

## Planning Sub-Committee B

Tuesday 1 April 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

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: [www.southwark.gov.uk](http://www.southwark.gov.uk) or please contact the person below.

**Contact:** Gerald Gohler on 020 7525 7420 or email: [gerald.gohler@southwark.gov.uk](mailto:gerald.gohler@southwark.gov.uk)  
Webpage: [www.southwark.gov.uk](http://www.southwark.gov.uk)

---

Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 24 March 2014



# Planning Sub-Committee B

Tuesday 1 April 2014  
7.00 pm  
Room G02, 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
1.	<b>INTRODUCTION AND WELCOME</b>	
2.	<b>APOLOGIES</b>	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
4.	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	<b>MINUTES</b>	1 - 8
	To approve the minutes of the meeting held on 11 February 2014 as a correct record of the meeting to be signed by the chair.	
7.	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	9 - 13
	<b>7.1. 211 GRANGE ROAD, LONDON SE1 3AA</b>	14 - 27
	<b>7.2. 47 NORTH CROSS ROAD, LONDON SE22 9ET</b>	28 - 39
	<b>7.3. GEORGE ELLISTON HOUSE, OLD KENT ROAD, LONDON SE1 5ET</b>	40 - 65

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
	<b>7.4. LAND TO THE SOUTH OF SOUTHWARK EDUCATION AND RESOURCE CENTRE, CATOR STREET, LONDON SE15 6AA</b>	66 - 92

Date: 24 March 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 11 February 2014 at 7.00 pm at Room G02, 160 Tooley Street, London SE1 2QH

---

- PRESENT:** Councillor Darren Merrill (Chair)  
Councillor Nick Stanton (Vice-Chair)  
Councillor Sunil Chopra  
Councillor Nick Dolezal  
Councillor Wilma Nelson
- OTHER MEMBERS PRESENT:** Councillor Anood Al-Samerai  
Councillor Toby Eckersley  
Councillor Tim McNally  
Councillor Michael Mitchell
- OFFICER SUPPORT:** Jonathan Gorst (Legal Officer)  
Rob Bristow (Development Management)  
Alexander Cameron (Development Management)  
Wing Lau (Development Management)  
Amy Lester (Development Management)  
Neil Loubser (Development Management)  
Michele Sterry (Development Management)  
Michael Tsoukaris (Development Management)  
Gerald Gohler (Constitutional Officer)

### 1. INTRODUCTION AND WELCOME

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

### 2. APOLOGIES

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

### 3. CONFIRMATION OF VOTING MEMBERS

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

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

The following members made declarations regarding the agenda items below:

##### **Agenda item 7.3 – 19 Queen Elizabeth Street, London SE1 2LP**

Councillor Nick Stanton, pecuniary, as he worked for a company which had been involved in this planning application. He would, therefore, not be taking part in this item.

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

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

The chair announced that items 7.1 and 7.2 would be heard together as they related to the same address. The chair also informed the meeting that he would hear item 7.5 as the fourth item.

#### 6. MINUTES

##### **RESOLVED:**

That the minutes of the meeting held on the 10 December 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. DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH**

**Planning application reference number: 13/AP/1732**

Report: See pages 14 to 38 of the agenda pack.

**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.*

The sub-committee heard an introduction to the reports from a planning officer. Councillors did not ask questions of the officer.

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

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

A supporter who lived 100 metres of the development site addressed the meeting, and answered members' questions.

Councillors Toby Eckersley and Michael Mitchell spoke in their capacity as ward members. Members of the committee asked questions of the two ward members.

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/1732 be granted, subject to the conditions set out in the report and the addendum report.

**7. DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH**

**Planning application reference number: 13/AP/3927**



Report: See pages 39 to 53 of the agenda pack.

## **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.*

**Note:** The details of this item were considered under 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 13/AP/3927 be granted, subject to the conditions set out in the report and the addendum report.

**Note:** At this point, the meeting adjourned for a 10-minute comfort break and Councillor Nick Stanton left the meeting.

## **7. 19 QUEEN ELIZABETH STREET, LONDON SE1 2LP**

**Planning application reference number: 13/AP/2405**

Report: See pages 54 to 87 of the agenda pack.

## **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.*

The sub-committee heard an introduction to the report from a planning officer. Councillors did not ask questions of the officer.

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

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

There were no supporters who lived 100 metres of the development site who wished to address the meeting.

Councillor Anood Al-Samerai spoke in her capacity as a ward member. Members of the committee asked questions of Councillor Al-Samerai.

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/2405 be granted, subject to the conditions set out in the report and the addendum report, as well as the following additional conditions:

1. Details of a roof terrace with no more than 20 square metres in area to be submitted to the council's planning department for approval.
2. Details of the materials used to be submitted to the council's planning department for approval.

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

**7. MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON SE21 7EX**

**Planning application reference number: 13/AP/1451**

Report: See pages 88 to 101 of the agenda pack.

**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.*

The sub-committee heard an introduction to the report from a planning officer. Councillors did not ask questions of the officer.

There were no objectors present wishing to speak.

The applicant and their agent made representations to the sub-committee. Members did not ask questions of the applicant.

There were no supporters who lived 100 metres of the development site who wished to address the meeting.

There were no 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/1451 be granted, subject to the conditions set out in the report and the addendum report.

**Note:** Councillors requested that in future information about licenses granted to a venue should, where applicable, be added to the reports.

**7. RAILWAY ARCH 102A, ROCKINGHAM STREET, LONDON SE1****Planning application reference number: 13/AP/3636**

Report: See pages 102 to 116 of the agenda pack.

**PROPOSAL**

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

The sub-committee heard an introduction to the report from a planning officer. Councillors did not ask questions of the officer.

There were no objectors present who wished to address the meeting.

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

There were no supporters who lived 100 metres of the development site who wished to address the meeting.

Councillor Tim McNally spoke in his capacity as a ward member. Councillors did not ask questions of Councillor McNally.

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/3636 be granted, subject to the conditions set out in the report and the addendum report, as well as the following:

1. That the permitted opening times to be amended to be 10:00 to 23:00 on Monday to Thursday, 10:00 to midnight on Friday and Saturday and 11:00 to 23:00 on Sundays and public holidays.

2. A condition to be added for details of internal entrance lobby to be submitted to the council's planning department for approval.
3. The condition regarding to be amended to stipulate that details of the door seals be submitted to the council's planning department for approval.
4. An additional condition to be added that except for access and egress, all external doors and windows shall remain closed.

**7. LAND TO THE SOUTHEAST OF PECKARMANS WOOD, SYDENHAM HILL WOODS, SE26 8SB**

**Planning application reference number: 13/AP/1951**

Report: See pages 117 to 126 of the agenda pack.

**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.*

The sub-committee heard an introduction to the report from a planning officer. Councillors did not ask questions of the officer.

There were no objectors wishing to speak.

The applicant did not attend.

There were no supporters who lived 100 metres of the development site, or ward councillors, who wished to address the meeting.

Members debated the application.

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

**RESOLVED:**

That planning permission for application number 13/AP/1951 be granted, subject to the conditions set out in the report and the addendum report.

**7. DEEPER CHRISTIAN LIFE MINISTRY, LORDSHIP LANE, LONDON SE22 8LD**

**Planning application reference number: 13/AP/4055**

Report: See pages 127 to 139 of the agenda pack.

**PROPOSAL**

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

The sub-committee heard an introduction to the report from a planning officer. Councillors did not ask questions of the officer.

There were no objectors wishing to speak.

The applicant did not attend.

There were no supporters who lived 100 metres of the development site, or ward councillors, who wished to address the meeting.

Members debated the application.

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

**RESOLVED:**

That planning permission for application number 13/AP/4055 be granted, subject to the conditions set out in the report.

Meeting ended at 9.40 pm

**CHAIR:**

**DATED:**

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 1 April 2014	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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

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

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B**  
**on Tuesday 01 April 2014**

---

**Appl. Type** Full Planning Permission  
**Site** 211 GRANGE ROAD, LONDON SE1 3AA

**Reg. No.** 13-AP-2187  
**TP No.** TP/32-211  
**Ward** Grange  
**Officer** Neil Loubser

**Recommendation** GRANT PERMISSION  
**Proposal**

### *Item 7.1*

Change of use from cafe / restaurant (A3) to restaurant with take-away (A3 / A5) together with improvements to the existing flue

---

**Appl. Type** Full Planning Permission  
**Site** 47 NORTH CROSS ROAD, LONDON SE22 9ET

**Reg. No.** 13-AP-3205  
**TP No.** TP/2630-47  
**Ward** East Dulwich  
**Officer** Neil Loubser

**Recommendation** GRANT PERMISSION  
**Proposal**

### *Item 7.2*

Installation of new shopfront (to include removal of front access to flat above); erection of single storey, rear extension (L-shaped) with rear refuse storage area and proposed glass/aluminum side roof section to ground floor shop; new rear access with steps to flat above; and new decked patio with fold out doors to flat at first floor level.

---

**Appl. Type** Full Planning Permission  
**Site** GEORGE ELLISTON HOUSE, OLD KENT ROAD, LONDON SE1 5ET

**Reg. No.** 13-AP-4420  
**TP No.** TP/2168-F  
**Ward** South Bermondsey  
**Officer** Dipesh Patel

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

### *Item 7.3*

Construction of 13 residential units comprising 5 x 2 bed units within a new 6 storey building located between the Elliston and Wilkins buildings and 8 further residential units (4 x 1 bed, 2 x 2 bed and 2 x 3 bed) within a single storey extension creating a fifth floor across both Elliston and Wilkins buildings. Associated circulation space, bike store (providing 20 cycle spaces), bin store and 1 disabled parking space.

---

**Appl. Type** Council's Own Development - Reg. 3  
**Site** LAND TO THE SOUTH OF SOUTHWARK EDUCATION AND RESOURCE CENTRE,  
 CATOR STREET, LONDON SE15 6AA

**Reg. No.** 13-AP-2901  
**TP No.** TP/2386-L  
**Ward** Peckham  
**Officer** Neil Loubser

**Recommendation** GRANT PERMISSION  
**Proposal**

### *Item 7.4*

Erection of a three and four storey building to provide 42 'extra care' dwellings (39 x one bedroom and 3 x two bedroom) with associated communal facilities, plant, staff areas and landscaped courtyard.

---

Date 21/3/2014



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252  
E1 S1B 5TB

<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 1 April 2014	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 13/AP/2187 for: Full Planning Permission  <b>Address:</b> 211 GRANGE ROAD, LONDON SE1 3AA  <b>Proposal:</b> Change of use from restaurant (A3) to a restaurant with takeaway (A3/A5) together with improvements to the existing flue		
<b>Ward(s) or groups affected:</b>	Grange		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 23/07/2013		<b>Application Expiry Date</b> 17/09/2013	
<b>Earliest Decision Date</b> 24/08/2013			

### RECOMMENDATION

- 1 That planning permission be granted subject to conditions.

### BACKGROUND INFORMATION

- 2 This application has been referred to Planning Sub-Committee B for decision at the request of councillors.

### Site location and description

- 3 The application site is an existing commercial unit situated to the ground floor and basement of 211 Grange Road in Bermondsey. The unit is set within a row of other commercial use units with residential properties above. The host building is three storeys and accommodates two separate apartments above.
- 4 The unit is currently being operated as a mixed A3/A5 use selling Indian food and fried chicken. It is stated that the current use has been in operation since February 2013. There is an existing extraction flue which is positioned to the rear of the second floor rear section and terminates above the existing rear roof dormer.

### Details of proposal

- 5 The application is for the addition of a take away use - A5 use class, to the existing restaurant - A3 use class. It was also originally proposed to operate a delivery service from the premises.

The site is currently unrestricted in the hours of operation. The applicant has sought operating hours until 23:30 but it is considered that 23:00 would be more appropriate within this location which is largely residential and away from the main commercial area.

	<u>Monday to Friday</u>		<u>Saturday</u>		<u>Sundays, Bank and Public Holidays</u>	
	Start Time	End Time	Start Time	End Time	Start Time	End Time
A3	12:00	23:00	12:00	23:00	closed	
A5	12:00	23:00	12:00	23:00	closed	

**Amendments to scheme:**

The applicant provided technical details in regards to the control of odours and noise from the kitchen exhaust system as well as technical parameters of the extraction fan. Furthermore the delivery component has been deleted from this application.

**6 Planning history**

**07-AP-0697**

(Ground floor and basement level)

Certificate of lawfulness for the existing use on ground floor and basement as a cafe/sandwich bar within Use Class A3.

**Approved:** June 2007

**05-AP-0742**

Top floor flat

Re-cladding and re-fenestration of existing top floor roof extension and provision of new rear balcony.

**Approved:** October 2005

Enforcement action was also taken against the operators of the premises in June 2013. It was recommended that a planning application be submitted in order to determine whether the use would be acceptable.

**7 Planning history of adjoining sites**

209-210 Grange Road

**96-AP-263**

Change of use of ground and first floor from public house to offices. (Second & third floors to remain in residential use)

**Approved:** May 1996

213 Grange Road

**Statutory Register: 1106/80**

The erection of a single storey rear extension to be used for storage purposes in connection with the Chinese Take-away hot food shop at 213 Grange Road.

**Approved:** 4 August 1980

**06-AP-2126**

Use of ground floor as self-contained hot-food take-away shop (within Class A5) together with the erection of a ground floor rear/side extension and erection of new external ventilation/extract duct at rear. Erection of a two additional storeys at 2nd and 3rd floor levels, to form a self contained (2-bedroom) flat at first floor and maisonette (3-bedroom) at second and third floor level.

**Refused:** September 2007

Considered an overly excessive roof extension which was not specific to the site size and location.

**07-AP-0403**

The erection of a rear single storey extension and the retention of existing ventilation/extract ducts.

**Refused:** May 2007

Considered excessive in size and unneighbourly and would lead to harm upon residential amenity

**KEY ISSUES FOR CONSIDERATION****8 Summary of main issues**

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

- a) the principle of the proposed development in terms of land use
- b) the impact on the amenities of neighbouring occupiers
- c) the impact on the local transport network

**Planning policy****9 Core Strategy 2011**

Policy 3 'Shopping, Leisure and Entertainment'

Policy 12 'Design and Conservation'

Policy 13 'High Environmental Standards'

**10 Southwark Plan 2007 (July) - saved policies**

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

1.10 'Small scale shops and services outside the town and local centres and protected shopping frontages'

3.1 'Environmental Effects'

3.2 'Protection of amenity'

3.6 'Air quality'

3.7 'Waste reduction'

3.12 'Quality in design'

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

5.2 'Transport impacts'

5.3 'Walking and cycling'

**11 London Plan 2011**

None directly relevant.

