

Planning Sub-Committee B

Tuesday 11 February 2014

7.00 pm

Room G02, 160 Tooley Street, London SE1 2QH

Membership

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

Reserves

Councillor James Barber
Councillor Sunil Chopra
Councillor Renata Hamvas
Councillor Helen Hayes
Councillor David Hubber

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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Contact

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: 3 February 2014



Planning Sub-Committee B

Tuesday 11 February 2014
7.00 pm
Room G02, 160 Tooley Street, London SE1 2QH

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	A representative of each political group will confirm the voting members of the committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 7
	To approve the minutes of the meeting held on 10 December 2013 as a correct record of the meeting and signed by the chair.	
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Date: 3 February 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 B

MINUTES of the Planning Sub-Committee B held on Tuesday 10 December 2013 at 7.00 pm at Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Darren Merrill (Chair)
Councillor Nick Stanton (Vice-Chair)
Councillor Neil Coyle
Councillor Nick Dolezal
Councillor Jeff Hook
Councillor Richard Livingstone

OTHER MEMBERS PRESENT: Councillor Lewis Robinson

OFFICER SUPPORT: Rob Bristow (Development Management)
Zayd Al-Jawad (Development Management)
Sadia Hussain (Legal Services)
Alex Gillott (Legal Services)
Dipesh Patel (Development Management)
Neil Loubser (Development Management)
Susannah Pettit (Development Management)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for lateness from Councillors Neil Coyle, Jeff Hook and Nick Stanton.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following members made declarations regarding the agenda item below:

Agenda item 7.5 – Huntsman and Hounds, 70 Elsted Street , London SE17 1QG

Councillor Neil Coyle, non-pecuniary, as he had had dealings with the parties, but had not expressed an opinion and was approaching the application with an open mind.

Councillor Darren Merrill, non-pecuniary, as he was a ward councillor and had had dealings with the parties, but had not expressed an opinion and was approaching the application with an open mind.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting: addendum report relating to item 7 – development management items.

The chair also informed the meeting that he would hear item 7.5 as the third item.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 23 October 2013 be approved as a correct record and signed by the chair

7. 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.

7.1 FLAT 8, HIGHLAND COURT, 182 OVERHILL ROAD, LONDON SE22 0EB

Note: The chair announced that items 7.1 and 7.2 would be heard together, as they related to the same property.

Planning application reference number 12/AP/2745.

Report: See pages 12 to 22 of the agenda pack.

PROPOSAL

Retrospective application to retain glass balustrade installed to perimeter of rear flat roof parapet and to use the enclosed area as a patio/terrace.

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

There were no objectors present, who wished to speak.

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

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

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

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 12/AP/2745 be granted, subject to the conditions set out in the report.

7.2 FLAT 8, HIGHLAND COURT, 182 OVERHILL ROAD, LONDON SE22 0EB

Planning application reference number 12/AP/2746.

Report: See pages 23 to 33 of the agenda pack.

PROPOSAL

To retain glass balustrade installed to perimeter of the flat roof to the northeast of 8 Highland Court solely to provide edge protection during maintenance operations; original Juliet balustrade to be reinstalled across of existing patio doorway to prevent recreational use of flat roof.

Note: This item was heard and discussed together with item 7.1.

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

RESOLVED:

That planning permission for application number 12/AP/2746 be granted, subject to the conditions set out in the report.

Note: At this point, the meeting adjourned for a five-minute comfort break, at the end of which Councillors Neil Coyle and Jeff Hook joined the meeting.

7.3 HUNTSMAN AND HOUNDS, 70 ELSTED STREET , LONDON SE17 1QG (FORMERLY ITEM 7.5)

Planning application reference number 13/AP/3279.

Report: See pages 60 to 78 of the agenda pack.

PROPOSAL

Retention of the front section of the building comprising retained ground floor and basement public house (Class A4). Redevelopment of the rear section of the existing public house comprising the construction of a four storey rear extension, which together with the conversion of the existing upper floors of the public house provides a total of 8 self-contained residential units (Class C3) including 1xstudio unit, 3 x 1-bedroom and 4 x 2-bedroom units with balconies. Installation of PV solar panels at roof level and associated cycle storage for 12 bicycles and bin storage.

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

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

The applicant's agents 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 and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 13/AP/3279 be granted, subject to the conditions set out in the report and the addendum report, and including:

- an amended condition 4 to also stipulate that the basement is reserved for use of the pub only.
- an additional condition for an acceptable waste management plan to be submitted and agreed by the local planning authority.

Note: At this point, Councillor Nick Stanton joined the meeting.

7.4 CHURCH OF ST PETER, LORDSHIP LANE, LONDON SE22 8LD (PLANNING PERMISSION) (FORMERLY ITEM 7.3)

Note: The chair announced that items 7.4 and 7.5 (formerly items 7.3 and 7.4) would be heard together as they related to the same property.

Planning application reference number 13/AP/3111.

Report: See pages 34 to 47 of the agenda pack.

PROPOSAL

Works to repair boundary wall to churchyard along Lordship Lane including iron railings; rebuild loose stone gate posts to original design in adjusted locations for vehicular access to site; removal of modern fall gate and installation of three turn down bollards.

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

There were no objectors present, who wished to speak.

No representatives of the applicant, who wished to speak, were present.

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

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 13/AP/3111 be granted, subject to the conditions set out in the report.

7.5 CHURCH OF ST PETER, LORDSHIP LANE, LONDON SE22 8LD (LISTED BUILDING CONSENT) (FORMERLY ITEM 7.4)

Planning application reference number 13/AP/3006.

Report: See pages 48 to 59 of the agenda pack.

PROPOSAL

Works to repair boundary wall to churchyard along Lordship Lane including iron railings; rebuild loose stone gate posts to original design in adjusted locations for vehicular access to site; removal of modern fall gate and installation of three turn down bollards.

Note: This application was heard and discussed together with item 7.4 (formerly item 7.3).

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

RESOLVED:

That listed building consent for application number 13/AP/3006 be granted, subject to the conditions set out in the report.

7.6 CAMBER LAWN TENNIS CLUB, DULWICH COMMON, LONDON SE21 7EX

Planning application reference number 13/AP/3002.

Report: See pages 79 to 90 of the agenda pack.

PROPOSAL

Erection of a new clubhouse on former site.

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

There were no objectors present, who wished to speak.

Representatives of 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 and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 13/AP/3002 be granted, subject to the conditions set out in the report.

Meeting ended at 9.40 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 11 February 2014	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

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

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which 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 B**on Tuesday 11 February 2014**

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

Recommendation GRANT SUBJECT TO GOL/SOS DIRECTION***Item 7.1*****Proposal**

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

- 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.

Appl. Type	Full Planning Permission	Reg. No.	13-AP-3927
Site	DULWICH SPORTS GROUND, TURNEY ROAD, LONDON SE21 7JH	TP No.	TP/2546-B
		Ward	Village
		Officer	Amy Lester

Recommendation GRANT SUBJECT TO GOL/SOS DIRECTION***Item 7.2*****Proposal**

Retrospective application for the change of use of a two bedroom residential unit at the Dulwich Sports Ground pavilion from auxiliary D2 to C3 accommodation.

- 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.

Appl. Type	Full Planning Permission	Reg. No.	13-AP-2405
Site	19 QUEEN ELIZABETH STREET, LONDON SE1 2LP	TP No.	TP/240-19
		Ward	Riverside
		Officer	Wing Lau

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT***Item 7.3*****Proposal**

Redevelopment of the site to provide new office accommodation and nine residential units; including a roof extension at fourth floor level, a side extension to the west of the building along Queen Elizabeth Street and further excavation of the basement.

Appl. Type	Full Planning Permission	Reg. No.	13-AP-1451
Site	MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON SE21 7EX	TP No.	TP/2082-R
		Ward	College
		Officer	Alex Cameron

Recommendation GRANT PERMISSION***Item 7.4*****Proposal**

Demolition of existing Cricket Pavilion and removal of three trees and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club

Appl. Type	Full Planning Permission	Reg. No.	13-AP-3636
Site	RAILWAY ARCH 102A, ROCKINGHAM STREET SE1	TP No.	TP/RLY/14/BK2
		Ward	Chaucer
		Officer	Jonathan Payne

Recommendation GRANT PERMISSION***Item 7.5*****Proposal**

Use of Railway Arch as a restaurant (Use Class A3) and installation of an extractor fan to rear of property.

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B

on Tuesday 11 February 2014

Appl. Type Full Planning Permission
Site LAND TO THE SOUTH EAST OF PECKARMANS WOOD, SYDENHAM HILL
WOODS, SE26 8SB

Reg. No. 13-AP-1951
TP No. TP/2345 - J
Ward College
Officer Alex Cameron

Recommendation GRANT PERMISSION

Item 7.6**Proposal**

Replacement of x2 shipping containers measuring 3m(l) x2.4(w) x 2.6m (h) and 6.1m(l) x2.4(w) x 2.6m (h) with similar containers on the on same footing, with no change of use to be used for the storage of tools and equipment

Appl. Type Full Planning Permission
Site DEEPER CHRISTIAN LIFE MINISTRY, LORDSHIP LANE, LONDON SE22 8LD

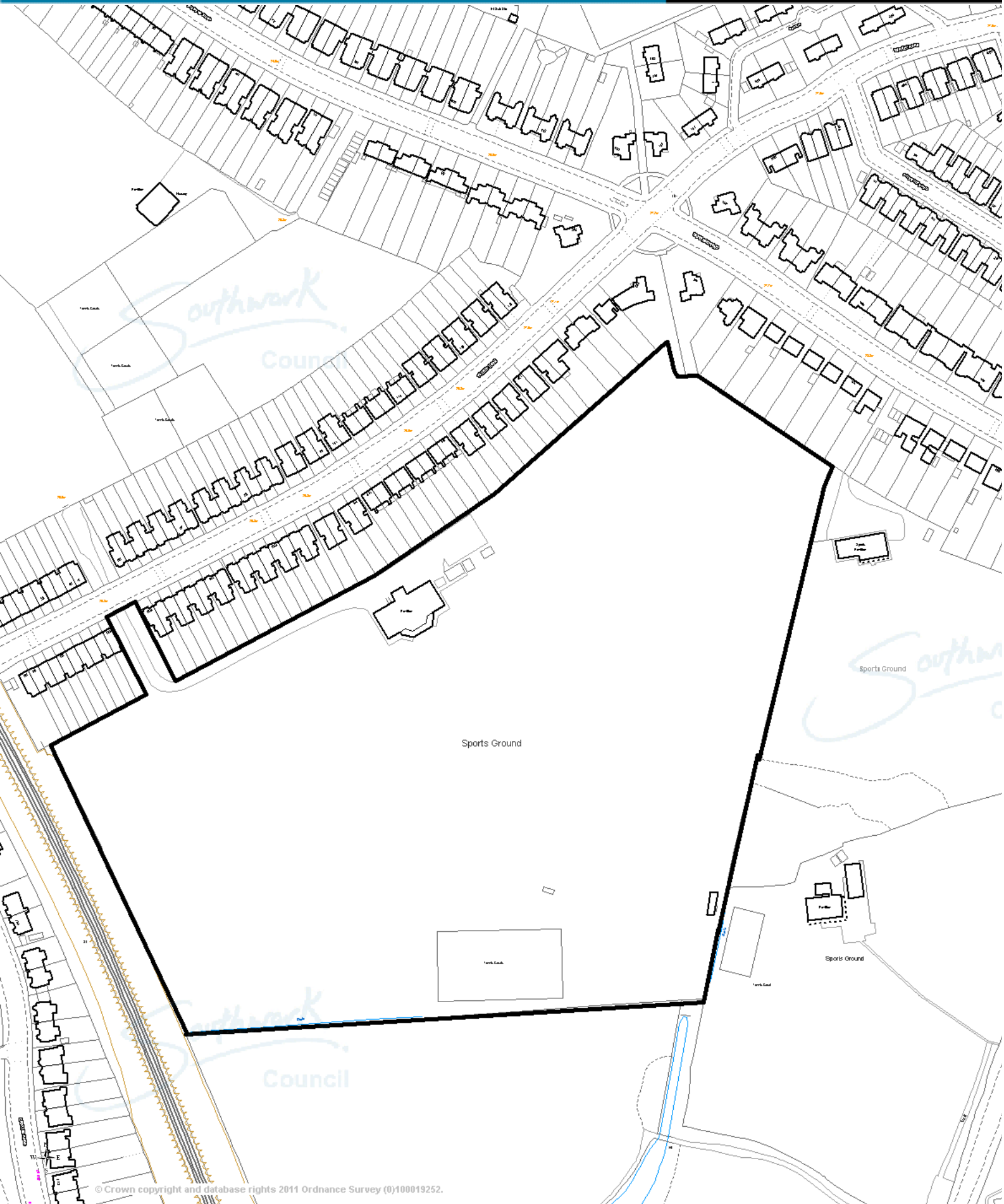
Reg. No. 13-AP-4055
TP No. TP/2315
Ward College
Officer Anthony Roberts

Recommendation GRANT PERMISSION

Item 7.7**Proposal**

Provision of car and cycle parking, new pedestrian footpath, permeable paving grid layout and landscaping in front of St Peter's Hall.

Date 30/1/2014



Item No. 7.1	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub Committee B
Report title:	Development Management planning application: Application 13/AP/1732 for: Full Planning Permission Address: DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH Proposal: Erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend sports teaching facilities (D2). - 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.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 20/06/2013		Application Expiry Date 15/08/2013	
Earliest Decision Date 26/07/2013			

RECOMMENDATION

- 1
 - a. That Members consider the application as it represents development affecting Metropolitan Open Land (MOL);
 - b. That Members consider and satisfy themselves that the exceptional or very special circumstances test is met in respect to Article 27, Part 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, the London Plan 2011 and the National Planning Policy Framework (NPPF); and
 - c. That members grant planning permission subject to conditions and referral to the Secretary of State.

BACKGROUND INFORMATION

Site location and description

- 2 The application site relates to Dulwich Sports Ground, a 8.9ha open area of land situated to the west of Dulwich Village and bounded to the west by Croxted Road and the railway. Access to the site is via Turney Road to the north which gives access to an existing car parking area and sports pavilion building. This particular application relates to a small area of land located to the west of the existing pavilion.
- 3 To the north the site is bounded by the rear gardens of the residential properties fronting Turney Road.

- 4 The surrounding area is predominantly residential in nature and is within the Dulwich Village Conservation Area. The site is subject to the following designations on the Proposals map to the Saved Southwark Plan:
- 5
- Metropolitan Open Land (MOL)
 - Suburban Density Zone - South
 - Air Quality Management Area
 - Dulwich Village Conservation Area

Details of proposal

- 6 This application seeks full planning permission for the erection of a flat roofed prefabricated building to the west of the existing clubhouse. The proposed building would be single storey to a maximum height of 3.2m and would provide 187sqm of floorspace. During weekdays the building would be used as a children's day nursery catering for a maximum of 41 children up to the age of 5 years. In the evenings and weekends the building would be used by the sports club as a 'wet weather' training facility providing space for theoretical classroom learning.
- 7 The building would have a dual use class of D1 non-residential institutions (day nursery) and D2 assembly and leisure (sports club).
- 8 A covered bicycle store would be erected adjacent to the existing clubhouse
- 9 Hours of operation
 Day Nursery (D1): Monday - Friday 7:30 to 18:30
 Sports Club (D2): Monday - Friday 18:30 to 22:30, Saturday - Sunday 9:00 to 22:30

10 Materials

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

Application history

- 11 This application was previously reported to Planning Sub-Committee A on 23 July 2013. Members resolved to grant planning permission subject to no new material objections being raised following the completion of the statutory consultation period which had not yet ended at the time of the sub committee meeting.
- 12 Following the application being heard at the above mentioned meeting the following new material considerations were established:
- An unauthorised C3 residential use was taking place within the sports ground pavilion.
 - The proposed D1 use of the building as a children's day nursery is the fundamental objective of the application due to the requirement of Dulwich Sports Club to increase revenue to enable its continued operation.
- 13 In light of this new information the application has been reevaluated by planning officers who have resolved that the proposal is now a departure from adopted policy and as such it has been brought back before members for additional consideration. Furthermore Members are now being asked to consider the proposal in tandem with a retrospective application for the retention of the unauthorised C3 use which is also being presented at this meeting under reference 13-AP-3927.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) Principle
- b) Design, appearance and impact on conservation area
- c) Traffic and transportation
- d) Residential amenity

Planning policy

15 Core Strategy 2011

Strategic Policy 11 - Open Spaces and Wildlife

Strategic Policy 12 - Design and Conservation

Strategic Policy 13 - High Environmental Standards

16 Southwark Plan 2007 (July) - saved policies

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.

3.1 Environmental effects

3.2 Protection of Amenity

3.11 Efficient Use of Land

3.12 Quality in Design

3.13 Urban Design

3.15 Conservation of the Historic Environment

3.16 Conservation Areas

3.18 Setting of Listed Buildings, Conservation Areas and World heritage Sites

3.25 Metropolitan Open land

5.1 Locating Developments

5.2 Transport Impacts

17 London Plan 2011

Policy 7.4 Local Character

Policy 7.5 Public Realm

Policy 7.6 Architecture

7.17 Metropolitan Open Land

18 National Planning Policy Framework (NPPF)

7. Requiring good design

9. Protecting green belt land

12. Conserving and enhancing the historic environment

Principle of development

19 The application site is located within Metropolitan Open Land (MOL) and as such saved Southwark Plan policy 3.25 is relevant to the determination of this proposal. MOL is a strategic land designation within the urban area that contributes to the structure of London. It is intended to protect areas of landscape, recreation, nature

conservation and scientific interest which are strategically important, against inappropriate development.

- 20 Policy 3.25 states that there is a general presumption against inappropriate development on MOL and that planning permission will only be granted for appropriate development which is considered to be for the following purposes:
- i) Agriculture and forestry; or
 - ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
 - iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
 - iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.
- 21 The National Planning Policy Framework (NPPF) makes no specific reference to MOL rather considers green belt land which has traditionally been afforded the same protection which is confirmed by policy 7.17 (MOL) of the London Plan. Para 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in green belt. Exceptions to this are for the provision of appropriate facilities for outdoor sport and outdoor recreation. Para 87 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para 88 goes on to confirm that 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.
- 22 The London Plan protects MOL against inappropriate development, with only some exceptions. These include small scale structures to support outdoor open space uses, and any proposals should minimise adverse impact on the openness of MOL. Similarly, other developments within the MOL will not be accepted unless exceptional circumstances can be demonstrated.
- 23 The proposed use of part of the existing sports ground for the erection of a new building for purposes other than facilities for outdoor sport and outdoor recreation, albeit as a dual use with facilities for wet weather sports training, is therefore contrary to adopted local and national policy. Consideration should therefore be given to any exceptional circumstances which may be present in this case.
- 24 Dulwich Sports Ground and Southwark Community Sports Trust
Dulwich Sports Ground is currently maintained and run by Southwark Community Sports Trust (The Trust). The ground was previously run by London South Bank University (LSBU) until 2010 when they withdrew as they could no longer afford to operate. The Trust was formed in 2010 as a community interest company by local clubs and is a non for profit organisation set up with the intention of running Dulwich Sports Ground for the period of 7 years from 2010-2017 until the university's lease expires. This continued operation was enabled by LSBU continuing to pay the annual lease of £40,000 to the Dulwich Estates.
- 25 There are currently over 170 different users of the facilities including 19 schools, 25 youth sports organisations, women's football, cricket, rugby and Gaelic football; in addition to men's football, cricket and rugby. The trust in particular has a close and ongoing relationship with Lyndhurst School providing access to the fields.

- 26 The trust since taking over the running of the sports ground managed to break even in the year ending 2011 with a very small profit, but in the year ending 2012 a loss was made, and a small loss is forecast for the year ended 2013. However, even this financial position has only been made possible by the continued payment of the rental arising in relation to the lease by LSBU. The trust is a volunteer led organisation and it is estimated that over 3,000 man hours are donated each year.
- 27 LSBU's lease with the Dulwich Estates ceases in December 2017 at which point Dulwich Sports Ground will no longer have a large financial supporter. To allow the continued operation of the ground by the trust it has therefore been identified that a further revenue stream is required to meet the £40,000 annual shortfall in operating costs. This sum approximately equates to the rental for which the trust will become liable following the ending of LSBU's financial commitment.
- 28 Failure to meet this shortfall would result in The trust ceasing operation at the expiry of the lease in 2017. The trust would simply not have the financial resources to be able to commit to an extension of the lease which will involve the trust being able to commit to the rental payments. To allow the trust to continue to operate it has been established that a 2-3 year rent reserve is required by 2017.
- 29 Evaluation of financial viability and income
Dulwich Estates, being the freeholder of the ground, charge £1,800 per acre per annum in rent. This equates to just short of £40,000 and is consistent with the rent of other sports grounds in the locality. This figure has been assessed by the council's valuers who have concluded that this is a fair and reasonable market rate for the land. The trust have negotiated the extension of the lease at this rate and are also satisfied that the rent is of market value and that they are unable to seek a reduction in this rate.
- 30 The fields are currently being used to full capacity with the recent introduction of rugby and enhanced participation by local schools. The trust have provided details of the rates charged for its pitches, which taking into account the quality of the pitches and market rates for such facilities, are considered reasonable. This has been assessed by the council's own internal environment & leisure department. Increasing the rates charged at the ground would not be a viable option for increased income which would overcome the shortfall required. Doing so is also likely to result in many local, community, schools and junior existing users of the ground being out priced and unable to continue participation at this facility.
- 31 The trust has further provided details of their accounts and projections, which clearly demonstrates a shortfall which could not be met through the continued running of the club without an additional stream of income.
- 32 Many objectors have raised the unacceptability of introducing a commercial venture onto MOL. It should be noted however that MOL designation does not preclude commercial use in any way and many uses within MOL, such as golf courses, are highly profitable businesses. Moreover, with around 3,000 persons participating through 170 different sports teams using the facilities, the ground enjoys a particularly high rate of usage which is in accordance with Strategic Policy 11 of the Core Strategy which refers to sports and leisure opportunities for the community.
- 33 Forecasts of the trust accounts, including the projected income from the day nursery and the residential unit have been made available to council's officers for assessment. For the purposes of commercial sensitivity those figures relating to the day nursery have been kept confidential in line with council standard practice concerning viability information.

- 34 These figures demonstrate that the income generated from the day nursery combined with the income generated by the rental of the residential flat meets the shortfall in income required to cover the annual lease of the ground. The proposed use and the unlawful residential use would generate no additional income for the trust.
- 35 The proposed introduction of a day nursery would therefore, in addition to the continued operation of the residential unit, allow the trust to continue to run Dulwich Sports Ground as a facility open to the general public, schools and community users.
- 36 Alternative uses of MOL
MOL designation is not linked to public land or to any requirement for public access. Dulwich Sports Ground currently operates a flexible access arrangement to the land making it available to local residents and dog walkers resulting in an area of land which is very much seen as open space to be enjoyed by the community. It could at any point be closed and access restricted for private purposes only. If it becomes financially unviable to operate the site as a sports ground, alternative uses falling within the MOL designation are possible.
- 37 Alternative uses of the land within its MOL designation are as follows:
- Allotments.
- Allow the land to go fallow with regular temporary uses such as car-boot sales.
- Cemetery.

These alternative uses may also not be financially viable, but in any event would not enable a community-centred sports facility such as is currently operating to continue, with the far-reaching benefits that it brings to the area.

- 38 Wet weather training facilities
The erection of the proposed building would provide additional space for sports teaching in association with the wider use of the site as a sports ground. To the north of the site is the existing two-storey pavilion building. At ground floor this provides twelve team dressing rooms and an open plan bar/dining area, whilst at first floor is a caretakers apartment (which is currently being used unlawfully as a C3 residential unit and which is the subject of application 13-AP-3927). All existing sporting facilities would be retained.
- 39 Southwark Community Sports Trust, being the applicant, have established that the existing pavilion building no longer meets the demands that modern day sporting facilities require. This being an expanding need for classroom based training, administration and coaching, particularly during the wetter winter months, all of which support the wider continued use of the site for outdoor sporting activities. The requirement for indoor teaching/meeting space is predominantly on weekday evenings and at weekends when the grounds are used by various youth and senior sports teams. Examples of activities requiring this additional indoor space are as follows:
- Coaching of sports rules (theory) for players of cricket, football and rugby
 - Training of referees, linesmen and umpires
 - Parent meetings for colts and junior players
 - Use of video and sporting technique demonstration
 - Disability awareness seminars
 - Southwark Sports Clubs Alliance meetings, Surrey and Kent RFU, the ECB and Surrey County Cricket Club and the South London FA
 - After training review meetings
 - First aid training
 - Registration sessions
 - SCST board and committee meetings

- Selection committees and club panels

- 40 The existing pavilion does not afford suitable space for activities such as these. Objectors have raised that the existing flat, which is currently being used unlawfully, could provide the space needed to meet this identified need. The flat however being located at first floor level with two sets of external and internal stairs would fail to provide the required disabled access and is not a viable option to meet this need.
- 41 The provision of this building for sports teaching in association with the wider sports ground is considered both an essential and an appropriate facility within this MOL site. The new structure would be low rise and located to the side of the existing pavilion on land not currently utilised for sports. This is designed and sited to ensure the open nature of the MOL would not be affected, whilst being in a convenient position to allow its use in connection with the wider outdoor facilities.
- 42 Day nursery
To meet both the financial requirements of providing the building for wet weather training and securing the long term future of Dulwich Sports Ground, the trust have identified that a separate stream of income is required to meet the £40,000 annual shortfall in operating costs as described previously. The provision of a children's day nursery to operate from the proposed building as dual use with the wet weather teaching space is therefore proposed.
- 43 During the day Monday to Friday the demand for such sports facilities is limited as the site is mostly utilised by local schools who have their own facilities for such sports training activities, the building would very likely remain empty. It is therefore proposed to use the building as a children's day nursery between the hours of 7:30 to 18.30. Each classroom has been designed with extensive storage space to allow training aids and play equipment to be easily stored when not in use to allow a convenient dual use to take place with minimal disruption.
- 44 Allowing the flexibility in the use of the building results in a sustainable solution ensuring the potential use of the building is realised and would provide a much needed facility to the local community where childcare provision is under immense pressure.
- 45 The wider sports ground occupies 8.9 hectares of land; within this the new building would have a footprint of 197sqm, representing just 0.22% of the overall site. The predicted usage split of the building is approximately 50:50 between sporting use and the day nursery. The percentage use of the wider sports ground for a day nursery is therefore a tiny proportion of the overall use of the site and it does not involve any removal, reduction or conflict with sports facilities on the site.
- 46 Despite this, the provision of the day nursery would be contrary to the MOL designation as it does not provide essential facilities for outdoor sport and outdoor recreation. It is therefore considered as inappropriate development in accordance with paragraph 89 of the NPPF.
- 47 Exceptional circumstances
Under section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions on applications for planning permission and appeals must be taken in accordance with the development plan, unless there are material considerations that indicate otherwise. This is reiterated in paragraph 14 of the NPPF.
- 48 In accordance with Article 27, Part 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, "a local planning authority may in such cases and subject to such conditions as may be prescribed by directions given

by the Secretary of State under this order grant permission for development which does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated. “

- 49 The London Plan states that developments within the MOL, other than those specified will not be accepted unless exceptional circumstances can be demonstrated.
- 50 In this case the exceptional, or very special, circumstances and local situation relate to the desire to protect the continued provision of sporting facilities on Dulwich Sport Ground, for which there is a clear local need based on the continued strong demand for the sports facilities provided at the site. This is consistent with paragraph 73 of the NPPF and the aim to provide access to high quality open spaces and opportunities for sport and recreation which are recognised as capable of making an important contribution to the health and well-being of communities.
- 51 In consideration of the financial justification provided by the Trust it is concluded that there are no likely alternatives to allow the continued operation of the sports ground without an additional stream of income being generated. Furthermore, in terms of sources of income, the Trust are already seeking to maximise returns from the sports facilities which are being offered at market rates. Their costs are minimised further as a result of being run by volunteers as a not-for-profit organisation. Members need to consider whether the need to maintain the availability of the sports ground constitutes very special circumstances which clearly outweighs the substantial weight arising from the inappropriate introduction of the new use on the MOL. The use proposed and the building to be erected would not compromise the openness and setting of the location, nor would it undermine the value of the MOL in this location. Furthermore it would be providing much needed child day care for which therefore is a local shortfall, and additional sporting facilities which would enhance the existing use of the site as a sports ground.

