

Planning Sub-Committee A

Tuesday 23 July 2013

7.00 pm

Room G02, 160 Tooley Street, London SE1 2QH

Membership

Councillor Althea Smith (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor The Right Revd Emmanuel Oyewole
Councillor Michael Situ

Reserves

Councillor James Barber
Councillor Denise Capstick
Councillor Barrie Hargrove
Councillor Martin Seaton
Councillor Andy Simmons

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Contact: Gerald Gohler, Constitutional Officer, on 020 7525 7420 or email: Gerald.Gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 15 July 2013



Planning Sub-Committee A

Tuesday 23 July 2013
7.00 pm
Room G02, 160 Tooley Street, London SE1 2QH

Order of Business

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3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 8
	To approve the minutes of the meeting held on 11 June 2013 as a correct record of the meeting and signed by the chair.	
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Date: 15 July 2013



PLANNING SUB-COMMITTEE

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

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

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

(b) The applicant or applicant's agent.

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

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

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

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

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

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

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

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

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

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

Planning Sub-Committee Clerk, Constitutional Team
Corporate Strategy Division
Tel: 020 7525 7420



Planning Sub-Committee A

MINUTES of the OPEN section of the Planning Sub-Committee A held on Tuesday 11 June 2013 at 7.00 pm at Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Althea Smith (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor The Right Revd Emmanuel Oyewole
Councillor Michael Situ

OTHER MEMBERS PRESENT: Councillor David Noakes
Councillor Veronica Ward

OFFICER SUPPORT: Gary Rice (Head of Development Management)
Rachel McKoy (Senior Lawyer)
Norman Brockie (Design and Conservation Team)
Michele Sterry (Development Management)
Terence McLellan (Development Management)
Susannah Pettit (Development Management)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

The members of the committee present were confirmed as the voting members.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following members made declarations regarding the agenda items below:

Item 7.1 4-7 Vine Yard, London SE1 1QL.

Councillor Adele Morris, Non Pecuniary, as she had met with some of the objectors before the item had been discussed at the previous meeting. She had not met them since except at the site visit, nor expressed a view, and would approach this planning application with an open mind.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation, responses, additional information and revisions.

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports and draft decision notices unless otherwise stated.
3. That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

The chair proposed that 7.6 would be heard first, with the remaining being heard in the sequence outlined in the agenda pack. This was agreed.

6. MINUTES

Councillor Adele Morris informed the meeting that her declaration of interests for the last meeting was not entirely accurate and should read:

“Agenda item 7.1 - 1-20 Spurgeon Street, London SE1 4YP

Councillor Adele Morris, Non Pecuniary, as she had been contacted about this item, but had not expressed a view and would approach this planning application with an open

mind.

Agenda item 7.5 - 4-7 Vine Yard, London SE1 1QL

Councillor Adele Morris, Non Pecuniary, as she had met with some of the objectors, but had not expressed a view and would approach this planning application with an open mind.”

RESOLVED:

That the minutes of the meeting held on the 23 April 2013, including the above amendment, be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

7.1 4-7 VINE YARD, LONDON SE1 1QL

Planning application reference number 12/AP/1818

Report: See pages 15 to 33 of the agenda pack, and pages 1 to 3 of the addendum report.

PROPOSAL

Construction of a second floor and part third floor extension above existing office building to provide 3no. residential flats (2 x two bedroom and 1 x one bedroom) with terraces.

The sub-committee heard an introduction to the report from an officer, during which members were informed about the clarifications and amendments to the committee report stated in the addendum report relating to this item. Members asked questions of the officer.

Members heard a representation from spokespersons for the objectors to the application, and asked questions.

The applicant made representations to the sub-committee and answered members' questions.

There were no supporters living within 100 metres of the development site, who wished to speak.

Councillor David Noakes spoke in his capacity as a ward member. Members of the committee asked questions of Councillor Noakes.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared

to be carried.

RESOLVED:

1. That planning permission for application number 12/AP/1818 be granted, subject to the conditions set out in the report and the addendum report, and subject to an additional condition stipulating a satisfactory construction management plan be submitted.
2. That an informative be added informing the applicant that, as part of the above construction management plan, construction works can only be undertaken from the north and east to protect the planted area to the south of the application site.

Note: At this point, the meeting adjourned for a 10-minute break.

7.2 PEDESTRIAN ENTRANCE WAY, THURLOW PARK ROAD, BELAIR PARK, GALLERY ROAD, LONDON SE21 7AB

Planning application reference number 13/AP/0520

Report: See pages 34 to 44 of the agenda pack.

PROPOSAL

Installation of a decorative archway onto existing posts to the pedestrian entranceway to Belair Park including amendments to gate design and removal of signage.

The sub-committee heard an introduction to the report from an officer. Members asked questions of the officer.

There were no objectors presents who wished to speak.

The applicant did not address the meeting.

There were no supporters living within 100 metres of the development site, who wished to speak.

There were no ward councillors present who wished to speak on the item.

Members debated the application.

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

RESOLVED:

That planning permission for application number 13/AP/0520 be granted, as set out in the report.

7.3 26 GROVE PARK, LONDON SE5**Planning application reference number 13/AP/0583**

Report: See pages 45 to 63 of the agenda pack, and pages 3 to 4 of the addendum report.

PROPOSAL

Retention of a new 5 storey building comprising eight residential units with basement car park for eight cars, sixteen bicycles and landscaping to front and rear. (Amendment to previously consented scheme reference 07-AP-0144, to include altered depth and height of building, alteration to accommodation mix, and alteration to materials).

The sub-committee heard an introduction to the report from an officer, during which members were informed about the clarifications and amendments to the committee report stated in the addendum report relating to this item. Members asked questions of the officer.

Members heard a representation from spokespersons for the objectors to the application, and asked questions.

The applicant and his agent made representations to the sub-committee and answered members' questions.

There were no supporters living within 100 metres of the development site, who wished to speak.

Councillor Veronica Ward spoke in her capacity as a ward member. Members of the committee asked questions of Councillor Ward.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application 13/AP/0583 be granted, subject to the conditions outlined in the report and addendum report, including a strengthened condition 5 relating to details of the bin storage having to be submitted and agreed by council officers.

7.4 81 WOOD VALE, LONDON SE23 3DT

Planning application reference number 13/AP/0761

Report: See pages 64 to 74 of the agenda pack, and page 4 of the addendum report.

PROPOSAL

Erection of a single storey extension to rear section of dwelling house to provide additional living accommodation; including demolition of an existing conservatory.

The sub-committee heard an introduction to the report from an officer, during which members were informed about the clarifications and amendments to the committee report stated in the addendum report relating to this item. Members asked questions of the officer.

Members heard a representation from spokespersons for the objectors to the application.

The applicant's agent made representations to the sub-committee.

There were no supporters living within 100 metres of the development site, who wished to speak.

There were no ward councillors, who wished to speak on the application.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning application 13/AP/0761 be granted, subject to the conditions outlined in the report.

7.5 82 WOODWARDE ROAD, LONDON SE22 8UT

Planning application reference number 13/AP/0801

Report: See pages 75 to 86 of the agenda pack.

PROPOSAL

Proposed single-storey rear and side extensions, providing additional residential accommodation.

The sub-committee heard an introduction to the report from an officer. Members asked questions of the officer. The chair and vice-chair told the meeting they had received an email from Councillor Michael Mitchell, who is a ward councillor, on this matter.

There were no objectors who wished to speak.

The applicant's agent and the applicant made representations to the sub-committee.

There were no supporters living within 100 metres of the development site, who wished to speak.

There were no ward councillors, who wished to speak on the application.

Members debated the application.

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

RESOLVED:

That planning permission for application 13/AP/0801 be granted, subject to the conditions set out in the report.

7.6 32 AVONDALE RISE, LONDON SE15 4AL

Planning application reference number 13/AP/0521

Report: See pages 87 to 98 of the agenda pack, and page 4 of the addendum report.

PROPOSAL

Single storey timber outbuilding (located half way into rear garden, on side adjacent to no.30 Avondale Rise).

The sub-committee heard an introduction to the report from an officer, during which members were informed about the clarifications and amendments to the committee report stated in the addendum report relating to this item.

Members heard a representation from an objector to the application, and asked questions.

The applicant made representations to the sub-committee and answered members' questions.

There were no supporters living within 100 metres of the development site, who wished to speak.

There were no ward councillors, who wished to speak on the application.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 13/AP/0521 be granted, subject to the conditions set out in the report.

The meeting ended at 9.50pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 23 July 2013	Meeting Name: Planning Sub-Committee A
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
 - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

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

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of legal services, and which is satisfactory to the head of development management. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

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

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

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

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

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

BACKGROUND DOCUMENTS

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

APPENDICES

No.	Title
None	

AUDIT TRAIL

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

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A**on Tuesday 23 July 2013**

Appl. Type Full Planning Permission
Site RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION STREET & SURREY ROW LONDON SE1 0LR

Reg. No. 13-AP-0238
TP No. TP/RLY/12/BK1
Ward Cathedrals
Officer Rónán O'Connor

Recommendation GRANT PERMISSION

Item 7.1**Proposal**

The proposed application is for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch 23, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout. In addition, there will also be external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to seclude bin storage under 2 metres and cycle storage area incidental to the change of use

Appl. Type Full Planning Permission
Site RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET, LONDON SE1 0BL

Reg. No. 13-AP-0351
TP No. TP/RLY/12/BK1
Ward Cathedrals
Officer Rónán O'Connor

Recommendation GRANT PERMISSION

Item 7.2**Proposal**

Change of use from General Industry (Class B2) to Offices (ClassB1 (a)) together with refurbishment and external alterations to the four arches 28-31 Great Suffolk Street

Appl. Type Full Planning Permission
Site 151-161 GORDON ROAD, LONDON SE15 3RT

Reg. No. 13-AP-0955
TP No. TP/2467-151
Ward The Lane
Officer Rónán O'Connor

Recommendation GRANT WITH 'GRAMPIAN' CONDITION

Item 7.3**Proposal**

Construction of 7 dwellings (3 x 4 bedroom and 4 x 5 bedroom) ranging in height from two to three storeys; associated refuse storage, cycle parking and landscaping.

Appl. Type Full Planning Permission
Site FORMER POLICE STATION 97 CRYSTAL PALACE ROAD, LONDON SE22 9EY

Reg. No. 13-AP-1594
TP No. TP/2598-97
Ward Peckham Rye
Officer Terence McLellan

Recommendation GRANT PERMISSION

Item 7.4**Proposal**

Conversion of former police station to 4 residential flats, incorporating a ground floor side extension with terrace on top and roof extensions; and erection of a terrace of 5 dwellings on basement, ground, first, second and part third floor levels on land to the rear of the site fronting Upland Road, landscaping and other works incidental to the site.

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A

on Tuesday 23 July 2013

Appl. Type Full Planning Permission**Site** DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH**Reg. No.** 13-AP-1732**TP No.** TP/2546-B**Ward** Village**Officer** Amy Lester**Recommendation** GRANT PERMISSION*Item 7.5***Proposal**

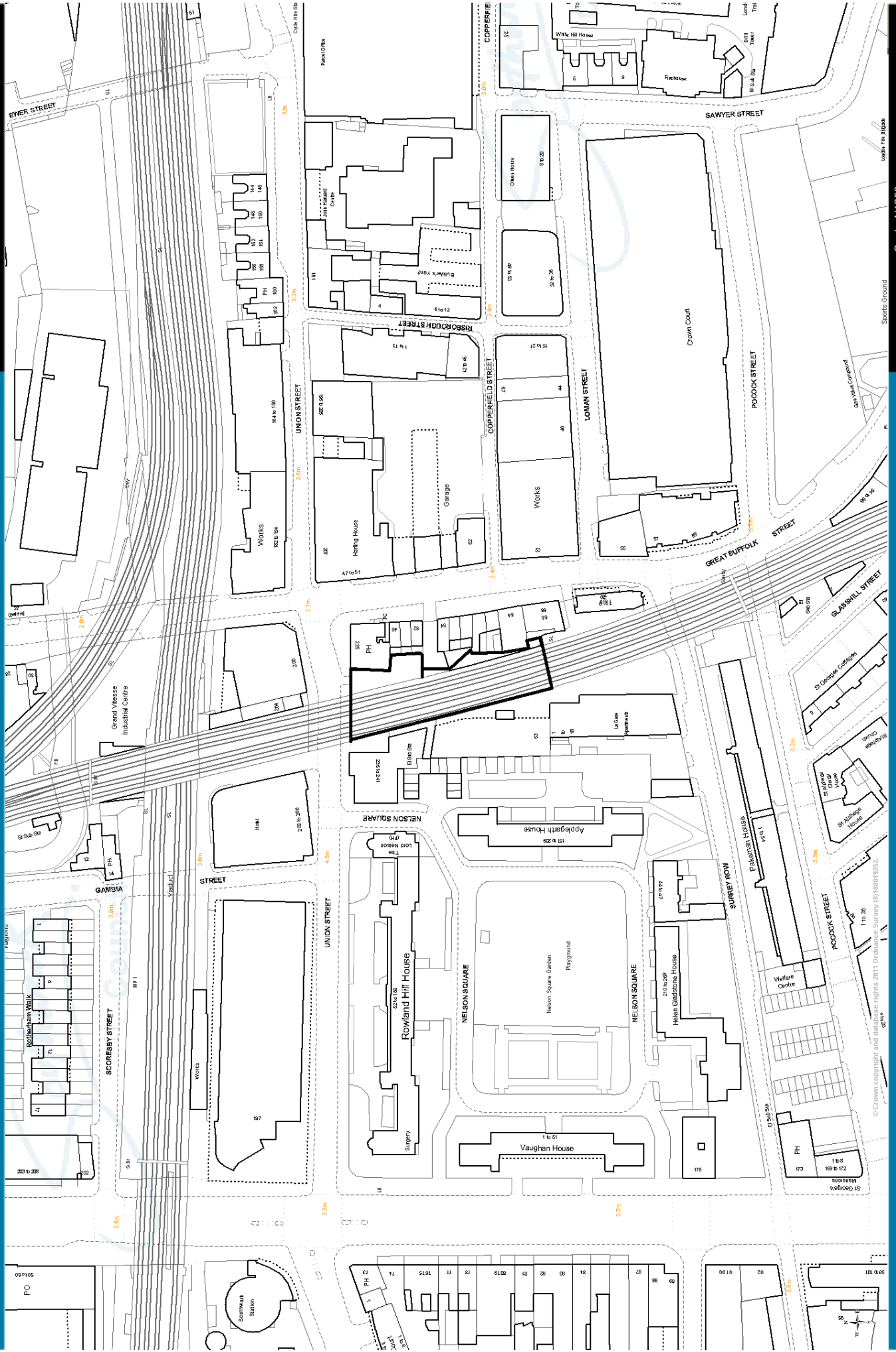
Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend wet weather sports teaching facilities (D2).

Appl. Type Council's Own Development - Reg. 3**Site** BURGESS PARK, ALBANY ROAD LONDON SE5**Reg. No.** 13-AP-1068**TP No.** TP/M2022**Ward** Faraday**Officer** Fennel Mason**Recommendation** GRANT PERMISSION*Item 7.6***Proposal**

The installation of five new containers including doors, windows and green roof incorporated into the BMX track layout.

RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION ST & SURREY ROW, SE1 0LR
Southwark Council

Date 11/7/2013



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Scale 1/4250
AD

Item No. 7.1	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub Committee A
Report title:	Development Management planning application: Application 13/AP/0238 for: Full Planning Permission Address: RAILWAY ARCHES 22-27 LOCATED BETWEEN UNION STREET & SURREY ROW, LONDON SE1 Proposal: The proposed application is for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch 23, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout. In addition, there will also be external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to seclude bin storage under 2 metres and cycle storage area incidental to the change of use		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 08/04/2013		Application Expiry Date 03/06/2013	

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 This application is referred to members for a decision at the request of two Councillors and with agreement of the Chair of the Planning Committee.

Site location and description

- 3 The application properties are located in railway arches between Union Street and Surrey Row, to the rear of properties in Great Suffolk Street. The area is in a mixed use area with both residential and commercial uses nearby. The site has a Public Transport Accessibility Level of 6a, indicating a high level of access to public transport.
- 4 The site is within the Central Activity Zone, Air Quality Management Area, Bankside and Borough District Town Centre and Bankside, Borough and London Bridge Opportunity Area.
- 5 The change of use refers to arches which are currently in use with a number of different businesses occupying them. There is 137 square metres of retail space, 153 square metres of Class A3 restaurant/cafes use and 133 square metres of General Industrial use Class B2. The site is accessed from Union Street by way of a vehicle entrance, although Arch 22 has a pedestrian entrance from Union Street into the arch.

Details of proposal

- 6 The proposed application comprises of the refurbishment of arches 22-27 and a change of use to a total of 823 square metres of office floor space (Use Class B1a) of as per the following table:

7	Existing Use	Proposed Use
Arch 22	A1/B1	B1a
Arch 23	A3	B1a
Arch 24	B2	B1a
Arch 25	B8	B1a
Arch 26	B8	B1a
Arch 27	B8	B1a

- 8 The application also includes alterations to the arches to include external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street and fencing to bin storage and cycle storage area incidental to the change of use.

Planning history

- 9 AP/97/0501 229-231 Union Street including railway arches 22-27 Great Suffolk St & Union St, SE1 Grant permission for Continued use as car park [decision issued date 02/09/1997]
- 10 AP/99/1268 Grant Permission for Continued use of land for contract parking [decision issued date 16/12/1999]

Planning history of adjoining sites

Recent, relevant applications include:

- 11 13/AP/0351 Outstanding application RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET LONDON, SE1 0BL Change of use from B2 to B1 (a) and refurbishment of the four arches 28-31 Great Suffolk Street as well as amendments to the front and rear elevations. (Report appears elsewhere on this agenda.)

LAND TO THE REAR OF 54-58 GREAT SUFFOLK STREET, LONDON SE1 0BL

- 12 12/AP/3706 Permission Granted for change of use of land to the rear of 54-58 Great Suffolk Street from land ancillary to the railway arch units (within B class) to private amenity space associated with the proposed residential development of 54-58 Great Suffolk Street (pursuant to permission LBS Reg 11/AP/3600 dated 29/12/2011 for Demolition of existing buildings and redevelopment with a four storey (plus basement) to provide seven residential units (1 x one bed, 5 x two bed and 1 x 3 bed apartments) and 139sqm of office floorspace at basement level). [decision date 01/02/2013]

54-58 Great Suffolk Street

- 13 05-AP-1147: Planning permission was refused on 22/09/05, for the demolition of the existing building and erection of a 5 storey building comprising restaurant (A3) use on the ground and first floors, and offices (B1) on the second to fifth floors. The reasons for refusal centred around the following issues:
- 14 - design and external appearance of the front building
 - no provision for refuse storage
 - balconies to the rear would cause overlooking

- insufficient information on ventilation
 - insufficient information on how the building would be protected from noise from the adjacent railway line.
- 15 Following its refusal the case was considered on appeal, and whilst the appeal was dismissed, the only reasons that were upheld were the design, refuse storage and overlooking from the balconies. The noise aspect and ventilation were considered capable of being dealt with by a condition.
 - 16 07-AP-0282: Planning permission was refused on 23/08/07, for demolition of existing buildings and erection of a 5 storey building to comprise A3 on the ground and first floors, and B1 office use on the second third and fourth floors.
 - 17 The two reasons for refusal were that the proposal was of a poor design with a projecting element that would have been incongruous within the streetscene, and that there was no provision for the secure, convenient and weatherproof storage of cycles for either of the proposed uses.
 - 18 09-AP-0383: Planning permission was granted on 25/05/09 for demolition of existing buildings on site and erection of a four storey office block with basement. This was granted with 12 conditions, one of which was a Grampian Condition requiring the occupiers to be made exempt from obtaining car parking permits in the surrounding Controlled Parking Zone.
 - 19 11-AP-3600: Planning permission was granted on 29/12/2011 for demolition of existing buildings and redevelopment with a four storey (plus basement) to provide seven residential units (1 x one bed, 5 x two bed and 1 x 3 bed apartments) and 139sqm of office floorspace at basement level. Planning permission was GRANTED in December 2011.

60 Great Suffolk Street

- 20 12/AP/0015 Grant permission for the demolition of existing building and erection of a four storey building plus basement comprising gallery space (Use Class D1) at ground and basement level with ancillary retail and cafe (Use Class A1/A3); studio space at first and second floor level (Use Class B1) and ancillary living accommodation at third floor level [decision date 08/05/2013]
- 21 04/AP/1005 - Permission refused on 11-08-2004 for change of use from offices to dwelling house together with installation of sliding patio doors at first floor level and use of existing flat roof as terrace. The reason for refusal was as follows:
- 22 The proposal would result in the loss of a significant amount of useable Class B1 (office) floorspace, of which there is a proven need, resulting in the loss of current and future job opportunities in the area. The proposal is contrary to Policy B.1.1 'Protection of Employment Areas and Identified Sites' of Southwark's Unitary Development Plan (1995) and Policy 1.4 'Preferred Office Locations' of Southwark's Revised Unitary Development Plan [March 2004]
- 23 06/AP/1061 - Permission granted on 30-08-2006 for change of Use of Ground Floor and Part First Floor from B1 (Offices) to A1 (Shops)/D1 (Art Gallery) .
- 24 08/AP/2565 - Planning permission refused on 08-01-2009 for erection of a three storey extension on top of the existing three storey office and gallery building to create three live/work units for gallery staff.

Reasons for refusal:

- 25 1) The proposal by reason of its height, bulk and detailed design fails to respond to its context in terms of the proportions, materials and fenestration pattern adopted, as a result the scheme will be highly discordant and incongruous in this setting and will be detrimental to the visual amenities of this part of the streetscene. The proposal is therefore contrary to Policies 3.12 Quality in Design, 3.13 Urban Design of the Southwark Plan 2007 and Supplementary Planning Document: Residential Design Standards (2008);
- 26 2) The proposal, due to its height, depth and bulk, will be overbearing upon immediate neighbouring properties and will unduly impact open the light and rear prospect currently enjoyed by these properties, particularly the residential properties to the immediate north of the site, thereby harming their amenities, contrary to Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007) and Residential Design Standards SPD (2008) and;
- 27 3) The proposed live/work units are unacceptable due to their inadequate size, with insufficient definition between the two elements, which would render the units inadequate for employment purposes whilst not providing adequate residential accommodation, thereby contrary to Policy 1.6 'Live/work units' of the Southwark Plan (2007) and the Residential Design Standards SPD (2008).
- 28 11-AP-2018 - Planning application for the demolition of the existing A1/D1 gallery and B1 studio/offices and the construction of a new four storey building and basement to provide additional A1/A3/D1 retail/restaurant/gallery space at ground and basement level and 3 no. C3/B1 live/work units on the first, second and third floors was withdrawn on 20/09/2011.

66 - 68 Great Suffolk Street

- 29 Planning permission (Lbs.Reg.No: 05-AP-1044) was granted on 14/10/2005 for continued use of the basement, ground, first, second and third floors of the building as B1 office use
- 30 05/AP/1044 - Permission granted on 14-10-2005 for Continued use of the basement, ground, first, second and third floors of the building as B1 office use.
- 31 07/AP/0282 - Permission refused on 23-08-2007 for demolition of existing buildings and erection of a five storey building with a restaurant (A3) use on ground and first floors, offices (B1) use on second, third and fourth floors.