## 12 National Planning Policy Framework (NPPF)

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

### Relevant Sections

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

### **Principle of development**

- 13 The application site has an existing lawful use as a cafe/restaurant which was formalised under a certificate of lawfulness approved in 2007 as shown above. The application is therefore to incorporate a mixed A3/A5 use at the unit. This application is also retrospective, with this mixed use being operated since February 2013 according to the applicant. The site is not within a town or local centre and is therefore subject to saved plan policy 1.10 'Small scale shops and services outside the town and local centres and protected shopping frontages'. The policy allows a change of use between A use classes where it can be demonstrated that the proposed use would not materially harm the amenities of surrounding occupiers. Also that the use that would be lost is not the only one of its kind within a 600m radius and its loss would not harm the vitality and viability of nearby shops or parades, or the premises have been vacant for a period of at least 12 months with demonstrated sufficient effort to let or have not made a profit over a two year period.
- 14 The impact upon amenity shall be assessed later in this report. The development would not lead to a loss of any use as it would provide a mixed use at the site. The premises are currently occupied and cannot therefore be assessed as being vacant or difficult to let. There is no objection in principle therefore, to the proposed use of the premises as a mixed A3/A5 use.

### **Environmental impact assessment**

- 15 Not required.

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

- 16 The surrounding area is mixed in terms of land use with a number of residential properties situated adjacent to the site including existing units above. The existing use introduces a mixed A3/A5 use at the premises. The main issues in this application are noise and smell created by extraction flue equipment. It is noted that there has also been a number of complaints about the current use and that therefore the measures currently being used are inadequate to protect the amenity of adjacent residents.
- 17 The applicant submitted technical details relating to the control of odours and noise from the kitchen exhaust system. The environmental protection team have considered the additional information and noted the manufacturer's noise levels and recommended it for approval subject to conditions.

- 18 A further issue in this application is the complaints about noise. It is accepted that the use as existing is unfettered in planning terms, by any restriction in opening hours. With the addition of the take away use, the applicant wants to take operate from 12:00 to 23:00 Mondays to Saturdays. Due to the residential uses above, this would be controlled by condition.
- 19 The removal of the delivery element of the scheme will also reduce the impact of the additional take-away element to the existing restaurant use.
- 20 The development therefore complies with saved policy 3.02 'Protection of Amenity' of the saved Southwark Plan.

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

- 21 None raised

#### **Transport issues**

- 22 The proposed scheme has been revised by removing the delivery component to this application. This is as a result of advice received from the council's transport team.
- 23 The site is located in an area that benefits from a high PTAL (5) and excellent transport links. The applicant proposes a car-free development, as is required by policy for developments within a CPZ. A restriction in staff obtaining parking permits has been considered by officers, however, as the operation of the unit would not change greatly from the existing A3 use, this is not considered necessary.
- 24 The application site is situated directly adjacent to a bus stop. Transport for London has replied to consultation with concern that the proposed mixed A3/A5 could potentially have a negative impact upon the bus stop. It is considered that a delivery service would not be able to operate safely in front of the premises, with the presence of a bus stop, a designated bus lane and double yellow lines. Access to the rear of the site would be from Griggs Place, leading north off Grange Road. This is a one way street. Vehicles would therefore be required to exit via Grange Walk. This is a tight turning leading onto a residential street. It is not considered that this would be an appropriate location to permit what could potential be a high number of petrol scooters using this junction at unsociable hours. It is considered that the use of the site for a take away service with a delivery service would potentially cause a highways hazard and disruption to residents above and to the rear of the site.
- 25 The revised scheme with the delivery component removed is considered to be acceptable subject to conditions and therefore complies with saved policy 5.02 'Transport impacts' of the Southwark Plan.

#### **Design issues**

- 26 The proposed development, does not propose any external alterations. There are therefore no design issues as a result of the proposal.

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

- 27 The site is situated within the Bermondsey Street conservation area. Despite this, the application does not propose any external alterations as part of the development. The development would not therefore adversely impact upon the character or appearance



of the Bermondsey Street conservation area beyond the current situation.

### **Impact on trees**

28 No impact.

### **Planning obligations (S.106 undertaking or agreement)**

29 None identified.

### **Sustainable development implications**

30 None identified.

### **Other matters**

31 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 not liable for the payment of CIL as the proposed extensions would not provide new floor space in excess of 100sqm.

32 The application states that the existing use has been in operation since February 2013. The premises have therefore been unlawfully used for a period in excess of 6 months within a 12-month period. However part of the building at 211 Grange Road has been occupied by a lawful use therefore the application would not be liable for the payment of CIL.

### **Conclusion on planning issues**

33 The existing use of the premises as a mixed A3/A5 use has been carried out unlawfully for a period in excess of 6 months. This has led to a number of complaints from local residents as a result of noise and odour impacts. This has been addressed by a revised scheme which removed the proposed delivery component to this development and allowed for the introduction of an improved extractor system. The regularisation of the use would allow the council to impose conditions to ensure the potential harm in terms of increased activity is effectively managed.

34 It is considered therefore that the retrospective application for a mixed A3 restaurant with take-away A5 use is acceptable subject to conditions controlling the hours of operation, plant noise and the removal of any delivery service. Planning permission is therefore recommended.

### **Community impact statement**

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

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

- 37 b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as above.
- 38 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.

### Summary of consultation responses

- Impact of noise and smell from the premises
- Increased litter at the site.
- Existing high number of similar fast food outlets within the vicinity.
- Impact upon the adjacent bus stop and passenger safety.
- Visual impact of the business in relation to numerous others providing a 'tired' and 'shabby' appearance to the local area.
- Potential impact of anti-social behaviour as a result of the development.
- Impact upon local traffic especially with regard to the motorbikes parked on the adjacent highways preventing access.

### **Human rights implications**

- 41 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 42 This application has the legitimate aim of providing a mixed A3/A5 use. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

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

- 43 None.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/32-211 Application file: 13/AP/2187 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 3602 Council website: www.southwark.gov.uk

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Neil Loubser, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	20 March 2014	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		21 March 2014

**APPENDIX 1****Consultation undertaken**

**Site notice date:** 14 August 2013

**Press notice date:** 1 August 2013

**Case officer site visit date:** 14th August 2013

**Neighbour consultation letters sent:**

30th July 2013

**Internal services consulted:**

Transport Surgery  
Environmental Protection Team

**Statutory and non-statutory organisations consulted:**

Transport for London (TfL):

**Neighbours and local groups consulted:**

213 GRANGE ROAD LONDON SE1 3AA  
FLAT 1 211A GRANGE ROAD LONDON SE1 3AA  
BASEMENT TO FIRST FLOORS 209-210 GRANGE ROAD LONDON SE1 3AA  
FLAT 2 211A GRANGE ROAD LONDON SE1 3AA  
FLAT 213 GRANGE ROAD LONDON SE1 3AA

**Re-consultation:**

None undertaken.

## APPENDIX 2

### Consultation responses received

#### Internal services

##### **Environmental Protection Team:**

Replied with recommendation for approval.

The Environmental Protection Officer states that he has considered the additional information and noted the manufacturer's noise levels, however the condition requiring the noise assessment is required

The following condition is recommended:

##### **Plant Noise**

Prior to the commencement of the authorised use, an acoustic report detailing the rated noise level from any plant, together with any associated ducting (which shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority. 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 accordance with any such approval given and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

##### Reason

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

Furthermore the officer state that he is satisfied that the filters if maintained will reduce the possibility of causing an odour nuisance.

**Transport Surgery:** Stated that there would be difficulty operating a delivery service from the premises given the positioning of a bus stop adjacent to the site, and restricted access to the rear.

#### Statutory and non-statutory organisations

Transport for London (TFL):

Concern was raised with regard to the position of a bus stop directly adjacent to the site and the problems that a delivery service could cause in this location in terms of passenger safety and bus operations.

#### Neighbours and local groups

11 letters of objection were received towards the application. Responses were received from the residents of the following properties along with two objections coming from single addresses in some and some on anonymous emails:

- Flat 815 Alaska Buildings 61 Grange Road London SE1 3BG
- 211a Grange Road London SE1 3AA
- Flat 5 Arundel Buildings Webb Street London SE1 4AS
- 214 Grange Road London SE1 3AA
- 5a Griggs Place London SE1 3AT
- 10 Bermondsey Square London SE1 3UN
- 12a Tetherdown Muswell Hill London N10 1NB

The letters raised the following concerns towards the application:

- Impact of noise and smell from the premises
- Increased litter at the site.
- Existing high number of similar fast food outlets within the vicinity.
- Impact upon the adjacent bus stop and passenger safety.
- Visual impact of the business in relation to numerous others providing a 'tired' and 'shabby' appearance to the local area.
- Potential impact of anti-social behaviour as a result of the development.
- Impact upon local traffic especially with regard to the motorbikes parked on the adjacent highways preventing access.

---

## 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.

---

<b>Applicant</b>	Mr H. Box	<b>Reg. Number</b>	13/AP/2187
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/32-211
<b>Recommendation</b>	Grant permission		

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Change of use from cafe / restaurant (A3) to restaurant with take-away (A3 / A5) together with improvements to the existing flue

**At:** 211 GRANGE ROAD, LONDON SE1 3AA

**In accordance with application received on** 08/07/2013

**and Applicant's Drawing Nos.** 211/01; GRA211/1

**Subject to the following four conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: GRA211/1

Reason:

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

**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.

- 2 Notwithstanding the provisions of Class A5 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) the use hereby permitted shall not include the provision of a delivery service.

Reason

In granting this permission the Local Planning Authority has had regard to the particular circumstances of this case and wishes to have the opportunity of exercising control over the use of the premises for delivery purposes in accordance with Strategic Policy 2 - Sustainable transport, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity and 5.2 Transport Impacts of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 3 The use hereby permitted for A5 purposes shall not be carried on outside of the hours 12:00 to 23:00 on Mondays to Saturdays and not at all on Sundays and Bank and Public Holidays.

Reason

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

**Other conditions** - the following condition is to be complied with and discharged in accordance with the individual requirements specified in the condition.

- 4 Within 3 months from the date of this decision an acoustic report detailing the rated noise level from any plant, together with any associated ducting (which shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority.

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 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 users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant and that the operation of plant does not add by cumulative effect to the existing sound environment in accordance with saved policies 3.1 'Environmental Effects' and 3.2 'Protection of amenity' of the Southwark Plan (UDP) 2011 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2012.

**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 21/3/2014



<b>Item No.</b> 7.2	<b>Classification:</b> OPEN	<b>Date:</b> 1 April 2014	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 13/AP/3205 for: Full Planning Permission  <b>Address:</b> C F PRETTY, 47 NORTH CROSS ROAD, LONDON SE22 9ET  <b>Proposal:</b> Installation of new shopfront (to include removal of front access to flat above); erection of single storey, rear extension (L-shaped) with rear refuse storage area and proposed glass/aluminum side roof section to ground floor shop; new rear access with steps to flat above; and new decked patio with fold out doors to flat at first floor level.		
<b>Ward(s) or groups affected:</b>	East Dulwich		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 08/10/2013		<b>Application Expiry Date</b> 03/12/2013	
<b>Earliest Decision Date</b> 08/12/2013			

### RECOMMENDATION

- 1 Grant planning permission subject to conditions.

### BACKGROUND INFORMATION

- 2 This application has been referred to Planning Sub-Committee B for decision at the request of councillors.

### Site location and description

- 3 The application premises are located on the western side of southern side of North Cross Road. The site application is in mixed use, with a retail unit (use class A1) at ground floor level and self-contained flat on the first floor. The building still retains much of its domestic appearance and scale. It is part of a terrace of similar looking properties, with shops at ground floor level and residential accommodation above. The terrace of building is set back from the road behind a shallow forecourt and a pavement.
- 4 The site is located within the air quality management area, suburban density zone and Lordship Lane district town centre as identified by the development plan. The proposal site is not listed nor is it within a conservation area.

### Details of proposal

- 5 Planning permission is sought for:

#### Shopfront:

Installation of new shopfront (to include removal of front access to flat above);

Single storey rear extension:

Erection of single storey, rear extension (L-shaped) with rear refuse storage area and proposed glass/aluminum side roof section to ground floor shop;

Access to flat

New rear access with steps to flat above; and

Roof terrace

New decked patio with new glass and timber balustrade to the first floor roof terrace, and with fold out doors to flat at first floor level.

**6 Amendment to scheme:**

Subsequent to the submission of the planning application letters of objections were received stating that the roof terrace would result in overlooking and loss of privacy of the offices backing onto the rear of the site. Revised drawings were submitted which propose a new 1800mm high horizontal slatted timber screen to prevent loss of privacy. Subsequently the horizontal slatted timber screen has been reduced to 1600mm to prevent the screen being an overbearing feature to this site.

- New railings proposed to the 'western' edge of decking along party wall line (annotated No. 2 - Drawing No. (PP) PRO\_002 Rev. B).
- New 1600mm high horizontal slatted timber screen at the edge of stairs leading onto roof terrace (annotated No. 4 - Drawing No. (PP) PRO\_002 Rev. B). This is to prevent loss of privacy of future occupiers and that of the offices.
- New 1600mm high horizontal slatted timber screen at the edge of new glass and aluminium infill roof to ground floor shop (annotated No. 4 - Drawing No. (PP) PRO\_002 Rev. B). This is to prevent access onto the aluminium infill roof to the ground floor shop.

**Planning history**

- 7 None relevant

**Planning history of adjoining sites**

- 8 03-AP-1857: 43-45 North Cross Road: Planning permission granted for the installation of new shop front with external shutter.
- 9 04-AP-0351: 41 North Cross Road: Planning permission granted for the erection of a part single part two storey rear extension in rear yard of existing shop to provide retail/gallery space and change of use of the first floor from shop to self-contained two-bedroom flat together with erection of a first floor rear extension and terrace and alterations to the roof to form a dormer window and living accommodation in the roof space.
- 10 05-AP-1097: 51 North Cross Road: Planning permission granted for a self containment of existing flat and new shop front.
- 11 97-AP-0822: Ground floor unit, 39 North Cross Road: Planning permission granted for construction of single storey rear extension to provide toilet facilities.

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

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

- a) The principle of the development in terms of land use and conformity with strategic policies and the National Planning Policy Framework;
- b) The impact on the residential, commercial and visual amenity of the area;
- c) Design issues;
- d) All other relevant material planning considerations.

### **Planning policy**

#### Core Strategy 2011

- 13 SP12 - Design and conservation  
SP13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 14 The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark planning policy with the 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 3.12 - Quality in design  
Policy 3.13 - Urban design

#### National Planning Policy Framework (NPPF)

- 15 Section 7 - Requiring good design

### **Principle of development**

- 16 There are no objections in principle in land use terms to the proposal and there will be no conflict of use detrimental to amenity.

### **Environmental impact assessment**

- 17 Not required for an application of this nature.

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

- 18 Shopfront:  
The development will have no adverse impact on the area or local residents. The residential and commercial amenity of the area will not be affected by the proposed shopfront alterations.
- 19 Single storey rear extension:  
The proposed ground floor extension incorporating the whole of the outside space, to be used as an extension to the existing shop similar to that approved at 41 North Cross Road (04-AP-0351). It is not considered that the proposed extension would

detrimentally affect the amenity of the adjoining occupiers by way of loss of privacy, and loss of daylight or sunlight.