Design, appearance and impact on conservation area

- 52 Saved policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan seek to ensure that developments achieve high quality architectural and urban design, while policy 3.15 seeks to conserve the historic environment and 3.18 seeks to preserve or enhance the setting of listed buildings, conservation areas and world heritage sites.
- 53 The application site is characteristically open with the existing pavilion building and storage buildings sited on the MOL boundary closest to the neighbouring built form of the residential dwellings on Turney Road. The proposed building has been sited next to the existing building reducing its impact on the open nature of the MOL. Its design as a low level, flat roofed structure, clad in timber further reduces its dominance and allows it to sit comfortably on the site.
- 54 It is therefore considered appropriate in the local context having minimal impact on the open nature of the MOL and will preserve the character and appearance of this section of the surrounding conservation area.

Traffic and transportation

- 55 The application site has an existing dedicated on site car park which would be reconfigured as part of the proposed works. This makes provision for 46 general parking spaces, three dedicated disabled spaces and 10 covered bicycle parking spaces.
- 56 As the proposed use would provide sports related wet weather teaching facilities it is not anticipated that there would be any noticeable change of activity on the site during the weekends and evenings, and therefore no increase in vehicle movements over

and above what is already experienced.

- 57 During weekdays, peak times for movements to and from the site would be during morning drop-off and afternoon pick-up from the day nursery. The nature of a children's day nursery means that these movements would be staggered throughout the morning and afternoon rather than traditional school hours. The applicant has provided a transport statement analysing the arrivals and departures of children at their nursery located at 27 Turney Road which is considered to be comparable in terms of location and size.
- 58 This shows that the peak time for drop-off would be 08.00 to 08:15 and for pick-up would be 17:45 to 18:00. However this would represent less than 20% of the total number of children. Furthermore it is anticipated that 75% of arrival and departures modes would be by walking or cycling with just 9 children arriving by car. Walking to the site is further encouraged by the proposed large buggy storage area attached to the new building.
- 59 Given the large existing area for car parking, those users dropping off children by car would enter the site from the existing access on Turney Road, thus ensuring that there would be no overspill onto surrounding roads and no impact on existing parking situations in the locality.
- 60 In consideration of the above there would be no material increase in pressure on the surrounding transport network or parking situation resulting from the erection of the building and its proposed use.

Residential amenity

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

Flood risk

- 64 The application site is not located within an area as defined by the environment agency as being within a flood risk zone. However, it has been established that this area of Dulwich is within a much larger area at risk of localised flooding, this area has no clearly defined boundaries and extends in parts over much of the southern section of the borough. The Council's internal Flood Alleviation Team have provided comments and advice with regard to this application and have raised no objections to the proposal, subject to the finished floor level of the building being 500mm above ground level. The positioning and design of the building will have no impact on flooding within the locality or the wider area.
- 65 The required finished floor level of 500mm above ground can be achieved with no overall impact on the height or positioning of the building and would be ensured through the imposition of an appropriate condition.

Impact on trees

- 66 The application site has a large mature tree sited approximately 5m to the north of the proposed new building. Given the construction methods of pre-fabricated buildings of

this nature, it is considered that with adequate protection during construction the existing tree would not be affected by the proposed development. This would be ensured through the imposition of appropriate conditions.

Mayoral CIL

- 67 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material “local financial consideration” in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on this application. The applicant has completed the relevant form and CIL is payable on 187 square metres of floorspace equivalent to a CIL charge of £6,545.

Environmental impact assessment

- 68 An environmental impact assessment is not required for a development of this nature.

Conclusion on planning issues

- 69 The proposed provision of a children’s day nursery is contrary to local and national policy with regard to MOL designation. Allowing the development would therefore be a departure from adopted policy.
- 70 Consideration has been given to the exceptional circumstances present in this case. Those being the requirement of the sports club to generate an additional stream of income to allow continued operation at the ground.
- 71 It has been established that the physical presence of the proposed new building would have minimal impact on the character and openness of the MOL and that its provision would not result in any loss of existing sports and recreation facilities. Furthermore the wet weather training facilities would enhance the existing outdoor sporting facilities.
- 72 It is therefore only the principle of introducing a use, being the children’s day nursery, which is not in accordance with MOL policy designation.
- 73 Evidence has been submitted to demonstrate that without the additional income it is not financially viable to operate a sports club on this site. The trust will therefore cease operation and Dulwich Sports Ground will close leading to a loss of facilities which provide access to outdoor sports for local clubs, youth groups, community groups and schools.
- 74 Taking into account adopted policy, case law, likely alternative uses of the site and all objections raised, it is considered on balance more desirable to protect the future use of this site as a sports ground. Given the introduction of a use which is deemed inappropriate on MOL and that it is only being recommended for approval on the basis of it ensuring the continued operation of the Sports Ground, it is considered reasonable to impose a condition which links the provision of the day nursery to the continued use of the wider site for sporting purposes. Should the use of Dulwich Sports Ground cease operation as a Sports Ground, the nursery should also cease operation. A condition would also restrict the use of the building for a children’s day nursery (D1) and evening and weekend sports teaching facilities (D2) only, and for no other purposes falling within the D1 use class.
- 75 For the reasons as discussed above it is recommended that planning permission be granted subject to a conditions.

Community impact statement

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

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

b) There are no issues relevant to particular communities/groups not discussed above.

c) There are no likely adverse or less good implications for any particular communities/groups not discussed above.

Consultations

77 Details of consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

78 Details of consultation responses received in respect of this application are set out within Appendix 2.

79 At the time of writing, the council has received 231 representations with regard this application. These are broken down as follows:

80 Objections: 129
 Supports: 99
 Petitions in favour: 1 with 115 signatures
 Comments: 2

81 Objections

129 representations received being a mixture of standard letters and individual responses. Submitted from a broad spectrum of address being both local and further a field with a number of responses received from individuals residing at the same addresses. Includes letters of objection from the following organisations:

- Friends of Belair Park
- Open Spaces Society
- Friends of Upminster Park.

82 Those letters of objection received raise the following issues:

- The proposal is on Metropolitan Open Land and is not for an appropriate use, the use is not an essential facility for outdoor sports and is not ancillary.

Considered in committee report

- Introduction of commercial activity on MOL.

Although the site is MOL, it is also private land; it is not available for public access and the sports club is not a public facility. Most recreational activities on MOL (such as golf clubs, sports clubs etc) are commercial ventures. The definition of outdoor sport is not restricted to public or private sports.

- The proposed building will impact on the open nature of the site.

Considered in committee report

- The proposed building will impact the setting of the large willow tree.

Considered in committee report, previously recommended condition amended in line with discussions at 23rd July sub-committee meeting following the submission of a full method statement.

- The development will affect views into and out of the Dulwich Village Conservation Area and the building does not preserve or enhance that area.

Considered in committee report

- The proposed use of the building by the sports club is secondary, would be sporadic and could be accommodated with the existing building.

Considered in committee report

- Would result in a precedent for further development on MOL.

Allowing the proposed development is not considered to set a precedent for development of an inappropriate nature on MOL. This application is deemed acceptable in light of the unique exceptional circumstances of the financial viability which have been justified in this case.

- The site is prone to flooding.

The site is not within a FRZ and therefore a FRA is not required. Further advice has been sought from the Councils internal Flood and Drainage Team with regard to localised flooding. Considered in committee report

- Detrimental impact on traffic on Turney Road, Burbage Road and the Village area.

Considered in committee report

- Increased activity on the playing fields (unclear on what basis this is raised as an objection)

Residential amenity issues are considered in committee report.

- Detrimental impact on views from the rear windows of properties on Turney Road.

Considered in committee report

- Increased risk of burglary to properties backing onto the sports ground as the site would be more open to public access.

This is a civil matter as the site is private land and could be left open anyway.

- Failure of the plans to show enclosed play areas for the nursery.

The application drawings do not show specific areas for outside play associated with the proposed nursery and therefore any boundary treatment has not been considered as part of this proposal. The Council is unable to refuse on the basis of something which hasn't been applied for. The applicant has stated that they currently do not have plans to provide outdoor enclosed play areas and that they are aware that permission may be required.

- Failure of the application to demonstrate that the harm to MOL etc is outweighed by the positive factors. Failure for the applicant to justify the exceptional circumstances in this case.

Considered in committee report.

- The consideration of section 9 (Green Belts) of the NPPF rather than Southwark Plan Policy 3.25 which is based on the no longer applicable PPG2.

- Failure to be in accordance with section 8 of the NPPF.

- Conflict between the Southwark Plan and NPPF.

- The volume of the building would erode the openness of the MOL.

The scale and position of the proposal is considered in the committee report

- Disturbance to wildlife including bats and owls.

Whilst it is acknowledged that extensive wildlife is present within the area, including bats which are protected, the proposal would not involve the loss of habitat nor would it involve the provision of facilities such as lighting which would effect movement of bats. There is no requirement for an ecological/habitat survey with this application.

83 Supports

99 individual responses received in addition to a petition with 115 signatures. Submitted from a broad spectrum of address being both local and from existing users of the sports ground residing further afield. Includes letters of support from the following organisations:

- The Amateur Football Alliance
- Rugby Football Union Association
- King College Hospital RFC
- Palace Knights FC
- Old Josephians FC
- Southbank CUACO FC

- London Lawyers FC
- Southbank Youth FC
- South London Schools Football Association
- London Football Association
- London Southbank Youth FC
- Henry Cavendish Primary School
- Immanuel & St Andrew School
- Lambeth & Southwark Primary Schools League

84 Those letters of support received raise the following issues:

- Lack of nursery provision in the surrounding area with current waiting lists of 18 months at some nurseries. The new facility is much needed.
- Creation of 14 new jobs.
- The facility would be a shared resource with the sports club.
- There would be no loss of useable sports fields.
- Minimal impact on transport.
- The provision of the nursery would help support the viability of the sports ground.
- Failure to grant permission would result in the ground ceasing operation and being left empty.
- The loss of the sports ground would have a significant impact on the local schools and groups which do not benefit from their own facilities.

Human rights implications

- 85 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.
- 86 This application has the legitimate aim of providing a new children's day nursery and improved sports facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

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

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Amy Lester, Senior Planner Strategic Applications Team	
Version	Final	
Dated	29 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		30 January 2014

APPENDIX 1**Consultation undertaken****Site notice date:** 03/07/2013**Case officer site visit date:** 03/07/2013**Neighbour consultation letters sent:** 04/07/2013**Internal services consulted:**

Transport Planning

Waste Management

Flood Alleviation Team

Neighbours and local groups consulted:

154 TURNEY ROAD LONDON SE21 7JJ
 156 TURNEY ROAD LONDON SE21 7JJ
 158 TURNEY ROAD LONDON SE21 7JJ
 152 TURNEY ROAD LONDON SE21 7JJ
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 128 TURNEY ROAD LONDON SE21 7JJ
 130 TURNEY ROAD LONDON SE21 7JJ
 132 TURNEY ROAD LONDON SE21 7JJ
 174 TURNEY ROAD LONDON SE21 7JL
 BOROUGH POLYTECHNIC GROUNDS 102-106 TURNEY ROAD LONDON SE21 7JH
 FIRST FLOOR FLAT 83 TURNEY ROAD LONDON SE21 7JB
 140A CROXTED ROAD LONDON SE21 8NR
 FLAT 2 144 CROXTED ROAD LONDON SE21 8NR
 142 CROXTED ROAD LONDON SE21 8NR
 FLAT 1 144 CROXTED ROAD LONDON SE21 8NR
 GROUND FLOOR FLAT 83 TURNEY ROAD LONDON SE21 7JB
 HOLLINGTON CLUB REAR OF 123 TO 125 BURBAGE ROAD LONDON SE24 9HD
 140E CROXTED ROAD LONDON SE21 8NR
 140B CROXTED ROAD LONDON SE21 8NR
 140C CROXTED ROAD LONDON SE21 8NR
 140D CROXTED ROAD LONDON SE21 8NR
 138 CROXTED ROAD LONDON SE21 8NR
 184 TURNEY ROAD LONDON SE21 7JL
 186 TURNEY ROAD LONDON SE21 7JL
 188 TURNEY ROAD LONDON SE21 7JL
 182 TURNEY ROAD LONDON SE21 7JL
 176 TURNEY ROAD LONDON SE21 7JL
 178 TURNEY ROAD LONDON SE21 7JL
 180 TURNEY ROAD LONDON SE21 7JL
 67 TURNEY ROAD LONDON SE21 7JB
 134 CROXTED ROAD LONDON SE21 8NR
 136 CROXTED ROAD LONDON SE21 8NR
 116 TURNEY ROAD LONDON SE21 7JJ
 190 TURNEY ROAD LONDON SE21 7JL
 192 TURNEY ROAD LONDON SE21 7JL
 90 TURNEY ROAD LONDON SE21 7JH
 117 TURNEY ROAD LONDON SE21 7JB

119 TURNEY ROAD LONDON SE21 7JB
121 TURNEY ROAD LONDON SE21 7JB
115 TURNEY ROAD LONDON SE21 7JB
109 TURNEY ROAD LONDON SE21 7JB
111 TURNEY ROAD LONDON SE21 7JB
113 TURNEY ROAD LONDON SE21 7JB
131 TURNEY ROAD LONDON SE21 7JB
133 TURNEY ROAD LONDON SE21 7JB
135 TURNEY ROAD LONDON SE21 7JB
129 TURNEY ROAD LONDON SE21 7JB
123 TURNEY ROAD LONDON SE21 7JB
125 TURNEY ROAD LONDON SE21 7JB
127 TURNEY ROAD LONDON SE21 7JB
107 TURNEY ROAD LONDON SE21 7JB
35 TURNEY ROAD LONDON SE21 7JA
37 TURNEY ROAD LONDON SE21 7JA
39 TURNEY ROAD LONDON SE21 7JA
33 TURNEY ROAD LONDON SE21 7JA
144A CROXTED ROAD LONDON SE21 8NW
29 TURNEY ROAD LONDON SE21 7JA
31 TURNEY ROAD LONDON SE21 7JA
101 TURNEY ROAD LONDON SE21 7JB
103 TURNEY ROAD LONDON SE21 7JB
105 TURNEY ROAD LONDON SE21 7JB
47 TURNEY ROAD LONDON SE21 7JA
41 TURNEY ROAD LONDON SE21 7JA
43 TURNEY ROAD LONDON SE21 7JA
45 TURNEY ROAD LONDON SE21 7JA
55 TURNEY ROAD LONDON SE21 7JB
82 TURNEY ROAD LONDON SE21 7JH
84 TURNEY ROAD LONDON SE21 7JH
86 TURNEY ROAD LONDON SE21 7JH
100 TURNEY ROAD LONDON SE21 7JH
89 TURNEY ROAD LONDON SE21 7JB
91 TURNEY ROAD LONDON SE21 7JB
93 TURNEY ROAD LONDON SE21 7JB
98 TURNEY ROAD LONDON SE21 7JH
108 TURNEY ROAD LONDON SE21 7JJ
110 TURNEY ROAD LONDON SE21 7JJ
96 TURNEY ROAD LONDON SE21 7JH
88 TURNEY ROAD LONDON SE21 7JH
92 TURNEY ROAD LONDON SE21 7JH
94 TURNEY ROAD LONDON SE21 7JH
87 TURNEY ROAD LONDON SE21 7JB
65 TURNEY ROAD LONDON SE21 7JB
69 TURNEY ROAD LONDON SE21 7JB
71 TURNEY ROAD LONDON SE21 7JB
63 TURNEY ROAD LONDON SE21 7JB
57 TURNEY ROAD LONDON SE21 7JB
59 TURNEY ROAD LONDON SE21 7JB
61 TURNEY ROAD LONDON SE21 7JB
81 TURNEY ROAD LONDON SE21 7JB
85 TURNEY ROAD LONDON SE21 7JB
79 TURNEY ROAD LONDON SE21 7JB
73 TURNEY ROAD LONDON SE21 7JB
75 TURNEY ROAD LONDON SE21 7JB
77 TURNEY ROAD LONDON SE21 7JB

APPENDIX 2

Consultation responses received

Internal services

Transport Planning

Flood Alleviation Team

Neighbours and local groups

Neighbour Consultee Response List for Application Reg. No. 13/AP/1732

TP No	TP/2546-B	Site	DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON, SE21 7JH
App. Type	Full Planning Permission	Printed:	29/01/2014 Total: 331

Date Received	Address		
19/07/2013	158 TURNEY ROAD LONDON	SE21 7JJ	Objects
22/07/2013	170 TURNEY ROAD LONDON	SE21 7JL	Objects
22/07/2013	160 TURNEY ROAD LONDON	SE21 7JJ	Supports
23/07/2013	124 TURNEY ROAD LONDON	SE21 7JJ	Objects
30/12/2013	124 TURNEY ROAD LONDON	SE21 7JJ	Objects
24/07/2013	126 TURNEY ROAD LONDON	SE21 7JJ	Objects
02/01/2014	126 TURNEY ROAD LONDON	SE21 7JJ	Objects
17/07/2013	112 TURNEY ROAD LONDON	SE21 7JJ	Objects
24/12/2013	112 TURNEY ROAD LONDON	SE21 7JJ	Objects
15/07/2013	114 TURNEY ROAD LONDON	SE21 7JJ	Objects
17/07/2013	114 TURNEY ROAD LONDON	SE21 7JJ	Objects
21/12/2013	114 TURNEY ROAD LONDON	SE21 7JJ	Objects
29/07/2013	118 TURNEY ROAD LONDON	SE21 7JJ	Objects
29/07/2013	118 TURNEY ROAD LONDON	SE21 7JJ	Objects
15/07/2013	118 TURNEY ROAD LONDON	SE21 7JJ	Objects
02/01/2014	118 TURNEY ROAD LONDON	SE21 7JJ	Objects
02/01/2014	118 TURNEY ROAD LONDON	SE21 7JJ	Objects
17/07/2013	136 TURNEY ROAD LONDON	SE21 7JJ	Objects
22/07/2013	136 TURNEY ROAD LONDON	SE21 7JJ	Objects
24/09/2013	136 TURNEY ROAD LONDON	SE21 7JJ	Objects
30/12/2013	136 TURNEY ROAD LONDON	SE21 7JJ	Objects
08/07/2013	138 TURNEY ROAD LONDON	SE21 7JJ	Objects
19/07/2013	138 TURNEY ROAD LONDON	SE21 7JJ	Objects
24/07/2013	138 TURNEY ROAD LONDON	SE21 7JJ	Objects
02/01/2014	138 TURNEY ROAD LONDON	SE21 7JJ	Objects
22/07/2013	140 TURNEY ROAD LONDON	SE21 7JJ	Objects
15/07/2013	132 TURNEY ROAD LONDON	SE21 7JJ	Objects
28/12/2013	132 TURNEY ROAD LONDON	SE21 7JJ	Objects
15/07/2013	184 TURNEY ROAD LONDON	SE21 7JL	Objects
02/01/2014	184 TURNEY ROAD LONDON	SE21 7JL	Objects
18/07/2013	186 TURNEY ROAD LONDON	SE21 7JL	Objects
22/07/2013	188 TURNEY ROAD LONDON	SE21 7JL	Objects
22/07/2013	182 TURNEY ROAD LONDON	SE21 7JL	Supports
15/07/2013	176 TURNEY ROAD LONDON	SE21 7JL	Objects
03/01/2014	176 TURNEY ROAD LONDON	SE21 7JL	Objects
17/12/2013	134 CROXTED ROAD LONDON	SE21 8NR	Supports
22/07/2013	90 TURNEY ROAD LONDON	SE21 7JH	Objects
22/07/2013	121 TURNEY ROAD LONDON	SE21 7JB	Objects
22/07/2013	109 TURNEY ROAD LONDON	SE21 7JB	Objects
22/07/2013	109 TURNEY ROAD LONDON	SE21 7JB	Objects
06/01/2014	109 TURNEY ROAD LONDON	SE21 7JB	Objects
27/12/2013	125 TURNEY ROAD LONDON	SE21 7JB	Objects
02/01/2014	107 TURNEY ROAD LONDON	SE21 7JB	Objects
22/07/2013	105 TURNEY ROAD LONDON	SE21 7JB	Objects
03/01/2014	105 TURNEY ROAD LONDON	SE21 7JB	Objects
01/01/2014	105 TURNEY ROAD LONDON	SE21 7JB	Objects
25/07/2013	41 TURNEY ROAD LONDON	SE21 7JA	Supports
03/01/2014	43 TURNEY ROAD LONDON	SE21 7JA	Supports
02/01/2014	45 TURNEY ROAD LONDON	SE21 7JA	Objects
22/07/2013	45 TURNEY ROAD LONDON	SE21 7JA	Objects
03/01/2014	55 TURNEY ROAD LONDON	SE21 7JB	Supports

22/07/2013	84 TURNEY ROAD LONDON SE21 7JH	Objects
22/07/2013	86 TURNEY ROAD LONDON SE21 7JH	Objects
30/12/2013	86 TURNEY ROAD LONDON SE21 7JH	Objects
22/07/2013	100 TURNEY ROAD LONDON SE21 7JH	Objects
29/07/2013	100 TURNEY ROAD LONDON SE21 7JH	Objects
02/01/2014	100 TURNEY ROAD LONDON SE21 7JH	Objects
23/07/2013	100 TURNEY ROAD LONDON SE21 7JH	Objects
17/07/2013	108 TURNEY ROAD LONDON SE21 7JJ	Objects
31/12/2013	108 TURNEY ROAD LONDON SE21 7JJ	Objects
11/07/2013	110 TURNEY ROAD LONDON SE21 7JJ	Supports
16/12/2013	110 TURNEY ROAD LONDON SE21 7JJ	Supports
03/01/2014	88 TURNEY ROAD LONDON SE21 7JH	Objects
18/07/2013	69 TURNEY ROAD LONDON SE21 7JB	Supports
12/12/2013	69 TURNEY ROAD LONDON SE21 7JB	Supports
17/07/2013	63 TURNEY ROAD LONDON SE21 7JB	Objects
03/01/2014	61 TURNEY ROAD LONDON SE21 7JB	Supports
23/07/2013	81 TURNEY ROAD LONDON SE21 7JB	Objects
24/07/2013	85 TURNEY ROAD LONDON SE21 7JB	Supports
04/01/2014	85 TURNEY ROAD LONDON SE21 7JB	Supports
05/07/2013	77 TURNEY ROAD LONDON SE21 7JB	Supports
15/07/2013	39 Burbage Road London SE24 9HB	Objects
01/01/2014	39 Burbage Road London SE24 9HB	Objects
15/07/2013	email	Objects
15/07/2013	114 Turney Road London SE21 7JJ	Objects
21/12/2013	114 Turney Road London SE21 7JJ	Objects
15/07/2013	11 COLLEGE GARDENS LONDON SE21 7BE	Objects
15/07/2013	36 Calton Avenue Dulwich London SE12 7DG	Objects
30/12/2013	36 Calton Avenue Dulwich London SE12 7DG	Objects
17/07/2013	36 Dulwich Village London SE21 7AL	Objects
18/07/2013	36 Dulwich Village London SE21 7AL	Objects
30/12/2013	36 Dulwich Village London SE21 7AL	Objects
17/07/2013	105 Dulwich Village London SE21 7BJ	Objects
31/12/2013	105 Dulwich Village London SE21 7BJ	Objects
31/12/2013	105 Dulwich Village London SE21 7BJ	Objects
17/07/2013	36 Dulwich Village London SE21 7AL	Objects
30/12/2013	36 Dulwich Village London SE21 7AL	Objects
17/07/2013	142 Burbage Road London SE21 7AG	Objects
29/12/2013	142 Burbage Road London SE21 7AG	Objects
17/07/2013	94 High Street Wimbledon Village SW19 5EG	Objects
17/07/2013	email	Supports
17/07/2013	email	Supports
05/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
17/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
29/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
13/12/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
20/12/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
13/12/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
03/01/2014	136 Turney Road Dulwich London SE21 7JJ	Objects
18/07/2013	27 Turney Road London SE12 8LX	Supports
25/12/2013	27 Turney Road London SE12 8LX	Supports
18/07/2013	9 Court Lane Gardens London SE21 7DZ	Objects
18/07/2013	117 Burbage Road London SE21 7AF	Objects
19/07/2013	268 Turney Road Dulwich London SE21 7JP	Objects
22/07/2013	268 Turney Road Dulwich London SE21 7JP	Objects
19/07/2013	169 Turney Road Dulwich London SE21 7JU	Objects
19/07/2013	email	Objects
19/07/2013	81 Burbage Road London SE24 9HB	Objects
18/07/2013	81 Burbage Road London SE24 9HB	Objects
31/12/2013	81 Burbage Road London SE24 9HB	Objects
22/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
19/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
03/01/2014	136 Turney Road Dulwich London SE21 7JJ	Objects
19/07/2013	email	Objects
19/07/2013	16 Allison Grove London SE21 7ER	Objects
22/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
30/12/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
22/07/2013	136 Turney Road Dulwich London SE21 7JJ	Objects
22/07/2013	154 Turney Road London SE21 7JJ	Objects
31/12/2013	154 Turney Road London SE21 7JJ	Objects
20/07/2013	16 Alleyn Road Dulwich London SE21 8AL	Objects
22/07/2013	16 Alleyn Road Dulwich London SE21 8AL	Objects
26/12/2013	16 Alleyn Road Dulwich London SE21 8AL	Objects
22/07/2013	email Dulwich Society	General Comments
18/07/2013	31 Winterbrook Road Herne Hill London SE24 9HZ	Objects
12/01/2014	31 Winterbrook Road Herne Hill London SE24 9HZ	Objects
18/07/2013	103 Stradella Road London SE24 9HL	Objects
18/07/2013	264 Upland Road London SE22 0DN	Objects
01/01/2014	264 Upland Road London SE22 0DN	Objects

18/07/2013	63 Stradella Road London SE24 9HL	Objects
18/07/2013	76 Wood Vale London SE23 3ED	Objects
18/07/2013	22 Court Lane Gardens London SE21 7DZ	Objects
18/07/2013	49 Stradella Road London SE24 9HL	Objects
07/01/2014	49 Stradella Road London SE24 9HL	Objects
22/07/2013	158 Turney Road Dulwich London SE21 7JJ	Objects
22/07/2013	169 Turney Road London SE21 7JU	Objects
06/01/2014	169 Turney Road London SE21 7JU	Objects
23/07/2013	P.O. Box 59536 London SE21 9BG	Objects
23/07/2013	138 Burbage Road London SE21 7AG	Objects
23/07/2013	61 Casimir Road London E5 9NU	Objects
23/07/2013	43 Comber House Comber Grove London SE5 0LJ	Objects
23/07/2013	43 Comber House Comber Grove London SE5 0LJ	Objects
11/07/2013	184 Turney Road London SE21 7JL	Objects
02/01/2014	184 Turney Road London SE21 7JL	Objects
23/07/2013	Green Party Group London Assembly, City Hall The Queens Walk London SE1 2AA	General Comments
23/07/2013	157 Turney Road London SE21 7JU	Objects
29/12/2013	42 Stradella Road Herne Hill London SE24 9HA	Objects
17/07/2013	42 Stradella Road Herne Hill London SE24 9HA	Objects
17/07/2013	34 Winterbrook Road London SE24 9JA	Objects
25/09/2013	146 Turney Road London SE21	Objects
12/12/2013	146 Turney Road London SE21	Objects
16/12/2013	146 Turney Road London SE21	Objects
08/08/2013	146 Turney Road London SE21	Objects
24/07/2013	146 Turney Road London SE21	Objects
17/07/2013	146 Turney Road London SE21	Objects
12/12/2013	19 Turney Road London SE21	Supports
10/07/2013	19 Turney Road London SE21	Supports
15/01/2014	email	Objects
04/07/2013	email	Objects
22/07/2013	email	Objects
22/07/2013	59 Woodwarde Road Dulwich London SE22 8UN	Objects
02/01/2014	188 Turney Road London SE21 7JL	Objects
21/07/2013	188 Turney Road London SE21 7JL	Objects
07/01/2014	117 Woodwarde Road Dulwich London SE22 8UP	Objects
22/07/2013	117 Woodwarde Road Dulwich London SE22 8UP	Objects
01/01/2014	98 Ferndene Road London SE24 0AA	Objects
22/07/2013	98 Ferndene Road London SE24 0AA	Objects
22/07/2013	15 Frank Dixon Way Dulwich London SE21 7ET	Objects
19/07/2013	57 Winterbrook Road London SE24 9HZ	Objects
30/12/2013	57 Winterbrook Road London SE24 9HZ	Objects
22/07/2013	57 Winterbrook Road London SE24 9HZ	Objects
22/07/2013	email	Objects
22/07/2013	160 Turney Road London SE21 7JJ	Supports
03/01/2014	160 Turney Road London SE21 7JJ	Supports
19/07/2013	93 Stradella Road London SE24 9HL	Objects
22/07/2013	93 Stradella Road London SE24 9HL	Objects
31/12/2013	93 Stradella Road London SE24 9HL	Objects
22/07/2013	email	Objects
19/07/2013	email	Objects
22/07/2013	email	Objects
20/07/2013	85 Stradella Road Herne Hill London SE24 9HL	Objects
22/07/2013	85 Stradella Road Herne Hill London SE24 9HL	Objects
29/12/2013	85 Stradella Road Herne Hill London SE24 9HL	Objects
22/07/2013	c/o Francis Peek Centre Dulwich Park College Road London SE27 2EH	Objects
02/01/2014	c/o Francis Peek Centre Dulwich Park College Road London SE27 2EH	Objects
18/07/2013	134 Court Lane London SE21 7ED	Supports
22/07/2013	email	Objects
24/07/2013	103 Dulwich Village London SE21 7BJ	Objects
25/12/2013	103 Dulwich Village London SE21 7BJ	Objects
24/07/2013	M D Truvis Ltd 4a Dulwich Wood Park London SE19 1XQ	Objects
30/12/2013	4 Woodyard Lane Dulwich London SE217BH	Objects
24/07/2013	4 Woodyard Lane Dulwich London SE217BH	Objects
25/07/2013	Aysgarth House 102 Dulwich Village London SE21 7AQ	Objects
24/07/2013	Aysgarth House 102 Dulwich Village London SE21 7AQ	Objects
24/07/2013	email	Supports
24/07/2013	Lyndhurst Primary School Grove Lane Camberwell London SE5 8SN	Supports
25/07/2013	email	Objects
30/12/2013	4 Frank Dixon Way London SE21 7BB	Objects
25/07/2013	4 Frank Dixon Way London SE21 7BB	Objects
26/07/2013	15 College Road London SE21 7BG	Supports
30/12/2013	15 College Road London SE21 7BG	Supports
29/07/2013	133 Burbage Road London SE21 7AF	Objects
29/07/2013	1 College Gardens Dulwich London SE21 7BE	Objects
04/01/2014	18 Alleyn Road London SE21 8AL	Objects
30/07/2013	18 Alleyn Road London SE21 8AL	Objects
30/07/2013	79 Court Lane Dulwich London SE21 7EF	Objects
23/07/2013	Farringdon Place 20 Farringdon Road London EC1M 3AP	Objects
17/12/2013	203 Clive Road London SE21 8DG	Supports

