

Planning Sub-Committee A

Wednesday 30 April 2014

7.00 pm

Room G02, 160 Tooley Street, London SE1 2QH

Membership

Councillor The Right Revd Emmanuel Oyewole (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor Victoria Mills

Reserves

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

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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Contact

Gerald Gohler, Constitutional Officer, Tel. 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: 22 April 2014



Planning Sub-Committee A

Wednesday 30 April 2014
7.00 pm
Room G02, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	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.	
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.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
6.	MINUTES	3 - 10
	To approve the minutes of the meeting held on 11 March 2014, as a correct record of the meeting to be signed by the chair.	
7.	DEVELOPMENT MANAGEMENT ITEMS	11 - 15
	7.1. 151-161 GORDON ROAD, LONDON SE15 3RT	16 - 38

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Date: 22 April 2014

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 Planning Sub-Committee A held on Tuesday 11 March 2014 at 7.00 pm at 132 Queens Road, London SE15 2HP

PRESENT: Councillor The Right Revd Emmanuel Oyewole (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Eliza Mann
Councillor Victoria Mills
Councillor Michael Situ

OTHER MEMBERS PRESENT: Councillor Darren Merrill

OFFICER SUPPORT: Gary Rice (Head of Development Management)
Rachel McKoy (Legal Officer)
Andre Verster (Development Management)
Susannah Pettit (Development Management)
Michael Tsoukaris (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 apologies for absence from Councillor Paul Kyriacou.

3. ANNOUNCEMENT ON MEMBERSHIP CHANGE

The chair announced that, following the meeting of main planning committee on 4 March 2014, he had been appointed chair of this sub-committee, and welcomed Councillor Victoria Mills, as new member of the committee.

4. CONFIRMATION OF VOTING MEMBERS

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

5. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

6. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

- Addendum report relating to item 8.1 – development management item

7. MINUTES**RESOLVED:**

That the minutes of the meeting held on the 21 January 2014 be approved as a correct record and signed by the chair.

8. DEVELOPMENT MANAGEMENT ITEMS**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.

8.1 CAR PARK, 5-11 POPE STREET, LONDON SE1

Planning application reference number 13-AP-0058

Report: See pages 10 to 40 of the agenda pack.

PROPOSAL

Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising 5 single dwellings.

The sub-committee heard an introduction to the report from a planning officer, and asked questions of the planning officer.

Representatives of the objectors addressed the meeting, and answered questions by councillors.

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

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

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 application 13-AP-0058 be granted subject to the conditions set out in the report and addendum report, and including an additional condition requiring opaque glazing on the terraces and for screens to be brought up to a height that will not allow overlooking.

8.2 CAR PARK, 5-11 POPE STREET, LONDON SE1

Planning application reference number 13-AP-0056

Report: See pages 41 to 56 of the agenda pack.

PROPOSAL

Demolition of 3m boundary fence.

The sub-committee heard an introduction to the report from a planning officer.

Representatives of the objectors addressed the meeting.

The applicant made representations to the sub-committee.

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

Members debated the application.

A motion to grant conservation area consent was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That conservation area consent be granted for application 13-AP-0056, subject to the conditions set out in the report and the addendum report.

Note: At this point, Councillor Adele Morris left the meeting.

8.3 88 BRANDON STREET, LONDON SE17 1ND

Planning application reference number 13-AP-2160

Report: See pages 57 to 72 of the agenda pack.

PROPOSAL

Variation of Condition 2 of planning permission 10AP1253 (which itself was for: variation of Condition No. 9 LBS reg: 08-AP-1698 for: Demolition of existing public house with residential above and to erect a new four storey building comprising of 9 flats (5 No. one bedroom and 4 No. two bedroom flats) with A1 use on the ground and basement floors - to omit basement level and void and integrate with remainder of commercial space at ground floor); for alterations to the window openings; alteration to cladding on Brandon Street and Browning Street elevations; introduction of zinc cladding on set-back top floor, and introduction of obscured windows to rear (north) elevation.

The sub-committee heard an introduction to the report from a planning officer, and answered questions by councillors.

Representatives of the objectors addressed the meeting. Councillors did not ask questions of the objectors.

The applicant's representatives made representations to the sub-committee, and responded to questions by councillors.

There were no supporters living within 100 metres of the development site.

Councillor Darren Merrill spoke in his capacity as a ward councillor. Councillors did not ask questions of Councillor Merrill.

Members debated the application.

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

RESOLVED:

That a variation of planning permission under Section 73A of the Town and Country Planning Act 1990 for planning application 13-AP-2160 be granted, subject to the conditions set out in the report and addendum report, and including an amended condition 2, which is to stipulate that an obscure glazed screen shall be applied to the rear (north facing) windows, and shall thereafter be maintained as such.

8.4 DULWICH COLLEGE, DULWICH COMMON, LONDON SE21 7LG

Planning application reference number 13-AP-4285

Report: See pages 73 to 100 of the agenda pack.

PROPOSAL

Variation of Condition 2 of planning permission 12-AP-3691 granted on 13/02/2013 for (the demolition of existing college science building and erection of a new part 2, part 3-storey science building and associated landscaping (Use Class D1)) to replace the approved plans with amended plans. Amendments include:

- Increase in building height
- Increase in extent of roof top plant screens
- Reduction in building footprint
- Minor reconfiguration to internal layout and external areas
- Reduction in ground floor level and removal of building plinth
- Reduction in number and width of visors
- Auditorium solar screen replaced with vertical cladding panels
- Minor amendments and reconfiguration of pre-cast concrete, terracotta and curtain wall cladding
- Amendments to auditorium and James Caird Hall roof light design

- Departure from Development Plan policies 3.25 Metropolitan Open Land (MOL) of the saved Southwark Plan 2007, SP11 Open Spaces and Wildlife of the Core Strategy 2011 and 7.17 Metropolitan Open Land of the London Plan 2011.

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

There were no objectors who wished to speak.

The applicant made representations to the sub-committee, and answered questions by councillors.

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

Members debated the application.

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

RESOLVED:

That a variation of planning permission under Section 73A of the Town and Country Planning Act 1990 for planning application 13-AP-4285 be granted, subject to the conditions set out in the report and addendum report.

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

Note: The chair announced that items 8.5 and 8.6 would be heard together, as they related to the same address.

Planning application reference number 13-AP-4258

Report: See pages 101 to 118 of the agenda pack.

PROPOSAL

Change of use of existing listed cemetery lodge building from (vacant) residential use (ancillary to the cemetery) to office use (ancillary to the cemetery). Improvements to the setting of the building including relocation of car parking to rear and reinstatement of front lawns. Minor alterations to the fabric of the building.

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

There were no objectors who wished to speak.

The applicant made representations to the sub-committee, and answered questions by councillors.

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

Members debated the application.

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

RESOLVED:

That planning permission for application 13-AP-4258 be granted subject to the conditions set out in the report.

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

Planning application reference number 13-AP-4259

Report: See pages 101 to 118 of the agenda pack.

PROPOSAL

Change of use of existing listed cemetery lodge building from (vacant) residential use (ancillary to the cemetery) to office use (ancillary to the cemetery). Improvements to the setting of the building including relocation of car parking to rear and reinstatement of front lawns. Minor alterations to the fabric of the building.

Note: This item was heard together with item 8.5.

A motion to grant conservation area consent was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That listed building consent for application 13-AP-4259 be granted and the matter be referred to Secretary of State for a decision.

8.7 ST GEORGES CHURCH, 55 WELLS WAY, LONDON SE5 7TW

Planning application reference number 13-AP-4398

Report: See pages 119 to 130 of the agenda pack.

PROPOSAL

The installation of a secure communal bike shelter for twenty bicycles within the St George's Church Car Park, measuring 8260mm long x 2090mm wide x 2165mm

high.

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

There were no objectors who wished to speak.

The applicant did not wish to speak.

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

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 application 13-AP-4398 be granted, subject to the conditions set out in the report.

The meeting ended at 9.25 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 21 January 2014	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 may be 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. 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 Wednesday 30 April 2014

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 SUBJECT TO LEGAL AGREEMENT
Proposal

Item 7.1

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 S.73 Vary/remove conds/minor alterations
Site SITE TO THE SOUTH OF EVANS GRANARY, 38 STONEY STREET, LONDON, SE1 9LB

Reg. No. 13-AP-3799
TP No. TP/1154-G
Ward Cathedrals
Officer Susannah Pettit

Recommendation GRANT PERMISSION
Proposal

Item 7.2

Variation of Condition 4 of planning permission 13-AP-1123 (which was for a new six storey building providing retail use (A1) at ground floor and nine residential units on the upper four floors; 6x2bed, 2x1bed & 1x3bed. (Amendment to scheme previously granted, reference 11-AP-3963, which was for demolition of existing warehouse above ground level; retention and reuse of substructure and construction of new five storey building providing retail use (A1) at ground floor and nine residential units on the upper floors, comprising of 6 x 2 bed, 2 x 1 bed and 1 x 3 bed) by proposing an additional floor.) Proposed amendment to condition 4 to amend the opening hours from 9am to 7pm on any day to: Monday to Friday 7am-7pm, Saturday 8am-7pm, and Sunday and Bank Holidays 10am-7pm

Appl. Type Full Planning Permission
Site 37-41 PECKHAM ROAD, LONDON, SE5 8UH

Reg. No. 13-AP-3439
TP No. TP/2282-37
Ward Brunswick Park
Officer Neil Loubser

Recommendation GRANT PERMISSION
Proposal

Item 7.3

Demolition of the existing petrol filling station and redevelopment to provide a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with 3 storeys of residential accommodation above, providing 9 residential units.

Appl. Type Council's Own Development - Reg. 3
Site DULWICH PARK, COLLEGE ROAD, LONDON SE21

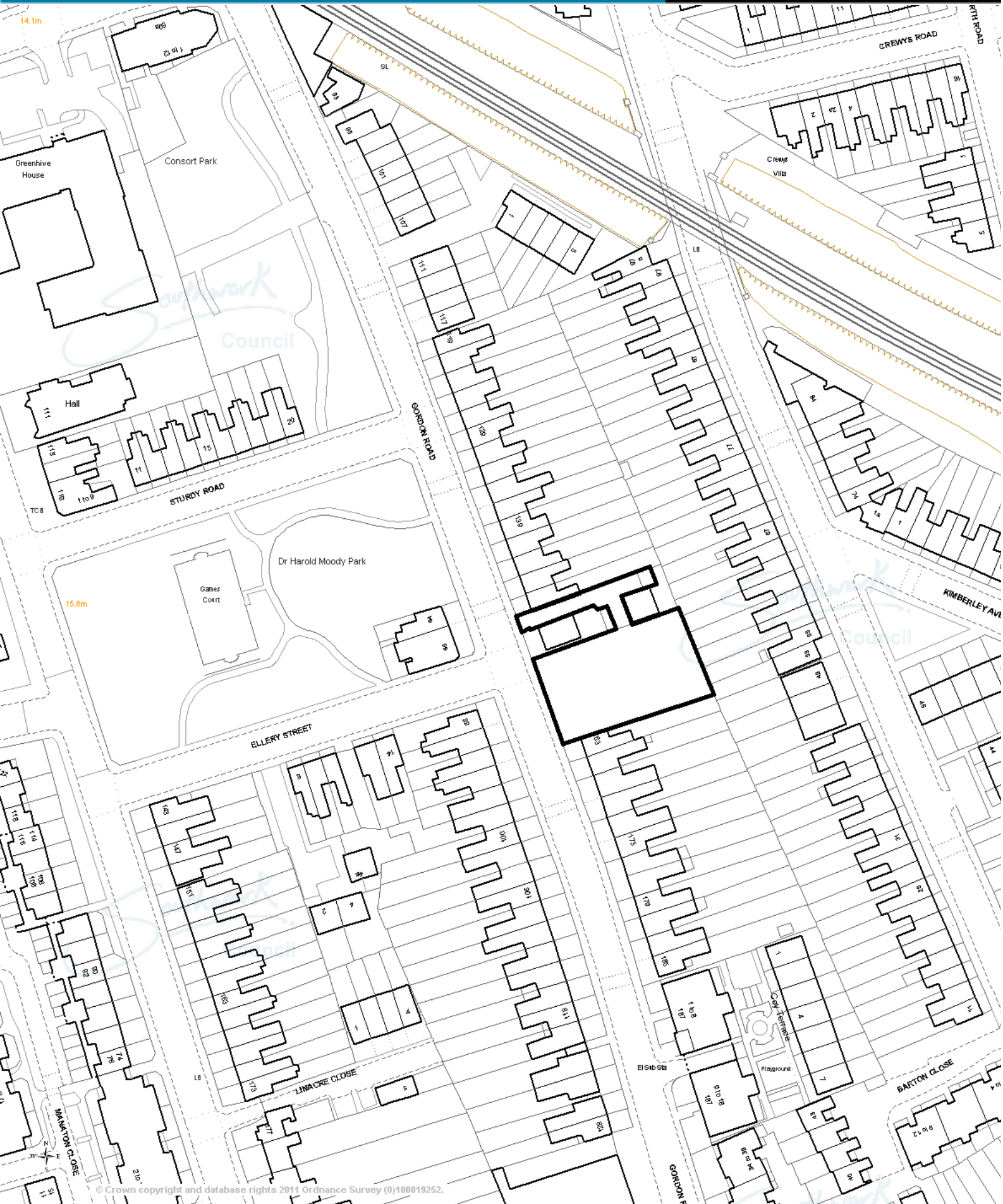
Reg. No. 14-AP-0901
TP No. TP/2082-Z
Ward Village
Officer Alex Cameron

Recommendation GRANT PERMISSION
Proposal

Item 7.4

Installation of 'Three Perpetual Chords' a series of three cast iron sculptures by artist Conrad Shawcross. The sculptures will be sequenced within the park on the West and East lawns leading visitors through the park.

Date 16/4/2014



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Item No. 7.1	Classification: OPEN	Date: 30 April 2014	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 28/05/2014	
Earliest Decision Date 18/05/2013			

RECOMMENDATION

- 1 To grant planning permission subject to conditions and the applicant entering into an appropriate legal agreement to secure funding for replacement tree planting by no later than 28 May 2014.
- 2 In the event that the requirements of paragraph 1 are not met by 28 May 2014, the Head of Development Management be authorised to refuse planning permission as funds will not have been secured towards replacement tree planting.

BACKGROUND INFORMATION

- 3 This application was originally brought before planning sub-committee A on 23 July 2013 at the request of councillors and with the agreement of the chair of the planning committee. At this meeting it was resolved to grant permission subject to conditions and completion of the S106 agreement. The background information to the application is set out in the original report in Appendix A. The applicant now wishes to change the tenure of 4 of the proposed units from social rented units to market units. The remaining three units will be intermediate.

Assessment of the proposed changes

- 4 It is noted that there is no policy requirement in this instance to provide affordable housing as the development fall below the policy threshold of ten or more dwellings; however, the application that was presented to Members indicated that the tenure was to be a mix of social rented and intermediate units. The applicant now proposes four x private tenure (market) units and three x intermediate units. As such it is considered that a material change is proposed and members should be informed and are asked to consider the proposed amendment. Notwithstanding the previous resolution reached by the sub-committee there is a material change to the application, and it is open to members to consider matters afresh.

- 5 As noted above there is no policy requirement to provide affordable housing in this instance as the development is not a major application. The development would provide much needed housing units. The proposed changes are considered acceptable. There are no other amendments to the application considered by members in July 2013.

Other matters

- 6 The applicant has agreed to extend the statutory time period to allow this matter to be reported back to members for consideration and to complete the legal agreement.

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 A	Previous report (23 July 2013)

AUDIT TRAIL

Lead Officer	Gary Rice Head of Development Management	
Report Author	Rónán O'Connor, Planning Officer	
Version	Final	
Dated	31 March 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	16 April 2014	

Item No.	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub-Committee
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.

	Over all 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 19 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/sunlighting 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 50sqm private garden space. The garden spaces in this instance fall short of this 50sqm 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

Consultations

- 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 65 None

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Rónán O'Connor, Planning Officer	
Version	Final	
Dated	31 March 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	16 April 2014	

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

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

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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

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	TP/2467-151
Recommendation	Grant subject to Legal Agreement	Number	

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 revisions/amendments received on 04/03/2014**

and Applicant's Drawing Nos. Amended Plan rec'd 04/03/2014 - SK21;

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 twelve conditions:

Time limit for implementing this permission and the approved plans

- 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.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 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:

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
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.

- 4 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.

- 5 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.

- 6 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

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 7 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.

- 8 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;
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.

- 9 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), 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

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.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 10 Notwithstanding the requirements of condition 7, 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

- 11 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.

- 12 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.

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Item No. 7.2	Classification: OPEN	Date: 30 April 2014	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 13/AP/3799 for: S.73 Vary/remove conditions/minor alterations Address: SITE TO THE SOUTH OF EVANS GRANARY, 38 STONEY STREET, LONDON, SE1 9LB Proposal: Variation of Condition 4 of planning permission 13-AP-1123 (which was for a new six storey building providing retail use (A1) at ground floor and nine residential units on the upper four floors; 6x2bed, 2x1bed & 1x3bed. (Amendment to scheme previously granted, reference 11-AP-3963, which was for demolition of existing warehouse above ground level; retention and reuse of substructure and construction of new five storey building providing retail use (A1) at ground floor and nine residential units on the upper floors, comprising of 6 x 2 bed, 2 x 1 bed and 1 x 3 bed) by proposing an additional floor.) Proposed amendment to condition 4 to amend the opening hours of the retail unit from 9am to 7pm on any day to: Monday to Friday 7am-7pm, Saturday 8am-7pm, and Sunday and Bank Holidays 10am-7pm		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 12/12/2013		Application Expiry Date 06/02/2014	
Earliest Decision Date 15/01/2014			

RECOMMENDATION

- 1 To vary condition 4 of the consent previously granted, LBS ref 13-AP-1123.

BACKGROUND INFORMATION

Site location and description

- 2 The site consists of a rectangular shaped piece of land located on the east side of Stoney Street. The site is currently being developed, to implement the planning application described below, which is for a six storey, mixed use building, with A1 retail on the ground floor and nine flats above. At the time of writing the development is substantially complete.
- 3 The site is within a diverse area, where residential uses, and cultural, market and evening leisure uses closely co-exist.
- 4 In terms of core strategy policy designations, the site lies within the central activities zone, archaeological priority zone, air quality management area, Bankside and Borough action area, district town centre, and strategic cultural area. The site is located within the Borough High Street conservation area. There are some notable listed buildings nearby, namely Winchester Wharf (Grade II), remains of Winchester Palace (rose window, Grade II*) and Southwark Cathedral (Grade I).

Details of proposal

- 5 The applicant proposes to alter the approved hours of operation for the A1 shop unit on the ground floor of the scheme being implemented, by amending condition 4 of the related planning consent.

- 6 Condition 4 attached to the approved scheme reads as follows:

The use hereby permitted for retail within A1 use class purposes shall not be carried on outside of the hours 9am to 7pm on any day.

Reason

In order to safeguard the amenity of nearby residents in accordance with saved policy 3.2 protection of amenity of the Southwark plan and SP13 high environmental standards of the core strategy 2011.

- 7 The submitted application proposes to vary the condition to allow for an earlier opening time, to read as follows:

The use hereby permitted for retail within A1 use class purposes shall not be carried on outside of the hours 7am to 7pm Monday to Friday, 8am to 7pm on Saturdays, and 9am to 7pm on Sundays and bank holidays.

Reason

In order to safeguard the amenity of nearby residents in accordance with saved policy 3.2 protection of amenity of the Southwark plan and SP13 high environmental standards of the core strategy 2011.

- 8 Amendment

Following discussions with officers, the applicant subsequently agreed to the following amendment (alterations in **bold** type):

The use hereby permitted for retail purposes shall not be carried on (**including preparation and cleaning**) outside the following hours:

Monday to Friday - 7am-7pm

Saturday 8am-7pm

Sunday and Bank Holidays **10am-7pm**

Planning history

- 9 Planning permission was granted (with legal agreement) on 24 September 2013 (reference 13-AP-1123) for a new six storey building providing retail use (A1) at ground floor and nine residential units on the upper four floors; 6x2bed, 2x1bed & 1x3bed. Amendment to scheme previously granted, reference 11-AP-3963, which was for demolition of existing warehouse above ground level; retention and reuse of substructure and construction of new five storey building providing retail use (A1) at ground floor and nine residential units on the upper floors, comprising of 6 x 2 bed, 2 x 1 bed and 1 x 3 bed) by proposing an additional floor.
- 10 10-AP-1502: Planning permission (and conservation area consent 10-AP-1503) were both refused in December 2010, for full demolition of existing warehouse building above ground and retention and re-use of sub-structure foundations, new five-storey building providing A3 (cafe/restaurant) use and 9 residential units, comprising 3x1-bed, 3x2-bed and 3x3-bed.

11 The reasons for refusal of 10-AP-1502 were:

1. The proposed development is of poor architectural and urban design and fails to preserve or enhance the character of the conservation area and the setting of nearby listed buildings and heritage assets. Its detailed design, choice of materials, facade expression and composition fail to make a positive contribution to the historic environment and is contrary to national policy PPS1 'delivering sustainable development' and PPS5 'planning and the historic environment' and policies 3.12 'quality in design'; 3.13 'urban design'; 3.16 'conservation areas'; and 3.18 'setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan 2007.
2. In the absence of an agreed servicing management plan, the proposed development would cause an unacceptable loss of amenity to future and nearby residential occupiers contrary to policies 3.2 'protection of amenity' and 5.2 'transport impacts' of the Southwark plan 2007.
3. The noise and disturbance associated with the proposed Class A3 floorspace, in particular by reason of the intensity of the A3 use and the density of the development would have a detrimental impact on the residential amenity of future occupiers of the development and nearby occupiers contrary to policies 3.2 'protection of amenity' and 3.11 'efficient use of land' of the Southwark plan 2007.

12 10-AP-1503 was refused for the following reason:

In the absence of a suitable proposal for a replacement building as required by PPS 5 'planning and the historic environment' the loss of this building resulting in a vacant site would be unacceptable and would fail to preserve the Borough High Street conservation area or the setting of nearby listed buildings. The proposal is therefore contrary to policies '3.16 conservation areas' and '3.18 setting of listed buildings, conservation areas and world heritage sites' of the southwark plan 2007.