70 Great Suffolk Street

- 32 Planning permission (Lbs.Reg.No: 08-AP-0805) was granted on 17/07/2008 for erection of a six storey building comprising 174 sq.m of office space at ground and basement level and 9 residential units (5 x two bedroom and 4 x one bedroom units) on the upper floors, with balconies and terraces.

KEY ISSUES FOR CONSIDERATION**Summary of main issues**

- 33 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic

policies.

b] Impact on the amenities of neighbouring residents and occupiers

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

d] Traffic issues

e] Design issues and impact on the historic environment

f] Flood risk assessment

g] Waste and Recycling

h] Air Quality

Planning policy

Core Strategy 2011

- 34
- 1 - Sustainable Development
 - 2 - Sustainable transport
 - 3 – Shopping and Leisure
 - 10 – Jobs and Businesses
 - 12 - Design and conservation
 - 13 - High environmental standards
 - 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

- 35
- The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 36
- 1.5 Small Business Units
 - 1.7 Development within town and local centres
 - 3.1 Environmental Effects
 - 3.2 Protection of Amenity
 - 3.4 Energy Efficiency
 - 3.6 Air Quality
 - 3.7 Waste reduction
 - 3.11 Efficient use of land
 - 3.12 Quality in Design
 - 3.13 Urban Design
 - 5.2 Transport impacts
 - 5.3 Walking and cycling
 - 5.6 Car parking

Supplementary Planning Documents

- 37
- Draft Blackfriars Road SPD

Bankside, Borough and London Bridge SPD

London Plan 2011

- 38 Policy 1.1 Delivering the strategic vision and objectives for London
 Policy 4.7 Retail and town centre development
 Policy 4.8 Supporting a successful and diverse retail sector
 Policy 4.10 New and emerging economic sectors
 Policy 4.12 Improving opportunities for all
 Policy 5.3 Sustainable design and construction
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture

National Planning Policy Framework (NPPF)

- 39 The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.

Relevant Sections

- 40
1. Building a strong competitive economy
 2. Ensuring the vitality of town centres
 4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design.
 10. Meeting the challenge of climate change, flooding and coastal change
 12. Conserving and enhancing the historic environment

Principle of development

- 41 The proposed development consists of a change of use from A1/B1, A3 and B2 use classes to B1a. In total approx. 823 sq. m. will undergo a change of use. A mezzanine floor is proposed in each arch and will increase the overall floor space by 524 sq. m. It is noted that a large number of objections have been received in relation to the principle of the change of use, in particular the loss of the existing small business units and the replacement with office units. A detailed discussion of this issue is set out below.
- 42 The site lies within the Central Activity Zone, the Bankside and Borough District Town Centre and Bankside and the Borough and London Bridge Opportunity Area. As such the relevant policies in the NPPF, the London Plan, the Core Strategy and saved Policies of the Southwark Plan apply in this instance.
- 43 The NPPF states that local authorities should approve development proposals that accord with the development plan without delay; In relation to economic growth,

significant weight should be placed on the need to support economic growth through the planning system.

- 44 Strategic Policies 3 – Shopping and Leisure and 10 – Jobs and Businesses of the Core Strategy are relevant in this instance.
- 45 Strategic Policy 3 states the council will maintain a network of successful town centres which have a wide range of shops, services and facilities to help meet needs of Southwark’s population. In relation to the Bankside and Borough Town Centre the council will support the provision of new shopping space in Bankside, Borough and London Bridge
- 46 Strategic Policy 10 – Jobs and Businesses seeks to protect existing business space and to seek the provision of existing business space. Small units are protected in specific locations including Bermondsey, Old Kent Road, Parkhouse Street and Mandela Way. Business spaces refers to B class uses.
- 47 In relation to small and medium sized enterprises (SME’s) it is noted that these make up over 99% of the total number of business in Southwark. This policy seeks to protect SME to ensure a supply of premises suitable for SMEs. This policy will apply to both business (B class) units as well as retail (A class) units.
- 48 Saved Policy 1.4 ‘Employment sites outside the Preferred Office Locations and Preferred Industrial Locations’ states that outside Preferred Industrial Locations and Preferred Office Locations, on sites which have an established B Class Use and which meet any of the following criteria:
 (i) The site fronts onto or has direct access to a classified road; or
 (ii) The site is in a Public Transport Accessibility Zone; or
 (iii) The site is within the Central Activities Zone; or
 (iv) The site is within a Strategic Cultural Area
- 49 The above policy states that development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. In this case the proposal will not result in the loss of Class B floorspace and therefore is policy compliant.
- 50 Saved Policy 1.5 Small Business Units states that the LPA will protect and encourage appropriate business and commercial developments which meet the needs of small businesses in the following ways:
 (i) Any proposals for the change of use or redevelopment of employment sites which include small business units and to which Policies 1.2, 1.3 or 1.4 apply shall make equivalent provision for small units within the replacement floorspace for Class B uses unless the existing Small Business Units have been vacant for 12 months or there is comparable alternative provision provided by the applicant;
 (ii) Railway arches outside Preferred Industrial Locations may be used for A, B, and D Use Classes, provided that the proposed use would not have an unacceptable impact on the amenities of neighbouring occupiers, or on car parking, traffic congestion and road safety;
 (iii) A planning condition will be imposed to ensure that such units are not converted or extended to form larger work spaces.
- 51 It is noted in the Saved Southwark Plan Policies that Small Business Units are an important feature of a sustainable local economy as they provide employment opportunities and services for local, often socially excluded residents, stimulate enterprise, and reduce the need to travel. Small business premises are often vulnerable to displacement by other uses and therefore need special protection and support. Because of their size and physical constraints, railway arches and viaducts make an important contribution towards providing employment space for small

businesses. In relation to the above policy, it is considered that a planning condition as outlined in criteria (iii) is appropriate in this instance. While there is no loss in B class use, this policy does seek to protect small and medium enterprises (SME's). The restriction on floorspace by way of restricting conversion of the units will help to ensure that the units remain suitable for SME's.

- 52 Saved Policy 1.7 'Development within town and local centres' states that within town centres, the LPA will permit developments providing a range of uses, including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment (Class B1) uses, where the following criteria are met:
- i. The scale and nature of the proposal is appropriate to the character and function of the centre and the catchment area it seeks to serve; and
 - ii. The proposal will not harm the vitality and viability of the centre; and
 - iii. A mix of uses is provided where appropriate; and
 - iv. Any floorspace currently in A Class use should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre (where the proposal site is located within a protected shopping frontage, the proposal should comply with Policy 1.9); and
 - v. The proposal would not materially harm the amenities of surrounding occupiers; and
 - vi. Where developments which are likely to attract a lot of people are proposed, the site should be highly accessible by sustainable modes of transport; and
 - vii. The road network has sufficient capacity to take any additional servicing traffic generated by the proposal without causing adverse effects on the environment, traffic circulation, or air quality; and
 - viii. The development addresses the street, provides an active frontage on pedestrian routes and would not erode the visual continuity of a shopping frontage; and
 - ix. The proposal provides amenities for users of the site such as public toilets, where appropriate.
- 53 In relation to Saved Policy 1.7, Office (Use Class B1a) use is considered acceptable in this town centre location. The existing retail (A1) and restaurant/ cafe (A3) uses are not within established shopping parades and therefore it is not considered that the proposal would impact on the viability and vitality of the town centre. The application properties are also within the Central Activity Zone and therefore exempt from permitted development rights to change to residential use without requiring planning permission. Furthermore, the change of use is in line with the principles of the NPPF which states that Local Planning Authority should support economic growth and approve without delay developments which accord with the development plan. The application properties are located in an highly accessible location and the proposed uses would not have a material impact on the road network over and above the existing uses.
- 54 In relation to Strategic Policy 3 and the change of use from an A class use, it is not considered that the loss of the A class uses will have a detrimental impact on the vitality and viability of the town centre. In relation to Strategic Policy 10 – Jobs and Businesses it is noted that arches are being maintained in a B class use and do not lead to a reduction in employment floorspace. In relation to saved Policy 1.4 the proposal does not result in the loss of B class floorspace. In relation to saved Policy 1.5 B classes uses are being maintained. In accordance with policy a condition can be imposed ensure that the units are not converted or extended to form larger work spaces.
- 55 In relation to the Draft Blackfriars Road SPD it is noted that this has recently gone out for consultation (Consultation period Friday 21 June to Thursday 12 September 2013). As such this has little weight at present. However this document supports the use of the railway arches for a range of business uses (B1) including small business space, creative and cultural industries, light industrial uses and appropriate A or D class uses.

Environmental impact assessment

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

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

- 57 It is not considered that an office use (Class B1a) in this town centre location would have a detrimental impact on the amenities of surrounding occupiers, over and above the existing uses. Indeed restaurant and general industrial uses may have more of an impact on amenity than office use. It is noted that there are air conditioning units proposed to the front of the site, adjacent to the bin and cycle storage space. A condition in relation to noise levels should be imposed. It is noted that an objection has raised the issue with the impact of construction noise during the works. In relation to noise during construction, a Construction Management Plan condition is recommended. This will allow the council to control the hours and manner of working so as to ensure that noise and dust levels will be kept to a minimum.
- 58 In relation to overlooking of adjacent occupiers, it is noted that these proposals include the glazing of a proportion of the rear arches to serve the upper mezzanine floors. While not a residential use, this still could result in overlooking of those occupiers to the rear. As such it is considered that the glazed elements to the rear should be obscured. This can be required by way of condition. It is not considered that the glazing to the front would impact on amenity given the setback of the arches from these properties.

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

- 59 The surrounding uses are a mix of commercial and residential. As such it is not considered that the uses would impact on the amenity of future occupiers of this site.

Design issues

- 60 The proposed alterations to the arches include external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to bin storage and cycle storage area incidental to the change of use
- 61 The external alterations to the front of the arches include the insertion of dark grey powder coated aluminum framed glazing and the insertion of blue facing brickwork. Grey powder coated ventilation grilles are also proposed. It is also proposed to clean and repair the existing viaduct wall and to remove redundant rainwater goods. A wall mounted arch identification sign is proposed for each of the arches and a non-illuminated sign is also proposed for the viaduct wall.
- 62 To the rear, grey powder coated aluminum framed glazing is proposed to match existing arch 25 and 26 infills. Red face brick infill is proposed to match existing arch

25 and 26 infills. Extract grills are also proposed for the rear.

- 63 New cast iron bollards are proposed for the entrance off Union Street and new opening is proposed to link to arches 28-31.
- 64 It is noted a number of objections have raised the issue of design and object to the alterations proposed. However, it is considered that these alterations are appropriate in appearance and do not detract from the character of the area. The works to the front and rear will improve the appearance of the arches and the materials proposed are considered to be appropriate. The proposed blue-faced brick to the front will improve the overall appearance and the red brick to the rear is in keeping with the existing arch infills to the rear. However a sample of both brick types should be requested by way of condition.

Traffic issues

- 65 This proposed development is located in an area with a TfL PTAL rating of 6a reflecting the area's high level of access to all forms of public transport. No additional parking is proposed for this development and this is in line with policy. An objection has raised the issue of the current impact on car parking adjacent to the La Gare Apartments. There are no proposals under this application to make amendments to the current parking arrangements at this location.
- 66 In relation to cycle parking, Table 15.3 the Southwark Plan, states that for B1 use classes 1 space per 250m² should be provided. In total there is 1350 sq. m. of B1 space (including that space in arches 28-31).
- 67 A total of 20 cycles are proposed. These are to serve arches 28-31 also. The level of provision is considered acceptable and is in line with policy.

Refuse and Recycling Facilities

- 69 The applicant has submitted details of waste storage which includes 7 X 1100ltr Eurobins within a timber screened enclosure. This is to serve arches 22-31. This is considered sufficient to serve the proposed development. It is noted an objector has raised the issue of the impact on the current refuse arrangements for the La Gare apartments. This current application does not propose to amend these arrangements.

Air Quality

- 70 The site lies within an Air Quality Management Area. Saved policy 'Air quality of the Southwark Plan (2007) states that planning permission will not be granted for development that would lead to a reduction in air quality. It is not considered that the proposed office use (B1a use class) would lead to a reduction in air quality.

Mayoral Community Infrastructure Levy

- 71 CIL is payable on applications for new floorspace over 100 sq. m, for change of use applications where the floorspace has not been in lawful use for the previous 6 months and for the creation of new residential units. The arches have been in lawful use and therefore CIL is not payable in this instance.

Flood Risk

- 72 The proposal does not result in a more vulnerable use and therefore a Flood Risk Assessment is not required in this instance.

Other Matters

- 73 A number of objectors have raised the issue of the site address and considered that the address supplied for the application is inaccurate and misleading. This issue was discussed with Street Naming and Numbering and it was confirmed that the address supplied for the application is as indicated in the report and consultation documents.
- 74 A number of objectors have raised the matter of the draft SPDs for the area (Blackfriars Road and Bankside, Borough and London Bridge). As noted above these have not been formally adopted and therefore have little weight.

Conclusion on planning issues

- 75 Having regard to the above, the principle of the change of use is acceptable as it maintains employment floorspace in an appropriate town centre site. It is not considered that the loss of the A class floorspace would have a detrimental impact on the vitality and viability of the town centre, having regard to the limited A class floorspace lost, the replacement with employment use and the relatively limited footfall at this location, in comparison with the main retail areas. The imposition of a condition restricting the conversion of the units to larger units will ensure that they will remain suitable for small business units.

Community impact statement

- 76 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as overlooking from the rear of the property
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are a condition recommending obscured glazing.

Consultation

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

Consultation replies

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

Summary of consultation responses

- 79 Objections have been received from Millennium City Garages, 68-70 Great Suffolk Street (rear), London, SE1 0BL (current tenant of arches 28-31); Academy Costumes (current arch tenant); Rocket Van Limited, The Arches, 229 Union Street, London, SE1 0LR (current arch tenant); 25 Lant House, Land Street SE1 1PJ; Southwark Cathedral, London Bridge SE1 9DA; 2 Walton House, The Drive, Walthamstow, London, E17 3DH; 31 Dolben Street, Flat 3, London SE1 0UQ; The Granary, Dunorlan

Farm, Hall Holes Road, Tunbridge Wells, Kent, TN2 4RE; Millennium City Garages, Arches 28/31, 68-70 Great Suffolk Street, SE1 0BL; Union Street Traders; 29 Styles House, The Cut, SE1 8DF; Apt. 7, Horseshow Wharf, 6 Clink Street, London, SE1 9FE; 2 La Gare, 53 Surrey Row, London, SE1 0DF; 182 Crompton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE; Castle Vale, Railway Street, Berwick-upon-Tweed, TD15 1NF; 2 St. Alphege House, Pocock Street, London, SE1 0BJ; 59 Elm Grove, London, SE15 5DB; 72 Ravensdowne, Berwick-upon-Tweed; 31 Main Street, Spittal, Berwick-Upon-Tweed, TD15 1QY; 122 Rowland Hill House, Nelson Square, SE1 0LU; 53B The Cut; 12 Bench Apartments, 22 Kings Bench Street, SE1 0QX; and from 14 individuals who did not supply an address.

Current on-line petition of 8,912 (as of 10/07/13) signatures objecting to the loss of small businesses in the arches

80 The main planning issues raised by the objections are as follows:

Misleading Information

- Initial consultation was compromised by lack of a sign outside the site for the vast majority of the consultation period
- Consultation should be undertaken again
- Site is should be considered as one and development should be one major planning application as they are linked
- Plans were not available on the website
- Consultation start date was not communicated to tenants or neighbours
- Application is not shown on Southwark Maps
- Address is incorrect and is misleading
- Application forms part of a large development by Network Rail and can not be considered a minor alteration
- Appears to cover land not in the ownership of the applicant
- Application is fundamentally flawed and should not have been validated

Consultation Issues

More consultations should take place before any permissions are given

Contrary to Policy

- Applications run contrary to some of the Council's most important aspirations for the area expressed in core strategic policies
- Applications do not seem to be in compliance with the proposed Bankside Neighbourhood Plan

Loss of services to the local community and impact on local employment

- Small businesses contribute to the life of the area and provide a variety of services to local residents
- Much of SE1 has been taken over by glossy flats and lifeless offices
- Existing local businesses contribute to mixed use more than office space can do
- Should be encouraging local businesses that provide local employment
- Don't need more empty offices in the area at the expense of useful local services
- Plenty of office space already in the area including the two floors opposite the proposed development at 200 Union Street that have been vacant for the last two years
- Development takes no account of the social and economic needs of the community

- Impact on local employment – would put 30-50 jobs at risk including local apprentices booked on Government back to work and skill training
- No evidence that the proposed use would provide local employment and is far more likely to transfer existing employment from other parts of the capital
- Impact on culture, creativity and diversity
- Deprive the local community of services
- Arches are already inhabited by successful cultural businesses
- Both applications are completely inter-dependant and should be submitted as one due to the fire escape access for each crossing the other
- Council is committed to sustaining a range of small businesses in the area with special protection for small businesses. Creative and artistic activities are particularly encouraged.
- Strategic objectives also promise to ensure that local people and local businesses share in the benefits of local regeneration and development
- This applications threaten genuinely local, creative small businesses, employment and jobs
- Diversity of business life is vital to the wellbeing of this area and would encourage planners to stand by their principle and policies and reject this application.

Plans

- Need small business that relate to the community the way that the Union Theatre and Rocket Van do rather than facilities that cater to a transient population of office workers who contribute little if anything to the community
- Offices can sit empty like the offices in Burrell Street that have only recently been occupied despite having being finished several years ago
- The area's residents are already swamped by transient visitors with little or no investment in the neighbourhood
- Should not get rid of successful local businesses already occupying these arches in order to make way for office space when it isn't needed
- Wide range of interesting uses make the area attractive for visitors
- Would result in an erosion of local business diversity that operates here
- Existing businesses - Rocketvan and Rocketvan Box Shop have been trading for 7 years, Academy Costumes (trading for 4 years), Arcadian Wood and Bangkok Kitchen (trading for 2 years) and Millennium City Garage (trading for 15 years) – would be evicted to make what for the capital already has an abundance of.
- Don't care enough about the local business community already there
- Large chain companies will have a negative impact on the local area
- Current arches are a good place for small businesses
- Application will result in loss of creative industries
- Arches are in a Strategic Cultural Area design to protect and enhance the provision of arts, culture and tourism
- Removal of businesses cannot be justified
- Area has a high degree of social cohesion due to a large degree to the families and local businesses that live and work there
- Several of these business support the logistics services and creative requirements of local, developing and developed artists and theatres
- Many small enterprises are being closed down due to increasing leases or redevelopments
- This is not regeneration
- Lots of reasons for these local businesses to stay in this location including family and childcare as well as having built a strong local clientele
- Support network amongst businesses
- Should see the value of that already exists here
- Concerned about the proposed removal of the garage as there are no other similar garages nearby
- The Southwark Plan states that small business units are an important feature of a

sustainable local economy and that small business premises are often vulnerable to displacement by other uses and need special protection

- Relocation within zone 1 would be difficult and businesses could be forced to downsize
- More offices will erode the social character and culture of north Southwark Council
- Current businesses provide support and services which are badly needed for other small businesses in the area unlike the typical clients that will occupy the refurbished premises

Amenity Issues

- The proposed glass frontage to all of the arches will directly overlook the rear of the neighbouring buildings
- Will harm the amenity of surrounding occupiers and affects the vitality of all the small businesses in the area, including Great Suffolk Street, Blackfriars Road and The Cut.
- Impact on privacy - previous development of the arches should have installed frosted windows
- All new windows overlooking La Gare apartments should be frosted
- There should be no access doors onto private land
- Working hours need to be during the week and not weekends and should be agreed with residents who live behind the arches and on Great Suffolk Street
- Impact of noise during construction on resident who lives 10-15m away from the arches
- Need to provide information on how they will manage construction noise and the project overall
- Permission should not be granted until Network Rail has provided a construction plan that deals with the noise issue
- Would be advisable for representatives from Southwark Council to meet at this property with Network Rail to see how they will deal with this issue

Transport, refuse, pedestrian and cycle issues

- Should safeguard the possible use of the forecourt area as a potential pedestrian cycle route
- Impact on current car parking spaces
- Impact on current refuse collection arrangements

Design Issues

- Design of the new facades is inappropriate, failing to preserve the character of the existing structure
- Transparency of the arches should be preserved
- Arches have great architectural and heritage quality and work to them should respect this and enhance the area
- Should have fully glazed facades to both sides of the arches
- Choice of brick is entirely inappropriate
- Arches are an important part of Southwark's History and any scheme for their development should respect and maximise their value as a contributor to the environment and heritage of the neighbourhood.

Space to the front will not be publicly accessible space and not amenity space

Human rights implications

- 81 This planning application engages certain human rights under the Human Rights Act

2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

- 82 This application has the legitimate aim of providing a change of use. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 83 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/RLY/12/BK1 Application file: 13/AP/0238 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5446 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee list
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Ronan O'Connor, Senior Planner	
Version	Final	
Dated	10 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 July 2013

Consultation undertaken

Site notice date: 22/04/13

Press notice date: n/a

Case officer site visit date: 28/05/13

Neighbour consultation letters sent:

18/04/13

Internal services consulted:

Environmental Protection
Transport
Planning Policy

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

As per Appendix 3

Re-consultation:

None.

APPENDIX 2**Consultation responses received****Internal services**

Environmental Protection – recommend condition in relation to noise
Planning Policy - No objection to the application

Statutory and non-statutory organisations

None

Neighbours and local groups

Objections have been received from:

Millennium City Garages, 68-70 Great Suffolk Street (rear), London, SE1 0BL (current tenant of arches 28-31); Academy Costumes (current arch tenant); Rocket Van Limited, The Arches, 229 Union Street, London, SE1 0LR (current arch tenant); 25 Lant House, Land Street SE1 1PJ; Southwark Cathedral, London Bridge SE1 9DA; 2 Walton House, The Drive, Walthamstow, London, E17 3DH; 31 Dolben Street, Flat 3, London SE1 0UQ; The Granary, Dunorlan Farm, Hall Holes Road, Tunbridge Wells, Kent, TN2 4RE; Millennium City Garages, Arches 28/31, 68-70 Great Suffolk Street, SE1 0BL; Union Street Traders; 29 Styles House, The Cut, SE1 8DF; Apt. 7, Horseshow Wharf, 6 Clink Street, London, SE1 9FE; 2 La Gare, 53 Surrey Row, London, SE1 0DF; 182 Crampton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE; Castle Vale, Railway Street, Berwick-upon-Tweed, TD15 1NF; 2 St. Alphege House, Pocock Street, London, SE1 0BJ; 59 Elm Grove, London, SE15 5DB; 72 Ravensdowne, Berwick-upon-Tweed; 31 Main Street, Spittal, Berwick-Upon-Tweed, TD15 1QY; 122 Rowland Hill House, Nelson Square, SE1 0LU; 53B The Cut; 12 Bench Apartments, 22 Kings Bench Street, SE1 0QX; and from 14 individuals who did not supply an address.