25/09/2013	203 Clive Road London SE21 8DG	Supports
25/09/2013	10a Croxted Road London SE21 8SW	Supports
25/09/2013	231 Croxted Road London SE21 8NL	Supports
25/09/2013	134 Croxted Road London SE21 8NR	Supports
25/09/2013	by email	Supports
17/12/2013	171b, Flat 2, Gipsy Road London SE27 9QT	Supports
25/09/2013	171b, Flat 2, Gipsy Road London SE27 9QT	Supports
24/09/2013	by email	Supports
24/09/2013	by email	Supports
24/09/2013	235 Croxted Road London SE21 8NL	Supports
24/09/2013	136 TURNEY ROAD LONDON SE21 7JH	Objects
01/10/2013	58 Martell Road London SE21 8EE	Supports
13/12/2013	58 Martell Road London SE21 8EE	Supports
01/10/2013	14 Lowden Road London SE24 0BH	Supports
01/10/2013	1 Warren Close London SE21 0NB	Supports
01/10/2013	1 Warren Close London SE21 8NB	Supports
01/10/2013	21 Craster Road London SW2 2AT	Supports
02/10/2013	20 Winterbrook Road London SE24 9JA	Supports
01/10/2013	329 Crystal Palace Road London SE22 9JL	Objects
26/09/2013	24 Derwent Grove East Dulwich London SE22 8EA	Supports
03/10/2013	9 CALTON AVENUE LONDON SE21 7DE	Supports
26/09/2013	78 LOWDEN ROAD LONDON SE24 0BH	Supports
17/12/2013	148 Woodwarde Road London SE22 8UR	Supports
04/10/2013	148 Woodwarde Road London SE22 8UR	Supports
11/12/2013	32 Gilkes Crescent Dulwich SE21 7BS	Objects
13/12/2013	37 HOLMDENE AVENUE LONDON SE24 9LB	Supports
12/12/2013	92 CHESTNUT ROAD LONDON SE27 9LE	Supports
13/12/2013	41 Lings Coppice London SE21 8SX	Supports
13/12/2013	Top Flat 234 Turney Road Dulwich SW21 7JL	Supports
13/12/2013	37 Glengarry Road East Dulwich London SE22 8QA	Supports
19/12/2013	59 Milton Road London SE24 0NW	Supports
13/12/2013	59 Milton Road London SE24 0NW	Supports
16/12/2013	88 Woodwarde Road Dulwich SE22 8UT	Supports
13/12/2013	88 Woodwarde Road Dulwich SE22 8UT	Supports
13/12/2013	247 Croxted Road London SE21 8NL	Supports
13/12/2013	277 Croxted Road Dulwich London SE21 8NN	Supports
13/12/2013	Flat 12 Hitherwood Court Hitherwood Drive London SE19 1UX	Supports
13/12/2013	1 Lings Coppice London SE21 8SY	Supports
13/12/2013	133 Woodwarde Road London SE22 8UP	Supports
15/12/2013	Flat 2 45 Dulwich Road London SE24 0NJ	Supports
16/12/2013	2 Shackleton Court Croxted Road London SE21 8RS	Supports
13/12/2013	40 Fawnbrake Avenue London SE24 0BY	Objects
16/12/2013	1 Thorsden Way Gipsy Hill London SE19 1RA	Supports
16/12/2013	50 Ruskin Walk London SE24 9LZ	Supports
02/01/2014	20 Gilkes Crescent Dulwich London SE21 7BS	Supports
17/12/2013	20 Gilkes Crescent Dulwich London SE21 7BS	Supports
19/12/2013	57 Josephine Avenue London SW2 2JZ	Supports
19/12/2013	230 Turney Road London SE21 7JL	Supports
23/12/2013	254 Crystal Place Road London SE22 9JH	Supports
21/12/2013	86 Ormanton Road London SE26 6RG	Supports
21/12/2013	20 Deronda Road London SE24 9BG	Supports
21/12/2013	BY EMAIL XXXX	Supports
20/12/2013	BY EMAIL XXXX	Supports
20/12/2013	BY EMAIL SE15 3HG	Supports
23/12/2013	10 Milton Road SM6 9RW	Supports
23/12/2013	BY EMAIL XXXX	Supports
24/12/2013	By Email	Supports
24/12/2013	By Email Turney Road SE21 7JL	Objects
27/12/2013	164 Woodwarde Road London SE22 8UR	Objects
29/12/2013	Cypress Tree House 43 Dulwich Common London SE21 7EU	Objects
30/12/2013	516 Lordship Lane Dulwich London SE22 8GA	Objects
27/12/2013	91 Glengarry Road London SE22 8QA	Supports
28/12/2013	By Email XXXX	Objects
29/12/2013	156 Turney Road London SE21 7JJ	Supports
17/12/2013	X	Supports
30/12/2013	By Email 31 Court Lane XXXX	Objects
31/12/2013	3 Court Lane Gardens Dulwich SE21 7DZ	Objects
31/12/2013	187 Rosendale Road London SE21 8LW	Objects
23/01/2014	116 Branksome Road London SW2 5JA	Supports
31/12/2013	116 Branksome Road London SW2 5JA	Supports
03/01/2014	116 Branksome Road London SW2 5JA	Supports
03/01/2014	71 TEIGNMOUTH CLOSE LONDON SW4 7BU	Supports
01/01/2014	26 Eastbrook Road London SE3 8BT	Objects
01/01/2014	92 Woodwarde Road Dulwich London SE22 8UT	Supports
02/01/2014	5 Tulsemere Road London SE27 9EH	Objects
04/01/2014	By Email XXXX	
06/01/2014	198 Lordship Lane London SE22 8LR	Supports
05/01/2014	25A Bell Street Helnley-on-Thames RG9 2BA	Objects

03/01/2014	54 Lancaster Avenue London SE27 9EB	Objects
03/01/2014	159 Turney Road London SE21 7JU	Objects
03/01/2014	159 Turney Road London SE21 7JU	Objects
03/01/2014	45 Alleyn Park London SE21 8AT	Objects
03/01/2014	19 Durlaton Road Kingston KT2 5RR	Objects
03/01/2014	8 Roseway Dulwich SE21 7JT	Objects
03/01/2014	30 Carson Road West Dulwich London SE21 8HU	Objects
03/01/2014	20 Ashbourne Grove London SE22 8RL	Objects
02/01/2014	28a Hillhouse Road London SW16 2AQ	Supports
02/01/2014	By Email XXXX	Supports
02/01/2014	29 Lovelace Road London SE21 8JY	Objects
03/01/2014	41 Amery House Kinglake Street London SE17 2RA	Objects
02/01/2014	87 Choumert Road London SE15 4AP	Supports
02/01/2014	By Email XXXX	Supports
02/01/2014	11 Hurlingham Business Park Sullivan Road Fulham London SW6 3DU	Supports
02/01/2014	Streatham Common Lambeth XXXX	Supports
02/01/2014	128 Benhill Road London SE5 7LZ	Objects
02/01/2014	163 Turney Road London SE21 7JU	Objects
03/01/2014	163 Turney Road London SE21 7JU	Objects
02/01/2014	25 Crossway Court Endwell Road Brockley SE4 2NG	Supports
02/01/2014	183 South Croxted Road By Email XXXX	Objects
02/01/2014	London Assembly City Hall The Queen's Walk London SE1 2AA	Objects
04/01/2014	46 Kennoldes Croxted Road West Dulwich SE21 8SS	Supports
04/01/2014	10/56 Lant Street Borough SE1 1RE	Supports
03/01/2014	Unit 3 7 Wenlock Road London N1 7SL	Supports
03/01/2014	Flat 2 146 Gordon Road Nunhead SE15 3RP	Supports
03/01/2014	Hydethorpe Road Balham SW12 0JA	Supports
03/01/2014	By Email XXXX	Supports
03/01/2014	19 Brockwell Park Gardens London SE24 9BL	Supports
30/12/2013	13 First Floor Parade Mews Norwood Road Tulse Hill SE27 9AX	Supports
01/01/2014	93 Bradmore Way Coulsdon Surrey CR5 1PE	Supports
01/01/2014	43 Basque Court Garter Way SE16 6XD	Supports
31/12/2013	39 Pickwick Road London SE21 7JN	Supports
31/12/2013	Top Flat 26 Lambourn Road Clapham SW4 0LY	Supports
31/12/2013	120 Court Lane Dulwich SE21 7EA	Supports
31/12/2013	13 Longton Avenue Sydenham London SE26 6RE	Objects
02/01/2014	9 Selwyn Court Yunus Khan Close Walthamstow London E17 8XE	Objects
03/01/2014	128 BENHILL ROAD LONDON SE5 7LZ	Objects
07/01/2014	36 Trinity Rise London SW2 2QR	Supports
08/01/2014	Area 3 Office Kent Kent Sports Development Unit Gibson Drive Kings Hill ME19 4QG	Supports
08/01/2014	By Email XXXX	Supports
09/01/2014	48 Peabody Cottages Rosendale Road London SE24 9DW	Supports
10/01/2014	75 Beauval Road London SE22 8UH	Supports
07/01/2014	21 Towton Road London SE27 9EE	Supports
06/01/2014	169 Turney Road London SE21 7JU	Objects

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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

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

Draft of Decision Notice

Recommendation: GRANT subject to Secretary of State direction

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

- 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.

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

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

and Applicant's Drawing Nos. Site Location Plan: 100
Existing Plans: 200
Proposed Plans: 210, 211, 220, 230, 310, 311 and 410
Tree Assessment and Method Statement 20th June 2013
Transport Statement - September 2013
Dulwich Sports Ground Usage Plan
Design and Access Statement

Subject to the following eight 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:

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

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 work hereby authorised begins, detailed drawings scale 1:50 of a hard and soft landscaping scheme showing the treatment of those parts of the site adjacent to the hereby approved building and the parking area (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

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012, Strategic Policy 11 Open spaces and wildlife and Strategic Policy 12 Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design, 3.13 Urban Design and 3.16 'Conservation Areas' in the Southwark Plan 2007.

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

- 4 The finished floor level of the development hereby permitted shall be set no lower than 500mm above the surrounding ground level as shown on drawing 310.

Reason

To ensure that the development is designed to ensure safety of the building users during extreme flood events, to mitigate residual flood, to provide safe refuge in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

- 5 The D1 Children's Day Nursery hereby approved shall only operate in connection with the wider sports ground to which it relates. Should the land cease use as a sports ground the Children's Day Nursery should also cease operation.

Reason

In light of the exceptional circumstances taken into account in the determination of this application and to protect the future operation of the Metropolitan Open Land in which the site lies, in accordance with saved policy 3.25 'Metropolitan Open Land' of the Southwark Plan 2007.

- 6 The proposed works shall be carried out in accordance with the submitted Tree Assessment and Method Statement dated 20th June 2013. The existing tree on the site which is to be retained shall be protected and both the site and tree managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the said statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) and BS3998: (2010). Excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'.

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

Reason

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

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

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

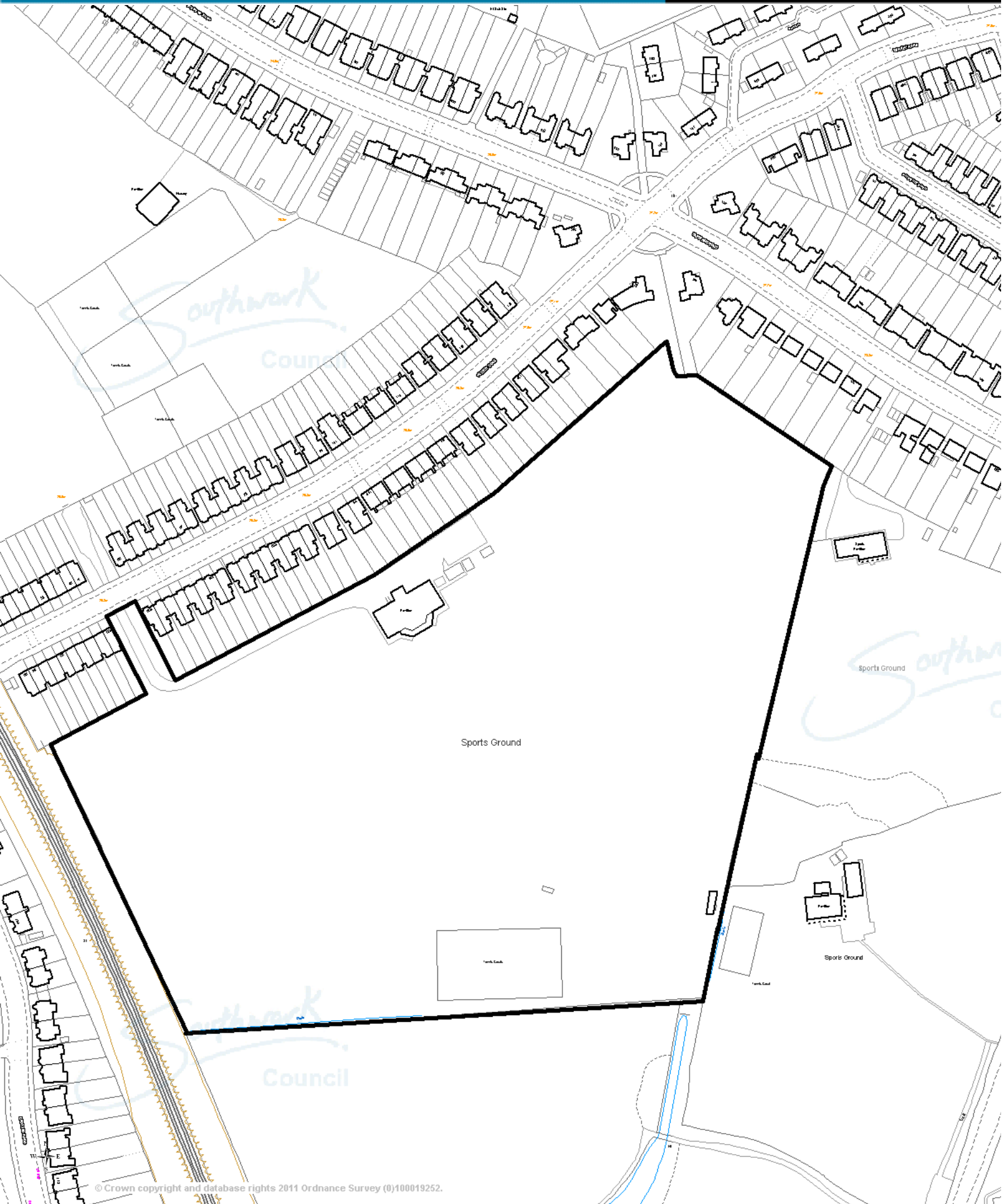
- 8 The D1 element of the premises hereby approved shall be used only as a Children's Day Care Nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory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

Reason

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

Statement of positive and proactive action in dealing with the application

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



Item No. 7.2	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub-committee B
Report title:	Development Management planning application: Application 13/AP/3927 for: Full Planning Permission Address: DULWICH SPORTS GROUND, TURNEY ROAD, LONDON SE21 7JH Proposal: Retrospective application for the change of use of a two bedroom residential unit at the Dulwich Sports Ground pavilion from auxiliary D2 to C3 accommodation. - 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.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 02/12/2013		Application Expiry Date 27/01/2014	
Earliest Decision Date 04/01/2014			

RECOMMENDATION

- 1
 - a. That Members consider the application as it represents development affecting Metropolitan Open Land (MOL);
 - b. That Members consider and satisfy themselves that the exceptional or very special circumstances test is met in respect to Article 27, Part 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, the London Plan 2011 and the National Planning Policy Framework (NPPF); and
 - c. That Members resolve to grant planning permission subject to conditions and referral to the Secretary of State.

BACKGROUND INFORMATION

Site location and description

- 2 The application site relates to the first floor within the existing pavilion building for Dulwich Sports Ground, a 8.9ha open area of land situated to the west of Dulwich Village and bounded to the west by Croxted Road and the railway. Access to the site is via Turney Road to the north which gives access to an existing car parking area and the sports pavilion building.
- 3 The first floor is laid out as a two-bedroom residential unit with self-contained access from the rear of the pavilion via external stairs. The unit is original to the pavilion building and provided on-site auxiliary accommodation for the D2 sports club use. It originally would have been occupied by a caretaker or grounds man.

- 4 To the north the sports ground is bounded by the rear gardens of the residential properties fronting Turney Road.
- 5 The surrounding area is predominantly residential in nature and is within the Dulwich Village Conservation Area. The site is subject to the following designations on the Proposals map to the Saved Southwark Plan:
- Metropolitan Open Land (MOL)
 - Suburban Density Zone - South
 - Air Quality Management Area
 - Dulwich Village Conservation Area.

Details of proposal

- 6 This application seeks retrospective planning permission for the continued use of the unit as a C3 residential flat. Being a unit of residential accommodation not occupied in connection with the D2 sports ground use. It is understood that the unit has been occupied as such since 2012 following a short period of vacancy. Prior to this date there are no records showing the terms of residential occupation of the unit.
- 7 The proposal involves no physical alterations to the building either internally or externally.

Application history

- 8 Members are being asked to consider this proposal in tandem with application 13-AP-3927 for the erection of a single storey timber clad building adjacent to the existing clubhouse, to be used as a children's day nursery (D1) Monday-Friday, and to provide evening and weekend sports teaching facilities (D2).

13-AP-4478

Construction of a continuous flood defence barrier along the north of the site and an underground storage tank, which will temporarily contain surface water within the Southwark Community Sports Trust grounds, as part of a wider flood alleviation scheme (including works at Belair Park and Dulwich Park). Pending Decision.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 The main issues to be considered in respect of this application are:
- a) Principle including whether very special circumstances exist to justify this development in MOL.
 - b) Design, appearance and impact on conservation area
 - c) Traffic and transportation
 - d) Residential amenity

Planning policy

- 10 National Planning Policy Framework (NPPF)
 7. Requiring good design
 9. Protecting green belt land
 12. Conserving and enhancing the historic environment
- 11 London Plan 2011
 Policy 7.4 Local Character

Policy 7.5 Public Realm
 Policy 7.6 Architecture
 7.17 Metropolitan Open Land

12 Core Strategy 2011

Strategic Policy 11 - Open Spaces and Wildlife
 Strategic Policy 12 - Design and Conservation
 Strategic Policy 13 - High Environmental Standards

13 Southwark Plan 2007 (July) - saved policies

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.

3.1 Environmental effects

3.2 Protection of Amenity

3.11 Efficient Use of Land

3.12 Quality in Design

3.13 Urban Design

3.15 Conservation of the Historic Environment

3.16 Conservation Areas

3.18 Setting of Listed Buildings, Conservation Areas and World heritage Sites

3.25 Metropolitan Open land

5.1 Locating Developments

5.2 Transport Impacts

Principle of development

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

i) Agriculture or forestry; or

ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries,

iii) Extension of or alteration to an existing dwelling, providing that it does not

iv) Replacement of an existing dwelling, providing that the new dwelling is not.

- 15 The National Planning Policy Framework (NPPF) makes no specific reference to MOL rather considers green belt land which has traditionally been afforded the same protection which is confirmed by policy 7.17 (MOL) of the London Plan. Para 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in green belt. Exceptions to this are for the provision of appropriate facilities for outdoor sport and outdoor recreation. Para 87 confirms that inappropriate development should not be approved except in very special circumstances. Para 88 provides that planning authorities should ensure that "substantial weight is given" 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.

- 16 The London Plan protects MOL against inappropriate development, with only some exceptions. These include small scale structures to support outdoor open space uses,

and any proposals should minimise adverse impact on the openness of MOL. Similarly, other developments within the MOL will not be accepted unless exceptional circumstances can be demonstrated.

- 17 The proposed use of part of the existing pavilion building as a C3 residential unit is therefore contrary to adopted local and national policy. Consideration should therefore be given to any very special circumstances which may be present in this case.
- 18 Financial Viability
Full discussion surrounding the financial viability of Dulwich Sports Ground can be found at sections 25-36 of the related report on app 13-AP-1732. This provides the detail of the £40,000 deficit in income to be experienced by the Trust from 2017. The trust has identified three income streams to meet the long term lease obligations should they renew the lease. These being:
- Existing pitch hire (currently at capacity) and related bar takings.
 - Rental of the new building by a Day Nursery when not in use by the Trust for sporting activities (considered under related app 13-AP-1732).
 - Rental of self contained flat as a C3 unit of residential accommodation.
- 19 All three streams of income are required to meet the shortfall in income generated by the sports club.
- 20 Alternative uses of flat
The unit could revert back to occupation by a site manager or caretaker. With advances in security and operating methods the need for a 24hr on-site member of staff is limited. The vacancy of such units in sports pavilions, school caretakers houses, etc is common and many of them either revert to general C3 accommodation or are taken up by other associated uses. The trust does not employ any full-time members of staff who could use the benefit of the accommodation and who would utilise it for its true auxiliary purpose.
- 21 The flat to which this application relates is a small two-bedroom unit located at first floor with both external and internal stairs. The unit is self contained and provides 62sqm of floor space. The layout and entrance makes it extremely narrow and difficult for public access, with no disabled access possible at all. This makes it unsuitable for general needs space for the sports club and it does not meet the need for the wet weather sports training facilities required by the club.
- 22 Exceptional (or very) special circumstances
Under section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions on applications for planning permission and appeals must be taken in accordance with the development plan, unless there are material considerations that indicate otherwise. This is reiterated in paragraph 14 of the NPPF.
- 23 In accordance with Article 27, Part 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, "a local planning authority may in such cases and subject to such conditions as may be prescribed by directions given by the Secretary of State under this Order grant permission for development which does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated. "
- 24 The London Plan states that developments within the MOL, other than those specified will not be accepted unless exceptional circumstances can be demonstrated.
- 25 In this case the exceptional or very special circumstances and local situation relate to

the desire to protect the continued provision of sporting facilities on Dulwich Sport Ground, for which there is a strong local need demonstrated by the current high levels of participation at the sports ground. This is consistent with para 73 of the NPPF and the aim to provide access to high quality open spaces and opportunities for sports and recreation which are recognised as capable of making an important contribution to the health and well-being of communities.

26 In consideration of the financial justification provided by the trust it is concluded that there are no likely alternatives to allow the continued operation of the sports ground without an additional stream of income being generated.

27 Officers consider that the use proposed would not compromise the openness and setting of the location, nor would it undermine the value of the MOL in this location. Furthermore it would be providing a unit of residential accommodation for which there is an identified need in an area of the building which would otherwise remain under utilised or empty.

Design, appearance and impact on conservation area

28 The change of use involves no alterations, either externally or internally to the fabric of the building. Therefore there will be no impact on the open nature of the MOL or to the character and appearance of this section of the surrounding conservation area.

Traffic and transportation

29 The sports ground has an existing dedicated on site car park. The use of the unit for general needs houses as oppose to auxiliary housing would not involve any increase in the occupancy of the unit as the layout and size of the accommodation would remain as existing.

30 Therefore there will be no increase in demand for parking or an increase in traffic movements to the site as a result of the change of use.

31 Objectors have raised concerns over the safety of the site being used for residential accommodation and the related need for access by emergency vehicles. As previously stated the change of use would not involve an increase in occupancy over and above what could be occupied should the flat be in use by a caretaker or site manager. There is not considered to be any increase in vehicle movements or health and safety issues associated with the change of use.

Residential amenity

32 Saved policy 3.2 'Protection of Amenity' of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.

Neighbour Amenity

The nearest residential properties are those located to the north on the southern side of Turney Road. The rear elevations of these properties are sited approximately 45m from the existing pavilion and the entrance to the flat. There is no increase in occupancy of the unit over and above what could be experienced should the flat be in ancillary use. There would therefore be no change to existing conditions.

Residential Amenity of New Unit

The application unit provides a well proportioned two-bedroom residential unit with an appropriate internal layout. Room sizes are in accordance with the council's adopted design guidance and whilst there is no access to any form of private amenity space this is not considered to be detrimental given the setting of the flat within the wider sports grounds.

Flood risk

- 35 The application site is not located within an area as defined by the Environment Agency as being within a flood risk zone. However, it has been established that this area of Dulwich is within a much larger area at risk of localised flooding, this area has no clearly defined boundaries and extends in parts over much of the southern section of the borough.
- 36 The site is within an established residential area and the change of use would not involve the introduction of any greater vulnerable uses than existing. All residential accommodation is located at first floor and the proposal would not increase the risk of flooding either at the application site or elsewhere.

Mayoral CIL

- 37 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. This application is CIL liable as it involves the creation of a new residential unit. The floorspace can be offset as the remainder of the pavilion building has been actively in lawful use. CIL is therefore not payable on this application.

Environmental impact assessment

- 38 An environmental impact assessment is not required for a development of this nature.

Conclusion on planning issues

- 39 The proposed change of use to a C3 residential unit is contrary to local and national policy with regard to MOL designation. Allowing the development would therefore be a departure from adopted policy.
- 40 Consideration has been given to the exceptional (very special) circumstances present in this case. Those being the requirement of the sports club to generate an additional stream of income to allow continued operation at the ground.
- 41 It has been established that the change of use would have no impact on the character and openness of the MOL and that its provision would not result in any loss of existing sports and recreation facilities.
- 42 It is therefore only the principle of introducing a use, being the C3 unit, which is not in accordance with MOL policy designation.
- 43 Evidence has been submitted to demonstrate that without the additional income it is not financially viable to operate a sports club on this site. The trust will therefore cease operation and Dulwich Sports Ground will close leading to a loss of facilities which provide access to outdoor sports for local clubs, youth groups, community groups and schools.
- 44 Taking into account adopted policy, case law, likely alternative uses of the site and all objections raised, it is considered on balance more desirable to protect the future use of this site as a sports ground which is available to a broad spectrum of the local community.
- 45 For the reasons as discussed above it is recommended that planning permission be granted subject to a conditions.

Community impact statement

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

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

b) There are no issues relevant to particular communities/groups not discussed above.

c) There are no likely adverse or less good implications for any particular communities/groups not discussed above.

Consultations

47 Details of consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

48 Details of consultation responses received in respect of this application are set out at the beginning of this report and within Appendix 2.

49 The Council has received 75 representations with regard this application. These are broken down as follows:

Objections: 67

Supports: 8

50 Objections

67 representations received being a mixture of standard letters and individual responses. Submitted from a broad spectrum of address being both local and further afield with a number of responses received from individuals residing at the same addresses.

51 Those letters of objection received raise the following issues:

- The proposal is on Metropolitan Open Land and is not for an appropriate use, the use is not an essential facility for outdoor sports and is not ancillary.

Considered in committee report

- Would result in a precedent for further development on MOL.