20 Access to flat

The proposal is for rear access with steps to flat at first floor level and the erection of an 1800mm high horizontal slated timber screen. It is not considered that the proposed step access and timber screen would detrimentally affect the amenity of the adjoining occupiers by way of loss of privacy as they are in commercial use (offices). Given that the proposed step access is approximately 3m from the commercial unit to the rear, and the timber screen is setback approximately 4m from the commercial unit, it is not considered that any loss of daylight or sunlight would occur to the commercial property to the south.

21 Roof terrace

It is unlikely that the proposed development would result in loss of amenity for adjoining occupiers in so far as visual amenity is concerned. The proposed screen is acceptable in visual amenity terms in accordance with Saved policy 3.2 'Protection of Amenity' of the Southwark Plan. The immediate neighbours to the rear and units at ground floor level are in commercial use. Furthermore the property to the rear (B1-Office) will be separated by a privacy screen to avoid potential overlooking and loss of privacy.

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

22 None anticipated.

**Transport issues**

23 It is not considered that there will be an adverse impact in terms of traffic generation or parking. The applicant has not indicated the siting of the proposed cycle parking facilities. It is however considered that this would not substantiate a reason for refusal as these matters could be dealt with by an appropriate condition.

**Design issues**

24 Shopfront:

The proposed shopfront is considered acceptable in terms of size, design and materials and is in keeping with the aesthetic of the building and the surrounding streetscape.

25 Single storey rear extension:

The proposed ground floor extension incorporating the whole of the outside space, to be used as an extension to the existing shop similar to that approved at 41 North Cross Road (04-AP-0351). The size, bulk and scale of the proposed extension is considered acceptable and would not appear out of scale in relation to surrounding properties as it is of similar size to what was approved at 41 North Cross Road.

26 Roof terrace

The proposal raises no fundamental design issues. The flat roof area, located to the rear of the site will be facing commercial units. In addition a new timber screen would be erected on the edge of the terrace. It is unlikely that the proposal would have a detrimental impact on the appearance of the building or the surrounding area in so far as visual amenity is concerned. The roof terrace would not be visible from street level. The proposal raises no fundamental design issues and as such is considered to be acceptable.

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

- 27 This site is not listed nor is it located within a conservation area.

### **Impact on trees**

- 28 None envisaged.

### **Planning obligations (S.106 undertaking or agreement)**

- 29 No planning obligations or S106 Agreements are required for an application of this nature.

### **Sustainable development implications**

- 30 This application raises no sustainable development implications.

### **Other matters**

- 31 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 CIL is not payable.

### **Conclusion on planning issues**

- 32 The installation of this shopfront, roof terrace and an infill extension are considered to be compliant with the relevant saved policies of The Southwark Plan 2007 (July), The Core Strategy 2011 and the provisions of The National Planning Policy Framework 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

### **Community impact statement**

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

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

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

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

### **Consultations**

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

### Consultation replies

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

### Human rights implications

36 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.

37 This application has the legitimate aim of providing ground floor infill extension to the commercial component of the site, and amenity space in the form of a roof terrace to the flat at first floor level. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

38 None

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2630-47	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 13/AP/3205		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 020 7525 5451 Council website: www.southwark.gov.uk

### APPENDICES

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

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Neil Loubser, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	11 December 2013	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		21 March 2014



**Consultation undertaken**

**Site notice date:** 21/10/2013

**Press notice date:** N/A

**Case officer site visit date:** 21/10/2013

**Neighbour consultation letters sent:** 15/10/2013

**Internal services consulted:**

None

**Statutory and non-statutory organisations consulted:**

None

**Neighbours and local groups consulted:**

51A NORTH CROSS ROAD LONDON SE22 9ET  
50 NORTH CROSS ROAD LONDON SE22 9EU  
44 NORTH CROSS ROAD LONDON SE22 9EU  
51 NORTH CROSS ROAD LONDON SE22 9ET  
GROUND FLOOR AND PART FIRST FLOOR 43-45 NORTH CROSS  
ROAD LONDON SE22 9ET  
PART FIRST FLOOR 43-45 NORTH CROSS ROAD LONDON SE22 9ET  
2A FELLBRIGG ROAD LONDON SE22 9HH  
47 NORTH CROSS ROAD LONDON SE22 9ET  
49 NORTH CROSS ROAD LONDON SE22 9ET  
FLAT 47 NORTH CROSS ROAD LONDON SE22 9ET  
UNIT 2 OLD STABLE HOUSE BETWEEN 53 AND 55 NORTH CROSS  
ROAD LONDON SE22 9ET  
FLAT 1 42 NORTH CROSS ROAD LONDON SE22 9EU  
43 NORTH CROSS ROAD LONDON SE22 9ET  
45 NORTH CROSS ROAD LONDON SE22 9ET  
FLAT 2 42 NORTH CROSS ROAD LONDON SE22 9EU  
41 NORTH CROSS ROAD LONDON SE22 9ET  
49A NORTH CROSS ROAD LONDON SE22 9ET  
UNIT 3 OLD STABLE HOUSE BETWEEN 53 AND 55 NORTH CROSS  
ROAD LONDON SE22 9ET  
UNIT 4 OLD STABLE HOUSE BETWEEN 53 AND 55 NORTH CROSS  
ROAD LONDON SE22 9ET

**Re-consultation:**

None

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

N/A

**Statutory and non-statutory organisations**

N/A

**Neighbours and local groups**

Two letters of objections received.

**Letter 1:**

The change of the access to the rear will result in decreased security  
Loss of privacy as the occupiers will have direct line of sight into the offices

**Letter 2:**

(2A Fellbrigg Road)

That the applicant cannot attach any part of the development to the flank wall of the objector

Noise created by the proposed work

Noise that may occur as a result of the development (extension and roof terrace)

If the Council is minded to approve the scheme above-mentioned should be conditioned.

**Letter 3:**

The objector is a hairdressers trading in this terrace for more than 15 years. They are objecting as it is understood by them that Headmasters may take over the lease and as such this will impact on their business and will result in the loss of the Greengrocers.

---

## 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.

---

<b>Applicant</b>	Mr C. Evans Landor Land Ltd	<b>Reg. Number</b>	13/AP/3205
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2630-47
<b>Recommendation</b>	Grant permission		

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Installation of new shopfront (to include removal of front access to flat above); erection of single storey, rear extension (L-shaped) with rear refuse storage area and proposed glass/aluminum side roof section to ground floor shop; new rear access with steps to flat above; and new decked patio with fold out doors to flat at first floor level.

**At:** 47 NORTH CROSS ROAD, LONDON SE22 9ET

**In accordance with application received on 25/09/2013 12:00:34**

**and Applicant's Drawing Nos.** Location Map; Drawing No's: (PP) EX\_001; (PP) EX\_002; (PP) EX\_003; Existing side elevations; Existing Ground floor plan  
(PP) PRO\_001; (PP) PRO\_002 Rev B; (PP) PRO\_003 Rev B; Proposed side elevation; (PP) PRO\_004

**Subject to the following five conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:  
(PP) PRO\_001; (PP) PRO\_002 Rev B; (PP) PRO\_003 Rev B; Proposed side elevation; (PP) PRO\_004

Reason:

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

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

Reason

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

**Pre-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.

- 3 Prior to the occupation of the flat hereby approved, a screen to a height of 1.8m shall be installed as shown on the approved drawings referenced (PP) PRO\_003 Rev A and (PP) PRO\_002 Rev A . The screen shall be maintained throughout the lifetime of the development.

Reason

In order to prevent undue overlooking from the roof terrace facing, into neighbouring office development to the rear of the site.

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

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

**Compliance conditions** - 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**

The pre-application service was used for this application and the advice given was followed.

Date 21/3/2014



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252.

<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 1 April 2014	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 13/AP/4420 for: Full Planning Permission  <b>Address:</b> GEORGE ELLISTON HOUSE, OLD KENT ROAD, LONDON SE1 5ET  <b>Proposal:</b> Construction of 13 residential units comprising 5 x 2 bed units within a new 6 storey building located between the Elliston and Wilkins buildings and 8 further residential units (4 x 1 bed, 2 x 2 bed and 2 x 3 bed) within a single storey extension creating a fifth floor across both Elliston and Wilkins buildings. Associated circulation space, bike store (providing 20 cycle spaces), bin store and 1 disabled parking space.		
<b>Ward(s) or groups affected:</b>	South Bermondsey		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 18/12/2013		<b>Application Expiry Date</b> 01/05/2014	
<b>Earliest Decision Date</b> 08/02/2014			

## RECOMMENDATION

- 1 That planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement by no later than 1 May 2014, and that in the event that an appropriate legal agreement is not entered into by the above date, the Head of Development Management be authorised to refuse planning permission.

## BACKGROUND INFORMATION

### Site location and description

- 2 The site is part of the wider Avondale Square housing estate which was developed by the City of London Corporation from the 1920s. Most of the development however took place in the post-war period and the residential blocks within the wider site are typical social housing development for this time.
- 3 The site itself includes George Elliston House and Eric Wilkins House, both of which were built in 1952 with red and brown bricks, of note are the walkways and lift shafts. Containing contain 45 and 20 residential flats respectively, George Elliston House is 'U' shaped while Eric Wilkins House is 'L' shaped in plan form and they both site immediately north of the Old Kent Road.
- 4 The site is not located in a conservation area or within the setting of a listed building. It is however subject to the following designations:
  - Air Quality Management Area
  - Archaeological Priority Zone
  - Urban Density Zone
  - Old Kent Road Action Area

- PTAL- 4
- Flood Risk Zone 3a

### **Details of proposal**

- 5 This application is for the creation of 13 new residential units by in-filling the gap between the two blocks to form 5 x 2 bedroom units and a single storey roof extension across the existing buildings (creating a sixth storey) to form an additional 8 units (4x1 bed, 2x2 bed and 2x3 bed). All units proposed would comprise affordable housing, including one wheelchair accessible unit.

### **Planning history**

- 6 13/EQ/0161, pre-application enquiry into:  
Roof top extensions (single storey) and construction of a 6 storey infill building resulting in the creation of 13 new dwellings: 4 x 1 bed 7 x 2 bed and 2 x 3 bed units along with cycle and bin stores and a new lift.
- 7 10-EQ-0190, pre-application enquiry into:  
Single storey roof extension to existing 5 storey residential blocks flat roof comprising 3 no 2 bed units and 10 no 1 bed units

### **Planning history of adjoining sites**

- 8 ESTATE OFFICE, AVONDALE SQUARE, LONDON, SE1 5PD  
12-AP-3860, planning permission granted on 28 February 2012 for:

Demolition of existing community centre to provide new 7 storey building comprising 18 residential apartments (4 x 1 bed, 5 x 2 bed, 5 x 3 bed and 4 x 4 bed) (100% affordable), replacement community centre (326 sq m) with associated facilities and replacement estate office (108 sq m). Provision of 38 cycle parking spaces.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 9 The main issues to be considered in respect of this application are:
- a. The principle of the development
  - b. The impact on the residential amenity of the area
  - c. The quality of residential accommodation proposed
  - d. The design of the development

### **Planning policy**

- 10 Core Strategy 2011

Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable transport  
Strategic Policy - Providing new homes  
Strategic Policy - Homes for people on different incomes  
Strategic Policy - Family homes  
Strategic Policy - Design and conservation  
Strategic Policy - High Environmental standards  
Strategic Policy 14- Implementation and delivery

11 Southwark Plan 2007 (July) - saved policies

The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the 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 2.5 – Planning obligations  
 Policy 3.1 – Environmental effects  
 Policy 3.2 – Protection of amenity  
 Policy 3.4 – Energy efficiency  
 Policy 3.6 – Air quality  
 Policy 3.7 – Waste management  
 Policy 3.9 – Water  
 Policy 3.11 – Efficient use of land  
 Policy 3.12 – Quality in design  
 Policy 3.13 – Urban design  
 Policy 3.14 – Designing out crime  
 Policy 3.19 - Archaeology  
 Policy 3.31 - Flood defences  
 Policy 4.2 – Quality of residential accommodation  
 Policy 4.3 – Mix of dwellings  
 Policy 4.4 – Affordable housing  
 Policy 5.2 – Transport impacts  
 Policy 5.3 – Walking and cycling  
 Policy 5.6 – Car parking  
 Policy 5.7 – Parking standards for disabled people and the mobility impaired

and Supplementary Planning Documents:

Draft Section 106 Planning Obligations/CIL SPD (December 2013)  
 Residential Design Standards SPD 2011  
 Section 106 SPD 2007  
 Sustainable Design and Construction SPD 2009

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

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 3.10 - Definition of affordable housing  
 Policy 3.11 - Affordable housing targets  
 Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes  
 Policy 3.13 - Affordable housing thresholds  
 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 5.13 Sustainable drainage  
 Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure



Policy 6.9 - Cycling  
 Policy 6.10 - Walking  
 Policy 7.14- Improving air quality  
 Policy 7.15- Reducing noise and enhancing soundscapes  
 Policy 8.2 - Planning obligations  
 Policy 8.3 - Community infrastructure levy

13 National Planning Policy Framework (NPPF)

This application should be considered against the NPPF as a whole, however the following sections are particularly relevant:

- 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

**Principle of development**

- 14 Residential use is established on the site. The principle of additional residential accommodation is therefore acceptable.

**Environmental impact assessment**

- 15 An environmental impact assessment is not required for an application of this scale.

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

**Daylight and sunlight.**

- 16 A daylight and sunlight report has been submitted with the application. It presents the results of a modeling exercise that has been undertaken in accordance with Building Research Establishment (BRE) report 209- "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice".
- 17 The analysis of the impact on the amount of daylight received by existing properties is based on the amount of vertical sky component (VSC), an indicator of the amount of sky that will be seen inside the modelled window; analyses were undertaken for the following addresses:
- 1-7 Tevatree House
  - 41-48 Avondale House
  - 1-44 Colechurch House
  - 5-10 Ainsdale Drive
  - 1-4 Ainsdale Drive
  - 1A Marlborough Grove
  - 506 to 510 Old Kent Road
  - and selected windows on George Elliston and Eric Wilkins House
- 18 The guidance states that if the resultant VSC is less than 0.8 its current value, the occupants of the affected building are likely to notice the reduction in daylight. Results of the modelling show that for all bar two windows at 1-7 Tevatree House, and two on the George Elliston House would have their VSC reduced to less than 0.8 of its former value.
- 19 The windows affected already have their daylight limited by balconies outside in the

case of Tevatree House or balconies in the floor above got George Elliston House. If these balconies are discounted for the assessment, three of the windows would meet the guideline criteria showing that the reduction is more a function of the existing situation than the proposed development. For the remaining window, the resulting VSC would be 0.72 its present value. As this is the only one of 123 windows modelled to be below the guideline should planning permission be granted, it is considered, on balance that the impact on daylight is acceptable.

- 20 For sunlight, the assessment is only undertaken for properties with a window within 90 degrees of south which means that any impact would be limited to properties north of the site. Based on the annual probable sunlight hours (APSH), the assessment shows that of the windows serving habitable rooms, only one would receive sunlight that is lower than the BRE guidelines, however, this window's APSH is already restricted because of the projecting balcony on the floor above. All of the other 26 windows modeled pass the BRE test and it is considered that on balance the impact on sunlight for existing properties is acceptable.