The objections are summarised in the summary of consultation responses above.

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 13/AP/0238

TP No	TP/RLY/12/BK1	Site	RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION STREET & SURREY ROW LONDON, SE1 0LR
App. Type	Full Planning Permission		

Date Printed	Address
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18/04/2013	3 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	4 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	2 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	52A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	1 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	5 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	9 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	10 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	8 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	6 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	7 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	UNION JACK 225 UNION STREET LONDON SE1 0LR
18/04/2013	66-68 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	62 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	54 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	48A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	50A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	204 UNION STREET LONDON SE1 0LX
18/04/2013	OCTAVIA HOUSE 235-241 UNION STREET LONDON SE1 0LR
18/04/2013	11 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	8 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	FIRST FLOOR AND SECOND FLOOR FLAT 52 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	7 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	5 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	6 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	SECOND FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	PART GROUND FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	PART GROUND FLOOR AND FIRST FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	15 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	16 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	14 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	12 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	13 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	17 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	3 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	4 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	2 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	18 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	1 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	FIRST FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	GROUND FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	LIVING ACCOMMODATION 225 UNION STREET LONDON SE1 0LR
18/04/2013	UNIT 1 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 5 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 6 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 4 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 2 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 3 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	FIRST FLOOR AND SECOND FLOOR FLAT 48 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	THIRD FLOOR FRONT SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	FIRST FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	TOP FLOOR FLAT 66 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	RAILWAY ARCHES 45 TO 51 UNION STREET LONDON SE1 0NW
18/04/2013	SECOND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	UNIT 2 202 UNION STREET LONDON SE1 0LX
18/04/2013	UNIT 3 202 UNION STREET LONDON SE1 0LX
18/04/2013	THIRD FLOOR EAST AND THIRD FLOOR REAR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	THIRD FLOOR AND MEZZANINE 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	GROUND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	UNIT 7 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL

18/04/2013 202 UNION STREET LONDON SE1 0LX
 18/04/2013 70B GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 9 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 70A GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 58 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 60 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 56 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FIRST FLOOR AND SECOND FLOOR FLAT 50 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 1 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 2 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 UNIT 10 RAILWAY ARCH 27 229 UNION STREET LONDON SE1 0BL
 18/04/2013 UNIT 8 RAILWAY ARCH 26 229 UNION STREET LONDON SE1 0BL
 18/04/2013 UNIT 9 RAILWAY ARCH 26 229 UNION STREET LONDON SE1 0BL
 18/04/2013 FLAT 3 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 7 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 8 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 6 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 4 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 5 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 The Arches 229 Union Street London SE1 0LR
 18/04/2013 68-70 Great Suffolk Street (rear) London SE1 0BL
 20/06/1837 122 Rowland Hill House Nelson Square London SE1 0LU
 20/06/1837 by email
 20/06/1837 Apartment 7, Horseshoe Wharf 6 Clink Street London SE1 9FE
 20/06/1837 by email
 20/06/1837 182 Crampton Street London SE17 3AE
 20/06/1837 Chester Way London SE11 4UR
 20/06/1837 65 Santley House Frazier Street London SE1 7RE
 20/06/1837 by email
 20/06/1837 Castle Vale House Railway Street Berwick-upon-Tweed TD15 1NF
 20/06/1837 by email
 20/06/1837 by email
 20/06/1837 59 Elm Grove London SE15 5DB
 20/06/1837 by email
 20/06/1837 by email
 20/06/1837 Milcote House Milcote Street London SE1 0RX
 20/06/1837 31 Main Street Spittal Berwick-Upon-Tweed TD15 1QY
 20/06/1837 72 Ravensdowne Berwick-Upon-Tweed
 20/06/1837 12 Bench apart,metns 22 Kings Bench Street London SE1 0QX
 20/06/1837 by email
 20/06/1837 2 St Alphege House Pocock Street London SE1 0BJ
 20/06/1837 by email
 20/06/1837 Flat 2 31 Dolben Street London SE1 0UQ
 20/06/1837 29 Styles House 29 The Cut London SE1 8DF
 20/06/1837 by email
 20/06/1837 by email
 20/06/1837 by email
 20/06/1837 25 Lant Hse SE1 1PJ
 20/06/1837 X
 20/06/1837 2 WALTON HOUSE THE DRIVE WALTHAMSTOW LONDON E17 3DH
 20/06/1837 Southwark Cathedral London Bridge London SE1 9DA
 20/06/1837 The Granary Dunorlan Farn Halls Hole Road Tunbridge Wells TN2 4ER
 20/06/1837 FLAT 3 31 DOLBEN STREET LONDON SE1 0UQ
 20/06/1837 by email

RECOMMENDATION

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

Applicant	Network Rail Infrastructure Limited	Reg. Number	13/AP/0238
Application Type	Full Planning Permission	Case	TP/RLY/12/BK1
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

The proposed application is for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch 23, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout. In addition, there will also be external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to seclude bin storage under 2 metres and cycle storage area incidental to the change of use

At: RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION STREET & SURREY ROW, LONDON SE1 0LR

In accordance with application received on 29/01/2013 08:01:18

and Applicant's Drawing Nos. 12-3438-PL001; 12-3438-PL002; 12-3438-PL003; 12-3438-PL004 A; 12-3438-PL005 A; 12-3438-PL006 B; 12-3438-PL007 A; 12-3438-PL009 A; Planning Statement; Design and Access Statement.

Subject to the following conditions:

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

Reason

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

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

12-3438-PL004 A; 12-3438-PL005 A; 12-3438-PL006 B; 12-3438-PL007 A; 12-3438-PL009 A; Planning Statement; Design and Access Statement.

Reason:

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

- 3 The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the measured L_{A90} level at the nearest noise sensitive premises.

Reason

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

- 4 A scheme providing for the insulation and sound proofing of the units against noise and vibration from the railway shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of this scheme shall be completed before the occupation of the units.

Reason

To ensure a satisfactory standard of amenity for future occupiers and in accordance with saved policy 3.2 'Protection of Amenity' of the Adopted UDP, The Southwark Plan, 2007 and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 5 Prior to the occupation of the development a service management plan detailing how all elements of the site are to be serviced shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 6 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation, and all work of making good shall match existing original materials.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

- 7 Notwithstanding Condition No. 7 above, samples of the brickwork to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

- 8 The windows on the rear elevation of the arches shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises from undue overlooking in accordance with Strategic Policy 13 'High Environmental Standards' of the Core Strategy (2011) and saved Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

- 9 Prior to the commencement of development including any works of demolition, a construction management plan shall be submitted to and approved in writing by the local planning authority and shall be adhered to throughout the construction period. The construction management plan shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- proposed days and times of the construction works. Works shall not be carried out after 6pm Monday to Friday and no work is to be carried out at weekends or on Bank Holidays.

Reason

In the interests of amenity and highway safety, in accordance with saved policies 3.2 'Protection of amenity' and 5.2 'Transport impacts' of the Southwark Plan (2007) and strategic policies 2 'Sustainable transport' and 13 'High environmental standards' of the Core Strategy (2011).

- 10 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the premises before the use of the premises is commenced and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policies 3.2 'Protection of Amenity' and 3.7 'Waste Reduction' of the Southwark Plan July 2007.

- 11 The cycle storage facilities as shown on drawing 12-3438-PL004 A shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.6 Walking and Cycling of the Southwark Plan 2007.

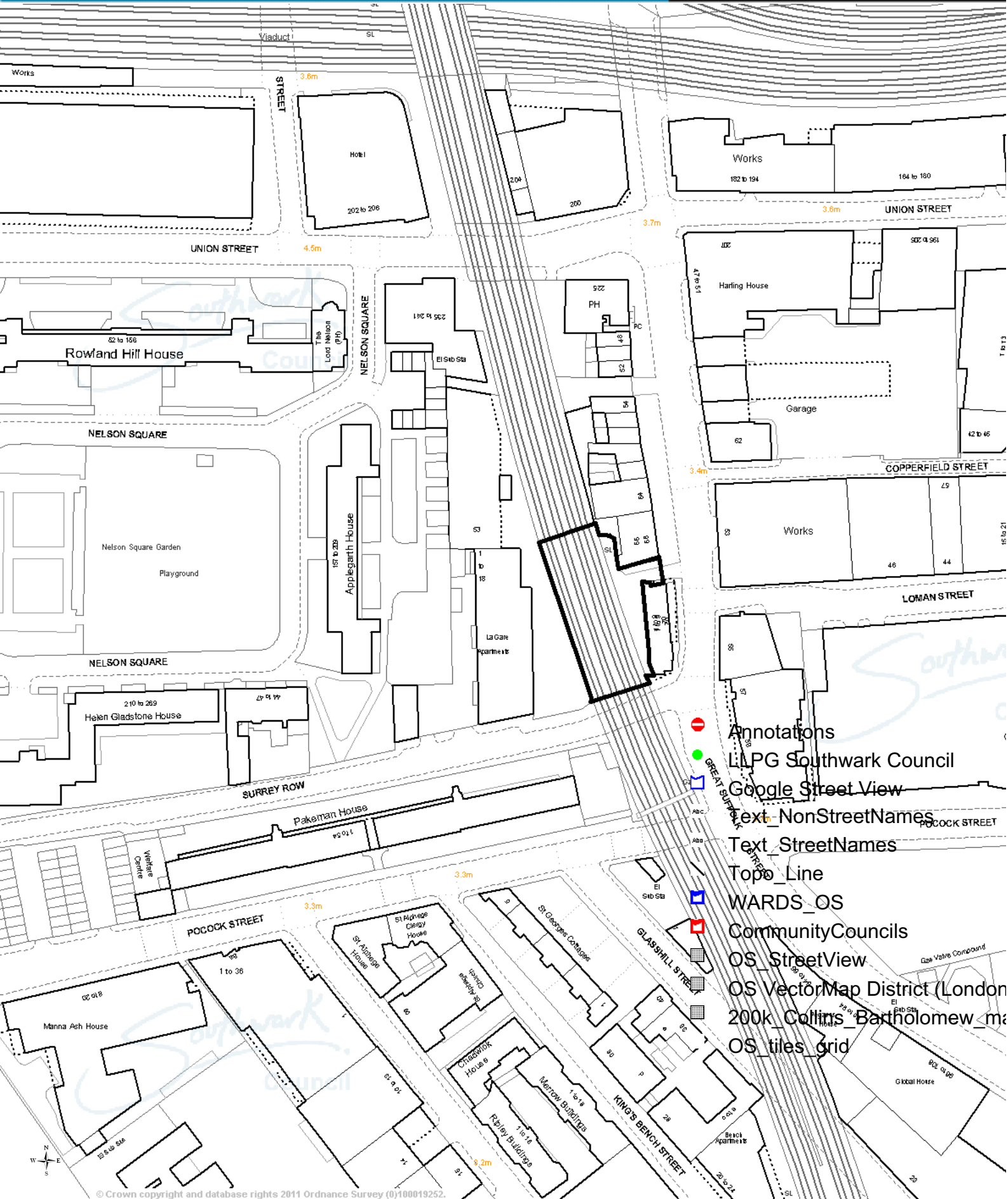
- 12 The layout of the B1a units hereby permitted shall remain as shown on Dwg No. 12-3438-PL004 Rev A and no amalgamation of the individual B1a units to create larger units shall be carried out, without the prior written consent of the Council, to whom a planning application must be made.

Reason

To ensure that the units remain suitable for small businesses units in accordance with Strategic Policy 10 Jobs and Businesses' of the Core Strategy and saved Policy 1.5 'Small Business Units' of the Southwark Plan (2007).

Statement of positive and proactive action in dealing with the application

The council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.



Item No. 7.2	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub Committee A
Report title:	Development Management planning application: Application 13/AP/0351 for: Full Planning Permission Address: RAILWAY ARCHES 28 TO 31, GREAT SUFFOLK STREET, LONDON SE1 0BL Proposal: Change of use from General Industry (Class B2) to Offices (ClassB1 (a)) together with refurbishment and external alterations to the four arches 28-31 Great Suffolk Street		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 06/03/2013		Application Expiry Date 01/05/2013	

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 This application is referred to members for a decision at the request of two Councillors and with agreement of the Chair of the Planning Committee.

Site location and description

- 3 The application site is located between Union Street and Surrey Row. The site has a Public Transport Accessibility Level of 6a, indicating a high level of access to public transport. The area is a mixed use area with commercial uses and residential uses nearby.
- 4 The change of use refers to four arches which are currently in General Industrial Use (Class B2) (car repair/workshop) use and comprise of a total of 527 square metres. The site is accessed from Great Suffolk Street.
- 5 Kings Bench Conservation Area is located to the south of the site with the northern boundary running along Surrey Row.
- 6 The site is within the Central Activity Zone, Air Quality Management Area, Bankside and Borough District Town Centre and Bankside, Borough and London Bridge Opportunity Area.

Details of proposal

- 7 The proposed application comprises of the refurbishment of arches 28-31 and a change of use as per the following table:

	Existing Use	Proposed Use
8 Arch 28	B2	B1a
Arch 29	B2	B1a
Arch 30	B2	B1a
Arch 31	B2	B1a

- 9 The application also includes alterations to the arches to include external alterations to the rear and front elevations of each arch. A new glazed front elevation is proposed with a dark grey powder coated frame and ventilation grilles. New grey powder coated aluminium framed glazing is proposed at the rear. Two cast iron bollards are proposed for the entrance to ensure larger vehicles can no longer enter the site. New mezzanine floors are being created within the units but these do not require planning permission.

Planning history

- 10 There is no recent planning history relating specifically to arches 28-31.

Planning history of adjoining sites

- 11 Recent, relevant applications include
- 12 13/AP/0238 Outstanding application RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION STREET & SURREY ROW LONDON SE1 0LR for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch A3, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout.
- 13 In addition, there will also be external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to seclude bin storage under 2 metres and cycle storage area incidental to the change of use
- 14 LAND TO THE REAR OF 54-58 GREAT SUFFOLK STREET, LONDON SE1 0BL
- 15 12/AP/3706 Permission Granted for change of use of land to the rear of 54-58 Great Suffolk Street from land ancillary to the railway arch units (within B class) to private amenity space associated with the proposed residential development of 54-58 Great Suffolk Street (pursuant to permission LBS Reg 11/AP/3600 dated 29/12/2011 for Demolition of existing buildings and redevelopment with a four storey (plus basement) to provide seven residential units (1 x one bed, 5 x two bed and 1 x 3 bed apartments) and 139sqm of office floorspace at basement level). [decision date 01/02/2013]
- 16 54-58 Great Suffolk Street
- 17 05-AP-1147: Planning permission was refused on 22/09/05, for the demolition of the existing building and erection of a 5 storey building comprising restaurant (A3) use on the ground and first floors, and offices (B1) on the second to fifth floors. The reasons for refusal centred around the following issues:

- 18 - design and external appearance of the front building
 - no provision for refuse storage
 - balconies to the rear would cause overlooking
 - insufficient information on ventilation
 - insufficient information on how the building would be protected from noise from the adjacent railway line.
- 19 Following its refusal the case was considered on appeal, and whilst the appeal was dismissed, the only reasons that were upheld were the design, refuse storage and overlooking from the balconies. The noise aspect and ventilation were considered capable of being dealt with by a condition.
- 20 07-AP-0282: Planning permission was refused on 23/08/07, for demolition of existing buildings and erection of a 5 storey building to comprise A3 on the ground and first floors, and B1 office use on the second third and fourth floors.
- 21 The 2 reasons for refusal were that the proposal was of a poor design with a projecting element that would have been incongruous within the streetscene, and that there was no provision for the secure, convenient and weatherproof storage of cycles for either of the proposed uses.
- 22 09-AP-0383: Planning permission was granted on 25/05/09 for demolition of existing buildings on site and erection of a four storey office block with basement. This was granted with 12 conditions, one of which was a Grampian Condition requiring the occupiers to be made exempt from obtaining car parking permits in the surrounding Controlled Parking Zone.
- 23 11-AP-3600: Planning permission was granted on 29/12/2011 for demolition of existing buildings and redevelopment with a four storey (plus basement) to provide seven residential units (1 x one bed, 5 x two bed and 1 x 3 bed apartments) and 139sqm of office floorspace at basement level. Planning permission was GRANTED in December 2011.
- 24 60 Great Suffolk Street
- 25 12/AP/0015 Grant permission for the demolition of existing building and erection of a four storey building plus basement comprising gallery space (Use Class D1) at ground and basement level with ancillary retail and cafe (Use Class A1/A3); studio space at first and second floor level (Use Class B1) and ancillary living accommodation at third floor level [decision date 08/05/2013]
- 26 04/AP/1005 - Permission refused on 11-08-2004 for change of use from offices to dwelling house together with installation of sliding patio doors at first floor level and use of existing flat roof as terrace. The reason for refusal was as follows:
- 27 The proposal would result in the loss of a significant amount of useable Class B1 (office) floorspace, of which there is a proven need, resulting in the loss of current and future job opportunities in the area. The proposal is contrary to Policy B.1.1 'Protection of Employment Areas and Identified Sites' of Southwark's Unitary Development Plan (1995) and Policy 1.4 'Preferred Office Locations' of Southwark's Revised Unitary Development Plan [March 2004]
- 28 06/AP/1061 - Permission granted on 30-08-2006 for change of Use of Ground Floor and Part First Floor from B1 (Offices) to A1 (Shops)/D1 (Art Gallery) .
- 29 08/AP/2565 - Planning permission refused on 08-01-2009 for erection of a three

storey extension on top of the existing three storey office and gallery building to create three live/work units for gallery staff.

30 Reasons for refusal:

31 1) The proposal by reason of its height, bulk and detailed design fails to respond to its context in terms of the proportions, materials and fenestration pattern adopted, as a result the scheme will be highly discordant and incongruous in this setting and will be detrimental to the visual amenities of this part of the streetscene. The proposal is therefore contrary to Policies 3.12 Quality in Design, 3.13 Urban Design of the Southwark Plan 2007 and Supplementary Planning Document: Residential Design Standards (2008);

32 2) The proposal, due to its height, depth and bulk, will be overbearing upon immediate neighbouring properties and will unduly impact open the light and rear prospect currently enjoyed by these properties, particularly the residential properties to the immediate north of the site, thereby harming their amenities, contrary to Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007) and Residential Design Standards SPD (2008) and;

33 3) The proposed live/work units are unacceptable due to their inadequate size, with insufficient definition between the two elements, which would render the units inadequate for employment purposes whilst not providing adequate residential accommodation, thereby contrary to Policy 1.6 'Live/work units' of the Southwark Plan (2007) and the Residential Design Standards SPD (2008).

34 11-AP-2018 - Planning application for the demolition of the existing A1/D1 gallery and B1 studio/offices and the construction of a new four storey building and basement to provide additional A1/A3/D1 retail/restaurant/gallery space at ground and basement level and 3 no. C3/B1 live/work units on the first, second and third floors was withdrawn on 20/09/2011.

35 66 - 68 Great Suffolk Street

36 Planning permission (Lbs.Reg.No: 05-AP-1044) was granted on 14/10/2005 for continued use of the basement, ground, first, second and third floors of the building as B1 office use

37 05/AP/1044 - Permission granted on 14-10-2005 for Continued use of the basement, ground, first, second and third floors of the building as B1 office use.

38 07/AP/0282 - Permission refused on 23-08-2007 for demolition of existing buildings and erection of a five storey building with a restaurant (A3) use on ground and first floors, offices (B1) use on second, third and fourth floors.

39 70 Great Suffolk Street

40 Planning permission (Lbs.Reg.No: 08-AP-0805) was granted on 17/07/2008 for erection of a six storey building comprising 174 sq.m of office space at ground and basement level and 9 residential units (5 x two bedroom and 4 x one bedroom units) on the upper floors, with balconies and terraces.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 41 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic policies.
 - b] Impact on the amenities of neighbouring residents and occupiers
 - c] Impact of adjoining and nearby uses on occupiers and users of proposed development
 - d] Traffic issues
 - e] Design issues and impact on the historic environment including the setting of the Kings Bench Conservation Area.
 - f] Flood risk assessment
 - g] Waste and Recycling
 - h] Air Quality

Planning policy

Core Strategy 2011

- 42
- 1 - Sustainable Development
 - 2 - Sustainable transport
 - 3 – Shopping and Leisure
 - 10 – Jobs and Businesses
 - 12 - Design and conservation
 - 13 - High environmental standards
 - 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

- 43 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 44
- 1.5 Small Business Units
 - 1.7 Development within town and local centres
 - 3.1 Environmental Effects
 - 3.2 Protection of Amenity
 - 3.4 Energy Efficiency
 - 3.6 Air Quality
 - 3.7 Waste reduction
 - 3.11 Efficient use of land
 - 3.12 Quality in Design
 - 3.13 Urban Design
 - 3.18 Setting of listed buildings, conservation areas and world heritage sites

- 5.2 Transport impacts
- 5.3 Walking and cycling
- 5.6 Car parking

45 Draft Blackfriars Road SPD

Bankside, Borough and London Bridge SPD

London Plan 2011

- 46 Policy 1.1 Delivering the strategic vision and objectives for London
 Policy 4.7 Retail and town centre development
 Policy 4.8 Supporting a successful and diverse retail sector
 Policy 4.10 New and emerging economic sectors
 Policy 4.11 Encouraging a connected economy
 Policy 4.12 Improving opportunities for all
 Policy 5.3 Sustainable design and construction
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture

National Planning Policy Framework (NPPF)

- 47 The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.

Relevant Sections

- 48 1. Building a strong competitive economy
 2. Ensuring the vitality of town centres
 4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design.
 10. Meeting the challenge of climate change, flooding and coastal change
 12. Conserving and enhancing the historic environment

Principle of development

- 49 The proposed development consists of a change of use from B2 to B1a use class. In total approx. 527sq. m. will undergo a change of use. A mezzanine floor is proposed for each arch which do not require planning permission. It is noted that a large number of objections have been received in relation to the principle of the change of use, in particular the loss of the existing small business units and the replacement with office units. A detailed discussion of this issue is set out below.