Allowing the proposed development is not considered to set a precedent for development of an inappropriate nature on MOL. This application is deemed acceptable in light of the unique exceptional circumstances of the financial viability which have been justified in this case.

- The site is prone to flooding.

The site is not within a FRZ and therefore a FRA is not required. Further advice has been sought from the Councils internal Flood and Drainage Team with regard to localised flooding. Considered in committee report

- Failure of the application to demonstrate that the harm to MOL etc is outweighed by the positive factors. Failure for the applicant to justify the exceptional circumstances in this case.

Considered in committee report.

- The consideration of section 9 (Green Belts) of the NPPF rather than Southwark Plan Policy 3.25 which is based on the no longer applicable PPG2.

- Failure to be in accordance with section 8 of the NPPF.

- Conflict between the Southwark Plan and NPPF.

- Safety of residents occupying the flat with regard to emergency access.

Considered in committee report.

52 Supports

8 individual responses received from local address and from the following organisations:

- Rugby Football Union Association
- King College Hospital RFC.

53 Those letters of support received raise the following issues:

- There would be no impact on the MOL
- The provision of the flat would help support the viability of the sports ground.
- Failure to grant permission would result in the ground ceasing operation and being left empty.
- The loss of the sports ground would have a significant impact on the local schools and groups which do not benefit from their own facilities.
- The change of use would not be noticeable.

Human rights implications

54 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.

55 This application has the legitimate aim of providing a new children's day nursery and improved sports facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2546-B Application file: 13/AP/3927 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5452 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Amy Lester, Senior Planner Strategic Applications Team	
Version	Final	
Dated	29 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		30 January 2014

APPENDIX 1

Consultation undertaken**Site notice date:** 03/07/2013**Case officer site visit date:** 03/07/2013**Neighbour consultation letters sent:** 04/07/2013**Internal services consulted:**

Transport Planning

Waste Management

Flood Alleviation Team

Neighbours and local groups consulted:

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

192 TURNEY ROAD LONDON SE21 7JL
90 TURNEY ROAD LONDON SE21 7JH
117 TURNEY ROAD LONDON SE21 7JB
119 TURNEY ROAD LONDON SE21 7JB
121 TURNEY ROAD LONDON SE21 7JB
115 TURNEY ROAD LONDON SE21 7JB
109 TURNEY ROAD LONDON SE21 7JB
111 TURNEY ROAD LONDON SE21 7JB
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127 TURNEY ROAD LONDON SE21 7JB
107 TURNEY ROAD LONDON SE21 7JB
35 TURNEY ROAD LONDON SE21 7JA
37 TURNEY ROAD LONDON SE21 7JA
39 TURNEY ROAD LONDON SE21 7JA
33 TURNEY ROAD LONDON SE21 7JA
144A CROXTED ROAD LONDON SE21 8NW
29 TURNEY ROAD LONDON SE21 7JA
31 TURNEY ROAD LONDON SE21 7JA
101 TURNEY ROAD LONDON SE21 7JB
103 TURNEY ROAD LONDON SE21 7JB
105 TURNEY ROAD LONDON SE21 7JB
47 TURNEY ROAD LONDON SE21 7JA
41 TURNEY ROAD LONDON SE21 7JA
43 TURNEY ROAD LONDON SE21 7JA
45 TURNEY ROAD LONDON SE21 7JA
55 TURNEY ROAD LONDON SE21 7JB
82 TURNEY ROAD LONDON SE21 7JH
84 TURNEY ROAD LONDON SE21 7JH
86 TURNEY ROAD LONDON SE21 7JH
100 TURNEY ROAD LONDON SE21 7JH
89 TURNEY ROAD LONDON SE21 7JB
91 TURNEY ROAD LONDON SE21 7JB
93 TURNEY ROAD LONDON SE21 7JB
98 TURNEY ROAD LONDON SE21 7JH
108 TURNEY ROAD LONDON SE21 7JJ
110 TURNEY ROAD LONDON SE21 7JJ
96 TURNEY ROAD LONDON SE21 7JH
88 TURNEY ROAD LONDON SE21 7JH
92 TURNEY ROAD LONDON SE21 7JH
94 TURNEY ROAD LONDON SE21 7JH
87 TURNEY ROAD LONDON SE21 7JB
65 TURNEY ROAD LONDON SE21 7JB
69 TURNEY ROAD LONDON SE21 7JB
71 TURNEY ROAD LONDON SE21 7JB
63 TURNEY ROAD LONDON SE21 7JB
57 TURNEY ROAD LONDON SE21 7JB
59 TURNEY ROAD LONDON SE21 7JB
61 TURNEY ROAD LONDON SE21 7JB
81 TURNEY ROAD LONDON SE21 7JB
85 TURNEY ROAD LONDON SE21 7JB
79 TURNEY ROAD LONDON SE21 7JB
73 TURNEY ROAD LONDON SE21 7JB
75 TURNEY ROAD LONDON SE21 7JB
77 TURNEY ROAD LONDON SE21 7JB

APPENDIX 2

Consultation responses received

Internal services

Transport Planning
Flood Alleviation Team

Neighbours and local groups

Neighbour Consultee Response List for Application Reg. No. 13/AP/3927

TP No	TP/2546-B	Site DULWICH SPORTS GROUND, TURNEY ROAD, LONDON, SE21 7JH		
App. Type	Full Planning Permission		Printed: 29/01/2014	Total: 78

30/12/2013	124 TURNEY ROAD LONDON	SE21 7JJ	Objects
03/01/2014	126 TURNEY ROAD LONDON	SE21 7JJ	Objects
02/01/2014	112 TURNEY ROAD LONDON	SE21 7JJ	Objects
21/12/2013	114 TURNEY ROAD LONDON	SE21 7JJ	Objects
03/01/2014	118 TURNEY ROAD LONDON	SE21 7JJ	Objects
30/12/2013	136 TURNEY ROAD LONDON	SE21 7JJ	Objects
03/01/2014	138 TURNEY ROAD LONDON	SE21 7JJ	Objects
02/01/2014	140 TURNEY ROAD LONDON	SE21 7JJ	Objects
06/01/2014	188 TURNEY ROAD LONDON	SE21 7JL	Objects
06/01/2014	176 TURNEY ROAD LONDON	SE21 7JL	Objects
04/01/2014	109 TURNEY ROAD LONDON	SE21 7JB	Supports
02/01/2014	107 TURNEY ROAD LONDON	SE21 7JB	Objects
02/01/2014	105 TURNEY ROAD LONDON	SE21 7JB	Objects
03/01/2014	43 TURNEY ROAD LONDON	SE21 7JA	Supports
30/12/2013	86 TURNEY ROAD LONDON	SE21 7JH	Objects
03/01/2014	61 TURNEY ROAD LONDON	SE21 7JB	Supports
30/12/2013	4 Frank Dixon Way London	SE21 7BB	Objects
04/01/2014	18 Alleyn Road London	SE21 8AL	Objects
28/12/2013	136 Turney Road Dulwich London	SE21 7JJ	
03/01/2014	136 Turney Road Dulwich London	SE21 7JJ	Objects
01/01/2014	154 Turney Road London	SE21 7JJ	Objects
26/12/2013	16 Alleyn Road Dulwich London	SE21 8AL	Objects
12/01/2014	31 Winterbrook Road Herne Hill London	SE24 9HZ	Objects
01/01/2014	264 Upland Road London	SE22 0DN	Objects
06/01/2014	49 Stradella Road London	SE24 9HL	Objects
03/01/2014	169 Turney Road London	SE21 7JU	Objects
31/12/2013	105 Dulwich Village London	SE21 7BJ	Objects
30/12/2013	142 Burbage Road London	SE21 7AG	Objects
30/12/2013	4 Woodyard Lane Dulwich London	SE217BH	Objects
10/01/2014	Aysgarth House 102 Dulwich Village London	SE21 7AQ	Objects
31/12/2013	136 Turney Road Dulwich London	SE21 7JJ	Objects
20/12/2013	136 Turney Road Dulwich London	SE21 7JJ	Objects
30/12/2013	27 Turney Road London	SE12 8LX	Supports
06/01/2014	9 Court Lane Gardens London	SE21 7DZ	Objects
31/12/2013	16 Allison Grove London	SE21 7ER	Objects
30/12/2013	36 Dulwich Village London	SE21 7AL	Objects
21/12/2013	114 Turney Road London	SE21 7JJ	Objects
29/12/2013	42 Stradella Road Herne Hill London	SE24 9HA	Objects
16/12/2013	146 Turney Road London	SE21	Objects
07/01/2014	117 Woodwarde Road Dulwich London	SE22 8UP	Objects
01/01/2014	98 Ferndene Road London	SE24 0AA	Objects
30/12/2013	57 Winterbrook Road London	SE24 9HZ	Objects
03/01/2014	160 Turney Road London	SE21 7JJ	Supports
29/12/2013	85 Stradella Road Herne Hill London	SE24 9HL	Objects
02/01/2014	c/o Francis Peek Centre Dulwich Park College Road London	SE27 2EH	Objects
25/12/2013	103 Dulwich Village London	SE21 7BJ	Objects
24/12/2013	By Email Turney Road	SE21 7JL	Objects
27/12/2013	164 Woodwarde Road London	SE22 8UR	Objects
30/12/2013	516 Lordship Lane Dulwich London	SE22 8GA	Objects
01/01/2014	516 Lordship Lane Dulwich London	SE22 8GA	Objects
30/12/2013	By Email 31 Court Lane	XXXX	Objects
31/12/2013	3n Court Lane Gardens Dulwich London	SE21 7DZ	Objects

31/12/2013	187 Rosendale Road London SE21 8LW	Objects
01/01/2014	26 Eastbrook Road London SE3 8BT	Objects
01/01/2014	92 Woodwarde Road Dulwich London SE22 8UT	Supports
02/01/2014	5 Tulsemere Road London SE27 9EH	Objects
03/01/2014	138 TURNEY ROAD LONDON SE21 7JJ	Objects
02/01/2014	by email	Objects
03/01/2014	9 SELWYN COURT YUNUS KHAN CLOSE LONDON E17 8XE	Objects
03/01/2014	183 SOUTH CROXTED ROAD LONDON	Objects
03/01/2014	128 BENHILL ROAD LONDON SE5 7LZ	Objects
06/01/2014	41 AMERY HOUSE KINGLAKE STREET LONDON SE17 2RA	Objects
03/01/2014	21 LOVELACE ROAD LONDON SE21 8JY	Objects
06/01/2014	30 CARSON ROAD LONDON SE21 8HU	Objects
06/01/2014	19 DURLSTON ROAD KINGSTON KT2 5RR	Objects
06/01/2014	45 ALLEYN PARK LONDON SE21 8AT	Objects
06/01/2014	159 TURNEY ROAD LONDON SE21 7JU	Objects
06/01/2014	159 TURNEY ROAD LONDON SE21 7JU	Objects
06/01/2014	54 LANCASTER AVENUE LONDON SE27 9EB	Objects
03/01/2014	105 Turney Road Dulwich London SE21 7JB	Objects
06/01/2014	96 Upland Road East Dulwich London SE22 0DE	Objects
06/01/2014	163 Turney Road London SE21 7JU	Objects
08/01/2014	By Email XXXX	Supports
08/01/2014	Area 3 Office Kent Kent Sports Development Unit Gibson Drive Kings Hill ME19 4QG	Supports
15/01/2014	By email XXXX	Objects
03/01/2014	20 Achbourne Grove London SE22 8RL	Objects
03/01/2014	by email XXXX	Objects
03/01/2014	8 Roseway Dulwich London SE21 7JT	Objects

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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

Applicant	Mr S McKee Southwark Community Sports Trust	Reg. Number	13/AP/3927
Application Type	Full Planning Permission	Case Number	TP/2546-B
Recommendation	Grant subject to GOL/SoS Direction		

Recommendation: GRANT subject to Secretary of State direction:

Retrospective application for the change of use of a two bedroom residential unit at the Dulwich Sports Ground pavilion from auxiliary D2 to C3 accommodation.

- 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.

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

In accordance with application received on 18/11/2013 12:00:51

and Applicant's Drawing Nos. 335 100, 335 200, 335 201 and 335 202

Subject to the following condition:

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:

335 200, 335 201 and 335 202

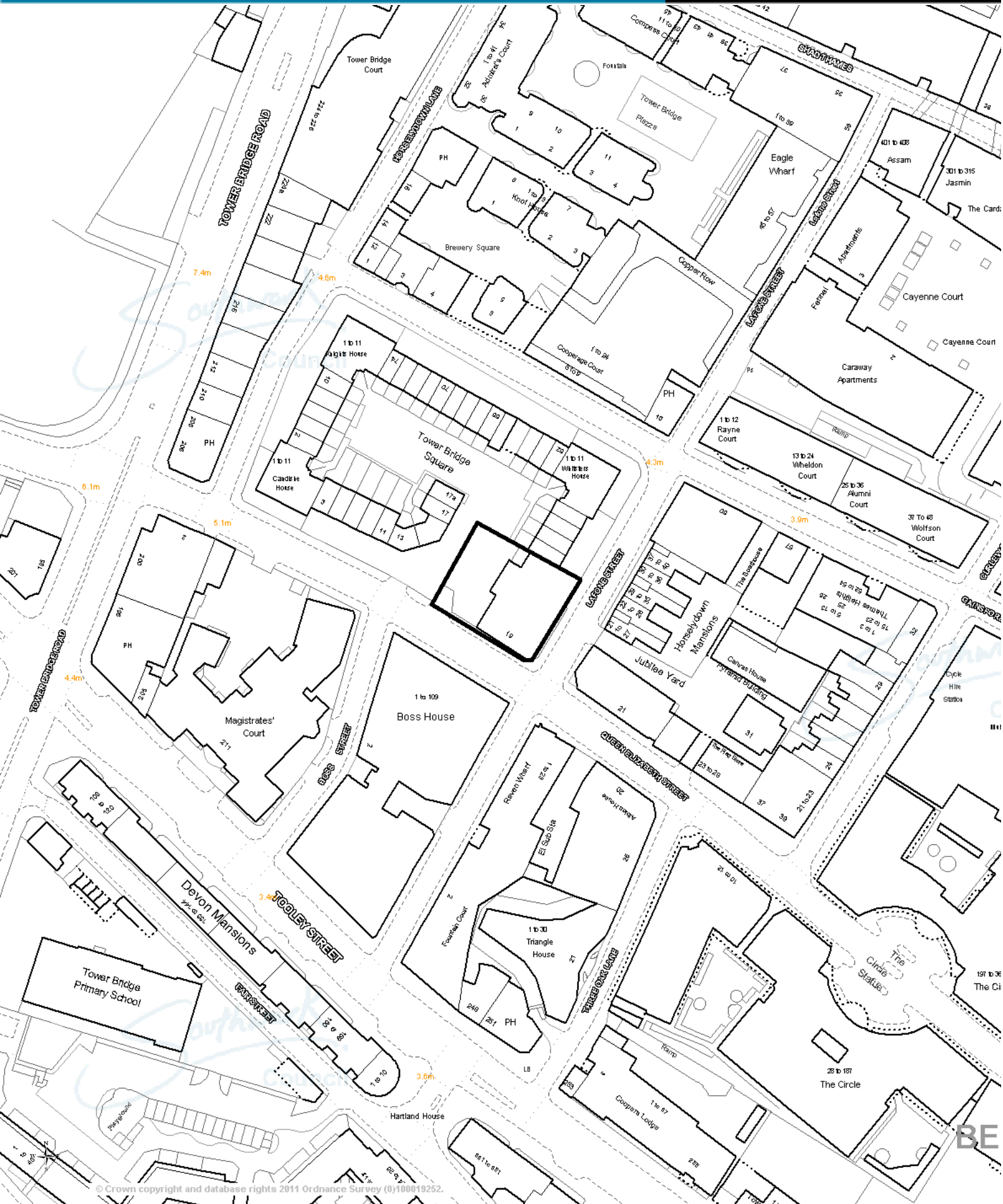
Reason:

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

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.

Date 30/1/2014



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Item No. 7.3	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/2405 for: Full Planning Permission Address: 19 QUEEN ELIZABETH STREET, LONDON SE1 2LP Proposal: Redevelopment of the site to provide new office accommodation and nine residential units; including a roof extension at fourth floor level, a side extension to the west of the building along Queen Elizabeth Street and further excavation of the basement.		
Ward(s) or groups affected:	Riverside		
From:	Head of Development Management		
Application Start Date 22/07/2013		Application Expiry Date 16/09/2013	
Earliest Decision Date 09/01/2014			

RECOMMENDATION

- 1 That Members grant planning permission subject to conditions and legal agreement as set out in the report:
 - i) Subject to the applicant (or their successors in title) first entering into an appropriate legal agreement (at no cost to the Council) by no later than 28 March 2014, planning permission be granted subject to the S106 and conditions.
 - ii) In the event that the legal agreement is not entered into by 28 March 2014 then the head of development management be authorised to refuse planning permission if appropriate for the reasons set out in paragraph 103 of this report.

BACKGROUND INFORMATION

- Site location and description**

2 The site comprises a four storey late Victorian / Edwardian office block (B1 class use) with a basement located on the corner of Queen Elizabeth Street and Lafone Street. The office building is currently vacant (the last tenants vacated the building in June 2013) and has a Gross Internal Area (GIA) of 1,799sqm of floor space and is served by a parking area to the side that provides for 8 cars, which is accessed via a secure gate off Queen Elizabeth Street.
- 3 The area is a mix of residential with a small number of commercial properties. The site is flanked to the north and west by a development of three storey residential town houses and flats known as Tower Bridge Square. These houses are laid out around a square which provides for on-site parking for these properties. To the south of the site opposite on Queen Elizabeth Street is a block of flats called Boss House. To the south west of the site is the Grade II listed Tower Bridge Magistrates Court. To the east of the site lies a three storey commercial building and to the south east is Raven Wharf, a 5 storey residential block along Lafone Street.

- 4 With a site area of 0.77Ha, it is not within a conservation area, but adjoins the Tower Bridge Conservation Area on all three sides.
- 5 There are no trees within the site, but there are a number of trees located on land adjacent to the site. The most notable of these is the large mature London plan tree (T1) close to the western boundary.
- 6 The site is within the following Core Strategy designations: strategic cultural area, urban density zone, air quality management area (AQMA), archaeological priority zone and flood risk zone 3a.
- 7 The site has a public transport accessibility level (PTAL) rating of level 4 and part of the site falls within a level 3.

Details of proposal

- 8 The proposal has been amended following extensive discussions and negotiations with the applicant. The revised plans is now for the redevelopment of the site to provide nine residential flats (4 x three bed and 5 x two bed units) and retention of some B1 office.
- 9 An extension is proposed in the area of the existing car park to the west. The existing main building has a lower and upper ground floor and this would be extended to provide the office floor area. The proposal has now been amended to provide an additional basement (in theory there would be a 'double basement') to create additional office floor space. The total office floor area would be reduced from 1,799sqm to 1,397sqm.
- 10 The existing building would be converted into residential units on the first, second and third floors and a new roof extension at fourth floor level. A total of seven flats are provided within the existing building. The extension would create an additional two, giving a total of nine.
- 11 The proposed extension has been reduced in size following negotiations with the applicant. A glazed link separates the existing and new building and is 2m wide. The extension measured from the glazed link is now 8.4m wide, extending to the west. The upper ground floor of the extension is set back from the main front building line on Queen Elizabeth Street by 7m as a new office entrance is proposed, which requires the existing ground floor slab to be raised from street level by approximately 1m. The upper ground floor part of the extension is 13m deep.
- 12 The first and second floors of the extension is set back from the main front building line by 1.8m and therefore overhangs the upper ground floor section. The first and second floor extension measures 16m deep. The extension measures a total of 12.6m high from ground level.
- 13 A communal amenity space is proposed on the roof of this extension and this is 50sqm in area. The extension is to be constructed in dark brick and anodised aluminium windows.
- 14 There would be the removal of the existing plant equipment on the roof and the construction of a roof extension to provide a 3 bedroom unit. The roof extension is set in from the sides of the main building (sitting behind the existing parapet) and will be constructed in full height curtain wall to the majority of the elevations. Amenity space (30sqm) is proposed on top of the roof extension and there will also be photovoltaic solar panels within a brown roof.

- 15 Minor alterations are proposed to the elevations of the main building such as the enlargement of the windows for the residential flats.
- 16 A step free access is proposed within a new enclosed and secure entrance within the extension to allow access for people with disabilities. The enclosed area will have a platform lift giving access to the upper floors.
- 17 Revisions have been made to the ground floor bicycle storage area which now proposes cycle bays for the office immediately adjoining the ground floor extension on the western boundary. The office refuse store is also within this glass structure. The existing boundary wall will be replaced with a new wall at identical height.

Planning history

- 18 07-AP-2936 - Planning permission was refused in May 2008 for: Extension to existing office building with part 2, part 3 and part 4 storey, including basement building to provide additional office space.
- 19 This was refused on the following grounds:

The proposal, due to the increase in the height and bulk of the existing building will create an overbearing structure creating a loss of outlook and an undue sense of enclosure upon the neighbouring residential properties, detrimental to their amenities, and thereby contrary to Policy 3.2 'Protection of Amenity' in the Southwark Plan July 2007.

The proposed extension by reason of its scale and detailed design would be harmful to the appearance and character of the existing building, the streetscape in general and to the setting of the nearby Tower Bridge Conservation Area. The proposal is therefore contrary to policies 3.12 Quality in Design; 3.13 Urban Design; and 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan (July 2007).

The proposal will result in the loss of off-street parking within an area with low Ptal rating and therefore is considered to have significant negative impacts on the transport network, and there has been no information submitted by way of a Transport Assessment or a travel plan being submitted which might otherwise mitigate these harmful impacts. The proposal is therefore contrary to policy 5.2 'Transport impacts' of the Southwark Plan (July 2007)

Two cycle spaces are required for a development of this scale in the interests of encouraging sustainable travel, and no details of secure and weatherproof cycle storage has been provided. The proposed development is therefore contrary to policy 5.3 'Walking and Cycling' of The Southwark Plan (July 2007).

The proposed scheme fails to provide any waste, recycling and composting storage facilities. The failure to provide sufficient waste, recycling and composting storage facilities is considered contrary to policy 3.7 'Waste reduction' of The Southwark Plan (July 2007).

No sustainability report has been provided to support the application which would otherwise demonstrate that the scheme would achieve a suitable standard of sustainable construction. As such, the development fails to meet policy 3.3 'Sustainability Assessment' of The Southwark Plan 2007 and cannot be assessed in terms of policies 3.4 'Energy Efficiency', 3.5 'Renewable Energy', 3.6 'Air Quality', 3.9 'Water', 3.28 'Biodiversity' and draft Sustainable Design and Construction Supplementary Planning Document' of The Southwark Plan (July 2007)

There is the potential of the proposal to impact on significant buried archaeological remains. For the reason that an archaeological evaluation of the site to the satisfaction of the Council has not been submitted with this application which would demonstrate how potential harmful impacts in terms of archeology would be avoided or mitigated, the proposal is contrary to policies 3.15 'Conservation of the historic environment' and 3.19 'Archaeology' of the Southwark Plan (July 2007) and the recommendations of PPG16.

Planning history of adjoining sites

- 20 There is substantial planning history on adjoining sites, but the most relevant are the following:
- 21 10-AP-2088 - 21-25 Queen Elizabeth Street - planning permission refused in February 2013 for: Change of use of the ground floor from Class B1 (office) to Class A2 (financial and professional services) together with the installation of an external foldable platform lift at the entrance of the building.
- 22 This was refused on the following grounds:
The proposed development would result in the loss of currently occupied B class floorspace within a strategic cultural area and which is capable of continued occupation for B class purposes. This would have an unacceptable impact upon the supply of employment floorspace within the borough, contrary to strategic policy 10 of the Core Strategy 'Jobs and businesses' and saved policy 1.4 'Employment sites outside the preferred office locations and preferred industrial locations' of the Southwark Plan 2007. The proposal is not considered to be sustainable development and is therefore contrary to Section 1 Building a Strong and Competitive Economy of the NPPF.
- 23 96-AP-0895 - Jubilee Yard, Queen, Elizabeth Street - planning permission granted in October 1996 for: Change of use of Business use Pyramid building as self contained single family dwelling together with alterations to elevations.
- 24 98-AP-0778 - Unit 11 Raven Wharf, Lafone Street - planning permission granted in June 1998 for: Use as office space.
- 25 06-AP-2100 - Unit 1, Raven Wharf Apartments, Lafone Street - planning permission granted June 2006 for: Change of use at ground floor level from offices [within Use Class B1] to use as an estate agents office [within Use Class A2].

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 26 The main issues to be considered in respect of this application are:
- a) Principle of development
 - b) Impact of proposed development on the amenity of neighbouring residents
 - c) Impact of proposed development on the character and appearance of the surrounding area
 - d) Impact of proposed development on the setting of the adjoining conservation area and listed building
 - e) Traffic issues

- f) Energy
- g) Flood risk
- h) Archaeology
- i) Trees
- j) Planning obligations

Planning policy

Core Strategy 2011

- 27
- 1 - Sustainable Development
 - 2 - Sustainable transport
 - 5 - Providing new homes
 - 10 - Jobs and businesses
 - 12 - Design and conservation
 - 13 - High environmental standards
 - 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

- 28 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.

1.4 Employment Sites Outside The Preferred Office Locations And Preferred Industrial Locations

2.5 Planning Obligations

3.1 Environmental Effects

3.2 Protection of Amenity

3.3 Sustainability assessment

3.4 Energy efficiency

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

3.18 Setting of Listed buildings, Conservation Areas and world heritage sites

3.19 Archaeology Priority Zone

4.2 Quality of Residential Accommodation

4.3 Mix of dwellings

4.4 Affordable housing

5.1 Locating Developments

5.2 Transport impacts

5.3 Walking and cycling

5.6 Car parking

5.7 Parking standards for disabled people and the mobility impaired

London Plan 2011

- 29 Policy 3.3 - Increasing housing supply
 Policy 3.4 - 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 4.2 - Offices
 Policy 4.3 - Mixed use development and offices
 Policy 5.2 - Minimising carbon dioxide emissions
 Policy 5.3 - Sustainable design and construction
 Policy 5.7 - Renewable energy
 Policy 5.12 - Flood risk management
 Policy 7.3 - Designing out crime
 Policy 7.4 - Local character
 Policy 7.8 - Heritage assets and archaeology
 Policy 7.21 - Trees and woodlands

National Planning Policy Framework (NPPF)

- 30 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
 11. Conserving and enhancing the natural environment
 12. Conserving and enhancing the historic environment

Principle of development

- 31 The NPPF (2012) states that development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan and every decision.
- 32 In relation to delivering housing, the NPPF states that local authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
- 33 Southwark has undertaken an employment land review (2010) during the past three years and considers this provides the robust evidence base required to support employment land policies and decisions in the NPPF. Therefore, Southwark considers where existing development plan policies (saved policy 1.4 of the Southwark Plan and strategic policy 10 of the Core Strategy) provide some protection for employment floorspace, these are areas where there is a presumption that there will be strong economic reasons why change of use away from commercial to residential will be inappropriate. The merits of the proposal in land use terms therefore needs to be considered against these relevant Development Plan policies.
- 34 The proposed change of use would result in a net loss of office floor space (use class B1) within a strategic cultural area and in the circumstances Policy 1.4 is applicable in this instance.
- 35 Saved Policy 1.4 "Employment sites outside the Preferred Office Locations and Preferred Industrial Locations" states "Development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made where:
- 36 a) *The applicant can demonstrate that convincing attempts to dispose of the*

premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 month, have been unsuccessful; or

b) The site or buildings would be unsuitable for re-use or redevelopment for B class use or mixed uses including B class use, having regard to physical or environmental constraints; or

c) The site is located in a town or local centre, in which case in accordance with policy 1.7, suitable A class or other town centre uses will be permitted in place of B class uses.

37 Since there is a net loss of office floorspace, a marketing report was originally submitted with this application to demonstrate that the building in its current form is unsuitable for continued B1 office. This has mainly been the cost of doing the refurbishment works to upgrade to modern competitive standards, which would not be financially viable and has proven difficult to market. Following extensive discussions and negotiations with the applicant, further evidence of scheme viability was requested to see whether additional B1 office floor space could be incorporated into the scheme. The amended plans increased the original proposed office from 1,251sqm to 1,397sqm. The applicant had argued that the provision of existing B1 floorspace and a reduction in the amount of residential is not financially viable.

