncliffe Road, London, SE1 5UJ

## Membership

Councillor Martin Seaton (Chair)  
Councillor David Noakes (Vice-Chair)  
Councillor Catherine Bowman  
Councillor Poddy Clark  
Councillor Neil Coyle  
Councillor Patrick Diamond  
Councillor Dan Garfield  
Councillor Claire Hickson

Councillor Lorraine Lauder MBE  
Councillor Rebecca Lury  
Councillor Tim McNally  
Councillor Darren Merrill  
Councillor Abdul Mohamed  
Councillor Adele Morris  
Councillor Geoffrey Thornton

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: Friday 30 November 2012



## Order of Business

Item No.	Title	Time
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	

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

Item No.	Title	Time
<b>4.</b>	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
<b>5.</b>	<b>MINUTES</b> (Pages 1 - 10)	
	To confirm as a correct record the minutes of the meeting held on 10 October 2012.	
<b>6.</b>	<b>PETITIONS AND DEPUTATIONS</b>	
	The chair to advise on any deputations or petitions received.	
<b>7.</b>	<b>COMMUNITY ANNOUNCEMENTS</b> (Pages 11 - 12)	1.05 pm
	<ul style="list-style-type: none"> <li>• Borough Commander</li> <li>• Complaints Procedure Consultation</li> <li>• Southwark Civic Awards – Nominations</li> <li>• Campaign for Safer Roads at the Elephant &amp; Castle</li> </ul>	
<b>8.</b>	<b>BANKSIDE NEIGHBOURHOOD FORUM</b> (Pages 13 - 24)	1.20 pm
	Presentation on neighbourhood planning followed by a presentation from the Bankside Neighbourhood Forum.	
	The community council are asked to comment the application for a neighbourhood development area and also for qualifying body status by Bankside Neighbourhood Forum as set out in the report.	
<b>9.</b>	<b>REGENERATION</b>	1.50 pm
	Information on some of the regeneration projects in the community council area.	
<b>10.</b>	<b>FOOD SAFETY</b>	2.05 pm
	Presentation by Earl Legister, Team Leader Food safety to include:	
	<ul style="list-style-type: none"> <li>• The legal requirements around food safety</li> <li>• How to make a complaint</li> <li>• Performance Rating</li> <li>• Food Waste Disposal</li> </ul>	

Item No.	Title	Time
	<b>BREAK 2.30 PM</b>	
11.	<b>PUBLIC QUESTION TIME</b> (Pages 25 - 29)	2.45 pm
	A public question form is included at page 25.	
	This is an opportunity for public questions to be addressed to the chair. Residents or persons working in the borough may ask questions on any matter in relation to which the council has powers or duties.	
	Responses may be supplied in writing following the meeting. Responses to queries raised at previous meetings can be found on page 26.	
12.	<b>HIGHWAYS REPORTS</b>	2.50 pm
	<b>12.1. EAST WALWORTH AND FARADAY GREEN LINKS</b> (Pages 30 - 32)	
	To comment on the proposals as set out in the report.	
	<b>12.2. CYCLE PERMEABILITY REPORT</b> (Pages 33 - 51)	
	To comment on the cycle permeability proposals.	
13.	<b>CONSERVATION AREA REPORTS</b>	2.55 pm
	<b>13.1. ELLIOTT'S ROW AND LARCOM STREET CONSERVATION AREAS</b> (Pages 52 - 63)	
	To comment to planning committee on the proposals.	
	<b>13.2. LIVERPOOL GROVE, THRALE STREET, WEST SQUARE CONSERVATION AREAS</b> (Pages 64 - 74)	
	To comment to planning committee on the proposals.	

<b>Item No.</b>	<b>Title</b>	<b>Time</b>
<b>14.</b>	<b>COMMUNITY COUNCIL QUESTION TO COUNCIL ASSEMBLY</b>	3.00 pm

Each community council may submit one question to the next council assembly meeting that has previously been considered and noted by the community council. Any question to be submitted from a community council to council assembly should first be the subject of discussion at a community council meeting. The subject matter and question should be clearly noted in the community council's minutes and thereafter the agreed question can be referred to the constitutional team.

The community council is invited to consider if it wishes to submit a question to the next ordinary meeting of council assembly.

Date: Friday 30 November 2012

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

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**CONTACT:** Alexa Coates, Principal Constitutional Officer Tel: 020 7525 7385 or email: [alexa.coates@southwark.gov.uk](mailto:alexa.coates@southwark.gov.uk)  
Website: [www.southwark.gov.uk](http://www.southwark.gov.uk)

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### **ACCESS TO INFORMATION**

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

### **ACCESSIBLE MEETINGS**

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

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

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

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

### **DEPUTATIONS**

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

**For a large print copy of this pack,  
please telephone 020 7525 7385.**



## **Borough, Bankside and Walworth Community Council**

MINUTES of the OPEN section of the Borough, Bankside and Walworth Community Council held on Wednesday 10 October 2012 at 7.00 pm at Amigo Hall, St. George's Cathedral, St George's Road, SE1 6HR

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**PRESENT:**

- Councillor Martin Seaton (Chair)
- Councillor David Noakes
- Councillor Catherine Bowman
- Councillor Poddy Clark
- Councillor Neil Coyle
- Councillor Patrick Diamond
- Councillor Dan Garfield
- Councillor Claire Hickson
- Councillor Lorraine Lauder MBE
- Councillor Tim McNally
- Councillor Darren Merrill
- Councillor Abdul Mohamed
- Councillor Adele Morris
- Councillor Geoffrey Thornton

**OFFICER SUPPORT:**

- Clement Agyei-Frempong, Senior Projects Engineer
- Zayd Al-Jawad, Section 106 Manager
- Andrea Allen, Senior Project Manager
- Dan Gilby, Principal Strategy Officer Officer
- David Littleton, Environmental Health and Trading Standards Manager
- Razak Mahama, Projects Engineer
- Pauline Bonner, Neighbourhood Coordinator
- Alexa Coates, Principal Constitutional Officer

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

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

### **2. APOLOGIES**

There were apologies for absence from Councillor Helen Morrisey and apologies for lateness from Councillors: Catherine Bowman and Adele Morris.

### 3. MINUTES

#### RESOLVED

That the minutes of the meeting held on 2 July 2012 be agreed as a correct record and signed by the chair.

### 4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

### 5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

### 6. DEPUTATION AND PETITIONS

There were none.

### 7. COMMUNITY ANNOUNCEMENTS

The following community announcements were made:

**Attendance Monitoring Form** – there was a new attendance monitoring form and the chair asked attendees to complete the form. The chair explained that the form allowed the council to see who was attending meetings and think about ways to attract new attendees.

**Highways Scheme Consultation** – Clement Agyei-Frempong explained about some highways consultations in the community council area. There were a number of schemes the council was consulting on including: a greenlink between east walworth, and faraday pockets park, replacing speed cushions with humps on John Ruskin Street between Bethwin Rd and Camberwell New Rd and cycle contra flow schemes at several locations including: Newcomen Street and Tabard Street. Clem explained that he would be available at the break to discuss the schemes with residents or they could contact him or his colleague Razak on 020 7525 2305 and 020 7525 3249 respectively.

**Walworth's Got Talent** – Fr Andrew from St Peter's Church advertised an event for residents in SE17 on 13 October to showcase their talents.

**Bankside Neighbourhood Forum** – Tim Wood chair of the forum gave a brief introduction on what the forum was. The forum were developing a neighbourhood plan which would influence development in the area in the future. The forum were currently collating consultation information and would then submit a draft plan to the council. Residents could find out more at: [www.wearebankside.com](http://www.wearebankside.com)

**Brandon Estate Cine-Club** – Southwark Local History Library are arranging a screening of films produced by the Brandon Cine Club in the 60s and 70s. The event will be held on 8 November from 4-6 pm – at Brandon TRA Hall.

**Dragon Cafe** – Cllr Poddy Clark highlighted the creative events at the Dragon Cafe which was run by the charity, mental fight club. The cafe was located in the Crypt of St George the Martyr Church every Monday from 10am until 8pm.

**Bankside Neighbourhood Residents Forum** – there was an open meeting of the forum on Monday 22 October at the community space on Ufford Street where the developments on Blackfriars Road would be discussed.

**Community Film Club** – a screening of Beautiful Thing had been organised for Monday 12 November at the Tate Modern. Refreshments were available from 6.30pm with the film starting at 7pm.

## 8. COMMUNITY INFRASTRUCTURE LEVY AND COMMUNITY PROJECT BANK

### Community Infrastructure Levy

Zayd Al-Jawad, Section 106 Manager, explained that the council was consulting on proposals to introduce Community Infrastructure Levy (CIL) rates to replace some elements of Section 106. CIL would charge based on the size of developments and so would effect smaller scale developments as well as large developments which usually made Section 106 contributions. The suggested rates were £400 per square metre for developments north of union street, £250 per square metre south of union street and £50 in the centre of the borough around Camberwell and Peckham. The money raised from CIL would contribute towards local infrastructure in the borough. This would be in addition to the Mayoral CIL of £35 per square metre per development. Zayd wanted residents to comment on the proposed rates and they could do so by emailing [planningpolicy@southwark.gov.uk](mailto:planningpolicy@southwark.gov.uk) or Zayd directly at [Zayd.Al-jawad@southwark.gov.uk](mailto:Zayd.Al-jawad@southwark.gov.uk) The initial consultation was running until 17 October 2012 but there would be a further round of consultation after that. Zayd offered to circulate a summary sheet on the information presented and a comparison table between Section 106 and CIL contributions at the next community council meeting.

### Community Project Bank

Zayd explained that there would be a re-refresh of the Community Project Bank. Traditionally the Project Bank had been a way for community councils and residents to suggest projects which Section 106 contributions could be used for which would improve local infrastructure. For example: Parks, open spaces and transport improvements.

In response to questions on CIL and the Project Bank Zayd explained that there was discretion as to whether the council introduced CIL and the rates introduced but from next year the council would no longer be able to secure Section 106 contributions. The Project Bank was a Southwark scheme and was not common at other local authorities although some councils had similar opportunities for residents to make suggestions for local infrastructure projects.



Some money from Section 106 went towards strategic projects which might, due to their nature, be a distance from the development. This would be for large projects such as primary schools. The proportion of money collected from CIL which would go towards strategic projects would be considered as part of the second phase of the consultation on CIL.

Zayd explained that the Ayelsbury regeneration would be in the £50 per square metre bracket, this categorisation was based on viability of development and land value.

The introduction of CIL would not affect the council's policies on the level of affordable housing required as part of certain developments.

## **9. CLEANER GREENER SAFER LAUNCH**

Andrea Allen, Senior Project Manager, invited applications for the Cleaner, Greener, Safer (CGS) Funds in 2013. There were now two CGS funds available: capital and revenue. Capital funding was available for permanent improvements such as playgrounds or lighting improvements and the revenue funding was for non-permanent improvements such as gardening course or self defence lessons for local residents. There is one application process for both funds and residents could apply online or by a form which was available at the meeting. Residents did not have to worry about which fund they were applying for the application process was about putting their ideas forward which would be considered by councillors who would take a final decision in April 2013. There was around £500,000 of CGS funding available in the borough, bankside and walworth community council area (£450,000 for capital projects and £50,000 for revenue). Friday 30 November was the closing date for applications.

In response to questions Andrea explained that residents could apply for both revenue and capital and there was no limit to the number of applications a resident could submit. Help in applying was available and people could contact Andrea for support at [cgs@southwark.gov.uk](mailto:cgs@southwark.gov.uk) or on 020 7525 0860.

There was no maximum award amounts, but the largest award for a capital project in 2012 was £30,000 and the average was about £12,000. There was a time limit of 2 years to complete capital projects. Successful applicants could also consider applying for match funding to complete their projects from organisations such as the National Lottery.

## **10. STRATEGIC TRANSPORT SECTION 106 RELEASE**

Members considered the report and the chair invited comments from residents. In response to comments and questions Zayd Al-Jawad, Section 106 Manager, explained that the council was confident that the funding gap would be met to deliver the elephant and castle underground station and the northern roundabout improvements and that the main contributor would be Transport for London (TfL). A resident expressed support for the consultation responses which requested that Southwark become a 20mph borough, especially in light of recent tragic accidents in the area and also suggested that flashing warnings for motorists travelling over 30mph be installed. Zayd explained that these comments would be passed on to TfL.

Residents made some more general comments about transport issues in the area, particularly those which were of a much smaller scale than those addressed in the report, for example outside Tesco at elephant and castle and at the junction of the old kent road and east street market.

The chair suggested that residents submit a list of where the problem transport areas are to the councillors. Zayd confirmed that these were the responsibility of TfL but that the council requested improvements each year and comments from residents helped this process.

## RESOLVED

1. That the community council note the release of strategic transport Section 106 contributions to support key projects across the borough and for the release of the first tranche of available funding for those projects totalling £1,336,108 from the listed Legal Agreements identified for Transport Strategic Contribution, to support transport improvements at:
  - **Elephant and Castle £857,203**, from: all the Borough, Bankside and Walworth Community Council (CC) schemes in appendix 1, save for Townsend Street and Royal Road
  - **Camberwell Town Centre, £155,603** from: all the Camberwell CC schemes in appendix 1, plus Townsend Street and Royal Road
  - **Lower Road, £266,533** from: all the Bermondsey and Rotherhithe CC schemes in Appendix 1
  - **Peckham Rye station, £86,769** from: all the Peckham and Nunhead CC schemes in Appendix 1
2. The community council endorsed the consultation comments made requesting Southwark become a 20mph borough.

## 11. SECTION 106 RELEASE - TATE MODERN 1 AND 2 AND NEO BANKSIDE

Members considered the report and asked if the targets set for the contractor in relation to employment opportunities for local people were monitored by the council. Zayd confirmed that these were monitored and if the contractor failed to meet the target they would make a penalty payment. In response to questions from the floor Zayd commented that the council was performing relatively well in terms of the number of work placements for local people coming from developments. Around 130 placements were made last year.

Councillors sought clarification on the location of the new public square mentioned in the report.

## RESOLVED

That the community council notes the release of funds totalling £508,757.75 from the

Tate Modern 1 and 2 (9600269 a/n 089) and (09/AP/0039 a/n421) and Neo Bankside (06/AP/1481 a/n 339) to deliver three projects:

- Construction workplace co-ordinator[s] - Building London Creating Futures
- Holland Street Public Realm (Bankside Urban Park) Project
- Transport – bus stops (Southwark Street) contribution

## 12. SECTION 106 RELEASE - BMX TRACK BURGESS PARK

Members considered the report and the chair invited residents to comment. It was suggested that a steering group, or similar, be set up to think creatively about the development of a BMX track in Burgess Park. Further comments were made about the accessibility of the track for young people.

Charlotte from the Creation Trust reminded people that there was a Burgess Park stakeholder group who were involved in and consulted on the regeneration of the park.

### RESOLVED

That the Community Council notes on the release of £163,407 for the installation of a national standard BMX track at Burgess Park from the development at Samuel Jones Industrial Estate Peckham Grove, London, SE15, 05/AP/1949, A/n 312/, S106/16992 and puts forward the comments of residents outlined above.

## 13. THEME - SUPPORTING OUR LOCAL HIGH STREETS

Councillor Claire Hickson, cabinet member for communities and economic development introduced the item highlighting the impact of the economic situation on local high streets – with more empty shops, less people using local shops and an increase number of betting shops and payday loan companies. The disturbances in 2011 also had an effect on local high streets in the borough, particularly in Peckham and Walworth. The council had introduced a community restoration fund of £1 million in response to the summer disturbances – half of the fund was targeted at opportunities for young people and the other half was focused on economic development. On the economic development side local people had been invited to bid for funding and three of the successful projects in the borough, bankside and walworth community council area spoke about their bids.

**Tower Bridge Road Business Association** – Suhel Ahmed, from Tower Tandoori explained that he was starting a project to set up a business association for Tower Bridge Road and the council had contributed £40,000 of funding. Suhel was hoping to improve the look of the street and the trading environment to bring what was once a thriving local high street back to life. Suhel invited local people to get involved with the project.

**Creation Trust** – Patrischia Warmington explained that the trust were supporting young people to run a series of pop-up shops on East Street. The Creation Trust are running a series of 6 week programmes, the first half of which focused on building skills such as bookkeeping, marketing and included an apprentice style challenge where participants ran a market stall. In the second part of the programme participants run a shop, on East Street, which has been donated by the Peabody Trust. The profits raised from the

ventures are given back to the participants in the form of a bursary to support them in what they want to do next. A previous pop-up shop sold baby clothing and accessories, while the latest version of the shop has opened as a fashion store for 20-30 year olds and is open until 21 October. Some of the participants explained what they had learnt from the programme and invited residents to visit the store.

**Business Extra** – Patrick Blunt explained that his project was looking at practical ways to improve the local economy in Walworth. Patrick stated that empty shops were an indication of issues elsewhere in the community and so his project had a community focus. Patrick had produced leaflet which included some statistics on retail on the Walworth Road. It also stated the project aims of setting up a ‘Town Team’ to promote the area and to rejuvenate East Street Market.

**Borough High Street** – Cllr Noakes explained that the former Borough and Bankside community council had done some research about Borough High Street. From the research the community council had found that residents particularly liked the historical features of the high street, borough market and the good transport links. Residents indicated they would like to see more retail such as grocers on the high street, less offices and would like to see more made of the history of the area.

The meeting then moved into workshops to discuss the future of the high streets in the community council area. The topics of the workshops were:

- Walworth Road and East Street
- Tower Bridge Road
- Borough High Street

The workshops discussed:

- What do you like about this high street?
- What do you dislike about this street?
- What would you like to see change?

Councillors gave the following feedback from the workshops:

#### **Walworth Road and East Street**

What do you like about this high street?

- Diverse character of the area
- Good transport links
- Opportunities to develop
- Unique independent stores mixed with established chain stores

What do you dislike about this street?

- The area is dirty
- There are too many pawnshops and betting shops
- There are too many butchers and fishmongers

What would you like to see change?

- Christmas lights
- Food hall

- Railway station
- Prevent buses from stopping at the same bus stops

### **Borough High Street**

What do you like about this high street?

- Good open spaces
- Re-development of the library and public toilet facilities
- Scaffolding has been removed
- Historic character of the area

What do you dislike about this street?