### **Privacy**

- 21 The proposed roof extension would replicate the juxtaposition of the present building with respect to overlooking and privacy and because of this, there is no loss of privacy for existing residents expected over that which already exists.
- 22 The proposed infill block would locate residents where previously none have been and would result in closer proximity of residential accommodation for some flats than is presently the case. Flats most likely to be affected are those on the western flank of Eric Wilkins House and those on the eastern flank of the eastern arm of George Elliston House. Views from the proposed windows to both George Elliston House and Eric Wilkins House would be oblique and at distances of approximately 8 and 18m respectively. The balconies would allow more direct views but the majority of rooms affected are non-habitable (bathrooms and kitchens) and already impacted by some degree by the walkways and existing views. The proposed development would not give rise to unacceptable loss of privacy to existing residents.

### **Noise**

- 23 If permission is granted, the development would result in a higher density at the site. However, the addition of 13 flats on a site containing 65 flats is not likely to give rise to unacceptable harm to local amenity, particularly if one considers the large number of residents on the wider Avondale Estate. Three objections refer directly to noise from the development causing harm but as the uplift is low in comparison to the existing level of accommodation, the impact from noise from the scheme is likely to be low. Should any noise arise through unreasonable behaviour to cause a nuisance, both the council and local residents have the option of taking action under the Environmental Protection Act 1990 (EPA). One objector has referred to noise, dust and other nuisance from the construction phase of the development. The site is a low to medium risk site according to the Site Evaluation Guidelines in the London Councils and Mayor of London's Best Practice Guidance document- The control of dust and emissions from construction sites, being as it is under 1,000sq.m in area. Coupled with the fact that the council have power under the EPA and Control of Pollution Act 1974 to deal with dust and noise from construction, it is not considered necessary for a condition requiring a construction management plan to be submitted.

### **Housing Mix**

- 24 Being in the urban density zone, in order to comply with strategic policy 7- Family Homes of the core strategy, a certain mix of housing should be provided with at least

60% of two more bedrooms and 20% of three bedrooms or more. This development would provide a mix of 70% and 16% respectively, however this is due to the physical constraints of the site and to meet the current demand for smaller dwellings from the City of London tenants. Given the high quality of the proposal (see below) it is considered that the 4% shortfall for three or more bedroom units would not by itself be a reason for refusal.

### **Affordable Housing**

- 25 All 13 units would be affordable social rented housing, meeting exceeding affordable housing targets in regional and local planning policy. Being within South Bermondsey, Strategic Policy 6 states that at least 35% of new housing units should be private. This has not been possible for this proposal because the funding for the scheme is from s106 monies which cannot be utilised to provide any form of private housing. The provision of 100% of social housing for this proposal will not have any significant implications for the wider housing mix in the surrounding area.
- 26 Nomination rights for future tenants have been part of discussions with the City of London Corporation and housing officers at Southwark. Another City of London scheme in Southwark has resulted in an agreed nomination right for one third of the units by Southwark; a similar clause will be written into the legal agreement for this application.

### **Quality of residential accommodation**

- 27 All dwelling and room sizes exceed the minimum space standards detailed in the residential design standards SPED and would provide a suitable living environment. Additionally, there are relatively generous balconies with many being above 10sq.m. There are smaller balconies but these are due to site constraints and it should be borne in mind that there is a generous outdoor amenity space to the north of the site, including a playground and tennis courts. All units would have dual aspect.
- 28 The scheme has been designed to meet most of the lifetime homes standard in the residential design standards SPD. In addition to these, a wheelchair accessible space is proposed on the first floor which will be served by a new lift with a platform lift proposed in case of failure of the main lift.

### **Noise and air quality**

- 29 The site is subject to relatively high levels of environmental noise, mainly from road traffic. A condition has been recommended to ensure that suitable sound insulation against environmental noise is installed providing good internal acoustic conditions
- 30 An air quality assessment submitted has modeled the likely concentrations of pollutants at the site and has concluded that for NO<sub>2</sub> and particulate matter (PM<sub>10</sub>), concentrations are likely to comply with national and European objective concentrations. No mitigation is therefore recommended.

### **Transport issues**

- 31 The transport assessment submitted with the application concluded that the 13 additional residential units would result in an additional 81 trips per day; an impact on the local transport network that is minor.

### Car parking

- 32 Only one parking space is proposed for the development, and that is a disabled bay for the wheelchair accessible unit on the first floor. The applicants have advised that

new residents would be eligible for a parking permit for the Avondale Square Estate which is managed by the City of London. A condition is recommended to prohibit and future residents from applying for a parking permit to park on the highway.

#### Cycle parking

- 33 20 cycle parking spaces, including two spaces for visitors are proposed which exceeds the minimum requirement of 15. Securely located on the ground floor, the cycle parking provision is good.

#### **Archaeology**

- 34 The site lies within the Bermondsey Lake and Old Kent Road archaeological priority zones, covering the course of the old Roman road that is along the line of the Old Kent Road. Potential has been identified for remains associated with the Roman road and even prehistoric remains. While site preparation is only likely to have an impact of outside of made ground, there is the potential for remains under areas not built on. Conditions have been recommended to protect any archaeological remains that may exist.

#### **Refuse and recycling**

- 35 The existing buildings' refuse is presently serviced by chutes which would be extended to the fifth floor for occupiers of the roof extension to use. A dedicated refuse and recycling storage area capable of holding one 1,100-litre Eurobin for recycling and one each of 1,100 and 660-litre Eurobins for refuse; a provision which is acceptable.

#### **Flood Risk**

- 36 The site is located within Flood Risk Zone 3a, a defended flood zone of the River Thames. The flood risk assessment submitted advised that modeling by the Environment Agency has shown that the site is outside the extent of any modelled breach of the defences of the Thames and that the risk from flooding is considered low. Furthermore, no residential accommodation is proposed on the ground floor meaning mitigating any risk at this level from new accommodation.
- 37 The council's Flood and Drainage Team have recommended that a drainage strategy that includes sustainable drainage systems (SuDS) is implemented. This requirement has been recommended as a condition.

#### **Design issues**

- 38 Sitting in a wider estate of heterogeneous building types and forms, the site building itself does have a distinct architectural type with an interesting variety of brick colour. By respecting the overall form, mass and bulk of the existing blocks, the proposed development would add sections that would be clearly modern but finished in materials that respond to the buildings. Indeed, the infill element could be seen as completing the two separate blocks. The extra height resulting from the additional storey of accommodation would not appear as out of keeping in relation to the surrounding built form. Aluminium coated windows are proposed which would provide an elegant finish to the new elements.
- 39 The materials proposed are a textured grey brick for the infill and a rainscreen cladding for the roof extension. The success of these elements would depend on the hue and quality of the materials. To this end a condition is recommended to require details of these materials to be submitted for approval before above ground works.

- 40 In conclusion on design, the proposed extensions are considered to satisfactorily respect the existing building and would not result in any detrimental impacts upon the wider character or visual amenity of the area.

### **Impact on trees**

- 41 No works to trees are proposed, however some works may affect trees in which case suitable mitigation would be required. A condition has been recommended to this effect.

### **Planning obligations (S.106 undertaking or agreement)**

- 42 Local and regional planning policy advise that planning obligations can be used to overcome some of the impacts of an otherwise acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations. The applicant has committed to contributing for the following matters in accordance with the Council's S106 toolkit requirements:

Employment during construction  
 Employment during construction management fee  
 Open space, children's play and sports development  
 Transport strategic  
 Transport Site Specific  
 Public Realm  
 Archaeology  
 Health  
 Education  
 Administration charge

In the event that an appropriate s106 agreement is not completed by 1 May 2014, the Head of Development Management be authorised to refuse planning permission as no provision would be in place to avoid or mitigate the impacts of the proposed development.

### **Environmental sustainability**

- 43 Reductions over baseline CO2 emissions from the completed development are predicted at 24%. This would be achieved by the installation of a 16.25Kwp array of 65 solar panels. Further reductions through the implementation of measures such the use of efficient boilers and insulation have resulted in a predicted reduction in emissions of just over 45%. This, in addition to the design target of meeting Code for Sustainable Homes Level 4 means that the development would generally comply with Strategic Policy 13 - High Environmental Standards of the Core Strategy 2011.

### **Community Infrastructure Levy**

- 44 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.

A contribution of £42 383.25 is required in accordance with the CIL regulations.

### **Conclusion on planning issues**

- 45 The development would provide much needed affordable housing within the borough in a location that has good transport links and access to local amenities. The design of the proposal would be sympathetic to the existing buildings and would not result in any detrimental impacts upon the general character and visual amenities of the surrounding area. The impacts on the daylight and sunlight of existing residential properties are mostly within established guidelines and would not result in significant impacts upon the living conditions of neighbouring residential properties. Importantly it provides good quality accommodation and sustainable development in line with the NPPF.

### **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. No adverse impact on any group with the above protected characteristics is envisaged

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

#### *Neighbour responses:*

- 49 Objections from three local residents regarding the impact on their view, noise and loss of privacy and the impact from construction. One respondent also queries whether the garages to the rear of the site are to be demolished.

#### *Officer response:*

While some views might be restricted, the impact on sunlight and daylight is considered to be acceptable as the vast majority of existing windows would have provision in accordance with BRE guidelines. By adding an additional 13 dwellings to a site containing 65 dwellings, no significant increase in noise is likely to occur. There are provisions under the Environmental Protection Act 1990 and the Control of Pollution Act 1974 for the council to take action for any noise and dust problems cause by construction and noise from events such as parties. The garages to the rear of the site would not be demolished.

One letter of support has been received from a resident of Eric Wilkins House detailing the benefit for her and other leaseholders who would not have to pay money for repairs to the site would be covered by this development.

#### *Statutory consultees:*

- 50 Response from TfL advising that the scale of the development and its location is not likely to give rise to any adverse impact on the TLRN

Internal responses

- 51 The council's flood and drainage team have recommended that a drainage strategy be prepared. This matter is the subject of a recommended condition.

**Human rights implications**

- 52 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 53 This application has the legitimate aim of providing 13 residential dwellings. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

- 54 None.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2168-F Application file: 13/AP/4420 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 1778 Council website: www.southwark.gov.uk

**APPENDICES**

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

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Dipesh Patel, Team Leader Major Applications Team	
<b>Version</b>	Final	
<b>Dated</b>	18 March 2014	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	Yes	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		21 March 2014



### Consultation undertaken

**Site notice date:** 09/01/2014

**Press notice date:** 16/01/14

**Case officer site visit date:** 05/02/14

**Neighbour consultation letters sent:** 13/01/14

### Internal services consulted:

Design and Conservation Team  
Environmental Protection Team  
Transport Planning Team

### Statutory and non-statutory organisations consulted:

Transport for London

### Neighbours and local groups consulted:

JOHN PENRY HOUSE 1 MARLBOROUGH GROVE LONDON SE1 5JS  
FLAT 11 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 10 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 22 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 21 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 24 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 23 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 20 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 18 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 17 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 2 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 19 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 7 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 6 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 9 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 8 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 5 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 20 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 2 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 4 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 3 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 15 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 14 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 17 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 16 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 13 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET

FLAT 10 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 1 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 12 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 11 GEORGE ELLISTON HOUSE OLD KENT ROAD LONDON SE1 5ET  
FLAT 19 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 8 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 7 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 1 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 9 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 6 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 43 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 42 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 5 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 44 COLECHURCH HOUSE AVONDALE SQUARE LONDON SE1 5EU  
FLAT 16 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 15 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 18 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 17 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 14 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 11 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 10 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 13 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES  
FLAT 12 ERIC WILKINS HOUSE OLD KENT ROAD LONDON SE1 5ES

**Re-consultation:**

None

**Consultation responses received****Internal services**

Design and Conservation Team- No comments

Environmental Protection Team- No Comments

Transport Planning Team- No comments

Flood and Drainage Team- recommended a site drainage strategy

**Statutory and non-statutory organisations**

TfL- no objections

**Neighbours and local groups**

Objections from three residents, discussed above; support from one.



**Chief executive's department**  
 Planning division  
 Development management (5th floor - hub 2)  
 PO Box 64529  
 LONDON SE1P 5LX

Ms S Ungerer  
 Space Craft Architects  
 c/o  
 XXXXXXXXXXXXXXXXX

**Your Ref:**  
**Our Ref:** 13/EQ/0161  
**Contact:** Dipesh Patel  
**Telephone:** 020 7525 1778  
**E-Mail:** dipesh.patel@southwark.gov.uk  
**Web Site:** <http://www.southwark.gov.uk>

**Date:** 25/09/2013

Dear Ms Ungerer

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

**At:** GEORGE ELLISTON HOUSE, OLD KENT ROAD & ERIC WILKINS HOUSE OLD KENT ROAD.  
**Proposal:** Roof top extensions (single storey) and construction of a 6 storey infill building resulting in the creation of 13 new dwellings: 4 x 1 bed 7 x 2 bed and 2 x 3 bed units along with cycle and bin stores and a new lift.

I write further to your pre-application enquiry received on 19 August 2013 and your meeting with Dipesh Patel and I on 12 September 2013. The following documents and drawings were submitted:

Pre-application submission package dated 6 August 2013 including the following:

- Site analysis
- The proposal
- Materials
- Environmental Approach
- Structure
- Consultation
- Summary
- Appendix A: Existing and Proposed Drawings.

and covering letter dated 15 august 2013.

**Summary**

The scheme is broadly acceptable and the provision of good quality affordable housing within this part of the borough is welcomed, however, a robust justification for the selected mix proposed will be required. Other issues centre on the choice of the finishing materials for the infill extension and the

roof extensions, the latter being of grater concern with a rain screen unlikely to be acceptable. The mass and bulk of the proposal is acceptable.

The potential for harm to existing residents, both off and on site is likely to be limited to a potential for loss of sunlight and daylight. However the aspect of the site means that this effect will be limited. Nonetheless, this should be justified through a full daylight and sunlight assessment in accordance with BRE guidance.

Exceeding minimum dwelling size requirements, the proposal would provide a good quality of residential accommodation and while some balconies may be smaller than is preferred, a good existing provision of outdoor amenity space means that the outdoor amenity spaces proposed for the development would be acceptable.

### **Description of proposal**

Consisting of two elements, the proposals are for single storey extensions to George Elliston House and Eric Wilkins House in addition to an infill building that would fill the gap between the two buildings to create a total of 13 new dwellings with the following mix:

4 x 1 bedroom (30%)  
 7 x 2 bed units (54 %)  
 2 x 3 bed units (16%)

A two bedroom unit located at first floor would be wheelchair accessible.

The form of the proposal would include roof extensions and balconies for the infill extension. Materials proposed are grey brick work for the infill building (which you advised is likely to change) and a horizontally structured laminate cladding of red and brown.

### **Documents submitted**

Pre-application submission package dated 6 August 2013 including

- Site analysis
- Details of the proposal
- Materials
- Environmental Approach
- Structure
- Consultation
- Summary and
- Existing and proposed drawings

### **Site Description**

The site is part of the Avondale Square Estate which is located off the A2 Old Kent Road - a classified road. The estate benefits from generous communal outdoor amenity space including play areas, there is also a community centre.