38 The council's valuer has assessed this and has agreed with its findings. The valuer also concluded that there was limited scope to increase the level of office floor area beyond the 1,397sqm to make the scheme viable and officers consider that to increase some office floor area may compromise the design of the scheme. In light of this, officers consider that the net loss of approximately 402sqm, from 1,799sqm to 1,397sqm (22% of the original) is acceptable in this instance. The new offices would be modern and of a better quality and would provide flexible space that can be open plan or subdivided. The upgrading of the office floor space, along with the grand office entrance would increase the marketability of the site. It would also bring residential use into a building that may lie vacant for a period of time if not developed. Residential use within this mixed use area is considered acceptable in land use terms.

39 Density

The scheme proposes a total of 9 residential flats and a total of 37 habitable rooms (where rooms are larger than 27.5sqm this is counted as two habitable rooms). Including the office floor area of 1,397sqm, the total density is calculated to be 1,140 habitable rooms/hectare (HR/Ha). The site is within the urban density zone, which permits a density range of 200 - 700 HR/Ha. The density therefore exceeds the range. Density is usually a measure of the amount (intensity) of development and ensuring that efficient use of the land is made. Density *per se* is seldom the only factor and if there are no significant harmful impacts on the amenity of neighbouring residents or the character and appearance of the area then the development may be acceptable. In this instance, it should be noted that the habitable rooms in some of the units are very large and therefore counted as two rooms. Furthermore, two floors of the offices are in the basement and lower ground floor levels. As discussed below in the amenity and design section of the report, there are no objections to the scheme in terms of its impact on residential amenity and the height, mass and bulk is considered acceptable. As such, it is considered that the proposed scheme is not an over development of the site. Furthermore higher densities can be justified where design and the form of accommodation is considered to be of a high standard, which as set out later in this report, is considered to be the case here.

40 In the above comments, it is noted that whilst the density exceeds the range for the urban density zone, the residential element of the scheme is designed to have large habitable rooms. These are considered to be so generous that they do not satisfy

saved Policy 3.11 'Efficient use of land' of the Southwark Plan, specifically with regard to underdevelopment of a site. Due to having such large flats the scheme falls below the 10 flat threshold which triggers an affordable housing contribution, and as such, any application proposing such large units will need to justify why the normal affordable housing policy would not apply. The applicant has argued that due to the floor plates and the existing openings of the existing traditional building the reconfiguration of the units to smaller flats may not be the most practical or desirable. The current scheme provides for dual aspect in every unit and if additional units are proposed this would result in single aspect flats. Furthermore, if the affordable units were introduced into this scheme it would be difficult to manage since it would only be an additional two or three flats. In light of this, the applicant has agreed a payment in-lieu for the potential additional affordable flats that would otherwise be provided within this scheme. The calculations suggest that an additional 10 habitable rooms could be included in this scheme. After negotiations between the applicant and the council, the council's valuer has confirmed that a payment of £700,000 as a payment in lieu of affordable housing is reasonable and viable and the applicant has agreed to this pooled contribution. This would be secured via a s106 agreement.

- 41 In light of this, the financial contributions towards off-site affordable housing would mitigate the impacts of the scheme and is considered acceptable in this instance.
- 42 Objections received from neighbour consultation commented on the necessity of extending the building. It is felt by neighbouring residents that the 2 flats represent super profits to the developers and is unjustified since the scheme would still be viable with the conversion of the building to 7 flats. As discussed in the amenity and design sections of the report below, the impacts of the development are not considered to be significant and can be mitigated by conditions. Furthermore, it is inevitable that there would be some form of development on this brownfield site and would contribute to the provision of much needed housing in the borough.
- 43 The principle of the development is therefore considered acceptable in land use terms. This is subject to there being no significant adverse impacts on neighbouring residential amenity, future residents' amenity, the character and design of the surrounding area, trees, archaeology and the local highway network, which are discussed below.

Environmental impact assessment

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

Quality of accommodation

- 45 All of the units comply and exceed the minimum room and unit sizes stipulated in the residential design standards SPD 2011. All of the units are dual aspect (with some having more than two aspects). All the units have good outlook and access to natural light.
- 46 Every flat (bar two) have access to private amenity space in the form of balconies (at least 10sqm) and this is acceptable. The two flats that do not have private amenity

space are those that are to be converted within the existing building. However, whilst it would be preferable that private amenity space is provided for every flat it is noted that given the constraints of the existing building it is not possible to do this without compromising the design and character of the building. The 2 x two bedroom flats (and the other flats) however, do have access to a communal roof terrace on the proposed extension. Given the circumstances, it is considered acceptable.

47 Air Quality

The site is located within an AQMA and the applicant has submitted an air quality assessment. The council's environmental protection team (EPT) has no objections to the scheme.

48 Noise

No objections have been raised by EPT, but recommends conditions requiring certain internal standards are met.

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

49 Daylight and Sunlight

Many of the objections received argued that there would be a loss of light. The applicant has submitted a daylight and sunlight report to demonstrate how the daylight and sunlight of the existing surrounding buildings would be affected by the proposed development. The daylight and sunlight report has been updated following comments made from neighbours and following reduction of the extension. The report concludes that the proposal would respect daylight and sunlight amenity to the surrounding buildings.

50 In summary:

Daylight

Of the 104 windows tested to the existing surrounding buildings, 102 meet the BRE recommendations for daylight Vertical Sky Component (VSC). The two windows that fall below the VSC target of 27% are at Boss House. The applicant points out that in this case the existing VSC results for the 2 windows are below 27% and in these situations even small obstructions can lead to relative reductions of greater than 20%, although the loss of light is small in itself and thus less noticeable to occupiers.

51 Daylight distributions tests to the 74 surrounding rooms concluded that 73 of the rooms meet the BRE criterion. The daylight distributions tests carried out looks at the position of the 'no-sky line' (NSL) and the BRE guidance suggests that this line should not increase by more than 20%. The result is that one of the rooms in Boss House will experience a loss of 38.2%. The applicant states that the daylight distribution at Boss House is hampered in the existing situation due to the shape of the room (large 'L' shape). This results in a relatively small loss representing a larger percentage reduction than would be the case in a more evenly lit room.

52 Sunlight

All of the surrounding windows and rooms tested for sunlight availability meet the BRE criteria. The annual probable sunlight hours (APSH) was used for testing on a number of the surrounding buildings. Of the 26 windows tested all will continue to meet the target values as set out in the BRE guidelines.

53 Overshadowing

A number of neighbour objections point out that the existing courtyard at Tower Bridge Square are important green spaces in an urban location. The overshadowing assessments undertaken by the applicant to the rear gardens of the adjacent properties show that the effects are minimal and largely meet the BRE criteria. The applicant has undertaken overshadowing assessments to the following areas (in accordance with the BRE guide):

- Rear gardens to the Lafone Street Houses;
- Rear garden area to the Whitsters House; and
- Rear gardens to Gainsford Street houses.

- 54 The result of this testing show that three gardens to the rear of Lafone Street and Whitsters House do not meet the BRE criteria, which stipulates that at least 50% of their area receives at least two hours of direct sunlight on the test date, 21st March, or the reduction in area receiving sun on that date is less than the permitted 20%.
- 55 The gardens are not well placed to receive sunlight due to them being situated at the north-western side of the existing Lafone Street properties. The losses in the three gardens are small in real terms. Further supplementary tests undertaken on 21 June (summer months) show that the gardens will receive good levels of sunlight. Given the above comments it is not considered that the loss is of a significant level to warrant a ground for refusal.
- 56 Neighbouring residents had instructed a separate rights of light consultant and the fundamental points were raised. The applicant had responded to these points and since the extension of the building has been reduced in size (following negotiations with the applicant), officers are satisfied that there would not be a significant loss of daylight or sunlight to neighbouring residents to have an adverse harm on their amenity. In the context of this urban location, some loss is inevitable from new developments, but is not to an extent that would warrant a ground for refusal on its own.
- 57 The previous scheme 07-AP-2936 was refused on a number of grounds, but in terms of amenity grounds the proposal was refused due to the increase in the height and bulk of the existing building and would create an overbearing structure creating a loss of outlook and an undue sense of enclosure upon the neighbouring residential properties, detrimental to their amenities. There was no objection to the loss of light. This current scheme is reduced in height and bulk and would not significantly impact on the levels of natural light.
- 58 Outlook
The development is now reduced in overall height and width from the original submission and when compared to the refused scheme 07-AP-2936 this is also reduced in size. The main concerns in terms of outlook and any overbearing impact are mainly upon the occupiers at Lafone Street and in particular those at No. 33 which is located immediately to the north of the site and shares a common boundary. The upper ground floor extension is raised from ground level and therefore is a semi-first floor when seen from No. 33 Lafone Street. Following discussions with the applicant, the upper ground floor part of the extension has been reduced in depth so it is now set in from the common boundary with No. 33 by 4m. Furthermore, the roof of the upper ground floor part of the extension is chamfered so that this reduces any potential overbearing impact on the residents at No.33.
- 59 The west elevation wall has been shifted away from Tower Bridge Square by 500mm and therefore reduces the overall width of the first and second floors of the extension. This overall width is also less than the refused scheme 07-AP-2936. This reduces its impact on the neighbours at No. 33 Lafone Street and the properties directly opposite to the west. The western wall of the extension is now approximately 9.8m from the facade of No. 15 Queen Elizabeth Street. It should be noted that only 3.5m of the extension would be directly opposite to the wall of No. 15 Queen Elizabeth Street since this property splays away at an angle from the development site. With the reduction in height and overall width it is considered that the scheme has improved and would not significantly impact on the outlook of the neighbouring residents.

60 Objections have also been received from neighbours at Boss House with the loss of unrestricted views, which is situated directly opposite the site on Queen Elizabeth Street to the south. The extension is however smaller in overall size and scale than the existing building No. 19 Queen Elizabeth Street and as the upper floors of the extension are set back from the main building line it is not considered to have a significant impact on the outlook of the residents at Boss House.

61 Some of the objections received refer to the proposed solar panels on the existing main building, on top of the new roof extension. The concerns relate to their potential impact on the outlook of adjoining properties, but these panels are set in from the boundaries of the building and are not significant in size.

62 Privacy

A number of neighbour objections refer to the potential loss of privacy. The windows on the western wall serve habitable rooms within the proposed extension and these are now to be obscurely glazed, which would reduce significant overlooking to the neighbour opposite to the west (Nos. 13 - 17 Queen Elizabeth Street). A condition will be imposed to secure this for the lifetime of the development. The windows proposed to the rear do not have direct overlooking into the habitable room windows of Lafone Street properties. The private balconies to the rear can be screened to avoid any significant overlooking into the neighbouring gardens and this can be secured via a condition.

63 The habitable rooms on the front elevation of the extension and existing building face Boss House on Queen Elizabeth Street and objections have been raised by residents regarding overlooking. However, there is a distance of at least 12m from these windows to the neighbours' which complies with the minimum distance for windows that overlook across a highway. The urban grain in this area are of similar distance and layout and therefore no privacy objections raised.

64 The communal amenity space on the roof terrace on the proposed extension is set in from the boundaries and a condition will be imposed to ensure that this is adequately screened.

65 Noise and disturbance

A number of objections have been raised regarding the potential noise and disturbance that can arise from the use of the roof terrace. The main concern is that the roof terrace could be used for parties and other forms of entertainment during the night. Officers acknowledge this, but the roof terrace will be screened acoustically (to be secured via a condition) and it is now reduced to 50sqm. It should be noted that this scheme is for 9 self-contained flats and 7 of the units have their own private amenity space. It is not envisaged to be used intensively and that frequently and there is other environmental health legislation that control unreasonable noise and disturbance that may arise. Officers are satisfied that there would not be any significant impacts in terms of noise.

66 EPT has recommended a condition to secure details of the construction and management and this is considered to be an appropriate measure to ensure there are no significant environmental and noise impacts on the locality. Noise from the plant equipment on the roof is also to be controlled via a condition.

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

67 The site is within an area of mixed character comprising commercial, offices and residential. This site is immediately surrounded by predominantly residential uses and therefore the proposed dwellings would not impact on the neighbouring uses and

vice versa.

- 68 Some of the comments received from consultation refer to the use of the existing car park and that it should ideally be retained as an open area/space and be landscaped for a garden. This is however a brownfield site and the need to retain as much B1 office floor space as possible whilst making the residential scheme viable means that the car park would need to be built on. the car park is not an allocated open space in the core strategy.

Transport issues

- 69 The site has a public transport accessibility level (PTAL) rating of level 4 and part of the site falls within a level 3. However, the site is also very close to Tower Bridge Road where there are a number of buses that use this route and this has a PTAL level 5 (approximately 90m away) which is situated to the east. It is also noted that the site does have a number of interchange opportunities connecting it to a number of rail and underground stations by bus. It is therefore considered that this site has a relatively high accessibility to public transport.
- 70 One of the grounds for refusal for the previously refused scheme 07-AP-2936 relates to loss of parking:

The proposal will result in the loss of off-street parking within an area with low Ptal rating and therefore is considered to have significant negative impacts on the transport network, and there has been no information submitted by way of a Transport Assessment or a travel plan being submitted which might otherwise mitigate these harmful impacts . The proposal is therefore contrary to policy 5.2 'Transport impacts' of the Soutwark Plan (July 2007)

- 71 The current scheme proposes an extension that would still displace the car park, but as discussed above the site is actually within an area that has a relatively high PTAL rating. It is considered that the car free scheme for nine units would be acceptable in this instance. The Transport Planning Team makes no objection to a car free scheme. The development does not propose any wheelchair accessible units and therefore no requirement for disabled parking bays. Since the site is within a controlled parking zone (CPZ), in order to prevent possible overspill parking from the development, future occupiers will not be eligible for parking permits, and this will be controlled through the S106. The applicant will also provide free car club membership for occupants for the first three years of occupation.

- 72 This development for 9 dwellings is not expected to create a vehicular trip generation which will have a significant negative impact on the highway network.

73 Cycle parking

The upper ground floor plan shows two areas for cycle parking, with 7 spaces shown for the B1 use (within the glazed single storey side addition) and 12 spaces shown for the residential units (within the existing building). The amount of provision is in line with the Soutwark Plan (7 for office and 10 for residential in this case). The council's transport planning team has suggested a condition requiring the applicant to submit to the council, for approval, detailed and scaled drawings to demonstrate the storage to be of the dimensions, and be of a recommended style as stated in our best practice guidance. Nevertheless, officers consider that the cycle store is adequately designed being secure and weatherproof and a further condition is not necessary in this instance.

74 Refuse

Residential and commercial waste storage must be kept separately and this development has separate bin stores and therefore this is considered acceptable.

- 75 Servicing and refuse collection will be undertaken on street. Due to site constraints no off street servicing facilities can be provided. Given the nature of the proposed development and the location of the bin stores it is not thought there will be many service vehicle movements associated with the above application or refuse vehicles stationary in the highway for an extended period.
- 76 The proposed extension would result in a redundant vehicle crossover which will need to be reinstated as footway at the expense of the applicant. Any existing access which will be made redundant as a result of this development must be reinstated, with Highways approval. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction. An informative is included to remind the applicant that highway works be secured through a Section 278 agreement.

Design issues

- 77 A number of comments received from consultation raise design concerns particularly the height and bulk of the extension, the detailed design and materials. Neighbouring residents consider that the extension is too bulky and the colour of the brick is not in keeping with the surrounding area.
- 78 Design Background
No.19 Queen Elizabeth Street dates to 1903 and is a handsome Edwardian warehouse block, 4 storey over basement and faced in brick (red, with cream highlights, and a dark engineering-brick base). The top-storey appears to be a later addition, being devoid of detailing and proportionately too tall in terms of the solid brick work parapet. The building is immediately adjacent to the Tower Bridge Conservation Area to the south east on Lafone Street, and is considered to make a positive contribution to its setting, although its large blank gable wall is not considered to be a positive feature.
- 79 Urban Design
Saved Policy 3.13 'Urban design' of the Southwark Plan, requires that the height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately, making a positive contribution to the character of the area's townscape and providing active frontages. The proposal to build a 3 storey extension (over basement) off the currently blank western wall, as well as a single storey set back roof extension on the existing building, is acceptable in principle.
- 80 The previously refused scheme 07-AP-2936 was refused on one design ground:
The proposed extension by reason of its scale and detailed design would be harmful to the appearance and character of the existing building, the streetscape in general and to the setting of the nearby Tower Bridge conservation area. The proposal is therefore contrary to policies 3.12 Quality in Design; 3.13 Urban Design; and 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan (July 2007).
- 81 The scale, bulk and massing of the proposed extensions are all subservient to the existing building; the prominence of the vertical circulation element which links the two is mitigated in its visible impact by its being fully glazed. The side extension is also set back from the front building-line (as well as the side and rear) which further reduces its physical presence, and reinforces the primacy of the existing building. The roof extension's visibility from the street and surrounding areas is not so prominent due to its set-backs. At lower and raised ground level the extension fills the site to the side

and rear, but this bulk is seen as secondary to the main extension and should not appear overbearing to adjacent sites.

82 The applicant has submitted massing model visuals to provide a comparative study of the proposed and refused schemes and it is clear that the revised scheme is less bulky.

83 Design quality

Saved Policy 3.12 'Quality in design', requires that new buildings and alterations to existing buildings should embody a high quality design solution, specific to their site, as well as preserving or enhancing the historic environment. The NPPF 2012 notes (in para. 56) that good design is a key aspect of sustainable development and is indivisible from good planning, and (in para. 60) that it should seek to promote or reinforce local distinctiveness. Para 61 also notes the importance of the integration of new development into the built and historic environment.

84 The architectural design of both elements is very contemporary in appearance, which Officers consider to be an appropriate approach in adding extensions to this Edwardian-styled warehouse. Some tangible response to the existing building however should still be made and this could be done via the type/colour of materials. The brick that was originally chosen was a black glazed engineering brick, but following the council's design and conservation team's advice an alternative has been suggested by the applicant. It is now proposed to use the 'Urban Dark Blend', which has a more varied blue/purple hues of the existing engineering brick that is at the base of the existing building. The concern raised from residents is that the original black brick would make the extension appear overbearing and out of character with the area and dominate the streetscape. However, the new proposed brick is relatively lighter in tone and is more in keeping with the existing building and surrounding context. A comment raised from consultation is the possibility of a brick that is similar to the existing reddish brown on the existing building, but as highlighted in the above comments a contemporary concept in a tone of brick that goes with the base of the building is an appropriate design response.

85 While the composition of the fenestration adds considerable interest and visual variety to the proposal, the intention to form splayed surrounds in white PPC aluminium panels may appear aesthetically and physically weak in comparison to the proposed brick. A condition will be imposed to seek alternative samples.

86 Saved Policy 3.13 Urban design, requires that all developments must incorporate the principles of inclusive design, with suitable access for people with disabilities or those who are mobility impaired; this should be fully in-line with the South-East London housing partnership guidance for wheelchair housing. Following discussions with the applicant, the access doorway into the platform lift area has now been amended to be of clear and obscured glass so that it is more visible from the front elevation.

87 Officers note that the new grand entrance to the offices are recessed with the upper floors of the extension cantilevered over this part, which could potentially raise some security issues. However, the office entrance and side balustrades are glazed and the entrance is still visible from the street. No significant security design issues are raised.

88 Setting on conservation area and listed buildings

Saved Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites', states that permission will not be granted for developments that would not preserve or enhance the setting of the conservation area or views into or out of a conservation area. The setting back of the side extension does lessen the impact that it can have on the setting of the conservation area, but the roof-extension will have

wider visibility; the 'lightness' that can be achieved in the detailing and materiality of this element will be key to its reduced visual impacts and thereby acceptability.

- 89 The nearby grade II listed Tower Bridge Magistrates Court is across the road on Queen Elizabeth Street to the south east. The rear extension to the magistrates court does not form a significant part to the special architectural interest of the listed building where the proposed development would have the potential to impact on. It is not considered that the scheme would harm the setting of the nearby listed building.

Impact on trees

- 90 A large mature tree is on the adjacent site on Queen Elizabeth Street which makes a significant positive contribution to the streetscape environment, which should not be adversely affected by this proposed development.
- 91 An arboricultural survey report (dated July 2013) was submitted with the application and the need for a trial trench is recommended. Details of a trench as outlined in the report are required in order to satisfy concerns regarding the potential severance of major tree roots belonging to the large plane tree adjacent to the site, which is categorised as being of high amenity value.
- 92 The results of any trial trench excavation would then inform the location of pile foundations. Although a low wall separates the site the influence of tree roots can be seen by uplifted areas of concrete surfacing, which indicates that roots may be damaged in order to facilitate development.
- 93 The council's arboricultural officer has not objected to the proposal subject to conditions requiring tree protection details and landscaping details. The proposed basement levels are set away from the root protection zones of the trees. With appropriate tree protection measures, it is not considered that there would be significant harm to the trees.

Archaeology

- 94 The site is within an Archaeology Priority Zone (APZ). The applicant has undertaken an archaeological evaluation on site. The primary archaeological significance in this part of the borough are the remains of bronze-age field systems established on the high sand and gravel islands within the Thames. Archaeology of this type is of national importance and worthy of preservation in situ. Almost adjacent to the site in Lafone Street remains of this type have been identified and preserved in situ. Archaeology of this type has been identified across the Horsleydown Eyot, to the south of the line of Jamaica Road/Tooley Street and east of Shad Thames in the Wolfsey Street area. The applicants undertook one evaluation trench based in the centre of their proposal area and have demonstrated that the site in question is located within a previously unknown palaeochannel so remains of the field system are not present within this property. The palaeochannel is likely to preserve remains of the past environment in this area since the last Ice Age. The evaluation report states that suitable samples were taken from the site during the evaluation.
- 95 The report also details post-medieval dumping layers to level the ground prior to redevelopment. This material should be monitored during clearance as a watching brief and this is secured via conditions.

Access

- 96 The scheme would provide a disabled platform lift to the building and this would improve accessibility for those who are mobility impaired. This has now been amended to be of clear and obscured glass so that it is more visible from the front elevation.

Planning obligations (S.106 undertaking or agreement)

- 97 In the above comments, officers consider that the unit sizes for the flats exceed the minimum standards set out in the residential design standards and the overly large flats fall short of the 10 flat threshold which triggers an affordable housing contribution.
- 98 In light of this, the applicant has agreed a payment in-lieu for the potential additional affordable rooms that could be provided within this scheme. The valuer has confirmed £700,000 is appropriate in this case. This would be secured via a s106 agreement.
- 99 In light of this, the financial contributions towards off-site affordable housing would mitigate the impacts of the scheme and is considered acceptable in this instance.
- 100 As part of the S106 agreement the applicant will provide free car club membership to the future residents for the first 3 years and will exempt future occupiers from obtaining parking permits in the CPZ.
- 101 In accordance with the recommendation, if the Section 106 Agreement is not signed by 28 March 2014 the Head of Development Management should be authorised to refuse permission if appropriate, for the reason below:
- 102 'In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on affordable housing, and the proposal would therefore be contrary to saved policy 2.5 of the Southwark Plan (2007), strategic policy 14 of the Core Strategy (2011) and Policy 8.2 of the London Plan (2011).'
- 103 Mayoral Community Infrastructure Levy (CIL)
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.
- 104 The proposed development would have a total gross internal area of 3,076sqm, which equates to £437,111.

Sustainable development implications

- 105 Strategic Policy 13 'high environmental standards' of the core strategy requires new development to achieve code for sustainable homes (CfSH) Level 4. The applicant has indicated in their sustainability and energy documents that the new build containing the two flats would achieve level 4.
- 106 The remaining seven flats within the converted building has however been assessed under the BREEAM Domestic Refurbishment, which was published in June 2012. The BRE established a dedicated assessment scheme for residential refurbishment projects. This is because CfSH is not applicable to and cannot be used on non-new build developments. CfSH contains a large number of credits that would not be applicable or relevant to a refurbishment project and would subsequently lead to that project being unfairly penalised for issues beyond its control.
- 107 Officers consider that this approach is acceptable in this instance and the documents submitted indicate a BREEAM 'very good' rating would be achieved for the converted flats.
- 108 For non-residential developments, the Core Strategy requires a minimum BREEAM rating of 'Excellent'. The scheme achieves a 'very good' rating and the applicant has

argued that in accordance with the BRE's advice the proposed commercial element should be assessed under BREEAM for Offices 2008 as a 'part refurbishment, part new build' scheme. It is noted that a large proportion of the refurbishment would be of subterranean construction and a number of design challenges have needed to be taken into account. Since there are material considerations that affect the calculations and the scheme for the commercial element still achieves a 'Very Good' rating this is acceptable in this instance.

- 109 Strategic policy 13 of the core strategy requires 'major' developments to achieve a reduction in carbon dioxide of 20% from using on-site or local low and zero carbon sources of energy. Though the scheme is not categorised as 'major', the applicant has proposed the installation of air source heat pumps in combination with solar photovoltaic panels to providing CO2 savings and reduces overall emissions by 10.3%. This falls under the 20%, but since this is not required by policy the proposed renewable energy technology is welcomed.
- 110 A green roof is proposed on the roof terrace of the extension and a brown roof on the extension of the main building, which contributes to enhancing the local environment and helping to improve access to nature.

Other matters

- 111 Flood risk
The site is within a flood zone 3a and the applicant has submitted a flood risk assessment. The building currently has a lower ground level and the revised proposal would go further down providing an additional basement of office floor space below.
- 112 The environment agency (EA) has not made any objections to the scheme, but has offered advice with respect to flood risk, flood resistant and resilient measures and surface water management. The EA strongly recommend that flood resistant and resilient measures are incorporated in to the design of the proposed development, particularly at the lower ground floor (basement) level, using guidance contained within the document, "Improving the flood performance of new buildings: flood resilient construction".
- 113 Land contamination
The applicant has submitted a desk based summary environmental assessment. Based on the information supplied it appears that the likelihood that the potential for current and historical site uses to have resulted in the contamination of the underlying soils and any groundwater in the area is relatively low. However, this cannot be entirely discounted given the unknown nature of activities previously undertaken on site. EPT has recommended more detailed site investigations and a condition requiring such details is imposed.

Conclusion on planning issues

- 114 The proposed development leads to a net loss of office floor space within a strategic cultural area, but the applicant has demonstrated with marketing and viability evidence that the scheme would not be viable if the existing office floor space is retained entirely.
- 115 The financial contributions towards off-site affordable housing would mitigate the impacts of the scheme and is considered acceptable in this instance.
- 116 The amenity impacts of the scheme has been assessed and it is not considered that with the mitigation measures proposed there would be significant impact on the local residents' amenity. The proposed extension would introduce a building on the existing car park, which would inevitably lead to some loss of view from neighbouring residents, but it is not to an extent where there would be a significant loss of outlook.

The revised scheme which is subservient to the main building would not be overbearing and would not create a significant sense of enclosure in this townscape or adjoining properties.

- 117 The building would appear subservient to the main building and the contemporary design is considered to be an appropriate response and would preserve the setting of the adjoining conservation area or the nearby grade II listed building. The height, scale and mass are also considered to be acceptable in this urban context.
- 118 Mitigation measures in relation to tree protection, archaeology, energy, land contamination would be secured by conditions.
- 119 The proposed development would bring the site back into use and provide for housing that is needed in the borough. It is therefore recommended for approval subject to conditions and the completion of a s106 agreement.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

- 123 At the time of writing, a total of 105 local residents made representations and one letter from a local councillor was received and objects to the scheme. Following re-consultation, a total of 15 letters of objection were received raising the following concerns:
- 124 Adverse impact on sunlight and daylight; impact of extension on the surrounding green spaces and courtyard within Tower Bridge Square; impact on the existing trees; loss of privacy; overbearing impact of the extension; poor design and architectural quality; excessive height and bulk; poor choice of brick colour; noise and disturbance from the use of the roof terrace; adverse impact on parking and congestion; over development of the site at expense of neighbours' amenity; solar panels would lead to loss of outlook; poor consultation from the developers.
- 125 A total of three (3) letters of support was received commenting that the scheme would; be in keeping with the surrounding area; good contemporary design; provide for good quality office accommodation.