- Junctions and dangerous pedestrian crossings
- Lack of trees in the north of the high street
- There are too many cafe chains

What would you like to see change?

- Introduce a 20mph zone
- Widen the pavements
- Invest more in the southern end of the street
- Make more of the history of the street

### **Tower Bridge Road**

What do you like about this high street?

- Diverse character of the street
- History of the area
- Links to Bermondsey Street

What do you dislike about this street?

- Number of empty shops
- Traffic issues

What would you like to see change?

- Review of congestion charge boundary
- Better sign posting for example to the pie and mash shop
- Christmas lights

## **14. LOCAL PARKING AMENDMENTS**

**Note:** this is an executive function

Members considered the information in the report.

### **RESOLVED**

That the following local parking amendments, detailed in the appendices to the report, be approved for implementation subject to the outcome of any necessary statutory procedures:

- Garden Row - Install disabled persons parking place

- Longville Road - Convert existing permit holder bays to shared use bays (permit and pay and display/pay by phone)
- Hayles Street - install double yellow lines and permit holder's only bay

## 15. PUBLIC QUESTION TIME

The following public questions were submitted:

How many food contamination complaints have been received in the community council area in the past 2 years and how many complaints have resulted in fines being issued?

- Can the council confirm that all traders supplying meat, fish and food have relevant food hygiene certificates which are renewed when required?
- If there are food traders found with rodent ( infestation) and if so do premises get closed down...If not what is the procedure
- Where would the public find the information about shops/traders that are in breach of food safety standards

Why is the existing development zone covering Walworth Road and East Street allowed to prevent regeneration/business funding from Wansey Street to Burgess Park and East Street? Can the area be delisted?

There are confusing signs on Heygate Street onto Walworth Road stating end of 20 mile per hour zone which indicate Walworth Road is an 30 mile per hour road. Then under the railway bridge there is a sign end of 20 mile per hour zone which is conflicting information – can this be addressed?

What is happening with Elephant Park (between Heygate Estate and Maritime railway line)? The development of Tribeca Square had an agreement with Southwark allowing the developers to use the park as a site compound – has this agreement run out? If so will it be renewed and when will the work on the Tribeca Square development begin?

The Elephant forum recommended that all roads should be restricted to 20 mph going to and from the elephant roundabout and junction in the light of recent death of a child on St George's road would the council consider such as a matter of urgency?  
Who is responsible for St George's Road and its speed monitoring?

Can a green man crossing and a 20mph limit be introduced at the junction of Great Suffolk Street and Borough High Street? This is a busy crossing for mothers and children at school times on a fast road. This desperately needs a crossing allowing time for pedestrian crossing. This request is supported by parents at Charles Dickens School, students at the British School of Osteopathy and Borough Babies.

Why is there no phased pedestrian crossing across Stamford Street at the Blackfriars Road junction?

What is the Section 106 agreement between the council and the Shard with access to the viewing platform and what discounts do local residents get?

An issue was raised relating to electricity supply which was passed to officers to respond to directly.

An issue was raised in relation to the installation of a Christmas Tree on Walworth Road – Cllr Hickson undertook to get a response from officers.

**CHAIR:**

**DATED:**

## Corporate Complaints Policy Consultation

## Background &amp; Proposed changes

[www.southwark.gov.uk](http://www.southwark.gov.uk)

1. This consultation paper outlines our proposal to make changes to Southwark's Corporate Complaints Policy. We currently have two policies that have not been updated for some time, the Corporate Complaints Policy (August 2007) and the Complaint Resolution Policy (December 2009). We are increasingly focused on resolving complaints early and the current complaint policies do not adequately reflect this emphasis. The new draft policy is not a wholesale change from previous policies and much of the previous guidance remains unchanged.
2. The key changes being proposed are:

Current System	Proposal
Definition of a complaint: <i>any expression of dissatisfaction about any of our services, whether justified or not, requiring a response.</i>	Definition of a complaint: <i>Often, someone who wishes to complain will be specific about their intention to make a complaint. If not, the person's expectations should be established. Although we do not require the word 'complaint' to be used by the person voicing discontent, this term 'complaint' implies a grievance that needs to be resolved, not just a request for service, an observation for the service to note, or a question to be answered.</i>
<p>Stage 1 – investigated &amp; answered by business unit within 15 working days</p> <p>Stage 2 – investigated &amp; answered by Customer Resolutions Team within 20 working days</p> <p>Stage 3 – investigated &amp; answered by Customer Resolutions Team on behalf of Chief Executive within 25 working days</p>	<p>Complaint Phase – answered by business unit within 15 working days</p> <p>Review Phase – investigated &amp; answered by Customer Resolutions Team on behalf of Chief Executive within 25 working days</p>
	<p>A re-emphasis on:</p> <ul style="list-style-type: none"> <li>• Communication – we will telephone the customer, updating on investigation progress and agreeing action plan.</li> <li>• Learning – where a complaint highlights a need for change, the Customer Resolutions Team work with service manager(s) to achieve this.</li> </ul>



3. It is our opinion that complaints will be dealt with more **quickly** (reviews by the Customer Resolutions Team will take 25 working days instead of the current 45 working days) and that, through this and a renewed emphasis on communication, the right **outcome** will be delivered earlier than it is now.
4. The new policy would be introduced at a time of wider changes in how complaints against Council are managed. From April 2013, the Housing Ombudsman will be taking over from the Local Government Ombudsman in handling complaints against local authorities in their role as landlords. This change is not part of our consultation – it has already been introduced as law as part of the Localism Act (2011).
5. We are seeking feedback from customers on the proposed changes. We would be grateful if you would answer the following questions. The closing date is 5pm on 19 December 2012.

a) What is your opinion of the proposal to change from a 3-stage to 2-phase process?

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b) Is our complaint definition satisfactory?

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c) Do you think that the proposed policy will lead to us getting things right earlier?

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d) Do you have any amendments or alternative suggestions to this proposal?

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Responses can be made online (Consultation page on Southwark website), by returning this completed form (and additional sheets if needed) to Daniel Toms, Customer Resolutions Team, Southwark Council, PO Box 64529, London SE1P 5LX or by email to [daniel.toms@southwark.gov.uk](mailto:daniel.toms@southwark.gov.uk).

### **What is Neighbourhood planning?**

Neighbourhood planning was introduced under the Localism Act 2011 to give members of the community a more hands on role in the planning of their neighbourhoods. It is a process that is led by the community and supported by the Council.

Neighbourhood planning needs to be a positive process, so it cannot be used to block development that is needed in the borough. However, it could be used to influence the type of development that takes place in a neighbourhood, whereabouts it takes place, what it looks like and the mix of uses that are included.

Regulations have been produced that provide a framework for neighbourhood planning. The Regulations set out what is required from local groups who wish to undertake neighbourhood planning and what the role of the local authority will be in supporting this.

Neighbourhood planning can be pursued in three different ways:

- **Neighbourhood Plan** – a plan that sets out policies for new development in the neighbourhood. Plans must be positive and encourage sustainable development.
- **Neighbourhood Development Order (NDO)** – An NDO means that certain types of development can take place in an area without the need to apply for planning permission
- **Community Right to Build Order** – Similar to an NDO, but this gives the residents within the neighbourhood the power to actually undertake certain development without the need to apply for planning permission

### **Neighbourhood planning process**

Neighbourhood planning can only be carried out by a neighbourhood forum or a parish council. A neighbourhood forum needs to meet certain requirements and be approved by the local authority. If you are interested in finding out about the process required to become a neighbourhood forum, please contact the planning policy team.

Only one group can undertake neighbourhood planning in a particular neighbourhood. When an application to create a forum is made to the Council, we advertise the application through our website. At this stage, other groups of individuals have a 28 day window to register their own group.

When more than one group is interested in preparing a neighbourhood plan for the same area, we will encourage the groups to work together.

When it has been agreed that a neighbourhood forum will prepare a neighbourhood plan for an area, they will take the lead and the council will provide support. It is up to the neighbourhood forum to consult and involve local people in the preparation of the plan but the council will, of course, provide advice on how to go about this.

Before a neighbourhood plan can be adopted there will be an examination in public where an independent examiner will consider whether the plan should go forward to be voted on at a local referendum, in which everyone living in the area covered by the neighbourhood plan will be able to vote for or against its adoption. If the neighbourhood area is a business area, then local businesses may also be eligible to vote. If more than 50% of votes are in favour of the plan then it will be adopted.

### **Neighbourhood Planning in Southwark**

When the Localism Bill was first published in November 2010, the Government announced a programme of pilot projects where local authorities could work with community groups to explore some of the principles of neighbourhood planning in advance of the proposals becoming law.

Southwark was selected by the government's Department for Communities and Local Government as one of these neighbourhood planning front runner authorities and since then, Southwark Council has been working with groups in **Bankside** and **Bermondsey** to prepare two separate neighbourhood plans for their areas.

We will update this page regularly to publicise any applications to create new Neighbourhood Forums in Southwark, making clear the areas that these forums will cover. Once neighbourhood forums are in existence, we will also use this page to publicise their Plans and/or Orders.

### **Neighbourhood Planning in Bankside**

The Bankside neighbourhood plan process is being led by the Bankside residents' forum. Further information about their ideas for the area is available on their website: [www.wearebankside.com](http://www.wearebankside.com). An application for the residents' forum to be formally designated as a Neighbourhood Forum for the purposes of neighbourhood planning was made in October 2012.

### **Current Consultations**

- Bankside Neighbourhood Area and Bankside Neighbourhood Forum applications

### **BBLB SPD**

When the neighbourhood planning front runner programme was announced, Southwark Council, in consultation with the Greater London Authority, decided to suspend work on the preparation of the Bankside, Borough and London Bridge Supplementary Planning Document (SPD).

The council will continue, in consultation with the GLA, to keep under review the need to resume work on the preparation of the Bankside, Borough and London Bridge SPD (which is also intended to form the Mayor's Opportunity Area Planning Framework - or OAPF - for the area).

It is not expected that the neighbourhood plans being prepared in the area will not remove the need to have a clear planning framework for the whole opportunity area in the form of an SPD/OAPF and it is expected that work will resume on the preparation of this during 2013.

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 8 December 2012	<b>Decision Taker:</b> Bankside, Borough and Walworth community council
<b>Report title:</b>		Neighbourhood Planning – Application for a neighbourhood development area and also for qualifying body status by Bankside Neighbourhood Forum	
<b>Ward(s) or groups affected:</b>		Cathedrals, Chaucer, Riverside	
<b>From:</b>		Chief Executive	

## RECOMMENDATIONS

That the community council:

1. Comment on the proposal for Bankside Neighbourhood Development Area and also Bankside Neighbourhood Forum against the criteria as set out in paragraph 9 of the report.

## BACKGROUND INFORMATION

2. The Localism Act 2011 introduced new processes for communities to get involved in the planning of their areas through the preparation of neighbourhood plans and neighbourhood development orders. This provides local communities through parish councils or neighbourhood forums to be able to shape and encourage delivery of new development.
3. A neighbourhood plan may contain a range of policies or proposals for land use development that will be used as part of determining decisions on planning applications. It can also grant planning permission through neighbourhood development orders for a particular, defined type of development in an area or a specific site.
4. The local authority must agree to a neighbourhood forum being a 'qualifying body' for the purposes of the Act and must agree the area for which a neighbourhood plan or development order is to be prepared. There are specific requirements set out in the Act and the neighbourhood planning regulations for neighbourhood forums to be designated as qualifying bodies and for the local authority to set other conditions.
5. It is possible that the council will receive applications for recognition of neighbourhood forums from many areas. While some neighbourhood forums may be considered not truly representative, others may be proposing an area where it is not appropriate to prepare a neighbourhood plan at that time. There may also be cases where the aims of the community proposing a neighbourhood plan might be best achieved by some other means.

## KEY ISSUES FOR CONSIDERATION

### Decision making

6. The Council has agreed clear criteria for decision making.
7. The proposal for Bankside Neighbourhood Area by Bankside Neighbourhood Forum meets the criteria. The Area boundaries meet the criteria set out in the report and there are no overlaps with proposals by other forums as set out in table A.
8. The proposal for Bankside Neighbourhood Forum meets the criteria necessary for qualifying body status and there are no competing proposals at present as set out in table A.
9. The community council are being asked to comment on the appropriateness of the boundary and also the appropriateness of the group that has applied for qualifying body status.

### TABLE A

<p><b>Decision 1</b>  <b>Forum application</b>  <b>Application for designation of a Neighbourhood Area</b></p>
<p><b>Process</b></p> <p>Where a neighbourhood forum submits an application to the local Planning authority. It must include:</p> <ul style="list-style-type: none"> <li>• A map identifying the area See appendix A</li> <li>• A statement explaining why this area is considered appropriate to be designated See appendix B</li> <li>• A statement that the organisation or qualifying body is relevant for the purposes of the 1990 Act (as applied by section 38A of the 2004 Act) See appendix C</li> </ul>
<p><b>Criteria for decision making</b></p> <ul style="list-style-type: none"> <li>• Has the map been submitted identifying the area? Yes</li> <li>• Has the statement explaining why this area is considered appropriate to be designated been submitted? Yes</li> <li>• Has the statement that the organisation or body is relevant for the purposes of the 1990 Act been submitted? Yes</li> <li>• Is there already a neighbourhood plan covering this area?</li> </ul>

No

- How do the boundaries relate to current and proposed planning designations?  
The boundary is along the borough boundary to the north and west. The eastern boundary is along a main road Borough High street and the southern boundary has been determined by the level of development likely to take place. This area is within the Bankside, Borough and London Bridge Opportunity Area and the Central Activities Zone. It also covers part of the Thames Policy Area.

- Is the proposed area appropriate?

Yes

- Should the area be a business area?

Yes

- Would a business referendum be required?

Yes

## Decision 2

### Forum application

#### Application for designation of a Neighbourhood Forum

#### Application

Where an organisation or body submits an application to the local planning authority it must include

- The name of the proposed forum

Bankside Neighbourhood Forum

- A copy of the written constitution of the proposed Forum

See appendix D

- The name of the neighbourhood area to which the application relates and a map identifying the area

See appendix A

- The contact details of one member of the forum to be made public

Tim Wood, [tim@forgearchitects.co.uk](mailto:tim@forgearchitects.co.uk), 02073787782

- A statement to explain how the forum meets the conditions contained in the 1990 act (as applied by section 38A of the 2004 Act)

See appendix C

#### Criteria for decision making

- Has the name of the proposed forum been submitted?

Bankside Neighbourhood Forum

- Has the timescale of the plan been specified?

5 years

- Has a copy of the written constitution of the proposed forum been submitted?

Yes

- Has the name of the neighbourhood area to which the application relates and a map identifying the area been submitted?

Yes

- Have the contact details of one member of the forum to be made public been submitted?

Yes

- Is there a statement to explain how the forum meets the conditions contained in the 1990 Act. These should include whether it is established for the purpose of promoting or improving the social, economic and environmental wellbeing of the

neighbourhood area. Whether its membership is open to individuals who live, work, and/or are elected to the area?

Yes

- Does membership include a minimum of 21 individuals who live or work in the area or are an elected member?

Yes

- Does it have a written constitution?

Yes

- Is membership drawn from different places in the neighbourhood and from different sections of the community?

Yes

- Does the purpose reflect the character of the area?

Yes

- Is there already a neighbourhood forum for that area?

No

- What is the length of the designation as a designation ends after 5 years?

5 years

### **Financial implications**

10. There may be financial implications however these are uncertain at present. Each neighbourhood plan may require a referendum which would spend considerable funds. A ward election would cost around £25,000 per referendum. These costs could be similar to a ward election. They are unavoidable and there is no budget for them. Furthermore, at this stage it is not possible to predict if, when or how this/these referendum/s could take place.

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

#### **Director of Legal Services**

11. On the 26 September 2012 the applicant 'Bankside Neighbourhood Forum' submitted an application to the Council for the designation of the land identified on the plan titled 'Bankside Neighbourhood Plan Area Boundary' (Appendix A) as an NA and for the designation of NF status (Appendix B and C).
12. As stated in the Report, neighbourhood planning is intended to provide communities with a greater influence over the development of their local area by enabling them to draw up Neighbourhood Development Plans NDP's and Neighbourhood Development Orders NDO's. The function of a NF is to act as the vehicle for progressing NDP's in respect of a particular, geographically defined, NA.
13. The legislative provisions concerning Neighbourhood Planning are set out in the Neighbourhood Planning (General) Regulations 2012 No.537 ("the Regulations"), Neighbourhood Planning (Referendum) Regulations 2012 No.2031, the Localism Act 2011 and the Town and Country Planning Act 1990 (TCPA).
14. Regulations 5 and 8 set out the requirements that must be satisfied by the applicant body/organisation in making an application for designation of a NA and NF as set out under Decisions 1 and 2 of Table A (paragraph 17). The

documents submitted to the Council in support of the application satisfy the qualifying criteria. Further, the NF fully accords with the requirements of Section 61F(5) TCPA1990, which provides that the applicant body or organisation must be a community group or organisation established with the express purpose of promoting the social, economic and environmental well-being of a particular area.