13 Both of the above decisions were appealed and an inspector dismissed the appeal by way of decision on 10 June 2011.

14 The inspector upheld the first reason, but considered reasons two and three could be dealt with via conditions to request such details as a service management plan, management agreement and hours of operation. He highlighted that the Southwark Plan encourages a mix of uses to add to the vitality of the area. With regard to the design, he considered the vertical panels of solid and glazing would conflict with the more 'punched hole' window openings of nearby traditional buildings with a lack of horizontal emphasis.

15 The inspector took into account the fact that the initial officer recommendation had been to grant planning permission. However, he felt that the arguments presented identified valid shortcomings in the appearance of the proposal, whereby it would have a harmful impact on the historic environment.

16 It is relevant to note from this decision was that the initial officer recommendation was for approval, with a condition requiring:

'The use hereby permitted for restaurant within A3 purposes shall not be carried on outside of the hours 7am to 11pm on bank holidays, and Sundays to Thursdays or 7am to 11:30 pm on Fridays and Saturdays. These hours shall include allowance of time for staff cleaning, closing up and leaving the site.'

The inspector raised no concerns about this proposed condition and instead dismissed the appeal on design reasons.

Planning history of adjoining sites

- 17 There are a number of similar uses in the area with varying hours of operation, however, not all of them have a planning consent in relation to hours. Those that are controlled by planning consents are listed below:
- 15 Winchester Walk (Le Pain Quotodien) (09-AP-2343)
Monday to Saturday - 07:00 to 23:30
Sunday - 07:00 to 23.00
 - Caffe Nero (Cathedral Street) (07-AP-0192)
07:00am to 6:30pm on Monday to Friday,
8:00am to 5:30pm Saturday
9:00am to 5:00pm on Sunday.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 18 The main issue to be considered in respect of this application is the impact of the proposed earlier opening times on the amenity of surrounding occupiers.

Relevant Planning policy and legislation

Section 73(a) Town and Country Planning Act 1990

- 19 This section of the act allows an applicant to make an application for planning permission for a development which cannot comply with (or which seeks to vary) the conditions subject to which a previous planning permission was granted (ie: an application for variation or removal of condition).

The local planning authority can only consider the question of conditions subject to which planning permission should be granted, and

- a. if it decides planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly (i.e.: agree to amend or remove the condition).
- b. if it decides that planning permission shall be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application (i.e.: not agree to amend or remove the condition).

National Planning Policy Framework (NPPF)

- 20 Core Planning Principles
Section 2: Ensuring the vitality of town centres
Section 12: Conserving and enhancing the historic environment

London Plan July 2011 consolidated with revised early minor alterations October 2013

- 21 Policy 4.7 Retail and Town Centre Development

Core Strategy 2011

- 22 Strategic Policy 3 – Shopping, leisure and entertainment

Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

- 23 The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the NPPF. 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:

- 1.7 Development within town and local centres
- 3.2 Protection of Amenity
- 3.15 Conservation of the Historic Environment
- 3.16 Conservation Areas
- 7.4 Bankside and Borough Action Area.

Principle of development

- 24 The land use principle has already been established by previous applications, therefore the principle issue for this application is to determine whether the revised hours of operation would harm the amenity of nearby occupiers.

Environmental impact assessment

- 25 None required due to the modest size of the site and the extent of the proposal.

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

- 26 There have been a number of objections from residents in the vicinity, mainly on Clink Street. The impact of the proposal on the amenity of these residents is considered below, as well as the residents even closer to the site, in the adjacent building at 38 Stoney Street, as well as the amenity of future residents of the scheme itself.
- 27 It is evident that the site is within a busy location, highly frequented at all times of day by tourists, office workers and market traders. The amenity of the many residents in the vicinity must be balanced against the activities of such uses. With careful planning, it is possible that the more sensitive needs of the residents can co-exist with the burgeoning popularity of the area.
- 28 The applicant has submitted a survey showing opening hours of some of the surrounding A1 and A3 units. As set out in the 'planning history of adjoining sites' section above, only two are controlled by planning consents. The others are likely to be governed by separate licensing laws.
- 29 The units listed in the applicant's survey are as follows, along with a comment on whether or not planning consent has been granted for the hours:

Le Pain Quotodien (15 Winchester Walk)
 Mon-Fri 7am
 Sat 7am
 Planning permission aligns with these hours

Bill's restaurant (Victor Wharf)

Mon-Fri 7am

Sat 8am

No planning permission with a condition controlling opening hours exists for this unit. It appears to have existed as a restaurant since 2003, albeit unfettered by planning condition restricting hours.

Starbucks (Winchester Wharf)

Mon - Fri 7am

Sat - 8:30am

No planning permission with a condition controlling opening hours exists for this unit.

Pret a Manger

Mon-Fri 7am

Sat 7am

No planning permission with a condition controlling opening hours exists for this unit.

Caffe Nero (Cathedral Street)

Mon-Fri 7am

Sat 8am

Planning permission aligns with these hours

- 30 An opening time of 7am accords with previous planning consents granted on other nearby similar uses, and also accords with previous recommendation for this site on application 10-AP-1502, as set out in the planning history section above. The requirement in the revised condition to include preparation and cleaning within the stated hours would ensure that preparatory activity when the unit is closed to the public, takes place only within the stated hours. The revised condition also ensures later opening times on Saturdays, Sundays and Bank Holidays when activity around the site will be less than on working week days.
- 31 In view of the objections raised by neighbours, a condition shall be imposed requiring a service management plan (SMP) to be submitted. The objections received by residents refer to the "tipping point" reached in the area in terms of deliveries and vehicle congestion. The imposition of such a condition would allow the council to exert some control on the servicing activity associated with the retail unit. The applicant has agreed to this, and it is commensurate with past approvals on this site.
- 32 With the inclusion of a SMP condition, it is not considered that the variation to the condition would introduce significant harm to the neighbouring occupiers in terms of activity and noise disturbance at anti-social hours. The site is in a central London location, and within the strategic cultural area, with Borough Market close by which has historically experienced early-morning activity. The proposal therefore complies with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007 and SP13 High Environmental Standards of the Core Strategy 2011.

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

- 33 There are none.

Transport issues

Servicing

- 34 Previous applications on this site in relation to A3 restaurant uses have specified that servicing should take place between the hours of 8am and 8pm, and that service

vehicles should access the site from its rear, Winchester Square. Such matters were required to be set out in a service management plan to be submitted for approval against a planning condition. No such condition was imposed on the most recent approval for the A1 retail use, however, it is now open to the LPA to impose such a condition in order to mitigate any harm arising from servicing, bearing in mind concerns raised by residents. It is considered pertinent in this case to impose this condition.

Design issues

- 35 No physical alterations are proposed to the building.

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

- 36 Whilst there are no physical alterations proposed with this application, it is considered that the earlier hours of operation could favourably co-exist with the early-morning operations of the nearby Borough market, which itself an intrinsic part of the conservation area. The proposal would therefore preserve the character of the conservation area.

Other matters

Community Infrastructure Levy (CIL)

- 37 CIL is liable for this development as CIL was liable on the parent scheme. A CIL payment of £47,707 has already been paid in respect of this development, triggered by parent scheme 13-AP-1123.

Justification for variation of condition, and the need for non-food retail use

- 38 Objections have raised the question of need, stating that the application does not state why the earlier opening hours are required. Whilst there would be no requirement for the applicant to justify why they need the earlier hours, the applicant has stated competition as a reason, so the unit presents a viable offer to the market and can attract passing footfall. This is considered to provide sufficient justification. In terms of previous assertions by the applicant that the unit would be a non-food retail unit, it is not possible in planning terms, to impose a limitation on the goods sold by a retail outlet.

Conclusion on planning issues

- 39 The variation to condition 4 to extend opening hours in the morning is not considered to introduce significant harm in terms of the impact on amenity on surrounding occupiers. A condition requiring the submission and approval of a SMP will enable the council to control the servicing arrangements of the retail unit. Permission is recommended as there are no material planning issues that would justify refusal of the application.

Community impact statement

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

The impact on local people is set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 43 Objections received from local residents have raised the following issues:
- Earlier opening hours would result in increased congestion. Other businesses in the area already use large vehicles for early morning servicing and the area is already congested. The current congestion affects safety, as emergency vehicles would have difficulty getting through.
 - Noise disturbance is also a problem, intensified by the narrow street, and caused by the scraping of chairs at outdoor seating areas, kegs being bumped along the street from the Old Thameside Inn, beeping from vehicles reversing, as well as human traffic.
 - The 7am opening hour proposed appears to indicate that a coffee shop will operate the unit. The area doesn't need another coffee shop, and the application does not give a reason for the earlier opening hours. The application for the development stated that it would be for a non-food-related retail outlet.

Human rights implications

- 44 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.
- 45 This application has the legitimate aim of providing a variation in approved opening hours. 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

- 46 There is none.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1154-G Application file: 13/AP/3799 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 5405 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	Susannah Pettit, Planning Officer	
Version	Final	
Dated	14 April 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	16 April 2014	

Consultation undertaken

Site notice date: 20/12/13

Press notice date: 06/02/14

Case officer site visit date: 20/12/13

Neighbour consultation letters sent: 23/12/13

Internal services consulted:

Environmental Protection Team

Statutory and non-statutory organisations consulted:

N/A

Neighbours and local groups consulted:

4 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 5 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 6 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 1 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 2 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 3 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 7 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 13 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 UNIT 1 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FD
 8 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 9 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 10 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
 FLAT 3 CLINK WHARF CLINK STREET LONDON SE1 9DG
 FLAT 4 CLINK WHARF CLINK STREET LONDON SE1 9DG
 FLAT 5 CLINK WHARF CLINK STREET LONDON SE1 9DG
 CLINK PRISON MUSEUM SOHO WHARF CLINK STREET LONDON SE1 9DG
 STUDIO 1 CLINK WHARF CLINK STREET LONDON SE1 9DG
 FLAT 2 CLINK WHARF CLINK STREET LONDON SE1 9DG
 FLAT 6 CLINK WHARF CLINK STREET LONDON SE1 9DG
 15 WINCHESTER WALK LONDON SE1 9AG
 FLAT 7 CLINK WHARF CLINK STREET LONDON SE1 9DG
 FLAT 1 CLINK WHARF CLINK STREET LONDON SE1 9DG
 STUDIO 30 SOHO WHARF CLINK STREET LONDON SE1 9DG
 FLAT A CLINK WHARF CLINK STREET LONDON SE1 9DG
 FIRST FLOOR CENTRE 16 WINCHESTER WALK LONDON SE1 9AG
 FIRST FLOOR CENTRE EAST 16 WINCHESTER WALK LONDON SE1 9AG
 PART GROUND FLOOR FRONT EAST 16 WINCHESTER WALK LONDON SE1 9AG
 SECOND FLOOR REAR 14 WINCHESTER WALK LONDON SE1 9AG
 GROUND FLOOR FRONT WEST 16 WINCHESTER WALK LONDON SE1 9AP
 GROUND FLOOR REAR 16 WINCHESTER WALK LONDON SE1 9AP
 FIRST FLOOR REAR EAST 16 WINCHESTER WALK LONDON SE1 9AG
 FIRST FLOOR REAR WEST 16 WINCHESTER WALK LONDON SE1 9AG
 SECOND FLOOR REAR EAST 16 WINCHESTER WALK LONDON SE1 9AG
 SECOND FLOOR REAR WEST 16 WINCHESTER WALK LONDON SE1 9AG
 FIRST FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
 SECOND FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
 THIRD FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
 FLAT B CLINK WHARF CLINK STREET LONDON SE1 9DG
 WATERSIDE APARTMENT CLINK WHARF CLINK STREET LONDON SE1 9DG
 GROUND FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
 FOURTH FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
 FIRST FLOOR WAREHOUSE F WINCHESTER SQUARE LONDON SE1 9AP
 FIRST FLOOR 14 WINCHESTER WALK LONDON SE1 9AG

SECOND FLOOR FRONT 14 WINCHESTER WALK LONDON SE1 9AG
FIFTH FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
LOWER GROUND FLOOR SOHO WHARF CLINK STREET LONDON SE1 9DG
GROUND FLOOR WAREHOUSE F WINCHESTER SQUARE LONDON SE1 9AP
THE RAKE 14A WINCHESTER WALK LONDON SE1 9AG
FLAT 5 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 6 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 7 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 2 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 3 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 4 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 8 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 12 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 13 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 14 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 9 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 10 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 11 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 3 LITTLE WINCHESTER WHARF 5 CLINK STREET LONDON SE1 9DG
FLAT 2 LITTLE WINCHESTER WHARF 5 CLINK STREET LONDON SE1 9DG
FLAT 1 LITTLE WINCHESTER WHARF 5 CLINK STREET LONDON SE1 9DG
STUDIO 2 CLINK WHARF CLINK STREET LONDON SE1 9DG
SECOND FLOOR FRONT 16 WINCHESTER WALK LONDON SE1 9AG
5 WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
4 WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
FLAT 1 VICTOR WHARF CLINK STREET LONDON SE1 9DW
1 WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
2 WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
3 WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
FIRST FLOOR FRONT EAST 16 WINCHESTER WALK LONDON SE1 9AG
FLAT 11 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 12 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 13 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 8 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 9 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 10 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 14 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FIRST FLOOR FORMER MEETING ROOM 16 WINCHESTER WALK LONDON SE1 9AG
11-12 HORSESHOE WHARF APARTMENTS 6 CLINK STREET LONDON SE1 9FE
FLAT 4 WINCHESTER WHARF 5 CLINK STREET LONDON SE1 9DL
GROUND FLOOR WEST WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
40 STONEY STREET LONDON SE1 9LB
FIRST FLOOR FRONT WEST 16 WINCHESTER WALK LONDON SE1 9AG
THE FACTORY WINCHESTER WHARF 4 CLINK STREET LONDON SE1 9DL
UNIT 1 VICTOR WHARF CLINK STREET LONDON SE1 9DW
FLAT 1 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 5 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 6 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 7 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 2 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 3 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB
FLAT 4 EVANS GRANARY APARTMENTS 38 STONEY STREET LONDON SE1 9LB

Re-consultation:

N/A

Consultation responses received**Internal services**

Environmental Protection Team: Recommend that a Service Management Plan should be submitted as a condition.

Statutory and non-statutory organisations

N/A

Neighbours and local groups**Objections received from:**

Councillor Morris
9 Victor Wharf
Flat 4 Clink Street
Flat B Clink Wharf, Clink Street
2 Horseshoe Wharf, 6 Clink Street
2 Little Winchester Wharf, 5 Clink Street
Flat 4, 5 Clink Street
5 Winchester Wharf, 4 Clink Street
Flat 4, 4 Winchester Wharf

Issues raised are summarised at paragraph 52

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	St John Heritage Development LLP	Reg. Number	13/AP/3799
Application Type	S.73 Vary/remove conds/minor alterations	Case Number	TP/1154-G
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Variation of Condition 4 of planning permission 13-AP-1123 (which was for a new six storey building providing retail use (A1) at ground floor and nine residential units on the upper four floors; 6x2bed, 2x1bed & 1x3bed. (Amendment to scheme previously granted, reference 11-AP-3963, which was for demolition of existing warehouse above ground level; retention and reuse of substructure and construction of new five storey building providing retail use (A1) at ground floor and nine residential units on the upper floors, comprising of 6 x 2 bed, 2 x 1 bed and 1 x 3 bed) by proposing an additional floor.) Proposed amendment to condition 4 to amend the opening hours from 9am to 7pm on any day to: Monday to Friday 7am-7pm, Saturday 8am-7pm, and Sunday and Bank Holidays 10am-7pm

At: SITE TO THE SOUTH OF EVANS GRANARY, 38 STONEY STREET, LONDON, SE1 9LB

In accordance with application received on 04/11/2013

and Applicant's Drawing Nos. CLK_SS PL_14 rev B; "goad" study RRG 01/11/13

Subject to the following eighteen conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
PL_01B; PL_02B; PL_03C; PL_04B; PL_05D; PL_06B; PL07C; PL_08D; PL_09C; PL_10C; PL_11C; PL_12D;
PL_13C; PL_15; PL_21; PL_22; PL_23; PL_24

Reason:

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

- 2 The development hereby permitted shall be begun before 24 September 2016.

Reason

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Unless previously discharged under reference 12-AP-2183, or 13-AP-1123, details in the form of 1:25 scale drawings, including a materials schedule, of the doors facing Winchester Square, to the residential refuse and cycle storage, and the commercial refuse and cycle storage (2 copies) 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 these doors will make an acceptable contextual response in terms of design materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 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 Unless previously discharged under reference 12-AP-2183, or 13-AP-1123, section detail-drawings at a scale of (1:10) through:

parapets;
balustrades;
heads, sills and jambs of all openings

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 these details 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 National Planning Policy Framework 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.

- 5 Unless previously discharged under reference 12-AP-2183, or 13-AP-1123, material sample-boards all external facing materials 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 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 National Planning Policy Framework 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.

- 6 Section detail-drawings at a scale of (1:10) through:
parapets;
balustrades;
heads, sills and jambs of all openings
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 these details 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 National Planning Policy Framework 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.

- 7 Unless previously discharged under reference 12-AP-2183, or 13-AP-1123, section detail-drawings at a scale of 1:5 through principal features on the facades including the colonnade at first floor level shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the unit.

Reason

In order that the LPA may be satisfied as to the appearance of the principal features, in accordance with saved policy 3.12 Quality in Design of the Southwark Plan 2007, and SP12 Design and Conservation of the Core Strategy 2011.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

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

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, 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.

- 9 Prior to commencement of above grade work, 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;

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 The National Planning Policy Framework 2012, 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.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 10 Before the first occupation of the building the cycle storage facilities as shown on drawing CLK_SS PL01B, shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 11 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing referenced CLK_SS PL01B, shall be provided and made available for use by the occupiers and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 12 Unless previously discharged under reference 12-AP-2183, or 13-AP-1123; details of the lighting to the underpass to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority before occupation of the building, and the development shall not be carried out otherwise than in accordance with any such approval given. The details shall also state the proposed hours of illumination.

Reason

In order that the Local Planning Authority may be satisfied as to the details of lighting to the underpass in the interest of protecting the amenity of the nearby and future residents in accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007, and SP13 High Environmental Standards of the Core Strategy 2011.

- 13 A Service Management Plan to include type of vehicles and frequency of deliveries/collections shall be submitted to and approved in writing prior to the occupation of the building. The Service Management Plan shall set out that the building shall only be serviced from the Winchester Square side of the development. The Service Management Plan shall also state that servicing shall only occur after 8am, and before 8pm on any day.

Reason

In order to ensure that the vehicles may service the building are of a suitable size to allow servicing from Winchester Square and to ensure the safe operation of the highway network, and thus the protection of the amenity of nearby residents, in accordance with saved policies 3.2 Protection of Amenity, and 5.2 Transport Impacts, of the Southwark Plan 2007, and SP2 Sustainable Transport and SP13 High Environmental Standards of the Core Strategy 2011.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 14 Safe refuge from the ground floor levels to higher levels shall be maintained at all times to allow the future users of the building to be safe in the event of a flood.

Reason:

To ensure the safe occupation of future occupants of the proposed development, and in accordance with saved policies 3.2 Protection of Amenity and 3.9 Water, of the Southwark Plan 2007.

- 15 The noise level from any plant (e.g. refrigeration, air conditioning), together with any associated ducting, shall be 10(A) dB or more below the lowest measured external ambient LAeq, T* at the site boundary.

*LAeq, T. T= 1 hr between 07:00 and 23:00 and 5min between 23:00 and 07:00.

Reason

To ensure that users of the surrounding area not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant and that the operation of plant does not add by cumulative effect to the existing sound environment in accordance with Policy 3.1 'Environmental Effects' of the Southwark Plan 2007, and SP13 High Environmental Standards of the Core Strategy 2011.

- 16 All residential premises shall be designed to attain the following internal noise levels:

Bedrooms- 30dB LAeq,T* and 45dB LAfmax

Living rooms- 30dB LAeq, T*

*T- Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007, SP13 High Environmental Standards of the Core Strategy 2011, and PPG 24: Planning and Noise.

- 17 Sustainability measures outlined in the SOL energy assessment, namely the Air Source Heat Pumps shall be installed and maintained throughout the lifetime of the building, and replaced whenever updated technology becomes available.

Reason

In order that the Local Planning Authority may be satisfied as to the sustainability measures employed within the building, in accordance with SP13 High Environmental Standards 2011.

- 18 The use hereby permitted for retail purposes shall not be carried on (including preparation and cleaning) outside the following hours:

Monday to Friday - 7am-7pm

Saturday 8am-7pm

Sunday and Bank Holidays 10am-7pm

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended accordingly.

Date 16/4/2014



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Item No. 7.3	Classification: OPEN	Date: 30 April 2014	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 13/AP/3439 for: Full Planning Permission Address: 37-41 PECKHAM ROAD, LONDON, SE5 8UH Proposal: Demolition of the existing petrol filling station and redevelopment to provide a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with 3 storeys of residential accommodation above, providing 9 residential units.		
Ward(s) or groups affected:	Brunswick Park		
From:	Head of Development Management		
Application Start Date 10/12/2013		Application Expiry Date 07/05/2014	
Earliest Decision Date 02/01/2014			

RECOMMENDATION

- 1 To grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 The site is located on the northern side of Peckham Road and is currently in use as a petrol filling station, comprising four fuel dispensers covered by a canopy, and ancillary retail facility. The retail premises measures 184m² and is located within a single-storey building.
- 3 The site is located within the Sceaux Gardens conservation area and there are a number of listed buildings in close proximity to the site.
- 4 To the west of the site is East House, a brick Grade II georgian building. Recently refurbished, this three storey building is set within its own grounds, separated from the pavement by a low wall with railings and a row of mature trees. The main elevations are to the front and rear, whilst the east side elevation overlooking the proposal site has few windows.
- 5 The University of the Arts (UAL) building, a monolithic concrete structure adjoins the site to the east. Its scale is large, equivalent to 5 storeys, and its form is linear in contrast to the domestic scale of East House.
- 6 Opposite the site, to the south beyond Peckham Road, is a mix of three storey edwardian shops and flats, a four/five storey Victorian brick warehouse and some 1950/ 1960s three storey social housing.
- 7 There are warehousing units to the north (rear) of the site which are accessed via a

right of way along the western part of the site.