Human rights implications

- 126 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.
- 127 This application has the legitimate aim of providing mixed office and residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/240-19 Application file: 13/AP/2405 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 5729 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	Wing Lau, Major Applications Team	
Version	Final	
Dated	30 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 January 2014	

APPENDIX 1

Consultation undertaken

Site notice date: 08.08.2013

Press notice date: 08.08.2013

Case officer site visit date: 08.08.2013

Neighbour consultation letters sent: 08.08.2013

Internal services consulted:

Design and Conservation
Archaeology Officer
Urban Forester
Environmental Protection Team
Transport Planning

Statutory and non-statutory organisations consulted:

Environment Agency

Neighbours and local groups consulted:

08/08/2013	84 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	83 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	82 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	85 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	88 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	87 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	86 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	77 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	76 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	75 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	78 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	81 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	80 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	79 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	89 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	99 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	98 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	97 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	100 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	103 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	102 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	101 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	92 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	91 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	90 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	93 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	96 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	95 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	94 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	74 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PT	05/08/2013
08/08/2013	49 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	48 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	47 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	50 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	55 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	54 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	53 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	42 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	41 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	40 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	43 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	46 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	45 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013

08/08/2013	FLAT 9 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 8 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 7 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 5 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL	05/08/2013
08/08/2013	FLAT 4 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL	05/08/2013
08/08/2013	FLAT 3 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL	05/08/2013
08/08/2013	FLAT 6 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL	05/08/2013
08/08/2013	FLAT 1 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 7 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL	05/08/2013
08/08/2013	FLAT 10 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	4 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	3 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	2 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	5 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	8 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	7 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	6 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	FLAT 13 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 12 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 11 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 15 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	1 BOSS HOUSE 2 BOSS STREET LONDON SE1 2PS	05/08/2013
08/08/2013	FLAT 17 2 LAFONE STREET LONDON SE1 2LT	05/08/2013
08/08/2013	FLAT 16 2 LAFONE STREET LONDON SE1 2LT	05/08/2013

Re-consultation: 17.12.2013

APPENDIX 2

Consultation responses received

Internal services

Design and Conservation - Comments incorporated into the main body of the report.

Archaeology Officer - No objections: The primary archaeological significance in this part of the borough are the remains of bronze-age field systems established on the high sand and gravel islands within the Thames. The applicants undertook one evaluation trench based in the centre of their proposal area and have demonstrated that the site in question is located within a previously unknown palaeochannel so remains of the field system are not present within this property. The palaeochannel is likely to preserve remains of the past environment in this area since the last Ice Age. The evaluation report states that suitable samples were taken from the site during the evaluation. These should be processed as detailed in the report. The report also details post-medieval dumping layers to level the ground prior to redevelopment. This material should be monitored during clearance as a watching brief.

No objections subject to conditions requiring a written scheme of investigation for a programme of archaeological recording and archaeological reporting (watching brief).

Urban Forester - The need for a trial trench is recommended within the Arboricultural Survey Report. Details of a trench as outlined in the report are required in order to satisfy concerns regarding the potential severance of major tree roots belonging to the large Plane tree adjacent to the site, which is categorised as being of high amenity value.

The results of any trial trench excavation would then inform the location of pile foundations. Although a low wall separates the site the influence of tree roots can be seen by uplifted areas of concrete surfacing, which indicates that roots may be damaged in order to facilitate development.

Conditions requiring tree protection and landscaping details are recommended.

Environmental Protection Team

No objections to the scheme subject to conditions relating to internal noise levels, land contamination and the submission of a construction environmental management plan.

Transport Planning - No objections subject to submission of further details on cycle parking.

In summary:

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

- A redundant vehicle crossover which will need to be reinstated as footway at the expense of the applicant, with highways approval. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction.

- It is suggested that the London Fire and Emergency Planning Authority be contacted.

- Provision of cycle spaces acceptable subject to more details to show compliance with further guidance.

- The site does have a number of interchange opportunities connecting it to a number of rail and underground stations by bus then it is considered that car free in this instance is

acceptable.

- The proposal site is situated in a CPZ. Therefore, in order to prevent possible overspill parking from the development, the applicant should be informed that a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits. In order that the traffic management order (TMO) can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the TMO, either through a S106 agreement or unilateral undertaking.
- Require the applicant to provide a contribution covering 3 years membership to Zipcar car club for each eligible adult. Car club bays are measures aimed at mitigating against an under provision of parking or a method to deter private parking and car ownership.
- Residential and commercial waste storage must be kept separately. The development has separate bin stores and therefore this is considered acceptable.
- Servicing and refuse collection will be undertaken on street. Due to site constraints no off street serving facilities can be provided.
- Should the construction of a development require the occupation or closure of the carriageway or footway; involve a high volume of construction related vehicle trips; or any other significant impact on the highway network then a construction management plan is required prior to any demolition or construction works on site.

Statutory and non-statutory organisations

Environment Agency - No objections.

Neighbours and local groups

Objections:

A significant number of objections have been received from neighbouring residents in the following areas:

Properties on Lafone Street; Queen Elizabeth Street; Boss House Queen Elizabeth Street; properties within Tower Bridge Square; Raven Wharf on Queen Elizabeth Street; Horselydown Lane; Gainsford Street; Candishe House on Queen Elizabeth Street; Whitster's House; Tower Bridge Square Residents Association; Shad Thames Residents Association; Boss House Residents Association; Tower Bridge Square Management Company; Horselydown Mansions Management Ltd.

Many of the representations raise similar concerns and objections and Officers have summarised these below:

Adverse impact on sunlight and daylight

In terms of height, width and bulk the current proposal is similar to the refused scheme 07-AP-2936, which would block the sunlight entering the gardens of the Lafone Street properties and half of Gainsford Street properties; reduce the light levels in some of the Lafone Street and Boss House properties below accepted levels; the submitted daylight study is limited as it only considers VSC and not daylight distribution or overshadowing; the inner courtyard is the only (relatively) unrestricted source of light into these homes and any building erected in the car park should not result in further loss of sunlight or daylight; the applicant's light studies record that 2 windows in Boss House would be below the VSC standards, without identifying which these are and is unacceptable for any of the windows to fall below this level; the dark and dominating structure would have an impact on lighting; proposed development breaches the BRE preliminary 25 degree test in relation to properties at ground, first and second floor levels of Boss House; breaches the 45 degree test in ground and first floor of Boss House; infringes upon the legal rights of light; the applicant's calculations have been produced using assumed room layouts for Boss House and therefore vital to input accurate measurements into

the computer model; no VSC or daylight distribution tests results have been prepared in respect of 33-39 Lafone Street; disagree that such daylight and sunlight losses are likely to be 'minimal'; some residents would put a civil legal rights of light claim against the applicant.

Loss of outlook

At present, Tower Bridge Square properties have living spaces facing inwards into the courtyard and enjoy a view of Queen Elizabeth Street and the inner courtyard containing a variety of trees and greenery and the proposed development would obscure the current outlook and sense of space enjoyed by existing residents; outlook of residents should be protected; development would create a sense of encroachment.

Overbearing impact

The proposed development would be considerably taller than existing properties in Tower Bridge Square and would dominate the inner courtyard and surrounding properties creating an unacceptable and oppressive feeling of being enclosed; the choice of colour and materials would result in an overbearing and dominating structure;

Loss of privacy

The proposed communal roof terrace and balconies would lead to loss of privacy; the proposed use of white glass does not sufficiently redress the loss of privacy and the 'sense' of being looked upon; nothing could prevent residents from these flats from replacing the white glass with clear glass down the line.

Green and open space

There is already a distinct lack of green and open space in the area and therefore the private gardens and courtyard in the Tower Bridge Square properties are made more precious the proposed development would place their gardens into shadow, putting the trees at risk; the developer has not considered the impact on the other trees and the plant life in the courtyard and residents' gardens; the development may affect the tree's root protection zone; the development would also see some trees being removed altogether; would prefer to see the car park be converted into a landscaped garden

Poor design

The proposed development is ugly, dominating and out of character with the surrounding area and the adjoining conservation area; the development is an eye-sore in an area of much architectural interest; the development is bulky.

Noise pollution

The proposed balconies and roof terrace would result in an acceptable increase in noise levels in an otherwise quiet, peaceful and family orientated square; the roof terrace could be used for group social gatherings and would increase noise levels.

Car parking and congestion

More residents would result in further parking pressures; ideally the car park should be used for the occupants of the new flats and offices.

Overdevelopment

The proposed flats in the car park is excessive; the development would make good return with only 7 flats and the 2 flats in the car park would represent super profit to the development and is unjustified and would come at the cost of the amenity of the residents.

Solar panels

The solar panels proposed would be obtrusive and impact on neighbours' outlook.

Poor consultation

The consultation process has been disappointing especially from the developers; residents unable to properly assess the proposals with the limited information supplied; the developer should provide 3D models and CGIs.

Councillor Anood Al-Samerai (Riverside Ward) - objects to the scheme for the following reasons:

The proposed development would have a significant overbearing impact on the living spaces of neighbours; major effects on light, privacy, green space and amenity; the design is dark in colour, ugly and too bulky for the surroundings; the development should still go ahead without extending the building and still produce substantial profit; maximising the height on both parts of the site would maximise profits at the expense of the existing community and local environment; the addition of an extra storey and roof terrace will lead to more overlooking and overshadowing of neighbours; it will detrimentally affect the character of the area; may affect the adjoining conservation area; the development would make the square an enclosed space with a sense of being enclosed in an area that is already very crowded; the roof terrace would look directly into the homes and gardens of neighbours; the communal roof terrace would add to noise and disturbance in the community the communal roof terrace could be used as a party area; the proposed colour of the brick is not acceptable absorbing light and make the narrow streets and small courtyard darker, make the building more imposing; the colour of the brick is not acceptable adjoining a conservation area; suggests a lighter reddish brown colour brick; the site should be the garden space for the new residents of the converted building; the application can be amended to address the residents.

Representations supporting the scheme

Three letters of support have been submitted:

Resident at The Glasshouse, SE1 - the scheme relates well to the scale of existing neighbouring buildings in the Butler's Wharf Conservation Area and will contribute to the quality of the streetscape; the new build sits well with the architecture of the existing warehouse; car free development is consistent with policy for North Southwark and there is good cycle storage provision.

SSAFA - former owners of the property support the development; over recent years the accommodation has proved to be increasingly inappropriate as a headquarters for their current staff; the charity had considered a refurbishment programme but it became clear that this was not a financially viable option; sale for development has facilitated their move to offices more suited to their needs.

Virtus, No. 59 Lafone Street - while retaining a substantial element of upgraded office accommodation, which is in demand in the area, the development provides an attractive and innovative extension that compliments the existing building without dominating it; the design echoes the mix of historic and contemporary design prevalent in the area while providing high quality residential accommodation.

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	The Third Quarter (QE Street) Ltd	Reg. Number	13/AP/2405
Application Type	Full Planning Permission	Case Number	TP/240-19
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Redevelopment of the site to provide new office accommodation and nine residential units; including a roof extension at fourth floor level, a side extension to the west of the building along Queen Elizabeth Street and further excavation of the basement.

At: 19 QUEEN ELIZABETH STREET, LONDON, SE1 2LP

**In accordance with application received on 16/07/2013
and revisions/amendments received on 15/10/2013
23/01/2014**

and Applicant's Drawing Nos. QE-16 P1 Site Plan; QE-32 P1 Proposed Basement Floor Plan; QE-22 P2 Proposed Lower Ground Floor Plan; QE-23 P2 Proposed Upper Ground Floor Plan; QE-24 P2 Proposed First Floor Plan; QE-25 P2 Proposed Second + Third Floor Plan; QE-26 P2 Proposed Fourth + Roof Floor Plan; QE-27 P2 Proposed West Elevation; QE-28 P2 Proposed South East Elevation; QE-29 P2 Proposed Section A-A; QE-30 P2 Proposed Section B-B; QE-31 P2 Proposed Section C-C; QE-33 P1 Proposed East/ North Elevation; QE-34 P1 Proposed East Elevation; Design and Access Statement dated 10.07.13; Addendum to Design and Access Statement dated 26.09.13; Planning Statement prepared by DP9 dated July 2013; Daylight and Sunlight Assessment prepared by Malcolm Hollis dated 10.07.13; Revised Daylight and Sunlight Assessment prepared by Malcolm Hollis dated 01.10.13; Transport Statement prepared by Motion dated July 2013; Energy Statement prepared by Scotch Partners dated June 2013; Sustainability Statement prepared by Scotch Partners dated June 2013; Low and Zero Carbon Technology Feasibility Study – Scotch Partners dated June 2013; Air Quality Assessment prepared by EPAL; Flood Risk Assessment prepared by EPAL; Historic Environment Assessment prepared by MOLA dated July 2013; Written Scheme of Investigation for an Archaeological Evaluation dated 09.07.13; Acoustic Assessment prepared by Hann Tucker dated 04.07.13; Office Market Report prepared by CBRE; Statement of Community Involvement prepared by Curtin and Co; Desk Based Summary Report prepared by Watermans dated December 2012; Arboricultural Survey Report prepared by Watermans dated July 2013.

Subject to the following nineteen 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:

QE-16 P1 Site Plan; QE-32 P1 Proposed Basement Floor Plan; QE-22 P2 Proposed Lower Ground Floor Plan; QE-23 P2 Proposed Upper Ground Floor Plan; QE-24 P2 Proposed First Floor Plan; QE-25 P2 Proposed Second + Third Floor Plan; QE-26 P2 Proposed Fourth + Roof Floor Plan; QE-27 P2 Proposed West Elevation; QE-28 P2 Proposed South East Elevation; QE-29 P2 Proposed Section A-A; QE-30 P2 Proposed Section B-B; QE-31 P2 Proposed Section C-C; QE-33 P1 Proposed East/ North Elevation; QE-34 P1 Proposed East Elevation

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

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

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

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

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

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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

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

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

d) In the event that potential contamination is found at any time when carrying out the approved development that

was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 7 No development shall take place, including any works of demolition, until an Environmental Management Plan (EMP) for the construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved EMP shall be adhered to throughout the construction period. The EMP 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

Reason

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

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 Notwithstanding the approved plans showing the white anodized aluminium windows hereby permitted, details of the window materials (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 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.

- 9 Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries including privacy screens to balconies and privacy and acoustic screens to terraces 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.

- 10 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 for the proposed extension providing two dwellings 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.

- 11 Before any fit out works to the commercial premises and the converted 7 (seven) residential 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 'very good' 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.

- 12 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

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 13 Before any above grade work hereby authorised begins, the habitable rooms within the development sharing a party wall element with neighbouring residential units shall be designed and constructed to provide reasonable 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. A report shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to 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.

Prior to occupation a validation test shall be carried out on a relevant sample of premises following completion of the development. The results shall be submitted to the LPA for approval in writing.

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 Before any above grade work hereby authorised begins, the habitable rooms within the development sharing a party ceiling/floor element with commercial premises (including plant rooms and bin stores) shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 due to noise from the commercial premises is not exceeded. A report shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Prior to occupation a validation test shall be carried out on a relevant sample of premises following completion of the development. The results shall be submitted to the LPA for approval in writing.

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.

- 15 Before any above grade work hereby authorised begins, the scheme of mechanical ventilation for the residential element of the development, including an appropriate inlet, appropriate outlet, details of sound attenuation for any necessary plant and any management or filtration mechanisms, has been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any approval given and shall be carried out before the use hereby permitted is commenced.

Reason

In order to ensure that that the ventilation of the residential elements is adequate and is protected from environmental noise and pollution and will not detract from the appearance of the building in the interests of amenity 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.

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.

- 16 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing/s shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with 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

- 17 Before the first occupation of the building/extension the cycle storage facilities as shown on the approved drawings 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.

- 18 The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority. The method of assessment is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The plant and equipment shall be installed and constructed in order not to exceed the above noise limits and shall be operated as such thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery 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).

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

- 19 The window(s) on the western and eastern elevation of the extension shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason

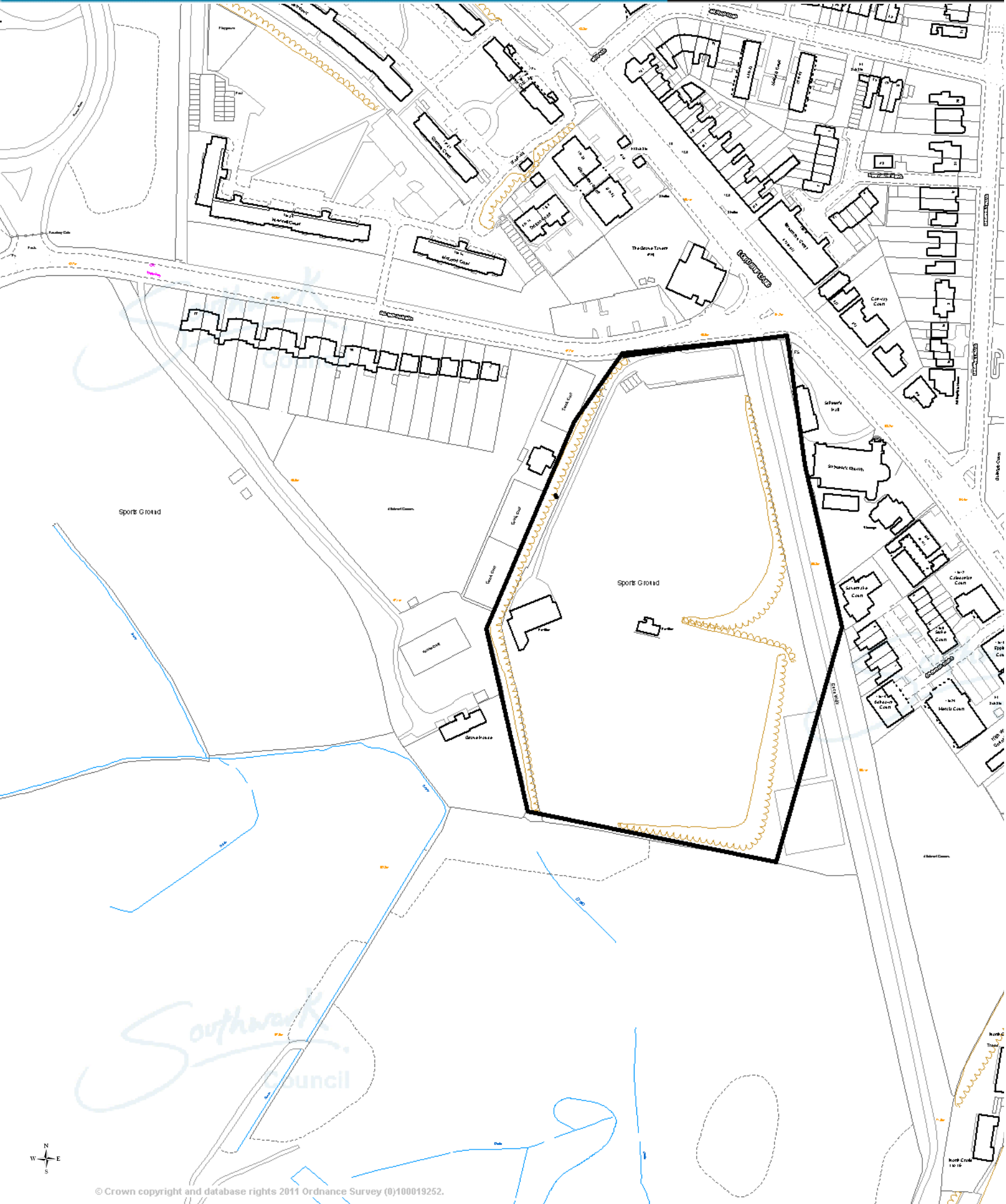
In order to protect the privacy and amenity of the occupiers and users of the adjoining premises from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High

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 30/1/2014



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Item No. 7.4	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/1451 for: Full Planning Permission Address: MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON SE21 7EX Proposal: Demolition of existing Cricket Pavilion and removal of three trees and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 25/07/2013		Application Expiry Date 19/09/2013	
Earliest Decision Date 27/10/2013			

RECOMMENDATION

- 1 That Members grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 The application is referred to Members for decision as it involves Metropolitan Open Land (MOL).

Site location and description

- 3 The site is home to the Streatham and Marlborough Cricket Club and consists of a large site bounded by Dulwich Common to the north, Cox's Walk and Lordship Lane to the East, Dulwich and Sydenham Golf Course to the South, and tennis courts and allotments to the west. To the north and east of the site there are some residential buildings.
- 4 Buildings on site currently include single storey storerooms and a single storey cricket pavilion which appears to have been built prior to 1948, situated to the west of the site, and a further building to the east.
- 5 The site is situated within Dulwich Wood conservation area, and is classed as Metropolitan Open Land and a Site of importance for nature conservation.

Details of proposal

- 6 The proposal details the demolition of existing Cricket Pavilion and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club.
- 7 The proposed pavilion will be approximately 48m in width, 2.59m in height to the eaves with a total of 5.236m at the highest ridge level. The pavilion will have a total floor area of 474sqm. The materials proposed consist of timber cladding, metal roof tiles with a fibreglass flat roof element. All windows and doors proposed consist of new

steel framed double glazed units.

The existing pavilion is in poor condition with a floorspace of 411 square metres. The new pavilion will be a modern construction with an additional floorspace of 65 square metres. The proposed replacement pavilion would be of a more functional and useable design for the purposes of a sports pavilion, improving the sports facilities within the site.

Planning history

- 8 04-AP-1500 - Advertisement consent was refused for the display of 6m x 3m internally illuminated advertising hoarding.
- 9 1. *"The proposal is considered inappropriate development in terms of amenity due to its location on Metropolitan Open Land and also within the locally designated Dulwich Wood Conservation Area. The sign's size and illumination would have a detrimental affect on the character and appearance of the conservation area and fails to meet any of the criteria for allowing new development on Metropolitan Open Land. The proposal is thereby contrary to Policies C.5.7, E.4.3, E.2.3 and E.2.6 of the adopted Southwark Unitary Development Plan, 1995, Policies 3.25, 3.2, 3.11, 3.16 and 3.23 of the Draft Southwark Plan (replacement Unitary Development Plan), February 2005 and also the Council's Supplementary Planning Guidance on Advertisements and Signage".*
- 10 2. *"The signage is likely to cause a distraction to drivers approaching the main junction with Lordship Lane and Dulwich Common, prejudicial to highway safety. This would be contrary to Policy T.1.2 of the adopted Unitary Development Plan, 1995 and Policy 5.2 of the Draft Southwark Plan (replacement Unitary Development Plan), February 2005".*
- 11 05-AP-0082 - Planning permission was refused for alterations to existing pavilion including erection of a single storey extension to south elevation and two storey extension to east elevation to provide improved facilities; demolish existing garages and stores at north end sports ground (adjacent to Dulwich Common) and erect new garages, stores and score box to east of site (near Cox's Walk) - 15/03/2005. The application was refused for the following reason:
- 12 *"The proposed pavilion extension is unacceptable in terms of its height, bulk, and detailed design, and would result in a detrimental addition to the building. This in turn would harm the character and appearance of the Dulwich Wood Conservation Area, and the Metropolitan Open Land. The proposal would be contrary to policies E.2.3 [Aesthetic Control], E.4.2 and E.4.3 [Proposals Affecting Conservation Areas] and C.5.6 [Metropolitan Open Land] of the adopted Unitary Development Plan 1995, and policies 3.1 [Environmental Effects], 3.11 [Quality in Design], 3.13 [Urban Design] and 3.16 [Conservation Areas] of the Southwark Revised Deposit Unitary Development Plan."*
- 13 05-AP-0195 - Conservation area consent was granted for the demolition of four concrete garages - 19/04/2005
- 14 05-AP-0743- Planning permission was granted for the erection of a single storey extension to south elevation and a two storey extension to main building; demolish existing garages and stores, erect new garages and stores and score box to east of site - 27/06/2005.

Planning history of adjoining sites

- 15 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 16 The main issues to be considered in respect of this application are:
- a) The principle of the development
 - b) The design issues and the impact on the Dulwich Wood conservation area
 - c) the impact of the proposal on Metropolitan Open Land and the SINC
 - d) the impact on amenity of any nearby residents
 - e) the impact on trees

Planning policy

- 17 National Planning Policy Framework (NPPF)
The NPPF came into effect on 27 March 2012 and is a material planning consideration. The following part is most relevant.
- 18 7. 'Requiring good design'
11. Conserving the natural environment
12. Conserving the historic environment
- 19 London Plan 2011 consolidated with revised early minor alterations October 2013'
Policy 2.18 - Green infrastructure: the network of open and green spaces
Policy 7.17 - Metropolitan Open Land
Policy 7.21 - Trees and woodlands
- 20 Core strategy 2011
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
- 21 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.
- 22 3.2 'Protection of Amenity'
3.12 'Quality in Design'
3.13 'Urban Design'
3.16 'Conservation Areas'
3.25 'Metropolitan Open Land'
3.28 'Biodiversity'
- 23 Supplementary Planning Documents
None relevant.

Principle of development

- 24 The application site is situated within metropolitan open land and part (ii) saved policy 3.25 of the Southwark plan states that development will be allowed for:

(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;

- 25 There is no objection to the principle of the development which seeks to replace an existing cricket pavilion with a larger pavilion for use ancillary to the cricket ground. This development supports the outdoor sports use of the land and the development therefore complies with MOL policy. Whilst the pavilion is relatively large, it is not considered that this is harmful to the openness of MOL.
- 26 Further, it is not considered that this will have any significant effects on local biodiversity.

Environmental impact assessment

- 27 Not required for an application of this nature.

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

- 28 Given the proposed building's location within the sports field and the fact that it is set some way back from the surrounding neighbouring properties, it is not considered that there would be any material impact in terms of loss of outlook, overshadowing or sense of enclosure as a result of the proposal.
- 29 There are a number of windows and doors proposed however the closest residential properties are not within the proximity of the development, at a minimum of 120m away from the proposed structure, and thus it is therefore not considered that the proposal would lead to a material loss of privacy by way of overlooking to any neighbouring occupiers in this regard.
- 30 An objection has been received which raises concerns in relation to the use of the pavilion for events late into the night/early morning. As noted, the structure will be situated some distance from nearby residential units and the buildings primary function is to operate as a cricket pavilion which would not result in any harm on nearby amenities
- 31 However notwithstanding this, should the pavilion be used for events, it has the potential to cause substantial harm to the amenity of nearby residential properties by way of noise creep and disturbance.
- 32 As such, it is recommended that a noise management plan is required by way of condition in order to outline the methods in which the cricket club will ensure that any noise concerns from such events would be kept to a minimum. A condition limiting the hours of operation will also be included to ensure that any events do not go on into unsociable hours that would significantly harm the amenity of nearby residents.
- 33 Subject to these conditions, to any permission granted, it is not considered that the proposed new pavilion would result in any significant impacts on amenity that would warrant refusal of permission and would thus be in accordance with saved policy 3.2 of the Southwark Plan 2007.

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

- 34 None expected as a result of the proposal.

Transport issues

- 35 The proposed development does not raise any significant traffic issues as it will not increase the useable accommodation within the building and therefore will not lead to a more intensive use of the site than the current structure.
- 36 The use of the site remains the same and is not likely to attract additional vehicular movements that would result in any likely traffic implications.
- 37 A ramp to the new entrance which as noted will comply with Part M of the building regulations (a gradient of 1:20), is proposed to the new entrance which helps provide access for wheelchair users and those with mobility impairments which is welcomed.

Design issues and the impact on the character and setting conservation area

- 38 The building is located within a playing field and there are no buildings within close proximity and is therefore characteristically open with the existing pavilion building and storage buildings sited within the MOL. The proposed building has been sited on a similar footing to the existing building reducing its impact on the open nature of the MOL. Its design as a low level, pitched roofed structure, clad in timber further reduces its dominance and allows it to sit comfortably on the site.
- 39 By removing the existing building which is in a poor state of repair and constructing a new modern building of a modern character, it would visually improve the site within its immediate surroundings and cause no harm to the character of the surrounding area. The proposed building would be of a more functional and useable design for the purposes of a sports pavilion, improving the sports facilities within the site.
- 40 The proposed use of the timber cladding, metal and fibreglass roofing materials is considered acceptable given the use of the building as a sports pavilion. Whilst these are modern materials, they will blend with the surrounding back drop of the host building which will reduce any potential impact on the heritage asset of the Dulwich Wood conservation area.
- 41 For these reasons, It is considered appropriate in the local context having minimal impact on the open nature of the MOL and will preserve the character and appearance of this section of the surrounding conservation area. As such it would accord with saved policies 3.12, 3.13 and 3.16 of the Southwark Plan and strategic policy 12 - Design and conservation of the core strategy.

Impact on trees

- 42 There are a number of trees close to the area which is proposed for the new club house/pavilion with three trees situated within the footprint of the building and would require removal.
- 43 The applicant has submitted a tree survey which notes that two of these trees (goat willow and ash trees) are of a poor quality/condition and as such the loss of these trees would not significantly impact on the amenity of the site or surrounding area. However, one large weeping willow is required to be removed which has been identified as a high quality specimen which adds significant amenity value to the area and thus its loss will affect the surrounding area.
- 44 However, weeping willow trees are very fast growing and a mature specimen for replanting would grow quickly and help add to the visual amenity of the area. As such, a condition is proposed to secure a replanting scheme to ensure that the amenity of the area is retained.
- 45 Further, no details of specific landscaping are provided and as such it is also

recommended that this is secured by way of condition.

- 46 The remaining trees retained will have protection of the roots by way of at least 2.1m high fencing which will ensure that no significant harm will be caused to these remaining trees.

Planning obligations (S.106 undertaking or agreement)

- 47 Not required for an application of this nature

Sustainable development implications

- 48 None expected as a result of the proposal.