- 50 The site lies within the Central Activity Zone, the Bankside and Borough District Town Centre and Bankside and the Borough and London Bridge Opportunity Area.
- 51 The NPPF states that local authorities should approve development proposals that accord with the development plan without delay; In relation to economic growth, significant weight should be placed on the need to support economic growth through the planning system.
- 52 The provision of office (B1a) accommodation accords with the council's aim to provide employment space in appropriate locations, in this case within a town centre site in the Central Activity Zone as there is no loss of B class use. The change of use is in line with the principles of the NPPF which states that LPA should support economic growth and approve without delay developments which accord with the development plan.
- 53 Strategic Policy 10 – Jobs and Businesses of the Core Strategy is relevant in this instance.
- 54 Strategic Policy 10 – Jobs and Businesses seeks to protect existing business space and to seek the provision of existing business space. Small units are protected in specific locations including Bermondsey, Old Kent Road, Parkhouse Street and Mandela Way. Business spaces refers to B class uses.
- 55 In relation to small and medium sized enterprises (SMEs) it is noted that these make up over 99% of the total number of business in Southwark. This policy seeks to protect SME to ensure a supply of premises suitable for SMEs. This policy will apply to both business (B class) units as well as retail (A class) units.
- 56 Saved Policy 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' states that outside Preferred Industrial Locations and Preferred Office Locations, on sites which have an established B Class Use and which meet any of the following criteria:
- (i) The site fronts onto or has direct access to a classified road; or
 - (ii) The site is in a Public Transport Accessibility Zone; or
 - (iii) The site is within the Central Activities Zone; or
 - (iv) The site is within a Strategic Cultural Area
- 57 The above policy states that development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. In this case the proposal will not result in the loss of Class B floorspace and therefore is policy compliant.
- 58 Saved Policy 1.5 'Small Business Units' states that the LPA will protect and encourage appropriate business and commercial developments which meet the needs of small businesses in the following ways:
- (i) Any proposals for the change of use or redevelopment of employment sites which include small business units and to which Policies 1.2, 1.3 or 1.4 apply shall make equivalent provision for small units within the replacement floorspace for Class B uses unless the existing Small Business Units have been vacant for 12 months or there is comparable alternative provision provided by the applicant;
 - (ii) Railway arches outside Preferred Industrial Locations may be used for A, B, and D Use Classes, provided that the proposed use would not have an unacceptable impact on the amenities of neighbouring occupiers, or on car parking, traffic congestion and road safety;
 - (iii) A planning condition will be imposed to ensure that such units are not converted or extended to form larger work spaces.

- 59 It is noted in the Southwark Plan that Small Business Units are an important feature of a sustainable local economy as they provide employment opportunities and services for local, often socially excluded residents, stimulate enterprise, and reduce the need to travel. Small business premises are often vulnerable to displacement by other uses and therefore need special protection and support. Because of their size and physical constraints, railway arches and viaducts make an important contribution towards providing employment space for small businesses. Criterion ii relates to impacts on neighbouring occupiers this is discussed later in the report but the proposal is not considered to impact on neighbouring occupiers.
- 60 In relation to Saved Policy 1.5 'Small Business Units' the above policy, it is considered that a planning condition as outlined in criteria (iii) is appropriate in this instance. While there is no loss in B class use, policy does seek to protect small and medium enterprises (SME's). The restriction on floorspace by way of restricting conversion of the units will help to ensure that the units remain suitable for SME's
- 61 Saved Policy 1.7 'Development within town and local centres' states that within town centres, the LPA will permit developments providing a range of uses, including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment (Class B1) uses, where the following criteria are met:
- i. The scale and nature of the proposal is appropriate to the character and function of the centre and the catchment area it seeks to serve; and
 - ii. The proposal will not harm the vitality and viability of the centre; and
 - iii. A mix of uses is provided where appropriate; and
 - iv. Any floorspace currently in A Class use should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre (where the proposal site is located within a protected shopping frontage, the proposal should comply with Policy 1.9); and
 - v. The proposal would not materially harm the amenities of surrounding occupiers; and
 - vi. Where developments which are likely to attract a lot of people are proposed, the site should be highly accessible by sustainable modes of transport; and
 - vii. The road network has sufficient capacity to take any additional servicing traffic generated by the proposal without causing adverse effects on the environment, traffic circulation, or air quality; and
 - viii. The development addresses the street, provides an active frontage on pedestrian routes and would not erode the visual continuity of a shopping frontage; and
 - ix. The proposal provides amenities for users of the site such as public toilets, where appropriate.
- 62 In relation to saved Policy 1.7 above, it is considered that the scale and nature of the proposals are appropriate. In relation to criteria (ii) and (iii) the proposal proposes 4 arches which will be used as office units (B1) use. The application will result in a change of use from General Industry (B2) to four separate B1 units which will not result in harm to the vitality/viability of the Bankside and Borough district town centre, when considering the criteria in Saved Policy 1.7
- 63 In relation to criteria (v) the change of use will not have a detrimental impact on surrounding occupiers (see discussion on amenity below). In relation to criteria (vi) and (vii) the site is highly accessible and the proposed uses would not have a material impact on the road network over and above the existing uses.
- 64 In relation to the Draft Blackfriars Road SPD it is noted that this has recently gone out for consultation (Consultation period Friday 21 June to Thursday 12 September 2013). As such this has little weight at present. However this document supports the use of the railway arches for a range of business uses (B1) including small business

space, creative and cultural industries, light industrial uses and appropriate A or D class uses.

- 65 The draft Bankside, Borough and London Bridge SPD has not been formally adopted and as also has little weight.

Environmental impact assessment

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

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

- 67 It is not considered that a office (B1a) class use in this town centre location would have a detrimental impact on the amenities of surrounding occupiers, over and above the existing uses, having regard to considerations of noise and disturbance. In relation to noise, it is noted that there are air conditioning units proposed to the front of the site, adjacent to the entrance off Great Suffolk Street. A condition in relation to noise levels should be imposed. It is noted that an objection has raised the issue with the impact of construction noise during the works. In relation to noise during construction, a Construction Management Plan condition is recommended. This will allow the council to control the hours and manner of working so as to ensure that noise and dust levels will be kept to a minimum.
- 68 In relation to overlooking of adjacent occupiers, it is noted that these proposals include the glazing of a proportion of the rear arches to serve the upper mezzanine floors. While not a residential use, this still could result in overlooking of those occupiers to the rear. As such it is considered that the glazed elements to the rear should be obscured. This can be required by way of condition.

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

- 69 The surrounding uses are a mix of commercial and residential. As such it is not considered that the uses would impact on the amenity of future occupiers of this site.

Design issues and the impact on the setting of the Kings Bench Conservation Area.

- 70 The proposed alterations to the arches include external alterations to the rear and front elevations of each arch.
- 71 The external alterations to the front of the arches include the insertion of dark grey powder coated aluminium framed glazing and the insertion of blue facing brickwork. Grey powder coated ventilation grilles are also proposed. It is also proposed to clean and repair the existing viaduct wall. A wall mounted arch identification sign is proposed for each of the arches and a non-illuminated sign is also proposed adjacent to the entrance from Great Suffolk Street.

- 72 To the rear, grey powder coated aluminium framed glazing is proposed. Red face brick infill is proposed at lower level. Extract grills are also proposed for the rear.
- 73 It is noted that objections have been received in relation to the proposed alterations to the arches. However, it is considered that these alterations are appropriate in appearance and do not detract from the character of the area. The works to the front and rear will improve the appearance of the arches and the materials proposed are considered to be appropriate. The proposed blue-faced brick to the front will improve the overall appearance and the red brick to the rear is in keeping with the existing arch infills to the rear. However a sample of both brick types should be requested by way of condition.
- 74 In relation to the impact on views into and out of the Kings Bench Conservation Area, it is noted that the site will be visible from within the Conservation Area, on the southern side of Surrey Row. Saved policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan states that permission will not be granted for developments that would not preserve or enhance views into or out of a Conservation Area. Having regard to the design comments above, it is considered that the appearance of the arches to the rear will be improved and therefore views from within the Conservation Area will be enhanced.

Traffic issues

- 75 This proposed development is located in an area with a TfL PTAL rating of 6a reflecting the area's high level of access to all forms of public transport. No additional parking is proposed for this development and this is in line with policy. An objection has raised the issue of the current impact on car parking adjacent to the La Gare Apartments. There are no proposals under this application to make amendments to the current parking arrangements at this location.
- 76 In relation to cycle parking, Table 15.3 the Southwark Plan, states that for B1 use classes 1 space per 250m² should be provided. In total there is 1350 sq. m. of B1 space (including that space in arches 22-27).
- 77 A total of 20 cycles are proposed to the front of Arches 22-27. These are to serve arches 28-31 also. The level of provision is considered acceptable and is in line with policy.

Refuse and Recycling Facilities

- 78 The applicant has submitted details of waste storage which includes 7 X 1100ltr Eurobins within a timber screened enclosure. This is to serve arches 22-31. This is considered sufficient to serve the proposed development.

Air Quality

- 79 The site lies within an Air Quality Management Area. Saved policy 'Air quality' of the Southwark Plan (2007) states that planning permission will not be granted for development that would lead to a reduction in air quality. It is not considered that the proposed Office (B1a) use would lead to a reduction in air quality.

Mayoral Community Infrastructure Levy

- 80 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material

consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on applications for new floorspace over 100 sq. m, for change of use applications where the floorspace has not been in lawful use for the previous 6 months and for the creation of new residential units. The arches have been in lawful use and therefore CIL is not payable in this instance.

Flood Risk

- 81 The proposal does not result in a more vulnerable use and therefore a Flood Risk Assessment is not required in this instance.

Other Matters

- 82 A number of objectors have raised the issue of the site address and considered that the address supplied for the application is inaccurate and misleading. This issue was discussed with Street Naming and Numbering and it was confirmed that the address supplied for the application is as indicated in the report and consultation documents.
- 83 A number of objectors have raised the matter of the draft SPDs for the area (Blackfriars Road and Bankside, Borough and London Bridge). As noted above these have not been formally adopted and therefore have little weight.

Conclusion on planning issues

- 84 Having regard to the above, the principle of the change of use is acceptable as it maintains employment floorspace in an appropriate town centre site. The imposition of a condition restricting the conversion of the units to larger units will ensure that they will remain suitable for small business units. The proposed alterations to the front and rear arches are considered appropriate and it is not considered that there will be a detrimental impact on views out of the Kings Bench Conservation Area.

Community impact statement

- 85 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 86 a) The impact on local people is set out above.
- 87 b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as overlooking from the rear of the property
- 88 c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are a condition requiring the use of obscured glazing

Consultation

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

Consultation replies

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

Summary of consultation responses

- 91 Objections have been received from: Millennium City Garages, 68-70 Great Suffolk Street (rear), London, SE1 0BL (current tenant of arches 28-31); Academy Costumes (current arch tenant); Rocket Van Limited, The Arches, 229 Union Street, London, SE1 0LR (current arch tenant); 25 Lant House, Land Street SE1 1PJ; Southwark Cathedral, London Bridge SE1 9DA; 2 Walton House, The Drive, Walthamstow, London, E17 3DH; 31 Dolben Street, Flat 3, London SE1 0UQ; The Granary, Dunorlan Farm, Hall Holes Road, Tunbridge Wells, Kent, TN2 4RE; Millennium City Garages, Arches 28/31, 68-70 Great Suffolk Street, SE1 0BL; Union Street Traders Association; 29 Styles House, The Cut, SE1 8DF; Apt. 7, Horseshow Wharf, 6 Clink Street, London, SE1 9FE; 2 La Gare, 53 Surrey Row, London, SE1 0DF; 182 Crampton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE, London SE1 7RE; Castle Vale House, Railway Street, Berwick-upon-Tweed, TD15 1NF; 2 St. Alphege House, Pocock Street, London, SE1 0BJ; 59 Elm Grove, London, SE15 5DB; 72 Ravensdowne, Berwick-upon-Tweed; 31 Main Street, Spittal, Berwick-Upon-Tweed, TD15 1QY; 122 Rowland Hill House, Nelson Square, SE1 0LU; 53B The Cut; 12 Bench Apartments, 22 Kings Bench Street, SE1 0QX; and from 14 individuals who did not supply an address.
- 92 Current on-line petition of 8,912 (as of 10/07/13) signatures objecting to the loss of small businesses in the arches
- 93 The main planning issues raised by the objections are as follows but more fully reported in the consultation section:
- 94 Misleading Information; lack of consultation, proposal contrary to policy, loss of services to the local community and impact on local employment, affect amenities of local residents, impact on car parking spaces and refuse collection arrangements, in appropriate alterations which do not respect Southwark's history

Human rights implications

- 95 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 96 This application has the legitimate aim of providing a change of use. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/RLY/12/BK1 Application file: 13/AP/0351 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5446 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee list
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Ronan O'Connor, Senior Planner	
Version	Final	
Dated	10 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	11 July 2013	

APPENDIX 1**Consultation undertaken**

Site notice date: 22/04/13

Press notice date: n/a

Case officer site visit date: 28/05/13

Neighbour consultation letters sent:

18/04/13

Internal services consulted:

Environmental Protection
Transport
Planning Policy

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

As per Appendix 3

Re-consultation:

None.

APPENDIX 2**Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Objections have been received from: Millennium City Garages, 68-70 Great Suffolk Street (rear), London, SE1 0BL (current tenant of arches 28-31); Academy Costumes (current arch tenant); Rocket Van Limited, The Arches, 229 Union Street, London, SE1 0LR (current arch tenant); 25 Lant House, Land Street SE1 1PJ; Southwark Cathedral, London Bridge SE1 9DA; 2 Walton House, The Drive, Walthamstow, London, E17 3DH; 31 Dolben Street, Flat 3, London SE1 0UQ; The Granary, Dunorlan Farm, Hall Holes Road, Tunbridge Wells, Kent, TN2 4RE; Millennium City Garages, Arches 28/31, 68-70 Great Suffolk Street, SE1 0BL; Union Street Traders Association; 29 Styles House, The Cut, SE1 8DF; Apt. 7, Horseshow Wharf, 6 Clink Street, London, SE1 9FE; 2 La Gare, 53 Surrey Row, London, SE1 0DF; 182 Crampton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE, London SE1 7RE; Castle Vale House, Railway Street, Berwick-upon-Tweed, TD15 1NF; 2 St. Alphege House, Pocock Street, London, SE1 0BJ; 59 Elm Grove, London, SE15 5DB; 72 Ravensdowne, Berwick-upon-Tweed; 31 Main Street, Spittal, Berwick-Upon-Tweed, TD15 1QY; 122 Rowland Hill House, Nelson Square, SE1 0LU; 53B The Cut; 12 Bench Apartments, 22 Kings Bench Street, SE1 0QX; and from 14 individuals who did not supply an address.

Misleading Information

Initial consultation was compromised by lack of a sign outside the site for the vast majority of the consultation period

Consultation should be undertaken again

Site is should be considered as one and development should be one major planning application as they are linked

Plans were not available on the website

Consultation start date was not communicated to tenants or neighbours

Application is not shown on Southwark Maps

Address is incorrect and is misleading

application forms part of a large development by Network Rail and can not be considered a minor alteration

appears to cover land not in the ownership of the applicant

application is fundamentally flawed and should not have been validated

Loss of services to the local community and impact on local employment

Small businesses contribute to the life of the area and provide a variety of services to local residents

Much of SE1 has been taken over by glossy flats and lifeless offices

Existing local businesses contribute to mixed use more than office space can do

Should be encouraging local businesses that provide local employment

Don't need more empty offices in the area at the expense of useful local services
 Plenty of office space already in the area including the two floors opposite the proposed development at 200 Union Street that have been vacant for the last two years
 Development takes no account of the social and economic needs of the community
 Impact on local employment – would put 30-50 jobs at risk including local apprentices booked on Government back to work and skill training
 No evidence that the proposed use would provide local employment and is far more likely to transfer existing employment from other parts of the capital
 Impact on culture, creativity and diversity
 Deprive the local community of services
 Arches are already inhabited by successful cultural businesses
 Both applications are completely inter-dependant and should be submitted as one due to the fire escape access for each crossing the other
 Council is committed to sustaining a range of small businesses in the area with special protection for small businesses. Creative and artistic activities are particularly encouraged.
 Strategic objectives also promise to ensure that local people and local businesses share in the benefits of local regeneration and development
 This applications threaten genuinely local, creative small businesses, employment and jobs
 Diversity of business life is vital to the wellbeing of this area and would encourage planners to stand by their principle and policies and reject this application.

Plans

Need small business that relate to the community the way that the Union Theatre and Rocket Van do rather than facilities that cater to a transient population of office workers who contribute little if anything to the community
 Offices can sit empty like the offices in Burrell Street that have only recently been occupied despite having being finished several years ago
 The area's residents are already swamped by transient visitors with little or no investment in the neighbourhood
 Should not get rid of successful local businesses already occupying these arches in order to make way for office space when it isn't needed
 Wide range of interesting uses make the area attractive for visitors
 Would result in an erosion of local business diversity that operates here
 Existing businesses - Rocketvan and Rocketvan Box Shop have been trading for 7 years, Academy Costumes (trading for 4 years), Arcadian Wood and Bangkok Kitchen (trading for 2 years) and Millennium City Garage (trading for 15 years) – would be evicted to make what for the capital already has an abundance of.
 Don't care enough about the local business community already there
 Large chain companies will have a negative impact on the local area
 Current arches are a good place for small businesses
 Application will result in loss of creative industries
 Arches are in a Strategic Cultural Area design to protect and enhance the provision of arts, culture and tourism
 Removal of businesses cannot be justified
 Area has a high degree of social cohesion due to a large degree to the families and local businesses that live and work there
 Several of these business support the logistics services and creative requirements of local, developing and developed artists and theatres
 Many small enterprises are being closed down due to increasing leases or redevelopments
 This is not regeneration
 Lots of reasons for these local businesses to stay in this location including family and childcare as well as having built a strong local clientele
 Support network amongst businesses
 Should see the value of that already exists here
 Concerned about the proposed removal of the garage as there are no other similar

garages nearby

The Southwark Plan states that small business units are an important feature of a sustainable local economy and that small business premises are often vulnerable to displacement by other uses and need special protection

Relocation within zone 1 would be difficult and businesses could be forced to downsize

More offices will erode the social character and culture of north Southwark Council

Current businesses provide support and services which are badly needed for other small businesses in the area unlike the typical clients that will occupy the refurbished premises

Amenity Issues

The proposed glass frontage to all of the arches will directly overlook the rear of the neighbouring buildings

Will harm the amenity of surrounding occupiers and affects the vitality of all the small businesses in the area, including Great Suffolk Street, Blackfriars Road and The Cut.

Impact on privacy - previous development of the arches should have installed frosted windows

All new windows overlooking La Gare apartments should be frosted

There should be no access doors onto private land

Working hours need to be during the week and not weekends and should be agreed with residents who live behind the arches and on Great Suffolk Street

Impact of noise during construction on resident who lives 10-15m away from the arches

Need to provide information on how they will manage construction noise and the project overall

Permission should not be granted until Network Rail has provided a construction plan that deals with the noise issue

Would be advisable for representatives from Southwark Council to meet at this property with Network Rail to see how they will deal with this issue

Transport, refuse, pedestrian and cycle issues

Should safeguard the possible use of the forecourt area as a potential pedestrian cycle route

Impact on current car parking spaces

Impact on current refuse collection arrangements

Design Issues

Design of the new facades is inappropriate, failing to preserve the character of the existing structure

Transparency of the arches should be preserved

Arches have great architectural and heritage quality and work to them should respect this and enhance the area

Should have fully glazed facades to both sides of the arches

Choice of brick is entirely inappropriate

Arches are an important part of Southwark's History and any scheme for their development should respect and maximise their value as a contributor to the environment and heritage of the neighbourhood.

Space to the front will not be publicly accessible space and not amenity space

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 13/AP/0351

TP No	TP/RLY/12/BK1	Site	RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET, LONDON, SE1 OBL
App. Type	Full Planning Permission		

Date Printed	Address
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20/06/1837	68-70 Great Suffolk Street (rear) SE1 OBL
18/04/2013	3 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	4 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	2 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	52A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	1 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	5 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	9 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	10 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	8 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	6 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	7 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	50A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	66-68 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	UNION JACK 225 UNION STREET LONDON SE1 0LR
18/04/2013	60 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	62 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	204 UNION STREET LONDON SE1 0LX
18/04/2013	48A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	OCTAVIA HOUSE 235-241 UNION STREET LONDON SE1 0LR
18/04/2013	54 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	8 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	FIRST FLOOR AND SECOND FLOOR FLAT 52 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	7 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	5 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	6 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	SECOND FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	PART GROUND FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	PART GROUND FLOOR AND FIRST FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	4 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	14 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	15 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	13 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	11 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	12 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	16 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	2 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	3 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	1 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	17 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	18 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	LIVING ACCOMMODATION 225 UNION STREET LONDON SE1 0LR
18/04/2013	FIRST FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 3 202 UNION STREET LONDON SE1 0LX
18/04/2013	GROUND FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 4 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 5 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 3 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 1 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 2 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 2 202 UNION STREET LONDON SE1 0LX
18/04/2013	FIRST FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	TOP FLOOR FLAT 66 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	RAILWAY ARCHES 45 TO 51 UNION STREET LONDON SE1 0NW
18/04/2013	FIRST FLOOR AND SECOND FLOOR FLAT 48 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	GROUND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	THIRD FLOOR EAST AND THIRD FLOOR REAR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	THIRD FLOOR AND MEZZANINE 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	THIRD FLOOR FRONT SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	SECOND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL

18/04/2013 70B GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 70A GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 8 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 9 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 202 UNION STREET LONDON SE1 0LX
 18/04/2013 56 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 58 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FIRST FLOOR AND SECOND FLOOR FLAT 50 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 7 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 UNIT 9 RAILWAY ARCH 26 229 UNION STREET LONDON SE1 0BL
 18/04/2013 UNIT 10 RAILWAY ARCH 27 229 UNION STREET LONDON SE1 0BL
 18/04/2013 UNIT 8 RAILWAY ARCH 26 229 UNION STREET LONDON SE1 0BL
 18/04/2013 UNIT 6 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
 18/04/2013 UNIT 7 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
 18/04/2013 FLAT 1 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 5 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 6 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 4 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 2 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 FLAT 3 70 GREAT SUFFOLK STREET LONDON SE1 0BL
 18/04/2013 The Arches 229 Union Street London SE1 0LR
 20/06/1837 by email
 20/06/1837 182 Crampton Street London SE17 3AE
 20/06/1837 Chester Way London SE11 4UR
 20/06/1837 65 Santley House Frazier Street London SE1 7RE
 20/06/1837 by email
 20/06/1837 Castle Vale House Railway Street Berwick-upon-Tweed TD15 1NF
 20/06/1837 by email
 20/06/1837 by email
 20/06/1837 by email
 20/06/1837 59 Elm Grove London SE15 5DB
 20/06/1837 by email
 20/06/1837 Milcote House Milcote Street London SE1 0RX
 20/06/1837 31 Main Street Spittal Berwick-Upon-Tweed TD15 1QY
 20/06/1837 72 Ravensdowne Berwick-Upon-Tweed
 20/06/1837 12 Bench apart,metns 22 Kings Bench Street London SE1 0QX
 20/06/1837 by email
 20/06/1837 2 St Alphege House Pocock Street London SE1 0BJ
 20/06/1837 by email
 20/06/1837 Flat 2 31 Dolben Street London SE1 0UQ
 20/06/1837 29 Styles House The Cut London SE1 8DF
 20/06/1837 2 WALTON HOUSE THE DRIVE WALTHAMSTOW LONDON E17 3DH
 20/06/1837 Southwark Cathedral London Bridge London SE1 9DA
 20/06/1837 by email

RECOMMENDATION

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

Applicant	Mr S Hammond	Reg. Number	13/AP/0351
Application Type	Full Planning Permission	Case Number	TP/RLY/12/BK1
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use from General Industry (Class B2) to Offices (ClassB1 (a)) together with refurbishment and external alterations to the four arches 28-31 Great Suffolk Street

At: RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET, LONDON, SE1 0BL

In accordance with application received on 06/02/2013 08:00:18

and Applicant's Drawing Nos. 13-3481-PL001; 13-3481-PL002; 13-3481-PL003 A; 13-3481-PL004 B; 13-3481-PL005 B; 13-3481-PL006 B; Design and Access Statement; Planning Statement.