8 The site is subject to the following designations on the Proposals Map (2011):

- Air quality management area;
- Urban density zone;
- Sceaux Gardens conservation area.

Details of proposal

- 9 The development will include the demolition/removal of the existing canopy, associated fuel pumps and underground storage tanks, and the existing sales building and redevelopment with a mixed use building. The ground floor will be a single retail unit (Class A1) with ATM, and the upper floors will comprise residential units, seven x two bedroom units and two x one bedroom units.
- 10 The replacement store will comprise 362m² of floor space resulting in an increase of 178m² to the existing. The building will be sited in the same position as existing following the building line of the college adjacent to the site. A disabled parking space (to the front of the store) and cycle storage is provided on site. Servicing for the store will be to the rear and side of the building.

Planning history

Reg. No.	Type	Description	Summary	End Date
07/AP/1314	FUL	New ATM housed within bastion pod positioned/installed beside Total Petrol Station in place of existing storage containers.	GRA	02/08/2007
08/AP/2039	FUL	Installation of one automated teller machine (ATM) to front elevation of sales building.	GRA	27/10/2008
12/AP/0587	ADV	Single sided printed display made of 100mic gloss removable white PP vinyl	GRA	23/04/2012
12/AP/0589	ADV	Single sided printed vinyl sign attached to phone box	GRA	23/04/2012
13/AP/1450	CLP	Use of the current petrol filling station without restriction on operating hours	GRA	19/08/2013

Planning history of adjoining sites

12 **Location:** EAST HOUSE, 39 PECKHAM ROAD, LONDON, SE5 8UH

Reg. No.	Type	Description	Summary	End Date
12/AP/0213	LBC	Change to the layout of rooms on the ground floor by the re-positioning of a new partition and the relocation of two cast iron fireplaces from South House to the existing chimney breasts in the Common Room on the ground floor.	GRA	19/03/2012
12/AP/1732	LBC	The creation of a hatchway, in an existing partition between the entrance corridor and room E/G.4.	GRA	20/07/2012
12/AP/2037	FUL	Alterations to an existing basement laundry room window, addition of a waste pipe at low level and the installation of two vents at roof level.	GRA	13/08/2012
12/AP/1982	LBC	Alterations to an existing basement laundry room window, addition of a waste pipe at low level and the installation of two vents at roof	GRA	13/08/2012

		level.		
12/AP/3059	LBC	Addition of sump drainage, including grates and surface pipe work to light wells.	GRA	15/11/2012
12/AP/3041	FUL	Addition of 2 smoke vents on the roof above both main stairs and the addition of ducting to link these to the ceiling below.	GRA	05/12/2012
12/AP/3042	LBC	Addition of 2 smoke vents on the roof above both main stairs and the addition of ducting to link these to the ceiling below.	GRA	15/11/2012
12/AP/3055	LBC	Proposed addition of a timber handrail to the east and west stair between the ground and basement floors	GRA	15/11/2012
12/AP/3304	FUL	Damp proofing works to rooms Rm/C/G.3, Rm/C/G.2, Rm/C/G.9, Central House East Staircase, Rm/C/G.5, Rm/C/1.12, East House East Staircase, Rm/S/G.10 and Rm/S/2.24.	UNK	
12/AP/3305	LBC	Damp proofing works to rooms Rm/C/G.3, Rm/C/G.2, Rm/C/G.9, Central House East Staircase, Rm/C/G.5, Rm/C/1.12, East House East Staircase, Rm/S/G.10 and Rm/S/2.24.	GRA	03/12/2012
12/AP/3058	FUL	Addition of sump drainage, including grates and surface pipe work to light wells (at rear of South House and to front of Central House).	GRA	20/12/2012
13/AP/0746	LBC	Mechanical and electrical services for student residences.	GRA	03/06/2013

- 13 **Location:** CAMBERWELL SCHOOL OF ARTS AND CRAFTS,45-65 PECKHAM ROAD, LONDON, SE5 8UH

Reg. No.	Type	Description	Summary	End Date
07/AP/1351	FUL	Provision of a single storey extension into a courtyard at the rear of the building at basement level to form part of new 3D Resource Centre for the college students	GRA	08/08/2007
08/AP/2178	LBC	Listed building application in relation to works to the front of the existing buildings along the Peckham Rd frontage, comprising: Removal of existing railings/fencing to part of the frontage, new fencing and gate comprised of metal railings with brickwork base, installation of external seating, alterations to paving and new paving, and tree planting.	GRA	17/10/2008
08/AP/2176	FUL	Works to the front of the existing buildings along the Peckham Rd frontage, comprising: Removal of existing railings/fencing to part of the frontage, new fencing and gate comprised of metal railings with brickwork base, installation of external seating, alterations to paving and new paving, and tree planting.	GRA	17/10/2008
08/AP/0362	FUL	Installation of external incline platform stair lift, provision of external intercom, new aluminium side hung door to frontage to provide access to lobby	GRA	28/04/2008
13/AP/0928	LBC	Upgrading telecommunications equipment on the roof of the Camberwell College of Arts building.	GRA	07/06/2013

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 14 The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies of The Core Strategy 2011, the saved policies of the Southwark Plan 2007 (July) and the provisions of The National Planning Framework (NPPF).
 - b) The impact on the amenity of the area.
 - c) The impact on the Sceaux Gardens conservation area and setting of nearby listed buildings
 - d) The quality of residential accommodation to be provided.
 - e) The design quality of the proposal.
 - f) Transport impacts.
 - g) All other relevant material planning considerations.

Planning policy

Core Strategy 2011

- 15 Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 16 The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark planning policy with the NPPF. 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.

- Policy 2.1 - Enhancement of community facilities
 Policy 2.2 - Provision of new community facilities
 Policy 3.2 - Protection of amenity
 Policy 3.3 - Sustainability assessment
 Policy 3.4 - Energy efficiency
 Policy 3.6 - Air quality
 Policy 3.7 - Waste reduction
 Policy 3.9 - Water
 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 3.15 Conservation of the historic environment
 Policy 3.16 Conservation areas
 Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 Policy 3.28 - Biodiversity

- Policy 4.2 - Quality of residential accommodation
- Policy 4.3 - Mix of dwellings
- Policy 4.4 - Affordable housing
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking
- Policy 5.7 - Parking standards for disabled people and the mobility impaired

- 17 Sustainability assessments SPD (2009)
- Sustainable design and construction SPD (2009)
- Sustainable Transport SPD (2010)
- Residential Design Standards SPD (2011)
- Affordable housing SPD (2008 - Adopted and 2011 - Draft)
- Peckham and Nunhead Area Action Plan (February 2012 - Draft)
- Sceaux Gardens Conservation Area Appraisal

London Plan July 2011 consolidated with revised early minor alterations October 2013

- 18 Policy 3.3 - Increasing housing supply
- Policy 3.5 - Quality and design of housing developments
- Policy 3.8 - Housing choice
- Policy 3.9 - Mixed and balanced communities
- Policy 3.13 - Affordable housing thresholds
- Policy 3.16 - Protection and enhancement of social infrastructure
- Policy 4.1 Developing London's economy
- Policy 4.7 Retail and town centre development
- Policy 4.8 Supporting a successful and diverse retail sector
- Policy 5.7 - Renewable energy
- Policy 5.8 - Innovative energy technologies
- Policy 6.10 - Walking
- Policy 6.13 - Parking
- 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
- Policy 7.8 Heritage assets and archaeology
- Policy 8.3 - Community infrastructure levy

National Planning Policy Framework (NPPF)

- 19 Section 4 - Promoting sustainable transport
- Section 6 - Delivering a wide choice of high quality homes
- Section 7 - Requiring good design
- Section 8 - Promoting healthy communities
- Section 10 - Meeting the challenge of climate change, flooding and coastal change
- Section 11 - Conserving and enhancing the natural environment
- Section 12 - Conserving and enhancing the historic environment

Principle of development

- 20 The borough has an obligation to provide new housing to meet housing objectives set by the Greater London Authority. Although the proposed development is a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with three storeys of residential accommodation above, providing nine residential units this will contribute towards the required housing provision and will provide additional diversity in the housing stock in the surrounding area.
- 21 The development would also not be developed at the expense of other important land

uses thereby meeting the requirements of Policies SP14 and SP17. The council is committed to sustainability and the sequential approach to recycling brownfield land.

- 22 The NPPF states that "development that is sustainable should go ahead, without delay - a presumption in favour of sustainable development that is the basis of every plan, and every decision." The use of previously developed land to provide a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with three storeys of residential accommodation above, is supported by current and emerging national and local policy guidance.
- 23 The NPPF advises that local planning authorities should apply a sequential approach to planning applications for retail and leisure uses that are not in an existing centre or are not in accordance with an up to date local plan.
- 24 In addition, the document identifies that when assessing applications for retail and leisure developments outside of town centres, which are not in accordance with the local plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floor space threshold. If there is no locally set threshold, the default threshold is 2,500m².
- 25 Policy 4.7 of the London Plan 2011 supports the NPPF retail policies in promoting the 'town centre' first approach.
- 26 Furthermore, Policy 4.8 of the London Plan 2011 states that borough's should support a diverse retail sector that promotes sustainable access to the goods and services that Londoners' needs.
- 27 There are no policies in the saved Southwark plan or the core strategy which seek to protect sui generis uses; therefore, there are no policy concerns regarding loss of the existing petrol filling station on the site.
- 28 The core strategy essentially supports the saved policies of the Southwark Plan 2007. Policy 3 of the core strategy continues to promote retail development that is appropriate to the hierarchy of the borough's centres. It also seeks to protect small-scale retail facilities (class A) outside town and local centres to help meet the day to day needs of local residents and reduce the need to travel.
- 29 It is noted that the site is currently operated as a petrol filling station with an ancillary retail shop, which allows for walk-in shopping for local residents and students. The proposal is for a convenience store also serving local residents. The proposed development represents an increase of 178m² over the existing retail store. This is a modest addition which, as set out below, will not have a significant impact on the existing neighbouring town centres at Peckham and Camberwell.
- 30 The proposed development's walk-in catchment area is anticipated to be approximately 300m from the site, which reflects that the proposal will serve a predominantly localised need. It is therefore considered that a development of this scale and format, which will meet local walk-in shopping needs only, cannot be alternatively located in the nearest town centre as clearly this would be outside the intended catchment.
- 31 Furthermore the proposal is also site specific because it seeks to retain an existing shop on site and to redevelop the outdated petrol filling station facilities. This evidently cannot be achieved development at an alternative location. Accordingly, the sequential test is considered to be satisfied in this instance having regard to the Government's practice guidance

- 32 The proposed scheme will involve the demolition of the existing service station and redevelopment to provide a local convenience shop (class A1) of approximately 362m² which will provide a net retail sales area of 248m², with residential flats above. The scheme proposed will effectively increase the gross retail area of the existing shop by 178m² (136m² net retail area). This level of proposed floor space represents 7.12% of the NPPF retail impact assessment threshold. On this basis alone, the scale of provision is marginal and therefore would not have any significant impact on the vitality and viability of the Peckham and Camberwell town centres.
- 33 In any event the applicants have submitted a retail impact assessment which concludes that given that the majority of trade will be drawn from a small local area for the proposed shop it will not compete with convenience shopping facilities in the neighbouring town centres and any impact on the turnover of town centre shops, and indeed other shops in the area, will be very modest.
- 34 The Peckham and Nunhead Area Action Plan (PNAAP) identifies the need to provide a range of housing to meet the diverse needs of our community which will contribute towards achieving sustainable development by balancing environmental, social and economic needs to ensure a good quality of life for people now and in the long term. The proposal is therefore in keeping with the objectives of the area action plan.
- 35 Overall, the proposal accords with the NPPF, London Plan and local development plan policies. As such, there is no in principle objection to the proposal in land use terms.

Environmental impact assessment

- 36 None required

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

- 37 Strategic policy 13 of the core strategy requires consideration to be given to the impact of developments on the places in which people live, work and enjoy. Saved policy 3.2 of the Southwark plan seeks to ensure an acceptable standard of amenity for existing and future occupiers.
- 38 Daylight and Sunlight - Objections have been raised by the University of the Arts to the east primarily at the visual impact of the rear projection of the proposed block. The north façade above the ground level retail is a slender three storey form with its elevation set back from the northern boundary by approximately three metres, creating space at ground level for the external plant of the retail store. Although this elevation protrudes further north by approximately 9.8 metres than the rear elevation of the UAL, it does not unacceptably overshadow either UAL or the storage yard.
- 39 Objections raised by UAL state that even though amenity policy usually focuses on habitable rooms within residential dwellings, it also applies to certain non-domestic buildings where daylight amenity is important to the use and function of that building such as schools, hospital lying-in wards, galleries, libraries, places of worship and other community-based buildings.
- 40 As referred to in Southwark's planning policy, the Building Research Establishment (BRE) Report 209 '*Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice*' (second edition, 2011) provides advice on site layout planning to achieve good daylighting and sun lighting in new buildings and how to retain it in existing surrounding buildings. The guide is intended for use by designers, consultants and planning officials as a guide and specifically states in its introduction that "*The advice*

given here is not mandatory and this document should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer." The BRE report is intended for use primarily with adjoining residential dwellings and habitable rooms, however, the guidelines stipulate within paragraph 2.2.2 that they *"may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight"* including schools and small workshops. This could therefore include any art studios within the college whose daylight might be affected. Furthermore, the guidelines on sunlight within the BRE only relate to non-domestic buildings with a *"particular requirement for sunlight"* and therefore, it is arguable how far this should be considered in regards to UAL.

- 41 Considering the above-mentioned guidance, the windows to the rear of the college are north facing, and that the two windows identified by the objector are at first and second floor levels it would not be significantly affected by the proposed development. In any event direct sunlight to the computer room at first floor level could have a detrimental impact on the use of the computers as sunlight would make it difficult to see on the computer screens. Furthermore there are two windows allowing daylight and sunlight into the library / reading room at second floor level, one of which is further from the proposal and therefore will be less affected.
- 42 Privacy - The proposed scheme has been designed so that it does not cause any loss of privacy for the neighbouring properties. The proposed west elevation overlooks a predominantly blank façade of East House. The northern section of flats is set back, creating a terrace which mainly faces west and an entrance area to all the flats. The terrace is orientated away from, and does not unacceptably overlook the adjacent storage yard to the north and the east facing elevation of the block is windowless to avoid overlooking of the UAL site. The design of the scheme has evolved to minimise any potential impact upon its neighbours both in terms of unacceptable overlooking or any effect on the redevelopment potential of the land to the rear. For this reason secondary windows in the north elevation will be glazed with obscured glass, and the depth of the neighbouring site to the rear is such that reasonable development potential will not be compromised.
- 43 Subsequent to representations received by the council, the applicant has proposed additional privacy screening along the northern sides of the proposed terraces/balconies. It is suggested that the incorporation of these features can be secured by condition.
- 44 Outlook - The proposed north façade above the ground level retail is a slender three storey form with its elevation set back from the northern boundary by approximately three metres, such that the outlook from the windows of the adjoining development on the UAL site to the east and any future development that may come forward to the north are not materially affected.
- 45 Noise - A convenience store is proposed at ground level with plant equipment in acoustic housing to the rear of the northern façade. The land to the rear of the site is occupied by a self-storage company with Camberwell College of Arts to the east and residential to the west of the site. The council's environmental protection team assessed the application and raised no concerns and recommended approval subject to conditions.
- 46 UAL have raised concerns that plant equipment will impact on amenity of nearby occupiers. The level of plant noise generated can be addressed by use of a performance condition to ensure that there is no unacceptable disturbance to the neighbouring sites.

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

- 47 There will be no conflict of use detrimental to amenity such that neighbouring uses cannot co-exist with this development.

Quality of accommodation

- 48 The development is for the demolition of the existing petrol filling station and redevelopment to provide a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with three storeys of residential accommodation above, providing nine residential units. The proposal complies with the requirements as set out in the Residential Design Standards SPD 2011 in regards to the recommended minimum room sizes.
- 49 The overall density for the site is considered acceptable at 578 hrph, which is within the range of 200 -700hrph for the urban zone.
- 50 The Residential Design Standards SPD (2011) suggests that developments should provide a minimum of 50m² communal amenity space. The proposal would provide approximately 73m² communal space and the following private amenity space in the form of balconies for this development:
- Size of balconies: 101&102 – 12m², 103 20m², 201&202 6.5m², 203 6.7m², 301&302 9.8m², 303 10.8m².
- 51 As such the levels of private and communal space are considered to satisfy the relevant SPD guidance.
- 52 In addition there is access to the communal amenity space of the central entrance court. The central court will be predominantly hard paved but will also have planters to provide some soft landscaping. Each balcony/terrace will be hard paved and have views over the mature landscape and tree lined Peckham Road, particularly to the south and west and the landscaped area around East House. Additional planters will be incorporated into the large roof terrace at first floor level of the building. Also some additional trees are proposed to be planted along the site's road frontage.

Transport issues

- 53 Saved policy 5.2 of the Southwark plan seeks to ensure that developments do not result in adverse highway conditions. Policy 5.3 requires developments to cater for the needs of pedestrians and cyclists, and 5.6 establishes maximum parking standards.
- 54 The PTAL rating for this site is 4 (good) which reflects the location on a major bus route.
- 55 No off-street car-parking would be provided to serve the flats given the site constraints; however, one parking space would be provided close to the shop entrance for disabled customers.
- 56 The proposal will provide three 'Sheffield type' cycle stands providing secure parking for up to six cycles for visitors of the retail ground floor unit. Secure cycle parking for ten cycles will be provided for the residents of the apartments and secure parking for up to eight cycles for staff will provided at the rear of the store.
- 57 It is not considered that there will be an adverse impact in terms of traffic generation or parking. The applicant has not indicated the siting and the details of the proposed residents' cycle parking facilities; however, it is considered that these matters could be

dealt with by an appropriate condition.

- 58 A concern has been raised that it is not clear how 'drive by' parking will be managed, bearing in mind the loss of three existing customer parking bays, and that on-site servicing may not be able to take place if the disabled parking bay is occupied. Furthermore concerns were raised regarding uncontrolled parking in the access road allowing access to the site at the rear of 45-65 Peckham Road.
- 59 Transport for London (TfL) has been consulted in regards to the proposal and the objections raised by neighbours. TfL supports the proposal; however recommend that the concerns raised should be dealt with by appropriate conditions such as a car parking management plan and delivery and servicing plan prior to occupation of the site.
- 60 As a result of the concerns raised the applicant responded that the operator of the new convenience store would be responsible to ensure that the right of way to the storage yard to the north is maintained and advisory signage can be installed to discourage parking by customers. Furthermore it is proposed that the disabled space be coned off during the delivery slot between 07:00 and 08:30 to allow access for delivery vehicles.
- 61 The transport officer commented on the concerns raised by UAL and London storage in regards to highway safety, servicing of the site and on-site parking.

62 Transport impact of development

- The forecourt area should be designed in a manner to aid pedestrian movement and safety. While providing a shared use loading bay and disabled space. This will also address the concerns UOA had regarding convoluted service vehicle movements in association with the in/out access.
- With the exception of service/refuse vehicles, vehicular movement associated with the proposed development will be minimal.
- The suggested forecourt design will also minimise vehicle traffic by reducing the attraction of the site for short stay parking associated with the retail use.
- A car parking management plan should be associated to enforce the "car free" nature of the development. Greater detail is provided within the car parking section of these comments.

63 Car parking

- No residential or general use car parking has been provided in association with the development.
- Trip generation by the proposed development will be significantly lower than the existing filling station use.
- The development proposes nine x 1 and 2 bedroom units. These type of units are unlikely to generate a significant level of car ownership, or level of over spill parking.
- Using 2011 census car ownership data for this ward it is a very worst case estimation of three vehicles are likely to be associated with the development.
- The three associated vehicles can comfortably be accommodated on the surrounding highway network, with no impact on existing residents parking amenity.
- The applicants should provide details of the management of the site to reduce the likely hood of vehicles parking, this will keep vehicular trip generation to a minimal level, as well as keep the route clear for the development to the rear of the site, which has a permitted right of access down the western side of the site.

64 Servicing, deliveries and refuse collection

- The development has proposed an off street servicing facility. access to the servicing facility will be from Peckham Road.
- The applicants have suggested that servicing for the retail unit will equate to a worst case scenario of 4-5 vehicles per day.
- This level of service vehicle trip generation by the development can be managed so that the perceived impact will be of a minimal nature.
- Swept paths of an 11m ridged vehicle have been submitted to show a vehicle entering and exiting the site in a forward gear.
- The development is not expecting a significant level of service/ refuse trips however a service and delivery management plan should be conditioned. Given that the development will sit between student accommodation and a university, a high level of pedestrian activity is expected. the impact of service/refuse vehicles should be managed to minimise the impact on pedestrians travelling to, through or past the development.
- Bin stores are located conveniently for both the occupiers and waste contractors to access.

65 The council's transport team supports the proposal; however recommend that the concerns raised should be dealt with by appropriate conditions such as a car parking management plan and delivery and servicing plan prior to occupation of the site as set out in the comments above.

Design issues

66 Paragraph 56 of the NPPF re-affirms the importance of good design to the built environment and states: "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

67 Saved policy 3.12 - 'Quality in Design' of The Southwark Plan 2007 (July) seeks to ensure that a high standard of architecture and design are achieved in order to create high amenity environments. Saved policy 3.13 requires that the principles of good urban design are considered, in terms of context, height, scale, massing, layout, streetscape, landscaping and inclusive design and saved policy 4.2 requires that residential development achieve good quality living conditions within the development. Paragraph 61 of the NPPF states that: "planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

68 The proposal is located on an important street frontage on Peckham Road and is flanked to the east by the modernist designed six-storey high Camberwell College of Art and to the west by the diminutive Grade II Listed East House. The proposed design is a simple rectangle form. It aligns its frontage with the college which is slightly set-back from the listed building and rises to four storeys. On the ground floor the proposal includes a retail store whose entrance and shop front face Peckham Road. The residential element provided over three storeys above the retail store, creating a 4 storey building.