Other matters

- 49 CIL
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.

- 50 The proposed development would not be CIL liable as no new residential units are proposed and the additional floorspace threshold of 100 sq. metres will not be exceeded. The existing floorspace is 411 square metres and proposed is 474, an increase of only 65 square metres. As this would be below the threshold and the existing use of the building/site is lawful, it would not be liable for CIL.

Conclusion on planning issues

- 51 The design of the roof and materials proposed are considered to be acceptable in this context and the site is sufficiently distant from neighbouring properties such that there will not be a material impact on amenities, subject to conditions relating to noise management and hours of operation.

- 52 Accordingly the application is in accordance with the relevant saved policies within the Southwark Plan (2007), Core Strategy (2011) and NPPF (2012) and thus it is recommended that the application is granted.

Community impact statement

- 53 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

Consultation replies

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

55 Summary of consultation responses

Three responses have been received, one in support, one in objection on noise disturbance grounds and one which did not object provided the building would be solely used for its main purpose as a cricket pavilion.

Human rights implications

56 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.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2082-R Application file: 13/AP/1451 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 Planner Fast Track and Validation Team	
Version	Final	
Dated	20 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		30 January 2014

APPENDIX 1**Consultation undertaken****Site notice date:** 15/08/2013**Press notice date:** 22/08/2013**Case officer site visit date:** 15/08/2013**Neighbour consultation letters sent:** 21/08/2013**Internal services consulted:**

Environmental Protection.

Urban Forester.

Design Surgery

Statutory and non-statutory organisations consulted:

Green Chain

Neighbours and local groups consulted:

1-18 ST PETERS VICARAGE 522A LORDSHIP LANE LONDON SE22 8LD
 FLAT 1-16 524 LORDSHIP LANE LONDON SE22 8LG
 MANAGERS FLAT GROVE TAVERN 520 LORDSHIP LANE LONDON SE22 8LF
 STAFF FLAT GROVE TAVERN 520 LORDSHIP LANE LONDON SE22 8LF
 GROVE TAVERN 520 LORDSHIP LANE LONDON SE22 8LF
 GROVE HOUSE DULWICH COMMON LONDON SE21 7EZ
 MARLBOROUGH CRICKET CLUB DULWICH COMMON LONDON SE21 7EX
 4-32 (evens) DULWICH COMMON LONDON SE21 7EX
 CAMBER LAWN TENNIS CLUB DULWICH COMMON LONDON SE21 7EX
 1-9 SAVERNAKE COURT HIGHWOOD CLOSE LONDON SE22 8NQ
 ST PETERS VICARAGE 522A LORDSHIP LANE LONDON SE22 8LD
 1-14 ASHDOWN COURT HIGHWOOD CLOSE LONDON SE22 8NP
 1-10 HIGHWOOD CLOSE LONDON SE22 8NH
 1-6 STOKE COURT HIGHWOOD CLOSE LONDON SE22 8NR
 1-12 CALEDONIAN COURT HIGHWOOD CLOSE LONDON SE22 8NW

Re-consultation:

N/A.

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

Environmental Protection - recommend noise management plan submitted/conditioned.

Urban forester - no concerns and confirmed that an arboricultural assessment was not necessary here given the applicants inherent interest in protecting the trees and wildlife within the site.

Design surgery - no objections.

Statutory and non-statutory organisations

Green chain - no response.

Neighbours and local groups

Three responses have been received, one in support (Dulwich Society), one in objection (Resident does not give address but "overlooks Cox's Walk") on noise disturbance grounds and one comment (resident at 1 Highwood Close) which did not object provided the building would be solely used for its main purpose as a cricket pavilion. However would object should the pavilion be used for social events with amplified music, fireworks.

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	Professor J. Greenwood Streatham & Marlborough Cricket Club	Reg. Number	13/AP/1451
Application Type	Full Planning Permission	Case Number	TP/2082-R
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing Cricket Pavilion and removal of three trees and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club

At: MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON, SE21 7EX

In accordance with application received on 13/05/2013 08:00:48

and Applicant's Drawing Nos. Design and Access Statement, Tree Schedule, Arboricultural Assessment, MDL-2343-1, MDL-2343-2, MDL-2343-3, MDL-2343-4, TCP 01, TPP 01

Subject to the following nine 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: Design and Access Statement, Tree Schedule, Arboricultural Assessment, MDL-2343-2, MDL-2343-3, MDL-2343-4, TPP 01.

Reason:

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

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

- 3 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement and Dwg no.TPP 01. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13

Urban Design and Policy 3.28 Biodiversity.

- 4 Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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.

- 5 Before any above grade work hereby authorised begins, detailed drawings scale 1:100 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, 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 the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Pre-occupation conditions - the details required to be submitted for approval by the conditions 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.

- 6 Prior to the commencement of use a scheme of sound insulation shall be submitted to the local planning authority to ensure that the L_{Fmax} sound from amplified and non-amplified music and speech shall not exceed the lowest L_{90,5min} 1m from the facade of the nearby residential premises at all third octave bands between 31.5Hz and 8kHz. 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 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 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).

- 7 Prior to the occupation of the pavillion hereby approved, the applicant shall submit a Nuisance Management Plan for the premises is submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to ensure that the use of the pavillion will not result in any noise nuisance, in the interests of amenity 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.

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

- 8 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

- 9 The use hereby permitted for a cricket pavillion and ancillary function purposes shall not be carried on outside of the hours 08:00 to 11:00 on any given day.

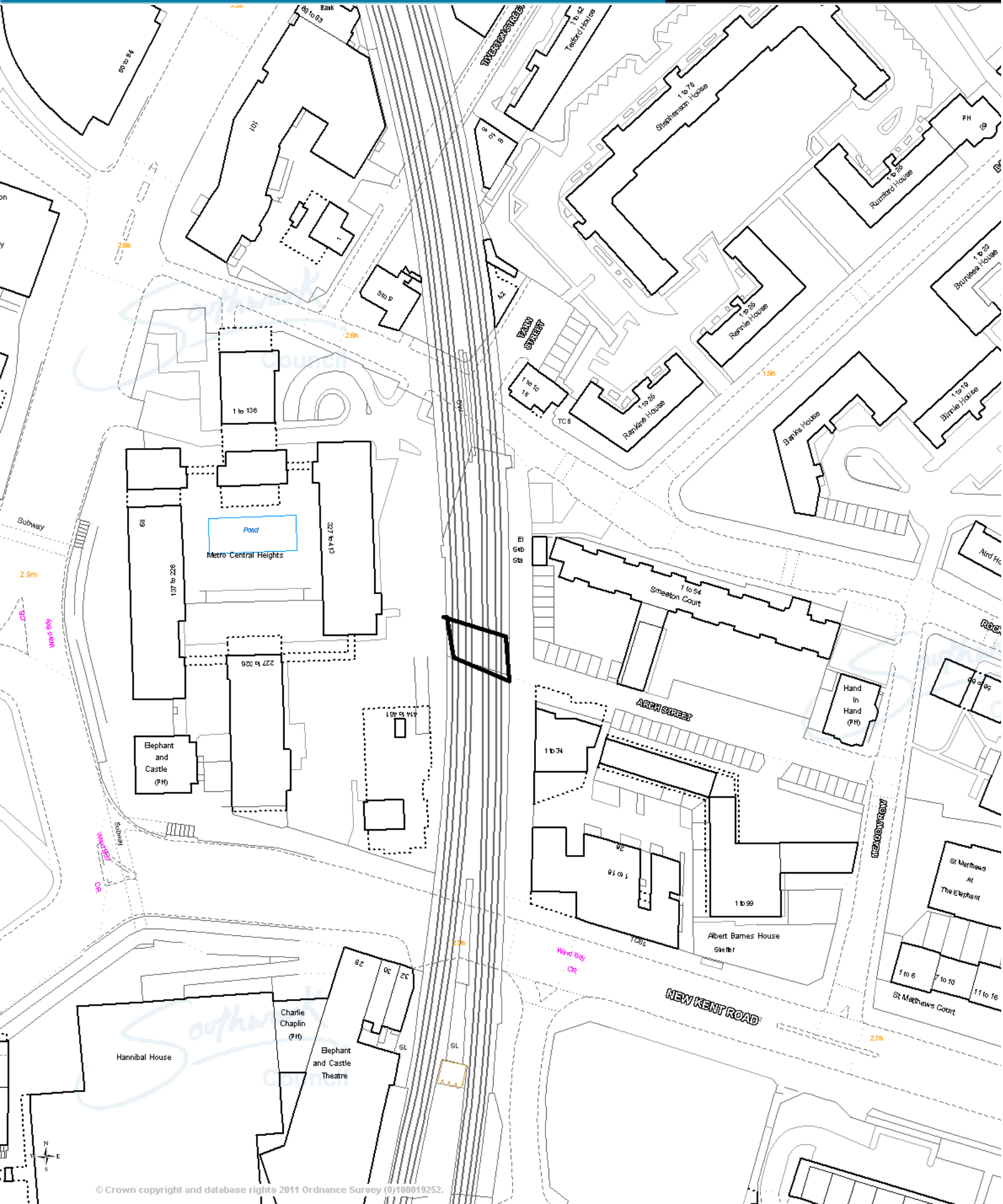
Reason:

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

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner



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Item No. 7.5	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub Committee B
Report title:	Development Management planning application: Application 13/AP/3636 for: Full Planning Permission Address: RAILWAY ARCH 102A, ROCKINGHAM STREET SE1 Proposal: Use of Railway Arch as a restaurant (Use Class A3) and installation of an extractor fan to rear of property.		
Ward(s) or groups affected:	Chaucer		
From:	Head of Development Management		
Application Start Date 27/11/2013		Application Expiry Date 22/01/2014	
Earliest Decision Date 11/01/2014			

RECOMMENDATION

- 1 That members grant full planning permission subject to condition.

BACKGROUND INFORMATION

Site location and description

- 2 The application property is the ground floor unit in the Railway Arch at 102A Rockingham Street. Access to the property is via Arch Street and Rockingham Street with pedestrian access also available from New Kent Road. The property has a public transport accessibility level (PTAL) of 6b. The site is located within the following designations:
 - Central Activity Zone
 - Air Quality Management Area
 - The Elephant and Castle Major Town Centre
 - Elephant and Castle Opportunity Area.
- 3 The previous use of the site is unknown. The applicant's agent has indicated that the site was empty for at least 6 months prior to their occupation.
- 4 Surrounding uses vary. The applicant has indicated that the upper floor of the railway arch is occupied by a tailor/sewing activity. To the west lies the grade II listed Metro Central Heights building, a multiple storey residential apartment block. Residential apartment blocks also lie to the east. Immediately to the east (i.e. fronting Arch Street) lies a row of garages.

Details of proposal

- 5 The applicant seeks planning permission for the use of premise as a restaurant (Use class A3) and the associated installation of an extractor fan to rear of property. It should be noted that, while plans of the upper floor of the railway arch have also been

submitted, this application relates solely to the ground floor unit.

- 6 Since the submission of the original application, the proposed opening hours of the restaurant have been scaled back considerably (previously it was proposed that the restaurant would open until 03:00 on Thursday and 05:00 on Friday and Saturday). As such, the restaurant is now proposed to have opening hours of:

- Monday to Thursday: 10:00 to 23:00 hours
- Friday and Saturday: 10:00 to 23:30 hours
- Sunday and Public Holidays: 11:00 to 23:00 hours

- 7 The proposed extractor fan would be installed to the rear of the property and would have dimensions of 500mm x 400mm.

- 8 After visiting the site it is apparent internal works to provide for the restaurant activity have begun including the installation of secondary doors behind the existing vertical and horizontal shutters. The applicant has confirmed that no external alterations are proposed with the exception of the proposed extractor fan.

Planning history

- 10 95/373: Use of premises for church services - refused (06/07/95)
- 94/00110: Use of premises for church services - refused (24/03/94)
- 91/940: Refurbishment of existing railway arches and demolition of 4 garages (99, 100 and 102 Rockingham St) - approved (9/12/91)
- 8918: Reconstruction of the superstructure of bridge no. 391A Rockingham Street - permitted (01/03/83)
- 11 In addition to the above planning history, there is an outstanding enforcement case (13/EN/0577) for the application property. This case relates to the work which has begun on site and the potential use of this property as a bar/nightclub.

Planning history of adjoining sites

- 12 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 13 The main issues to be considered in respect of this application are:
- a) Principle of the proposed use of the property as a restaurant (Class A3);
 - b) Impact on the amenities of neighbouring occupiers;
 - c) Design and its impact on the character and appearance of the surrounding area; and
 - d) Transport impacts.

Planning policy

- 14 Core Strategy 2011

Strategic Policy 1: Sustainable Development
 Strategic Policy 2: Sustainable Transport
 Strategic Policy 12: Design and Conservation
 Strategic Policy 13: High Environmental Standards

15 Southwark Plan 2007 (July) - saved policies

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.

Policy 1.7: Development within Town and Local Centres

Policy 3.1: Environmental effects

Policy 3.2: protection of amenity

Policy 3.7: Waste reduction

Policy 3.12: Quality in Design

Policy 3.14: Designing out Crime

Policy 3.18: Setting of listed buildings, conservation areas and world heritage sites

Policy 5.2: Transport impacts

Policy 5.3: Walking and cycling

Policy 6.1: Elephant and Castle Opportunity Area

16 London Plan 2011

Policy 2.12: Central Activities Zone - predominantly local activities

Policy 2.15: Town Centres

Policy 4.7: Retail and town centre development

Policy 7.4: Local Character

17 National Planning Policy Framework (NPPF)

2. Ensuring the vitality of Town Centres

7. Requiring good design

Principle of development

18 The application property is located within the central activity zone, the Elephant and Castle Major town centre and the elephant and castle opportunity area.

19 Policy 1.7 of the Southwark Plan provides for the accommodation of retail and other commercial town centre uses (i.e. restaurants) within town centres such as the Elephant and Castle town centre. Policy 6.1 of the Southwark Plan provides for a range of uses within the Elephant and Castle opportunity area including shops and commercial activities.

20 The principle of the use of the application property as a restaurant Class A3), given its town centre location, is considered to be acceptable as is the principle of the proposed alterations (i.e. the extractor fan) to provide for this use. However, the suitability of the proposed use depends on the impact the activity would have on the amenities of neighbouring occupiers, the suitability of the design, the servicing arrangements and the impacts in relation to transport. These are considered below.

Environmental impact assessment

21 Not required.

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

- 22 The proposed restaurant use of the property would introduce an increased level of activity to the currently vacant property in the form of patrons travelling to and from the property, servicing requirements and the internal restaurant use of the property. This increased activity has the opportunity to generate noise and disturbance which could be detrimental to the adjoining residential occupiers as does the operation of the restaurant activity. However, despite the increased activity that the restaurant would generate, it is not anticipated that the use of the property as a restaurant (class A3) would generate any detrimental impacts on the amenities of neighbouring residential occupiers.
- 23 As has been outlined above, the site is located within the central activities zone and both the Elephant and Castle town centre and opportunity areas. Furthermore the site, being under a railway arch, is within close proximity to a railway line. The level of activity and noise in the immediate environment is therefore anticipated to be generally quite high. The additional activity generated by the proposed restaurant use is not considered to generate an unacceptable level of impact over and above that which already exists.
- 24 The proposed restaurant would have opening hours of 10:00 to 23:00 Monday through Thursday, 10:00 to 23:30 hours Friday and Saturday and 11:00 to 23:00 on Sundays and public holidays. These opening hours and the restaurant use of the site are not anticipated to provide for a level of activity (i.e. late night music, noise, a bar or night club etc) which would be detrimental to the amenities of neighbours. To ensure that the proposed hours are followed and therefore impacts remain at an acceptable level, the restaurant could be restricted to these operational hours through by way of a condition should it be minded to approve the application.
- 25 In terms of the objection that has been received to the proposed activity. This objection appears to relate to the proposed use of the site as a bar/nightclub which it is assumed it based on the opening hours originally proposed (see paragraph 6 above). The proposed use is a restaurant (class a3) and not a bar/nightclub (class A4). The proposed opening hours have been revised since the original lodgement with proposed opening hours being no later than 23:00 on weekdays and 23:30 on Fridays and Saturdays. These opening hours are considered to be acceptable.
- 26 In terms of the external changes, the only change would be the proposed extractor fan. This fan would be located to the rear of the property and with dimensions of 500mm x 400mm the scale of the extractor fan is considered to be small. The nearest residential property to the rear wall (i.e. and the location of the proposed extractor fan) is Metro Central heights to the west which lies approximately 18 metres away. It is not considered that this external fan would be detrimental to the amenities of this occupier.
- 27 Finally, in relation to the plant equipment associated with the proposed extractor fan, given the separation distance between the equipment and the surrounding residential occupiers (the nearest of which is approximately 18 metres away), it is not anticipated that the equipment would generate detrimental impacts in relation to noise.
- 28 To ensure acoustic levels from the operation of the property remain at acceptable levels and are not detrimental to the amenities of neighbouring occupiers, a condition could require the acoustic levels to meet acceptable standards.

Transport issues

- 29 The application property has a public transport accessibility level (PTAL) of 6b and

subsequently is readily accessible through public transport. The site is located within a Town Centre Location and is readily accessible by both pedestrians and cyclists. No car parking spaces are available specifically for the site and given the excellent PTAL and ease of access to the site, it is anticipated that transport to and from the site would be predominantly via public transport, pedestrian or by cycling which is both desirable and acceptable.

- 30 It is considered that the proposal would be consistent with that provided for by saved policies 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of the Southwark Plan (2007).
- 31 In relation to the servicing requirements of the proposed use, the applicant has indicated that deliveries would usually be between 7:00 and 10:00 on Monday, Wednesday and Saturday mornings. Refuse collection would be daily with refuse being picked up after closure of the restaurants. The applicant has provided details of a local company who services other uses in the area who would be used. This level of activity is not anticipated to generate an unacceptable level of activity on the surrounding road network. Furthermore, the daily pick up of refuse/recycling would avoid the need to bins/bags on the street which is also desirable.
- 32 As a result of the above, it is not anticipated that the proposed restaurant use would generate impacts which would be detrimental to the safety or operation of the surrounding highway network.

Design and its impact on the character and appearance of the area including the adjoining grade II listed building.

- 33 When considering the design and its impact on the character and appearance of the surrounding environment, including the setting of the adjacent Grade II Listed Metro Central Height building to the west, it is considered that only the external alterations would have the potential to give rise to any detrimental impacts.
- 34 The only external alterations proposed under this application are the installation of the proposed extractor fan. This fan would be located to the rear of the property and with dimensions of 500mm x 400mm the scale of the extractor fan is considered to be small. It is not considered that this would give rise to any significant impact on the character and appearance of the application property nor the surrounding environment. Furthermore, the adjacent grade II Metro Central heights building to the west lies approximately 18 metres away from the rear wall of the application property (and subsequently the location of the extractor fan). It is not considered that this external fan would be detrimental to the setting of this building given this separation and the small scale of the fan.
- 35 Internal alterations are proposed and have begun on site. The applicant has indicated that these internal alterations include the installation of a secondary door in behind the existing door and shutters. It is not considered that these alterations would have a detrimental impact on the character and appearance of the surrounding environment. It is also noted that these works would not require planning permission as they are wholly internal.
- 36 It is assumed that, should this application be approved, the applicant would wish to install signage externally to the site. No details of such signage have been provided. Despite this, any signage would require consideration under a separate advertisement application.

Other matters

- 37 The proposed change of use would bring into use an area of 150sqm which has been vacant/unoccupied for a more than 6 of the last 12 months (while not CIL form has yet

been provided, the vacancy of the unit has been confirmed by the applicant in an email dated 06 January 2014). As such, the application would be liable for Mayoral CIL at a change of £35.00 per square metre of internal floor area (internal floor area is 160 sqm). Subsequently the amount payable would be £5,477.00.

Conclusion on planning issues

- 38 The proposed change of use of the ground floor unit in the rail arch at 102A Rockingham Street to a restaurant (Class A3) is considered to be an acceptable use given its town centre location. The development is not considered to give rise to impacts which would be detrimental to the amenities of neighbouring residential occupiers. The site is easily accessible and would not impact the operation or safety of the highway and the impact on the character and appearance of the area, including the setting of the grade II listed Metro Central Heights building is considered to be acceptable. It is therefore recommended that planning permission is granted.

Community impact statement

- 39 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.

Consultations

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

Consultation replies

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

Summary of consultation responses

42 *Internal*

Transport planning team - The proposed change of use, and the installation of an extractor fan will not generate a significant negative impact on the safety or operation of the surrounding highway network.

Environmental protection team - No objection subject to a condition requiring the submission of an acoustic report detailing the rated noise level from any plant and association ducting/equipment prior to the commencement of the activity.

43 *External*

Flat 7, 26 Arch Street - (summary) Object to the application for the conversion to a restaurant/bar/nightclub. The use of the site as a bar/nightclub would result in additional crime, disorder and generally antisocial behaviour as a result of the late opening hours and drunken behaviour that would result, would be detrimental to public safety and would give rise to detrimental impacts through increased noise levels. Request that application for a bar/nightclub is refused.

Officer comments: comments are noted and have been addressed in paragraph 25 (above). It is noted that the proposal is for use of the site as a restaurant and not a bar/nightclub.

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 for the use of the application property as a restaurant (class A3) and the installation of an extractor fan to the rear. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/RLY/14/BK2 Application file: 13/AP/3636 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 7708 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	Jonathan Payne, Fast Track and Validation Team	
Version	Final	
Dated	16 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 January 2014	

APPENDIX 1**Consultation undertaken****Site notice date:** 09/12/2013**Press notice date:** 12/12/2013**Case officer site visit date:** 09/12/2013**Neighbour consultation letters sent:** 19/12/2013**Internal services consulted:**

Environmental Protection Team
 Transport Planning Team

Statutory and non-statutory organisations consulted:

Metropolitan Police Service

Neighbours and local groups consulted:

20/06/1837	21 Smeaton Court Rockingham Street London		18/11/2013
19/12/2013	391 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	389 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	388 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	392 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	395 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	394 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	393 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	387 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	381 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	380 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	379 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	382 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	386 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	385 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	384 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	408 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	407 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	406 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	409 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	413 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
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19/12/2013	410 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	404 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	399 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	397 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	396 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	400 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	403 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	402 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	401 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DX	19/12/2013
19/12/2013	358 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	357 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	356 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	360 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	363 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	362 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	361 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	355 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	349 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013

19/12/2013	341 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	344 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	343 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	342 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	336 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	331 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	329 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	328 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	332 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	335 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	334 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	333 METRO CENTRAL HEIGHTS 119 NEWINGTON CAUSEWAY LONDON	SE1 6DQ	19/12/2013
19/12/2013	FLAT 21 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 20 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 19 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 22 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 25 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 24 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 23 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 18 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 13 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 12 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 11 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 14 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 17 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 16 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 15 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 3 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 2 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 1 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 4 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 7 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 6 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 5 28 ARCH STREET LONDON	SE1 6AS	19/12/2013
19/12/2013	FLAT 33 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 28 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 27 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 26 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 29 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 32 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 31 26 ARCH STREET LONDON	SE1 6AT	19/12/2013
19/12/2013	FLAT 30 26 ARCH STREET LONDON	SE1 6AT	19/12/2013

Re-consultation:

None

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

Transport Planning Team - The proposed change of use, and the installation of an extractor fan will not generate a significant negative impact on the safety or operation of the surrounding highway network.

Environmental Protection Team - No objection subject to a condition requiring the submission of an acoustic report detailing the rated noise level from any plant and association ducting/equipment prior to the commencement of the activity.

Statutory and non-statutory organisations

None

Neighbours and local groups

Flat 7, 26 Arch Street - (summary) Object to the application for the conversion to a restaurant/bar/nightclub. The use of the site as a bar/nightclub would result in additional crime, disorder and generally antisocial behaviour as a result of the late opening hours and drunken behaviour that would result, would be detrimental to public safety and would give rise to detrimental impacts through increased noise levels. Request that application for a bar/nightclub is refused.

RECOMMENDATION

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

Applicant	Mr W Delgado Armijos Costa Azul	Reg. Number	13/AP/3636
Application Type	Full Planning Permission	Case Number	TP/RLY/14/BK2
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Use of Railway Arch as a restaurant (Use Class A3) and installation of an extractor fan to rear of property.

At: RAILWAY ARCH 102A, ROCKINGHAM STREET SE1

In accordance with application received on 22/10/2013

and Applicant's Drawing Nos. Site Location Plan; Report titled Installation and Survey Quotation; Airclean Metal Case Discarbs Specifications; V Line Panel Filter Specifications; sketch labelled 'Alex Job' and drawing numbers 1226/001, 1226/002, 1226/004, and 1226/006.

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:

Drawing number 1226/002 and sketch labelled 'Alex Job'.

Reason:

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

Pre-occupation condition - the details required to be submitted for approval by the condition 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.

- 3 The plant and equipment shall be installed and constructed so that the rated noise level from any plant, together and any associated ducting, shall be 10 dB(A) or more below the lowest relevant noise level (as measured LA90 (15min) at the nearest noise sensitive premises, this being the adjoining residential occupiers). The method of assessing this is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The plant should be constructed and permanently maintained so as to meet this noise level.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery 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).

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

- 4 The use hereby permitted for restaurant (Class A3) purposes shall not be operational outside of the hours 10:00 to 23:00 on Monday to Thursday, 10:00 to 23:30 on Friday and Saturday and 11:00 to 23:00 on Sundays and Public Holidays unless otherwise approved in writign by the Local Planning Authority.

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.

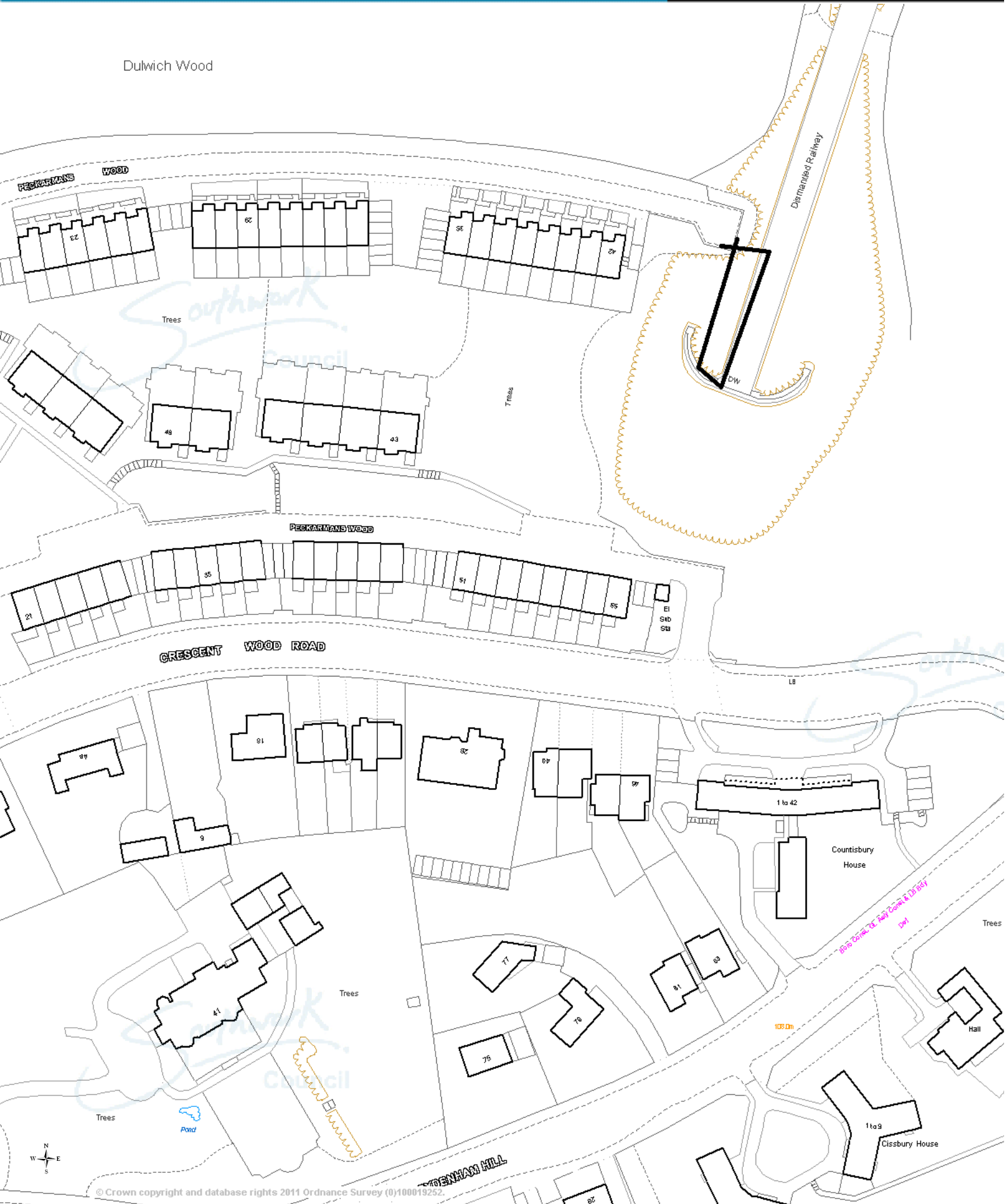
Statement of positive and proactive action in dealing with the application

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

Informatives

To clarify, the application relates solely to the ground floor planning unit located within the railway arch and not the upper mezzanine level despite this being shown within the submitted plans.