Subject to the following conditions:

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

Reason
As required by Section 91 of the Town and Country Planning Act 1990 as amended
- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

13-3481-PL004 B; 13-3481-PL005 B; 13-3481-PL006 B;

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 3 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the premises before the use of the premises is commenced and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason
In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policies 3.2 'Protection of Amenity' and 3.7 'Waste Reduction' of the Southwark Plan July 2007.
- 4 The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the measured L_{A90} level at the nearest noise sensitive premises.

Reason
To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007), Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.
- 5 A scheme providing for the insulation and sound proofing of the units against noise and vibration from the railway shall be submitted to and approved in writing by the Local Planning Authority. Any works which form

part of this scheme shall be completed before the occupation of the units.

Reason

To ensure a satisfactory standard of amenity for future occupiers and in accordance with saved policy 3.2 'Protection of Amenity' of the Adopted UDP, The Southwark Plan, 2007 and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 6 Prior to the occupation of the development a Service Management Plan detailing how all elements of the site are to be serviced shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 7 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation, and all work of making good shall match existing original materials.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

- 8 Notwithstanding Condition No. 7 above, samples of the brickwork to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' , 3.13 'Urban Design' and 3.18 'Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

- 9 The windows on the rear elevation of the arches shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises from undue overlooking in accordance with Strategic Policy 13 'High Environmental Standards' of the Core Strategy (2011) and saved Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

- 10 Prior to the commencement of development including any works of demolition, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority and shall be adhered to throughout the construction period. The Construction Management Plan shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- proposed days and times of the construction works. Works shall not be carried out after 6pm Monday to Friday and no work is to be carried out at weekends or on Bank Holidays.

Reason

In the interests of amenity and highway safety, in accordance with saved policies 3.2 'Protection of amenity' and 5.2 'Transport impacts' of the Southwark Plan (2007) and strategic policies 2 'Sustainable transport' and 13 'High environmental standards' of the Core Strategy (2011).

- 11 The layout of the B1a units hereby permitted shall remain as shown on Dwg No. 12-3438-PL004 Rev A and no amalgamation of the individual B1a units to create larger units shall be carried out, without the prior written consent of the Council, to whom a planning application must be made.

Reason

To ensure that the units remain suitable for small businesses units in accordance with Strategic Policy 10 Jobs and Businesses' of the Core Strategy and saved Policy 1.5 'Small Business Units' of the Southwark Plan (2007).

- 12 Details of the cycle storage facilities for the units hereby approved shall be submitted to the local planning authority in writing before the first occupation of the units and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.6 Walking and Cycling of the Southwark Plan 2007.

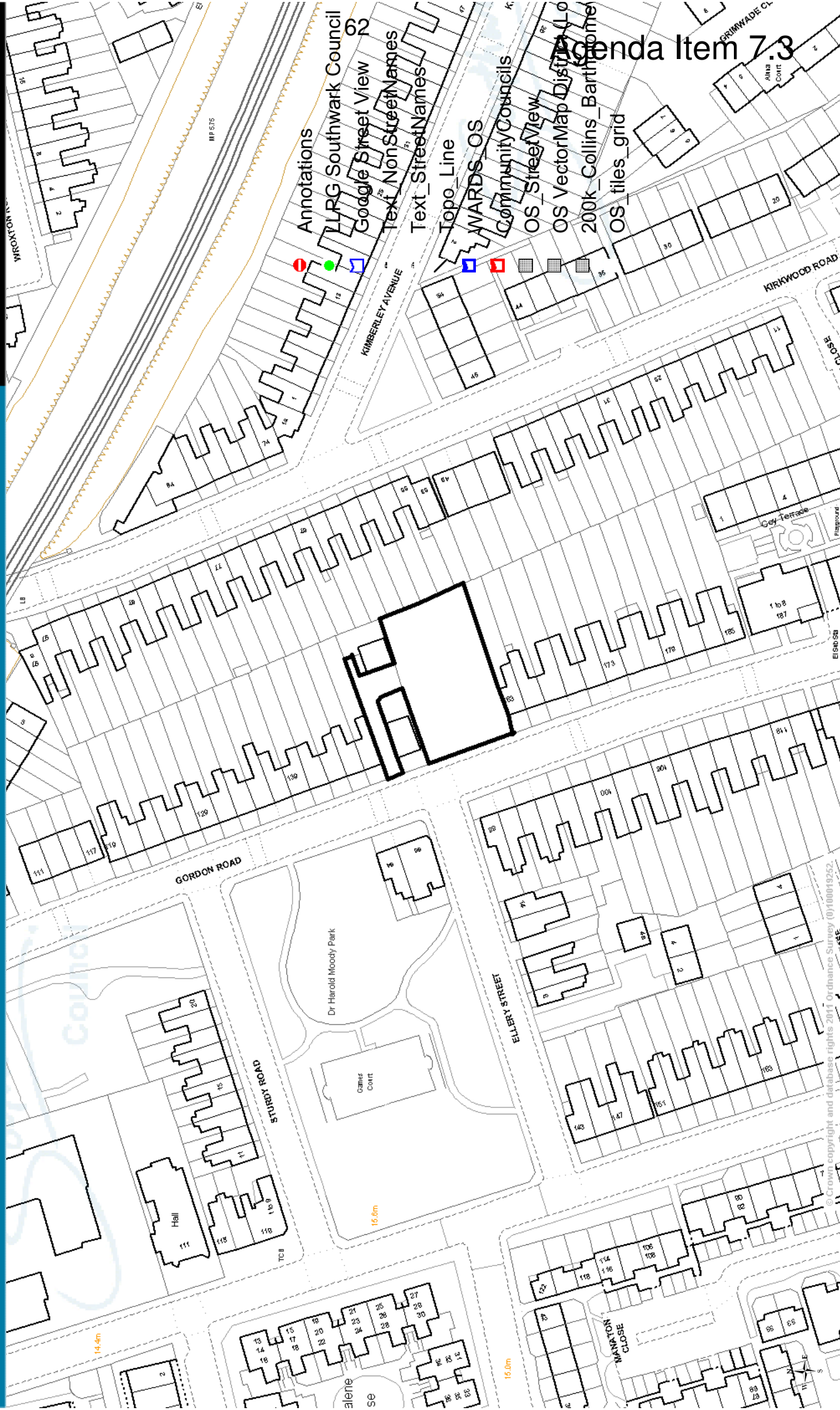
Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

151-161 GORDON ROAD' SE15 3RT

Ordnance Survey

Date 9/7/2013



Agenda Item 7.3

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Item No. 7.3	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 13/AP/0955 for: Full Planning Permission Address: 151-161 GORDON ROAD, LONDON SE15 3RT Proposal: Construction of 7 dwellings (3 x 4 bedroom and 4 x 5 bedroom) ranging in height from two to three storeys; associated refuse storage, cycle parking and landscaping.		
Ward(s) or groups affected:	The Lane		
From:	Head of Development Management		
Application Start Date 04/04/2013		Application Expiry Date 30/05/2013	
Earliest Decision Date 18/05/2013			

RECOMMENDATION

- 1 Grant permission, subject to conditions.

BACKGROUND INFORMATION

- 2 This application is brought before the Planning Sub-Committee for a decision at the request of Councillors and with the agreement of the Chair of the Planning Committee.

Site location and description

- 3 The subject site is situated on Gordon Road and is currently vacant. The site lies within the Nunhead Green Conservation Area. There are no listed buildings within the vicinity of the site.
- 4 The site lies within an Air Quality Management Area, the Urban Density Zone and the Peckham and Nunhead Action Area as defined in the Adopted Policies Map (March 2012).

Details of proposal

- 5 The proposal is for a development of 7 houses. The mix is 4 X 5 bed and 3 X 4 bed houses.

	Overall Floor Area	Living	Kitchen/ Dining	Bed 1	Bed 2	Bed 3	Bed 4	Bed 5	Amenity Space
Unit 1 (Type A)	120.6	21.6	14.4	12.6	12.0	8.0	8.1	8.0	43.2
Unit 2 (Type A)	120.6	17.2		15.7	12.0	10.5	8.2		37.5

Unit 3 (Type A)	120.6	17.2	14.6	15.7	12.0	10.5	8.2		39
Unit 4 (Type B)	129.1	17.2	14.6	15.7	12.0	10.5	8.2		70.6
Unit 5 (Type C)	128	17.7	14.9	12.5	12.1	8.8	8.0	7.5	40
Unit 6 (Type C)	128	17.7	14.9	12.5	7.5	8.8	8.0	7.5	36
Unit 7 (Type C)	128	17.7	14.9	12.5	12.1	8.8	8.0	7.5	44.2

- 6 No vehicle parking is proposed. A total of 22 cycle parking spaces are proposed. Refuse storage is to the front of each dwelling fronting onto Gordon Road. Communal storage is provided to the north of the site to serve the three units to the rear of the site. Each of the dwellings has a garden area to the rear. The dwellings to the rear are separated from those to the front by a 'mews street'.
- 7 There is no vehicle access to the proposal site. Pedestrian access to the units to the rear is via a laneway to the north of the site. Access to the units fronting onto Gordon Road is off the street.
- 8 The dwellings fronting on Gordon Road form a terrace of 4 properties (3 X Type A and 1 X Type B). These are part-three/part-two-storey with accommodation at roof-level (third storey level). These dwellings are 8.2m high at the highest point of the roofline. The dwellings to the rear are part-two/storey part three storey and form a terrace of 3 houses (3 X Type B). They are also 8.2m high at the highest point.
- 9 Proposed materials are brick. Windows are double-glazed timber framed windows. Doors are solid timber doors. Roofs will be a slate composite.

Planning history

- 10 The most relevant application on this site was an application for the redevelopment of the site to provide seven two-storey dwelling houses with habitable roof spaces at the front and roof terraces at the rear with associated car parking (07/AP/2647). This was refused for four reasons (1) the height, mass, bulk and detailed design and impact on the Conservation Area (2) Inadequate visibility splay compromising highway and pedestrian safety, (3) Inadequate refuse and waste collection facilities for those units to the rear and (4) Overlooking from the roof terraces to the rear.
- 11 The appeal was upheld (Appeal Ref 08/2069509) and the Inspector upheld the first reason for refusal (design) and gave limited weight to the second (safety). The Inspector considered that the proposal had a detrimental impact on the Nunhead Green Conservation Area, **as a result of the proposal sitting forward of the building line, the prominent mansard roofs and the use of inappropriate materials.** The Inspector also gave limited weight to the issue of safety arising from the proposed entry and exit of vehicles from the site. In relation to the refuse issue, the Inspector considered that given the dwellings were under the management of a Housing Association, refuse would be stored and managed appropriately. Overlooking, or the perception of overlooking from the proposed rear balconies, was also a concern although the Inspector accepted that screening would overcome this issue. The Inspector also notes that the houses to the rear would not be visible in the same vista as the terraces, and for this reason it was considered that they would not harm the appearance of the Conservation Area.
- 12 01/CO/0154 Grant permission [decision issued 19/11/01] Demolition of asbestos clad pre-fabricated bungalow and provision of 1.8m high fencing to boundary of site.

Planning history of adjoining sites

- 13 149 Gordon Road 02/AP/1723 Grant permission [decision date 31/12/2002] for the construction of 2 two-storey detached houses.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 14 The key issues with this pre-application are as follows:

(a) Principle of development

(b) Impact of proposed development on amenity of adjoining occupiers and surrounding area

(c) Impact of adjoining and nearby uses on occupiers and users of proposed development

(d) Transport Issues

(e) Design

(f) Mayoral Community Infrastructure levy

(g) Sustainable development implications

(h) Air Quality

(i) Trees

Planning policy

National Planning Policy Framework (2012)

- 15 Relevant Sections
1. Building a strong competitive economy
 4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design.
 10. Meeting the challenge of climate change, flooding and coastal change
 12. Conserving and enhancing the historic environment

London Plan (2011)

- 16 Policy 3.3 - Increasing housing supply
 Policy 4.4 - Optimising housing potential
 Policy 3.5 - Quality and design of housing developments
 Policy 3.8 - Housing choice
 Policy 3.9 - Mixed and balanced communities
 Policy 4.1 - Developing London's economy
 Policy 5.2 - Minimising carbon dioxide emissions
 Policy 5.3 - Sustainable design and construction
 Policy 5.7 - Renewable energy
 Policy 6.3 Assessing Effects of Development on Transport Capacity
 Policy 7.6 - Architecture

Policy 7.8 - Heritage Assets and Archaeology
 Policy 7.19 Biodiversity and Access to Nature

Core Strategy (2011)

- 17 1 - Sustainable Development
 2 - Sustainable transport
 5 – Providing new homes
 7 – Family homes
 11 - Open Spaces and Wildlife
 12 - Design and conservation
 13 - High environmental standards
 14 - Implementation and delivery

Southwark Plan (2007) - saved policies

- 18 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 19 3.1 Environmental Effects
 3.2 Protection of Amenity
 3.6 Air Quality
 3.7 Waste reduction
 3.9 Water
 3.11 Efficient use of land
 3.12 Quality in Design
 3.13 Urban Design
 3.14 Designing out Crime
 3.15 Conservation of the historic environment
 3.16 Conservation areas
 3.18 Setting of listed buildings, conservation areas and world heritage sites
 3.28 Biodiversity
 4.2 Quality of Residential Accommodation
 5.2 Transport impacts
 5.3 Walking and cycling
 5.6 Car parking

Supplementary Planning Documents

- 20 Residential Design Standards SPD 2011
 Sustainable Design and Construction SPD 2008

Principle of development

- 21 There are no land use objections to a residential development on this site. There are fewer than 10 units, so no affordable housing nor contributions is required by planning policy, although the applicant has indicated that the units will be 3 intermediate and 4 social rent in tenure.

Environmental impact assessment

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

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

- 23 The nearest residential occupiers are located at 149 and 149A Gordon Road to the north-west and north, 53-63 Kirkwood Road to the north/east, 163 Gordon Road to the south and 86-92 Gordon Road to the west of the site across Gordon Road.

Overlooking/Loss of Privacy

- 24 In relation to the impact on 149 and 149A, and Gordon Road, it is noted that there are no windows to the side elevation of the nearest proposed units and as such no overlooking of any windows of these properties will result. In relation to the overlooking of the rear gardens of these properties, there will be limited views into the garden of No. 149 and 149A from the rear windows of the front and back terraces, although this is not considered to be so detrimental to the amenity of these units so as to warrant a refusal. Such views from rear windows onto adjacent gardens are common in an inner-London development such as the one proposed in this instance.
- 25 In relation to the impact on the dwellings on Kirkwood Road, given the distances from the rear of the proposed houses to these dwellings on Kirkwood Road (22m), it is not considered overlooking will result from this proposal. The previous proposals for this site, which were subject to appeal, had proposed terraces and balconies to the rear of the properties closest to Kirkwood Road, and it is noted that these rear terraces/balconies have now been removed from this proposal. The Inspector did not consider that the location of the rear terrace of houses, in relation to the Kirkwood Road properties, was harmful. The window to window separation distances exceed the standard (21m) in the Council's Residential Design Guide SPD.
- 26 In relation to the impact on No. 163 Gordon Road, there are no side elevation windows on the proposed dwelling closest to this property and as such no direct overlooking will result.
- 27 The front window to window relationship, across Gordon Road, is typical of this street. At a distance of over 23m, this exceeds the standard of separation for street windows in the SPD (12m).

Internal Overlooking

- 28 The mews arrangements could lead to overlooking internally within the development. However it is noted that at ground floor level, the boundary fences will preclude any overlooking. At first floor level it is noted that the windows are offset slightly to prevent directly facing windows. This is considered to overcome any concerns in relation to internal overlooking.

Overshadowing/Loss of Sunlight/Daylight

- 29 Having regard to the impact on No. 149 and 163 Gordon Road, it is not considered that loss of daylight/sunlight will result, having regard to the depth of the proposal and to the setback from the proposed dwellings from these properties.
- 30 While there will be some overshadowing of the rear gardens of those dwellings on Kirkwood Road, in the later evening, this is not sufficient to warrant a refusal of the application. It is noted that the previous proposals were of a similar height and overshadowing was not a reason for refusal. The Inspector in the appeal decision did not raise any issues of loss of amenity to gardens in Kirkwood Road owing to impacts on day/sunlight arising from the location of the rear terrace.

Impacts on amenity have been raised by local residents in letters of objection, particularly in relation to the houses located at the rear of the site, but it is not considered that these would be so significant as to justify refusal of permission.

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

- 31 The surrounding uses are mostly residential and as such it is not considered that any negative impact will result from these surrounding occupiers.

Transport issues

Vehicle and Pedestrian Access

- 32 It is noted that the council had previous concerns related to visibility splays although the Inspector did not consider it constituted a reason for refusal in itself. In this instance no additional parking is proposed over and above that serving the existing dwellings to the north of the proposed houses, (2 spaces) therefore vehicle access arrangements remain the same as existing.

Cycle storage

- 33 Each unit has two cycle storage spaces. There are six additional spaces provided for visitors. This level of provision is acceptable.

Car Parking

- 34 The proposed development is not located within a Control Parking Zone, but is located on the edge of an existing Peckham B CPZ (which is due to be extended on the northern section of Gordon Road). The proposed development is located in an area with a PTAL of 4. Impact on parking has been raised in letters of objection.
- 35 Typically the transport team would expect a higher level of parking to be associated with a development of the above nature, especially given that the houses are family-sized. It is reasonable to assume that this type of development may generate a higher level of car ownership.
- 36 The applicants have provided a detailed parking survey of both a 50m and a 200m distance (in keeping with the Lambeth Parking survey Methodology). The parking survey has shown that ample on-street space is available for vehicles which will be associated with the proposed development.
- 37 2011 Census car ownership data shows that there are likely to be 4 vehicles associated with the proposed development. Census car ownership data is a useful tool to ascertain the number of "residential" vehicles which are associated with a proposed development.

In a worse case scenario each family unit has two vehicles these can all be easily accommodated on the surrounding highway network, with no impact on residential parking amenity.

- 38 The Peckham B CPZ will be extended to cover the northern section of Gordon Road, and this may result in an increase in on street parking stress during CPZ operation hours (08:00-18:30); however during times of peak residential parking demand (00:30-05:30) on street stress will not differ significantly to existing levels.
- 39 The proposed development is not considered to generate a significant negative impact on the performance and safety of the surrounding highway network. The submitted parking survey has shown that at peak times of residential parking demand, the surrounding highway network can accommodate vehicles that will be associated with the development and not impact on existing residents parking amenity.

Servicing and refuse vehicle access

- 40 Servicing for the development will be under taken from Gordon Road. No servicing will take place using the existing access as there are two existing car parking spaces that do not allow for guaranteed unimpeded access.

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

- 41 The proposal is for a terrace of four houses fronting onto Gordon Road with a terrace of three houses to the rear. Regard is had to the appeal decision on this site which related to a development of seven units in a similar arrangement. In his report the Inspector upheld the Council's reason for refusal relating to design. The main areas of concern were the breaking of the existing building line, the mansard roofs and the proposed materials.
- 42 It is now considered that the height, scale and massing of the proposed for Gordon Road is appropriate for the historic scale of development in the rest of the street and those houses facing the street, and would relate well to the existing urban grain, development pattern and density.
- 43 The comments of the Inspector in relation to the proposed houses to the rear are noted and it was not considered that they impacted on the appearance of the Conservation Area due to their location. The council and the Inspector did not question the principle of this arrangement of dwellings. In relation to the units fronting onto Gordon Road, it is considered that the proposal has responded positively to the reasons for refusal. The overall height has been reduced and the detailed design is more in keeping with the existing streetscape. The building line has been maintained also and the use of materials such as brick has improved the overall quality of the development and as a result does not detract from the character and appearance of the Conservation Area. The development of the vacant land is considered beneficial to the appearance of the street frontage with a positive impact on the appearance of the Conservation Area.
- 44 In relation to the properties at the rear, the overall height of these dwellings again has reduced since the previous refusal on the site, and the detailed design is more appropriate for the area. It is considered the creation of the pedestrian mews street is a positive addition since the previous application (parking was proposed on site previously). This will allow for a communal amenity area and allow for safe children's play.

Residential Design Standards

- 45 When assessing residential standards the Council will have regard to the London Plan (2011), the adopted Core Strategy Document (2011), saved policies as contained in the Southwark Plan (2007) as well as to guidance as outlined in the Residential Design Standards Supplementary Planning Document (2011).

Floor Areas

- 46 In relation to the proposed overall floor areas of the units, the unit sizes and individual room sizes comply with the minimum standards as set out in the Residential Design Standards SPD 2011.

Daylight/Sunlight

- 47 The units are all dual aspect which is a positive feature maximising sunlight levels and allowing for cross-ventilation.

Amenity Space

- 48 The Residential Design Standards 2011 state that each unit within a housing development should have a minimum of 50 sq. m. private garden space. The garden spaces in this instance fall short of this 50 sq. m. save for one of the units. However the constraints of the site are noted and it is not considered that the shortfall would warrant a refusal in this instance. Each house has its own rear garden, and the pedestrian mews street between the front and back terraces adds to a sense of space in the development. Whilst the gardens are for family houses, and are quite limited in size, there are other larger open spaces available locally - such as Dr Harold Moody Park opposite - for more active recreation.

Impact on trees

- 49 There is an existing lime tree on the site, and its loss has been raised in letters of objection. An Arboricultural Implications Assessment has been submitted with the application. The tree has been categorised as a category B tree which is defined as 'retention desirable'. It is noted in the report that the physical layout of the development does not allow for the retention of the tree. The proposed rear gardens do not allow for a suitable replacement tree to be re-planted, given the limited size of these gardens. It is considered that offsite planting should be required by way of condition.

Mayoral Community Infrastructure levy

- 50 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on applications for the creation of new residential units. The CIL liability then relates to the total residential floorspace of 874.9 sq. m. which equates to £30,621.50.

Sustainable development implications

- 51 The proposal should comply with Strategic Policy 13 'High Environmental Standards' of the Core Strategy. It is stated that the development will achieve Code for Sustainable Homes Level 4. This is in line with policy. A condition should be imposed to ensure that this standard is achieved.

Waste

- 52 Refuse and recycling facilities are located to the front of the four units facing onto Gordon Road. A communal waste area to the north of the site for the remainder of the units is proposed for the units to the rear. The width of this area is not considered sufficient to allow unimpeded pedestrian access. A solution was explored which involved moving the front terrace houses closer to No. 163 but this was not considered desirable. At the time of writing the applicant has been requested to reconsider this aspect and the most practical solution is to have individual bins for the houses to the rear which the householder would be required to move to the front of the site. A condition concerning refuse storage is recommended, and any updates will be reported in the supplementary.

Air Quality

- 53 The applicants have submitted an Air Quality Assessment. This concludes that predicted NO₂ and PM₁₀ concentrations do not exceed the relevant air quality objectives in 2011 or 2015 at any of the modelled locations. Environmental Protection agree that no mitigation measures are required although considered that dust during construction should be controlled by way of Environmental Management Plan.