### Strategic Director of Finance and Corporate Services (SDFCS) (NR/FCS/22/8/12)

15. The SDFCS notes the financial implications contained within the report. Officer time to effect the recommendation will be contained within the existing budgeted revenue resources.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Localism Act	<a href="http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted">http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted</a>	<a href="mailto:planpolall@southwark.gov.uk">planpolall@southwark.gov.uk</a>
The Neighbourhood Planning Regulations	<a href="http://www.legislation.gov.uk/uksi/2012/637/contents/made">http://www.legislation.gov.uk/uksi/2012/637/contents/made</a>	<a href="mailto:planpolall@southwark.gov.uk">planpolall@southwark.gov.uk</a>

### APPENDICES

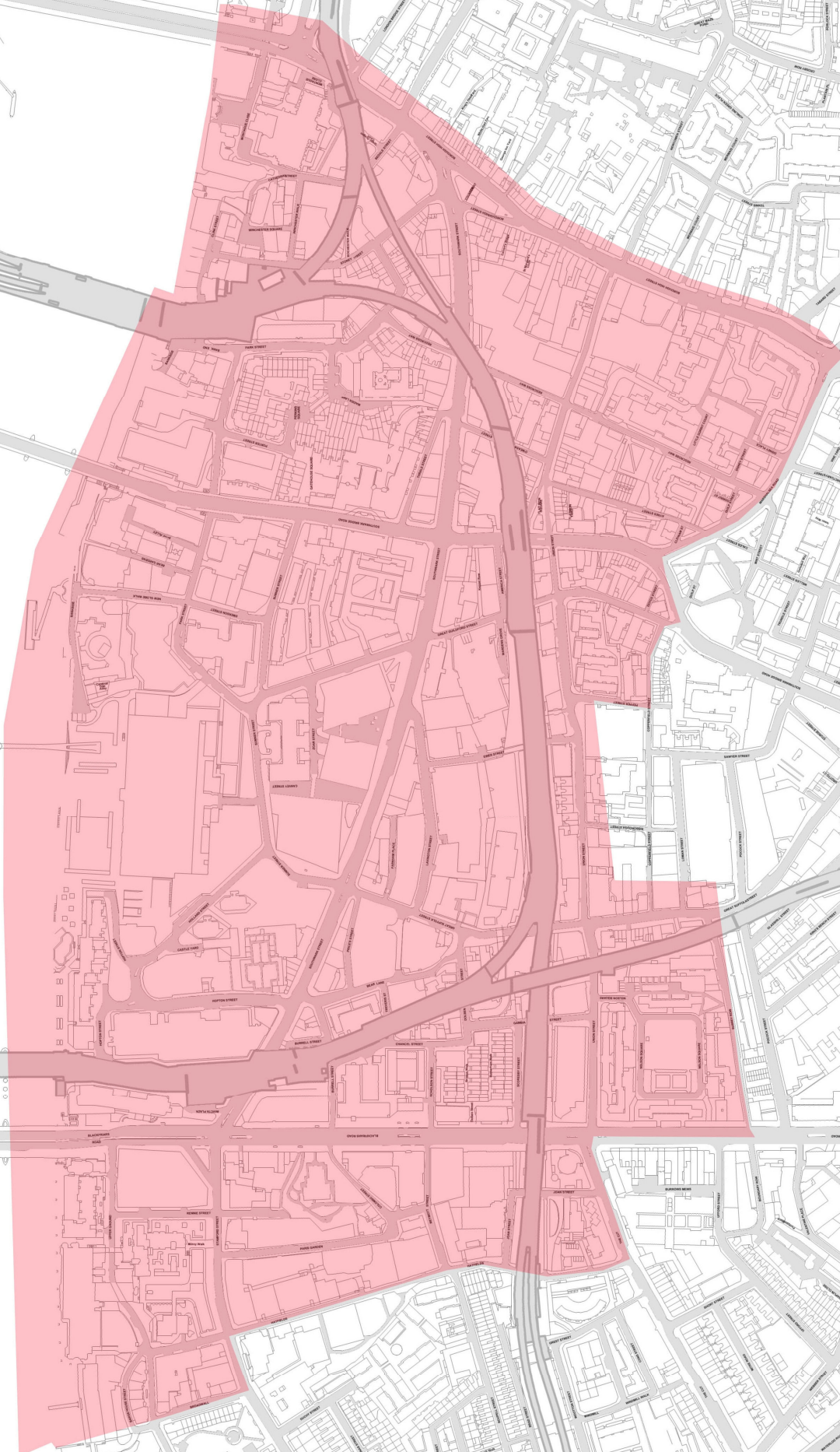
No.	Title
Appendix A	Map of the proposed area
Appendix B	Area Statement
Appendix C	Qualifying body Statement
Appendix D	Constitution

### AUDIT TRAIL

<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Juliet Seymour, Planning Policy Manager	
<b>Version</b>	Final	
<b>Dated</b>	27 November 2012	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	No
<b>Date final report sent to Constitutional Team</b>	27/11/2012	



**Bankside Neighbourhood Plan Area boundary**



## **Bankside Neighbourhood Plan – Area Statement**

### Boundaries of plan area

Bankside faces some of the greatest potential for development and opportunity in the borough. The area outlined has been selected as a neighbourhood plan that has both strong residential and business communities. Bankside Residents' Forum and Better Bankside have been working to similar boundaries for at least 10 years and can support the development of the plan and ensure that views of both residents and businesses are represented. The boundaries have been selected to ensure that future development opportunities can be addressed in an inclusive way.

The **northern** and **western** boundaries of the Bankside Neighbourhood Plan area follow the borough boundary –that is the River Thames to the north and Broadwall/Hatfields to the west, which is one block west of Blackfriars Road. This ensures that the area of proposed development at the north end of Blackfriars Road and Upper Ground can be included in the plan area.

The **eastern** boundary is one block to the east of Borough High Street, as far south as Borough tube station, ensuring that both sides of Borough High Street can be included and this largely retail street be considered as a whole rather than divided along the middle. London Bridge Station is also included, as this is seen as an important element in the consideration of the railway line and the northern section of Borough High Street.

The **southern** boundary largely follows the southern side of Union Street, again ensuring that both sides of this street, as well as the railway arches are included within the plan area. To the west the boundary moves south to include the residential development at Nelson Square and to the east the boundary follows Marshalsea Road to Borough tube station, ensuring that this residential area and transport hub are included in the plan area.

Bankside is an area characterised by both residential and business communities and the boundaries have been chosen so that the neighbourhood plan can reflect this. The plan will also be aware of areas immediately adjacent, especially where policy proposals might sit near to one of the boundaries. Where there is an adjoining neighbourhood plan area it will be appropriate to consult with them on proposals that might impact their area, and vice versa.

## **Application to Southwark Council for designation of Bankside Neighbourhood Forum**

### **a) Name of Forum**

Bankside Neighbourhood Forum

### **b) Map of area**

The boundary of the neighbourhood forum area is defined in the attached map (see annex 1)

### **c) Written constitution**

See annex 2

### **d) Membership list**

Originally a resident-led neighbourhood forum, Bankside was awarded frontrunner status as a business-led plan in May 2011. To build on the strengths of the resident and business communities, as well as local organisations and interest groups, the neighbourhood forum encompasses representation from all of these groups, from all parts of the neighbourhood. The current membership of 21 individuals who live or work in the area is given in annex 3. New members are actively encouraged at all times.

### **e) Contact details**

The following contact details will be made public:-

Named person: Tim Wood

Email: [tim@forgearchitects.co.uk](mailto:tim@forgearchitects.co.uk)

Tel number: 020 7378 7782

### **f) A statement which explains how the neighbourhood forum meets the conditions contained in section 61F (5) of the 1990 Act**

Bankside Neighbourhood Forum was established in October 2011 (the date of our first Forum meeting) for the specific purpose of building collaborative planning in the neighbourhood, with the aim of developing a neighbourhood plan for Bankside.

Bankside Neighbourhood Forum welcomes the powers being passed to residents and businesses under the Localism Act 2011 and is capable of working with all relevant partners to improve the social, economic and environmental wellbeing of the neighbourhood.

Membership of the forum is open to individuals who live, work, or are elected to the area. This group of 21 local residents, businesses, organisations and local members is now applying for formal designation of the Bankside Neighbourhood Forum, which undertakes to produce a neighbourhood plan.

Investment and development in Bankside is having a significant impact on the residential and business communities and will continue to do so for many years. Local residents, businesses and organisations wish to be fully involved in such major change and welcome the opportunity for greater engagement in the planning process. This will

require thorough research and consultation, ensuring a meaningful collaboration between local stakeholders, those who work and invest here, local members and the local authority.

The forum has attracted the commitment of a wide range of members, reflecting the strong mix of business and resident communities in the area. Forum members have met together in theme groups to discuss and establish a background understanding of the issues that face the neighbourhood. Workshops will be held, and an evidence base built up, so that principles and aspirations can be drawn out to underpin proposals for consultation with the wider communities.

The forum intends to produce the neighbourhood plan during the year 2012-13, with a target to have the plan ready for examination in March 2013. The exact timescale will depend upon the external assistance and support that is available and the feedback from the extensive consultation that will be undertaken. The forum expects the designation to be reviewed after 5 years to consider whether its aims have been achieved and the strength of support for a further designation.

Bankside Neighbourhood Forum asserts that it is a relevant body to apply for designation as the neighbourhood forum for the Bankside neighbourhood area.

**BANKSIDE NEIGHBOURHOOD FORUM - Constitution****Area:**

The area covered by the Forum is shown in the attached map.

**Aims:**

Bankside Neighbourhood Forum aims to shape the development of Bankside for the benefit of people who live and work here by working collaboratively to develop a consensus for a neighbourhood plan.

**Membership:**

Membership is open to those who live or work in the neighbourhood, or are elected members of the London Borough of Southwark for this area, and who support the aims as above. There will be a minimum of 21 members. The Chair will keep a membership list.

**Meetings:**

Forum meetings usually will be held monthly. Nine members will constitute a quorum. A proper record of meetings will be kept, supported by Better Bankside. Forum meetings, notes of meetings and notices will be circulated to members and publicised through community websites.

**Decision Making:**

Decisions will be made by consensus. Only in the event that consensus cannot be reached will a decision be made by a simple majority vote of the members present. Members attending Forum meetings can allocate tasks between meetings and can set up sub-groups and delegate decision making to sub-groups.

**Officers/ Facilitators:**

A Chair has been appointed. Forum meetings may appoint facilitators to lead particular sub-groups. Progress between meetings can be continued by meetings of the working group.

**Finance:**

Better Bankside will be the accountable body for funds until a bank account for the Forum can be formally established.

**Code of Conduct:**

Everyone will be treated with respect and will treat others with respect.

**Amendments to the terms of reference:**

Amendments to the terms of reference can be made at a Forum meeting, providing that 28 days notice is given of the amendments proposed.

**Dissolution:**

The Forum can be dissolved by a resolution at a Forum meeting. 28 days notice of the resolution must be given to all members. The resolution must attain a two-thirds majority of those present.



**Borough, Bankside and Walworth Community Council**

**Public Question form**

**Your name:**

**Your mailing address:**

**What is your question?**

**Please give this form to Alexa Coates, Principal Constitutional Officer**

**Issues raised at the Borough, Bankside and Walworth Community Council  
meeting held on 10 October 2012**

Issue	Action
<p>How many food contamination complaints have been received in the community council area in the past 2 years and how many complaints have resulted in fines being issued?</p> <ul style="list-style-type: none"> <li>• Can the council confirm that all traders supplying meat, fish and food have relevant food hygiene certificates which are renewed when required?</li> <li>• If there are food traders found with rodent ( infestation) and if so do premises get closed down...If not what is the procedure</li> <li>• Where would the public find the information about shops/traders that are in breach of food safety standards</li> </ul>	<p><b>How many food contamination complaints have been received in the community council area in the past 2 years and how many complaints have resulted in fines being issued?</b></p> <p>From 1/10/2010 to the 30/09/2012 the team received 15 complaints in Borough Bankside area the description of which relates to food contamination. No Fines have been issued. It should be noted that food safety enforcement officers cannot issue fines. Fines are issued by the Courts following a successful criminal conviction. Evidence available must be beyond reasonable doubt to secure successful convictions and subsequently fines.</p> <p>For the same period, 29 such complaints were received in the Community Council area of Walworth. No Fines issued.</p> <p><b>Can the council confirm that all traders supplying meat, fish and food have relevant food hygiene certificates which are renewed when required?</b></p> <p>Food business operators and food handlers are not legally required to have certificates of any food hygiene qualifications. Instead, the law requires that they are supervised and instructed/and or trained in food hygiene commensurate with the work they do. There is no requirement for renewal of certificates. However, food safety officers routinely assess the level of food hygiene knowledge and awareness of food business operators and staff and where concerns are identified, they are required to undertake the necessary training.</p> <p><b>If there are food traders found with rodent (infestation) and if so do premises get closed down...If not what is the procedure?</b></p> <p>In the past 2 years (same period as above), 15 complaints of rodent/pest infestation on food premises were received in the Community Council area of Borough Bankside and 29 in the Walworth area. Food businesses found to have rodents/pest on the premises are not automatically closed down. There are strict conditions set out in Food Law Code of Practice</p>

	<p>for food safety officers to consider when deciding to close a food business - There must be an imminent risk of injury to health. Three (3) food businesses in the Walworth area were closed during the period when food safety officers identified conditions that presented imminent risk to health as described in the Code of Practice. Four (4) food businesses in the Borough Bankside area were closed during the same period.</p> <p><b>Where would the public find the information about shops/traders that are in breach of food safety standards?</b></p> <p>The food team operates the Food Hygiene Rating Scheme developed by the Food Standards Agency (FSA) and this allows for the publication of hygiene ratings based on level of compliance with food hygiene law. The scheme has a six tier hygiene rating system ranging from 0-5 with 0 being the worse and 5 being the best. Hygiene rating can be viewed at <a href="http://ratings.food.gov.uk/">http://ratings.food.gov.uk/</a> Businesses with less than a rating of 5 would have some food hygiene breach, the numbers and severity of which increases as the rating decreases. It should be noted however, that businesses with a hygiene rating of 3 and above are "Broadly compliant" with hygiene rules.</p>
<p>Why is the existing development zone covering Walworth Road and East Street allowed to prevent regeneration/business funding from Wansey Street to Burgess Park and East Street? Can the area be delisted?</p>	<p>Awaiting response</p>
<p>There are confusing signs on Heygate Street onto Walworth Road stating end of 20 mile per hour zone which indicate Walworth Road is an 30 mile per hour road. Then under the railway bridge there is a sign end of 20 mile per hour zone which is conflicting information – can this be addressed?</p>	<p>Awaiting response</p>
<p>What is happening with Elephant Park (between Heygate Estate and Maritime railway line)? The development of Tribeca Square had an agreement with Southwark allowing the developers to use the park as a site compound – has this agreement run out? If so will it be renewed and when will the work on the Tribeca Square development begin?</p>	<p>The development of the site at 50 New Kent Road [known as Tribeca Square] is now being managed by Delancey a specialist real estate and advisory company in partnership with Oakmayne properties who secured the planning consent for the site. Delancey are currently in the process of seeking to refinance this mixed use redevelopment which includes retail, residential, student and commercial uses including a 4</p>



	<p>screen cinema. The project will also deliver the first phase of the much larger new public open space that will run east/west through the heygate site and which is part of the Lend Lease outline application. To facilitate the refinancing of the scheme the developers have been discharging pre commencement planning conditions and have amended the structural design and layout of the building to enable the scheme to incorporate a large retail unit on the groundfloor. The developer is in the process of completing a lease with Sainsbury's for this space. Securing funding continues to be challenging in the current financial environment. The council understands that the developer now expects to commence development early in the New Year. As part of continuing to help bring forward this regeneration project the council is discussing terms of the renewal for the site compound licence.</p>
<p>The Elephant forum recommended that all roads should be restricted to 20 mph going to and from the elephant roundabout and junction in the light of recent death of a child on St George's road would the council consider such as a matter of urgency? Who is responsible for St George's Road and its speed monitoring?</p> <p>Can a green man crossing and a 20mph limit be introduced at the junction of Great Suffolk Street and Borough High Street? This is a busy crossing for mothers and children at school times on a fast road. This desperately needs a crossing allowing time for pedestrian crossing. This request is supported by parents at Charles Dickens School, students at the British School of Osteopathy and Borough Babies.</p>	<p>This is the responsibility of TfL – this query has been sent to them.</p> <p>Current priority is to provide a green man facility at the junction of Borough Road and Southwark Bridge Road which should be in place by the end of the financial year. For consideration as part of any further investment programme I have included this request in the correspondence database and it will therefore act as indicator when we are identifying new transport schemes as part of any future funding programmes. The council's submission to Transport for London provides us with our main source of funding for making transport improvements in the borough and is announced in December each year, following a September submission.</p>
<p>Why is there no phased pedestrian crossing across Stamford Street at the Blackfriars Road junction?</p>	<p>This is the responsibility of TfL – this query has been sent to them.</p>
<p>What is the Section 106 agreement between the council and the Shard with access to the viewing platform and what discounts do local residents get?</p>	<p>The s106 for the Shard secures public access, to the mid and top levels; it does not secure any subsidised rates of access to the viewing space or restaurant space.</p>
<p>Issue about electricity Chalmers Walk</p>	<p>Issue passed to housing services to respond to</p>

	directly.
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<b>Item No.</b> 12.1	<b>Classification:</b> Open	<b>Date:</b> 8 December 2012	<b>Meeting Name:</b> Borough, Bankside and Walworth Community Council
<b>Report title:</b>		East Walworth and Faraday Green links	
<b>Ward(s) or groups affected:</b>		East Walworth & Faraday,	
<b>From:</b>		Head of Public Realm	

## RECOMMENDATIONS

1. That the Community Council note and comment on
  - Proposals to improve walking and cycling conditions from Salisbury Row to Burgess Park
  - Representations received during public consultation

## BACKGROUND INFORMATION

2. In accordance with Part 3H paragraph 19 and 21 of the Southwark Constitution, community councils are to be consulted on the detail of strategic parking/traffic/safety schemes.
3. The community council is now being given opportunity to make final representation to the cabinet member as part of the public consultation process.
4. This scheme was identified as one which would help to deliver Southwark's aim of increasing walking and cycling levels in the borough by improving links between local green spaces, from Salisbury Row Park to Burgess Park.
5. The overall objectives of this scheme are to improve conditions for pedestrians and cyclists particularly through interventions to encourage journeys on foot or by bike to and between local green spaces.

## KEY ISSUES FOR CONSIDERATION

6. Informal public consultation took place with residents and businesses within the consultation area, 5 to 30 November 2012
7. Full details of consultation results and recommendations will be tabled at the meeting.
8. Statutory consultation is schedule to commence December 2012.

## Recommendations to the Cabinet Member for Environment, Transport and Recycling

9. On the basis of the results of the public consultation the Cabinet Member will be recommended to :

- Note representations received during public consultation process, including that from the community council
- Make a decision on whether to implement the scheme, subject to statutory consultation.

### **POLICY IMPLICATIONS**

10. The recommendations contained within this report are consistent with the policies of the Transport Plan 2011, particularly:
- Policy 1.1 – pursue overall traffic reduction
  - Policy 2.3 – promote and encourage sustainable travel choices in the borough
  - Policy 4.2 – create places that people can enjoy
  - Policy 5.1 - Improve safety on our roads and to help make all modes of transport safer.