You are reminded that Advertisement Consent under the Control of Advertisement Regulations is likely to be required for the display of any advertisements associated with the restaurant activity.



Item No. 7.6	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/1951 for: Full Planning Permission Address: LAND TO THE SOUTH EAST OF PECKARMANS WOOD, SYDENHAM HILL WOODS, SE26 8SB Proposal: Replacement of two existing shipping containers and replacement with two shipping containers measuring 3m(l) x2.4(w) x 2.6m (h) and 6.1m(l) x2.4(w) x 2.6m (h) on same footing, with no change of use, to be used for tool and equipment storage.		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 25/11/2013		Application Expiry Date 20/01/2014	
Earliest Decision Date 05/01/2014			

RECOMMENDATION

- 1 That Members grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 The application is referred to Members for decision as it involves Metropolitan Open Land (MOL).

Site location and description

- 3 The application site is located at the eastern end of Peckarmans Wood (the road) and is actually located within an enclosed area of Sydenham Hill wood itself. There are some existing shipping containers used for storage which are proposed to be replaced.
- 4 There are no listed buildings within the area and the site is not within the Dulwich Wood conservation area. The site is also listed as a site of importance of nature conservation and is located within Metropolitan Open Land.

Details of proposal

- 5 The proposal details the replacement of two shipping containers measuring 3m(l) x2.4(w) x 2.6m (h) and 6.1m(l) x2.4(w) x 2.6m (h) with similar containers on the on same footing, with no change of use to be used for the storage of tools and equipment. The proposed containers will be the same sizes as the existing. The current containers have been in-situ for over ten years.

Planning history

- 6 None relevant.

Planning history of adjoining sites

7 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) The principle of the development
- b) The design issues and the impact on the Dulwich Wood conservation area
- c) the impact of the proposal on Metropolitan Open Land and the SINC
- d) the impact on amenity of any nearby residents
- e) the impact on trees

Planning policy

9 National Planning Policy Framework (NPPF)

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

- 10 7. 'Requiring good design'
- 11. Conserving the natural environment
- 12. Conserving the historic environment

11 London Plan 2011

Policy 2.18 - Green infrastructure: the network of open and green spaces
Policy 7.17 - Metropolitan Open Land
Policy 7.21 - Trees and woodlands

12 Core Strategy 2011

Strategic Policy 11 – Open spaces and wildlife
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High Environmental Standards

13 Southwark Plan 2007 (July) - saved policies

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.

- 14 3.2 'Protection of Amenity'
- 3.12 'Quality in Design'
- 3.13 'Urban Design'
- 3.16 'Conservation Areas'
- 3.25 'Metropolitan Open Land'
- 3.28 'Biodiversity'

15 Supplementary Planning Documents

None relevant.

Principle of development

16 The application site is situated within Metropolitan Open Land and part (ii) saved policy 3.25 of the Southwark plan states that development will be allowed for:

i. Agriculture and forestry;

17 There is no objection to the principle of the development which seeks to replace the existing shipping containers used for ancillary storage of the materials for the London Wildlife Trust. This development supports the forestry use of the land and the development therefore complies with MOL policy. Whilst the storage units are relatively large, it is not considered that this is harmful to the openness of MOL given the period of time the existing containers have been in-situ.

18 Further, it is not considered that this will have any significant effects on local biodiversity.

Environmental impact assessment

19 Not required for an application of this nature. No significant environmental effects would arise.

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

20 The site subject to the application is situated within the woods itself and is approximately 30m away from the closest residential property which is to the west of the site. Whilst there are some windows on the storage containers, the distance and nature of their use would not impact on the amenity of adjoining occupiers in terms of overlooking or noise.

21 As such, the proposal will not result in a detrimental impact on amenity and therefore complies with saved policy 3.2 of the Southwark Plan 2007.

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

22 The use of the application site will not be altered and as a result no material impact will arise.

Transport issues

23 The proposed fencing will not have any impact on the operation of any of the nearby footpaths or public highways and as such no issues are raised in this regard.

Design issues

24 Overall, the design, use of materials and appearance of the proposed development is considered acceptable, and would not have a detrimental impact on the character or appearance of the area. The existing containers are metal and have a very utilitarian appearance and the proposed container would essentially be a like for like change of this.

25 The containers are situated a significant distance from any public vantage points and is screened by substantial vegetation and thus will not be readily visible for local neighbours or users of the woodland.

26 Given the isolated location, it is considered that the proposed replacement containers and their materials would not detract from the character and appearance of the Dulwich Wood conservation area. The structures will not be readily visible within the

open space and would not appear as a dominant or obtrusive feature in the area and as such, the proposal accords with saved policies 3.12, 3.13 and 3.16 of the Southwark Plan 2007.

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

- 27 The application site is located within the Dulwich Wood conservation area however for the abovementioned reasons, no impacts are expected as a result of the proposal.

Impact on trees

- 28 The proposed containers are located within a wooded area and will be situated, potentially on top of some tree roots. However, as there are existing containers within the same location, it is not considered that any additional issues will arise from their replacement. No excavation works are proposed as part of the installation.
- 29 Further, given the role of the applicant (London Wildlife Trust) as a body with an inherent interest in nature conservation, it is considered that the users of the containers will have the necessary experience to ensure that no damage would be caused to any nearby trees. Further, no concerns are raised by the council's ecology officer or urban forester on this matter.
- 30 As such, it is considered that any impacts on any trees can be mitigated and as such the application accords with Saved Policy 3.28 Biodiversity.

Planning obligations (S.106 undertaking or agreement)

- 31 Not required for an application of this nature.

Sustainable development implications

- 32 None expected as a result of the development.

Other matters

- 33 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 34 The proposed development would not be CIL liable as the proposal does not create a building that people would go to.

Conclusion on planning issues

- 35 The proposal does not result in any adverse impacts in terms of design, heritage or loss of amenity.
- 36 The proposal will not result in any significant impacts on trees and it is also considered that it will not result in any significant impacts on the open nature of the Metropolitan Open Land, or the SINC.
- 37 The proposal thus accords with the relevant Saved Policies of the Southwark Plan, core strategy and NPPF and as such it is recommended that planning permission is granted.

Community impact statement

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

application process.

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

b) 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

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

Consultation replies

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

41 Summary of consultation responses

No neighbour consultee responses received. No objections raised by the council's ecology officer or urban forester.

Human rights implications

42 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.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2345 - J Application file: 13/AP/1951 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 Planner Fast Track and Validation Team	
Version	Final	
Dated	20 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		30 January 2014

APPENDIX 1**Consultation undertaken**

Site notice date: 13/12/2013

Press notice date: 28/11/2013

Case officer site visit date: 13/12/2013

Neighbour consultation letters sent: 26/11/2013

Internal services consulted:

Urban Forester
Ecology Officer

Statutory and non-statutory organisations consulted:

None consulted.

Neighbours and local groups consulted:

53 CRESCENT WOOD ROAD LONDON SE26 6SA
55 CRESCENT WOOD ROAD LONDON SE26 6SA
44 PECKARMANS WOOD LONDON SE26 6RZ
51 CRESCENT WOOD ROAD LONDON SE26 6SA
57 CRESCENT WOOD ROAD LONDON SE26 6SA
65 CRESCENT WOOD ROAD LONDON SE26 6SA
61 CRESCENT WOOD ROAD LONDON SE26 6SA
59 CRESCENT WOOD ROAD LONDON SE26 6SA
63 CRESCENT WOOD ROAD LONDON SE26 6SA
37 PECKARMANS WOOD LONDON SE26 6RY
38 PECKARMANS WOOD LONDON SE26 6RY
35 PECKARMANS WOOD LONDON SE26 6RY
36 PECKARMANS WOOD LONDON SE26 6RY
39 PECKARMANS WOOD LONDON SE26 6RY
42 PECKARMANS WOOD LONDON SE26 6RY
43 PECKARMANS WOOD LONDON SE26 6RZ
40 PECKARMANS WOOD LONDON SE26 6RY
41 PECKARMANS WOOD LONDON SE26 6RY

Re-consultation:

N/A.

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

Ecology Officer - Fully support the replacement of the containers and this is a like for like replacement so that the disturbance will be minimal.

Urban Forester - No concerns and confirmed that an arb report necessary here given the applicants inherent interest in protecting the site.

Statutory and non-statutory organisations

None consulted.

Neighbours and local groups

None 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	Mr D Greenwood London Wildlife Trust	Reg. Number	13/AP/1951
Application Type	Full Planning Permission	Case Number	TP/2345 - J
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Replacement of x2 shipping containers measuring 3m(l) x2.4(w) x 2.6m (h) and 6.1m(l) x2.4(w) x 2.6m (h) with similar containers on the on same footing, with no change of use to be used for the storage of tools and equipment

At: LAND TO THE SOUTH EAST OF PECKARMANS WOOD, SYDENHAM HILL WOODS, SE26 8SB

In accordance with application received on 25/11/2013

and Applicant's Drawing Nos. LBS_1081, Design and Access Statement, Storage container location plan.

Subject to the following three 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: Design and Access Statement, Storage container location plan.

Reason:

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

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

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

Reason

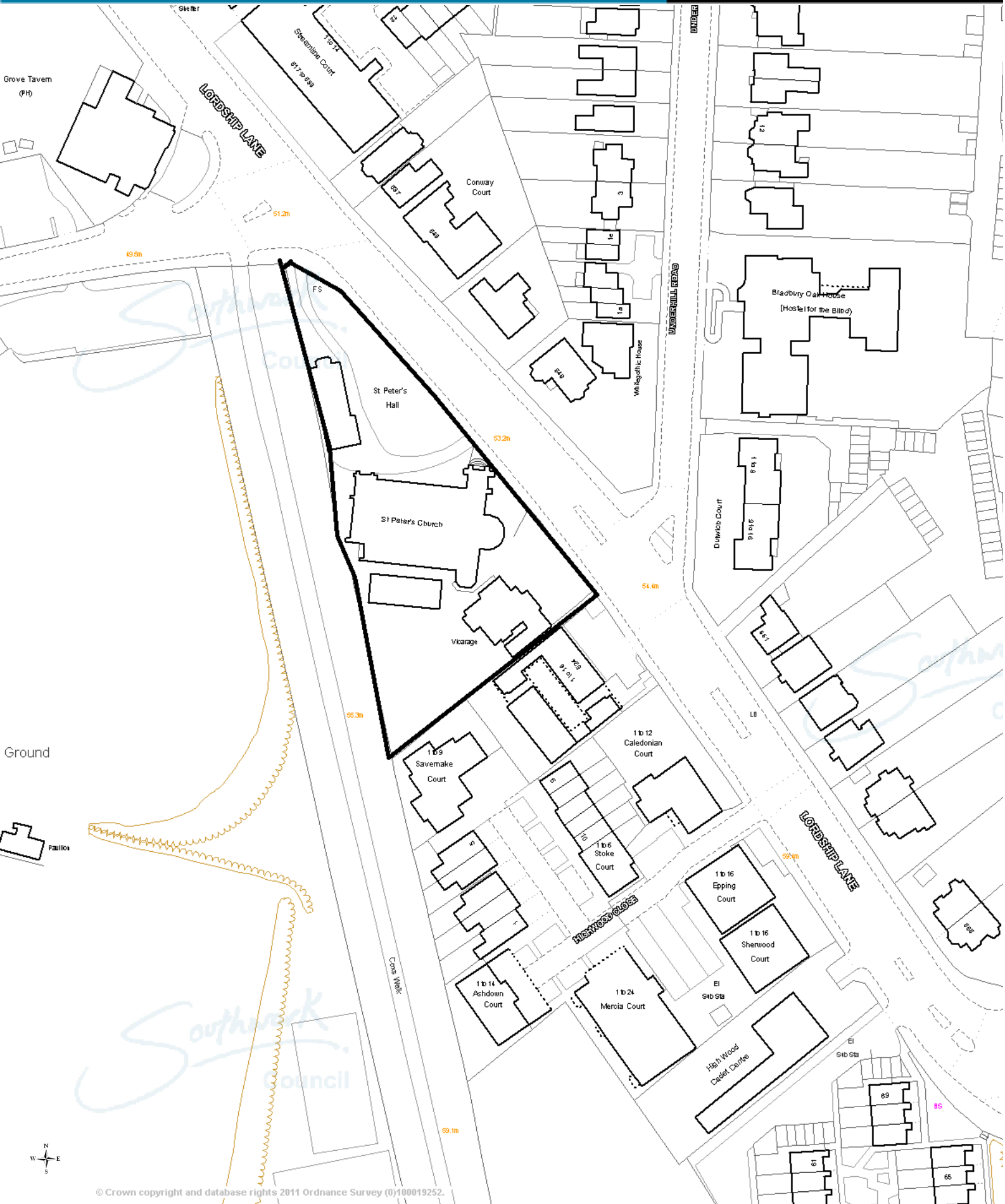
To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner

Date 30/1/2014



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Item No. 7.7	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/4055 for: Full Planning Permission Address: DEEPER CHRISTIAN LIFE MINISTRY, LORDSHIP LANE, LONDON SE22 8LD Proposal: Provision of car and cycle parking, new pedestrian footpath, permeable paving grid layout and landscaping in front of St Peter's Hall.		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 22/11/2013		Application Expiry Date 17/01/2014	
Earliest Decision Date 04/01/2014			

RECOMMENDATION

- 1 That Members grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 The application is referred to Members for decision as it involves Metropolitan Open Land (MOL). It is annotated open space parcel 86 in the adopted Southwark Plan (Churchyard).

Site location and description

- 3 The application site is a late 19th century Church of St Peter and St Peter's Parish Hall currently occupied by Deeper Christian Life Ministry and is grade II listed. They stand in a prominent location on the busy South Circular Road at the junction of Lordship Lane and Dulwich Common. The site lies in the north-eastern corner of the Dulwich Wood Conservation Area which incorporates Dulwich Common and Dulwich Park, designated Metropolitan Open Land (MOL). The character of the area is one of open recreational space including playing fields, a golf course, allotments and formal gardens, interspersed with trees and woodlands. An avenue of trees on the western side forms part of the Metropolitan Green Chain Walks which links to adjoining Boroughs and the Thames Path.
- 4 The site is located within a green chain park, Air quality management area, suburban density zone-south, Dulwich Wood conservation area, and Metropolitan Open Land as identified by the development plan.
- 5 Listing of the Church of St Peter: Church. 1873-75 and 1885. By Charles Barry Jnr. Tower completed 1885 when the west part of the nave was begun. Recently restored. MATERIALS: Kentish ragstone with ashlar dressings and steeply pitched slated roofs; lavish polychrome interior. STYLE: Geometric Gothic. PLAN: 6-bay nave, aisles with lean-to roofs, apsed chancel. Tower to north east. Geometrical Gothic style.

EXTERIOR: gabled entrance in west end of north elevation. Windows are mainly cusped lancets, in triplets to aisles, single to apse with trefoils above, the central one larger; pairs of leaded windows to clerestorey. Large traceried west window with stained glass, c1891. Tall buttressed tower with slender slated broach spire has blind arcading above gabled entrance on north face; groups of 3 tall louvered bell openings to each face beneath spire. INTERIOR: Have marble columns to nave arcades, coloured brickwork and terracotta diapering. Open timber roof with some painting, especially to chancel. Choir vestry and organ chamber (to right of chancel) now a private chapel (organ relocated to west end). Pews recently dismantled and interior now open-plan. Floor rebuilt in concrete with steps up from lower nave to aisles. FITTINGS: Victorian fittings include metal light brackets, pulpit, font, reredos.

- 6 Listing of the Church of St Peter's Parish Hall: Parish hall. After 1897. Probably by Charles Barry Jnr. Kentish ragstone with ashlar dressings; steeply pitched tiled roof with louvered fleche for bell with copper spirelet. 3 bays, each with cusped triplet windows; single-storey. 2-bay later extension to east. Open timber roof. Now used for storage. INTERIOR; not inspected. Included for group value with the Church of St Peter (qv).

Details of proposal

- 7 Planning permission is sought for the provision of x13 car parking spaces, x3 Sheffield cycle stands, new pedestrian footpath, permeable paving grid layout and landscaping in front of St Peter's Hall.

Currently, worshipers are parking up to 50 vehicles within the site during services in unmarked bays.

8 Planning history

	APP/A5840/C/03/1108760	Contravention of Listed Building Consent for (i) alterations or demolition to the gate pier on the south side of the Lordship Lane entrance, (ii) alterations or demolition of approx 3m of ragstone wall immediately adjoining above pier, including the removal of decorative iron railings that surrounded the wall, (iii) alterations or demolition of pier to the North side of Lordship Lane entrance together with approx 1.5m decorative metal railings that previously surround the wall.	Appeal dismissed and the Listed Building Notice upheld
09/EN/0535		(1) erection of wedged shaped roof construction of corrugated metal near the southern end of the hall and supporting structure associated with said roof (11) fitting of fascia board measuring 4m x 1.5m and located on the eastern side of the unauthorised metal roof.	Pending negotiations
09/EN/0536		The laying of new surfacing materials (hardstanding)	Pending submission of planning application
09/EN/05		(1) alteration or demolition to the	Subject to the

37		gate pier located on the South Side of Lordship lane entrance (11) Alteration or demolition of approximately 3 metres of the ragstone wall immediately adjoining the pier described in (1); and (111) a alteration or demolition to the gate pier located on the North Side of Lordship Lane together with 1.5 metres decorative metal railings which previously surmounted the adjoining boundary wall.	outcome of 13-AP-3006 and 13-AP-3111
09/EN/0538		Erection of x 2 walls without listed building consent	Subject to the outcome of 13-AP-3006 and 13-AP-3111
13/AP/3006		Works to repair boundary wall to churchyard along Lordship Lane including iron railings; rebuild lose stone gate posts to original design in adjusted locations for safe vehicular access to site; removal of modern fall gate and installation of 3rd turn down bollards.	Granted <i>on the 13/12/13</i>
13/AP/3111		Works to repair boundary wall to churchyard along Lordship Lane including iron railings; rebuild loose stone gate posts to original design in adjusted locations for vehicular access to site; removal of modern fall gate and installation of three turn down bollards.	Granted <i>on the 13/12/13</i>

Planning history of adjoining sites

- 9 None relevant to this application

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 10 The main issues to be considered in respect of this application are:
- a) the impact of the development on the Metropolitan Open Land;
 - b) the impact of the development on adjoining occupiers;
 - c) design issues;
 - d) impact on the Dulwich Wood conservation area;
 - e) impact on the listed buildings; and
 - f) highway safety.

Planning policyCore Strategy 2011

- 11 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

- 12 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.

Policy 3.2 – Protection of amenity;
Policy 3.11 – Efficient use of land;
Policy 3.12 – Quality in design;
Policy 3.13 – Urban design;
Policy 3.14 - Designing Out Crime;
Policy 3.15 – Conservation of the historic environment
Policy 3.16 – Conservation areas;
Policy 3.17 – Listed Buildings;
Policy 3.25 – Metropolitan Open Land;
Policy 3.28 – Biodiversity;
Policy 5.2 - Transport impacts

- 13 London Plan 2011

Policy 5.3 - Sustainable design and construction
Policy 7.4 - Local character
Policy 7.6 – Architecture
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.17 - Metropolitan Open Land

National Planning Policy Framework (NPPF)

- 14 Section 7 'Requiring good design'
Section 9 'Protecting Green Belt Land'
Section 12 'Conserving and enhancing the historic environment'

Principle of development

- 15 In principle there are no objections to the installation of new car and cycle parking space, new pedestrian footpath, and permeable paving grid layout and landscaping within the context of the site.
- 16 As the site is situated on Metropolitan Open Land and within the setting of a grade II Listed building, it is necessary to consider whether it is appropriate development. Part 9 of the NPPF sets out the uses of land which are deemed to be appropriate in the green belt, which applies also to MOL. London Plan policy 7.17 and saved Southwark Plan policy 3.25 both apply to MOL. Within MOL, saved policy 3.25 states that appropriate development will include, inter-alia:

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 included land within MOL.

- 17 The present layout of the grounds at the application site is that of an uneven gravel pathway and un-kept grassy verge. The proposal would involve the construction of new car and cycle parking, new pedestrian footpath, permeable paving grid layout and landscaping. This would be an improvement to this current layout by improving the outlook of the site and make it a more inviting to visitors to the church.
- 18 In addition, there will be no material impact on openness nor is their conflict with the function of the MOL. As such, the proposal is considered to be appropriate development on MOL and in accordance with the NPPF and Development Plan policy.
- 19 Furthermore, it is considered that the proposed layout and materials of the development is sympathetic to the character, appearance and historic setting of the grade II listed buildings and Dulwich Wood conservation area.

Environmental impact assessment

- 20 None required

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

- 21 It is not considered that the proposed car and cycle bays, pedestrian footpath, permeable paving grid layout and landscaping would have any significant adverse impact on the amenity of nearby residents given that the application site is set well within its own grounds and some distance from the nearest residential properties. It is also unlikely that the proposal would give rise to noise and disturbance that will compromise the amenity currently enjoyed by residents in the area.
- 22 As the site is located on a busy highway, any noise coming from vehicles using the application site, would not significantly add to that generated by traffic on Lordship Lane. In terms of visual amenity, it is considered that the proposal will, to an extent, enhance the visual appearance of the area as a result of the landscaping works. It is therefore considered that the proposal would not have any significant impact on the amenity of surrounding occupiers.

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

- 23 None identified.

Transport issues

- 24 Transport for London (TfL) are the highway authority for the A205 Lordship Lane which is directly adjacent to the site and were consulted on this application. No comments were received from TfL on this application. However, on a previous application (13-AP-3111) the applicant consulted with TfL's transport planners regarding the widening of the vehicular entrance to the site. A revised scheme was negotiated and found acceptable by TfL.
- 25 It is not considered that the proposed works will have any implication on the highway users as the works will be set back from the highway and partially screened by mature trees fronting the highway to cause any distraction to the users of the highway. In addition, the current site is being used by approximately 50 cars during church services. This proposal would reduce the numbers of cars using the site per service.

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

- 26 Section 12, paragraph 129 of the NPPF (2012) requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be

affected by a development proposal.

- 27 The proposed works will significantly improve the appearance of the site by replacing the uneven gravel footpath, improving the landscaping and easing the burden of parking along this busy classified road. The proposed works are considered to respect and enhance the character and appearance of the grade II listed buildings.
- 28 The proposal is considered contextually sympathetic, and would preserve the character or appearance of the listed buildings and the important fabric and architectural and historic interest. There will be no loss or harm to the historic or architectural feature of the listed buildings, rather the works would preserve historic heritage interest. The proposed works are not considered to have a negative impact on the appearance of the grade II listed buildings or on the Dulwich Village conservation area.

Impact on trees

- 29 Urban forester - no objections
There are a number of mature trees on site and their protection has been considered by the council's urban forester and has recommended that conditions to protect the trees.
- 30 These include protection measures to ensure suitable surfacing is provided within tree root protection areas. This is especially important in relation to a large mature Oak tree to the front where car parking and other hard landscaping is proposed directly within the RPA.

Planning obligations (S.106 undertaking or agreement)

- 31 Not relevant to this application

Sustainable development implications

- 32 Not applicable

Other matters

- 33 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. In this instance as the proposal does not create new floorspace CIL is not payable.

Conclusion on planning issues

- 34 Overall, for the reasons discussed above, it is considered that the proposal constitutes appropriate development within MOL. The proposed works would contribute positively to the character and appearance of the area, the Dulwich Wood conservation area and the Grade II listed buildings. It is therefore recommended that subject to the imposition of suitable conditions, the proposed development would be in accordance with the relevant development plan policies and should be granted planning permission.

Community impact statement

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

36 There is no impact on local people is set out above.

Consultation Summary

37 No responses received from neighbours during consultation period.

Transport for London - No comment received

Transport Planning Team - Thought the proposal was unworkable as below the minimum manoeuvring space required, however, on further examination the space was found to be over 6 metres and acceptable.

Urban forester - no objections

Human rights implications

38 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.

39 This application has the legitimate aim of providing new car and cycle parking, new pedestrian footpath, permeable paving grid layout and landscaping. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2315 Application file: 13/AP/4055 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 5458 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	Anthony Roberts, Fast Track and Validation Team	
Version	Final	
Dated	23 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		30 January 2014

APPENDIX 1**Consultation undertaken**

Site notice date: 11/12/2013

Press notice date:

Case officer site visit date: 11/12/2013

Neighbour consultation letters sent: 11/12/2013

Internal services consulted:

Transport Planning Team
Urban Forester

Statutory and non-statutory organisations consulted:

Transport for London

Neighbours and local groups consulted:

FLAT 8 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 9 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 1 551 LORDSHIP LANE LONDON SE22 8LB
FLAT 5 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 6 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 7 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 5 551 LORDSHIP LANE LONDON SE22 8LB
FLAT 6 551 LORDSHIP LANE LONDON SE22 8LB
FLAT 2 551 LORDSHIP LANE LONDON SE22 8LB
FLAT 3 551 LORDSHIP LANE LONDON SE22 8LB
FLAT 4 551 LORDSHIP LANE LONDON SE22 8LB
FLAT 12 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 13 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 14 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 10 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 11 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 2 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 3 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 4 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 1 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 15 524 LORDSHIP LANE LONDON SE22 8LG
FLAT 16 524 LORDSHIP LANE LONDON SE22 8LG

Re-consultation:

None

APPENDIX 2**Consultation responses received****Internal services****Transport planning team**

The Transport team considered the proposal was unworkable as below the minimum manoeuvring space required of 6 metres, however, on further examination the space was found to be over 6 metres and acceptable.

Urban forester comment

Conditions has been recommended to ensure suitable surfacing is provided within tree root protection.

A Pine tree was recently removed which should be replaced as part of a landscaping scheme. Sufficient space is also available for a small Yew tree to the side of the entrance in order to enhance the setting of the listed church.

Statutory and non-statutory organisations

Transport for London

No Comment

Neighbours and local groups

No Comment 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	Mr S Okenwa	Reg. Number	13/AP/4055
Application Type	Full Planning Permission	Case Number	TP/2315
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Provision of car and cycle parking, new pedestrian footpath, permeable paving grid layout and landscaping in front of St Peter's Hall.

At: DEEPER CHRISTIAN LIFE MINISTRY, LORDSHIP LANE, LONDON, SE22 8LD

In accordance with application received on 22/11/2013 12:01:43

and Applicant's Drawing Nos. GA-01

Subject to the following five 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: GA-01

Reason:

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

Pre-commencement condition - the details required to be submitted for approval by the condition 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 works commencing, including any demolition, an Arboricultural Survey and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The existing trees on or adjoining the site shall be retained and both the site and trees shall be managed in accordance with recommendations (including facilitative pruning specifications and supervision schedule) contained in the Method Statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction, BS3998: (2010) Tree work - recommendations and to National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2)..

Within tree root protection areas any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around.

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11

Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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 Before any above grade work hereby authorised begins, detailed drawings scale 1:100 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, 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 scheme shall include the planting of suitable hedging and trees including Yew and Pine.

The scheme shall include cross section details of suitable surfacing and other hard landscaping in and around trees such that roots are not damaged.

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 the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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

- 5 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

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner.

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

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

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Darren Merrill (Chair)	1		
Councillor Nick Stanton (Vice-Chair)	1		
Councillor Neil Coyle	1	Environment & Leisure	
Councillor Nick Dolezal	1	Environmental Protection Team	1
Councillor Jeff Hook	1		
Councillor Richard Livingstone	1	Communications	
Councillor Wilma Nelson	1	Robin Campbell	1
 (Reserves)			
Councillor James Barber	1		
Councillor Sunil Chopra	1	Total	26
Councillor Renata Hamvas	1		
Councillor Helen Hayes	1		
Councillor David Hubber	1		
 Officers			
Constitutional Officer (Community Councils) Hub 4 (2 nd Floor), Tooley St.	8		
Claire Cook / Victoria Lewis, Planning, Hub 2 (5 th Floor) Tooley St.	3		
Sadia Hussain, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		
 Dated: 5 June 2013			