Soil Contamination

- 54 It is noted that the site has been previously developed contained temporary pre-fab housing. Environmental Protection has recommended that relevant conditions should be imposed to ensure that no detrimental health impacts result from any possible contamination.

Conclusion on planning issues

- 55 The principle of the proposal is acceptable. The applicants have addressed the reasons for refusal that were upheld at appeal stage, in relation to the previous application. The detailed design and height of the proposal is now considered appropriate in terms of the impact on the streetscape and the impact on the character and appearance of the Conservation Area. It is not considered that there will be any significant impacts on neighbour amenity and it has been demonstrated that there is sufficient parking capacity to accommodate the development. Having regard to these issues, and others discussed in the body of the report, the recommendation is to grant permission subject conditions.

Community impact statement

- 56 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 57 a) The impact on local people is set out above.
- 58 b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as
- 59 c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are

Consultation

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

Consultation replies

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

Summary of consultation responses

- 62 1 petition objecting (33 signatures) have been received in relation to this application. The petition set out objections to all or part of the application including impact on privacy, impact on environment, insufficient parking, health and safety and the removal of the lime tree.

Objections have been received from the following addresses

61 Kirkwood Road; 55A Kirkwood Road and 71 Kirkwood Road; 63 Kirkwood Road; 59 Kirkwood Road; 53 Kirkwood Road; 92 Gordon Road; 165 Gordon Road; 94 Gordon Road; 90 Gordon Road; 63 Kirkwood Road; 141 Gordon Road; 143 Gordon Road; 145 Gordon Road;

The main planning issues raised are:

- Height of the properties, especially to the rear
- Impact on the quality of life in the dwellings to the side and behind in Kirkwood Road
- Would obliterate any light coming into the gardens of houses
- No other properties built to such a height at the rear of Kirkwood or Gordon Road
- Would impact on growing of fruit and vegetables
- Lead to loss of privacy and overlooking of gardens and back windows
- Violation of right to light
- Loss of the lime tree. The condition of the tree was not inspected properly.
- Does not comply policy on Conservation Areas
- Larger buildings should be to the front
- Lack of parking
- Impact on traffic levels
- Design is not in keeping with existing houses
- Proposals would detrimentally impact the quality, character and amenity value of the area.
- Proposals would be visually overbearing and would result in overlooking and loss of privacy
- Should be sufficient space between old and new buildings to maintain the amenity and privacy of existing houses.
- Site access would lead to safety hazards
- Proposals for internal circulation are not acceptable
- Removal of boundary fence between existing adjacent property and propose dwellings will lead to loss of privacy
- Proposal conflicts with Human Rights Act
- Will lead to overshadowing of adjacent property
- Will block natural light to the existing window
- Will result in drainage problems
- Concerned about the level of noise that will result.
- Impact on wildlife
- Should be no conflict of interest in this application
- Materials are inappropriate
- Space is too narrow between the buildings for it to be a mews development

- The parking survey was not carried out adequately
- Impact of the surrounding CPZ
- Assessment of 0.5 vehicles per household is not representative of this section of Gordon Road
- The larger houses are likely to generate parking demand
- The number of properties to the rear should be reduced to make provision for parking
- Design is not acceptable
- Density is not in keeping with the area
- Adjacent and surrounding houses are 2 storey yet the houses in the proposal are 3 storey as with the previously rejected scheme.
- The recently built houses are in keeping with surrounding houses
- Transport assessment is not accurate
- Recent development at No. 189 is an eyesore
- Plans should be rejected until the proposal is of a more suitable size and density.
- Houses should not be built in back gardens
- Refuse storage arrangements are not acceptable
- Security and safety concerns
- Need more detail of design and boundary arrangements
- Road safety concerns
- Too many dwellings on the site
- Will block natural light to adjacent dwellings
- Site should be put to use creating jobs for the local community on low income.

1 letter of support has been received from 73 Gordon Road
 Support application
 Proposals are well thought through
 Respects the setting and character of the Conservation Area

Human rights implications

- 63 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 64 This application has the legitimate aim of providing residential units. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2467-151 Application file: 13/AP/0955 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5420 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour Consultee List
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Rónán O'Connor, Senior Planner	
Version	Final	
Dated	8 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 July 2013

APPENDIX 1**Consultation undertaken**

Site notice date: 22/04/2013

Press notice date: 25/04/2013

Case officer site visit date: 22/04/2013

Neighbour consultation letters sent:

18/04/2013

Internal services consulted:

Environmental Protection
Transport
Design and Conservation
Urban Forester

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

As per Appendix 3

Re-consultation:

None

APPENDIX 2**Consultation responses received****Internal services**

Environmental Protection - Recommend condition in relation to soil contamination
 Transport – No objection raised

Statutory and non-statutory organisations

None

Neighbours and local groups

1 petition objecting (33 signatures) have been received in relation to this application. The petition set out objections to all or part of the application including impact on privacy, impact on environment, insufficient parking, health and safety and the removal of the lime tree.

Objections have been received from the following addresses

61 Kirkwood Road; 55A Kirkwood Road and 71 Kirkwood Road; 63 Kirkwood Road; 59 Kirkwood Road; 53 Kirkwood Road; 92 Gordon Road; 165 Gordon Road; 94 Gordon Road; 90 Gordon Road; 63 Kirkwood Road; 141 Gordon Road; 143 Gordon Road; 145 Gordon Road;

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No other properties built to such a height at the rear of Kirkwood or Gordon Road

Would impact on growing of fruit and vegetables

Lead to loss of privacy and overlooking of gardens and back windows

Violation of right to light

Loss of the lime tree. The condition of the tree was not inspected properly.

Does not comply policy on Conservation Areas

Larger buildings should be to the front

Lack of parking

Impact on traffic levels

Design is not in keeping with existing houses

Proposals would detrimentally impact the quality, character and amenity value of the area.

Proposals would be visually overbearing and would result in overlooking and loss of privacy

Should be sufficient space between old and new buildings to maintain the amenity and privacy of existing houses.

Site access would lead to safety hazards

Proposals for internal circulation are not acceptable

Removal of boundary fence between existing adjacent property and propose dwellings will lead to loss of privacy

Proposal conflicts with Human Rights Act

Will lead to overshadowing of adjacent property

Will block natural light to the existing window

Will result in drainage problems

Concerned about the level of noise that will result.

Impact on wildlife

Should be no conflict of interest in this application

Materials are inappropriate

Space is too narrow between the buildings for it to be a mews development

The parking survey was not carried out adequately

Impact of the surrounding CPZ

Assessment of 0.5 vehicles per household is not representative of this section of Gordon Road

The larger houses are likely to generate parking demand

The number of properties to the rear should be reduced to make provision for parking

Design is not acceptable

Density is not in keeping with the area

Adjacent and surrounding houses are 2 storey yet the houses in the proposal are 3 storey as with the previously rejected scheme.

The recently built houses are in keeping with surrounding houses

Transport assessment is not accurate

Recent development at No. 189 is an eyesore

Plans should be rejected until the proposal is of a more suitable size and density.

Houses should not be built in back gardens

Refuse storage arrangements are not acceptable

Security and safety concerns

Need more detail of design and boundary arrangements

Road safety concerns

Too many dwellings on the site

Will block natural light to adjacent dwellings

Site should be put to use creating jobs for the local community on low income.

1 letter of support has been received from 73 Gordon Road

Support application

Proposals are well thought through

Respects the setting and character of the Conservation Area

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 13/AP/0955

TP No	TP/2467-151	Site	151-161 GORDON ROAD, LONDON, SE15 3RT
App. Type	Full Planning Permission		

Date Printed	Address
18/04/2013	9 Buchan Road Nunhead London SE15 3HQ
18/04/2013	57A KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	55B KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	55A KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	57B KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	59B KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	59A KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	71 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	69 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	67 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	73 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	102B GORDON ROAD LONDON SE15 3RP
18/04/2013	102A GORDON ROAD LONDON SE15 3RP
18/04/2013	75 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	86 GORDON ROAD LONDON SE15 3RG
18/04/2013	FIRST FLOOR FLAT 167 GORDON ROAD LONDON SE15 3RT
18/04/2013	49 KIRKWOOD ROAD LONDON SE15 3XT
18/04/2013	45 KIRKWOOD ROAD LONDON SE15 3XT
18/04/2013	FLAT A 84 GORDON ROAD LONDON SE15 3RG
18/04/2013	GROUND FLOOR FLAT 167 GORDON ROAD LONDON SE15 3RT
18/04/2013	FLAT C 84 GORDON ROAD LONDON SE15 3RG
18/04/2013	FLAT B 84 GORDON ROAD LONDON SE15 3RG
18/04/2013	90 GORDON ROAD LONDON SE15 3RP
18/04/2013	88 GORDON ROAD LONDON SE15 3RP
18/04/2013	100 GORDON ROAD LONDON SE15 3RP
18/04/2013	92 GORDON ROAD LONDON SE15 3RP
18/04/2013	98 GORDON ROAD LONDON SE15 3RP
18/04/2013	96 GORDON ROAD LONDON SE15 3RP
18/04/2013	94 GORDON ROAD LONDON SE15 3RP
18/04/2013	149 GORDON ROAD LONDON SE15 3RT
18/04/2013	86L GORDON ROAD LONDON SE15 3RP
18/04/2013	86K GORDON ROAD LONDON SE15 3RP
18/04/2013	149A GORDON ROAD LONDON SE15 3RT
18/04/2013	147 GORDON ROAD LONDON SE15 3RT
18/04/2013	GROUND FLOOR FLAT 169 GORDON ROAD LONDON SE15 3RT
18/04/2013	FIRST FLOOR FLAT 169 GORDON ROAD LONDON SE15 3RT
18/04/2013	86D GORDON ROAD LONDON SE15 3RP
18/04/2013	86B GORDON ROAD LONDON SE15 3RR
18/04/2013	86A GORDON ROAD LONDON SE15 3RR
18/04/2013	86E GORDON ROAD LONDON SE15 3RP
18/04/2013	86I GORDON ROAD LONDON SE15 3RP
18/04/2013	86H GORDON ROAD LONDON SE15 3RP
18/04/2013	86G GORDON ROAD LONDON SE15 3RP
18/04/2013	53 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	43 KIRKWOOD ROAD LONDON SE15 3XT
18/04/2013	47 KIRKWOOD ROAD LONDON SE15 3XT
18/04/2013	65 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	63 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	61 KIRKWOOD ROAD LONDON SE15 3XU
18/04/2013	143 GORDON ROAD LONDON SE15 3RR
18/04/2013	141 GORDON ROAD LONDON SE15 3RR
18/04/2013	139 GORDON ROAD LONDON SE15 3RR
18/04/2013	145 GORDON ROAD LONDON SE15 3RT
18/04/2013	165 GORDON ROAD LONDON SE15 3RT
18/04/2013	163 GORDON ROAD LONDON SE15 3RT
18/04/2013	157 GORDON ROAD LONDON SE15 3RT
20/06/1837	by email
20/06/1837	by email
20/06/1837	by email
20/06/1837	X

RECOMMENDATION

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

Applicant	Delta Homes	Reg. Number	13/AP/0955
Application Type	Full Planning Permission	Case Number	TP/2467-151
Recommendation	Grant with 'Grampian' Condition		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of 7 dwellings (3 x 4 bedroom and 4 x 5 bedroom) ranging in height from two to three storeys; associated refuse storage, cycle parking and landscaping.

At: 151-161 GORDON ROAD, LONDON SE15 3RT

In accordance with application received on 04/04/2013 12:04:07

and Applicant's Drawing Nos. 01 of 01; D-02; D-03; D-04; D-05; D-06; D-07; D-08; D-09; D-10; D-11; D-12; D-13; D-14; D-15; D-16; D-17; Shadow Study; Arboricultural Implications Assessment; Planning Statement; Transport Statement; Air Quality Assessment; Design and Access Statement;

Subject to the following conditions:

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

Reason
As required by Section 91 of the Town and Country Planning Act 1990 as amended
- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

D-02; D-03; D-04; D-05; D-06; D-07; D-08; D-09; D-10; D-11; D-12; D-13; D-14; D-15; D-16; D-17

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 3 Samples of all external facing materials to be used in the carrying out of this permission shall be presented on site and approved by the Local Planning Authority before any work to the external facade is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:
In order that the Local Planning Authority may be satisfied as to the design and details in accordance with Strategic Policy 12 'Design and conservation' of the Core Strategy 2011 and saved Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan July 2007.
- 4 Notwithstanding the requirements of condition 3 above, all materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:
To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Strategic Policy 12 'Design and conservation' of the Core Strategy 2011 and saved Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.15 'Conservation of the historic environment' and 3.16 'Conservation areas' of the Southwark Plan July 2007.

- 5 The residential refuse storage arrangements for the housing fronting Gordon Road shown on the approved drawings shall be provided and available for use by the occupiers of these dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Further details of the refuse storage arrangements for the houses to the rear shall be submitted to and approved by the local planning authority prior to occupation of these houses. The refuse stores shall then be provided and made available at all times that these houses are occupied and not used for any other purpose without the prior written consent of the Council as local housing authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policies 3.2 'Protection of Amenity' and 3.7 'Waste Reduction' of the Southwark Plan July 2007.

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

Reason

To ensure the proposal complies with Strategic Policy 13 'High Environmental Standards' of the Core Strategy 2011 and saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling / disposing of waste resulting from demolition and construction works
 - viii) no access to or use of the park for construction and associated storage purposes

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and PPS23 Planning and Pollution Control.

- 8 An investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site, prior to works commencing on site. The contents of the scheme shall be subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be subject to the approval in writing of the Local Planning Authority. The report of the findings shall include an appraisal of remedial options, and proposal of the preferred option.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the adopted Southwark Plan 2007.

- 9 Subject to the findings of investigation and risk assessment, (Site Characterisation), a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the adopted Southwark Plan 2007.

- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall thereafter be undertaken in accordance with the requirements under the conditions in this notice, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of the above condition, and submitted to the Local Planning Authority for approval in writing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority and carried out in accordance with the measures set out in the approved report.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the adopted Southwark Plan 2007

- 11 No development shall take place until details of a tree (to replace the lime tree to be lost) and a proposed new location, have been submitted to and approved by the local planning authority. The tree shall then be planted in the first appropriate planting season following approval.

Reason

To ensure that there is no loss of biodiversity in the area in accordance with Strategic Policy 13 'High Environmental Standards' and saved Policy 3.28 'Biodiversity' of the Southwark Plan.

- 12 Detailed drawings of a landscaping scheme, including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) and site boundaries, shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

In order to ensure that the development provides a high standard of visual amenity and protects the privacy of neighbours, in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of the Core Strategy.

- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof), no extension, enlargement or other alteration shall be carried out to the dwellinghouses hereby approved, nor outbuildings installed within the gardens, without the prior written consent of the Council, to whom a planning application must be made.

Reason

These houses are on restrictive plots and it is considered appropriate to control enlargement and alterations and outbuildings, in the interests of visual amenity and amenity of neighbours; in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of the Core Strategy.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

FORMER POLICE STATION, 97 CRYSTAL PALACE ROAD, SE22 9EY

Ordnance Survey

Date 10/7/2013



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Agenda Item 7.4

Item No. 7.4	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 13/AP/1594 for: Full Planning Permission Address: FORMER POLICE STATION, 97 CRYSTAL PALACE ROAD, LONDON SE22 9EY Proposal: Conversion of former police station to residential flats (4 no.), incorporating ground floor side extension with terrace on top, and roof extensions; and erection of a terrace of 5 dwellings on basement, ground, first, second and third floor levels on land to the rear of the site fronting Upland Road, landscaping and other works incidental to the site.		
Ward(s) or groups affected:	Peckham Rye		
From:	Head of Development Management		
Application Start Date	29/05/2013	Application Expiry Date	24/07/2013
Earliest Decision Date	29/06/2013		

RECOMMENDATION

- 1 Grant detailed planning permission, subject to conditions.

BACKGROUND INFORMATION

- 2 This application is referred to members for a decision at the request of two Councillors and with agreement of the Chair of the Planning Committee.

Site location and description

- 3 The application site refers to the former Police Station at 97 Crystal Palace Road. The existing use is Sui Generis and was vacated in May 2013. The site occupies a large corner plot on Crystal Palace Road and Upland Road. The site frontage is onto Crystal Palace Road; however the larger frontage is on Upland Road.
- 4 The existing buildings on site comprise a residential style Victorian building rising to two storeys and incorporating a part two/part single storey extension. Vehicular access is gained from Upland Road. The site is not listed, nor is it located within a conservation area.

Details of proposal

- 5 Planning consent is sought for the change of use of the redundant police station and conversion/redevelopment to provide 9 dwellings.
- 6 The existing police station building will be converted and extended with a roof extension and side extension to provide 4 self contained flats (2 one bedrooms, 1 two bedrooms and 1 three bedrooms).

- 7 Further development will take place along the Upland Road frontage to provide 5 terraced dwellings. Four of these dwellings will be three storeys with roof accommodation and the fifth, end of terrace property, will be two storeys with roof accommodation. The dwellings will all be four bedroom units with the exception of the end of terrace unit which will have three bedrooms.
- 8 Each dwelling will benefit from front and rear gardens in addition to rear roof terraces. The flatted dwellings will each benefit from terraces and balconies in addition to individually allocated areas of garden ground to the rear.

Planning history

None relevant

Planning history of adjoining sites

- 9 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 10 The main issues in this case are:
- a) The principle of the development in terms of land use and conformity with strategic policies and the National Planning Policy Framework 2012.
 - b) The impact on the visual and residential amenity of the area.
 - c) The quality of residential accommodation proposed.
 - d) Transport impacts.
 - e) All other relevant material planning considerations.

Planning policy

Core Strategy 2011

- 11 SP1 - Sustainable development
 SP2 - Sustainable transport
 SP5 - Providing new homes
 SP11 – Open spaces and wildlife
 SP12 - Design and conservation
 SP13 - High Environmental standards

Southwark Plan 2007 (July) - saved policies

- 12 The Council's cabinet on 19th March 2013, as required by Para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- 13 Policy 3.2 – Protection of amenity
Policy 3.11 – Efficient use of land
Policy 3.12 – Quality in design
Policy 3.13 – Urban design
Policy 3.14 – Designing out crime
Policy 4.2 – Quality of residential accommodation
Policy 5.2 – Transport impacts
Policy 5.3 – Walking and cycling
Policy 5.6 – Car parking
- 14 Residential Design Standards

National Planning Policy Framework (NPPF)

- 15 Section 6 - Delivering a Wide Choice of Family Homes
Section 7 - Requiring Good Design

Principle of development

- 16 In land use terms there are no objections to extending the building for residential use and there will be no conflict of use detrimental to amenity. The site lies within a residential area and the existing use is Sui Generis. As such there are no in principle objections to a change of use from Sui Generis to residential. Any residential development on site would need to provide a high standard of accommodation complying with the requirements of the Supplementary Planning Document: Residential Design Standards 2011 and the relevant saved policies and strategic policies of The Southwark Plan 2007 (July) and The Core Strategy 2011 (April).

Environmental impact assessment

- 17 The proposal lies outwith the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

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

- 18 In terms of amenity impacts, the main issues surround privacy, overlooking, sense of enclosure and daylight/sunlight to the dwelling at 95 Crystal Palace Road. The rear garden ground of 95 Crystal Palace Road will be subjected to a more intense level of overlooking than at present largely due to the fact that the section of the site along Upland Road has remained undeveloped. The addition of the proposed dwellings will enclose the site however not to the extent where amenity will be significantly compromised.
- 19 The extent of the glazing on the rear elevations of the proposed dwellings and the conversion of the Police Station has an acceptable solid to void ratio thereby reducing the intensity of any potential overlooking. Additionally, the rear glazing will be angled to the east thereby only affording oblique views of the rear garden ground of 95 Crystal Palace Road. It should be noted that the terraced dwellings steps down significantly to two storey (with roof accommodation) at the closest point to 95 Crystal Palace Road, thereby mitigating any adverse impacts in terms of a sense of enclosure and resulting in lower building heights that are uncharacteristic of this section of Upland Road.
- 20 In terms of daylight and sunlight the main impact of the development will be on 95 Crystal Palace Road as the remaining neighbouring dwellings on Upland Road sit due

south of the application site and as such will be unaffected in terms of sunlight. 95 Crystal Palace Road is the nearest sensitive premises sitting to the north of the application site and in terms of sun paths; the main impact will be in the morning/early afternoon. In order to retain good levels of daylight, the Vertical Sky Component should remain at 27% or above. All but one of the windows in 2-8 Upland Road will retain VSC at 27% or more. The window that falls below this standard will retain a level of 26% and as such this is considered acceptable as it is only marginally below 27%.

- 21 95 Crystal Palace Road has several rooms which are already below 27% VSC. Window Number 1 on the daylight and sunlight report is the most affected with a reduction in VSC from 28% to 16% however this a secondary window to the living room which is also served by window 0 that will retain a VSC of 33% and as such complies with the guidelines. The remaining affected windows at 95 Crystal Palace Road are windows 3 and 5 which serve a kitchen and dining room respectively. Window 3 will see a reduction in VSC from 19% to 18% whilst window 5 will see a reduction from 18% to 16%. In both cases the existing rooms are already well below 27% and the proposed reduction is marginal. It should be noted that there will be a reduction in direct sunlight to the rear garden of 95 Crystal Palace Road in winter when the sun is low in the sky. This may be mitigated by the fact that the most affected area relates to the rearmost section of what is a very deep rear garden and will be less used in winter. In summer the garden will receive direct sunlight during the day and as such this is considered acceptable on balance.

Quality of accommodation

- 22 Saved policy 4.2 Quality of Accommodation and the Residential Design Standards SPD seek to ensure that the new dwellings are of a good size and provide amenity space for future occupiers. All dwellings are dual aspect with cross ventilation with access to private amenity space with the exception of Flat 3 which will only benefit from a short terrace area however this is considered acceptable on balance as it is a one bedroom unit.
- 23 All rooms meet the minimum floorspace requirements of the SPD: Residential Design Standards. The bedrooms within the basement of the Police Station achieve Average Daylight Factors in excess of 1 and as such comply with BRE guidelines. The remainder of the development will have good access to daylight/sunlight and outlook.

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

- 24 There will be no conflict of use detrimental to amenity.

Transport issues

- 25 The proposed development provides no parking. The site is not located within a CPZ and the creation of an additional 26 bedrooms will have the potential to significantly increase the current levels of on-street parking however the site has a PTAL rating of 4 representing 'good' access to public transport. Parking surveys have been undertaken as detailed in the Transport Assessment and taken together with the Case Officers daytime and evening site visits suggests that there is existing parking capacity at the site and within the immediate area. The removal of the Police Station operation will result in reduced servicing and as such a reduced impact on the local road network, surrounding streets. Cycle parking is being provided in excess of the minimum requirements and is considered to be safe, secure, covered and convenient. The refuse and cycle storage area is shared at the moment and this needs to be segregated however this can be accomplished with plan revisions and as such will be

a conditioned requirement of any consent issued.