### **COMMUNITY IMPACT STATEMENT**

11. The implementation of any transport project creates a range of community impacts. All transport schemes aim to improve the safety and security of vulnerable groups and support economic development by improving the overall transport system and access to it.

### **RESOURCE IMPLICATIONS**

12. This report is for the purposes of consultation only and there are no resource implications associated with it.
13. It is, however, noted that the project itself is funded by Transport for London via the Local Implementation Plan programme for strategic transport projects.

### **CONSULTATION**

14. Ward members were consulted prior to consultation process.
15. Informal public consultation was carried out in November 2012.
16. The proposal was highlighted via community announcement at the Community council meeting on 10 October 2012, with displayed plans /drawings .
17. This report provides an opportunity for final comment to be made by the community council prior to a non-key decision scheduled to be taken by the Cabinet Member for Environment, Transport and Recycling in December 2012.
18. If approved for implementation this will be subject to statutory consultation required in the making of any permanent Traffic Management Orders.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Transport Plan 2011	Online: <a href="http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011">http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011</a>	Matthew Hill (020 7525 3541)

**APPENDICES**

<b>No.</b>	<b>Title</b>
	None

**AUDIT TRAIL**

<b>Lead Officer</b>	Des Waters, Head of Public Realm	
<b>Report Author</b>	Matthew Hill, Public Realm Programme Manager	
<b>Version</b>	Final	
<b>Dated</b>	29 November 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director for Communities, Law and Governance	No	No
Finance Director	No	No
Cabinet Member	No	No
<b>Date final report sent to Constitutional Team</b>	29 November 2012	

<b>Item No.</b> 12.2	<b>Classification:</b> Open	<b>Date:</b> 8 December 2012	<b>Meeting Name:</b> Borough, Bankside and Walworth Community Council
<b>Report title:</b>		Cycle Permeability Scheme	
<b>Ward(s) or groups affected:</b>		Grange, Livesey, Riverside, Cathedrals, Chaucer, East Walworth, Newington, Brunswick Park, Camberwell Green, Nunhead, Peckham and East Dulwich	
<b>From:</b>		Head of Public Realm	

### RECOMMENDATION

1. That the community council note or comment on:
  - The cycle permeability proposals as outlined in Appendix A
  - Representations received during public consultation, as summarised in Appendix C.
  - The impact of proposal on parking , as shown in Appendix B

### BACKGROUND INFORMATION

2. Any representation received as part of public and statutory consultation will be presented to the Cabinet Member of Environment, Transport and Recycling for a decision on whether to proceed or drop a scheme.
3. In accordance with Part 3H of the Southwark Constitution, community councils are to be consulted on the detail of strategic parking/ traffic/safety schemes. In practice this is carried out following public consultation.
4. The community council is now being given the opportunity to make final representations to the Cabinet Member as part of the public consultation process.
5. This scheme was identified as one which would help to deliver Southwark's aim of increasing walking and cycling levels in the borough, and funded by Transport for London as part of the Local Implementation programme for 2012 - 2013.
6. The particular locations of focus were identified using the Cycle Skills Network Audit (CSNA) and by Southwark Cyclists / Living Streets as areas that could be improved to allow better access for pedestrians and cyclists.
7. The overall objectives of this scheme are to encourage journeys on foot or by bike by opening up new links that avoid heavily trafficked streets.

## KEY ISSUES FOR CONSIDERATION

8. **Contra flow:** Public consultation was carried out on proposals that would remove or relocate existing parking, due to road safety concerns. Appendix B shows summary of changes to parking arrangements, which affects only 3 contra flows. Appendix C summarise representations received due to changes to parking. The public consultation took place with residents and businesses within the scheme area from September until October 2012.
9. **Shared use footway / alleyway:** Where it is proposed that cyclists use the exiting footway / alleyway, public consultation have been undertaken with residents, schools and business in the vicinity of the proposal. Representations received is summarised in Appendix C.
10. The next stage of the scheme is statutory consultation.

## Recommendations to the Cabinet Member for Environment, Transport and Recycling

11. On the basis of the results of the public consultation the Cabinet Member is recommended to :
  - Note representations received during public consultation process, including that from the community council.
  - Approve proposals that should be taken forward as part of statutory consultation process.

## Policy implications

12. The recommendations contained within this report are consistent with the policies of the Transport Plan 2011, particularly:
  - Policy 1.1 – pursue overall traffic reduction
  - Policy 2.3 – promote and encourage sustainable travel choices in the borough
  - Policy 4.2 – create places that people can enjoy
  - Policy 5.1 - Improve safety on our roads and to help make all modes of transport safer.

## Community impact statement

13. The implementation of any transport project creates a range of community impacts. All transport schemes aim to improve the safety and security of vulnerable groups and support economic development by improving the overall transport system and access to it.

### Resource implications

14. This report is for the purposes of consultation only and there is no resource implications associated with it.
15. It is, however, noted that this project is funded by Transport for London.

### Consultation

16. Members were consulted prior to commencement of the study.
17. Informal public consultation was carried out in October 2012, as detailed above.
18. This report provides an opportunity for final comment to be made by the community council prior to a non-key decision scheduled to be taken by the Cabinet Member for Environment, Transport and Recycling in December 2012.
19. If approved for implementation this will be subject to statutory consultation required in the making of any permanent Traffic Management Orders.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Transport Plan 2011	Online: <a href="http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011">http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011</a>	Matthew Hill 020 7525 3541

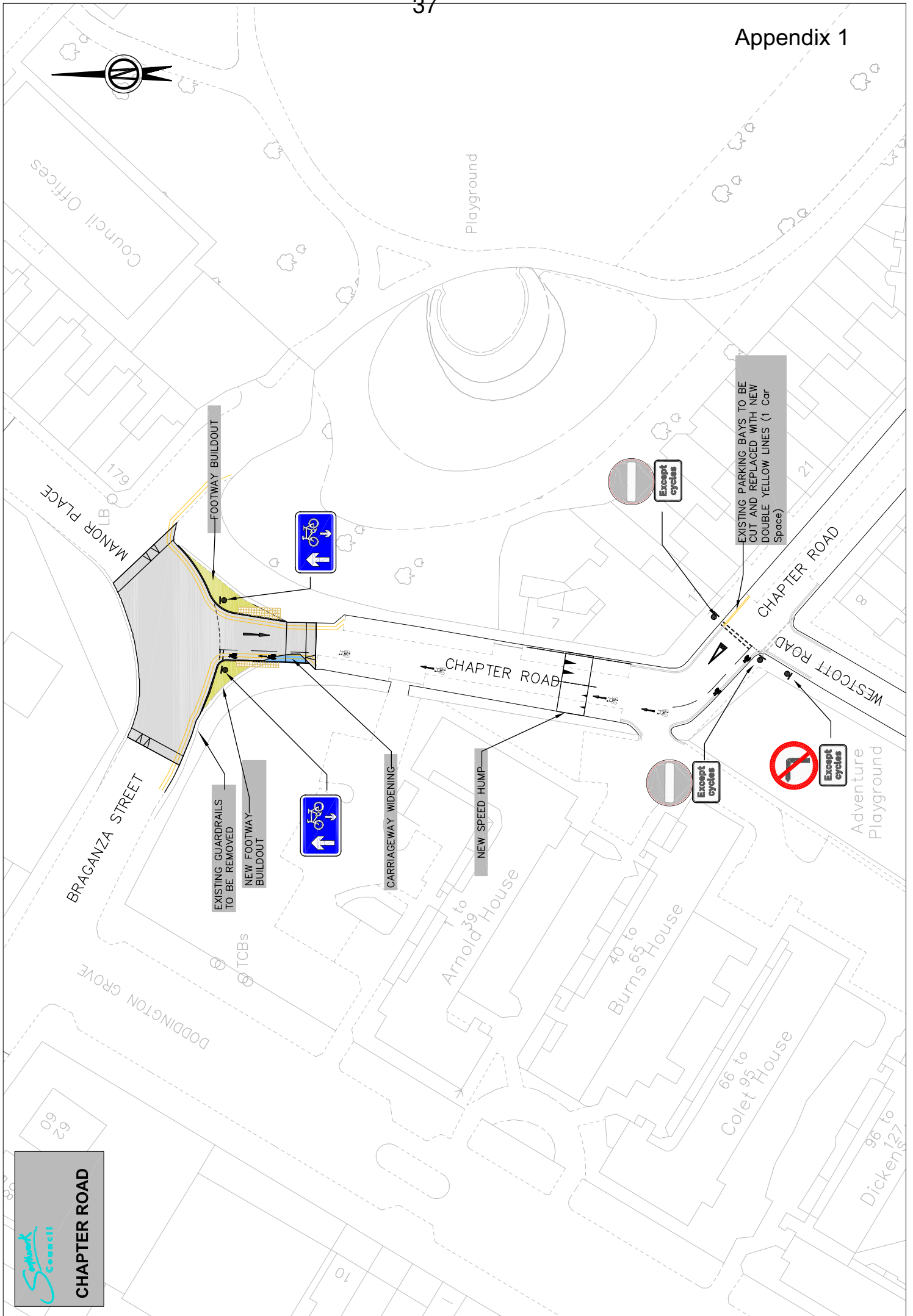
### APPENDICES


No.	Title
Appendix 1	Scheme Maps
Appendix 2	Scheme proposals
Appendix 3	Modification to Parking arrangements
Appendix 4	Summary of public consultation



**AUDIT TRAIL**

<b>Lead Officer</b>	Des Waters, Head of Public Realm	
<b>Report Author</b>	Matthew Hill, Public Realm Programme Manager	
<b>Version</b>	Final	
<b>Dated</b>	12 November 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Legal Services	No	No
Strategic Director, Finance and Corporate Services	No	No
Cabinet Member	Yes	No
<b>Date final report sent to Constitutional Team</b>		12 November 2012



 **CHAPTER ROAD**

Council Offices

Playground

MANOR PLACE

BRAGANZA STREET

CHAPTER ROAD

CHAPTER ROAD

WESTCOTT ROAD

DODDINGTON GROVE

Arnold House  
1 to 39

Burns House  
40 to 65

Colet House  
66 to 95

Dicken House  
96 to 127

Adventure Playground

FOOTWAY BUILDOUT

EXISTING GUARDRAILS TO BE REMOVED

NEW FOOTWAY BUILDOUT

CARRIAGEWAY WIDENING

NEW SPEED HUMP

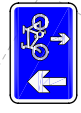
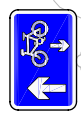
EXISTING PARKING BAYS TO BE CUT AND REPLACED WITH NEW DOUBLE YELLOW LINES (1 Car Space)