69 The flats are designed to be dual aspect with secondary rooms overlooking the courtyard. The open-sided courtyard has a glazed roof protecting the court and stairs from the elements, whilst maintaining natural ventilation to the secondary rooms.

70 Saved Policy 3.13 'Urban design' requires that principles of good urban design must be taken into account in all developments. The height, scale and massing of buildings

should be appropriate to the local context and should not dominate its surroundings inappropriately. The urban structure of a proposal should also have regard to the existing urban grain, development patterns and density in the layout of development sites.

- 71 In this location, any proposal should reinforce the street frontage - creating positive active edges to the street to replace the gap left behind by the petrol station - and respond to the significant scale and height differences of its two immediate neighbours. The street is highly articulated and each building contributes to that interest by respecting the established building line and retaining the palette of materials which is masonry. The proposal responds to this variety, settling on a scale that fits within the context of the site, and relates appropriately to the existing architectural style. The proposal would gently step up from the lower scaled listed building and stops short of the substantial scale of the college and will not appear out of scale in relation to surrounding buildings. As such, the proposal is considered appropriately designed.

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

- 72 Saved Policy 3.16 of the Southwark Plan 'Conservation areas' states that within conservation areas, development should preserve or enhance the character and appearance of the area. New development, including alterations and extensions to existing buildings should respect the context of the conservation area and not introduce design details or features that are out of character with the area.
- 73 Saved Policy 3.18 protects the setting of our heritage assets and states: "Permission will not be granted for developments that would not preserve or enhance (among other things):
- i. The immediate or wider setting of a listed building; or
 - ii. An important view(s) of a listed building; or
 - iii. The setting of the conservation area.
- 74 Strategic Policy 12 – 'Design and conservation' of Core Strategy 2011 requires that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. We will do this by expecting development to conserve or enhance the significance of Southwark's heritage assets, their settings and wider historic environment, including conservation areas, archaeological priority zones and sites, listed and locally listed buildings, registered parks and gardens, world heritage sites and scheduled monuments.
- 75 Paragraph 129 of the NPPF states that: local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. The Sceaux Gardens conservation area has a primary frontage onto Peckham Road and is reinforced by with high quality civic buildings of the type that flank this proposal. By reinforcing this important frontage and reflecting the palette of materials this proposal compliments this and preserves the character and appearance of the conservation area.
- 76 The significance of the listed building lies in its form as a detached property set in the street scene. The proposal is set back from the listed building, both to the front and at the flank where, in addition, it is separated from the listed building by an access

roadway. It retains the open setting of the listed building and views of it from the east and west approach along Peckham Road.

- 77 Paragraph 134 of the NPPF states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This proposal is entirely consistent with this aspect of the national policy and guidance. It will compliment this historic setting, improving the environment significantly and securing an optimal use on this site and in this setting.
- 78 Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 79 It is considered that the proposed development would enhance the character and appearance of the Sceaux Gardens conservation area and the nearby Grade II Listed Building namely; East House.
- 80 The development is therefore considered acceptable in terms of design, scale, massing and materials.

Impact on trees

- 81 No impact is envisaged.

Planning obligations (S.106 undertaking or agreement)

- 82 No planning obligations or S106 agreements are required as part of this application.

Sustainable development implications

- 83 Strategic policy 13 requires new residential developments to achieve Code for Sustainable Homes Level 4. It is considered that the proposed flats would achieve this level and a condition to secure this requirement is recommended.

Other matters

Community Infrastructure Levy (CIL)

- 84 Section 143 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.
- 85 The proposed development would create 795.3m² of new floor space therefore a CIL payment of £29,466 is due (795.3 x £35).

Pre-application advice

- 86 The application entered into pre-application discussion with officers in September 2011. The officer concluded that:
- A retail impact assessment is required in order to establish whether a retail use would be acceptable on this site.
 - The existing building is of no particular merit in design terms on account of its

use as a petrol filling station, but as the site is in a sensitive location, within a conservation area and close to listed buildings, a high quality building would be required.

- Arguably the proposal represents an underdevelopment of the site and it may well be that a more substantial building would be appropriate, constructed of materials found within the local area, and being of an appropriate massing and design that would preserve or enhance the street scene and conservation area.
- There are concerns regarding the provision of 7 parking spaces at the front, both in terms of pedestrian safety and the fact that this would represent an over-provision when assessed against the Southwark Plan maximum standards.

The full pre-application advice is provided at Appendix 3.

Amendments negotiated (Submitted application 13/AP/3439)

- 87 The applicant submitted an application on 14/10/2013 for the demolition of the existing petrol filling station and redevelopment to provide a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with three storeys of residential accommodation above, providing nine residential units. Concerns raised at pre-application stage were addressed as follows:
- 88
- Retail impact assessment provided in paragraphs 23 to 34 in the body of this report.
 - A mixed use scheme involving three floors of residential above the retail unit was proposed, which was considered to better handle the change in scale between the six-seven storey UAL building and the 3/4 storey East House. The massing, elevational design and materials were negotiated to deliver a scheme which would reference the palette of materials in the area and would serve to preserve and enhance the Sceaux Gardens conservation area as well as the setting of the nearby Grade II listed building, namely East House see paragraphs 66 to 76 in the body of this report.
 - The scheme increased from a new single-storey building containing 346m² of retail floor space to a four storey building with 362m² retail floor space.
 - Parking revised from seven parking spaces at the front to one disabled bay to the front.

Conclusion on planning issues

- 90 The proposed development in terms of design, scale, massing and materials would be suitable for this development within the Sceaux Gardens conservation area. In addition, the proposal will not affect the setting of the listed building which is in close proximity to the application site. The development will have no significant adverse impacts on the amenity of any adjoining occupiers or the surrounding area and will provide high quality accommodation and is acceptable in land use terms.
- 91 The scheme complies with the relevant saved policies of the Southwark Plan 2007 (July), The Core Strategy 2011 and the NPPF 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

Community impact statement

- 92 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. No adverse impact on any group with the above protected characteristics is envisaged.

Consultations

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

Consultation replies

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

95 Summary of consultation responses

All comments received in response to the proposed development have been summarised and addressed below.

Environment Agency

- 96 No objections subject to standard conditions to address flood risk, land contamination, pilings and foundations.
Response: - The relevant conditions are included in the draft recommendation.

Summary of objections received from University of Arts and London Storage

- 97 The University of Arts object to this application for the following reasons:

- That the proposal by reason of its height (four storeys) and extending beyond the rear elevation (9.8m) of the neighbouring site (University of Arts) would result in the loss of sunlight and daylight - *Response: This has been assessed in the body of this report see paragraphs 38 to 41.*
- That the access route to the site is inadequate and during deliveries the disabled parking bay would impede safe access to the site. Furthermore that the proposed retail unit would have a negative impact on highway safety - *Response: This has been assessed in the body of this report see paragraphs 53 to 65.*
- That the plant to the rear of the site may result in noise and impact on amenity of neighbours - *Response: This has been assessed in the body of this report see paragraphs 45 to 46.*
- That the balconies proposed may result in the loss of privacy - *Response: This has been assessed in the body of this report see paragraphs 42 to 43.*

- 98 London Storage object to this application for the following reasons:

- Residential windows in the rear elevation overlook this commercial site - *Response: As this is a commercial site, it is not considered that loss of privacy would occur as there are no habitable rooms which would be overlooked. Furthermore the impact of this proposed development on any future development was carefully considered. The design of the scheme has evolved to minimise any potential impact upon its neighbours both in terms of unacceptable overlooking or any effect on the redevelopment potential of the land to the rear. For this reason secondary windows in the north elevation will be glazed with obscured glass.*
- The proposed roof terraces will overlook this commercial site - *Response: As this is a commercial site, it is not considered that loss of privacy would occur as*

there are no habitable rooms which would be overlooked. Furthermore the impact of this proposed development on any future development was carefully considered.

- Access route to the commercial unit to the rear would be impacted by the proposal - *Response: This has been assessed in the body of this report see paragraphs 53 to 65.*
- It is not clear how the development will deal with refuse storage - *Response: This will be dealt with by condition*
- That the plant to the rear of the site may result in noise and impact on amenity of neighbours - *Response: This has been assessed in the body of this report see paragraphs 45 to 46.*

Human rights implications

- 99 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.
- 100 This application has the legitimate aim of providing A1 retail floor space and nine 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 101 There was none.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2282-37 Application file: 13/AP/3439 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 5451 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Pre-application advice
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Neil Loubser, Planning Officer	
Version	Final	
Dated	15 April 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	16 April 2014	

Consultation undertaken

Site notice date: 05/11/2013

Press notice date: 24/10/2013

Case officer site visit date: 05/11/2013

Neighbour consultation letters sent: 05/11/2013

Internal services consulted:

Design and Conservation Team
Transport Team
Environmental Protection Team

Statutory and non-statutory organisations consulted:

The Camberwell Society
Environment Agency
English Heritage
Transport for London

Neighbours and local groups consulted:

204 Camberwell Grove London SE5 8RJ
42 PECKHAM ROAD LONDON SE5 8PX
72 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
FLAT 1 WELTON COURT 2A CROFTON ROAD LONDON SE5 8NB
FLAT 3 WELTON COURT 2A CROFTON ROAD LONDON SE5 8NB
FLAT 2 WELTON COURT 2A CROFTON ROAD LONDON SE5 8NB
68 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
67 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
69 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
71 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
70 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
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53 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
55 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
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48 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
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FLAT 5 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 4 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 6 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 8 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 7 36-38 PECKHAM ROAD LONDON SE5 8GB
44 PECKHAM ROAD LONDON SE5 8PX
FLAT 1 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 3 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 2 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 9 36-38 PECKHAM ROAD LONDON SE5 8GB
FIRST FLOOR AND SECOND FLOOR FLAT 46 PECKHAM ROAD LONDON
SE5 8PX
40A PECKHAM ROAD LONDON SE5 8PX
41 PECKHAM ROAD LONDON SE5 8UH
FLAT 11 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 10 36-38 PECKHAM ROAD LONDON SE5 8GB
FLAT 12 36-38 PECKHAM ROAD LONDON SE5 8GB
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45 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
ROOM 13 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 12 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 14 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 16 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 15 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 8 EAST HOUSE 35 PECKHAM ROAD LONDON SE5 8PX
ROOM 7 EAST HOUSE 35 PECKHAM ROAD LONDON SE5 8PX
ROOM 9 EAST HOUSE 35 PECKHAM ROAD LONDON SE5 8PX
ROOM 11 EAST HOUSE 35 PECKHAM ROAD LONDON SE5 8PX
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ROOM 17 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 24 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 23 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 25 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
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ROOM 19 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 18 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
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ROOM 22 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
ROOM 21 CENTRAL HOUSE ANNEX 33B PECKHAM ROAD LONDON SE5 8PX
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37 MISTRAL SCEAUX GARDENS LONDON SE5 7DS
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2 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
19 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
12 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
11 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
13 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
15 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
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27 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
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24 MISTRAL SCEAUX GARDENS LONDON SE5 7DR
By Email XXXX
c/o University of the Arts London Old Church Court, Claylands Road Oval London
SW8 1NZ

Re-consultation:

N/A

Consultation responses received

Internal services

Design and Conservation Team: No objections. Comments included in the body of this report

Transport Team: No objections

Environmental Protection Team: No objections; however recommend conditions

Statutory and non-statutory organisations

Transport for London: No objections; however recommend conditions

Transport for London states that the fact that the development is car free is supported. However there is some concern about the delivery and parking management for the retail store.

Servicing off the A202 is supported, however it is not clear how 'drive by' parking will be managed, bearing in mind there is a loss of three customer parking spaces but a doubling of retail floor area from the existing arrangements. It also noted that on-site servicing may not be able to take place if the disabled parking space is occupied.

Additionally, concerns were raised by the consultees who have an interest in the side access road regarding uncontrolled parking in the access road (that apparently already occurs), in response to planning application reference 12/AP/1760 for the same property. This application retained three customer parking spaces.

Therefore it is requested that a car parking management plan and delivery and servicing plan must be submitted to and approved by Southwark in consultation with TfL, prior to occupation and as a condition of any planning approval.

Any changes to the existing vehicle access points to the site with the A202 Peckham Road will require a s278 agreement with TfL as highway authority. Materials must be in line with TfL Streetscape Guidance.

The Camberwell Society: No particular objection.

This 3 storey development generates a transition between the imposing Camberwell Art School and the typical Georgian houses along Peckham Road. The modern design proposes balconies onto Peckham road which seems quite inappropriate and very poor communal green areas at rear. One way of making this building a little special is the detailing of the windows and brickwork. We would recommended these details to be requested as a condition since there are some strong old & modern designs on that road that should inspire the architects.

Environment Agency: No objections subject to conditions

Neighbours and local groups

The University of Arts object to this application for the following reasons:

- That the proposal by reason of its height (four storeys) and extending beyond the rear elevation (9.8m) of the neighbouring site (University of Arts) would result in the loss of sunlight and daylight - *This has been assessed in the body of this report see paragraphs 37 to 40.*

- That the access route to the site is inadequate and during deliveries the disabled parking bay would impede safe access to the site. Furthermore that the proposed retail unit would have a negative impact on highway safety - *This has been assessed in the body of this report see paragraphs 50 to 57.*
- That the plant to the rear of the site may result in noise and impact on amenity of neighbours - *This has been assessed in the body of this report see paragraphs 47 to 48.*
- That the balconies proposed may result in the loss of privacy - *This has been assessed in the body of this report see paragraphs 41 to 42.*

London Storage object to this application for the following reasons:

- Residential windows in the rear elevation overlook this commercial site - *As this is a commercial site, it is not considered that loss of privacy would occur as there are no habitable rooms which would be overlooked. Furthermore the impact of this proposed development on any future development was carefully considered. The design of the scheme has evolved to minimise any potential impact upon its neighbours both in terms of unacceptable overlooking or any effect on the redevelopment potential of the land to the rear. For this reason secondary windows in the north elevation will be glazed with obscured glass.*
- The proposed roof terraces will overlook this commercial site - *As this is a commercial site, it is not considered that loss of privacy would occur as there are no habitable rooms which would be overlooked. Furthermore the impact of this proposed development on any future development was carefully considered.*
- Access route to the commercial unit to the rear would be impacted by the proposal - *This has been assessed in the body of this report see paragraphs 50 to 57.*
- It is not clear how the development will deal with refuse storage - *This will be dealt with by condition*
- That the plant to the rear of the site may result in noise and impact on amenity of neighbours - *This has been assessed in the body of this report see paragraphs 47 to 48.*

Pre-application advice**Regeneration and neighbourhoods**

Planning & transport

Development management (5th floor - Hub 2)

PO Box 64529

LONDON SE1P 5LX

Mr. JONES
 RAPLEYS LLP
 9TH FLOOR, CLIFTON HEIGHTS
 CLIFTON, BRISTOL
 BS8 1EJ

Your Ref: ELJ/615/SE5/27/2**Our Ref:** 11-EQ-0175**Contact:** Victoria Lewis**Telephone:** 020 7525 5410**E-Mail:**

planning.applications@southwark.gov.

uk

Web Site: <http://www.southwark.gov.uk>**Date:** 11/01/2012

Dear MR. ELLIOT JONES

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: PECKHAM SERVICE STATION 41 PECKHAM ROAD, LONDON, SE5 8UH
Proposal: Proposed redevelopment of existing Petrol filling station and ancillary retail facilities to local convenience retail store increasing the retail floor space from 185SQM(Gross) to 346SQM(Gross)

I write further to your pre-application enquiry received on 27th September 2011 regarding the redevelopment of the above site, as detailed in your covering letter dated 13th September 2011, planning policy justification and design and access statement, photograph of site, site location plan, plan number 110648-01 and generic elevations. It is noted that there appears to be an error on the drawings as the proposed floor plan and elevations do not appear to correlate, or perhaps the elevations have been labelled incorrectly. I can confirm that I visited the site on 8th November 2011; please accept my apologies for the delay in providing you with a written response.

Site description

The site is located on the northern side of Peckham Road and is currently in use as a petrol filling station, comprising 4 fuel dispensers covered by a canopy, and ancillary retail facility operated by Spa. The retail premises measures 185sqm and is located within a single-storey building. There are warehousing units to the north (rear) of the site which are accessed via a right of way along the western part of the site, Camberwell College of Arts adjoins the site to the east, a residential block (Welton Court) to the south-east and a small parade comprising a convenience store, a vacant retail unit, a cafe and a takeaway are to the south-west; East House - a listed building - is to the west of the site.

The site is subject to the following designations on the Proposals Map (2011):

- Air quality management area;

- Urban density zone;
- Sceaux Gardens Conservation Area.

Recent Planning History

08-AP-2039 - Installation of one automated teller machine (ATM) to front elevation of sales building. Planning permission was GRANTED on 27th October 2008.

07-AP-1314 - New ATM housed within bastion pod positioned/installed bedside Total Petrol Station in place of existing storage containers. Planning permission was GRANTED on 2nd August 2007.

Planning history of adjoining sites

None relevant.

The proposal

The proposal is to redevelop the site to provide a local convenience store which would involve demolition of the existing building on the site and associated canopy and petrol pumps, and erection of a new single-storey building containing 346sqm of retail floor space; the proposed new building would extend further southwards than the existing building on the site.

Seven parking spaces would be provided to the front of the site, accessed by an existing access on the western part of the site and exited from the eastern side.

Key issues

- Principle;
- Amenity;
- Transport;
- Design and impact upon the character and appearance of the Sceaux Gardens Conservation Area;
- Sustainability.

Principle

There are no policies in the saved Southwark Plan or the Core Strategy which seek to protect sui generis uses therefore there are no policy concerns regarding loss of the existing petrol filling station on the site.

Policy 3 of the Core Strategy seeks to protect small scale retail facilities outside town and local centres. Saved policy 1.8 of the Southwark Plan provides further guidance, permitting retail development outside town and local centres if the need can be demonstrated and there are no suitable sites within the town centre.

The site is located outside of a town or local centre therefore saved policy 1.8 of the Southwark Plan requires a sequential test to be undertaken to establish whether existing retail centres would be adversely affected. It is noted that there is already a retail use on the site, but your proposals would involve increasing this, and it could be argued that the existing retail on the site is ancillary to fuel sales. In forming this view, officers have had regard to PPS4 'Planning for sustainable economic growth', and in particular policies EC15 and EC16.1 of PPS4. As this is a not insignificant retail proposal outside of a town centre location there is a general presumption against such proposals in land use terms.

Amenity

Saved policy 3.2 of the Southwark Plan seeks to ensure that developments achieve an acceptable standard of amenity for existing and future occupiers. Policy 3.11 'Efficient use of land' requires all developments to maximise the efficient use of land, whilst ensuring (inter-alia) that the proposal does not unreasonably compromise the development potential of, or legitimate activities on, neighbouring sites.

From the details submitted it appears that the height and massing of the proposed building would be broadly similar to the existing building on the site therefore no adverse impacts on amenity are anticipated in terms of light, outlook or privacy, and the loss of the petrol filling station could reduce traffic noise experienced by neighbouring properties. Access to the warehouse units at the rear of the site would be maintained, and no adverse impacts are anticipated on Camberwell College of Arts.

Transport

The site has a public transport accessibility level (PTAL) of 3 (medium). Strategic policy 2 of the Core Strategy seeks to encourage sustainable modes of transport and saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions.

It is proposed to provide 7 customer parking spaces towards the front of the site, and pedestrian and vehicular access would be as existing. The vehicular right of way to the warehouse units at the rear of the site would be maintained.

Saved policy 5.6 of the Southwark Plan establishes maximum parking standards and the parking standard for retail uses is one space per 1,000sqm gross floor space, therefore the proposal would represent an over-provision of parking when assessed against the maximum standard.

With regard to the layout of the proposed parking spaces and their impact on vehicular and pedestrian safety, there are concerns that parking space 7 would block pedestrian access into the store. Moreover, there is a safety concern in that vehicles using this space may reverse directly into the path of pedestrians. It would therefore be preferable if there were a continuation of the footpath from the eastern access along the boundary wall to the entrance to the shop, which should be wide enough to accommodate wheelchair users. This may result in the need to alter the vehicle crossover to allow for a continual footway, in which case you are advised to contact the Council's Highways Team (0207 525 2063). However, there are concerns that the proposed over provision of parking spaces would be contrary to saved policy 5.6 of the Southwark Plan.

In accordance with saved policy 5.3 of the Southwark Plan 'Walking and cycling' a minimum of two cycle parking spaces are required and should be shown on the drawings. These should be convenient, weatherproof and secure.

Design and impact upon the character and appearance of the Sceaux Gardens Conservation Area

Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design; saved policy 3.16 requires developments to preserve or enhance the character or appearance of conservation areas. Strategic policy 12 of the Core Strategy 'Design and conservation' requires development to achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Also, it expects development to preserve or enhance Southwark's historic environment, including conservation areas, archaeological priority zones and sites, listed and locally listed buildings, registered parks and gardens and scheduled monuments.

The height, scale and massing of buildings should be appropriate to the local context and should not dominate their surroundings inappropriately. The urban structure, space and movement of a proposal should have regard to the existing urban grain, development patterns and density in the layout of development sites. The site is located in the Sceaux Gardens Conservation Area, the character and appearance of which must be preserved or enhanced, and the existing building is not considered to be of any particular merit. The proposed development would be located between the 1960s concrete modernist Camberwell College of Art and the grade II listed Georgian Villas of East House, Central House and West House. Peckham Road is a street with many substantial buildings including some important civic and public buildings giving the street a high status and prominent frontage, and new buildings need to take account of this.

Developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments that people will choose to live in, work in and visit. New buildings and alterations to existing buildings should embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities and where applicable, preserving or enhancing the historic environment.

The proposed building in terms of its scale and materials would appear completely out of place in this context, as does the existing building but which is at least functional in appearance owing to its use as a petrol filling station. The materials proposed for the building would be purely functional and industrial and need to be much more responsive to the materiality of the local environment, and the height, scale and massing is completely out of place in this street. The location of the building behind the car park would also be detrimental to the activity and quality of appearance of the street frontage and the indicative fascia sign appears overly large and would add to the synthetic plastic appearance of the building in this conservation area, which is otherwise dominated by brick concrete and stone. You are also advised that internally illuminated advertisement displays are unlikely to be acceptable in this conservation area location.