Design issues

- 26 Saved policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy seek a high standard of design for new buildings.
- 27 Police Station - In design terms the scale and massing of the proposed side and roof extensions are considered acceptable. The proposed side extension is similar in height to the existing side extension however the length of the current extension will be significantly reduced and as such there will be a reduced impact on the streetscene. The high level window will help reduce the perception of bulk on what is otherwise a stark and bland elevation whilst ensuring that there will be no amenity impacts for the dwelling this window serves. With regards to the roof development the scale of the dormer window is acceptable as it is set below the ridge line and set in from the side boundaries. This would ensure that it takes the form and appearance of a roof extension as opposed to the addition of a second floor level. The two dormers, each serving a flat, are of an acceptable scale and design.
- 28 Proposed Dwellings - The proposed dwellings continue the eaves line from the existing neighbouring block on Upland Road and the fenestration forms a relationship to the existing horizontal emphasis evident on the existing Upland Road block. It is acknowledged and appreciated that the horizontal emphasis cannot be replicated on the proposed dwellings as no commercial use is being proposed at ground floor level. The fenestration appears to have a hierarchy and the proposed dwellings appear to be a comfortable addition to the local street scene. The end of terrace dwelling steps down to meet its neighbour the former police station and this is a suitable approach. The rear dormer windows are articulated to show some roof space around the dormer profiles and the scale would be appropriate and would not dominate the roof space. Materials should be a conditioned requirement of any consent issued.

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

- 29 There will be no adverse impact on any listed buildings or conservation areas.

Impact on trees

- 30 The two trees to the front of the site on Crystal Palace Road will be removed. These trees are of low to medium quality and are not protected by either a formal or provisional Tree Preservation Order. A Sycamore tree is located within the garden ground of 95 Crystal Palace Road and some tree surgery works will be required such as pruning and root treatment. This tree lies within the neighbouring site and is not formally protected. As the tree lies within the adjacent site outside the applicants ownership, agreement will need to be sought between the applicants/owner of 95 Crystal Palace Road in order to permit/facilitate work. This planning consent does not grant permission for any works to this tree as it lies outside the development site and as such is a civil matter to be resolved between the applicant and the neighbouring party. A condition requiring replanting and a landscaping scheme, including protection of the Sycamore tree during construction works is a suitable approach.

Planning obligations (S.106 undertaking or agreement)

- 31 No planning obligations are required for a development of this size.

Sustainable development implications

- 32 The development will achieve Code for Sustainable Homes Level 4 and will incorporate air source heat pumps, solar thermal panels and photovoltaic panels representing a 42% saving in CO2 emissions.

Other matters

- 33 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material “local financial consideration” in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on the proposed floorspace which comes to a total of 1338 square metres equating to a payment of £46,830.

Conclusion on planning issues

- 34 In planning terms the proposed development is a well designed addition to the streetscene that will reflect the existing building lines and local character. The proposal will have no significant adverse impact on residential or visual amenity and will provide sustainable family homes. The proposal complies with the relevant development plan policies and is considered to be sustainable development in line with the NPPF. As such it is recommended, on balance, that detailed planning permission be granted subject to conditions.

Community impact statement

- 35 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 36 a) The impact on local people is set out above.
- 37 b) There are no issues relevant to particular communities/groups.
- 38 c) There are no likely adverse or less good implications for any particular communities/groups.

Consultation

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

Consultation replies

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

41 Summary of consultation responses

Following neighbour consultation there have been five letters of objection and one letter of support. The main points of the letters of objection have been summarised and addressed below;

- 42 Objection - The proposal is excessive in height and not in keeping with the area.
Response - The proposed dwellings reflect the height of the existing dwellings on this section of Upland Road and they step down towards the junction with Crystal Palace Road. The scale and massing of the dwellings is considered acceptable.
- 43 Objection - The development will result in an increase in parking problems.
Response - The proposed development provides no parking. The site is not located within a CPZ and the creation of an additional 26 bedrooms will have the potential to significantly increase the current levels of on-street parking however the site has a PTAL rating of 4 representing 'good' access to public transport. Parking surveys have been undertaken as detailed in the Transport Assessment and taken together with the Case Officers daytime and evening site visits suggests that there is existing parking capacity at the site and within the immediate area.
- 44 Objection - The development will result in a loss of daylight and sunlight to surrounding properties.
Response - In terms of daylight and sunlight the main impact of the development will be on 95 Crystal Palace Road as the remaining neighbouring dwellings on Upland Road sit due south of the application site and as such will be unaffected in terms of sunlight. 95 Crystal Palace Road is the nearest sensitive premises sitting to the north of the application site and in terms of sun paths, the main impact will be in the morning/early afternoon. 95 Crystal Palace Road has several rooms which are already below 27% VSC. Window Number 1 on the daylight and sunlight report is the most affected with a reduction in VSC from 28% to 16% however this a secondary window to the living room which is also served by window 0 that will retain a VSC of 33% and as such complies with the guidelines. The remaining affected windows at 95 Crystal Palace Road are windows 3 and 5 which serve a kitchen and dining room respectively. Window 3 will see a reduction in VSC from 19% to 18% whilst window 5 will see a reduction from 18% to 16%. In both cases the existing rooms are already well below 27% and the proposed reduction is marginal. It should be noted that there will be a reduction in direct sunlight to the rear garden of 95 Crystal Palace Road in winter when the sun is low in the sky. This may be mitigated by the fact that the most affected area relates to the rearmost section of what is a very deep rear garden and will be less used in winter. In summer the garden will receive direct sunlight during the day and as such this is considered acceptable on balance.
- 45 Objection - The terraces on the dwellings will result in overlooking.
Response - It is not considered that the small terraces on the dwellings will result in a significant level of overlooking. The terraces are secondary to the rear gardens and are 900mm in depth which is particularly narrow and as such will largely be used for ventilation purposes as opposed to being a functioning amenity space.
- 46 All other comments received in response to the proposed development have been summarised and addressed below;
- 47 Design and Conservation – Recommend conditions to secure suitable boundary treatment.
Response – Noted and agreed, the relevant condition will be attached to any consent issued.
- 48 Environmental Protection - No response.
Response - Suitable land contamination conditions should be imposed on any consent issued due to the previous use of the site.
- 49 Transport – No response to date.
Response – As previously noted independent parking surveys have been undertaken

as detailed in the Transport Assessment and taken together with the Case Officers daytime and evening site visits suggests that there is existing parking capacity at the site and within the immediate area.

- 50 Urban Forester – Conditions on tree protection, landscaping and re-planting.
Response - A condition requiring replanting and a landscaping scheme, including protection of remaining trees (including the Sycamore tree at 95 Crystal Palace Road) during construction works should be imposed on any consent issued.
- 51 Thames Water - No objection
Response - Noted.

Human rights implications

- 52 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 52 This application has the legitimate aim of providing housing. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2598-97 Application file: 13/AP/1594 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5365 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Terence McLellan, Senior Planning Officer	
Version	Final	
Dated	23 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 July 2013

APPENDIX 1**Consultation undertaken****Site notice date:** 04/06/2013**Press notice date:** not required.**Case officer site visit date:** 04/06/2013**Neighbour consultation letters sent:** 06/06/2013**Internal services consulted:**

Design and Conservation
 Environmental Protection
 Transport
 Urban Forester
 Waste Management

Statutory and non-statutory organisations consulted:

Thames Water

Neighbours and local groups consulted:

06/06/2013 95 CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 UPLAND TAVERN 90 CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 7 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 92A CRYSTAL PALACE ROAD LONDON SE22 9ER
 06/06/2013 92B CRYSTAL PALACE ROAD LONDON SE22 9ER
 06/06/2013 11 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 86B CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 88 CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 86A CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 97 CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 89 CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 FIRST FLOOR AND SECOND FLOOR FLAT 5 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 91B CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 9 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 GARAGE A REAR OF 11 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 GARAGE B REAR OF 11 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 91A CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 REAR OF 1 TO 3 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 93B CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 2A NORTH CROSS ROAD LONDON SE22 9EU
 06/06/2013 99A CRYSTAL PALACE ROAD LONDON SE22 9ES
 06/06/2013 93A CRYSTAL PALACE ROAD LONDON SE22 9EY
 06/06/2013 3 UPLAND ROAD LONDON SE22 9EE
 06/06/2013 2A UPLAND ROAD LONDON SE22 9EE
 06/06/2013 2B NORTH CROSS ROAD LONDON SE22 9EU
 06/06/2013 2C NORTH CROSS ROAD LONDON SE22 9EU
 06/06/2013 FLAT 3 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 4 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 1 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 2 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 7 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 8 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 5 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 FLAT 6 10-12 UPLAND ROAD LONDON SE22 9EJ
 06/06/2013 15B UPLAND MEWS UPLAND ROAD LONDON SE22 9EE
 06/06/2013 8B UPLAND ROAD LONDON SE22 9EE
 06/06/2013 9 UPLAND MEWS UPLAND ROAD LONDON SE22 9EE

06/06/2013 13 UPLAND MEWS UPLAND ROAD LONDON SE22 9EE
06/06/2013 FLAT 1 92 CRYSTAL PALACE ROAD LONDON SE22 9ER
06/06/2013 3A UPLAND ROAD LONDON SE22 9EE
06/06/2013 7A UPLAND ROAD LONDON SE22 9EE
06/06/2013 4 UPLAND ROAD LONDON SE22 9EE
06/06/2013 6 UPLAND ROAD LONDON SE22 9EE
06/06/2013 101 CRYSTAL PALACE ROAD LONDON SE22 9ES
06/06/2013 99 CRYSTAL PALACE ROAD LONDON SE22 9ES
06/06/2013 94 CRYSTAL PALACE ROAD LONDON SE22 9ER
06/06/2013 1C UPLAND ROAD LONDON SE22 9EE
06/06/2013 1 UPLAND ROAD LONDON SE22 9EE
06/06/2013 1B UPLAND ROAD LONDON SE22 9EE
06/06/2013 2 UPLAND ROAD LONDON SE22 9EE
06/06/2013 LIVING ACCOMMODATION 90 CRYSTAL PALACE ROAD LONDON SE22 9EY
06/06/2013 8A UPLAND ROAD LONDON SE22 9EE

Re-consultation:

Re-consultation not required.

APPENDIX 2**Consultation responses received****Internal services**

Design and Conservation

Statutory and non-statutory organisations

Thames Water - No objections.

Neighbours and local groups

Crystal Palace Road Nos. 88, 91B, 93A
Upland Road No. 2
Email (no address given)

RECOMMENDATION

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

Applicant	Dulwich Holdings Ltd	Reg. Number	13/AP/1594
Application Type	Full Planning Permission	Case Number	TP/2598-97
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Conversion of former police station to 4 residential flats, incorporating a ground floor side extension with terrace on top and roof extensions; and erection of a terrace of 5 dwellings on basement, ground, first, second and part third floor levels on land to the rear of the site fronting Upland Road, landscaping and other works incidental to the site.

At: FORMER POLICE STATION 97 CRYSTAL PALACE ROAD, LONDON SE22 9EY

In accordance with application received on 22/05/2013 08:03:28

and Applicant's Drawing Nos. A-072-EX-PL-0099 P1, A-072-EX-PL-0100 P1, A-072-EX-PL-0101 P1, A-072-EX-PL-0102 P1, A-072-EX-EL-0201 P1, A-072-EX-EL-0203 P1, A-072-EX-EL-0200 P1, A-072-EX-PL-0001 P1, A-072-PRO-PL-001 P1, A-072-PRO-PL-099 P1, A-072-PRO-PL-100 P1, A-072-PRO-PL-101 P1, A-072-PRO-PL-102 P1, A-072-PRO-PL-103 P1, A-072-PRO-PL-104 P1, A-072-DPS-PRO-EL-200 P1, A-072-DPS-PRO-EL-201 P1, A-072-DPS-PRO-EL-202 P1, A-072-DPS-PRO-EL-203 P1, A-072-DPS-PRO-SE-300 P1, A-072-DPS-PRO-SE-301 P1, A-072-PRO-PL-810 P1, A-072-PRO-PL-811 P1, A-072-PRO-PL-812 P1, A-072-PRO-PL-813 P1, A-072-PRO-PL-814 P1, A-072-PRO-PL-815 P1, A-072-PRO-PL-816 P1, Planning Statement, Energy and Renewables Statement, Arboricultural Statement, Design and Access Statement, Daylight and Sunlight Report, Sustainable Design and Construction, Transport Statement, Statement of Community Involvement

Subject to the following conditions:

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

Reason

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

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: A-072-PRO-PL-001 P1, A-072-PRO-PL-099 P1, A-072-PRO-PL-100 P1, A-072-PRO-PL-101 P1, A-072-PRO-PL-102 P1, A-072-PRO-PL-103 P1, A-072-PRO-PL-104 P1, A-072-DPS-PRO-EL-200 P1, A-072-DPS-PRO-EL-201 P1, A-072-DPS-PRO-EL-202 P1, A-072-DPS-PRO-EL-203 P1, A-072-DPS-PRO-SE-300 P1, A-072-DPS-PRO-SE-301 P1, A-072-PRO-PL-810 P1, A-072-PRO-PL-811 P1, A-072-PRO-PL-812 P1, A-072-PRO-PL-813 P1, A-072-PRO-PL-814 P1, A-072-PRO-PL-815 P1, A-072-PRO-PL-816 P1

Reason:

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

- 3 Prior to works commencing, material samples/sample-panels/sample-boards of brickwork, facings, glazing and all roof materials to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The NPPF 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 4 Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In the interests of visual and residential amenity in accordance with Strategic Policy 12 – Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

- 5 Before the first occupation of the building details of the arrangements for the storing of domestic refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Saved Policies 3.2 Protection of Amenity and 3.7 Waste Reduction of The Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 6 Before the any work hereby authorised begins, details of the facilities to be provided for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Strategic Policy 2 - Strategic Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 7 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Report. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) and BS3998: (2010).

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

In the interests of preserving the health of the tree and to maintain the visual amenity of the site, in accordance with Strategic Policy 11 – Open spaces and wildlife of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

- 8 Before any above grade work hereby authorised begins, detailed drawings scale 1:50 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping) and including replacement tree planting, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with Strategic Policy 11 – Open spaces and wildlife and Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design in the Southwark Plan 2007.

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

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

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

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the NPPF.

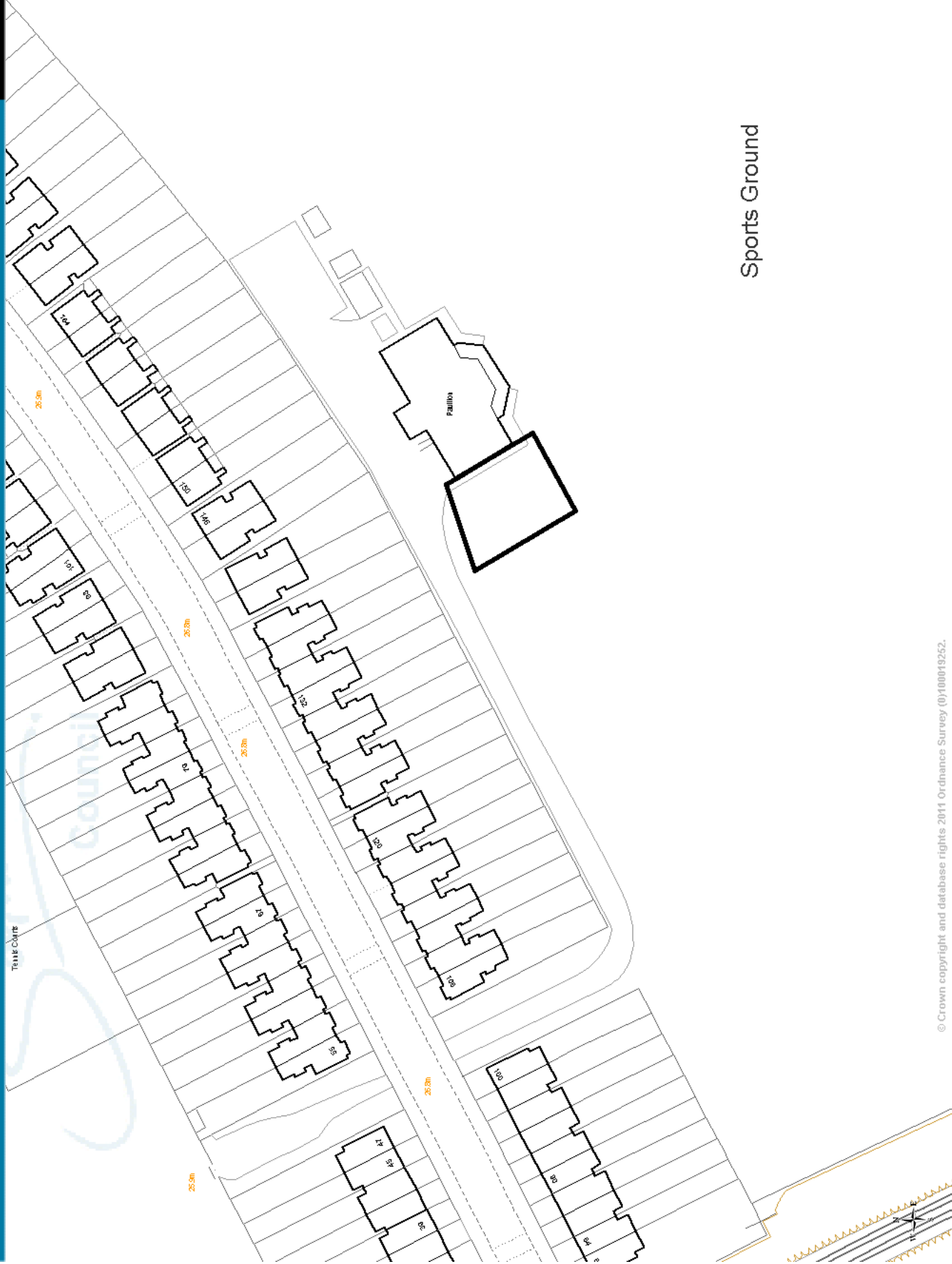
- 10
- a) Before any above grade work hereby authorised begins, an independently verified Code for Sustainable Homes interim certification that seeks to achieve a minimum Level 4 or equivalent Code Level rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;
 - b) Before the first occupation of the building hereby permitted, a Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 – High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre application discussions.



Sports Ground

- Annotations
- LLPG Southwark Council
- Google Street View
- Text_NonStreetNames
- Text_StreetNames
- Topo_Line
- WARDS_OS
- CommunityCouncils
- OS_StreetView
- OS_VectorMap District (Lo
- 200k_Collins_Bartholome
- OS_files_grid

- Annotations
- LLPG Southwark Council
- Google Street View
- Text_NonStreetNames
- Text_StreetNames
- Topo_Line
- WARDS_OS
- CommunityCouncils
- OS_StreetView
- OS_VectorMap District (Lo
- 200k_Collins_Bartholome
- OS_files_grid

Item No. 7.5	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 13/AP/1732 for: Full Planning Permission Address: DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH Proposal: Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend wet weather sports teaching facilities (D2).		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date	20/06/2013	Application Expiry Date	15/08/2013
Earliest Decision Date 26/07/2013			

RECOMMENDATION

- 1 That members resolve to grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 This application is reserved to members for decision as the site falls within Metropolitan Open Land (MOL).

Site location and description

- 3 The application site relates to Dulwich Sports Ground, a 8.9ha open area of land situated to the west of Dulwich Village and bounded to the west by Croxted Road and the railway. Access to the site is via Turney Road to the north which gives access to an existing car parking area and sports pavilion building. This particular application relates to a small area of land located to the west of the existing pavilion.
- 4 To the north the site is bounded by the rear gardens of the residential properties fronting Turney Road.
- 5 The surrounding area is predominantly residential in nature and is within the Dulwich Village Conservation Area. The site is subject to the following designations on the Proposals map to the Saved Southwark Plan:
 - Metropolitan Open Land (MOL)
 - Suburban Density Zone - South
 - Air Quality Management Area

Details of proposal

- 6 This application seeks full planning permission for the erection of a flat roofed prefabricated building to the west of the existing clubhouse. The proposed building

would be single storey to a maximum height of 3.2m and would provide 187sqm of floorspace. During weekdays the building would be used as a children's day nursery catering for a maximum of 41 children up to the age of 5 years. In the evenings and weekends the building would be used by the sports club as a 'wet weather' training facility providing space for theoretical classroom learning.

7 The building would have a dual Use Class of D1 non-residential institutions (day nursery) and D2 assembly and leisure (sports club).

8 A covered bicycle store would be erected adjacent to the existing clubhouse

9 Hours of Operation

Day Nursery (D1): Monday - Friday 7:30am to 6:30pm

Sports Club (D2): Monday - Friday 6:30pm to 10:30pm, Saturday - Sunday 9:00am to 10:30pm

10 Materials

- Timber clad Siberian Larch
- Timber steps, ramp, decking and balustrades
- Grey uPVC double glazed windows
- Glazed white uPVC doors

11 Planning history

None of relevance.

12 **KEY ISSUES FOR CONSIDERATION**

Summary of main issues

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

- a) Principle
- b) Design, Appearance and impact on Conservation Area
- c) Traffic and Transportation
- d) Residential Amenity

Planning policy

14 Core Strategy 2011

Strategic Policy 11 - Open Spaces and Wildlife

Strategic Policy 12 - Design and Conservation

Strategic Policy 13 - High Environmental Standards

15 Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- 16 3.1 Environmental effects
- 3.2 Protection of Amenity
- 3.11 Efficient Use of Land
- 3.12 Quality in Design
- 3.13 Urban Design
- 3.15 Conservation of the Historic Environment
- 3.18 Setting of Listed Buildings, Conservation Areas and World heritage Sites
- 3.25 Metropolitan Open land
- 5.1 Locating Developments
- 5.2 Transport Impacts

- 17 London Plan 2011
- Policy 7.4 Local Character
- Policy 7.5 Public Realm
- Policy 7.6 Architecture

- 18 National Planning Policy Framework (NPPF)
- 7. Requiring good design.
- 12. Conserving and enhancing the historic environment

Principle of development

- 19 The application site is located within Metropolitan Open Land (MOL) and as such saved Southwark Plan policy 3.25 is relevant to the determination of this proposal. Policy 3.25 states that there is a general presumption against inappropriate development on MOL and that planning permission will only be granted for appropriate development which is considered to be for the following purposes:

- i) Agriculture and forestry; or
- ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
- iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
- iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.

- 20 The erection of the proposed building would provide additional space for sports teaching in association with the wider use of the site as a sports ground. The existing clubhouse provides changing rooms, showers, toilets etc, but has limited room available for sports teaching and theoretical learning. All the existing sporting facilities would be retained and the proposed space would support the continued use of the site for outdoor sports and recreation.

- 21 The proposed building has been sited to ensure the open nature of the MOL would not be effected, whilst being in a convenient position to allow its use in connection with the wider outdoor facilities. Its use during the day as a children's day nursery is not considered to conflict with the wider purposes of the land. During the day demand for the space as a sports support facility would be limited and the building would very likely remain empty. Allowing the flexibility in the use of the building results in a sustainable solution ensuring the potential use of the building is realised and would provide a much needed facility to the local community where childcare provision is under immense pressure.