Except cycles

Except cycles

Except cycles

Except cycles



179

LB

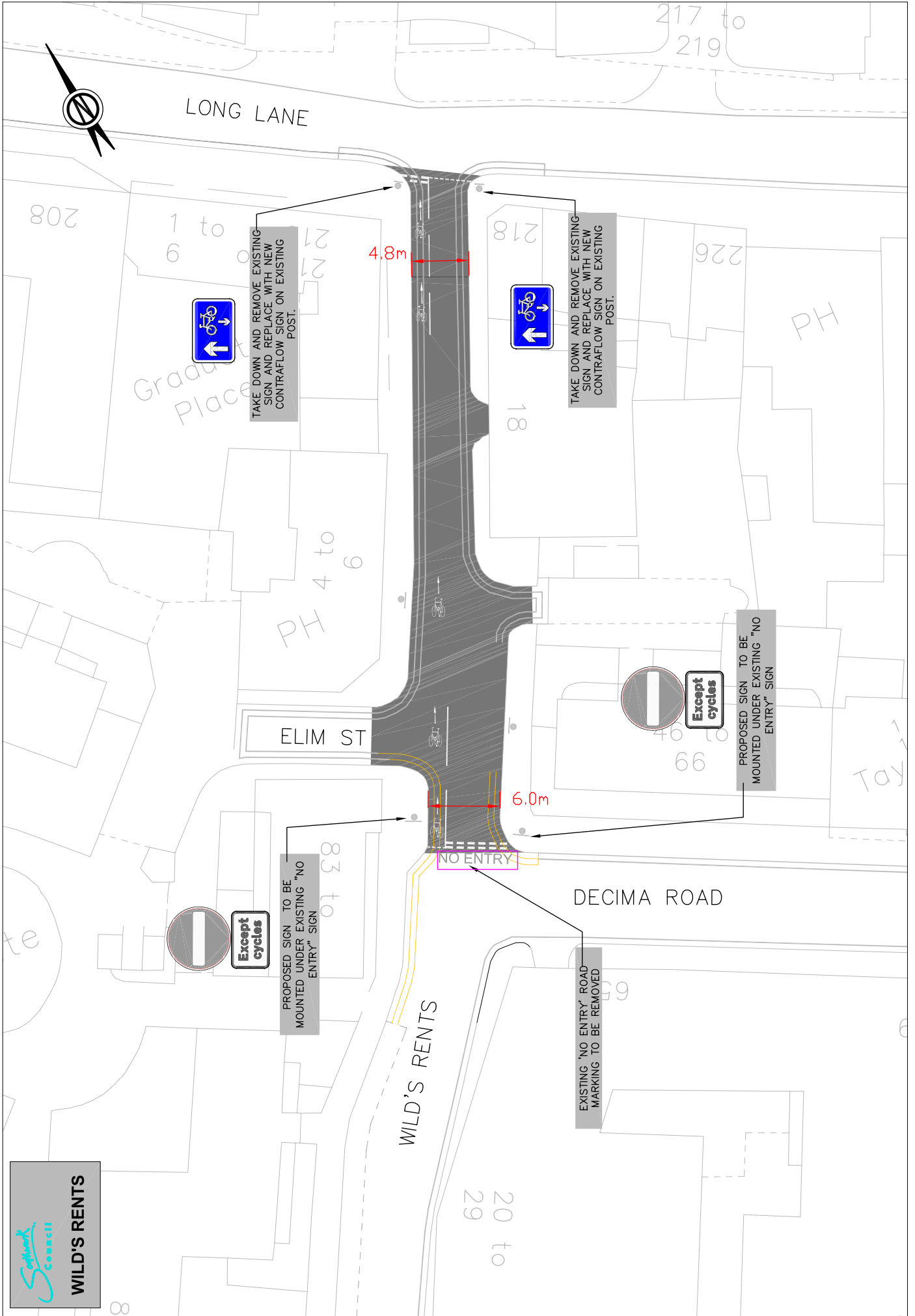
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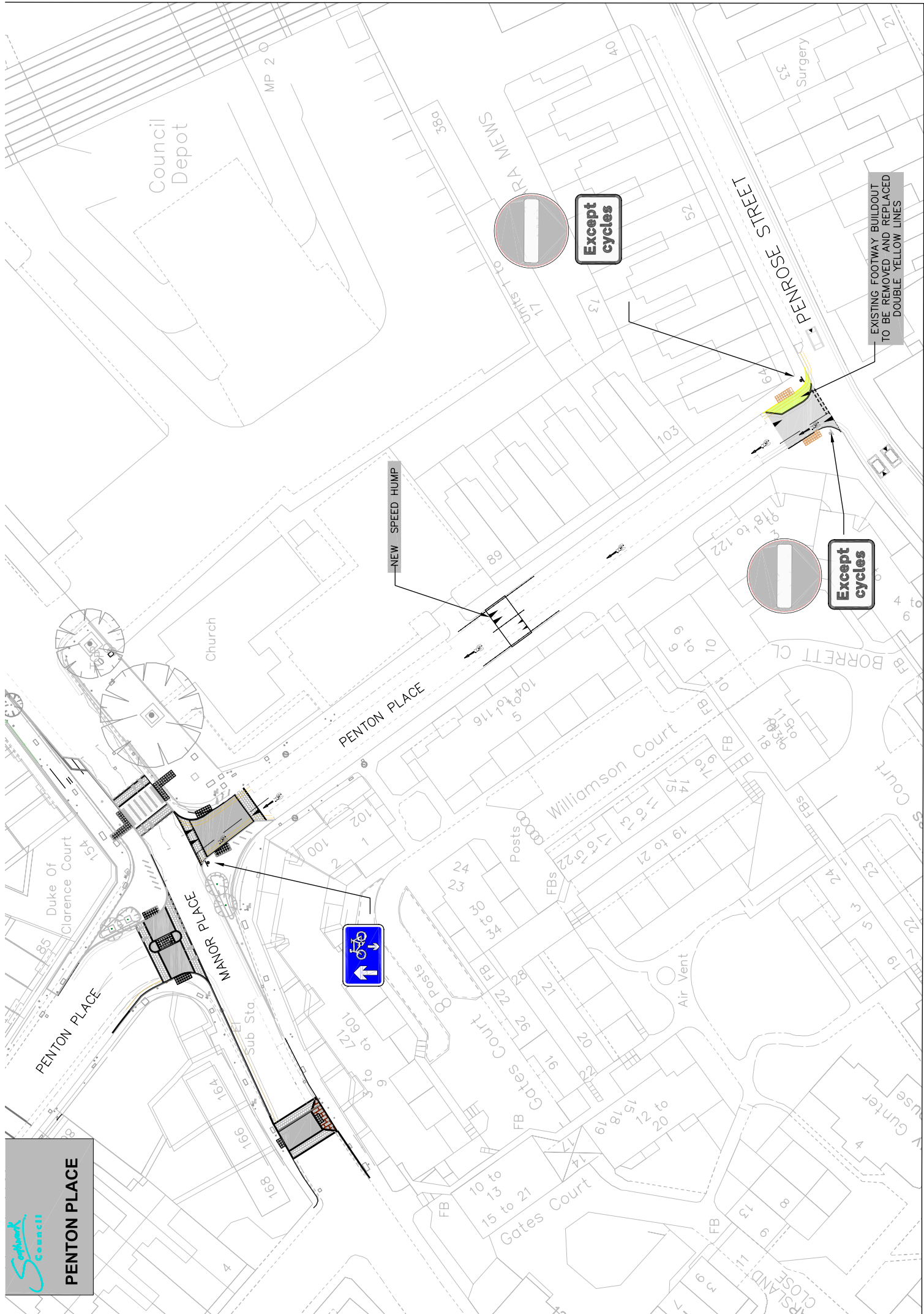
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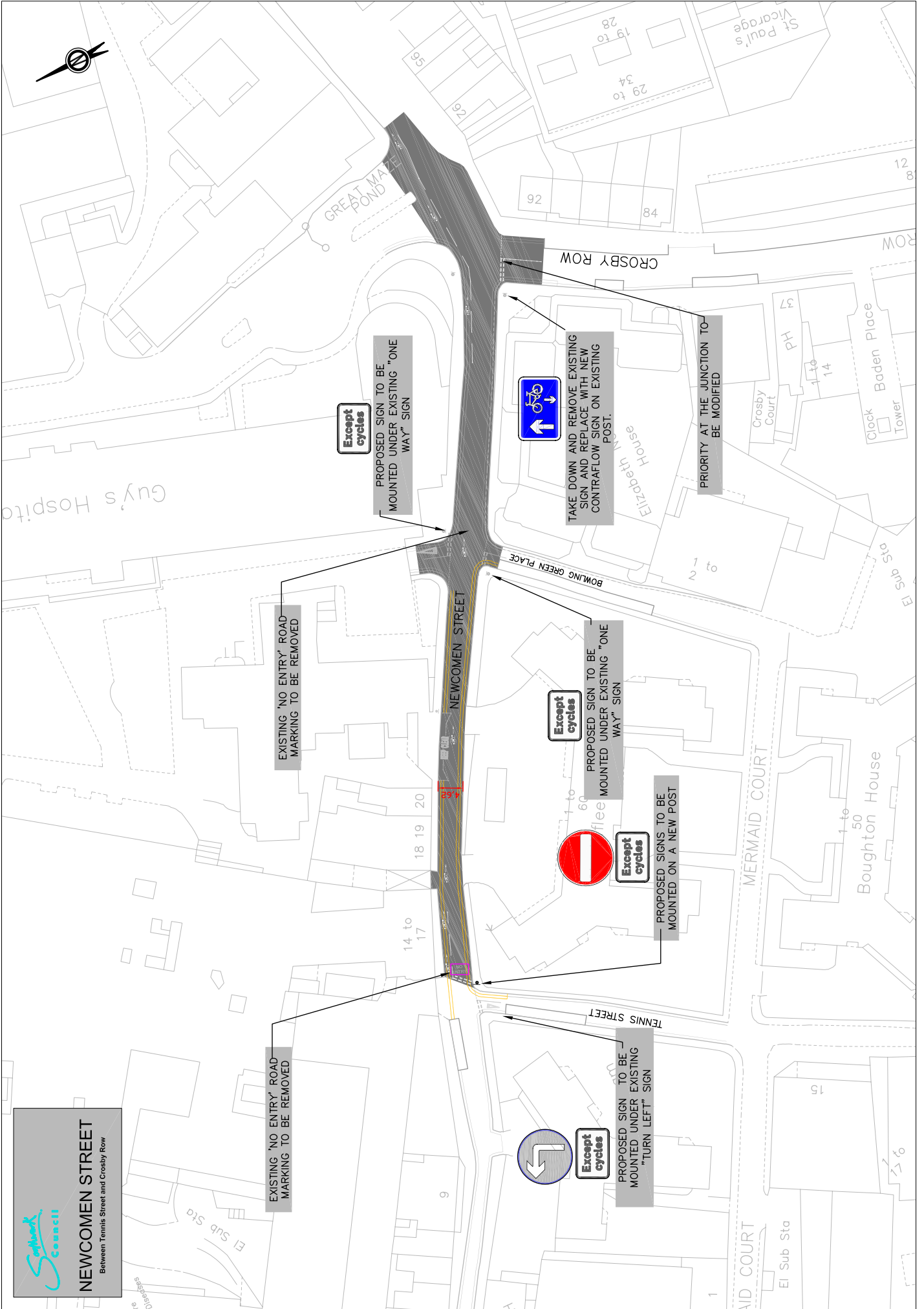
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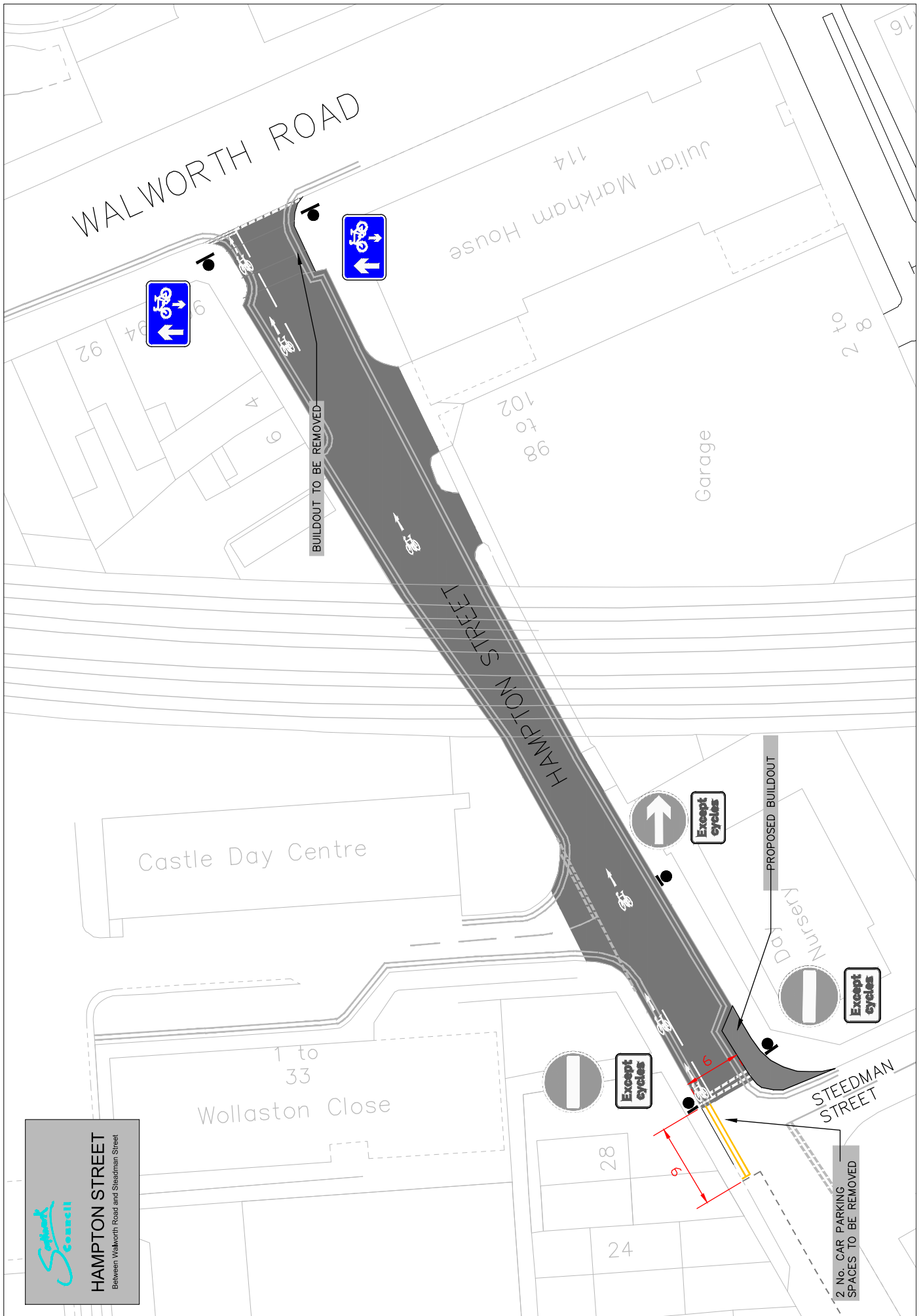
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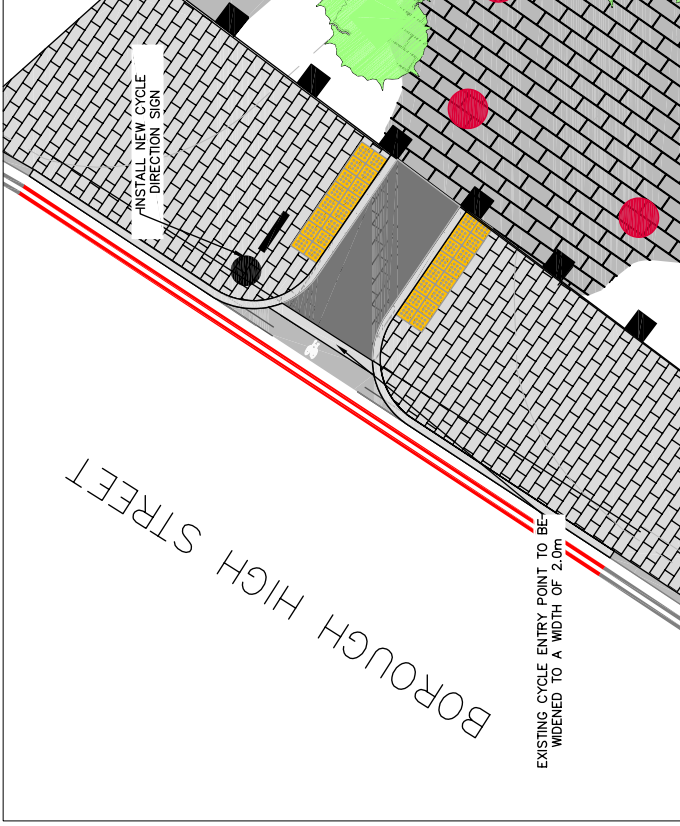




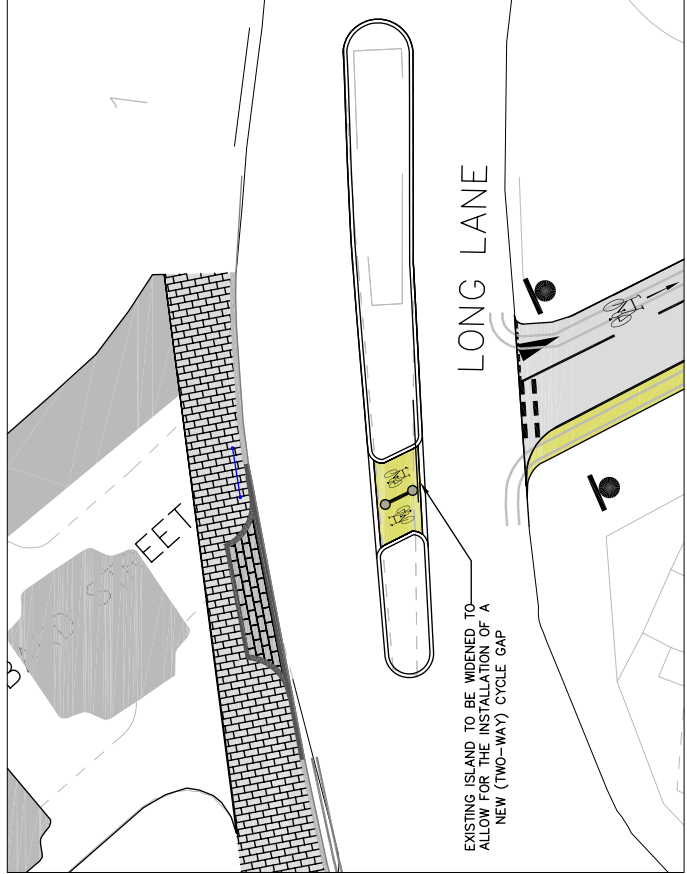


**HAMPTON STREET**  
Between Walworth Road and Steedman Street





TABARD STREET jw BOROUGH HIGH ST

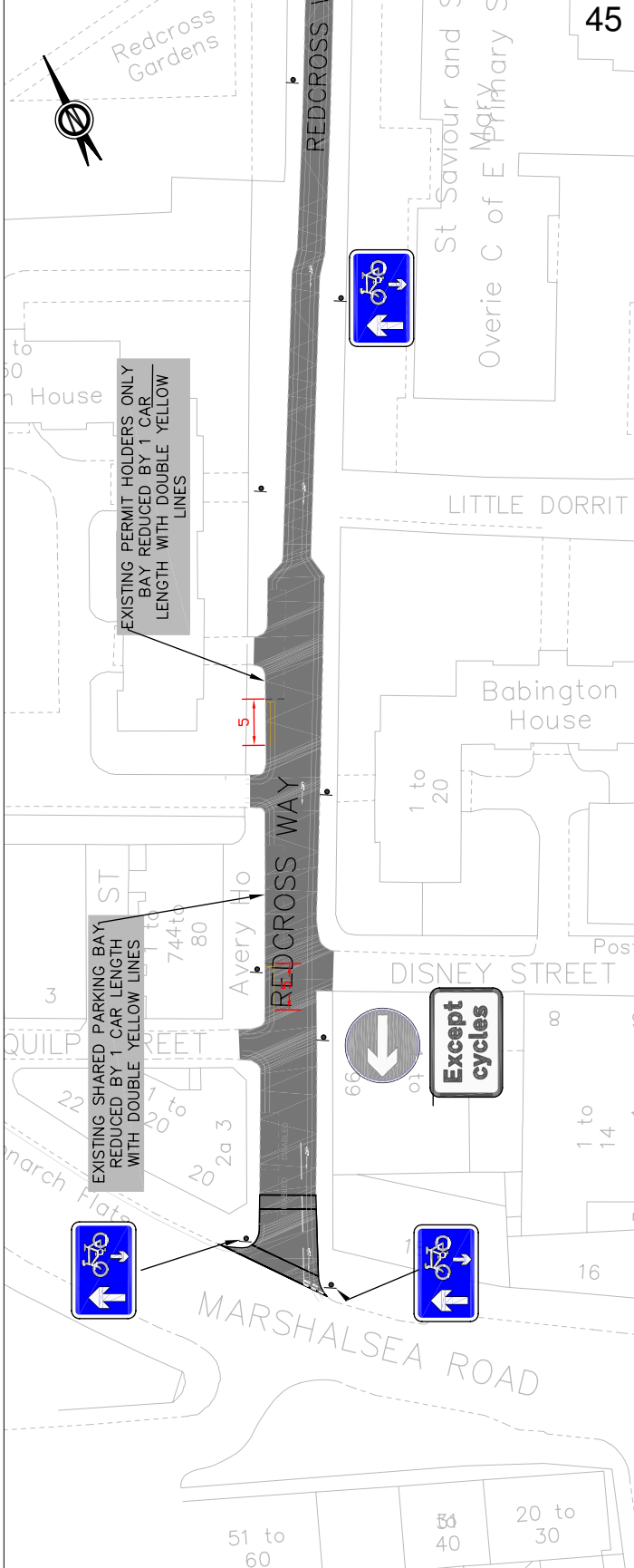


TABARD STREET jw LONG LANE

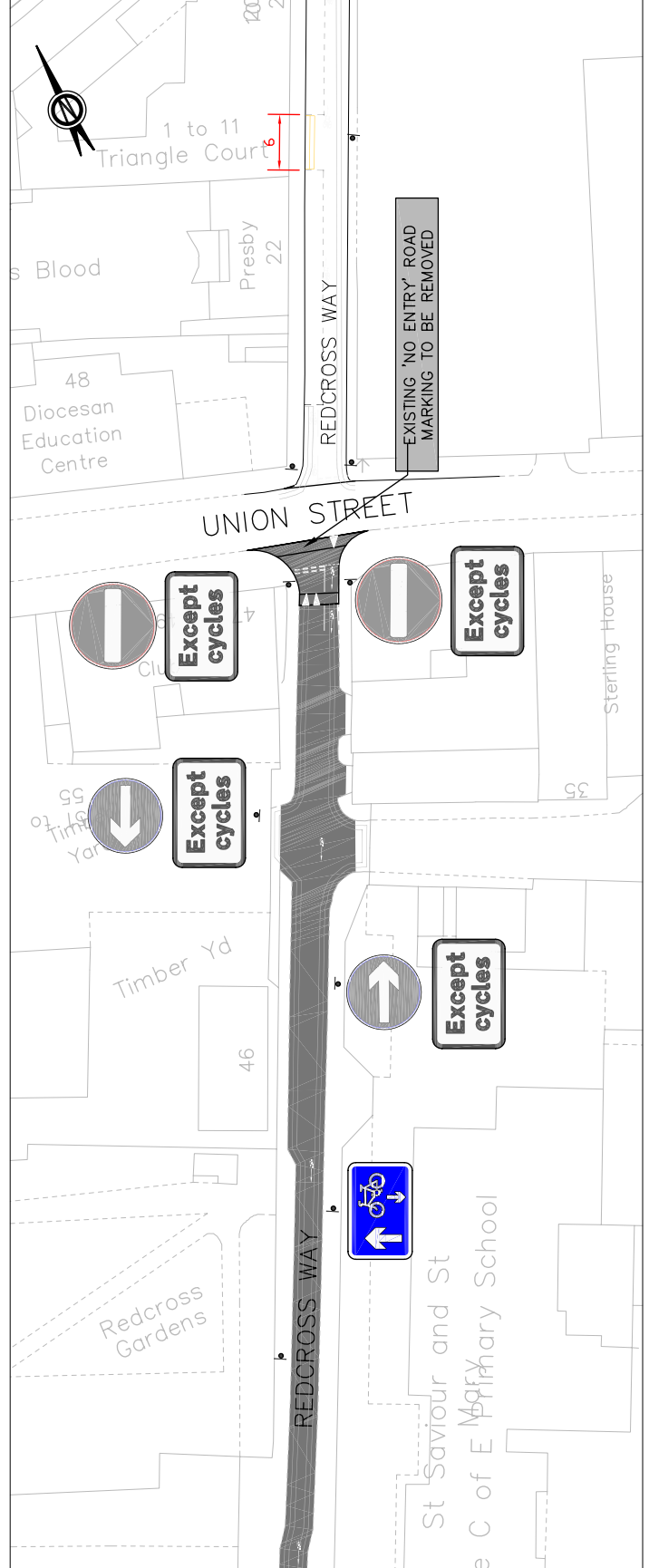




**Redcross Way**  
UNION STREET TO MARSHALSEA ROAD







**Redcross Way**  
UNION STREET TO MARSHALSEA ROAD



LEGEND / NOTES.