It is considered that there would be very little in the way of design quality or interest in the proposed building. If this site is redeveloped it should be with a more substantial building, preferably in some form of masonry such as brick. As it stands, it is considered that the proposal would be detrimental to the setting of a listed building and out of character with the appearance of the conservation area.

Sustainability

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

In accordance with Strategic policy 13, the development would be expected to achieve BREEAM 'excellent' and a pre-assessment indicator should be submitted with any forthcoming planning application.

Conclusion

A retail impact assessment is required in order to establish whether a retail use would be acceptable on this site. The existing building is of no particular merit in design terms on account of its use as a petrol filling station, but as the site is in a sensitive location, within a conservation area and close to listed buildings, a high quality building would be required. Arguably the proposal represents an underdevelopment of the site and it may well be that a more substantial building would be appropriate, constructed of materials found within the local area, and being of an appropriate massing and design that would preserve or enhance the

street scene and conservation area. There are concerns regarding the provision of 7 parking spaces at the front, both in terms of pedestrian safety and the fact that this would represent an over-provision when assessed against the Southwark Plan maximum standards. For these reasons it is unlikely that officers would be able to support the proposal in its current form.

You have requested a list of documents that would need to accompany any forthcoming planning application, and I can advise that the following would be required:

- Full set of floor plans, elevation (including street scene or context elevations) and a site location plan;
- A design and access statement;
- A heritage statement;
- Retail impact assessment;
- Details of how the development would be serviced;
- A BREEAM pre-assessment indicator (target 'excellent).

I hope that this is of assistance. Please note that the above advice is the informal opinion of an officer of the Council and is without prejudice to further consideration of this matter by the Development Management Section or to the Council's final decision at application stage when statutory consultation will have been undertaken.

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	Rontec Service Stations 1A Ltd	Reg. Number	13/AP/3439
Application Type	Full Planning Permission	Case Number	TP/2282-37
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of the existing petrol filling station and redevelopment to provide a four storey mixed use building, comprising a new convenience sales building (Class A1) with ATM at ground floor level with 3 storeys of residential accommodation above, providing 9 residential units.

At: 37-41 PECKHAM ROAD, LONDON, SE5 8UH

In accordance with application received on 14/10/2013 12:04:32

and Applicant's Drawing Nos. Design and Access Statement; Transport Statement; Planning Noise Assessment; Air Quality Assessment; Sustainability Statement; Phase 1 Environmental Assessment; 615/SE5/27/2_1 (Site Location Plan) 110648_PL1 (Existing site plan); 110648_PL2 (Existing site elevations) 888-PL-01 (Proposed site layout); 888-PL-02 (Proposed floor plans); 888-PL-03 (Elevations sheet 1); 888-PL-04A (Elevations Sheet 2)

Subject to the following twenty-two conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 888-PL-01 (Proposed site layout); 888-PL-02 (Proposed floor plans); 888-PL-03 (Elevations sheet 1); 888-PL-04A (Elevations Sheet 2)

Reason:

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

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

Reason

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the Local Planning Authority:

1) a site investigation scheme, based on the submitted phase one environmental assessment report by SLR Consulting (dated July 2013 with reference 412.03953.00002.006), to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site;

2) the results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

3) a verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall

be implemented as approved.

Reason

For the protection of Controlled Waters. The site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination from the petrol filling station.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 4 Prior to the commencement of above grade works and notwithstanding the materials as detailed on the approved drawings and Design and Access Statement, brick samples shall be submitted to and approved in writing by the Local Planning Authority. Additionally, material samples / sample-boards of all external facing materials, including the following shall be submitted:

i) 1m x 1m sample panel of each brickwork type, with mortar and pointing

ii) sample panel of the proposed metal panels

to be used in the carrying out of the development, shall be submitted to the Council or made available on site for inspection, and details submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the quality of the design and details is in accordance with the National Planning Policy Framework 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

- 5 Before any work hereby authorised begins, the owner/developer shall procure at their own cost the services of a suitably qualified and competent consultant in the relevant field, and a Contaminated Land Assessment and associated remediation strategy, together with a timetable of works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given, which shall include:

a) Submission of a detailed site investigation in accordance with the approved methodology to establish the possible or actual presence of contamination and/or pollution in, on, under or over the site, to assess the nature and extent of the contamination or pollution including the actual or potential pollution of the ground and surface water environment. The method and extent of the site investigation shall be in accordance with established code of practice and should be agreed with the Local Planning Authority (Environmental Protection) before commencement of the investigation;

b) Submission of a comprehensive report containing the detailed findings of the investigation carried out together with a risk assessment of any pollutant or hazard identified in the report (using the source, pathway and receptor principle), a remediation scheme setting out the measures necessary to remove, neutralise or otherwise deal with the contamination and/or pollution (including measures to prevent and monitor pollution of ground water and surface water) so that the site may be used for the purposes for which it is being redeveloped. The remediation scheme shall be implemented at the owner/developer's cost in compliance with the reasonable conditions, stipulations, phasing timetable and other relevant matters subject to which such approval is granted.

At any time after the implementation of the approved remediation scheme, if the Local Planning Authority is reasonably satisfied that further remediation works are necessary to remove, neutralise or otherwise deal with any residual contamination and/or pollution in, on, under or over the site, the Local Planning Authority may by written notice require the owner/developer to carry out the remediation steps specified in the said notice which shall also specify the date by which the said remediation steps shall be carried out and completed. The failure on the part of the owner/developer to carry out and complete the said remediation steps to the reasonable satisfaction of the Local Planning Authority by the date specified in the said notice shall be deemed to be a breach of the owner's/developer's obligation under this consent. This does not affect any action that may be deemed necessary under Part II A of the Environmental Protection Act 1990 or other relevant legislation.

c) Submission of (following completion of remediation work) a detailed consultant validation report confirming that all reasonable skill, care and due diligence has been taken in the carrying out of the investigation, compiling the report, findings and remediation scheme, and ensuring the scheme has been properly implemented (see CLR11 for guidance). Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.

Once the validation report at c) is submitted to and approved in writing by the Local Planning Authority the condition will be fully discharged.

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 Policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of The Southwark Plan 2007 and PPS23 Planning and Pollution Control.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason

There is always the potential for unexpected contamination to be identified during groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

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

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 National Planning Policy Framework 2012; Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

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

Reason

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

- 9 Before the first occupation of the building the cycle storage facilities as shown on drawing 888-PL-01 shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 10 Prior to occupation of the unit/s hereby approved, one disabled parking space available for commercial occupants, as shown on the drawing referenced 888-PL-01 hereby approved, shall be made available, and retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason

To ensure that the parking spaces for disabled people are provided and retained in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

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

Bedrooms - 30dB LAeq, T** and 45dB LAFmax
 Living rooms- 30dB LAeq, T**

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

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

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 12 The habitable rooms within the development sharing a party wall/ceiling/floor shall be designed and constructed to provide resistance to the transmission of sound sufficient to ensure that the party wall is constructed to meet a minimum of 5dB improvement compared with the Building Regulations standard set out in Approved Document E. The scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012

- 13 The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20, Leq, 5min is not exceeded within the residential premises due to noise from the commercial premises is not exceeded. The scheme required to meet this standard shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 14 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

- 15 Before the first occupation of the building details of the arrangements for the storing of commercial 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 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 The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 16 Drawings for privacy screens proposed to balconies and terraces shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of overlooking in accordance with National Planning Policy Framework 2012; Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 17 The use hereby permitted for retail (Use Class A1) purposes at ground floor level shall not be carried on outside of the hours 23:00 to 07:00 on Monday to Sunday and Bank holidays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 18 Prior to the first occupation of the site, the mitigation measures described in section 6 of the Air Quality Assessment REC Report: 3359421 Issues 23 September 2013 shall be implemented and retained thereafter.

Reason:

To reduce future residents' exposure to air pollution in accordance with the National Planning Policy Framework 2012; Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

- 19 Any deliveries or collections to the commercial units shall only be between the following hours: Monday to Saturday from 08:00 to 22:00 and no collections permitted on Sundays or Bank Holidays.

Reason

To ensure that occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity of The Southwark Plan 2007.

- 20 Whilst the principles and installation of Sustainable Drainage Systems (SuDS) are to be encouraged, no infiltration of surface water drainage in to the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could ultimately cause pollution of groundwater.

- 21 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into contaminated sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 22 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled

persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

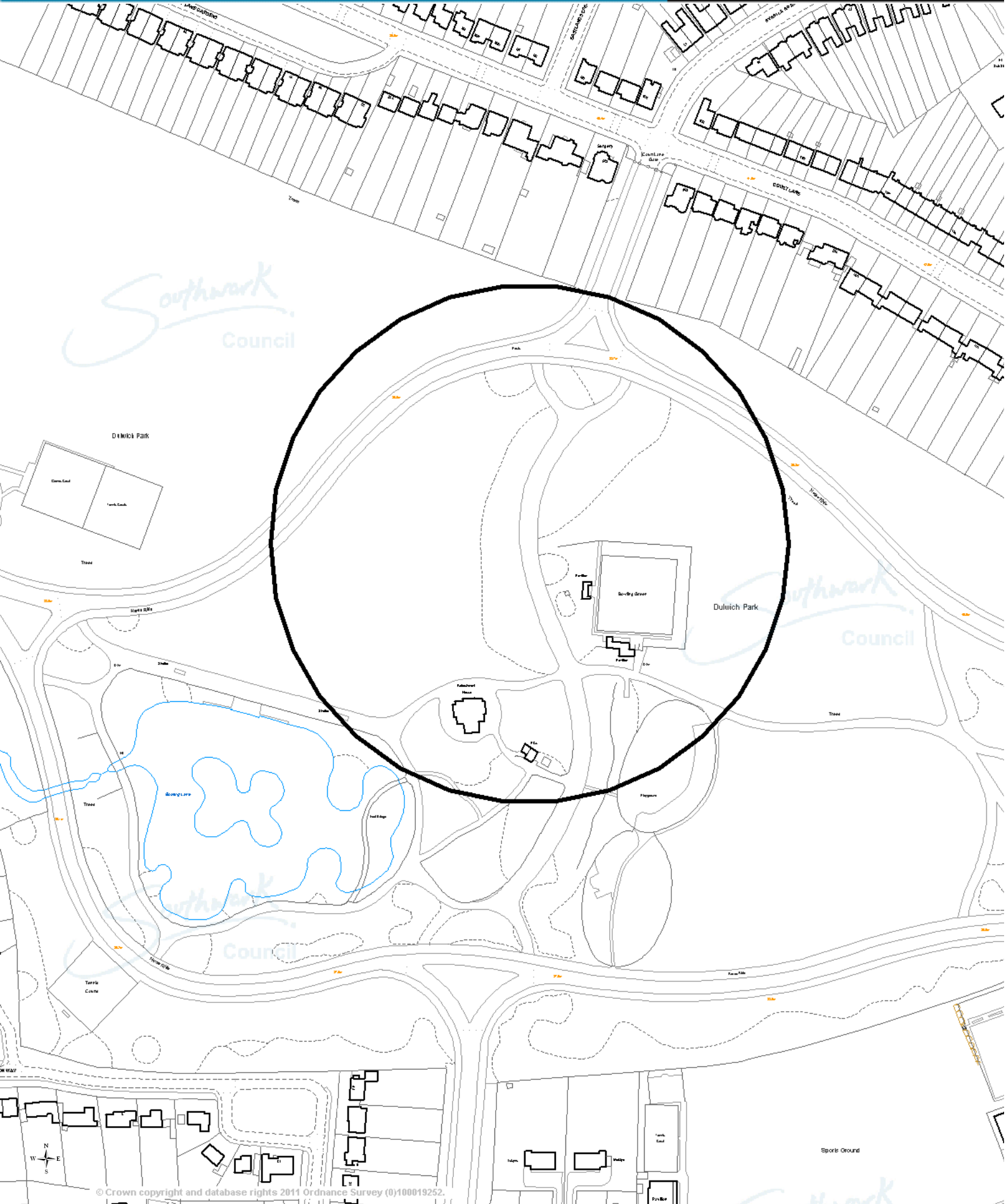
To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

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.

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Date 16/4/2014



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Item No. 7.4	Classification: OPEN	Date: 30 April 2014	Meeting Name: Planning Sub-Committee A
Report title:	<p>Development Management planning application: Council's own development Application 14/AP/0901 for: Council's Own Development - Reg. 3</p> <p>Address: DULWICH PARK, COLLEGE ROAD, LONDON SE21</p> <p>Proposal: Installation of 'Three Perpetual Chords' a series of three cast iron sculptures by artist Conrad Shawcross. The sculptures will be sequenced within the park on the West and East lawns leading visitors through the park.</p>		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 21/03/2014		Application Expiry Date 16/05/2014	
Earliest Decision Date 26/04/2014			

RECOMMENDATION

- 1
 - a) That members consider the application as it represents development on Metropolitan Open Land (MOL);
 - b) That members consider whether the proposed development meets the exception test as set out in paragraph 89 of section 9 NPPF;
 - c) In the event that the exception test is met, that members grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 Dulwich Park is a Grade II listed park. The 29 hectare area of land was transferred into public ownership in 1885 for the purpose of adapting the land for public park. The park was opened to the public soon after, based on the plans developed by JJ Sexby.
- 3 The park was refurbished in 2006 and provides a range of facilities, including sports facilities, cycle hire, various gardens, a boating lake and a cafe. There are a number of listed buildings to the west and southeast of the site, but the works are not within the setting of any of these listed buildings. The park is subject to the following designations:
 - Air Quality Management Area
 - Archaeological Priority Zone
 - Dulwich Wood conservation area
 - Metropolitan Open Land
 - Green Chain Park

- Site of Importance of Nature Conservation (SINC)
- Suburban Density Zone

Details of the proposal

- 4 The proposal details the installation of 'three perpetual chords' a series of three cast iron sculptures by artist Conrad Shawcross. Conrad is a renowned artist that builds machines with the intention of exploring the laws of science, and demonstrating the abstract nature of scientific thought in a practical manifestation and has had notable installations at the Satchi gallery in London and the Turner contemporary in Margate.
- 5 The proposed sculptures will be sequenced within the park on the West and East lawns leading visitors through the park. The sculptures will be located within the West Lawns area of the park, along the westbound part of the 'horse ride' and are located to the west of the bowling green.
- 6 The sculptures will vary in length from 2.478m to 5m however remain at a consistent height of 1.812m and they will be 2.5m to 5m in width. The material of the sculptures will be made from spheroidal graphite case iron which is durable, cost effective and has a long wear. The metal is low maintenance and does not have a high value, making it unattractive to metal thieves.

Planning history

- 7 04-CO-0127 - Planning permission was granted for the construction of a new 61m long timber boardwalk and viewing platform at the eastern end of the lake and the relocation of 4 tennis courts from the lower lawn of west lawns to the upper lawn with new surfacing, fencing and nets - 25/04/2005

04-CO-0133 - Planning permission was granted for the construction of a new boating kiosk within the boating lake, including drawbridge - 10/01/2005.

04-CO-0137 - Planning permission was granted for the conversion of existing building (used as a rangers base) to provide four changing rooms together with external alterations.

04-CO-0138 - Planning permission was granted for the construction of a single storey extension and conversion of existing cricket pavilion with changing room facilities to provide park staff and community facility - 08/02/2005

04-AP-2086 Listed building consent was granted for "conservation works for each of the four historic entrance gates, screens and stone piers" - 02/03/2005

13-AP-4547: Request for a screening opinion in relation to Dulwich Park, for the Herne Hill and Dulwich flood alleviation scheme. The screening request was undertaken on the cumulative impacts from proposals for Belair Park and the Southwark community sports trust grounds. It was judged that these proposals as a whole do not constitute an Environmental Impact Assessment (EIA) development.

13/AP/4517 - Planning permission was granted for the "construction of two linear flood defence bunds' complemented by two below ground geocellular water storage tanks to temporarily contain surface water in Dulwich Park, as part of a wider flood alleviation scheme (including works at Belair Park and the Southwark community sports trust grounds) - 25th March 2014.

14-AP-0067: Application for works to trees in a conservation area were considered not to require intervention on 24 February 2014, the works were described as:

Tree No D66 - Fraxinus excelsior; Tree No D274 - Fraxinus excelsior & Tree No D278 - Fraxinus excelsior to be felled because they are within area of flood defence works where ground levels are changing; replacement trees.

Planning history of adjoining sites

- 8 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 The main issues to be considered in respect of this application are:
- a) The principle of the development and its impact on Metropolitan Open Land.
 - b) Amenity of the park for users.
 - c) The design of the sculptures and their impact of the development on the Grade II listed Dulwich Park.
 - d) The impact of the development on the Dulwich Wood conservation area.
 - e) Environmental impacts

Planning policy

National Planning Policy Framework (NPPF)

- 10 This application should be considered against the NPPF as a whole, however the following sections are considered to be particularly relevant:
- 8 Promoting healthy communities
 - 9 Protecting Green Belt land
 - 11 Conserving and enhancing the natural environment
 - 12 Conserving and enhancing the historic environment

London Plan July 2011 consolidated with revised early minor alterations October 2013

- 11 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.17 Metropolitan open land
 Policy 7.19 Biodiversity and access to nature
 Policy 7.21 Trees and woodlands

Core Strategy 2011

- 13 Strategic Policy 11 - Open spaces and wildlife
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 14 The council's cabinet on 19 March 2013, as required by paragraphs 215 of the NPPF, considered the issue of compliance of Southwark planning policy with the NPPF. 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. The following saved policies are relevant to this application:

Saved Policy 3.1 Environmental effects
 Saved Policy 3.2 Protection of amenity
 Saved Policy 3.11 Efficient use of land
 Saved Policy 3.12 Quality in design
 Saved Policy 3.15 Conservation of the historic environment
 Saved Policy 3.16 Conservation areas
 Saved Policy 3.18 Setting of listed buildings, conservation areas and world heritage
 Saved Policy 3.25 Metropolitan open land
 Saved Policy 3.28 Biodiversity

Principle of development

- 15 The application site is situated within MOL and Paragraph 7.56 of the London Plan (consolidated with revised early minor alterations in October 2013) states that paragraphs 79-92 of section 9 NPPF on green belts apply equally to MOL. Paragraph 88 of the NPPF advises that in considering any planning application (i.e. a loss of unbuilt land), local planning authorities should ensure that substantial weight is given to any harm to the green belt. 'Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Paragraph 89 describes the exceptions for buildings and facilities within the green belt (and MOL). The sculpture is considered as an appropriate facility for outdoor recreational purposes and therefore meets the exception criteria as outlined in paragraph 89 of section 9 in the NPPF.
- 16 Policy 7.17 Metropolitan Open Land of the London Plan, as amended, states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
- 17 The iron sculptures would be relatively modest in scale at a maximum of 5m in length and 5m in width and height of 1.814m and as these designs are open, would not affect the openness of the park. They would be limited in height, will have some use to support children's play and interaction of all users within the park. It will replace the Barbara Hepworth Sculpture 'Two Forms Divided Circle' which was stolen back in 2012. The locations in which the structures will sit are not 100 per cent specific as they could be subject to change, however each sculpture will be within the circles identified on the site plans. Further details could be secured by way of a condition.
- 18 Strategic Policy 11 Open spaces and wildlife of the core strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.
- 19 Saved policy 3.25 of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes such as essential facilities for outdoor sport and recreation
 - 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 As referred to above, the proposals would provide for outdoor recreation and would preserve the openness of the park, replacing the Barbara Hepworth piece of artwork previously situated within the park. They would preserve the openness of the park and would substantially enhance the visual amenity of the park. The proposal is therefore considered to be development meeting the exception test and the principle of the development acceptable in accordance with the NPPF, London Plan 2011, Core Strategy 2011 and the saved Southwark Plan 2007.

Environmental impact assessment

- 21 Not required for an application of this nature.

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

Visual amenity

- 22 The proposed sculptures have been subject to public exhibition which allowed the public say over what would replace the stolen Hepworth sculpture within the park. The proposed sculptures will be situated within the West Lawns which consist of large open areas with few trees, used for sporting activities with football pitches and multi-use games areas and informal recreation.
- 23 The proposal consists of three separate sculptures spread over three different locations which will be located close to the Court Lane entrance to the park. They will be along the westbound part of the 'horse ride' and are located to the west of the bowling green. They will be situated away from the footpath within the lawns themselves.
- 24 They will be situated close to the paths and entrance from Court Lane and whilst large, would preserve the openness of this area as the sculptures ensure that views across the park will be unaffected within the park and thus would not be adversely affect the sight-lines within the area.
- 25 The sculptures are designed in way that their use is encouraged would provide an opportunity for enjoyment and activity within an area of the park which at present has limited visual interest. They will provide a significant level of visual interest and in the absence of the stolen Barbara Hepworth will allow for the reinstating of an important artistic piece within the park, which is greatly supported. As such it is considered that the proposed development would accord with saved policy 3.2 of the Southwark Plan and thus is supported in this regard.

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

- 26 The surrounding area will remain as an open space and the sculptures will allow for the area to be maintained as a public open space, introducing a positive design feature within the park to increase engagement with the users of the park.

Transport issues

- 27 The proposed sculpture will have no impact on traffic or transport. The sculptures will

not be located in such a way that it impedes pedestrian access through the Thames walkway and the sculptures will be fully accessible to all members of the public.

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

- 28 The proposal follows on from the recent theft of an important Barbara Hepworth sculpture which was stolen from the park. Dulwich Park is a Grade II registered park and garden and as such is considered a designated heritage asset in its own right.
- 29 Paragraph 129 of the NPPF states that: local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.
- 30 The significance of the park lies in its generous open setting, picturesque circuitous paths and broad lawned areas arranged between groups of trees and around the central duck pond. The park has a long tradition of sculpture which the original Hepworth responded to. It was discretely located within a flower bed and was essentially a piece that could be appreciated at arms length.
- 31 The current proposal is to provide a new artistic piece made up of three elements designed in the round and proposed to be located within the landscape. They have been conceived as circular wave-like shapes which will sit on the lawned areas in a sequence in the western area of the park. They are intended to be 'discovered' and appreciated as the artist claims that people will be welcome to notes that they can be climbed onto and through them.
- 32 The chosen design is the result of an artistic competition which involved local artists and local stakeholders. Whilst it is a permanent installation in this important park it is considered that the frame-like appearance of these elements located at grade and not elevated on a plinth will not affect the viewer's appreciation of the park. Indeed the inclusion of sculpture is entirely consistent with the park and a traditional feature of this park. Its impact on the park and its setting can only be described as less than substantial.
- 33 Paragraph 134 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." This proposal is consistent with the requirements of the NPPF. The substantial public benefits of the continued presence of art in and part of the landscape, provided it outweighs the harm caused to the openness or the picturesque character of this important historic landscape is welcomed. It is a elegant sensitive piece that responds well to its landscaped setting and invites the viewer to interact with it, to appreciate it and enjoy it.
- 34 Accordingly the proposal will conserve and enhance the significance and setting of this important historic landscape and comply with part 12 of the NPPF (2012), strategic policy SP12 of the Core Strategy (2011) and saved policy 3.17 of the Southwark Plan (2007).