Design, Appearance and impact on Conservation Area

- 22 Saved policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan seek to ensure that developments achieve high quality architectural and urban design, while policy 3.15 seeks to conserve the historic environment and 3.18 seeks to preserve or enhance the setting of Listed Buildings, Conservation Areas and World Heritage Sites.
- 23 The application site is characteristically open with the existing pavilion building and storage buildings sited on the MOL boundary closest to the neighbouring built form of the residential dwellings on Turney Road. The proposed building has been sited next to the existing building reducing its impact on the open nature of the MOL. Its design as a low level, flat roofed structure, clad in timber further reduces its dominance and allows it to sit comfortably on the site.
- 24 It is therefore considered appropriate in the local context having minimal impact on the open nature of the MOL and the character of the surrounding Conservation Area.

Traffic and Transportation

- 25 The application site has an existing dedicated on site car park which would be reconfigured as part of the proposed works. This makes provision for 46 general parking spaces, 3 dedicated disabled spaces and 10 covered bicycle parking spaces.
- 26 As the proposed use would provide sports related wet weather teaching facilities it is not anticipated that there would be any noticeable change of activity on the site during the weekends and evenings, and therefore no increase in vehicle movements.
- 27 During weekdays, peak times for movements to and from the site would be during morning drop-off and afternoon pick-up from the day nursery. The nature of a children's day nursery means that these movements would be staggered throughout the morning and afternoon rather than traditional school hours. Furthermore it is anticipated that the majority of potential users would come from the immediate locality and are likely to walk to the site. This is further encouraged by the proposed large buggy storage area attached to the new building.
- 28 Given the large existing area for car parking, those users dropping off children by car would enter the site from the existing access on Turney Road, thus ensuring that there would be no overspill onto surrounding roads and no impact on existing parking situations in the locality.
- 29 In consideration of the above there would be no increased pressure on the surrounding transport network or parking situation resulting from the erection of the building and its proposed use.

Residential Amenity

- 30 Saved policy 3.2 'Protection of Amenity' of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 31 The nearest residential properties are those located to the north on the southern side of Turney Road. The rear elevation of these properties would be sited approximately 45m from the proposed new building. Given the single storey nature of the building, separation distance and the existing levels of vegetation within the rear gardens, there is considered to be no impact on outlook or visual intrusion.
- 32 It is not anticipated that the proposed use as a children's day nursery would result in

increased levels of noise or disturbance.

Impact on trees

- 33 The application site has a large mature tree sited approximately 5m to the north of the proposed new building. Given the construction methods of pre-fabricated buildings of this nature, it is considered that with adequate protection during construction the existing tree would not be effected by the proposed development. This would be ensured through the imposition of appropriate conditions.

Mayoral CIL

- 34 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on this application. The applicant has completed the relevant form and CIL is payable on 187 square metres of floorspace equivalent to a CIL charge of £6545.

Environmental impact assessment

- 35 An Environmental Impact Assessment is not required for a development of this nature.

Conclusion on planning issues

- 36 The proposed development is in accordance with adopted policy and is consistent with the established use of the application site for recreational and sporting purposes. The proposed building is considered acceptable in design terms and in terms of the impact on visual and residential amenity. The proposed extension will provide much needed children's day nursery accommodation in a sustainable and accessible location with minimal impact on the surrounding environment.
- 37 For the reasons as discussed above it is recommended that planning permission be granted subject to a condition

Community impact statement

- 38 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

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

b) There are no issues relevant to particular communities/groups.

c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

- 40 No responses have been received at the time of the writing of this report. Representations received after publication will be reported in the addendum.

Human rights implications

- 41 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 42 This application has the legitimate aim of providing a new children's day nursery and improved sports facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 43 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2546-B Application file: 13/AP/1732 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5452 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Amy Lester, Senior Planning Officer	
Version	Final	
Dated	5 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 July 2013

APPENDIX 1**Consultation undertaken**

Site notice date: 03/07/2013

Case officer site visit date: 03/07/2013

Neighbour consultation letters sent: 04/07/2013

Internal services consulted:

Transport Planning

Waste Management

Neighbours and local groups consulted:

154 TURNEY ROAD LONDON SE21 7JJ
 156 TURNEY ROAD LONDON SE21 7JJ
 158 TURNEY ROAD LONDON SE21 7JJ
 152 TURNEY ROAD LONDON SE21 7JJ
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 130 TURNEY ROAD LONDON SE21 7JJ
 132 TURNEY ROAD LONDON SE21 7JJ
 174 TURNEY ROAD LONDON SE21 7JL
 BOROUGH POLYTECHNIC GROUNDS 102-106 TURNEY ROAD LONDON
 SE21 7JH
 FIRST FLOOR FLAT 83 TURNEY ROAD LONDON SE21 7JB
 140A CROXTED ROAD LONDON SE21 8NR
 FLAT 2 144 CROXTED ROAD LONDON SE21 8NR
 142 CROXTED ROAD LONDON SE21 8NR
 FLAT 1 144 CROXTED ROAD LONDON SE21 8NR
 GROUND FLOOR FLAT 83 TURNEY ROAD LONDON SE21 7JB
 HOLLINGTON CLUB REAR OF 123 TO 125 BURBAGE ROAD LONDON SE24 9HD
 140E CROXTED ROAD LONDON SE21 8NR
 140B CROXTED ROAD LONDON SE21 8NR
 140C CROXTED ROAD LONDON SE21 8NR
 140D CROXTED ROAD LONDON SE21 8NR
 138 CROXTED ROAD LONDON SE21 8NR
 184 TURNEY ROAD LONDON SE21 7JL
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 67 TURNEY ROAD LONDON SE21 7JB

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APPENDIX 2**Consultation responses received****Internal services**

None received - responses received after publication of the report will be reported in the addendum

Neighbours and local groups

None received - responses received after publication of the report will be reported in the addendum

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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

Applicant	Mr S. McKee Southwark Community Sports Trust	Reg. Number	13/AP/1732
Application Type	Full Planning Permission	Case Number	TP/2546-B
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend wet weather sports teaching facilities (D2).

At: DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH

In accordance with application received on 03/06/2013 08:00:16

and Applicant's Drawing Nos. Site Location Plan: 100

Existing Plans: 200

Proposed Plans: 210, 211, 220, 230, 310, 311 and 410

Design and Access Statement

Subject to the following conditions:

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

Reason

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

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

210, 211, 220, 230, 310, 311 and 410

Reason:

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

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

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

- 4 The D1 element of the premises hereby approved shall be used only as a Children's Day Care Nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

To safeguard the amenities of neighbouring residential properties and to protect the surrounding transport network from increase vehicle movements associated with an increased intensity of operation in accordance with saved policies 3.2 'Protection of Amenity' and 5.2 'Transport impacts' of the Southwark Plan 2007.

- 5 Details of the means by which the existing trees on the site are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

To ensure the adequate protection of existing trees within the application site in the interest of the character, appearance and the visual amenity of the area in accordance with saved Policy 3.16 'Conservation Areas' of The Southwark Plan 2007 (July) and SP12 -Design and Conservation of the Core Strategy 2011.

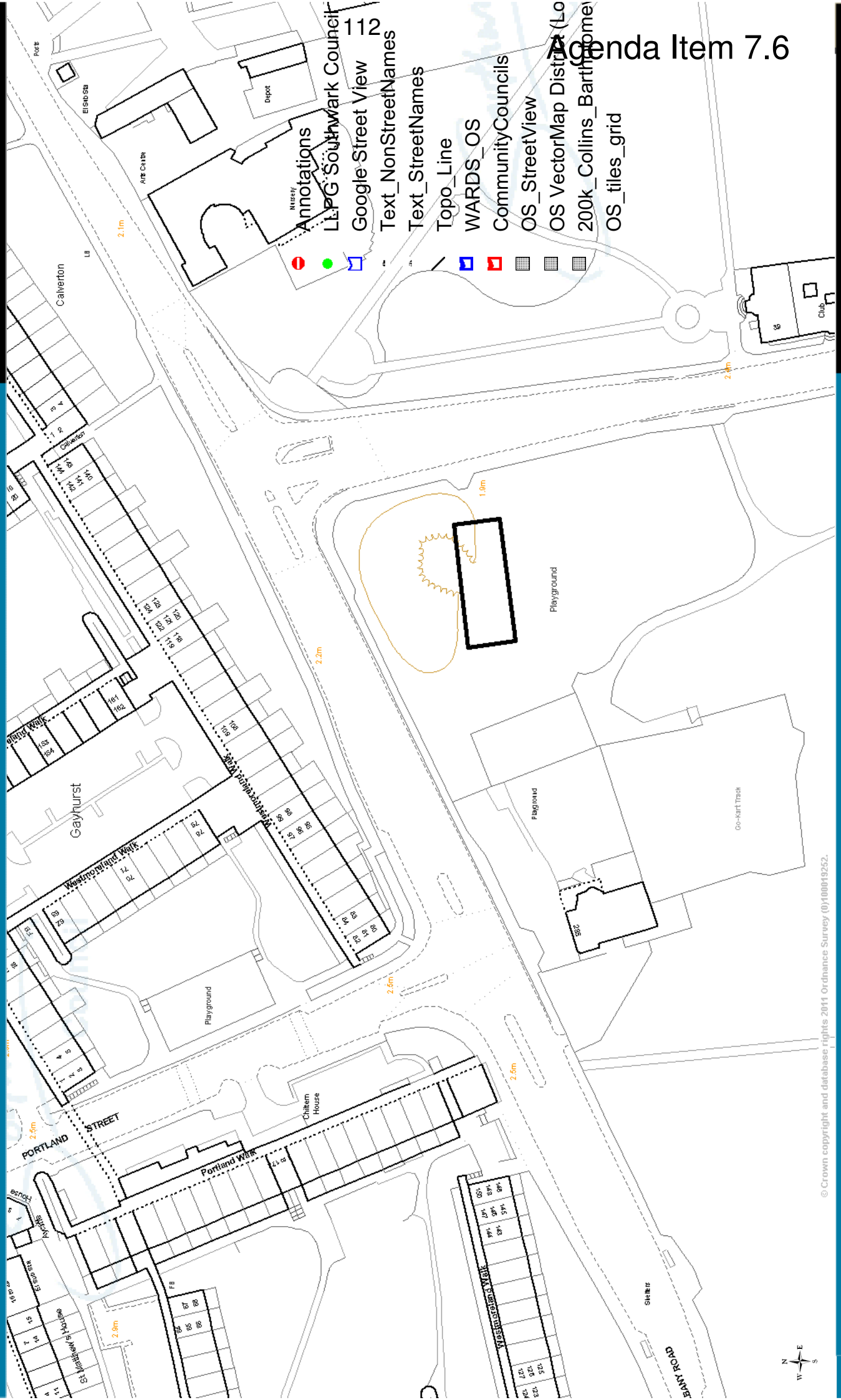
Statement of positive and proactive action in dealing with the application

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

BURGESS PARK, ALBANY ROAD, SE5

Ordnance Survey

Date 10/7/2013



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Scale 1/1250

AD

- Annotations
- LEP Southwark Council
- Google Street View
- Text_NonStreetNames
- Text_StreetNames
- Topo_Line
- WARDS_OS
- CommunityCouncils
- OS_StreetView
- OS_VectorMap_Districts (Lo
- 200k_Collins_Bathing
- OS_files_grid

Item No. 7.6	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Council's own development Application 13/AP/1068 for: Council's Own Development - Reg. 3 Address: BURGESS PARK, ALBANY ROAD, LONDON SE5 Proposal: The installation of five new containers including doors, windows and green roof incorporated into the BMX track layout.		
Ward(s) or groups affected:	Faraday		
From:	Head of Development Management		
Application Start Date	29/04/2013	Application Expiry Date	24/06/2013
Earliest Decision Date	15/06/2013		

RECOMMENDATION

- 1 That members resolve to grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 That this application is reserved to members for decision as the site falls within Metropolitan Open Land (MOL).

Site location and description

- 3 The application site is located within Burgess Park which is to the southern side of Albany Road to the western side of the intersection with Wells Way. The area of the proposed development was previously an informal garden / park area and has recently been excavated as part of the wider regeneration of Burgess Park.
- 4 The site is located within a Site of Importance to Nature Conservation (SINC), Metropolitan Open Land (MOL), the Aylesbury Action Area. The site is not located within the setting of any conservation area or listed building.

Details of proposal

- 5 Planning permission is sought for the installation of five new containers including doors, windows and green roof incorporated into the BMX track layout. It is noted that the existing seven containers at the previous BMX track are to be removed as part of this redevelopment and disposed of.
- 6 The proposed containers will be arranged in an L shape, with three laid end to end, with the other two being stacked upright and adjoining the others. The containers each measure 6.06 metres long with a width of 2.44 metres and a height of 2.59 metres. The containers will have access doors, windows, sedum roof, partial green wall and be clad in timber.

- 7 The application has been amended since the original submission and the walls will either be a green wall or clad in timber, further details of these treatments are conditioned in the recommendation.

Planning history

- 8 The major regeneration of Burgess Park ('Burgess Park 2012') is currently well underway, following a substantial period of design and public consultation. The project is investing £6 million in re-landscaping the park, creating new facilities, and enhancing both the leisure environment and the biodiversity of the landscape.
- 9 At the time the wider project was being developed, there was a stated intention to create a high quality BMX track within the park. Public consultation during 2010 identified the site on the corner of Albany Road and Wells Way as the preferred location, and this was indicated on the plans for the main park improvement scheme. This location was considered to complement the adjacent Adventure Playground and Go-Kart track as the focus for 'high energy' activities within the park. However, at the time that the planning application for the main part improvements was submitted (November 2010), no funding had been secured for the BMX track, so it was excluded from that main application. The consultation on that planning application generated a number of queries about the omission of the BMX track from the scheme as submitted, and the issue was discussed at the Planning Committee when determining the main application.
- 10 Planning permission (11-AP-3764) was granted in March 2012 for the clearance of existing area of vegetation, existing inner trees and multi use games area at the corner of the park adjacent to Albany Road and Wells Way. Construction of a National Standard BMX Track and perimeter fencing. The proposal includes the retention of the trees fronting Albany Road and Wells way.
- 11 An approval of details (13-AP-1044) application has been submitted for a scheme to enhance the nature conservation interest pursuant to Condition 8 of the planning permission (11-AP-3764) above.

Planning history of adjoining sites

- 12 None considered to be directly relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 13 The main issues to be considered in respect of this application are:
- a] the appropriateness of the proposed use as part of the wider Burgess Park environment, including compatibility with the designation as Metropolitan Open Land and SINC; and
 - b] the impact on the amenity of nearby residents, particularly in terms of noise and disturbance.

Planning policy

Core Strategy 2011

- 14 1 – Sustainable development

- 3 - Shopping, leisure and entertainment
- 4 – Places to learn and enjoy
- 11 - Open spaces and wildlife
- 12 – Design and conservation
- 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

- 15 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 16 Policy 3.1 – Environmental effects;
 Policy 3.2 – Protection of amenity;
 Policy 3.12 – Quality in design;
 Policy 3.25 – Metropolitan Open Land;
 Policy 3.28 – Biodiversity;
 Policy 5.3 - Walking and Cycling;

Aylesbury Area Action Plan 2010

- 17 The Aylesbury Area Action Plan (AAP) was adopted in January 2010 to guide the redevelopment of the Estate, and sets out a masterplan for the new neighbourhood. Burgess Park is a crucial resource for that new neighbourhood, and the AAP covers the whole of the Park area as part of its 'Wider Area'. The AAP expects Burgess Park to make provision for play for older youth, and that improvements to both the Aylesbury estate and the Park improve linkages between the two areas. Policy PL8 'Burgess Park' encourages sporting activities in the Park as part of the wider improvements.

London Plan 2011

- 18 Policy 3.2 - Improving health and addressing health inequalities;
 Policy 7.17 - Metropolitan Open Land;
 Policy 7.21 - Trees and Woodlands.

National Planning Policy Framework (NPPF)

Principle of development

- 19 The site is already in recreational use, and the BMX track has already been granted planning permission. The application will not change the primary use of the land, since it would remain a public open space use.
- 20 Burgess Park is designated as Metropolitan Open Land, and saved policy 3.25 of the Southwark Plan states that permission will only be granted for uses which protect the open nature of the areas, such as agriculture, or sport and recreational uses. The proposed facilities associated with the BMX track would satisfy the terms of this policy.
- 21 The site is also identified as a Site of Importance to Nature Conservation (SINC) and according to saved policy 3.28 of the Southwark Plan, developments will not be permitted which would damage the nature conservation value of the site. It is

considered that this has been fully addressed within the host planning permission (11-AP-3764) and compliance with condition 8.

- 22 The applicant had submitted an Ecological Management Plan carried out by LDA Design. The report covers the current ecological baseline of the site, and proposed mitigation and management at the site. The submitted document was written just before the new Southwark Biodiversity Action Plan (BAP) was adopted. The actions proposed in the ecological management plan (stag beetle loggery, bat and bird boxes and native planting), will contribute to the BAP and is therefore considered to satisfy the aims of the BAP. The Ecology officer has reviewed the report and its findings are considered acceptable and meet the requirements of condition 8. As such, this application has been recommended for approval, although at the time of writing this application has yet to be determined.
- 23 The track would provide for an activity which could be attractive to young people who are not engaged in traditional or team sports. The Council's Sports Development Plan recognises that this part of Southwark contains young people with low levels of physical activity. The casual, free access to the track should encourage wider use, whilst the coaching and competitive opportunities would maintain the challenge for more advanced cyclists. The facility would therefore support the corporate objective of improving the health and fitness of the Southwark population, and meet the requirements of Core Strategy policy SP 4 supports uses which encourage physical activity.

Environmental impact assessment

- 24 No Environmental Impact Assessment was submitted with the application, and no request for a Screening Opinion as to whether an EIA is required has been made. However, the wider Burgess Park application (10-AP-3246) was 'Screened' and the decision issued that the park improvements were not EIA development. Given the much more limited scale of the current proposal, it is reasonable to assume the same view would be reached. Although the site area exceeds the threshold of 0.5 ha for 'Schedule 2' development, the predicted impacts are not of more than local significance, and are compatible with the location within a metropolitan park.

Amenity

- 25 Saved Policy 3.2 'Protection of Amenity' within the Southwark Plan seeks to protect the amenity of existing and future occupiers in the surrounding area or on the site.
- 26 The approved BMX track is on the corner of two busy roads: Albany Road and Wells Way. It is separated from the nearest residential buildings (St Georges Court apartments, and the flats on the north side of Albany Road) by these busy roads.
- 27 The proposed facilities are not considered to result in any amenity impacts resulting to noise or general disturbance to any neighbouring occupiers.

Transport

- 28 The proposed facilities are ancillary to the use of this part of Burgess Park as a BMX track and as such most of the users are expected to arrive by cycle, and a such cycle parking was required as part of the main planning permission granting consent for the new track. It is not anticipated that there would be any harm caused to the function or safety of the transportation network.

Design issues

- 29 The proposed shipping containers are proposed to be clad with timber cladding, with a green wall on the front (southern) elevation.
- 30 With the amendments made to the plans, comprising of cladding the structure with timber (rather than painting it green), it is considered that the proposed building would be of a good standard and contribute positively to the character and appearance of the area, subject to the imposition of suitable conditions requiring the submission of further details relating to the materials, and green roof / wall.
- 31 Overall, it is considered that the development would contribute positively to the amenity of the area and would therefore be in accordance with the relevant policies of the Southwark Plan and the Core Strategy and should be granted on this basis.

Sustainable development implications

- 32 The development would provide a sedum roof and a partial green wall which will improve biodiversity and sustainability.

Other matters

- 33 The application is not CIL liable.

Conclusion on planning issues

- 34 Overall, for the reasons explored above, it is considered that the proposed development would not result in harm to the amenity of any neighbouring occupiers, would contribute positively to the character and appearance of the area, and the use would help to provide ancillary sport and recreation facilities for the park. It is therefore considered that subject to the imposition of suitable conditions, that the development would be in accordance with the relevant policies of the Southwark Plan and the Core Strategy and should be granted on this basis.

Community impact statement

- 35 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 36 a) The impact on local people is set out above.

Consultation

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

Consultation replies

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

Summary of consultation responses

- 39 No replies.

Human rights implications

- 40 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 41 This application has the legitimate aim of providing ancillary sports and recreation facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 42 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/M2022 Application file: 13/AP/1068 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5470 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Fennel Mason, Planning Officer	
Version	Final	
Dated	01 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 July 2013

APPENDIX 1**Consultation undertaken****Site notice date:**

23 May 2013

Press notice date:

None

Case officer site visit date:

23 May 2013

Neighbour consultation letters sent:

None given the distance to any neighbouring occupiers, but several site notices were placed around the site

Internal services consulted:

Parks and Open Spaces
Urban Forester

Statutory and non-statutory organisations consulted:

Friends of Burgess Park

Neighbours and local groups consulted:

N/A

Re-consultation:

N/A

APPENDIX 2**Consultation responses received****Internal services**

Parks and Open Spaces - supports the development

Urban Forester - no objection

Statutory and non-statutory organisations

Friends of Burgess Park - no comment

Neighbours and local groups

No replies.

RECOMMENDATION

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

Applicant	Mrs R. Miller Southwark Council	Reg. Number	13/AP/1068
Application Type	Council's Own Development - Reg. 3	Case Number	TP/M2022
Recommendation	Grant permission		

Draft of Decision Notice

Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:

The installation of five new containers including doors, windows and green roof incorporated into the BMX track layout.

At: BURGESS PARK, ALBANY ROAD, LONDON SE5

In accordance with application received on 12/04/2013 08:01:30

and Applicant's Drawing Nos. 3362_900, 3362_901, 3362_902, 3362_903, 3362_904

Design Statement

Schedule

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

Reason

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

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 3362_901, 3362_902, 3362_903, 3362_904

Reason:

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

- 3 Details of the timber cladding to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the quality of the design and details is in accordance with The NPPF 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design of The Southwark Plan 2007.

- 4 Prior to the commencement of the development, details of the green roof and wall (including a specification and maintenance plan) to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, it in accordance with Strategic Policy 11 – Open spaces and wildlife and Strategic Policy 13 – High environmental standards of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

Informative

The overall use of the facility shall be ancillary to the use of the BMX track, unless by prior agreement from the Local Planning Authority in writing.

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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2013-14

NOTE: Original held by Constitutional Team (Community Councils) all amendments/queries to Gerald Gohler Tel: 020 7525 7420

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Althea Smith (Chair)	1	Environment & Leisure	
Councillor Adele Morris (Vice-Chair)	1	Environmental Protection Team	1
Councillor Nick Dolezal	1		
Councillor Paul Kyriacou	1		
Councillor Eliza Mann	1	Communications	
Councillor The Right Revd Emmanuel Oyewole	1	Robin Campbell	1
Councillor Michael Situ	1		
		Total:	35
(Reserves)		Dated: 3 June 2013	
Councillor James Barber	1		
Councillor Denise Capstick	1		
Councillor Barrie Hargrove	1		
Councillor Martin Seaton	1		
Councillor Andy Simmons	1		
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Constitutional Officer (Community Councils) Hub 4 (2 nd Floor), Tooley St.	15		
Claire Cook Planning, Hub 2 (5 th Floor) Tooley St.	4		
Rachel McKoy, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		