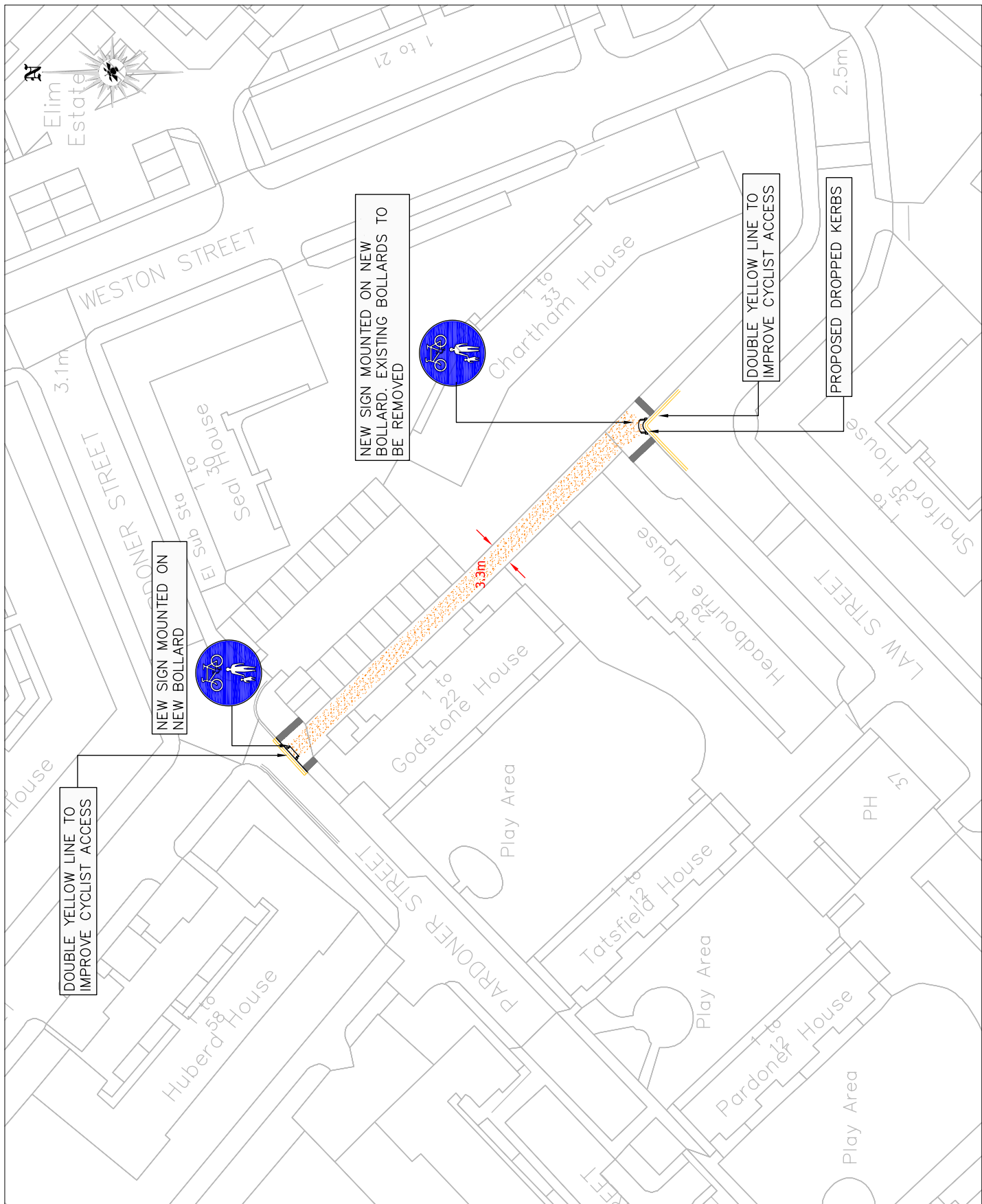
KEY

-  PROPOSED CUT THROUGH ROUTE ON HOUSING LAND (TABARD GARDENS ESTATE)
-  PROPOSED CORDUROY PAVING
-  EXISTING WAITING AND LOADING RESTRICTION
-  PROPOSED WAITING AND LOADING RESTRICTION

No.	Date	Revision



Project		CYCLE PERMEABILITY CUT THROUGHS	
Title		LAW STREET	
Contract No.		Drawn	
Scale	1:500 @ A3	Checked	
Drawing No.	11311-CT-GA-014	Approved	
Site Name		Date Issued	01/2012



## Appendix 2

## Scheme Proposals

Contra flow Schemes	CC	Ward
Etherow Street	Dulwich	East Dulwich
Brayard's Road	Peckham and Nunhead	The Lane
Penton Place	Borough, Bankside and Walworth CC	Newington
Wild's Rents	Borough, Bankside and Walworth CC	Chaucer
Tabard Street	Borough, Bankside and Walworth CC	Chaucer
Newcomen Street	Borough, Bankside and Walworth CC	Chaucer
Hampton Street	Borough, Bankside and Walworth CC	Newington
Zenoria Street / Oxonian Street	Dulwich	East Dulwich
Spurling Road	Dulwich	East Dulwich
Chapter Road	Borough, Bankside and Walworth CC	Newington
Redcross Way 1	Borough, Bankside and Walworth CC	Cathedrals
St Giles	Camberwell	Brunswick Park
<b>Shared use footway/alleyway/cut-through</b>		
Banyard Rd-Drummond Rd	Bermondsey and Rotherhithe	Riverside
Old Jamaica Rd	Bermondsey and Rotherhithe	Riverside
Drummond Rd-Southwark Park Rd	Bermondsey and Rotherhithe	Riverside
Love Walk	Camberwell	Brunswick Park
Melior St	Bermondsey and Rotherhithe	Grange
Friary Rd	Peckham and Nunhead	Livsey
Webb St	Bermondsey and Rotherhithe	Grange
Wilson Gr - Marigold St	Bermondsey and Rotherhithe	Riverside

<b>Contra flow Schemes</b>	<b>CC</b>	<b>Ward</b>
Bevington St-Farncombe St	Bermondsey and Rotherhithe	Riverside
Melon Rd	Peckham and Nunhead	Peckham
Harders Rd - Cossall Park	Peckham and Nunhead	Nunhead
King's Grove	Peckham and Nunhead	Nunhead
Law Street	Borough, Bankside and Walworth CC	Chaucer

## Modification to Parking arrangements (3 Contra flows)

Street	Location	Approx Length of parking to be removed (m)	Approx number of parking spaces	Community Council	Ward
Chapter Road	Outside no. 11	6	1	Borough, Bankside and Walworth	Newington
Hampton Street	Outside no. 20	9	2	Borough, Bankside and Walworth	Newington
Redcross Way- Marshalsea Rd to Union Road	Avery House/Pattison House	10	2	Borough, Bankside and Walworth	Cathedrals

## Appendix 4

### Summary Consultation:

#### CYCLE CUT-THROUGH

Location/Scheme	Description	Support	Opposed	No Opinion	Summary comments	Community Council	Ward
Love Walk	Segregated Path between Ashworth Close and Love Walk		5	1	Would make the footpath more dangerous and would lose its character. There are frontages on both sides and is heavily used by vulnerable users.	Camberwell	Brunswick Park
Wilson Grove/Marigold Street	Segregated Path between Wilson Grove and Marigold Street (Cranbourn Passage)	1			It is important to ensure the appropriate access for all of the users of the footpath (prams, wheelchairs) as well as cyclists and pedestrians	Bermondsey and Rotherhithe	Riverside
Banyard Rd-Drummond Rd		-	-	-	Objection from Tenants and residents association	Bermondsey and Rotherhithe	Riverside
Drummond Rd-Southwark Park Rd		-	-	-	Objection from Tenants and residents association	Bermondsey and Rotherhithe	Riverside
Webb St	Shared Path	-	-	-	Consultation documents sent to Housing Department for distribution to relevant TRA as requested	Bermondsey and Rotherhithe	Grange
Law St	Shared Path	-	-	-	TRA consulted but no reply has been received	Borough, Bankside and Walworth	Chaucer
Bevington St-Farncombe St	Shared Path	-	-	-	The path is recorded as private land, no records of owner	Bermondsey and Rotherhithe	Riverside
Old Jamaica Rd	Segregated path between St James' St and Old Jamaica Rd	--	-	-	Pub owner has been consulted and opposes to the proposed loss of parking, no response from school and Church	Bermondsey and Rotherhithe	Riverside

**CYCLE CONTRA FLOW – LOSS OF PARKING**

<b>Location/Scheme</b>	<b>Description</b>	<b>Support</b>	<b>Opposed</b>	<b>No Opinion</b>	<b>Summary comments</b>	<b>CC</b>	<b>Ward</b>
Hampton Street	Contra flow between Walworth Road and Steedman Street	1	2		Parking available is low and the junction with Walworth Road is already dangerous	Borough Bankside and Walworth	Newington
Chapter Road	Contra flow between Westcott Road and Manor Place/Braganza Street		1		Waste of money, speed hump unnecessary, vehicles abuse the one way already.	Borough Bankside and Walworth	Newington
Redcross Way	Contra flow between Union Road and Marshalsea Road	3	2		Loss of parking is a big factor for opposing the scheme	Borough Bankside and Walworth	Cathedrals



<b>Item No.</b> 13.1	<b>Classification:</b> Open	<b>Date:</b> 8 December 2012	<b>Meeting Name:</b> Borough, Bankside and Walworth Community Council
<b>Report title:</b>		Elliott's Row and Larcom Street Conservation Areas	
<b>Ward(s) or groups affected:</b>		Cathedrals and East Walworth	
<b>From:</b>		Head of Development Management	

**RECOMMENDATIONS**

1. That the community council notes the results of, and provides comments to planning committee on the public consultation on the proposal to designate the Elliott's Row and Larcom Street Conservation Areas. The maps of the proposed conservation area boundaries can be found at Appendices 1 and 2.
2. That the community council notes the results of, and provides comments to planning committee on the public consultation on the draft Elliott's Row and Larcom Street Conservation Area Appraisals (Appendices 3 and 4).

**BACKGROUND INFORMATION**

3. On the 26 January 2012 Borough and Bankside Community Council considered a report to carry out public consultation with local businesses on the proposed Elliott's Row Conservation Area. On the 16 February 2012 the Walworth Community Council considered a similar report to carry out public consultation on the proposed Larcom Street Conservation Area. Members are here being updated on the results of those public consultations.
4. Letters were sent to all the owner/ occupiers of properties in the immediate area and a wider boundary around the proposed conservation areas giving a twelve week consultation period. The letters included general guidance on conservation areas and information as to where the Elliott's Row and Larcom Street Conservation Areas Appraisals could be viewed on the council's website.
5. A public meeting was held in Newington Library on the 12 March 2012 for the proposed Elliott's Row and Larcom Street Conservation Areas. The meeting was well attended and the majority positively supported the proposal to designate the conservation areas. There were eight feedback forms completed on a day and a further nine responses received during the consultation period. The responses are analysed in more detail below.
6. The Elliott's Row Conservation Area is located within the Elephant and Castle Opportunity Area (as defined by Figure 13 of Southwark's Core Strategy) to the south of the River Thames. The conservation area is situated to the south of St. George's Road and to the west of the Elephant and Castle town centre. The proposed conservation area is a cohesive townscape comprising development from throughout the 19th and early 20th centuries. The historic street layout

remains, creating a legible and permeable environment. Well defined streets are a feature with high quality and architecturally interesting frontage development. This is a highly urban environment with little in the way of planned landscaping.

7. The Larcom Street Conservation Area is also located within the Elephant and Castle Opportunity Area. The conservation area is situated to the east of Walworth Road and to the south-east of Elephant and Castle town centre. The proposed conservation area is notable as a surviving piece of well-enclosed mid to late 19th century urban fabric. Narrow short streets and cul-de-sacs fronted by terraced houses are interspersed with buildings associated with St. John's Church; a vicarage, school, institute and a pair of symmetrical residential properties enclosing the eastern end of the church. Building heights across the area are generally uniform.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

8. The main issues of this are:

To report on the consultation responses received on the proposed Elliott's Row and Larcom Street Conservation Areas and the subsequent amendments made to the conservation area appraisals.

### **Planning Policy**

9. Core Strategy 2011 (April)  
Strategic Policy 12 Design and Conservation.

#### Southwark Plan 2007 (July)

Saved Policy 3.15 Conservation of the Historic Environment

Saved Policy 3.16 Conservation Areas

Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites

Saved Policy 3.19 Archaeology

#### London Plan 2011 (July)

Policy 7.9 Heritage-led regeneration

Policy 7.8 Heritage assets and archaeology

#### Planning Policy Statements

PPS5 Planning for the Historic Environment.

#### The draft National Planning Policy Framework (NPPF)

### **Elliott's Row Conservation Area consultation responses**

10. One feedback form completed at the public meeting stated in brief that the respondent was not in favour of the conservation area with a lengthier response, discussed below. Three written responses were received by the Council on the proposed conservation area designation and draft appraisal.

#### English Heritage

- English Heritage agreed that the proposed Elliott's Row Conservation Area is of sufficient identity and architectural interest to merit designation. English Heritage also suggested that the council revisits the existing boundaries of the West Square Conservation Area, particularly around Hayles Street.

#### GLA

- The GLA considered that the boundaries of the proposed conservation area have been well considered and were very logical, following the boundary with Lambeth and the West Square Conservation Area. However, the GLA also suggested revisiting the boundaries of the West Square Conservation Area, particularly along Austral Street.
- The GLA also suggested changes to the wording of section 5.3 of the appraisal. They considered that the phrase 'aping the style of earlier buildings' was unduly negative and unfairly weighs against high quality traditional architecture. The GLA also considered that section 5.6 of the appraisal could be expanded to suggest an audit of existing street furniture to identify any redundant or unnecessary items which could be removed.

#### 7 Hayles Street

- The respondent explain that she was on the resident's committee for Elliott's Row and Hayles Street and had endeavoured to gain a representative opinion from residents on the proposed conservation area. She reported that of the 20 people she spoke to only one was in favour of the proposed conservation area, and their comments were as follows:
  - Concern about not being able to install environmentally friendly devices at the back of the property, which they considered to be out of touch.
  - Concern that designation would slow down the scheduled work for tenants in council dwellings, because they were of the view that repairs would now cost more.
  - Considered that the stipulation in the guidance section that re-roofing in natural slate was required was short sighted, as many of the roofs are not visible from street level.
  - A mixed view was reported on windows, but concern was raised over the perceived dictation of the colour of doors and windows.
  - It was reported that holding the public meeting in the local library hadn't been convenient for all and not everybody has access to the internet.
  - In conclusion it was considered that the conservation area would mean additional bureaucracy, with few if any advantages. However, they do love the area, want it to be kept beautiful, but wanted the council to do basic maintenance to the properties.

#### **Summary of Elliott's Row Conservation Area consultation**

11. English Heritage and the GLA's heritage advisor wrote in support of the proposed Elliott's Row Conservation Area. However, both considered that Southwark should in the future, review and rationalise the boundaries of both the Elliott's Row and West Square Conservation Areas. Comments were made suggesting an audit of existing street furniture, however this exercise would follow designation and form part of a future management plan for the conservation area. With regards the wording of section 5.3, this is longstanding guidance in all

our existing adopted appraisals. Good traditional design is encouraged in the borough's conservation areas, as well exemplary contemporary design solutions.

12. One written response was received on behalf of residents which expressed concern about the guidance (section 5) and the implications of installing renewable energies and also concern regarding the maintenance programme for the Council owned properties within in the proposed conservation area. Section 5.0 of the appraisal sets out best practice guidance for development, repair and alterations to unlisted buildings within all of Southwark's conservation areas. This section of the document is in accordance with English Heritage's guidance on conservation area appraisals which advises that the appraisal is completed with generic guidance. Section 5.0 has also been drafted in accordance with the guidance contained within the PPS 5 Practice Guidance, which was not cancelled with the introduction of the NPPF and English Heritage's guidance on installation of renewable energy systems within conservation areas. With regard to external paint colours for windows and doors, the colours identified are suggestions, by way of guidance. The Council would have to seek an Article IV Direction from the Secretary of State should it wish to control external paint colours within the conservation area. Even then the Council would need to demonstrate that the character of the area was being eroded by in appropriate alterations or loss of historic decorative treatment.
13. We are advised under paragraph 127 of the NPPF that local authorities should ensure that the area to be designated is of sufficient special or architectural interest. Officers consider that the townscape of the proposed Elliott's Row Conservation Area is of special architectural and historic interest and comparable to parts of the neighbouring Walcott and West Square Conservation Areas. Whilst the comments on maintenance of the Southwark owned buildings are noted, the council is the Freehold owner of large number of residential properties within conservation areas elsewhere in the borough, such as: Thorburn Square, Grosvenor Park, Sutherland Square and the Pullens Estate. Ownership of a large number of the buildings within the proposed conservation area, by Southwark Council, should not therefore preclude its designation.

### **Larcom Street Conservation Area consultation responses**

14. Seven feedback forms were completed at the public meeting; all were in favour of the Larcom Street Conservation Area. A number of comments were made on recent developments within the boundary of the conservation area and the appropriateness of the design and colour of the materials. Other concerns raised on the forms related to: the number of refuse bins, loss of trees at the end of Charleston Street and the need for more lights for security reasons.
15. Six written responses were received by the Council on the proposed conservation area designation and draft appraisal, and included the following comments:

#### English Heritage

- English Heritage agrees that the proposed Larcom Street Conservation Area is of sufficient identity and architectural interest to merit designation.

#### GLA

- The GLA considered that the boundaries of the proposed conservation area have been well considered, with one notable exception the non-inclusion of the Walter's Close Almshouses and the Peabody Estate.
- The GLA also suggested changes to the wording of section 5.3 of the appraisal. They considered that the phrase 'aping the style of earlier buildings' was unduly negative and unfairly weighs against high quality traditional architecture. The GLA also considered that section 5.6 of the appraisal could be expanded to suggest an audit of existing street furniture to identify any redundant or unnecessary items which could be removed.

#### The Walworth Society

- The Society strongly supports the conservation area.
- The Society queried the inclusion of the modern development Garland Court on Wansey Street and was concerned that it could be a precedent for other radical new developments within the conservation area.
- The Society suggested including: the industrial complex west of Colworth Grove, Nos. 106-114 Brandon Street.
- The Society would like to see further investigation undertaken on No. 46 Brandon Street, to see whether worthy of designation or local listing.