Archaeology

- 35 The proposal is located within an archaeological priority zone and as such could have

some potential impacts in this regard. Having consulted the archaeology office, given the nature of the works involving minor excavation, no concerns are raised in this instance.

Impact on trees

- 36 The areas proposed for the three sculptures will be within an open area of grass and as such will not affect and trees or planting.

Planning obligations (S.106 undertaking or agreement)

- 37 Not required for an application of this nature.

Sustainable development implications

- 38 No expected as a result of the proposed development.

Other matters

Community Infrastructure Levy (CIL)

- 39 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. There is no additional floor space being created, therefore this application is not CIL liable.

Potential crime concerns

- 40 The sculptures are designed in such a way that views can be maintained through the structures, which will limit any potential for people to hide behind them, thus limiting the potential of people jumping out on users of the park.
- 41 In regards to the safety of the sculptures themselves, the spheroidal graphite case iron material is of a very low value, making it unattractive to metal thieves and thus would limit its attractiveness to thieves. Further, the sculptures will be dug firmly into the ground making them very difficult to remove without very heavy machinery. The insurance company who the applicants seek to insure the structure with have confirmed that they do not require any additional CCTV within the site as the low value of the scrap material would significantly reduce any chance of the sculptures being stolen.

Conclusion on planning issues

- 42 The proposal for three sculptures within Dulwich Park would maintain the openness of this important Grade II listed park as is vital for development within any MOL. They would introduce an interesting artistic piece back into the park that will result in a positive impact on the visual amenity of the park. As such, it is considered that the proposed development would accord with the relevant Southwark Plan, Core Strategy, London Plan and NPPF policies. It is recommended that planning permission is granted.

Community impact statement

- 43 In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual

orientation. Consultation with the community has been undertaken as part of the application process.

- a) The impact on local people is set out above.
- b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 46 At the time of writing, no neighbour responses had been received, however the consultation period is still running. Any responses received prior to the meeting will be included in an addendum to this report.

English Heritage responded, however did not raise any objections to the proposal.

Human rights implications

- 47 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.
- 48 This application has the legitimate aim of providing pieces of artwork to replace a previous sculpture which was stolen in 2011. 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

- 49 There are none.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2082-Z Application file: 14/AP/0901 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 5416 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	Alex Cameron, Senior Planning Officer	
Version	Final	
Dated	10 April 2014	
Key Decision	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	16 April 2014	

APPENDIX 1**Consultation undertaken**

Site notice date: 28/03/2014 - Four notices placed, one at each entrance.

Press notice date: 03/04/2014

Case officer site visit date: 28/03/2014

Neighbour consultation letters sent: No letters were sent due to the significant distance from the proposal site to the closest residential uses. Letters were sent to local groups on 27/03/2014 and these are listed below.

Internal services consulted:

Design and Conservation team.
Archaeology Officer.

Statutory and non-statutory organisations consulted:

Garden History Society
English Heritage

Neighbours and local groups consulted:

Friends of Dulwich Park - Cypress Tree House Dulwich Common London SE21
Dulwich Society - 25 Kingsthorpe Road London SE26 4PG
Dulwich Estate - The Old College Gallery Road Dulwich London SE21 7AE

Re-consultation:

N/A.

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

Design and Conservation team - See main body of the report.

Archaeology Officer. - No objections

Statutory and non-statutory organisations

Garden History Society - None received.

English Heritage - No objections.

Neighbours and local groups

None received on the date of writing, an addendum will be prepared prior to the committee meeting to take into account any late representations received.

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. Roe Southwark Council	Reg. Number	14/AP/0901
Application Type	Council's Own Development - Reg. 3	Case Number	TP/2082-Z
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:

Installation of 'Three Perpetual Chords' a series of three cast iron sculptures by artist Conrad Shawcross. The sculptures will be sequenced within the park on the West and East lawns leading visitors through the park.

At: DULWICH PARK, COLLEGE ROAD, LONDON SE21

In accordance with application received on 21/03/2014

and Applicant's Drawing Nos. Heritage Statement, Design and Access Statement, Site Location plan (1/2500), Site Location Plan (1/1250), Drg no.1327.201.

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

- 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: Heritage Statement, Design and Access Statement, Site Location plan (1/2500), Site Location Plan (1/1250), Drg no.1327.201.

Reason:

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

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 3 Before any above grade works associated the the development hereby authorised begins, details of the precise locations of the sculptures 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 The National Planning Policy Framework 2012, 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.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 4 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 that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 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

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.

The application was determined in a timely manner within the statutory eight week period.

—

Item No. 8.	Classification: Open	Date: 30 April 2014	Meeting Name: Planning Sub-Committee A
Report title:		Rye Lane Peckham and Shad Thames Conservation Area Management Plans	
Ward(s) or groups affected:		The Lane, Peckham and Riverside	
From:		Head of Development Management	

RECOMMENDATION

1. That members of the planning sub-committee note the public consultation responses and subsequent amendments made to the Rye Lane Peckham and Shad Thames area conservation management plans detailed in the report; and consider adoption of the Rye Lane Peckham and Shad Thames conservation area management plans (Appendices 1 and 2) following a period of consultation commencing in November 2013.

BACKGROUND INFORMATION

2. The Rye Lane Peckham conservation area management plan covers the entire conservation area, which is focused upon the busy commercial streets of Rye Lane and Peckham High Street. These streets reflect the characteristics of the different periods of the area's growth. The conservation area is largely characterised by a mixture of 18th century to mid 20th century buildings. The pattern of development of each is broadly characterised by different phases of the area's commercial and retail growth. Unlike neighbouring conservation areas there is no predominate architectural style or palette of materials. The character of the conservation area is attributed to the eclectic architectural styles and materials.
3. The boundary of the Shad Thames Area conservation management plan has been adjusted beyond that of the conservation area to take in the wider appreciation of the area from the main streets and has been extended beyond that purely defined by the Tower Bridge conservation area. It has been enlarged to include the northern flank of Tooley Street to the south and the buildings fronting onto Shad Thames to the east. This takes in a small part of the St Saviour's Dock conservation area to the east and encompasses the wider setting of the conservation area and follows best conservation practice rather than adhering to the strict limitations and confines of the originally designated conservation areas. The Tower Bridge conservation area lies immediately east of Tower Bridge and east of Tower Bridge Road. It is bounded by the major city routes of Tooley Street and Tower Bridge Road on the south and west sides, and by the river and St. Saviours Dock on the north and east. Part of Tooley Street, to the west of the crossroads with Tower Bridge Road is also included. The Tower Bridge conservation area is characterised by an extraordinarily tight sense of enclosure, which dramatically cuts it off from its surroundings. However, its location right on the southern bank of the Thames in the centre of the city gives it a very particular and unique situation. Tower Bridge itself provides a remarkable

approach to the conservation area, even though most of the links into it are glimpsed through the narrowest of streets.

4. On the 25 November 2013 the Peckham and Nunhead Community Council considered an IDM from the cabinet member for regeneration and corporate strategy authorising a 12 week public consultation with the: community council, local residents, local businesses and other stakeholders on the draft Rye Lane Peckham conservation management plan. The community council was asked to provide comment. On the 29 January 2014 the Bermondsey and Rotherhithe Community Council considered a comparable IDM on the draft Shad Thames management plan.
5. A management plan is usually produced following the adoption of an appraisal. An appraisal reviews a conservation area and is used to help local authorities develop a management plan. The Rye Lane Peckham and Tower Bridge conservation area appraisals assisted in identify positive and negative aspects of the conversation areas, opportunities for beneficial change and the need for additional protection and restraint. The management plans sets out the way in which development pressure and neglect will be managed to ensure the conservation area retains the qualities which led to its designation.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

6. The main issue to be considered is whether to adopt the Rye Lane Peckham and Shad Thames Conservation Management Plans.

Planning policy

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

Southwark Plan 2007 (July)

Saved Policy 3.15 Conservation of the historic environment

Saved Policy 3.16 Conservation areas

Saved Policy 3.18 Setting of listed buildings, conservation areas and World heritage sites

Saved Policy 3.19 Archaeology

London Plan 2011 consolidated with revised early minor alterations October 2013

Policy 7.9 Heritage-led regeneration

Policy 7.8 Heritage assets and archaeology

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

Consultation responses

Results of public consultation Rye Lane Peckham CMP

8. In total, three email responses were received and four feedback forms were completed at the public meeting held on the 23 January 2014, all wrote in favour of the principle of the CMP.

9. One email response asked how the council; intends to enable local residents, institutions and groups to develop and deliver public realm and heritage programmes. As part of the proposed Peckham townscape heritage initiative (THI); due to commence in summer 2014, a heritage regeneration partnership will be established, providing a link between the council, stakeholders and community groups and delivery of the scheme. The respondent also advised that they would like to get involve with the heritage programmes as a local resident. We will retain all the details of those who have expressed an interest in getting involved to contact them when the THI scheme and complimentary initiatives begin later this year. The final point raised was a suggestion that Rye Lane could benefit from the Department of Energy and Climate Change funds that have been made available. This is a source of grant funding that can be explored as part of the Peckham THI.
10. Another email response received welcomed however the Rye Lane Conservation Area Management recognised the creativity sector's contribution to Peckham's economy, reputation and cultural wellbeing. However, where they felt the CMP was not so strong was in mitigating potential threats to the creative sector and heritage assets, in relation to new building developments just outside of the conservaton area. Particularly, proposals for a 20 storey building on the Morrison's car park site and redevelopment of the Peckham car park. These proposed development outside the conservation area and the CMP boundaries and will need to comply with policies set out in the emerging Peckham and Nunhead Area Action Plan and the Core Strategy (2011).
11. The third email response welcomed the wide overall coverage of the CMP and considered that it would stimulate much need integrated working across a wide variety of topics in the town centre. They considered that the annual review was important but queried the mechanism for this. It is envisaged the THI officer will lead on the annual review with input from other council departments and the Heritage Regeneration Partnership. The respondent suggested that text on page two paragraph one required simplifying. The CMP has been amended to read the 'council is committed to working with the community including business groups, residents and voluntary groups to deliver improvements to the historic townscape and will develop a framework to involve all these stakeholders in this work.' Under User and Users Section 3 Practical Initiatives, the following re-wording was suggested 'building on existing heritage work by local groups, open to anyone to anyone living or interested in area, to explore ways of sharing knowledge about the area. The CMP has also been amended to take into account this suggested rewording. The respondent also highlights the large intrusive adverts obstructing the pavements in Rye Lane and queries whether the CMP provisions are adequate. There is legislation that the council can apply to control advertisement. The council could apply to the Secretary of State for the conservation area to become an area of Special Control of Advertisements. The council will need to demonstrate that they consider that it's historic, architectural and cultural features are so significant that a stricter degree of advertisement control is justified in order to conserve visual amenity within that area.
12. The responses completed on the feedback forms were all in favour of the CMP. One response was supportive of the five year life of the plan and proposed annual review. They requested that a Peckham Town Trail is published at some stage partly covering the conservation area and the English Heritage study conducted on the Peckham town centre in 2009. The idea of a Peckham Town Trail, is suggested under the Practical Initiatives section of the CMP and could be

explored and developed through the complimentary initiatives strand of the Peckham THI.

Results of public consultation Shad Thames CMP

13. In total, six email responses and one letter were received, all wrote in favour of the principle of the CMP.
14. One letter was received and they wrote in support. However, they expressed a concern about the impact of visitors and the new development on the area. They suggested that more engagement between residents and developers would benefit the area. An email response received urged the implementation of further restrictions on vehicle flow and parking and of people gathering outside licensed premises in such close proximity to residential properties. A second email wrote in relation with problems with commercial premises in relation to waste, noise and smoking. They also raised an issue in relations to the cobbles and the difficulty walking on them and wondered if there was an alternative surface, which maintained the character. They would also like to see more references to the areas history and displays. Surface treatment and displays were also highlighted in a third response. A number of suggestions were made in relation to amendments to the text of the CMP. For example the 'general approach' section amended to highlight the need for constructive working between the community and council. The respondent also considered that displays on the pedestrian ways added character, should not be discouraged and appropriate surface treatment could overcome any issues and traffic movement was again a concern. Finally they were of the view that developers should be encouraged to design builders that did not require scaffolding, or introduce measures to existing building to avoid the need for scaffolding for maintenance; unfortunately controls such as these would be beyond the remit of the planning department. A fourth response, whilst they supported the CMP hoped that the enhancement of the character of the area did not stifle local businesses.
15. A fifth email response suggested local 'Saturday' markets and an extension the area covered by the CMP, eastwards to include Mill Street and Dock End. The current area of the CMP has been suggested by the local residents; however alterations to the boundary would form part of the annual review of the CMP following adoption. The final respondent wrote in relation to Potters Field Park and pressures on it as a result of development within the area; however the park is outside the area currently covered by the CMP.

Conclusion on planning issues

16. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their district. There is also a requirement under Section 71 of the Act for local authorities to consult the local community on any management proposals for conservation areas within their area.
17. Paragraph 126 of the National Planning Policy Framework 2012 provides that: *'Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource*

and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- *'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.'*

The Management Plans comply with the requirements of the National Planning Policy Framework.

18. English Heritage has published guidance on conservation area appraisals, 'Understanding Place: Conservation Area Designation, Appraisal and Management 2011'. This document sets out the components for a conservation area management plan and provides a framework to ensure conservation areas retain the qualities which gave rise to their designation as a conservation area. The management plans incorporate these components and provides both a general approach and practical initiatives for the preservation and enhancement of the conservation area.

Community impact statement

19. The draft conservation management plans were consulted on in accordance with the statement of community involvement. The statement of community involvement, adopted in January 2008, sets out how and when the Council will involve the community in the alteration and development of town planning documents and applications for planning permission. Although the statement of community involvement does not require the council to consult on the designation of a conservation area, an extension to an existing one, an appraisal or management plan, the council proposes to follow a similar procedure here as a matter of good practice.
20. The consultation will sought the views of the Peckham and Nunhead and Bermondsey and Rotherhithe Community Councils, local residents, businesses and other local interest groups over the contents of the Management Plan. Notification of the consultation on the management plan and supporting documents were placed on the council's website.
21. Equalities analysis' have been prepared for both the Rye Lane Peckham and Shad Thames Management Plans.

Resource implications

22. Notifying the public of the Rye Lane Peckham and Shad Thames Conservation Management Plans has not resulted in resource implications for the staffing of the chief executive's department.

23. the cost of publishing the conservation management plans can be met within the chief executive department's revenue budget. The cover price of the document will be fixed to cover production costs.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

24. The recommendation in the report is that the planning committee adopts the two management plans relating firstly to Rye Lane Peckham and secondly to the Shad Thames conservation.
25. In respect of both management plans, there has been a period of consultation with the relevant community council, local residents, local businesses and other stakeholders to obtain their views in relation to the draft management plan. This report sets out the results of the respective public consultations.
26. Under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990, every local planning authority must determine which parts of its area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and designate those areas as conservation areas.
27. Under Section 71 of the same Act, the local planning authority must also from time to time formulate and publish proposals for the preservation and enhancement of such areas. These proposals must be submitted for public consultation in the area to which it relates and this obligation has therefore been discharged.
28. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. Para 21 of the report refers to the consideration of equality issues.
29. The Human Rights Act 1998 imposed a duty on the Council as a public authority to apply the European Convention on Human Rights; as a result the council must not act in a way which is incompatible with these rights. The most important rights for planning purposes are Article 8 (respect for home); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The Management Plans are not considered likely to conflict with human rights.
30. The decision to agree the adoption of the two management plans falls to the planning committee in accordance with para 3, Part 3F of the council's constitution.

Strategic Director, Finance and Corporate Services

31. The strategic director of finance was consulted on the proposed conservation management plans presented to the Peckham and Nunhead, and Bermondsey and Rotherhithe Community Council's and the planning committee and noted the resource implications under paragraphs 22 and 23 and recognised that the cost of publishing the plan can be met from existing planning budgets and that

production costs will be met from the proceeds of sales of the document.

Strategic Director of Environment and Leisure

32. The strategic director of environment and leisure was consulted on the proposed conservation management plans presented to the Peckham and Nunhead, and Bermondsey and Rotherhithe Community Council's and the planning committee and reported that the production of a management plan is supported since it will help ensure a consistent approach to the management and maintenance of the public realm. This is in line with the principles of the adopted Southwark streetscape design manual any recommendations within the Plan will need to be managed within existing budgets unless new external funding can be found. It is particularly important to consider robust future maintenance arrangements are put in place for any new areas of street greening.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Adopted Rye Lane Peckham Conservation Area Appraisal	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
Adopted Tower Bridge Conservation Area Appraisal	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
IDM to Peckham and Nunhead Community Council (25/11/13)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
IDM to Bermondsey and Rotherhithe Community Council (29/01/14)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
Equalities Analysis (Rye Lane Peckham)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
Equalities Analysis (Shad Thames)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289

APPENDICES

No.	Title
Appendix 1	Rye Lane Peckham Conservation Area Management Plan
Appendix 2	Shad Thames Conservation Management Plan
Appendix 3	Map of the Rye Lane Peckham Conservation Area
Appendix 4	Map of the Shad Thames Conservation Management Plan Area

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Tracy Chapman, Team Leader Design and Conservation	
Version	Final	
Dated	4 April 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director, Finance and Corporate Services	Yes	Yes
Strategic Director of Environment and Leisure	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	16 April 2014	

Draft Rye Lane Peckham Conservation Area Management Plan

INTRODUCTION

This Management Plan sets out a framework to ensure that the area in and around Rye Lane and Peckham High Street retains the qualities which gave rise to its designation as a conservation area. To do this requires managing change appropriately, while also protecting, enhancing and promoting the built and natural heritage of the area.

To implement the Plan effectively a strong partnership is required between the various stakeholders in the area, including Southwark Council as the Local Authority, local residents and community groups, and local businesses. The Plan must recognise the specific needs and available resources of, and be actively supported by, all stakeholders.

The Plan sets out practical initiatives which must be flexible enough to respond to circumstances as they unfold with time. Southwark Council will ensure other stakeholders are consulted on an on-going basis through public meetings, exhibitions, and printed and online communications. This consultation will aim to raise awareness of issues and encourage input from all stakeholders. Southwark Council will also designate a single contact point to whom stakeholders can send queries relating to this Management Plan.

This Plan has a life of 5 years and will be reviewed by representatives of all stakeholders no less than once every year until 2019. This review will be organised and facilitated by the Design, Conservation and Archaeology Team, in consultation with the other stakeholders. The purpose of the review is to establish priorities, assess progress and make any changes needed to reflect changes in circumstances.

Area covered

A map of the area covered by this Plan, referred to as the Management Area, is set out in Figure 1. It comprises the Rye Lane Peckham Conservation Area; the commercial core of Peckham. The conservation area is principally centred on three streets: Rye Lane (A2215), Peckham Hill Street and Peckham High Street (A202). Rye Lane is the main route to East Dulwich and Honor Oak, Peckham Hill Street connects Peckham with the north of the borough and Peckham High Street is the through route between Camberwell and Blackheath.

Other applicable policies

The Management Area will be subject to overarching planning policies applicable nationally and locally. Current policies are listed in Appendix A. In addition, special planning rules and initiatives may apply to the Area, including special controls and enforcement. Current details of these are set out in Appendix B. Any changes to these policies or rules will be notified by Southwark Council to the other stakeholders through its on-going consultation process and at the annual review.

Wider initiatives

The Council is looking at additional research, investment and delivery in the Area through a number of wider projects, both current and pipeline, which will create the potential to optimise the health and vitality of the town centre, the celebration and protection the character of the Conservation Area and surrounds.

The Peckham and Nunhead Area Action Plan has progressed further and is due to be adopted in 2014. The council is committed to working with the community including business groups, residents and voluntary groups to deliver improvements to the historic townscape and will develop a framework to involve all these stakeholders in this work. The findings and proposals will be included in a cabinet report in spring 2014 and encompass the requirements set out in the June report.

The overall impact of this project is expected to benefit all people within the community. Peckham is a diverse area and the council aims to ensure that the views of the wider community are fully represented.

Aims of this Plan

The starting point is to highlight **Key Issues** which affect the historic character and appearance of the Management Area. These comprise the prevailing social and economic factors under the first two headings *Uses and Users* and *Community*, followed by issues relating to the physical environment under *Buildings and townscape* and *Streets and Public Realm*.

Each Key Issue is addressed in three ways:

1. identifying objectives;
2. outlining the best general approach to support these objectives; and
3. setting out practical initiatives to implement the objectives.

In relation to each Key Issue the focus is on:

- Identifying priorities to resolve the negative impacts that have arisen through changes over time (for example, new developments) or through deterioration and neglect;
- Proactively maintaining and enhancing the Management Area's historic character and appearance;
- Managing future changes so as to conserve and/or enhance the Management Area's historic character and appearance; and
- Ensuring that at least a portion of the S.106 contributions from any new development in the Management Area is used to support action under this Management Plan.

FIGURE 1: MAP OF RYE LANE PECKHAM CONSERVATION AREA
(MAP TO BE INSERTED)

DRAFT

KEY ISSUES

USES AND USERS

The Management Area encompasses a range of uses, but predominantly: small and medium-sized retail businesses with a few eating and drinking venues and some spaces used for religious and cultural purposes. Users include people living or working locally and visitors specifically coming to the Area to shop for specialist African and Caribbean produce, groceries and cosmetics.