The site in particular consists of George Elliston and Eric Wilkins houses which are on the south-eastern part of the estate, adjacent to Old Kent Road. Both buildings are 5 storeys with flat roofs and cantilevered access decks. It is subject to the following designations:

- Air Quality Management Area
- Archaeological Priority Zone
- Urban Density Zone
- Old Kent Road Action Area
- PTAL- 4
- Flood Risk Zone 3a

It is also within a controlled parking zone (CPZ).

## **Planning History**

There is no planning history at the site except for a request for pre-application advice in 2010 (reference 10-EQ-0190). This request for advice concerned a proposal for a single storey extension to the existing 5 storey residential blocks comprising 3x2 bed units and 10x1 bed units.

The written response to this enquiry stated that there were no objections to the extension of the buildings at roof level in principle but that the mix units, massing of the built form and the principle of the cantilevered walkways would be reasons for objection.

## **Policies**

The Development Plan is made up of the London Plan 2011, Core Strategy 2011 and Southwark Unitary Development Plan 2007 saved policies, along with Supplementary Planning Documents. The National Planning Policy Framework is a material consideration.

The proposal would be considered with regard to various policies including, but not exclusively:

### National Planning Policy Framework (2012)

- 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

### London Plan (2011)

- 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 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 - Affordable housing thresholds
- 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 6.5 - Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy

### Core Strategy (2011)

- SP1 - Sustainable development
- SP2 - Sustainable transport
- SP5 - Providing new homes
- SP6 - Homes for people on different incomes
- SP7 - Family homes
- SP12 - Design and conservation

SP13 - High Environmental standards  
 SP14 - Implementation and delivery

Southwark Plan (2007) - saved policies

Policy 2.5 – Planning obligations  
 Policy 3.1 – Environmental effects  
 Policy 3.2 – Protection of amenity  
 Policy 3.4 – Energy efficiency  
 Policy 3.6 – Air quality  
 Policy 3.7 – Waste management  
 Policy 3.9 – Water  
 Policy 3.11 – Efficient use of land  
 Policy 3.12 – Quality in design  
 Policy 3.13 – Urban design  
 Policy 3.14 – Designing out crime  
 Policy 3.19 - Archaeology  
 Policy 3.31 - Flood defences  
 Policy 4.2 – Quality of residential accommodation  
 Policy 4.3 – Mix of dwellings  
 Policy 4.4 – Affordable housing  
 Policy 5.2 – Transport impacts  
 Policy 5.3 – Walking and cycling  
 Policy 5.6 – Car parking  
 Policy 5.7 – Parking standards for disabled people and the mobility impaired

Supplementary Planning Documents

Affordable Housing  
 Residential Design Standards  
 Section 106 Agreements  
 Sustainable Design and Construction

**Key issues**

- Principle
- Housing tenure and mix
- Quality of residential accommodation
- Impact of proposed development on amenity of adjoining occupiers and surrounding area
- Transport
- Design
- Archaeology
- Planning obligations (S.106 undertaking or agreement)
- Mayoral Community Infrastructure levy
- Sustainable development implications
- Flood risk
- Other matters

**Principle**

The principle of residential accommodation at this site is established. An increase of 13 units at the site will add to the housing provision of the borough and aid the delivery of Strategic Policy 5 of the Core Strategy- Providing New Homes, which seeks to provide 24 450 new homes between 2011 and 2026. Issues of housing mix and tenure are discussed below.

## **Housing tenure and mix**

Strategic Policy 6- Homes for people on different incomes requires at least 35% of new units for developments of 10 or more units to be private and 35% to be affordable. With 100% affordable housing proposed, this policy will be contravened. However, it is likely that site constraints, due to management and access arrangements will make provision of private accommodation difficult. It is understood that the funding for the scheme is drawn from s106 money which cannot be used for private housing, however this alone should not prevent a mix of tenures at the site. The reason for the tenure proposed should be expanded upon.

Strategic policy 7- Family homes requires the following mix for developments of 10 or more units in this area:

At least 20% 3, 4 or 5 bedroom units

At least 60% 2 bedroom units

The mix proposed is below these minimum requirements; one reason for this is that the development has been informed by the City of London's waiting list with respect to the dwelling mix. Robust justification will be required for this departure.

## **Quality of residential accommodation**

The dwelling sizes all exceed the minimum size requirements in the Sustainable Design and Construction SPD and this element of the proposal is welcomed. You should note that individual room sizes should also comply with the minimum room sizes presented in table 3 of the SPD.

Balconies are provided for all proposed dwellings. While the 3 bedroom units would benefit from balconies of more than 10m<sup>2</sup>, this is not the case some of the smaller units. While normally the shortfall would need to be added to the minimum communal space of 50m<sup>2</sup>, there is already generous provision of outdoor amenity space within the wider estate meaning that this particular requirement (communal amenity space) can be met by existing provision.

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

As the application documentation identifies, there is the potential for an impact on the existing residential dwellings from loss of sunlight, daylight and outlook. The impact of the infill building will be most prevalent on the existing occupiers of George Elliston and Eric Wilkins houses while the roof extension may affect these residents plus residents of neighbouring properties. The sunlight any daylight assessment, will I understand, cover the impact on both on site and off site receptors. This should be a full assessment in accordance with BRE guidance.

## **Transport**

### Car parking

No off street car parking is proposed and you have advised that there is adequate provision within the estate for off street parking. This will need to be elaborated upon in the Transport Assessment. The site has a medium PTAL and is within a controlled parking zone; it is important that overspill parking from the development is restricted. A condition prohibiting future occupiers of the site from applying for a parking permit for use on non-estate roads should be expected if planning permission is granted. Provision will also need to be made, on site, for at least one disabled parking bay.

### Cycling Parking

A provision of 1.1 secure cycle storage spaces per unit is required and the proposal for 20 spaces is welcomed. The council's Sustainable Transport SPD states that a travel plan (forming part of the



Transport Assessment) is required for developments comprising 10 or more residential units.

## **Design**

The bulk and massing of the proposed development is acceptable. The site, located close to the Old Kent Road can accommodate the additional height while the infill extension would be seen to 'complete' the two presently separate houses.

Materials proposed are however a concern. The grey brick proposed for the infill extension would sit poorly against the existing finish of George Elliston and Eric Wilkins houses which have interest with the red and brown palette of bricks. We feel that this existing material should be referenced in the proposed infill better while maintaining the proposed building's clean and modern appearance. A suitable hue of brick should be chosen.

Against the more traditional materials proposed and in place at the site, the selection of a rain screen for the finish of the roof extensions seems unusual. This would sit awkwardly atop the existing buildings and visually be unappealing. Again, by referencing the more traditional materials, for example by use of a terracotta veneer, the extensions would provide a more acceptable addition.

## **Archaeology**

The site forms part of an archaeological priority zone, and saved policy 3.19 of the Southwark Plan requires planning applications in these locations to be accompanied by an archaeological assessment and evaluation of the site, which must consider the impact of the proposed development on any archaeological remains.

## **Planning obligations (S.106 undertaking or agreement)**

Contributions to for the development through s106 should be calculated using the s106 Toolkit. Draft Heads of Terms should be submitted.

## **Mayoral Community Infrastructure levy**

With a number of new residential dwellings and new floorspace, the development would be subject to a financial contribution under the Community Infrastructure Levy, presently £35 per m<sup>2</sup> of new floorspace.

## **Sustainable development implications (environmental)**

Strategic policy 13 'High environmental standards' of the Core Strategy expects development will help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change. The Core Strategy requires all residential developments to achieve Code for Sustainable Homes level 4 and a pre-assessment indicator would be required with any planning application. Major developments must achieve the following:

- A 44% saving in carbon dioxide emissions above the building regulations from energy efficiency, efficient energy supply and renewable energy. An energy statement would be required to demonstrate how this would be achieved;
- A reduction in carbon dioxide of 20% from using on-site or local low and carbon zero sources of energy;
- A 50% reduction in surface water run-off.

A sustainability assessment would be required, as you have identified.

**Flood Risk**

The site falls within a flood risk zone (3a) and as such a Flood Risk Assessment should be prepared and submitted with any forthcoming application. However as there are no new habitable rooms proposed at ground floor, it is likely that the scheme will not require alteration.

**Other Matters**

As with other affordable housing within the borough, the council will require nomination rights for a number of the units, details of which can be arranged with colleagues in Housing Strategy.

**List of documents required at application stage**

The list of documents that you have proposed to submit is acceptable.

**Conclusion**

The scheme proposed is broadly acceptable and the addition of affordable housing of a good quality would be welcomed into this part of the borough. Some concerns remain about the materials proposed for the roof extension and the mix of residential accommodation which needs to be justified.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Yours sincerely

Rob Bristow  
Group Manager- Major Applications.

---

## 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.

<b>Applicant</b>	Mr M Kettle City of London Corporation	<b>Reg. Number</b>	13/AP/4420
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2168-F
<b>Recommendation</b>	Grant subject to Legal Agreement		

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Construction of 13 residential units comprising 5 x 2 bed units within a new 6 storey building located between the Elliston and Wilkins buildings and 8 further residential units (4 x 1 bed, 2 x 2 bed and 2 x 3 bed) within a single storey extension creating a fifth floor across both Elliston and Wilkins buildings. Associated circulation space, bike store (providing 20 cycle spaces), bin store and 1 disabled parking space.

**At:** GEORGE ELLISTON HOUSE, OLD KENT ROAD, LONDON SE1 5ET

**In accordance with application received on 18/12/2013 12:04:14**

**and Applicant's Drawing Nos.** Air Quality Assessment

Historic environment assessment  
Background noise survey and plant impact assessment  
Code for Sustainable Homes pre-assessment report  
Daylighting Assessment  
Design and Access Statement  
Energy and Sustainability Report  
Flood Risk Assessment  
Planning Statement  
Report on Trees  
Statement of community involvement  
Sunlight Assessment  
Transport Statement

And drawings numbered:

700; 701; 702; 703; 704; 710; 711; 712; 713 (existing drawings)

720; 721; 722; 723; 724; 730; 731; 732; 733; 734 and 735 (proposed drawings)

**Subject to the following fourteen conditions:**

**Time limit for implementing this permission and the approved plans**

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

720; 721; 722; 723; 724; 730; 731; 732; 733; 734 and 735

Reason:

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

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

Reason

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

**Pre-commencement 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 No above grade works shall commence until details of a surface water drainage scheme that achieves a reduction in surface water run-off rates of at least 50% of the greenfield runoff rate storage during a 1% Annual Exceedance Probability (AEP) rainfall event for the infill development have been submitted to (2 copies) and approved in writing by Local Planning Authority.  
To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).
- 4 a) Prior to the commencement of any development other than that required in compliance with this and any other pre-commencement conditions, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
- b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
- d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

#### Reason

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

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

#### Reason

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

#### Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

**Reason**

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology 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 conditions listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 8 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

**Reason**

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 9 Prior to above grade works commencing, material samples/sample-panels/sample-boards of brick and rainscreen finishes to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

**Reason:**

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The 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.

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

**Reason**

To ensure the proposal complies with 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.

**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.

- 11 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 contained the Report on Trees (reference TP/Avondale/December 2013). 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.

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

Bedrooms- 30dB LAeq, T \* and 45dB LAFmax

Living rooms- 30dB LAeq, T \*\*

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

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

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved policies 3.2 Protection of Amenity and 4.2 'Quality of Residential Accommodation' of the Southwark Plan 2007, strategic policy 13 High environmental standards' of the Core Strategy 2011; Policy 7.15- Reducing Noise and Enhancing Soundscapes of the London Plan 2011 and the National Planning Policy Framework

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

Reason

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 14 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

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

#### **Statement of positive and proactive action in dealing with the application**

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

Date 21/3/2014



© Crown copyright and database rights 2011 Ordnance Survey (0)100019252

<b>Item No.</b> 7.4	<b>Classification:</b> OPEN	<b>Date:</b> 1 April 2014	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Council's own development Application 13/AP/2901 for: Council's Own Development - Reg. 3  <b>Address:</b> LAND TO THE SOUTH OF SOUTHWARK EDUCATION AND RESOURCE CENTRE, CATOR STREET, LONDON SE15 6AA  <b>Proposal:</b> Erection of a three and four storey building to provide 42 'extra care' dwellings (39 x one bedroom and 3 x two bedroom) with associated communal facilities, plant, staff areas and landscaped courtyard.		
<b>Ward(s) or groups affected:</b>	Peckham		
<b>From:</b>	HEAD OF DEVELOPMENT MANAGEMENT		
<b>Application Start Date</b> 01/11/2013		<b>Application Expiry Date</b> 31/01/2014	
<b>Earliest Decision Date</b> 02/02/2014			

### RECOMMENDATION

- 1 That planning permission be granted subject to conditions as set out in this report.

### BACKGROUND INFORMATION

- 2 The application has been referred to the Planning Sub-Committee B for determination as it is a council's own major development providing social rented housing towards the council's strategic housing objectives in line with the '1,000 New Council Homes Programme'.

### Site location and description

- 3 The site is currently an open landscaped area, adjacent to the existing Education and Resource Centre which will remain. It comprises a grassed area with a number of trees along the periphery; there is an area of hard standing laid out as an oval running track and a path leading to the resource centre. The site has an area of approximately 815m<sup>2</sup> (0.085ha).
- 4 The site is bounded by Commercial Way to the south, Cator Street to the east and East Surrey Grove to the west. The education resource centre building is located immediately to the north.
- 5 This site is bounded by 3 storey residential properties at 60 to 84 and 75-77 Commercial Way to the south, 2 storey residential properties at 181 to 189 Cator Street to the east and open land on East Surrey Grove to the west.
- 6 The area is largely residential in character made up of predominantly medium sized blocks of 3 - 5 storey apartments and 2 and 3 storey houses. The site has a medium PTAL rating of 4 which represents a reasonable level accessibility to public transport.



- 7 The site is located within the urban density zone, air quality management area and Peckham and Nunhead action area as identified by the development plan. The site is within a conservation area or adjacent to any listed building.

### **Details of proposal**

- 8 The proposal is for the construction of a part 3, part 4 storey building which would provide a total of 42 residential apartments along with offices for staff, a communal dining area, laundry area, communal gardens and storage for waste and general storage including facilities for mobility scooters.
- 9 All of the flats would have access to external space, and would benefit from the use of the proposed landscaped gardens within the courtyard area to the rear of the development. The mix of units would be as follows 39 x 1 bed and 3 x 2 bed.
- 10 In terms of tenure all of the units are proposed to be social rented 'extra care' housing (42 units) providing tenants with a home for life, offering the choice of different levels of care and support as and when required. The residential units will be self contained but the residents would also have use of community facilities, including restaurant, provided in the existing adjacent education and resource centre, which has recently had planning permission granted for an extension to its south elevation. The scheme has been designed to reflect the needs of Southwark Council in providing for those with high care needs whose only alternative might be placement in a residential care home.

### **Planning history**

- 11 The following relate to the existing education and resource centre:

95/CO/0385 - Granted planning permission - 18/05/1995 for the construction of an external lift shaft servicing ground, first and second floors.