#### No. 28 Thornton House, Townsend Street

- The conservation area should be extended to include: the entire length of and both sides of Brandon Street, Peabody Estate Rodney Road, Browning Estate buildings, Crown Estate housing on Portland Street and the East Street market.
- There should be a Walworth Road Conservation Area and the Larcom Street area should be a character area. The suggestion in the appraisal that the conservation area should only include streets and buildings with a similar townscape is a restrictive interpretation of the range of possibilities provided by English Heritage guidance.

#### No. 26 Walter's Close

- It was unclear from the response whether they were in favour of the Larcom Street Conservation Area. However they commented that they were lucky to be outside the proposed boundary, because Walter's Close already had the benefit of plastic windows. They raised the question whether Walter's Close and the Peabody Estate would be redeveloped like the car park site as they were excluded from the conservation area.

#### Email response

- Fully supported the conservation area, but would like to see the Walters Close Almshouses on Brandon Street, Peabody Estate, Balfour Street and Henshaw Street included.

### **Summary of Larcom Street Conservation Area consultation**

16. Overall the designation of the Larcom Street Conservation Area was supported. There were a number of responses received; including from the GLA's Heritage advisor, regarding suggested boundary changes to the conservation area. These included parts of Walworth which were not initially included in this original

public consultation exercise. The streets which make up the Larcom Street Conservation Area are consistent in character and predominantly owned by one landowner. The majority of the streets, estates suggested for inclusion are different in character, age and building use to the Larcom Street Conservation Area. Furthermore, the GLA have asked Southwark Council to undertake a thematic review of philanthropic housing across the borough to identify new conservation areas or extend existing ones. Therefore a more detailed assessment of the streets identified during this consultation exercise would form part of this future piece work.

### **Conclusion on planning issues**

17. Designation of a conservation area imposes certain duties on planning authorities. These duties are twofold; firstly, to formulate and publish from time to time, proposals for the preservation and enhancement of the conservation areas in their district and submit them for public consultation. Then secondly, in exercising their planning powers to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas. In exercising conservation area controls, local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question and therefore there is a presumption against the demolition of buildings within the area. In the case of conservation area controls, however, account should clearly be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole.
18. Section 69 of the Town and Country Planning Act 1990 imposes a duty on the local Planning Authority to designate conservation areas any "areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance". There is a duty on the local planning authority under Section 69 to review areas from time to time to consider whether designation of conservation areas is called for.
19. In March 2012 the Government introduced the National Planning Policy Framework replacing the guidance formerly contained within PPS 5. The NPPF also introduced a new criteria for local authorities to consider when designating new conservation areas, paragraph 127 states: 'when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.' The council considers that both proposed conservation areas are cohesive, notable surviving examples of mid 19th to early 20th century urban fabric in Walworth. The historic street layout remains; with defined architecturally interesting frontage developments and that these areas meet the criteria for designation. Paragraph 169 of the NPPF is particularly relevant with regards conservation area appraisals 'local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment..' The draft conservation area appraisals comply with the requirements of NPPF paragraph 169.
20. Although comments were received in relation to the wording of the guidance section of both the Larcom and Elliott's Row Conservation Area appraisals, it

should be noted that the content of these appraisals has been prepared in accordance with guidance contained within English Heritage's document 'Understanding Place: Conservation Area Designation, Appraisal and Management'. In addition the appraisal accords to the NPPF and the PPS 5 Practice Guidance, which was not cancelled with the introduction of the NPPF. The layout and content of these appraisals reflect the Council's other recently adopted council conservation area appraisals.

### **Community impact statement**

21. The designation has been consulted in accordance with the Statement of Community Involvement. The Statement of Community Involvement sets out how and when the Council will involve the community in the alteration and development of town planning documents and applications for planning permission and was adopted in January 2008. The Statement of Community Involvement does not require the Council to consult when designating a conservation area, but in this instance the Council proposes to follow a similar procedure here as a matter of good practice.
22. A public meeting was held within 12 weeks of the original community council committees and the results of which have been reported back in this report for Members consideration.
23. The consultation sought the views of local residents, businesses and other local interests over the definition of the boundaries and the conservation area appraisal. Notification of the consultation on the proposed designation and the supporting documents was placed on the council's website and made available at the Walworth One Stop Shop. The consultation has therefore complied with the Statement of Community Involvement.

### **Human rights implications**

24. This conservation area 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.
25. This proposal has the legitimate aim of providing for the conservation of the historic environment within the conservation area. The rights potentially engaged by this proposal, include the right to a fair trial and the right to respect for private and family life however both of these are not considered to be unlawfully interfered with by this proposal.

### **Resource implications**

26. Notifying the public of the Elliott's Row and Larcom Street Conservation Areas will not result in resource implications for the staffing of the Chief Executive's Department.
27. Other resource implications will be the cost of publishing the conservation area appraisals, which can met within the Chief Executive's Department revenue budget. The cover price of the document will be fixed to cover production costs.

28. The conservation area could generate additional casework for planning staff. However, given the location and scale of many of the proposals in this area there is already a level of attention to the design and appearance of the proposals and the designation should not result in significant resource implications for the staffing of the Chief Executive Department.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Legal Services (SH1012)**

29. A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (*section 69(1), Listed Building Act (LBA) 1990*). A Local Planning Authority (LPA) is under a duty to designate conservation areas within its locality and to review them from time to time (*section 69(2)*).
30. There is no statutory requirement for LPAs to consult with anyone before a conservation area is designated, nor does the Councils Statement of Community Involvement require consultation in respect of designating conservation areas. However, English Heritage advises LPAs to consult as widely as possible, not only with local residents and amenity societies, but also with Chambers of Commerce, Public utilities and Highway authorities, and the Council is therefore following its Statement of Community Involvement in this case.
31. There is no formal designation procedure. The statutory procedure simply involves a council resolution to designate being made. The date of the resolution is the date the conservation area takes effect. The designation of conservation areas is reserved to Planning Committee under Part 3F, paragraph 3 of the constitution. Community Council Members are being asked here to provide comments to Planning Committee under Part 3H paragraph 2 of the Constitution, which reserves to members the right to comment on proposals for the designation of conservation areas and also the adoption of the conservation area appraisal.
32. There is no statutory requirement on the level of detail that must be considered by an LPA before designation. However, guidance from English Heritage states that it is vital an area's special architectural or historic interest is defined and recorded in some detail. A published character appraisal for both conservation areas can be found at Appendices 3 and 4 of this report. The overall impetus for designating a conservation area must be the desire to preserve and enhance the area.
33. Notice of the designation must be published in at least one local newspaper circulating in the LPA's area and in the London Gazette (*section 70(8), LBA 1990*). The Secretary of State and English Heritage must also be notified (*section 70(5)*). There is no requirement to notify the owners and occupiers of premises in the area. The conservation area must be registered as a local land charge (*section 69(4)*).
34. The designation of a conservation area gives the LPA additional powers over the development and the use of land within it.



35. There is no statutory right of appeal against a building being included in a conservation area. However, it is possible to seek a judicial review of an LPA's decision to designate a conservation area.

### **Equalities and Human Rights**

36. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties with regard to race, disability and gender.
37. Gender equality duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. The general duties in summary require local authorities to have due regard to the need to:

- (a) “eliminate unlawful discrimination and harassment and;
- (b) promote the equality of opportunity between men and women.”

Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. The general duties in summary require local authorities to give due regard to the need to:

- (a) “eliminate unlawful discrimination and harassment;
- (b) promote the equality of opportunity; and
- (c) promote good race relations between people of different racial groups”

Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995. The general duties in summary require local authorities to carry out their functions with due regard to the need to:

- (a) “promote equal opportunities between disabled persons and other persons;
- (b) eliminate discrimination that is unlawful under the Act;
- (c) eliminate harassment of disabled persons that is related to their disabilities;
- (d) promote a positive attitude towards disabled persons;
- (e) encourage participation by disabled persons in public life; and
- (f) take steps to take account of disabled person’s disabilities even where that involves treating disabled persons more favourably than other persons.”

Section 71 of the Race Relations Act 1976, section 49A(i) of the Disability Discrimination Act 1995 and section 76A of the Sex Discrimination Act 1975, require local authorities to act in accordance with the equalities duties and have due regard to these duties when we are carrying out our functions.

38. Equalities and Human Rights have been considered as part of the development conservation area appraisal and an Equalities Impact Assessment (EqIA) is in the process of being completed. EqIAs are an essential tool to assist councils to comply with equalities duties and ensure they make decisions fairly.
39. In accordance with part 3H, paragraph 4 of the constitution providing comments to planning committee on proposals for the designation of conservation areas including conservation area appraisals is a matter for community council.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Report to Borough and Bankside Community Council (26/1/12)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 020 7525 2289
Report to Walworth Community Council (16/2/12)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 020 7525 2289
Equality Impact Assessments (EqIA) for Elliott's Row and Larcom Street Conservation Area Appraisals	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 020 7525 2289

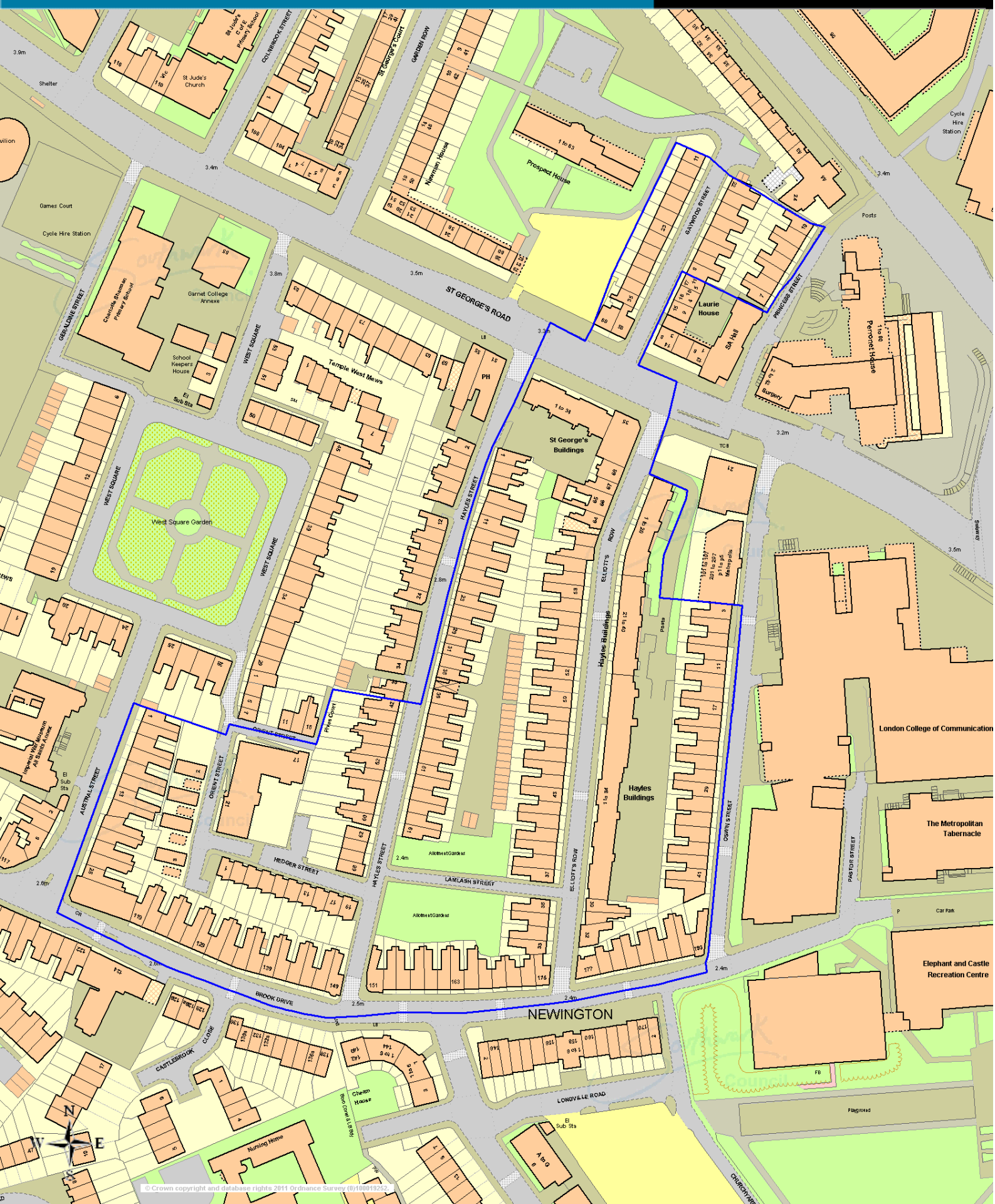
## APPENDICES

No.	Title
Appendix 1	Map of the proposed Elliott's Row Conservation Area
Appendix 2	Map of the proposed Larcom Street Conservation Area
Appendix 3	Elliott's Row Draft Conservation Area Appraisal Copies circulated separately to community council members and available on the website.
Appendix 4	Larcom Street Draft Conservation Area Appraisal Copies circulated separately to community council members and available on the website.

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Tracy Chapman, Senior Design and Conservation Officer	
<b>Version</b>	Final	
<b>Dated</b>	8 October 2012	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Director of Finance	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	22 November 2012	

Date 13/12/2011



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# Larcom Street Conservation Area

# Appendix 2

Date 13/12/2011



63

Scale 1/1250

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<b>Item No.</b> 13.2	<b>Classification:</b> Open	<b>Date:</b> 8 December 2012	<b>Meeting Name:</b> Borough , Bankside and Walworth Community Council
<b>Report title:</b>		Liverpool Grove, Thrale Street, West Square Conservation Areas	
<b>Ward(s) or groups affected:</b>		Faraday and Cathedrals	
<b>From:</b>		Head of Development Management	

## RECOMMENDATION

1. That the Borough, Bankside and Walworth Community Council notes and provides comments to planning committee on the results of the public consultation upon, and the subsequent amendments made to, the draft appraisals for the Liverpool Grove, Thrale Street and West Square Conservation Areas. appended at (Appendices 1-3) of this report.

## BACKGROUND INFORMATION

2. On the 26 January 2012 the Borough and Bankside Community Council considered a report recommending that public consultation be undertaken on the draft Thrale Street and West Square Conservation Area Appraisals. On the 16 February 2012 the Walworth Community Council considered a report recommending that public consultation be undertaken on the draft Liverpool Grove Conservation Area Appraisal. Members are here being updated on the results of this public consultation.
3. Letters were sent to all of the owner/ occupiers of properties in the immediate conservation area giving a 12 week consultation period, in accordance with the consultation requirements set out in the Council's Statement of Community Involvement. The letter included general guidance on conservation areas and information as to where the draft conservation area appraisal could be viewed on the council's website. Responses were received on all three conservation area appraisals, these responses are analysed in more detail below.
4. The Liverpool Grove Conservation Area is situated east of Walworth Road and west of Dawes Street. The conservation area is very cohesive in character, consisting mainly of Arts and Crafts two storey terraced cottages and three storey tenement flats. The conservation area's most significant heritage asset is the Grade II\* St. Peters Church.
5. The Thrale Street Conservation Area is situated between Southwark Street and Southwark Bridge Road. The conservation area is adjacent to the Borough High Street Conservation Area to the east and Union Street Conservation Area to the south. The Thrale Street Conservation Area is mostly contained with the 'L' formed by Southwark Bridge Road and the railway line between London Bridge and Charing Cross. It is a mixed area of predominantly 19th century commercial on the main streets; Southwark Street and Southwark Bridge Road and smaller

late 18th century residential properties at Anchor Terrace and on Thrale Street.

6. The West Square Conservation Area is located to the north-west of the borough abutting the borough boundary and the Walcot Conservation Area in Lambeth. To the east is the proposed Elliott's Row Conservation Area. The West Square Conservation Area is a mixed area containing a number of notable terraces of good quality late Georgian and mid-19th century houses, with a number of significant public buildings. The Imperial War Museum, with its surrounding parkland; Geraldine Mary Harmsworth Park, is the centrepiece of the conservation area. St George's Roman Catholic Cathedral is another important building.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

7. The main issues of this Report are:  
To report on the consultation responses received and the subsequent amendments made to the draft Liverpool Grove, Thrale Street and West Square Conservation Area Appraisals.

### **Planning policy**

8. Core Strategy 2011 (April)  
Strategic Policy 12 Design and Conservation.

#### Southwark Plan 2007 (July)

Saved Policy 3.15 Conservation of the Historic Environment

Saved Policy 3.16 Conservation Areas

Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites

Saved Policy 3.19 Archaeology

#### London Plan 2011 (July)

Policy 7.9 Heritage-led regeneration

Policy 7.8 Heritage assets and archaeology

#### The National Planning Policy Framework (March 2012)

### **Consultation responses**

8. A number of written and email consultation responses were received by the Council on the three draft appraisals. The consultation comments are summarised below:

#### **Liverpool Grove Conservation Area**

9. One comment was received in respect of the Liverpool Grove Conservation Area. The respondent commented on the detrimental impact of the rubbish and recycling bins in front of the properties in the conservation area. A suggestion was made that a reference to refuse bins should be included in section 3.8 of the appraisal.

### **Thrale Street Conservation Area**

10. In total, three responses were received in respect of the Thrale Street Conservation Area Appraisal. A resident from Old Theatre Court wrote in favour of the conservation area appraisal.
11. A response was received from those parties with an interest in Nos. 53 and 55 Southwark Street and adjacent car park site. The comments were critical of the guidance section of the appraisal. They suggested that architects should be allowed to design without preconditions as they considered that their site required a top quality building. Furthermore, it was suggested that the post war buildings around the junction of Southwark Square and Southwark Bridge Road and the car park site should be removed from the conservation area. A document was submitted, which compared the appraisal with documents produced by the City of London.
12. The architects advising the owner of the car park site adjacent to Nos. 53 and 55 Southwark Street; wrote separately in response to the consultation. They questioned the lack of significant buildings and weakness of buildings at the southern junction of Southwark Bridge Road and Southwark Street. The respondents also suggested that the boundary of the conservation area should be amended to omit these buildings and the car park site. Furthermore, the respondent criticised paragraph 4.8.1 of the appraisal; which relates to the car park site, as being too prescriptive in that it suggests a building of 4 storeys, but no more than 7. They suggested that the conservation area is very weak in the south west corner and placing unnecessary restrictions on this site is unjustified and will restrict the ability to deliver a workable scheme.