Although the Area has a rich history, there is currently little focus on this aspect at street level. However on looking up at the some of the historic buildings above the shops, it is evident that Rye Lane and Peckham High Street were formerly grand shopping streetscapes, with prestigious department store premises at Jones and Higgins and Holdron's alongside large emporiums, local shops, a number of arcades and covered markets - which today house shops selling mainly bargain household goods.

Over the last few years, Peckham has seen its burgeoning arts 'scene' firmly establish itself with a wide variety of cultural activities on offer, many finding temporary or permanent homes in the Area's many industrial spaces, for example in disused railway arches or in the huge former Victorian cricket-bat factory that is the Bussey building. These uses and users have given the Area yet more of a special character which draws people from all over London to experience, now made even more accessible with the arrival of the Overground - connectivity and the culture putting Peckham firmly on the map.

1. Objectives

- To ensure that the Area achieves a balance of uses that is sustainable and appropriate for its conservation status within an urban environment; and
- To strengthen the Area's identity to reflect its strong retail and industrial heritage.

2. General approach

- Recognising and responding to the different uses and users within the Management Area building on the existing strengths of retail and creative enterprises;
- Ensuring that no single use or user group dominates; and
- Developing a collection of programmes to increase knowledge about, and enjoyment of, the Area's history.

3. Practical Initiatives

- Building on existing networks amongst businesses and residents to work together to improve and maintain an attractive, safe streetscape. Issues of concern, include:
 - Supporting local businesses.
 - Creating jobs for local people
 - Noise (from bars and cultural venues, delivery and waste disposal vehicles, plant and air-conditioning units)
 - Lighting and safety
- Building on existing heritage work by local groups, open to anyone living or interested in the area, to explore ways of sharing knowledge about the Area (e.g. guided walks, leaflets for self-guided walks, updated information panels, oral history, filming, artworks).

COMMUNITY

The Rye Lane Peckham Management Area is a hugely diverse mix of social, economic and ethnic communities which already have a number of vocal and active community groups. Several of these groups have established working contacts with the Council and have played a part in some of the Area's development heritage, cultural streetscape and public realm initiatives to date e.g. the Old Waiting Room Restoration, the Townscape Heritage Initiative (THI) Round 1 bid, the Portas Pilot bid and Peckham Takeover of the V&A.

A variety of community events take place all year round such as regular meetings, heritage and urban design study tours, fetes, exhibitions and inter-faith walks to encourage groups and individuals to work together with a common initiative of enhancing and celebrating the local area together. There are, of course, still ways in which these current networks and relationships could be improved and the Management Area's distinctive identity could be used more effectively to engender a sense of community among everyone who lives and works locally, whether they are based in the Area for a long or short period.

A distinguishing feature of the Area is the flexible and innovative way in which the spaces are used for business, social and cultural purposes. Traditional one-shop units sit alongside single kiosk-style units and subdivided shops which house different businesses within their partitioned walls. Several establishments rent out 'seats' to individuals to offer, for example, hair and beauty services, rather than operate as one single enterprise. This flexibility enables users in the community to operate fluidly, which in turn has contributed to Rye Lane enjoying a vibrant and flourishing economy despite the tough climate of recent years.

1. Objectives

- To achieve active and meaningful engagement by local residents and businesses in the life of the Management Area;
- To encourage local residents and businesses to take pride in their surroundings
- To encourage local groups and individuals to work together towards a common goal of improving and maintaining the quality of the built environment

2. General approach

- Implementing this Management Plan in ways which are welcoming, open and inclusive of all stakeholders;
- Working collaboratively and constructively, finding ways to overcome potential divergence between private and public, residential and commercial interests and priorities.

3. Practical Initiatives

- Strengthening and creating ties between existing residential and community groups, and linking these with local businesses;
- Organising regular community activities, for example social events supported or hosted by local businesses; history walks and talks led by the heritage group mentioned above under *Uses and Users*;
- Organising regular sessions for people living or working locally to monitor and, where appropriate, take action to clean up the local environment (e.g. by removing redundant signage and planning notices). This could be followed by an informal social event;
- Enabling local residents, institutions and groups (e.g. local schools and youth clubs) to develop and deliver public realm and heritage programmes for the general public.
- More liaising with local and neighbouring organisations to learn from collective experiences to engage local communities and to explore possible ways of working together on joint community initiatives.

STREETS AND PUBLIC REALM

This section covers the streets, spaces, trees, green walks and other pedestrianised routes which act as the setting for the historic buildings. There are certain common issues (waste management, tree maintenance, street cleaning, loading/servicing) relating to the streets and public realm which have repeatedly come out of the consultation carried out as part of preparing the Rye Lane Peckham Conservation Area Appraisals.

As the Management Area is predominantly a shopping one, much of these issues are around shopfronts. The main problem that exists is with the cluttered and untidy appearance of existing shopfronts and signage: old, redundant signs and signage not integrated or in keeping with the style and scale of the buildings. These issues must be tackled during repair and reinstatement, and particularly where the existing shopfront has an inherent architectural value which contributes to the host building and streetscape. For further guidance please see the Council's Shopfront and signage design guidance.

Although the wider area has numerous parks and open spaces of different sizes, the Conservation Area itself is lacking in green spaces. The Plan offers a number of suggestions to improve, link and create opportunities for the green environment to soften and provide respite from the bustle of the busy streets.

1. Objectives

- To preserve and enhance the retail and industrial heritage of the Management Area, through the choice of street furniture, lighting and landscaping.
- To carefully manage transport movements and pedestrian flows to protect and highlight the Area's historic character.

2. General approach

- Following the guidance set out in the Southwark Streetscape Design Manual. Full details of this can be found at: http://www.southwark.gov.uk/info/200456/southwark_streetscape_design_manual_ssdm
- Following the guidance set out in the Southwark Shopfront and signage design guidance; To the extent possible, following the guidance of English Heritage in their manual 'Streets for All: A guide to the Management of London's Streets'. Details can be downloaded at: <http://www.english-heritage.org.uk/publications/streets-for-all-guide-to-management-of-londons-streets/>
- Following the green infrastructure guidance set out in the GLA All London Green Grid SPG: South East London Green Chain Plus: http://www.london.gov.uk/sites/default/files/ALGG_SPG_Mar2012.pdf
- Have reference to the sustainable design and construction SPD and Southwark Tree Strategy: http://www.southwark.gov.uk/info/200151/supplementary_planning_documents_and_guidance/1254/sustainable_design_and_construction_spd
http://www.southwark.gov.uk/info/505/trees/2016/tree_management_strategy
- Ensuring any alterations to the streets and public realm reflect the historic and cultural significance of the Management Area;
- Maintaining, protecting and reinforcing the historic street patterns, materials and geometry through appropriate design;
- Maintaining and protecting trees of significance to heritage, amenity and biodiversity, currently protected via TPO or otherwise within the conservation area; and
- Enabling visitors to find their way around and through the Management Area with ease.

3. *Practical Initiatives*

- Surfaces
 - Requiring a consistent approach to finishes and choice of materials to reflect the Management Area's historic character. A section of historic street finishes: cobbles and stone setts survive at the side and rear of Nos. 117-125 (odd) Rye Lane and Bull Yard
 - Instituting a co-ordinated programme of maintenance and repair of paving and street surfaces;
 - On-going monitoring of utilities companies installations (satellite dishes, wires and meter boxes) to ensure appropriate materials are used and the requisite standard is maintained. This could be carried out jointly by community groups, the Council Enforcement team and THI officer.
 - Initiating a programme of street and shopfront cleaning. This could be a joint Council/community led programme.

- Street Furniture
 - Reducing clutter which negatively impacts on the historic character of the Management Area;
 - Requiring a consistent approach to types and standards of street furniture and fittings to reflect the Management Area's historic character. The area currently consists of a mismatch of uninspiring street furniture. This disparity is largely attributed to isolated Council streetscape enhancement works of the past. The opportunity exists within the conservation area for creating uniformity between streetscape elements and assessing their placement and provision.
 - Ensuring sufficient rubbish bins and facilities for cigarette disposal to discourage people from throwing rubbish and cigarettes on the pavements;
 - Removing obstructions such as advertising boards, planters, displays of goods which impede pedestrian and traffic flows.
 - Providing appropriate parking racks for cyclists to prevent locking of cycles to streetlamps, railings, negatively impacting on pedestrian movement and the visual character of the Management Area.

- Lighting
 - Requiring a consistent approach to lighting to reflect the Management Area's historic character. There are currently no good examples of appropriate street lighting.
 - Taking action promptly to have lighting removed which is not consistent with the Area's historic character, for example bright floodlighting affixed to an individual business. However this should be done whilst recognising the variety that makes up the character in the Area, so allowing for flexibility within a framework of best practice.
 - Implementing a coordinated programme of maintenance, repair and replacement of lighting on all streets and pedestrian routes; and
 - Levels of ambient and feature lighting which achieve an appropriate balance between ensuring safety and amenity of local residents and visitors, and the needs of commercial occupiers.

- Greener streets

- Finding and creating opportunities to improve planting and beautification in the Area;
 - Working with Southwark Parks and Open Spaces and community groups to continue to improve existing open spaces with planting and landscaping;
 - Where possible, requiring new development to include within their proposals, good quality landscaping for the public realm to increase green spaces within the town centre;
 - Provide for the retention and provision of new street tree planting where appropriate with associated maintenance; and
 - Identify existing areas of hard landscape in the Area that would benefit from softening and greening (such as Peckham Space, the forthcoming Peckham Rye station plaza, the space in front of PeckhamPlex leading to Moncrieff Street).
- Street management
 - Working proactively with the Council's Environmental Health Team, the Townscape Heritage Initiative (THI) officer and the local community to address, identify and resolve the ongoing problems of waste management, parking, loading/servicing and street cleaning – these are key issues that come up repeatedly during community consultation;
 - Initiating a programme of street cleaning as proposed under 'Surfaces'. This could be a joint Council/community led programme;
 - More controls on late night nuisance, crime and anti-social behaviour; and
 - Working proactively to find attractive, creative and sustainable ways of 'street greening'.
- Signage and wayfinding
 - Where needed, installing additional signage to enable people easily to find their way to buildings and around the conservation area;
 - Monitoring signage regularly, and responding to issues raised by stakeholders;
 - Repairing, removing or replacing damaged or redundant signs and notices (including planning notices); and
 - Installing a commissioned suite of wayfinding signage heritage interpretation. This could be carried out as a joint initiative between the heritage group mentioned above in *Uses and Users*, Legible London and the Council.
- Advertising
 - Ensuring that any advertising (whether stand-alone or attached to a structure) is consistent with Management Area's heritage and does not negatively impact on its character or identity;
 - Carrying out monitoring and campaigns to raise awareness and instil good practice relating to advertisements and signage amongst local businesses in the Management Area; and
 - Ongoing programme of monitoring and removal of advertising which is not consistent with the Area's historic character.

BUILDINGS AND TOWNSCAPE

The traditional townscape of the Management Area should be celebrated. This requires preserving, enhancing and where necessary reinstating or replicating buildings which contribute to the Area's character.

The buildings in the Management Area are of a mix of periods ranging from Georgian, Victorian, through to Post-industrial, Art Deco and later periods, such as the 1980s red-brick facade of the Aylesham Centre. Likewise, the nature of businesses and retail units vary, ranging from a traditional shopfront window and door, to single kiosk-style units, from subdivided shopfronts with a door leading up to residential accommodation above, to businesses that sell their goods from the pavement, beyond the line of the physical shop window. For this reason, we do not propose a 'one size fits all' approach, but a flexible one, in order to cater for the variety that makes up the eclectic character and vibrancy of the Area's streets.

As the conservation area comprises buildings of such varied periods and styles, the focus should be on using materials with excellent quality, durability and finish. Recognition must be given to the host building and streetscape, with careful attention paid to any existing historic detailing when carrying out replacement or maintenance works.

New developments must be designed to the highest quality and respect the scale and form of existing structures. The Rye Lane Peckham Conservation Area Appraisal adopted on 18 October 2011, sets out the requisite design standards and objectives.

1. Objectives

- To repair, conserve and enhance existing buildings to maintain the traditional townscape character ;
- To create new structures of high architectural and urban design quality which make a positive, sustainable contribution to that townscape; and
- To ensure all structures respond to the social, environmental and economic needs of existing and future stakeholders.

2. General Approach

- Reflecting and interpreting the character of the Management Area through locally distinctive patterns of: structures, landscaping, scale, materials and quality;
- Strengthening the conservation context of the Management Area as reflected in its topography, physical features, views and vistas; and
- Considering the links between groups of buildings and public spaces, and the adjoining Peckham Hill Street and Holly Grove Conservation Areas.

3. Practical Initiatives

- New developments:
 - On completion, checking to ensure that the area in and around any new development meets the requisite standard. This might require reinstatement of features or structures that have been damaged during development, or installing new features or structures in keeping with the townscape character;
 - Regular monitoring (with the help of local residents and community groups, and local businesses) of the state of a new development and its environs;
 - Liaising with Southwark Council's planning department regarding allocation of S.106 contributions from a new development, and ensuring a portion of this goes

towards environmental improvements and implementing this Management Plan;
and

- Exploring public funding initiatives that can be used to maintain and enhance the Management Area townscape, for example applying for funds from the Council's Cleaner, Greener, Safer programme and from the Heritage Lottery Fund; for example the Townscape Heritage Initiative.
- Shopfronts
 - Establishing a framework of policies, guidance and best practice which achieves the de-cluttering of the street with a degree of consistency whilst allowing for individual varieties of shopfront that currently exist. The essential character of the Area's streetscape should be respected through the recognition of the variety of architecture and businesses and not lost through a 'one size fits all' approach.
 - Following the Council's Shopfront and signage design guidance for consistent advice and best practice during replacement or repair;
 - Where possible, using open roller shutters to avoid creating dead frontage out of business hours; and
 - Building on the existing networks and links that exist amongst shop owners, street traders and other businesses to work together to improve and maintain an attractive and safe streetscape.

Appendix A

OVERARCHING PLANNING POLICIES (SEPTEMBER 2013)

- **National Planning Policy Framework (March 2012)**

- **London Plan (July 2011)**

Policy 7.9 Heritage-led regeneration
Policy 7.8 Heritage assets and archaeology

- **Core Strategy (April 2011)**

Strategic Policy 12 Design and Conservation.

- **Southwark Plan (July 2007)**

Saved Policy 3.12 Quality in design
Saved Policy 3.13 Urban design
Saved Policy 3.15 Conservation of the Historic Environment;
Saved Policy 3.16 Conservation Areas;
Saved Policy 3.17 Listed buildings;
Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites; and
Saved Policy 3.19 Archaeology.

From time to time, Southwark Council adopts further guidance on a range of development issues; examples include: Area Action Plans (Peckham and Nunhead Area Action Plan), Supplementary Planning Documents (SPDs) and Conservation Area Appraisals.

- **Peckham and Nunhead Area Action Plan**

The Peckham and Nunhead Area Action Plan (AAP) is a planning document that will help bring long-lasting improvements to Peckham and Nunhead. The AAP sets planning policies for Peckham and Nunhead including those on the look and function of Peckham town centre, and the size and design of new buildings. Peckham town centre has the largest amount of shopping floorspace in Southwark (around 75,000sqm). The town centre has many smaller shops along Rye Lane as well as a large Morrisons supermarket and a number of markets. The opportunity exists to support local economic growth by providing new and improved business space for new small businesses and street trading sites. The AAP needs to ensure it addresses the potential issue of local businesses and the population being displaced due to rising property and rental costs as the area improves.

The AAP sets out a vision for the development of Peckham which includes how development and activity in Peckham core action area will be carefully managed to protect the character and pleasantness of the surrounding residential neighbourhoods. Heritage will be celebrated and used to stimulate regeneration, particularly at Rye Lane Peckham conservation area.

Theme 1: Enterprise and activity: A vibrant town centre and local centres, and shopping areas

- Policy 1: Peckham town centre shopping
- Policy 2: Arts, culture, leisure and entertainment
- Policy 3: Local shops and services
- Policy 5: Markets
- Policy 6: Business space

Theme 6: Design and heritage: Attractive places full of character

- Policy 23: Public realm
- Policy 24: Heritage
- Policy 25: Built form
- Policy 26: Building heights
- Policy 29: Built environment (Peckham Core Action Area)

- **Rye Lane Peckham Conservation Area Appraisal** (Adopted October 2011)

A Conservation Area Appraisal identifies the key elements that contribute to the special historic and architectural character of the area, and opportunities for its preservation and enhancement. Primarily, it is a benchmark for assessing the impact of new development proposals on the character and appearance of the Conservation Area.

The key elements of the Rye Lane Peckham Conservation Area include:

- The area's historical background;
- The character and appearance of the conservation area;
- The Rye Lane Peckham Conservation Area is divided into sub-areas comprising:
 - Sub Area 1 – Rye Lane; and
 - Sub Area 2 – Peckham High Street and Peckham Square.
- An audit of heritage assets including listed buildings and buildings that make a positive contribution to the Conservation Areas and their archaeology.
- The Conservation Area Appraisal also identifies environmental improvements, opportunities to seek improvements to existing buildings and the potential development sites.

APPENDIX B

PLANNING CONTROLS, MONITORING AND ENFORCEMENT

Existing planning controls

Under the Enterprise and Regulatory Reform Act (Abolition of Conservation Area Consent) (England) Order 2013, which took effect from 1 October, proposals to demolish certain unlisted buildings in conservation areas are now considered as part of the mainstream planning process, rather than automatically 'permitted development' as previously under the General Permitted Development Order 1995. ERRA also makes it an offence to fail to obtain permission to demolish affected buildings or not comply with any conditions attached to a permission. No time-limit exists in which enforcement action must be taken.

Monitoring and enforcement

Southwark Council is committed to using its planning powers in the Management Area, to ensure that the special character and appearance is preserved and enhanced. The Design, Conservation and Archaeology Team will regularly update its photographic record of the buildings and public spaces within the Management Area. These photographic audits will be used to monitor change over time so that planning controls within the Management Area can be effectively utilised to secure the preservation or enhancement of the special character and appearance of the area. Breaches in planning control identified will be passed onto Compliance and monitoring officers within Development Management.

Area of Special Control of Advertisements

An Area of Special Control of Advertisements is an area specifically designated by the Council because they consider that its historic, architectural and cultural features are so significant that a stricter degree of advertisement control is justified. The main consequence for advertisements which can be displayed with deemed consent, is that there are stricter limits on permitted height and size of the advertisement than elsewhere in Southwark.¹

No such area has been established yet, but this could be a means to conserve visual amenity within the management area.

¹ Rye Lane Peckham Conservation Area Appraisal

Appendix C

CURRENT AND PIPELINE PROJECTS AND INITIATIVES

The Council is looking at additional research, investment and delivery in the Area through a series of current and pipeline projects which will create the potential to optimise the health and vitality of the town centre, the celebration and protection the character of the Conservation Area and surrounds.

No.	Project/Initiative	Owner	Theme	Status	Description
1.	Peckham Townscape Heritage Initiative (THI)	Southwark Council Heritage Lottery Fund (HLF)	<ul style="list-style-type: none"> Heritage Public realm 	Current	Following the Stage 1 THI grant by the HLF, a Stage 2 grant could lead to £1.675m being awarded to the Peckham THI. This is expected to aid regeneration by repairing and restoring prominent buildings and important groups of buildings in three main areas described on the Peckham THI map, to repair the historic town centre and its townscape, inspire better awareness and knowledge of the area and unlock vacant floor space.
2.	Peckham Town Team	Local businesses Southwark Council	<ul style="list-style-type: none"> Business network. 	Past	A network of local business set up under the Council's Community Restoration Fund to increase business engagement in the local area.
3.	Mayor's Regeneration Fund (post-riots)	GLA Southwark Council	<ul style="list-style-type: none"> Town Centre development 	Current	
4.	Peckham Gateway Project	Southern, Network Rail & Southwark Council	<ul style="list-style-type: none"> Railway station Public realm Retail 	Current	
5.	Pocket Places	Sustrans	<ul style="list-style-type: none"> Public realm 	Current	A two year project in Peckham giving the community an opportunity to develop, trial and run temporary activities and events in unused spaces along Rye Lane.
6.	Empty homes	Southwark Council	<ul style="list-style-type: none"> Residential 	Current	A borough-wide scheme seeking to bring as many empty private sector properties as possible back into use for residential purposes.
7.	2009 London Town Centre Health Check Analysis Report	GLA London boroughs	<ul style="list-style-type: none"> Town Centre development 	Current	Part of a series of London-wide health checks of over 200 of London's town centres using a selection of indicators illustrating how these have changed over time.
8.	Peckham Regeneration ²	Southwark Council	<ul style="list-style-type: none"> All development Public realm 	Pipeline	A development and public-realmed programme of projects and interventions focussed in the town centre with the aim of addressing wider Council objectives of health, educational and economic development.

² This proposed programme is set within a context of a 10 year development programme and brings together projects under 5 key workstreams of Town Centre development, Public realm, Operational Management (waste, parking etc.), Economic Development and Consultation, Communications, Involvement and Research.

Draft March 2014

Shad Thames Conservation Areas Management Plan

1. Introduction

This Management Plan sets out a framework to protect, enhance and celebrate the features in and around Shad Thames which gave rise to its designation as a conservation area. The Plan aims to strengthen the area's distinctive identity and make it attractive for a range of community, cultural and leisure activities.

Achieving these goals will require a partnership between the various stakeholders in the area, including Southwark Council as the Local Authority, local residents and community groups, and local businesses. To be effective the Plan must be actively supported by all, with stakeholders working together to strengthen and promote the area's built and natural heritage.

The Plan sets out practical initiatives which take into account the specific needs and available resources of the different stakeholders. At the same time, it seeks to be flexible enough to respond to circumstances as they unfold. The Plan will be reviewed by representatives of all stakeholders no less than once every year. This review will be organised and facilitated by Shad Thames Residents Association, in consultation with the other stakeholders. The purpose of the review is to establish priorities, assess progress and make any changes needed to reflect changes in circumstances. It is intended that this Plan will apply until April 2024.

In addition to the regular reviews, Southwark Council will, to the extent possible, ensure on-going consultation through public meetings, exhibitions, and printed and online communications. This on-going process will aim to raise awareness of issues and encourage input from all stakeholders. Southwark Council will also designate a single contact point to whom stakeholders can send queries relating to this Management Plan.