97-CO-0774 - Granted planning permission - 01/08/1997 for the siting of a secure storage container on the site.

10/CO/0022 - Granted planning permission - 10/06/2010 to modify the existing entrance off Cator Street, provide a new entrance off East Surrey Grove and provide a new external fire escape stair to the East Surrey Grove end of the building

13/AP/2723 - Granted Certificate of Lawfulness - proposed - 13/09/2013 for internal fit out of the ground floor to provide a day care centre for older people.

13/AP/4244: Granted planning permission - 30/01/2014 for a single storey extension to the south elevation; refurbishment of the ground floor; installation of replacement lift shaft and rooftop mechanical plant; and landscaping works to facilitate use as a day centre (Use Class D1).

### **Relevant Planning history of adjoining sites**

- 12 None relevant to this application.

### **KEY ISSUES FOR CONSIDERATION**

### Summary of main issues

- 13 The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies of The Core Strategy 2011, the saved policies of The Southwark Plan 2007 (July) and the provisions of The National Planning Framework.
  - b) The impact on the visual, residential and commercial amenity of the area including the impact on community facilities and the living conditions of adjacent residents.
  - c) The quality of residential accommodation to be provided.
  - d) The design quality of the proposal.
  - e) Transport impacts.
  - f) All other relevant material planning considerations.

### Planning policy

14 Core Strategy 2011

Strategic policy 1 - Sustainable development  
 Strategic policy 2 - Sustainable transport  
 Strategic policy 5 - Providing new homes  
 Strategic policy 6 - Homes for people on different incomes  
 Strategic policy 11 - Open spaces and wildlife  
 Strategic policy 12 - Design and conservation  
 Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 15 The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of southwark planning policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 16 Policy 2.1 - Enhancement of community facilities  
 Policy 2.2 - Provision of new community facilities  
 Policy 2.5 - Planning obligations  
 Policy 3.2 - Protection of amenity  
 Policy 3.3 - Sustainability assessment  
 Policy 3.4 - Energy efficiency  
 Policy 3.6 - Air quality  
 Policy 3.7 - Waste reduction  
 Policy 3.9 - Water  
 Policy 3.11 - Efficient use of land  
 Policy 3.12 - Quality in design  
 Policy 3.13 - Urban design  
 Policy 3.14 - Designing out crime  
 Policy 3.28 - Biodiversity  
 Policy 4.2 - Quality of residential accommodation

- Policy 4.3 - Mix of dwellings
- Policy 4.4 - Affordable housing
- Policy 4.5 - Wheelchair affordable housing
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking
- Policy 5.7 - Parking standards for disabled people and the mobility impaired

- 17 Section 106 Planning Obligations (2007)  
Sustainability assessments SPD (2009)  
Sustainable design and construction SPD (2009)  
Sustainable Transport SPD (2010)  
Residential Design Standards SPD (2011)  
Affordable housing SPD (2008 - Adopted and 2011 - Draft)  
Peckham and Nunhead Area Action Plan (February 2012 - Draft)

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

- 18 Policy 3.3 - Increasing housing supply  
Policy 3.5 - Quality and design of housing developments  
Policy 3.8 - Housing choice  
Policy 3.9 - Mixed and balanced communities  
Policy 3.13 - Affordable housing thresholds  
Policy 3.16 - Protection and enhancement of social infrastructure  
Policy 5.7 - Renewable energy  
Policy 5.8 - Innovative energy technologies  
Policy 6.10 - Walking  
Policy 6.13 - Parking  
Policy 7.2 - An inclusive environment  
Policy 7.3 - Designing out crime  
Policy 7.4 - Local character  
Policy 7.5 - Public realm  
Policy 7.6 - Architecture  
Policy 7.21 - Trees and woodlands  
Policy 8.2 - Planning obligations  
Policy 8.3 - Community infrastructure levy

National Planning Policy Framework (NPPF)

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

**Principle of development**

- 20 The council has an obligation to enable new housing to meet housing objectives set by the Greater London Authority. The proposed development is 42 affordable residential units of accommodation which is specifically aimed at elderly residents who require 'extra care'. This will contribute towards the required housing provision and will provide additional diversity in the housing stock in the surrounding area. The units will allow residents to live independent lives whilst also being able to have the necessary support they require on site.

- 21 The new units would also not be developed at the expense of other important land uses thereby meeting the requirements of strategic policy 1 and strategic policy 5. The council is committed to sustainability and the sequential approach to recycling brownfield land.
- 22 The NPPF states that "Development that is sustainable should go ahead, without delay - a presumption in favour of sustainable development that is the basis of every plan, and every decision." The use of previously developed redundant land to provide new high quality homes is supported by current and emerging national and local policy guidance.
- 23 The Peckham and Nunhead Area Action Plan (PNAAP) identifies the site, together with the two vacant sites on adjoining plots for residential development, with potential for additional commercial uses (A1, A2, A3, A4 and B1) (PNAAP 8). The proposal is entirely in keeping with objectives of the area action plan, the provision of the new day care centre within the ground floor of the resource centre (subject to a separate planning permission) would compliment the proposed housing scheme, which is specifically aimed at elderly residents who require extra care. The use of this site in its entirety for housing does not preclude the introduction of commercial uses on the adjoining plots which forms part of this policy designation.
- 24 The application site is currently vacant open space adjacent to the existing education and resource centre with a number of trees on the edge of the site. whilst the proposal would result in the loss of this open space, there are several other areas of public open space in the vicinity of the site and the loss of this particular space is not considered to result in significant harm to the general character and amenity of the area. Any slight harm that would result would be outweighed by the benefits of the proposal in providing 42 affordable residential units.
- 25 As such there are no objections to the proposal in land use terms and there will be no conflict of use detrimental to the general amenity of the area.

#### **Environmental impact assessment**

- 26 The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and as such does not require the completion of an environmental impact assessment. No significant environmental effects would arise.

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

- 27 Saved policy 3.2 of the Southwark Plan seeks to ensure that developments provide a high standard of amenity for existing and future occupiers; strategic policy 13 of the Core Strategy requires developments to avoid amenity and environmental problems that affect how we enjoy the environment in which we live and work.
- 28 The proposed building would be similar in height to the residential terraces on the opposite side of Commercial Way (southern side); there would be a distance of between 18 and 20 metres between the buildings which would represent a generous level of separation. There would be a distance of 13 metres between the dwellings along Cator Street (eastern side) and the proposed new building.
- 29 The residential design standards SPD recommends a minimum of 12 metres where properties face each other across a street in order to maintain adequate levels and light and privacy, and as this would be exceeded no objections are raised. It would follow the established pattern within the street and would not give rise to any

unacceptable loss of amenity to the properties opposite.

- 30 The proposed building would form a 'U' shape adjacent to the existing education and resource centre. The centre would have windows overlooking the communal garden space for the scheme. There would be a distance of approximately 19 metres separating the resource centre and what would be an internal corridor leading to the flat entrances, thus there would be no direct overlooking of primary windows. There are some secondary windows on the corner wings of the building, but these are located at points beyond the existing building and therefore should not give rise to any direct overlooking.

### **Daylight & Sunlight**

- 31 Cator Street  
The proposed development will impact on levels of light of the adjoining buildings – namely numbers 183 -189 Cator Street, this is due to the fact that the existing site is currently vacant and therefore the existing buildings have enjoyed an open aspect for a number of years. The provision of any building on the site would therefore reduce current levels of light and visible sky. The daylight and sunlight report accompanying the application notes three ground floor windows within this block would be affected, although it is noted that one of these is a small window likely to serve a toilet. The impact to the other two windows is considered to be moderate. All of the other windows within the Cator Street block and the building opposite on Commercial Way would be fully BRE compliant both in terms of daylight and sunlight. The impacts resulting are not considered to be of the degree to result in significant harm to the living conditions of these adjacent residents.
- 32 Education and Resource Centre  
The daylight and sunlight assessment for the education and resource centre show a loss to the levels of vertical sky component, to windows opposite the proposed building on the ground floor and first floors. A further assessment of the average daylight factor to the affected windows show that only one room on the ground floor would be slightly below the BRE Guidelines and is not considered to be significant. In terms of sunlight the building maintains good levels of sunlight.
- 33 Communal Amenity Space  
The communal amenity space for the proposed site will not receive more than two hours of sun-on-the-ground on the spring equinox; this is due to its northerly orientation and enclosure of the space by the new building and the existing training facility. Notwithstanding, the individual units are served by private amenity areas the majority of which enjoy a southerly aspect with a small number having an easterly or westerly orientation.
- 34 The daylight and sunlight report accompanying the application demonstrates that the design of the scheme in terms of height, massing and spacing, will be acceptable and that although some of the bedrooms have vertical sky components they would all receive satisfactory levels of light. The proposed building would be similar in height to the residential terraces on the opposite side of Commercial Way (southern side); there would be a distance of between 18 and 20 metres between the buildings which would represent a generous level of separation. There would be a distance of 13 metres between the dwellings along Cator Street (eastern side) and the proposed new building. The site to the west of East Surrey Grove is currently vacant and may be developed in the future. On balance the proposed development would not have a significantly detrimental impact on daylight and sunlight of neighbouring residential properties.

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

- 35 There will be no conflict of use detrimental to amenity. The proposal is for residential development alongside the new day care centre within the ground floor of the resource centre and as such conforms to the character of the area.

### **Affordable housing**

- 36 Strategic policy 6 of the core strategy 'Homes for people on different incomes' requires at least 35% of the residential units to be affordable and at least 35% to be private. For developments of 15 or more units, affordable housing is calculated as a percentage of the habitable rooms rather than total number of units, and further information can be found in the council's draft affordable housing SPD (2011). Saved policy 4.3 of the Southwark Plan 'Mix of dwellings' states that studio flats are not suitable for meeting affordable housing need and saved policy 4.5 'Wheelchair affordable housing' states that for every affordable housing unit which complies with the wheelchair design standards, one less affordable habitable room will be required.
- 37 With regard to tenure split, saved policy 4.4 of the Southwark Plan 'Affordable housing' requires a split of 30:70 social rented : intermediate; however the Nunhead and Peckham AAP proposes that this should be 50:50.
- 38 The London Plan notes that when negotiating the provision of affordable housing on individual schemes councils should treat each scheme on a site by site basis and have regard to the need to encourage rather than restrain residential development. In applying this policy, consideration has to be given to the individual circumstances of the site. The proposal seeks 100% affordable social rent units to meet the specific housing needs for older people with a specific remit to accommodate those with dementia. The units will allow residents to live independent lives whilst also being able to have the necessary support.
- 39 Notwithstanding, section 4.3.1 of the adopted affordable housing SPD does permit the provision of single-tenure schemes. This will be decided on a site by site basis, taking into account the overall housing need, the location of the site and any site constraints, therefore, in the light of the circumstances of this application providing much needed 'extra care' housing for elderly residents, no objections are raised in relation to an entirely social rented scheme on this site.

### **Density**

- 40 Strategic policy 5 of the core strategy 'Providing new homes' states that a density range of between 200-700 habitable rooms per hectare is permissible in the urban density zone, and Appendix 2 of the Southwark Plan sets out the method of calculating density for mixed use developments. The whole, developable site area based is approximately 0.20 hectares and the density has been calculated on this basis. It would equate to 435 habitable rooms per hectare and would therefore comply with strategic policy 5.

### **Design issues**

- 41 This site is a large and prominent site bounded by Commercial Way to the south, Cator Street to the east and East Surrey Grove to the west, and as such it is crucial that this development delivers an exemplary scheme that enhances the character and appearance of the area. The site is currently a vacant plot, which has been used by the Education and Resource Centre. It comprises a grassed area with a number of trees along the periphery; there is an area of hard standing laid out as an oval running

track and a path leading to the Resource Centre. The area is largely residential in character and the dwellings are made up of medium sized blocks of 3 - 5 storey apartments and 2 and 3 storey houses.

- 42 Saved Policy 3.13 Urban design, requires that the height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately. Saved Policy 3.12 Quality in design, requires that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment as well as preserving or enhancing the historic environment.
- 43 Paragraph 57 of the NPPF 2012 requires that Local planning authorities to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The particular significance of this area lies within its residential nature, and in the general consistency of the terraces which form the urban grain. The character of the new building should pay close reference to the surrounding buildings, while still employing a contemporary architectural style, and the use of complementary materials.
- 44 The main element is conceived as an 'U' shape around the existing education and resource centre. The majority of the building is four storey in height with the elevation fronting Cator Street reduced to three storey opposite the existing two storey buildings.
- 45 The surrounding buildings are mainly residential blocks of two to five storeys. To the north of the site are commercial buildings of two and three storeys. The buildings fronting Commercial Way opposite the site are marked as three storey; however the tall mono-pitched roofs give them the height of a four storey building.
- 46 Given the height, scale and massing of the proposed development in relation with neighbouring residential buildings on Commercial Way and Cator Street, and its design which allows active frontages, it is considered to be acceptable and will not have an adverse effect on the surrounding area or the streetscape. This is subject to a condition requiring the approval of detailed materials.
- 47 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 design guidance on Wheelchair Housing.
- 48 Notwithstanding the material specification as set out within the design and access statement, the choice of materials will be absolutely crucial for all elements of this application, to ensure an adequate contextual response. The use of materials is well chosen with brick for the majority of the building and a glazed brick to the recessed areas around the balconies. The bricks themselves should be carefully chosen and a statement of their intended finish (pointing, bond and module) should be included in the application. Furthermore detailed drawings giving sections at 1:2 or 1:5 of windows, doors, balconies, parapets etc. are required to ensure that the scheme enhances the character and appearance of the area. The brick will therefore requiring further consideration with regard to how they respond to their context, and despite the specifications on the submitted plans officers will require their choices to be open to re-consideration and approval via condition. While the use of aluminium-framed windows is not necessarily problematic in a large new contemporary development, colour samples for the PPC finish will be required as part of the material palette conditioning.

- 49 Saved policy 3.14 Designing out crime, requires that development in both the private and public realm, should be designed to improve community safety and crime prevention. All elements of this proposal need to consider issues of perceived and actual safety and security in their design. The proposals generally allow for good overlooking and passive surveillance, and avoid recessed entrances and limited sightlines which can be problematic.
- 50 Strategic policy 12 – Design and conservation of core strategy 2011, requires that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. This will be achieved by expecting development to conserve or enhance the significance of Southwark’s heritage assets, their settings and wider historic environment, including conservation areas. The design of this proposal achieves a standard that is considered to be acceptable for such a prominent and sensitive site.
- 51 In design terms, the scale, height and massing of the proposed development is considered acceptable. Furthermore the proposed materials are considered to be acceptable and will not have an adverse effect on the surrounding area or the streetscape particularly in so far as visual amenity is concerned. The proposed development will be of a good quality, high density which integrates and respects the existing townscape, and in compliance with the NPPF, The London Plan, Core Strategy and The Southwark Plan.
- 52 On 16 September the proposals were presented to the Design Review Panel who commented that the garden / courtyard should be on the southern side of the development, and with the balconies facing each other to encourage social interaction between residents and create more of a 'community' feel. Furthermore, it was suggested to break the block in two with a central garden between the two blocks.
- 53 Given that this scheme has been designed providing care for those with high care needs it is considered that the exposure of the resident's garden onto the street would be a concern given the age group of the residents and the expected higher number of residents with dementia. Noise from the road and people passing could become disturbing for many residents and security would also be a concern.