### **West Square Conservation Area**

13. In total, 35 responses were received in response to the consultation on the draft West Square Conservation Area. A summary of the comments are as follows:
14. Representatives of Notre Dame School wrote against the suggested inclusion of the Notre Dame School (paragraph 4.7.1) in the West Square Conservation Area. Another response was also received regarding the inclusion of the school, commenting that it was a shame to include the school after the construction of the present extension.
15. 16 responses were received from the Albert Association Committee and the group's supporters. Their comments referred mainly to the Albert Triangle (Colnbrook Street, Gladstone Street and Nos. 104-108 St. George's Road) included the following points:
  - The committee raised a concern about the dismissal of the 1986 guidelines 'House Extensions in the Albert Triangle' without a replacement.
  - The committee suggested that the draft appraisal contradicts the Southwark Council Residential Standards SDP (2008) by the documents promotion of historic valley roofs.
  - The committee comments that in the 1992 Conservation Bulletin (Issue 18) and the 1989 English Heritage leaflet 'Mansard Roofs', there is no suggestion that where an extension has been agreed, the outline of the 'v' shaped roof is kept.

- The committee consider that it is subjective to promote the retention of a butterfly roof in isolation or without reference to the immediate setting of the terrace and cite Policy HE.7 of PPS5.
  - The committee cite last year with Southwark Council, English Heritage and Councillor Morris, where it was agreed by all parties for the need for clear guidance for extensions to properties in the Albert Triangle.
  - The Committee supported the inclusion of the Notre Dame School and also suggested further extensions to the conservation area, to include: Bakerloo Sidings and the Coach House, Colnbrook Street. They query why the Coach House has been excluded from the conservation area, when it appears within the boundary of the draft August 2002 appraisal.
16. A resident of West Square wrote to object to the 'implied blanket presumption against mansard roof extensions for houses in the West Square Conservation Area.' Concern was expressed that this guidance (paragraphs 5.2.5 and 5.7.10) did not take into account the history of current rooflines of many of the terraces and take into account future roof level changes, which they believe would improve or enhance the terrace. The respondent provided examples, where roof extensions would enhance and unify the area. A second concern was raised about the shortage of suitable private family housing and the impact the presumption against mansards would have. The respondent makes reference to the 1986 Albert Triangle guidelines. A second resident from West Square, wrote that whilst they generally supported the appraisal they objected to paragraphs 5.2.5 and 5.7.10.
  17. A resident of Temple West Mews wrote in objection to the inclusion of the 1970s houses within the conservation area.
  18. 10 responses were received from the residents of St. George's Road. One respondent questioned various elements of the appraisal text, in particular the guidance on: double glazed windows, tree planting, paving, TV aerials and refuse bins. The remainder of the St. George's Road respondents echoed the comments of the West Square respondents, objecting to the implied blanket presumption against mansard roof extensions.
  19. A resident of King Edward Walk wrote commenting on the number of large refuse bins outside the properties in the conservation area.
  20. A resident of Barkham Terrace wrote commenting on the number of refuse bins and confirmed that Nos. 58-72 Lambeth Road have officially changed back to Barkham Terrace.
  21. A resident of Gladstone Street wrote providing some factual corrections to Sections 2.0 and 3.0 of the appraisal text.
  22. A resident from Hayles Street wrote in support of the West Square Conservation Area appraisal.

### **Summary of consultation and amendments to the draft appraisals**

23. The Liverpool Grove, Thrale Street and West Square Conservation Area Appraisals have been revised to reflect recent changes in national planning policy following the introduction of the NPPF in April this year. Other changes include the addition of a 'definition of special interest and significance' and a



section on 'the setting of the conservation area'. It should be noted that the content of all three conservation area appraisals have been prepared in accordance with guidance contained within English Heritage's document 'Understanding Place: Conservation Area Designation, Appraisal and Management'. In addition the appraisal accords to the NPPF and the PPS 5 Practice Guidance, which was not cancelled with the introduction of the NPPF. The layout and content of these appraisals reflect the Council's other recently adopted council conservation area appraisals. Where historical information has been received as a result of the consultation, the text of the appraisals has been amended accordingly.

24. Suggestions were received regarding alterations to the boundaries of both the Thrale Street and West Square Conservation Areas. No boundary changes to the Liverpool Grove were suggested. With regards the Thrale Street the conservation area was designated in 1988 to specifically include the modern buildings at the southern junction of Southwark Bridge Road and Southwark Street. The conservation designation does not preclude the replacement of these buildings and therefore there would be no benefit to the conservation area to exclude these buildings now. Notwithstanding this, even if the site was outside the Thrale Street Conservation Area; as well as the Union Street and the Borough High Street Conservation Areas, any redevelopment would require a lightness of touch respecting the townscape and prevailing building heights. It is therefore not proposed to amend the designated boundaries of the Thrale Street Conservation Area.
25. Suggestions were also received for extension and rationalisation of the West Square Conservation Area boundaries. English Heritage and the GLA have suggested; that following designation of the nearby Elliott's Row Conservation Area, the Council considers rationalising the boundaries to the new conservation area and the West Square Conservation Area. Both bodies consider that some of the streets presently in the West Square Conservation Area reflect the character of the Elliott's Row Conservation Area. It is proposed to undertake public consultation on these proposed changes early next year. At the same time we propose to consult on the suggestions made by the Albert Association for extensions to the West Square Conservation Area. We also note the request to exclude Temple West Mews from the West Square Conservation Area. However this group of houses located between West Square and St. George's Road were constructed after designation and to exclude them would result in a hole in the conservation area.
26. The comments made during consultation on both Liverpool Grove and West Square Conservation Areas and the negative impact of refuse bins, have been noted. Whilst, refuse bins are not considered development and therefore do not fall under the control of the planning system, their control could be dealt with by a future management plan for the conservation areas.
27. A large number of objections were received to paragraphs: 5.2.5, 5.7.10, 5.7.11 relating to roofs and paragraph 5.7.5 on double glazed windows of the draft West Square appraisal. Section 5.0 of this appraisal sets out best practice guidance for development, repair and alterations to unlisted buildings within Southwark's conservation areas. Whilst the consultation comments are noted this guidance section is consistent with the Council's other adopted appraisals. It should be noted that a significant number of the buildings within the conservation area are statutorily listed and any alterations or extension to these would be considered

on case by case basis. In summary, no amendments are proposed to the text of Section 5.0 of the Liverpool Grove, Thrale Street and West Square Conservation Area appraisals.

28. The 1986 'House Extensions in the Albert Triangle' leaflet was mentioned in a large number of responses relating to the West Square Conservation Area consultation. Concern was raised that this leaflet had been dismissed without a replacement. Section 1.8 of the draft West Square Conservation Area; made specific reference to the status of the leaflet and confirms that the document is not a material consideration for current planning and Listed Building Consent applications. The guidance pre-dates recent national, regional and local planning policy and the statutory listing of properties within the Albert Triangle (Colnbrook Street and Gladstone Street) in 1989. It should also be noted that a Planning Inspector in a 2011 appeal decision; relating to a property in Colnbrook Street, confirmed the status of the leaflet: 'the guide has not been reviewed or updated to take into account that the buildings have been listed or that there have been changes in legislation and advances in conservation philosophy. Although it promotes good practice in terms of some aspects of house extensions in the triangle it is significantly out of date and I cannot give this guide weight in the assessment of this appeal.' Similarly the respondents cite Conservation Bulletin 18 (1992) and the English Heritage leaflet 'Mansard Roofs (1989). Conservation Bulletin is a bi-annual magazine and therefore not a material consideration for planning applications. The 1992 article referred to highlights the need to revise the English Heritage leaflet following appeal decisions since its release in 1989, the article also reinforced the significance of the 'v' shape historic profile. The 'Mansard Roofs' leaflet has not been available on English Heritage's website as way of guidance for some years.
29. The Albert Association and supporters consider that the 'West Square draft appraisal to singularly promote historic valley roofs directly contradicts the LBS, Residential Design Standards SDP (2008). Although they cite the 2008 this SPD has been superseded by the 2011 SPD. However, the text in section (3.4) relating to 'extensions to existing residential dwellings' remains unaltered and also appears in the 2011 version. Section 3.4 provides guidance as to when roof extensions will not be permitted, which includes: on buildings or terraces which are completed compositions, un-broken run of butterfly roofs, important historic roof forms would be lost. Section 3.4 also states that 'within conservation areas development should preserve and enhance the character or appearance of the area. Proposed development on listed buildings should preserve the building and its features of special architectural or historic interest.' The SPD advises that extensions and alterations within conservation areas should 'not involve the loss of existing traditional features of interest which involve the loss of existing traditional features of interest which make a positive contribution to the character.' Additional advice is given on alterations to listed buildings and confirms that they should ensure: 'no loss of important historic fabric and that the development is not detrimental to the special architectural or historic interest of the building. The development relates sensitively and respects the period, style detailing and context of the listed building. Existing detailing and important late additional features of the buildings are preserved, repaired or, if missing, replaced.' Officers consider that the guidance in the appraisal does not contradict the Residential Design Standards SPD.
30. The Albert Association and supporters also considered that it is subjective for the council to promote the retention of a butterfly roof in isolation or without reference to the immediate setting of the terrace and make reference to Policy HE7 of PPS

5. In their consultation response on the West Square Conservation Area Appraisal, they state: 'in considering the impact (including the positive contribution it might make) of proposed development, LBS have the responsibility to identify the significance of any heritage assets affected. The LBS has the responsibility to take into account of the desirability of enhancing that significance. This proposed change to singularly elevate the importance of the butterfly roof profile without reference to its setting does not correctly take into account the desirability of the wider setting that forms the cohesive whole of the conservation area. It is at odds with Policies 3.17 and 3.18 with regards the setting of any building within a terrace in a conservation area.' During the consultation period PPS 5 was replaced by the NPPF. Policy HE7.1 was superseded by NPPF paragraph 129: 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.' All applications are assessed on an individual case by case basis. However, it should be noted that, the practice guide which accompanied PPS 5 has not been cancelled with the introduction of the NPPF. Paragraph 185 of the practice guide is considered relevant here: 'the insertion of new elements such as doors and windows, (including dormers and roof lights to bring roof spaces into more intensive use) is quite likely to adversely affect the building's significance....In some circumstances the unbroken line of a roof may be an important contributor to its significance.'

31. The Albert Association cite in their consultation response a meeting held last year between Southwark Council, English Heritage and Councillor Morris. They report that it was agreed; by all parties, that clear guidance for extensions for properties in the Albert Triangle was required. The Albert Triangle forms only part of the wider West Square Conservation Area. The document they are describing is a future conservation area management plan and not an appraisal. A management plan is usually produced following the adoption of an appraisal. An appraisal reviews a conservation area and is used to help local authorities develop a management plan, because it analyses what is positive and negative, and identifies opportunities for beneficial change or the need for additional protection and restraint. A management plan sets out the way in which development pressure and neglect will be managed to ensure the conservation area retains the qualities which led to their designation. The Council has no adopted conservation area management plans in place, but is currently preparing one for the Rye Lane Peckham Conservation Area.

### **Conclusion on planning issues**

32. Section 69 of the Town and Country Planning Act 1990 imposes a duty on the local Planning Authority to designate as conservation areas any "areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance". There is a duty on the local planning authority under Section 69 to review areas from time to time to consider whether designation of conservation areas is called for. The Council considers that Liverpool Grove, Thrale Street and West Square Conservation Areas remain a notable surviving example of 18th or 19th century development south of the river and therefore worthy of designation.

33. In March 2012 the Government introduced the National Planning Policy Framework replacing the guidance formerly contained within PPS5. Paragraph 169 of the NPPF is particularly relevant with regards conservation area appraisals 'local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment..' The conservation area appraisals comply with the requirements of NPPF paragraph 169.
34. In 2011 English Heritage published guidance on conservation area appraisals, 'Understanding Place: Conservation Area Designation, Appraisal and Management'. This sets out the importance of definition and assessment of a conservation area's character and the need to record the area in some detail. The purpose is to provide a sound basis for rational and consistent judgements when considering planning applications within conservation areas. Conservation area appraisals, once they have been adopted by the Council, can help to defend decisions on individual planning applications at appeal. They may also guide the formulation of proposals for the preservation and enhancement of the area. The Liverpool Grove, Thrale Street and West Square Conservation Area Appraisals have been prepared in accordance with the English Heritage guidance.

#### **Community impact statement**

35. The draft appraisal has been consulted upon, in accordance with the Statement of Community Involvement. The Statement of Community Involvement sets out how and when the Council will involve the community in the alteration and development of town planning documents and applications for planning permission, and was adopted in January 2008.
36. The consultation has sought the views of local residents, businesses and other local interest groups over the conservation area appraisal. The draft Liverpool Grove, Thrale Street and West Square Conservation Area Appraisals were placed on the council's website and copies made available in the local libraries.

#### **Human rights implications**

37. This conservation area 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.
38. This proposal has the legitimate aim of providing for the conservation of the historic environment within the conservation area. 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.

#### **Resource implications**

39. Notifying the public of the Liverpool Grove, Thrale Street and West Square Conservation Area Appraisals has not resulted in resource implications for the staffing of the Chief Executive's Department.

40. Other resource implications will be the cost of publishing the conservation area appraisal, which can be met within the Chief Executive's Department's revenue budget. The cover price of the document will be fixed to cover production costs.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Legal Services**

41. The recommendation of the Report requests that Borough , Bankside and Walworth Community Council Members' note and provide comments to Planning Committee on the results of the public consultation upon, and the subsequent amendments made to, the draft conservation area appraisals for the Liverpool Grove, Thrale Street and West Square Conservation Areas, appended at (Appendices 1- 3) of the Report.
42. The draft Conservation Area Appraisals for the Liverpool Grove, Thrale Street and West Square Conservation Area's are brought before the Community Council in accordance with Part 3H, paragraph 2, of the Southwark Constitution 2012/13, under the sub-heading "Consultative/non-decision making." This paragraph reserves a planning (non-executive) consultative function to Community Council's, enabling Community Council Members' to provide comments to Planning Committee upon proposals to designate Conservation Areas and the adoption of the conservation area appraisals. The recommendation is therefore within the Community Council's remit.
43. A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (*section 69(1), Listed Building Act (LBA) 1990*). A Local Planning Authority (LPA) is under a duty to designate conservation areas within its locality and to review them from time to time (*section 69(2)*). Section 69(2) of the Act imposes a further duty on local planning authorities to review the extent of their functions and if need be to designate any further parts of their area as conservation areas. It is this section of the Act which is being triggered by the Recommendation of the Report.
44. There is no statutory requirement for LPA's to consult with anyone before a conservation area is designated. Further, the Council's Statement of Community Involvement does not require that consultation be undertaken by the LPA in respect of the designation of Conservation Areas. However, English Heritage advises LPA's to consult as widely as possible, not only with local residents and amenity societies, but also with Chambers of Commerce, Public Utilities and Highway Authorities. The Council is therefore consulting upon the draft conservation area appraisals as a matter of good practice.
45. Once adopted the Liverpool Grove, Thrale Street and West Square conservation area appraisal's will provide additional guidance to be taken into account in determining applications for developments affecting the Liverpool Grove, Thrale Street and West Square Conservation Areas.

### **Equalities and Human Rights**

46. The Equality Act 2010 introduced a single public sector equality duty (PSED). This duty requires us to have due regard in our decision making processes to the

need to:

- (a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
  - (c) Foster good relations between those who share a relevant characteristic and those that do not share it.
47. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The PSED also applies to marriage and civil partnership, but only in relation to (a) above.
48. There has been compliance with the Council's Approach to Equalities as well as the public sector equality duty as contained within section 149 of the Equality Act 2010. All six equality strands have been duly considered and assessed, this is evidenced in the Equalities Assessment (EA).
49. In accordance with part 3H, paragraph 2 of the Southwark Constitution 2012/13 providing comments to Planning Committee on proposals for the designation of conservation areas, including conservation area appraisals, is a matter for Community Council.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Report to Borough and Bankside Community Council (26/1/12)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 020 7525 2289
Report to Walworth Community Council (16/2/12)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 020 7525 2289
Equality Impact Assessments (EqIA) for Liverpool Grove, Thrale Street and West Square Appraisals	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 020 7525 2289

## APPENDICES

No.	Title
Appendix 1	Amended appraisal for Liverpool Grove . Copies circulated separately to community council members and available on the website.
Appendix 2	Amended appraisal for Thrale Street . Copies circulated separately to community council members and available on the website.
Appendix 3	Amended appraisal for West Square . Copies circulated separately to community council members and available on the website.

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Tracy Chapman, Senior Design and Conservation Officer	
<b>Version</b>	Final	
<b>Dated</b>	2 October 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Finance Director	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		29 November 2012

**BOROUGH, BANKSIDE AND WALWORTH COMMUNITY COUNCIL AGENDA DISTRIBUTION  
LIST (OPEN)  
MUNICIPAL YEAR 2012-13**

**NOTE:** Original held by Constitutional Team (Community Councils) all amendments/queries to Alexa Coates Tel: 020 7525 7385

Name	No of copies	Name	No of copies
<b>To all Members of the Community Council</b>			
Councillor Martin Seaton (Chair)	1	<b>Others</b>	
Councillor David Noakes (Vice Chair)	1		
Councillor Catherine Bowman	1	Shahida Nasim, Audit Commission	1
Councillor Poddy Clark	1		
Councillor Neil Coyle	1		
Councillor Patrick Diamond	1	<b>Total:</b>	75
Councillor Dan Garfield	1	<b>Dated:</b> 30 November 2012	
Councillor Claire Hickson	1		
Councillor Lorraine Lauder MBE	1		
Councillor Rebecca Lury	1		
Councillor Tim McNally	1		
Councillor Darren Merrill	1		
Councillor Abdul Mohamed	1		
Councillor Adele Morris	1		
Councillor Helen Morrissey	1		
Geoffrey Thornton	1		
<b>External</b>			
Libraries (Walworth, East Street, Brandon)	3		
Local History Library	1		
<b>Press</b>			
Southwark News	1		
South London Press	1		
<b>Members of Parliament</b>			
Harriet Harman, MP	1		
Simon Hughes, MP	1		
<b>Officers</b>			
Constitutional Officer (Community Councils) 2 <sup>nd</sup> Floor Hub 4, 160 Tooley St.	50		