2. Area covered

A map of the area Management Area covered by this Plan is set out in Appendix B. It comprises, in the main, the Tower Bridge Conservation Area. It also extends east to include a small portion of the separate St Saviour's Dock Conservation Area, and south to Tooley Street to include a small area which is not part of any Conservation Area.

3. How this Plan works

The starting point is to highlight **Key Issues** which affect the historic character and appearance of the Management Area, grouped into four sections. The first two sections

consider the people who live, work and visit the area under the headings *Uses and Users*; and *Community*. The final two sections focus on the physical environment (*Streets and Public Realm*; and *Buildings and Townscape*).

Each Key Issue is addressed in three ways: (1) identifying objectives; (2) outlining the best general approach to support these objectives; and (3) setting out practical initiatives to implement the objectives.

This approach translates into a practical focus on:

- Identifying priorities to undo negative impacts that have arisen over time - for example, through new development, deterioration or neglect.
- Being proactive in maintaining and enhancing the Management Area's historic character and appearance.
- Managing future change to conserve and/or enhance the Management Area's historic character and appearance.
- Ensuring that at least a portion of the S.106 contributions from any new development in the Management Area is used to support action under this Plan.

4. Key Issues

4.1 *Uses and Users*

The Management Area encompasses a wide range of uses, including residential, small and medium-sized businesses, eating and drinking venues, and cultural spaces. Users include people living and/or working locally and visitors specifically coming to the Area as a riverside destination. Although the Area has a rich history, there is currently little focus on this aspect.

1. Objectives

- To achieve a balance of uses that is sustainable and appropriate for the Area's conservation status within an urban environment.
- To strengthen the Area's identity to reflect its industrial heritage
- To facilitate local stakeholders and visitors in learning about and enjoying the Area's natural and built heritage.

2. General approach

- Recognising and responding to the different uses and users within the Management Area.
- Ensuring that no single use or user group dominates.
- Developing a programme to increase knowledge about, and enjoyment of, the Area's history.

3. Practical Initiatives

- Establishing a forum which includes representatives from the full range of users who meet regularly to discuss issues of shared importance, including:
 - Supporting local businesses
 - Creating jobs for local people
 - Lighting and safety
 - Environmental concerns such as smoking and disturbance (e.g. noise from delivery and waste disposal vehicles, waiting taxis, plant and air-conditioning units).
- Creating a heritage group to explore ways of sharing knowledge about the Area (e.g. guided walks, leaflets for self-guided walks, updated information panels, oral history, filming, artworks).
- Working with the Council and local cultural partners to find ways of supporting Southwark's Cultural Strategy (currently agreed for the period 2013-2018).

4.2 Community

The Management Area has a distinctive identity which could be more effectively used to engender a sense of community among everyone who lives and works locally, whether they are based in the Area for a long or short period.

1. Objectives

- To achieve active engagement by local residents and businesses in the Management Area, and encourage them to learn more about and take pride in their surroundings.
- To build links between local residents and businesses.

2. General approach

- Implementing this Management Plan in ways which are welcoming and open to all stakeholders.
- Working collaboratively and constructively, finding ways to overcome potential divergence between private and public, residential and commercial interests and priorities.

3. Practical Initiatives

- Strengthening and creating ties between existing residential and community groups, and linking these with local businesses.
- Organising regular community activities, for example social events supported or hosted by local businesses; history walks and talks led by the heritage group mentioned above under *Uses and Users*.
- Organising regular sessions for people living or working locally to monitor and, where appropriate, take action to clean up the local environment (e.g. by removing redundant planning notices). This could be followed by an informal social event.
- Using local residents (including nearby schools and youth clubs) to develop and deliver a heritage programme for the general public.

- Liaising with organisations in neighbouring areas (e.g. local BIDs Team London Bridge and Better Banksid; Architecture Foundation) to learn from their experience and to explore possible ways of working together on joint community initiatives.
- Encouraging local residents and businesses to enhance their premises through sustainable “green” initiatives.

4.3 *Streets and Public Realm*

This section covers the streets, spaces, riverside walks and other pedestrianised routes which act as the setting for the historic buildings.

1. Objectives

- To preserve and enhance the industrial heritage of the Management Area, including through the choice of street furniture, lighting and landscaping.
- To manage transport movements and pedestrian flows carefully so as to protect and highlight the Area’s historic character.

2. General approach

- Following the guidance set out in the Southwark Streetscape Design Manual. Full details of this can be found at http://www.southwark.gov.uk/info/200456/southwark_streetscape_design_manual_ssdm
- To the extent possible, following the guidance of English Heritage in their manual Streets for All: A guide to the Management of London’s Streets. Details can be downloaded at <http://www.english-heritage.org.uk/publications/streets-for-all-guide-to-management-of-londons-streets/>
- Ensuring any alterations to the streets and public realm reflect the historic and cultural significance of the Management Area.
- Maintaining, protecting and reinforcing the historic street patterns, materials and geometry through appropriate design.
- Developing efficient procedures so that stakeholders can reach consensus on what is appropriate (e.g. best materials to be used for repaving).
- Enabling visitors to find their way around and through the Management Area with ease.

3. Practical Initiatives

- A group comprising representatives from all stakeholders will meet as needed to recommend appropriate choices for the Area’s streets and public realm.
- Surfaces
 - Instituting a coordinated programme of maintenance and repair of paving and street surfaces.
 - Requiring a consistent approach to finishes and choice of materials to reflect the Management Area’s historic character. Good examples include the 2012 repaving of Shad Thames outside the entrance to Tower Bridge engine rooms, and the paving on Shad Thames between Curlew Street and Maguire Street.

- Monitoring works done by Utilities companies in an effort to ensure appropriate materials are used and the requisite standard is maintained or reinstated.
- Street Furniture
 - Reducing clutter which negatively impacts on the historic character of the Management Area.
 - Requiring a consistent approach to types and standards of street furniture and fittings to reflect the Management Area's historic character. Bollards are a good example of how street furniture can add to or detract from this character. At present there are a large number of different bollards, made of varying materials (including inappropriate materials such as concrete), painted in different colours, comprising different shapes and in varied states of repair. Good examples of bollards can be seen at [\[details to follow\]](#).
 - Ensuring sufficient rubbish bins and facilities for cigarette disposal to discourage people from throwing rubbish and cigarettes on the pavements.
 - Removing non-essential obstructions (e.g. advertising boards, planters, displays of goods) which impede pedestrian and traffic flows. Being proactive in applying relevant legal enforcement procedures if necessary.
 - Providing parking racks for cyclists so they are not forced to lock their cycles to streetlamps, railings, etc in an ad hoc manner, which negatively impacts on both pedestrian movement and the visual character of the Management Area.
- Lighting
 - Requiring a consistent approach to lighting to reflect the Management Area's historic character. Good examples are the form of street lamps attached to the Butlers Wharf buildings (although these currently are fitted with bulbs which give out insufficient light and often do not work properly).
 - Taking action promptly to have lighting removed which is not consistent with the Area's historic character, for example bright floodlighting affixed to an individual business. Being proactive in applying relevant legal enforcement procedures if necessary.
 - Implementing a coordinated programme of maintenance, repair and replacement of lighting on all streets and pedestrian routes.
 - Lighting levels which achieve an appropriate balance between ensuring safety and amenity of local residents and visitors, and the needs of commercial occupiers.
- Signage and wayfinding
 - Where needed, installing additional signage to enable people easily to find their way to buildings and the river.
 - Monitoring signage regularly, and responding to issues raised by stakeholders.
 - Repairing or replacing damaged signage.
 - Removing redundant signs and notices (including planning notices).
- Advertising
 - Ensuring that any advertising (whether stand-alone or attached to a structure) is consistent with Management Area's heritage and does not negatively impact on its character.

- Taking action promptly to have advertising removed which is not consistent with the Area's historic character, for example back-lit advertising boxes or flashing neon signs. Being proactive in applying relevant legal enforcement procedures if necessary.

4.4 Buildings and Townscape

The traditional townscape of the Management Area should be celebrated. This requires preserving, enhancing and where necessary reinstating or replicating buildings which contribute to the Area's character.

New developments must, on the one hand, respect the scale and form of existing structures, and on the other hand, produce contemporary architecture of the highest quality. The Tower Bridge Conservation Area Appraisal dated July 2003 and the St Saviours Dock Conservation Area Appraisal dated July 2003 set out the requisite design standards and objectives.

1. Objectives

- To repair, conserve and enhance existing buildings to maintain the traditional townscape character (including structures added to buildings, for example rooftop terraces).
- To create new structures of high architectural and urban design quality which make a positive and sustainable contribution to that townscape.
- To ensure all structures respond to the social, environmental and economic needs of existing and future stakeholders.

2. General Approach

- Reflecting and interpreting the character of the Management Area through locally distinctive patterns of structures, landscaping, scale, materials and quality.
- Strengthening the conservation context of the Management Area as reflected in its Conservation Area Appraisal, including the Area's topography, physical features, views and vistas.
- Considering the links between groups of buildings and public spaces, and with the riverfront.

3. Practical Initiatives

- New developments:
 - On completion, checking to ensure that the area in and around any new development meets the requisite standard. This might require reinstatement of features or structures that have been damaged during development, or installing new features or structures in keeping with the townscape character.
 - Regular monitoring (with the help of local residents and community groups, and local businesses) the state of a new development and its environs.

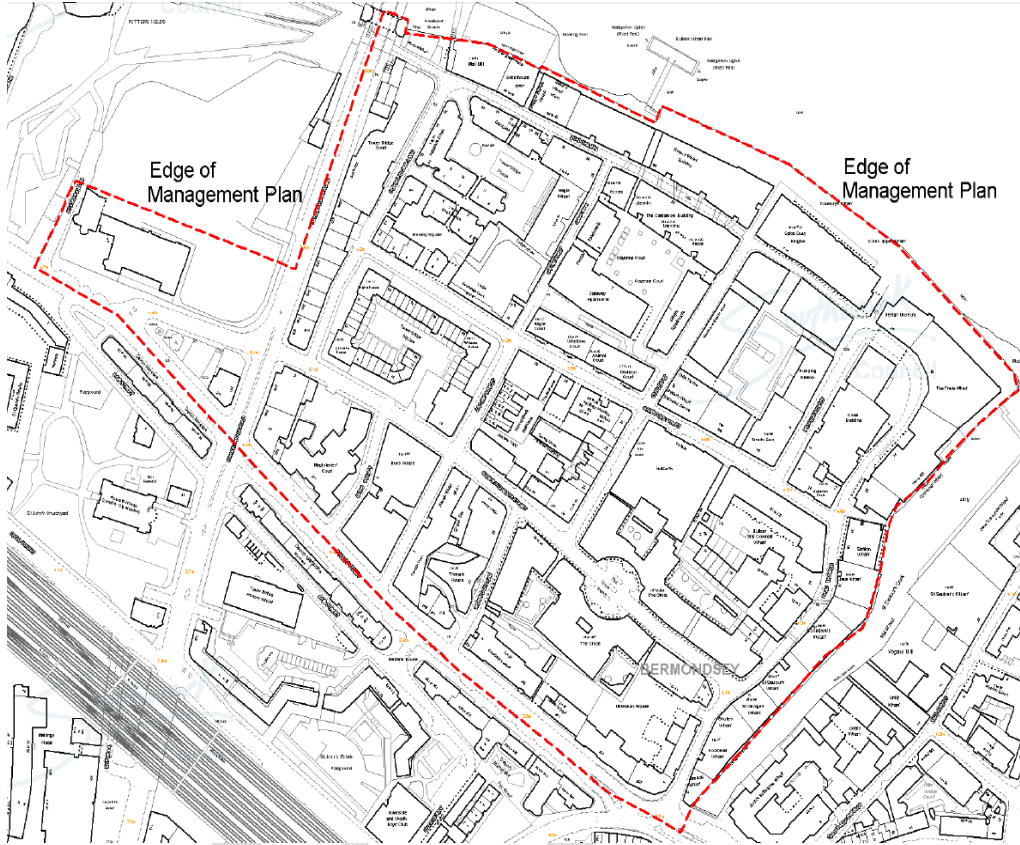
- Liaising with Southwark Council's planning department regarding allocation of S.106 contributions from a new development, and ensuring a portion of this goes towards environmental improvements and implementing this Management Plan.
- Exploring public funding initiatives that can be used to maintain and enhance the Management Area townscape, for example applying for funds from the Council's Cleaner, Greener, Safer programme and from the Heritage Lottery Fund..

5. Other applicable policies

Overarching national and local planning policies may apply to the Management Area. Current policies are listed in Appendix B. In the case of other planning issues, this Management Plan should inform special rules and initiatives which may apply to the Area, including special controls and enforcement. (Examples include replacement of bollards and pavements, and signage.) Changes to applicable policies or rules will be notified by Southwark Council to the other stakeholders through its on-going consultation process and at the annual review.

DRAFT

Appendix A



Appendix B

Overarching Planning Policies at December 2013

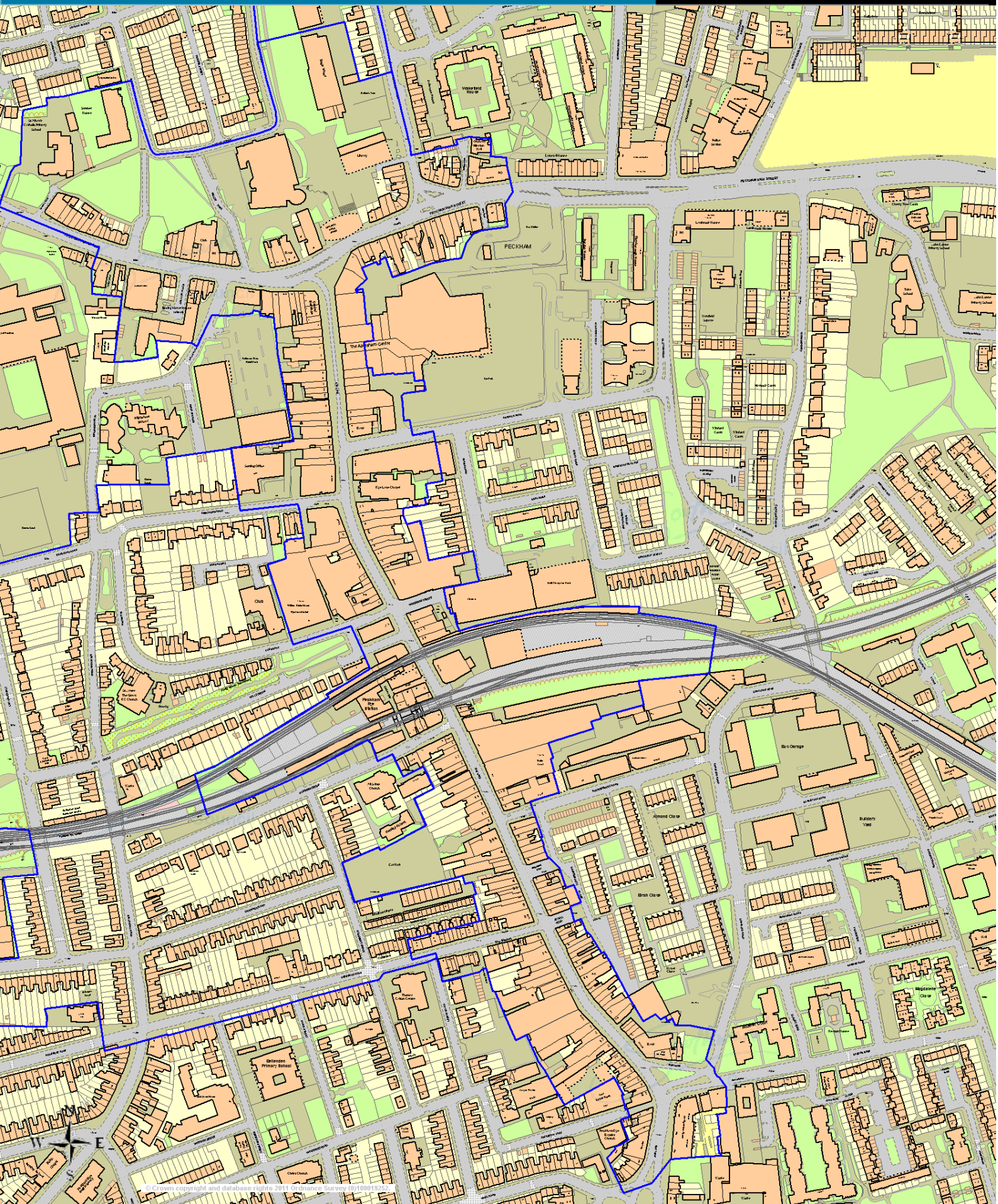
- **National Planning Policy Framework** (March 2012)
- **London Plan 2011** (July)
Policy 7.9 Heritage-led regeneration
Policy 7.8 Heritage assets and archaeology
- **Core Strategy 2011** (April)
Strategic Policy 12 Design and Conservation.
- **Southwark Plan 2007** (July)
Saved Policy 3.15 Conservation of the Historic Environment
Saved Policy 3.16 Conservation Areas
Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites
Saved Policy 3.19 Archaeology
- From time to time, Southwark Council adopts further guidance on a range of development issues; examples include **Area Action Plans (AAPs)**, **Supplementary Planning Documents (SPDs)** and **Conservation Area Appraisals**.
- **Conservation Area Appraisals for the Tower Bridge Conservation Area and the St Saviour's Dock Conservation Area** (2003)

A Conservation Area Appraisal identifies the key elements that contribute to the special historic and architectural character of the area, and opportunities for its preservation and enhancement. Primarily, it is a benchmark for assessing the impact of new development proposals on the character and appearance of the Conservation Area.

The key elements of these Conservation Areas include:

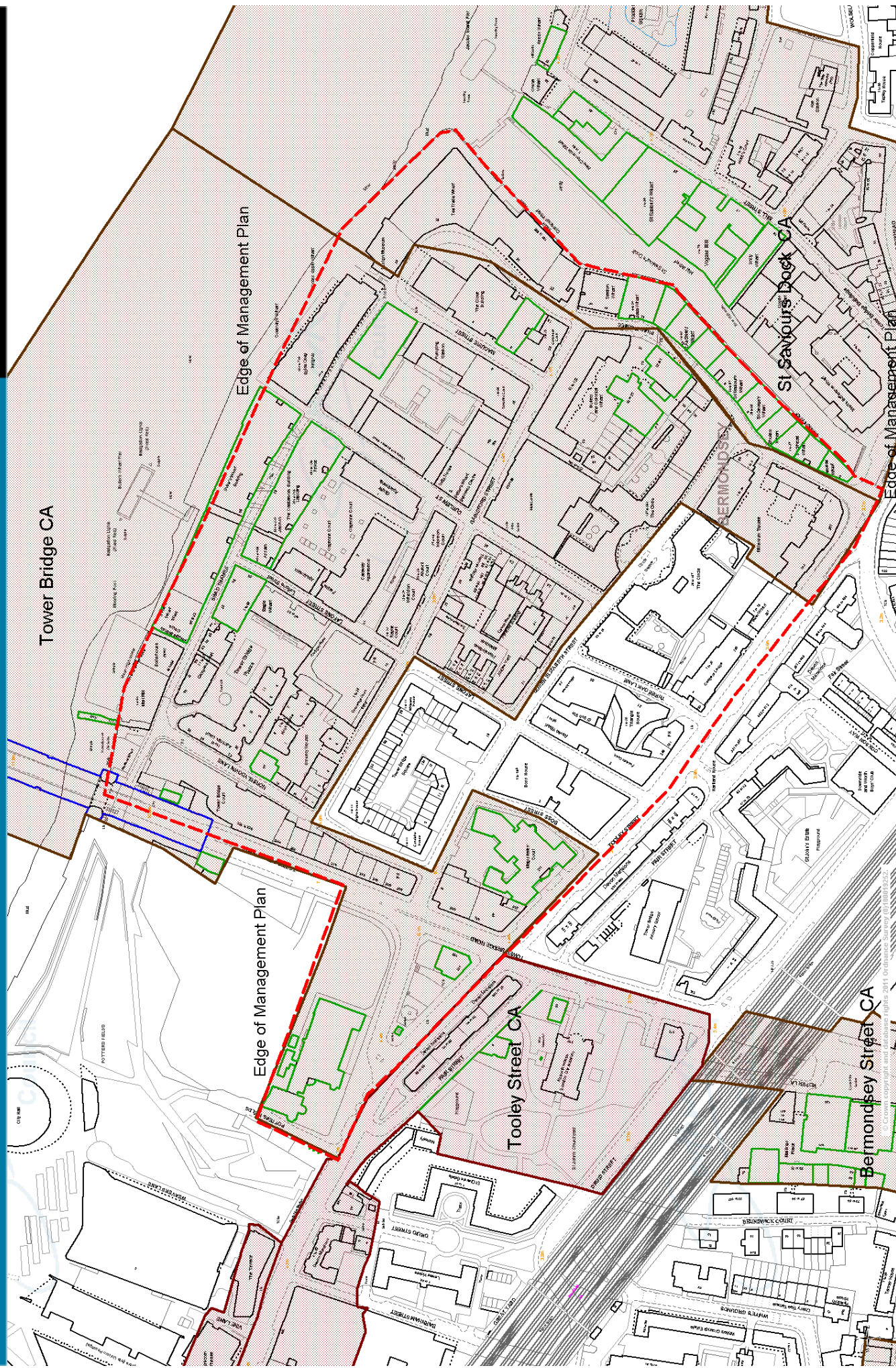
- Their historical background
- Their character and appearance
- The Tower Bridge Conservation Area is divided into sub-areas comprising:
 - Sub Area 1 – Tower Bridge and Approach
 - Sub Area 2 – Butler's Wharf
 - Sub Area 3 – Tooley Street
 - Sub Area 4 – Gainsford Street and Queen Elizabeth Street
- An audit of heritage assets including listed buildings and buildings that make a positive contribution to the Conservation Areas and their archaeology.
- The Conservation Area Appraisals also identify environmental improvements, opportunities to seek improvements to existing buildings and the potential development sites.

Date 14/9/2011



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Edge of Shad Thames Area Management Plan (heritage)



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