#### **Mix of dwellings, unit size and quality of accommodation**

- 54 The proposed development will provide
- 39 x 1 bedroom units  
3 x 2 bedroom units
- 55 Saved policy 4.3 of the Southwark Plan 'Mix of dwellings' states that all major residential developments should provide a mix of dwelling sizes and types to cater for the range of housing needs in the area. Core strategy policy 6 - Homes for people on different incomes encourages the provision of affordable housing to meet the different needs. This is developed further within the affordable housing SPD (Draft 2011), which recognises that this type of specialist housing needs to be available at a cost that is affordable for those people that it is intended to house.
- 56 In view of the specialist type of 'extra care' accommodation being provided the residential mix and the unit size requirements are designed to reflect the needs of the end user. Consequently there is a predominance of 39 x one bedroom units with 3 x two bedroom units. The units would only be in single person or two person occupancy.
- 57 Further guidance on residential design is contained within the residential development



standards SPD which states that in developments of 15 or more dwellings at least 10% should have direct access to private outdoor space and at least 10% should be suitable for wheelchair users. In this case the proposal will result in six units (14%) will be suitable for wheelchair users and (100%) will be dual aspect with cross ventilation.

- 58 Due to the provision of communal dining and separate laundry facilities to be provided on site the size of these units would not be fully compliant with the SE London wheelchair guidance which requires a 1-bed size of 65m<sup>2</sup>, reflecting the need for a larger kitchen. The proposal is anticipated to house those who would require more assistance for general household tasks, such as cooking and washing. In all other respects the ground floor units would be policy compliant. The remaining units are designed to meet the best principles of the design guidance. Taking in account that Southwark Council's residential design standards (October 2011) require a minimum of 50m<sup>2</sup> for a 1 bed / 2 person unit the proposed unit sizes exceed the standards required by the SPD and the small decrease from the SE London Guidance is not considered to be significant.
- 59 The SE London Housing Partnership 'wheelchair homes design guidelines' has been devised to ensure that new affordable homes for wheelchair users are provided to the necessary standards. The guidelines mean that property 'footprints' shall be larger than those of Lifetime Homes and relevant dwellings shall not exceed two storeys. Furthermore it is recommended that the unit's footprint measures 65m<sup>2</sup>. The units proposed in this development measures 51.98m<sup>2</sup>, 54.87m<sup>2</sup>, 58.02m<sup>2</sup> and 58.95m<sup>2</sup>. Even though these are smaller than the required 65m<sup>2</sup> this is mitigated by the fact that communal facilities are provided such as laundry and dining facilities. This reflect in the design and layout of the units.
- 60 The units are generally compliant with the minimum ` and unit size requirements set out within the SPD: Residential Design Standards including the space standards set out within the Greater London Authorities Draft Housing SPG (December 2011).

### **Amenity Space**

- 61 The scheme provides private and communal amenity areas. The amenity areas include:
- A communal garden space within the courtyard setting to the rear of the proposed new block, this would measure approximately 430m<sup>2</sup>
  - Private balconies to all units measuring at least 5m<sup>2</sup>
- 62 The residential design standards SPD (2011) suggests that developments should provide a minimum of 50m<sup>2</sup> communal amenity space. The proposal would provide a mix of both private and communal space for this development. The landscaping of the communal space will be developed to meet the specific needs of residents and will be subject to a condition requiring further details for approval, including new tree planting. The level of private and communal space is considered to satisfy the relevant guidance.

### **Transport and car parking issues**

- 63 The development will be car free, it is envisaged that staff and visitor trips can be accommodated by public transport and other sustainable modes. A study of parking occupancy on Cator Street demonstrates that there is a low parking demand and there would be sufficient levels of on street parking to absorb any increase in demand. The proposed development benefits from good levels of public transport accessibility, pedestrian and cycling provision.

- 64 There is currently no disabled parking provided for the scheme. Residents within the scheme are unlikely to drive or have access to a vehicle. It is more likely that residents will use mobility scooters and a storage area is allocated for this purpose. It is noted within the Transport Statement that the proposed adjoining new day care centre will have a separate parking area and maybe able to accommodate some of the future parking needs within the site.
- 65 In terms of access the service vehicular access to the development is proposed from Cator Street. The location of the access provides suitable visibility when entering and exiting the vehicular access, and the location of the access will not compromise highway operation or safety. The existing crossover is thought to be 2.5m in width, however pedestrian foot fall along this section of footway is low and as such they will not adversely impact on pedestrian safety. The development is not considered to result in an increase in traffic that would result in either local highway safety or capacity issues.
- 66 This proposal is located in an area with a medium TfL PTAL rating (4) reflecting the areas good level of access to all forms of public transport. The site is not within a Controlled Parking Zone and there is on street parking on all three surrounding roads. The development will be car free, it is envisaged that staff and visitor trips can be accommodated by public transport and other sustainable modes.
- 67 It is anticipated that there is sufficient on street parking available to absorb increase demand; however provision will be made for the staff, particularly night staff, in providing parking in the north east car park associated with the proposed centre of excellence.
- 68 On-street parking permits will be withheld from all residents of the site and their visitors in order to mitigate against the possibility of overspill parking on the surrounding highway network.

### **Disabled parking**

- 69 A percentage of visitors to the site will have a blue badge and to accommodate this, a contribution of £5,000 will be made for the provision of a disabled parking bay on either Cator Street, or Commercial Way, close to the entrance.

### **Cycle Parking**

- 70 Cycle parking storage is to be located in the car park of the educational resource centre accessed from Cator Street. It is proposed to provide 36 covered and secured spaces.
- 71 Visitor's cycle space will be provided outside the front entrance of the Extra Care facility allowing parking of 6 bikes and 6 Sheffield stands. Surveillance from the adjacent reception office will discourage theft or vandalism.
- 72 It is not envisaged that residents will have their own cycles due to the dependency and care levels of the proposed age group.
- 73 Table 15.4, of the Southwark Plan, states that the minimum secure parking standard for cycles is 1.1 per residential unit. For reasons of convenience, cycle storage must be of dimensions as stated in Manual for Streets, sections 8.2.21-8.2.24 and should comply with best practice guidance. The applicant is required to submit to the council, for approval, detailed and scaled drawings to demonstrate the provision of cycle storage. Cycle storage should be weatherproof, secure and convenient.

### **Servicing and refuse**

- 74 The bin store and kitchen is located in the north east of the site and deliveries and servicing will be performed on this site from Cator Street.
- 75 The plant and additional bin sores are located in the north west of the site and servicing will be conducted from East Surrey Grove.
- 76 Servicing vehicles have been proposed to stop on East Surrey Grove. This will be facilitated by a dropped curb and yellow markings which is considered acceptable in this instance.
- 77 Given the predominant residential nature of the surrounding area and that of the proposal site, the level of service and refuse vehicle movement will not be of a significant nature to impact on the surrounding highway network. In this instance a full service management plan will be requested. This statement should address the management of associated servicing vehicles.
- 78 Refuse stores are provided to the east and west of the site.
- 79 The kitchen refuse store is located externally to the north-east of the building. Collection will be from Cator Street.
- 80 The general waste for residents is located to the west of the development away from any communal facilities. The refuse storage is lobbied to reduce the possibility of smells within the corridors and a separate cupboard for clinical waste is provided. Collection will be from East Surrey Grove adjacent to the existing collection point for the Education Resource Centre.

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

- 81 None envisaged as the site is not within a conservation area nor is it listed.

### **Impact on trees**

- 82 The proposed development requires the removal of all 16 small to large sized trees on site, including 11 category A trees, with 5 small replacements within the limited area of proposed landscaping. Discounting trees other than the best quality category A, this results in an overall loss of 939cm girth, which equates to more than 40 extra heavy size young trees. New tree planting and landscaping are proposed to seek to replace trees lost as a consequence of the development. The proposed use of the ground floor of the Education and Resource Centre to provide a new day care centre for the elderly will offer further opportunity for this as the car park area to the rear is reduced to facilitate the provision of a new landscaped garden. Given the constraints of the existing site a total of 13 new trees will be replanted.
- 83 Whilst the loss of 16 small to large sized trees would have an impact on the general amenity of the area, the application proposes replacement tree planting that would be subject to a condition of approval and any limited harm resulting from the loss of existing trees would be outweighed by the benefit of 42 social rented residential apartments. Furthermore there are a number of green spaces with a large number of mature trees along Commercial Way which would be retained.
- 84 Detailed plans showing a soft and hard landscaping scheme, including green and brown roofs, will also be secured via condition in order to secure adequate tree replacement and to mitigate any adverse impact on the streetscape.

## **Ecology**

- 85 The application is accompanied by an ecological assessment which has been reviewed by the council's ecology officer. The ecology officer has advised that the appraisal is consistent with best practice and that no further survey work is required.
- 86 A condition is recommended requiring details of the biodiversity brown roof in accordance with the recommendations in the ecological report. This is to ensure that the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity

## **Planning obligations (S.106 undertaking or agreement)**

- 87 Saved policy 2.5 'Planning obligations' states that the local planning authority will seek to enter into planning obligations to avoid or mitigate the adverse impacts of developments which cannot otherwise be adequately addressed through conditions, to secure or contribute towards the infrastructure, environment or site management necessary to support the development, or to secure an appropriate mix of uses within the development. Further information is contained within the council's planning obligations supplementary planning document.
- 88 The applicant is the council and therefore in this case, it is not possible to complete a s.106 legal agreement as the council cannot enter into a legal agreement with itself, because such an agreement would not be enforceable. Instead, the required obligations and contributions would be secured by condition and through agreement within the council.
- 89 In accordance with Southwark's Section 106 planning obligations SPD, the following contributions have been agreed with the applicant, in order to mitigate the impacts of the development;
- Affordable Housing; 100% provided on site - Social Housing will be secured in perpetuity by a planning condition.
  - Strategic transport contribution (£15,974);
  - Health (£48,978);and
  - Contribution of £5,000 will be made for the provision of a disabled parking bay on either Cator Street, or Commercial Way, close to the entrance
- 90 The application will be conditioned to secure that the developer place a minimum of 9 workless Southwark residents into sustainable construction jobs; train a minimum of 4 workless resident per annum using short courses; and provide a minimum of 9 Construction Skills Certification Skills training opportunities per annum; and to provide a minimum of 2 NVQ-level Qualifications.
- 91 The housing provided by the proposed development is aimed at elderly residents with limited mobility but who are still capable of semi independent living. As a consequence certain standard elements associated within the Section 106 would not be applicable to this scheme and as such contributions are not being sought in respect of education, sport etc.

## **Sustainable development implications**

- 92 Saved policy 3.4 - Energy efficiency of the Southwark plan 2007 (July) states that all developments must be designed to maximise energy efficiency and minimise and

reduce energy consumption and carbon dioxide emissions; major developments for residential use are required to provide an eco-homes assessment. Strategic policy 13 - High Environmental Standards of the Core Strategy 2011 requires major developments to achieve the highest possible environmental standards including targets based on the Code for Sustainable Homes and BREEAM. London Plan 2011 Policy 5.2 - Minimising carbon dioxide emissions states that for residential buildings from 2010 - 2013, a 25% reduction in CO2 emissions will be required and Code for Sustainable Homes Level 4 must be reached.

- 93 Due to the mix of communal and private space the scheme would be designed to meet BREEAM standards rather than code for sustainable homes. The BREEAM Assessment for the development indicates that the development will achieve 'BREEAM Excellent' which is considered to be policy compliant.

#### **Other matters**

- 94 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.
- 95 The proposed development would create 3,271.89m<sup>2</sup> of new floorspace therefore a CIL payment of £118,552 is due (288 x £35).

#### **Conclusion on planning issues**

- 96 The proposed development is considered to be a well designed, sustainable development that will bring vacant land into use to provide a new affordable homes contributing towards the Council's strategic housing objectives. The loss of the area of landscaped open space is not considered to result in significant harm to the overall character of the area, any limited harm resulting would be outweighed by the benefits of the development and new tree planting will replace those lost through the development. The development will have no significant adverse impacts on the amenity of any adjoining occupiers or the surrounding area generally and will provide high quality accommodation. The scheme complies with the relevant saved policies of The Southwark Plan 2007 (July), The Core Strategy 2011 and the NPPF 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

#### **Community impact statement**

- 97 In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: none
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

## Consultations

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

## Consultation replies

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

100 Summary of consultation responses

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

101 **Design and Conservation** - No objections subject to condition surrounding materials.  
Response - Noted and agreed, the relevant condition will be attached to any consent issued.

102 **Ecology Officer** - No objections subject to conditions in terms of brown/green roofs.  
Response - Noted and agreed, the relevant condition will be attached to any consent issued.

103 **Urban Forester** - No objections subject to conditions surrounding re-planting, tree protection and a hard/soft landscaping scheme.  
Response - Noted and agreed, the relevant condition will be attached to any consent issued.

104 **Planning Policy** - No objections.  
Response - Noted.

105 **Environment Agency** - No objections. Site outside of flood risk zone.  
Response - Noted.

106 **Metropolitan Police** - No objections.  
Response - Noted.

107 **Transport** - No objections; however it is recommended that the staff cycle storage is relocated.  
Response - Noted. As a result of site constraints it is not possible to relocate the cycle storage.

108 **Housing Regeneration Initiatives** - No objections.  
Response - Noted.

109 **Environmental Protection Team** - No objections.  
Response - Noted.

110 Following neighbour consultation, 1 letter of objection has been received, the main points of which have been summarised and addressed below;

111 Objections -

- The development of the site would result in the removal of all the trees having a negative impact on the site.
- The height of the proposed development would block out sunlight to the properties on Cator Street.
- The new development dwarfs existing buildings. The design is not in keeping with

that of the area.

112 Response - Noted.

- Trees would be replaced / replanted.
- The separation between the proposed site and that of existing house would mitigate any impact that the site might have on daylight and sunlight.
- The design of site is considered to be acceptable in scale and massing
- The contemporary design of the site is considered to be appropriate for this area.

### **Human rights implications**

113 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.

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

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

115 Advice sought from other officers is summarised in the body of the main report and reported in Appendix 2.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2386-L Application file: 13/AP/2901 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5451 Council website: www.southwark.gov.uk

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Neil Loubser, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	19 March 2014	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		21 March 2014



**Consultation undertaken****Site notice date:** 29/11/2013**Press notice date:** 21/11/2013**Case officer site visit date:** 29/11/2013**Neighbour consultation letters sent:** 29/11/2013**Internal services consulted:**

Design and Conservation Team  
 Ecology Officer  
 Environmental Protection Team  
 Housing Regeneration Initiatives  
 Urban Forester  
 Health & Safety Executive  
 Access Officer  
 Planning Policy  
 Waste Management  
 Transport Planning Team

**Statutory and non-statutory organisations consulted:**

Metropolitan Police Service  
 Environment Agency  
 Design Revue Panel

**Neighbours and local groups consulted:**

64 EAST SURREY GROVE LONDON SE15 6EB  
 65 EAST SURREY GROVE LONDON SE15 6EB  
 66 EAST SURREY GROVE LONDON SE15 6EB  
 63 EAST SURREY GROVE LONDON SE15 6EB  
 60 EAST SURREY GROVE LONDON SE15 6EB  
 61 EAST SURREY GROVE LONDON SE15 6EB  
 62 EAST SURREY GROVE LONDON SE15 6EB  
 67 EAST SURREY GROVE LONDON SE15 6EB  
 183 CATOR STREET LONDON SE15 6AA  
 185 CATOR STREET LONDON SE15 6AA  
 187 CATOR STREET LONDON SE15 6AA  
 181 CATOR STREET LONDON SE15 6AA  
 68 EAST SURREY GROVE LONDON SE15 6EB  
 173 CATOR STREET LONDON SE15 6AA  
 179 CATOR STREET LONDON SE15 6AA  
 59 EAST SURREY GROVE LONDON SE15 6EB  
 48 EAST SURREY GROVE LONDON SE15 6EB  
 49 EAST SURREY GROVE LONDON SE15 6EB  
 50 EAST SURREY GROVE LONDON SE15 6EB  
 47 EAST SURREY GROVE LONDON SE15 6EB  
 44 EAST SURREY GROVE LONDON SE15 6EB  
 45 EAST SURREY GROVE LONDON SE15 6EB  
 46 EAST SURREY GROVE LONDON SE15 6EB  
 51 EAST SURREY GROVE LONDON SE15 6EB  
 56 EAST SURREY GROVE LONDON SE15 6EB  
 57 EAST SURREY GROVE LONDON SE15 6EB  
 58 EAST SURREY GROVE LONDON SE15 6EB  
 55 EAST SURREY GROVE LONDON SE15 6EB  
 52 EAST SURREY GROVE LONDON SE15 6EB  
 53 EAST SURREY GROVE LONDON SE15 6EB

54 EAST SURREY GROVE LONDON SE15 6EB  
 189 CATOR STREET LONDON SE15 6AA  
 157 CATOR STREET LONDON SE15 6AA  
 159 CATOR STREET LONDON SE15 6AA  
 161 CATOR STREET LONDON SE15 6AA  
 155 CATOR STREET LONDON SE15 6AA  
 149 CATOR STREET LONDON SE15 6AA  
 151 CATOR STREET LONDON SE15 6AA  
 153 CATOR STREET LONDON SE15 6AA  
 163 CATOR STREET LONDON SE15 6AA  
 GROUND FLOOR AND FIRST FLOOR FLAT 177 CATOR  
 STREET LONDON SE15 6AA  
 SOUTHWARK EDUCATION AND RESOURCE CENTRE  
 CATOR STREET LONDON SE15 6AA  
 BASEMENT FLAT 177 CATOR STREET LONDON SE15 6AA  
 165 CATOR STREET LONDON SE15 6AA  
 167 CATOR STREET LONDON SE15 6AA  
 169 CATOR STREET LONDON SE15 6AA  
 147 CATOR STREET LONDON SE15 6AA  
 79 COMMERCIAL WAY LONDON SE15 6DB  
 81A COMMERCIAL WAY LONDON SE15 6DB  
 81B COMMERCIAL WAY LONDON SE15 6DB  
 77B COMMERCIAL WAY LONDON SE15 6DB  
 83 COMMERCIAL WAY LONDON SE15 6DB  
 75 COMMERCIAL WAY LONDON SE15 6DB  
 77A COMMERCIAL WAY LONDON SE15 6DB  
 81C COMMERCIAL WAY LONDON SE15 6DB  
 141 CATOR STREET LONDON SE15 6AA  
 143 CATOR STREET LONDON SE15 6AA  
 145 CATOR STREET LONDON SE15 6AA  
 139 CATOR STREET LONDON SE15 6AA  
 81D COMMERCIAL WAY LONDON SE15 6DB  
 135 CATOR STREET LONDON SE15 6AA  
 137 CATOR STREET LONDON SE15 6AA  
 84B COMMERCIAL WAY LONDON SE15 5GH  
 3 KELLY AVENUE LONDON SE15 5GL  
 FLAT 1 1 KELLY AVENUE LONDON SE15 5GL  
 84A COMMERCIAL WAY LONDON SE15 5GH  
 82 COMMERCIAL WAY LONDON SE15 5GH  
 84 COMMERCIAL WAY LONDON SE15 5GH  
 60A COMMERCIAL WAY LONDON SE15 5GH  
 FLAT 2 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 7 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 8 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 9 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 6 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 3 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 4 1 KELLY AVENUE LONDON SE15 5GL  
 FLAT 5 1 KELLY AVENUE LONDON SE15 5GL  
 80 COMMERCIAL WAY LONDON SE15 5GH  
 90 COMMERCIAL WAY LONDON SE15 5GG  
 92 COMMERCIAL WAY LONDON SE15 5GG  
 94 COMMERCIAL WAY LONDON SE15 5GG  
 88 COMMERCIAL WAY LONDON SE15 5GG  
 197 CATOR STREET LONDON SE15 5GF  
 86 COMMERCIAL WAY LONDON SE15 5GG  
 64 COMMERCIAL WAY LONDON SE15 5GH  
 74 COMMERCIAL WAY LONDON SE15 5GH  
 76 COMMERCIAL WAY LONDON SE15 5GH  
 78 COMMERCIAL WAY LONDON SE15 5GH  
 72 COMMERCIAL WAY LONDON SE15 5GH  
 66 COMMERCIAL WAY LONDON SE15 5GH  
 68 COMMERCIAL WAY LONDON SE15 5GH  
 70 COMMERCIAL WAY LONDON SE15 5GH  
 60 COMMERCIAL WAY LONDON SE15 5GH  
 36 EAST SURREY GROVE LONDON SE15 6EX  
 37 EAST SURREY GROVE LONDON SE15 6EX  
 38 EAST SURREY GROVE LONDON SE15 6EX  
 35 EAST SURREY GROVE LONDON SE15 6EX  
 32 EAST SURREY GROVE LONDON SE15 6EX  
 33 EAST SURREY GROVE LONDON SE15 6EX  
 34 EAST SURREY GROVE LONDON SE15 6EX  
 19 EAST SURREY GROVE LONDON SE15 6EX  
 41 EAST SURREY GROVE LONDON SE15 6EB  
 42 EAST SURREY GROVE LONDON SE15 6EB  
 43 EAST SURREY GROVE LONDON SE15 6EB  
 40 EAST SURREY GROVE LONDON SE15 6EB  
 NORTH PECKHAM BAPTIST CHURCH EAST SURREY  
 GROVE LONDON SE15 6DR

DAMILOLA TAYLOR CENTRE 1 EAST SURREY GROVE  
LONDON SE15 6DR  
39 EAST SURREY GROVE LONDON SE15 6EB  
31 EAST SURREY GROVE LONDON SE15 6EX  
20 EAST SURREY GROVE LONDON SE15 6EX  
21 EAST SURREY GROVE LONDON SE15 6EX  
22 EAST SURREY GROVE LONDON SE15 6EX  
62 COMMERCIAL WAY LONDON SE15 5GH  
171 CATOR STREET LONDON SE15 6AA  
175 CATOR STREET LONDON SE15 6AA  
23 EAST SURREY GROVE LONDON SE15 6EX  
28 EAST SURREY GROVE LONDON SE15 6EX  
29 EAST SURREY GROVE LONDON SE15 6EX  
30 EAST SURREY GROVE LONDON SE15 6EX  
27 EAST SURREY GROVE LONDON SE15 6EX  
24 EAST SURREY GROVE LONDON SE15 6EX  
25 EAST SURREY GROVE LONDON SE15 6EX  
26 EAST SURREY GROVE LONDON SE15 6EX  
177 Cator Street London SE15 6AA

**Re-consultation:**

None

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

Design and Conservation Team - No objection subject to conditions.  
Ecology Officer - No objection subject to conditions.  
Environmental Protection Team - No objection raised  
Housing Regeneration Initiatives - No objection raised  
Urban Forester - No objection subject to conditions.  
Health & Safety Executive - No objection raised  
Access Officer - No objection raised  
Planning Policy - No objection raised  
Waste Management - No objection raised  
Transport Planning Team - No objection subject to conditions.

**Statutory and non-statutory organisations**

Metropolitan Police Service - No objection raised  
Environment Agency - No objection raised  
Design Revue Panel - No objections see comments within report

**Neighbours and local groups**

Objection raised by 177 Cator Street.

---

## 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.

---

<b>Applicant</b>	Mr A Brown Southwark Council	<b>Reg. Number</b>	13/AP/2901
<b>Application Type</b>	Council's Own Development - Reg. 3	<b>Case Number</b>	TP/2386-L
<b>Recommendation</b>	Grant permission		

---

### Draft of Decision Notice

---

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

Erection of a three and four storey building to provide 42 `extra care' dwellings (39 x one bedroom and 3 x two bedroom) with associated communal facilities, plant, staff areas and landscaped courtyard.

**At:** LAND TO THE SOUTH OF SOUTHWARK EDUCATION AND RESOURCE CENTRE, CATOR STREET,  
LONDON SE15 6AA

**In accordance with application received on 29/08/2013**

**and Applicant's Drawing Nos.** Design and Access Statement; External Building Fabric Report 19143/EBF1.2; Air Quality Assessment; Energy Strategy Report; Daylight and Sunlight Assessment; Ecology Assessment Report; Tree Survey Report; Planning Statement; Transport Statement; BREEAM Pre-assessment Report; Indicative Part L2A CO2 Emissions & EPC Assessment;  
AA3901/2.1/005 rev. A (Proposed Site Plan); AA3901/2.1/010 rev. A (Ground Floor Plan); AA3901/2.1/011 rev. A (First Floor Plan); AA3901/2.1/012 rev. A (Second Floor Plan); AA3901/2.1/013 rev. A (Third Floor Plan); AA3901/2.1/014 rev. A (Roof Plan); AA3901/2.1/020 rev. A (North and South Elevations); AA3901/2.1/021 rev. A (East & West Elevations); AA3901/2.1/030 rev. A (Sections A-A & D-D); AA3901/2.1/031 rev. A (Section C-C & F-F); AA3901/2.1/032 rev. A (Section B-B & E-E); AA3901/2.1/040 rev. A (Street Elevations)

**Subject to the following fourteen conditions:**

**Time limit for implementing this permission and the approved plans**

**1 Approved plans**

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

AA3901/2.1/005 rev. A (Proposed Site Plan); AA3901/2.1/010 rev. A (Ground Floor Plan); AA3901/2.1/011 rev. A (First Floor Plan); AA3901/2.1/012 rev. A (Second Floor Plan); AA3901/2.1/013 rev. A (Third Floor Plan); AA3901/2.1/014 rev. A (Roof Plan); AA3901/2.1/020 rev. A (North and South Elevations); AA3901/2.1/021 rev. A (East & West Elevations); AA3901/2.1/030 rev. A (Sections A-A & D-D); AA3901/2.1/031 rev. A (Section C-C & F-F); AA3901/2.1/032 rev. A (Section B-B & E-E); AA3901/2.1/040 rev. A (Street Elevations)

Reason:

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

**2 Standard time limits**

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

Reason

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

**Pre-commencement 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 Materials

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

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

ii) sample panel of the proposed metal panels

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

Reason:

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

### 4 Tree planting

Before any above grade work hereby authorised begins, 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.

Where trees are planted in hard surfacing details are required such that adequate soil volumes are provided via the use of a cellular confinement system. 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.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff 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.

### 5 Tree protection measures

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 a 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.

**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.

## 6 BREEAM

Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

## Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

## 7 Internal noise levels

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

Bedrooms - 30dB LAeq, T \* and 45dB LAFmax

Living rooms- 35dB LAeq, T ¿

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

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

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

## Reason

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

## 8 Brown roof

Before any above grade work hereby authorised begins, details (including a specification and maintenance plan) of the brown roof to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given, and the brown roof is to be retained for the duration of the use.

## Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, it in accordance with The National Planning Policy Framework 2012, Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity; 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

## 9 Hard and soft landscaping

Before any above grade work hereby authorised begins, detailed drawings 1:50 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.

#### 10 Refuse storage

Before the first occupation of the residential units hereby permitted, the refuse storage arrangements relevant to the housing to be occupied as shown on the approved drawings shall be provided and made available for use by the occupiers of the dwellings 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 Saved Policies 3.2 Protection of Amenity, Policy 3.7 Waste Reduction and 5.3 - Walking and Cycling of The Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport and 13 High Environmental Standards of the Core Strategy 2011.

#### 11 Wheelchair accessible units

Prior to their occupation the wheelchair accessible units hereby approved shall be constructed and fitted out to the South East London Wheelchair Design Guide.

#### Reason

To ensure the wheelchair units approved are delivered to the relevant standard in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design 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.

#### 12 Social Rented Housing

For as long as the new build residential units shown on the plans are retained, used or occupied they shall be used as:

Social Rented Housing for an identified user group let on a periodic tenancy to those allocated by the Local Housing Authority, at a rent in compliance with the council's rent policy and relevant government guidelines, and with regard to the Council's Affordable Housing Supplementary Planning Document extant at the time of implementation and the requirements of the London Plan.

#### Reason

To ensure that the development would contribute to the provision of affordable housing in the borough, in accordance with strategic policy 6 'Homes for people on different incomes' of the Core Strategy (2011).

#### 13 Sustainable construction jobs

During the construction process of development hereby approved, the developer shall place a minimum of 9 workless Southwark residents into sustainable construction jobs; train a minimum of 4 workless resident per annum using short courses; and provide a minimum of 9 Construction Skills Certification Skills training opportunities per annum; to provide a minimum of 2 NVQ-level Qualifications.

Reason: To encourage local employment opportunities and training in accordance with saved policy 1.1 'employment opportunities' of the Southwark Plan and Strategic Policy 10 'Jobs and businesses' in the Core Strategy 2011.



**Other conditions** - the following condition is to be complied with and discharged in accordance with the individual requirements specified in the conditions.

14 Section drawings

Before any above grade work hereby authorised begins section detail-drawings at a scale of 1:5 (unless otherwise noted) through principal features on the facades, including;

- parapets, roof edges;
- balconies;
- heads, sills and jambs of all openings;
- brickwork features/texture;
- boundary treatment.

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

Reason:

In order to ensure that the quality of the design and details is in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design 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.

**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
<b>To all Members of the sub-committee</b>			
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	<b>Total</b>	<b>26</b>
Councillor Renata Hamvas	1		
Councillor Helen Hayes	1		
Councillor David Hubber	1		
 <b>Officers</b>			
Constitutional Officer (Community Councils) Hub 4 (2 <sup>nd</sup> Floor), Tooley St.	8		
Claire Cook / Victoria Lewis, Planning, Hub 2 (5 <sup>th</sup> Floor) Tooley St.	3		
Sadia Hussain, Legal Services Hub 2 (2 <sup>nd</sup> Floor) Tooley St.	1		
 <b>Dated: 5 June 2013</b>			