

Planning Sub-Committee B

Tuesday 20 January 2015

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Cleo Soanes (Chair)
Councillor Maria Linforth-Hall (Vice-Chair)
Councillor Nick Dolezal
Councillor Chris Gonde
Councillor David Hubber
Councillor Eleanor Kerlake
Councillor Leo Pollak

Reserves

Councillor Evelyn Akoto
Councillor Claire Maugham
Councillor Darren Merrill
Councillor David Noakes
Councillor Rosie Shimell
Councillor Kath Whittam

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Contact

Tim Murtagh on 020 7525 7187 or email: tim.murtagh@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 12 January 2015



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Planning Sub-Committee B

Tuesday 20 January 2015
7.00 pm
Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

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1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
5.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
6.	MINUTES	1 - 3
	To agree the minutes of the meeting held on 1 October 2014.	
7.	DEVELOPMENT MANAGEMENT ITEMS	4 - 8
	7.1. GOOD NEIGHBOURS HOUSE, 38 MARY DATCHELOR CLOSE, LONDON SE5 7AX	9 - 24

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Date: 12 January 2015



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 but may be varied at the chair's discretion.
2. The officers present the report and recommendations and answer points raised by members of the sub-committee.
3. Members of the planning sub-committee are responsible for making planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than three minutes each**.

- (a) One representative (spokesperson) for any objectors. Should there be more than one objector wishing to speak, the time will be divided within the three minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative (spokesperson) for any supporters who live within 100 metres of the development site.
- (d) Ward councillor (spokesperson) from where the proposal is located.
- (e) Following verbal submissions, members of the committee will 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 committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. Where a number of people wish to either object to or support an application, or an enforcement of action, they are requested to identify a representative to address the sub-committee. Alternatively, should more than one person wish to speak, the three minute time allowance will be divided amongst those who wish to speak.

If objectors/supporters are unable to decide who is to speak in advance of the meeting, they are advised to meet in the foyer of council offices immediately prior to the meeting to identify a representative. At the beginning of each relevant matter, the chair will invite any objectors/supporters to identify themselves.

Note: Speakers 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 sub-committee meeting, which is open to the public. There should be no interruptions from the audience.
7. No smoking is allowed at sub-committee meetings. Please switch mobile telephones to silent whilst in the meeting room. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting. Please be considerate towards other people in the room when doing so and take care not to disturb the proceedings.

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

Contacts: Head of Development Management
Chief Executive's Department
020 7525 5437

Planning Sub-Committee Clerk
Constitutional Team
Chief Executive's Department
020 7525 7420



Planning Sub-Committee B

MINUTES of the Planning Sub-Committee B held on Wednesday 1 October 2014 at 7.00 pm at Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Cleo Soanes (Chair)
Councillor Maria Linforth-Hall
Councillor Chris Gonde
Councillor David Hubber
Councillor Eleanor Kerslake
Councillor Leo Pollak

OFFICER SUPPORT: Rob Bristow (Development Management)
Dipesh Patel (Development Management)
Anjana Ghosh (Legal Officer)
Christian Loveday (Principal Transport Planner)
Lance Penman (Senior Urban Design Officer)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillor Nick Dolezal.

3. CONFIRMATION OF VOTING MEMBERS

A representative of each political group confirmed the voting members of the committee.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

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.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 22 July 2014 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 the committee to be aware of late observations, consultation, responses, additional information and revisions.

The chair explained that item 7.1 and 7.2 would be heard together as they were parts of the same scheme.

7. 2 HAVIL STREET, ADJACENT TO 160 SOUTHAMPTON WAY, LONDON SE5 7SD

Planning application reference number: 14/AP/0669

Report: See pages 12 to 44 of the agenda pack and pages 1 to 2 in the addendum report.

PROPOSAL

Erection of a part 3, part 4 and part 5 storey building at the junction of Havil Street and Southampton Way comprising 17 residential units (five x 1 bed, seven x 2 bed and five x 3 bed) with associated balconies and terraces, wider landscaping and cycle / refuse stores.

The sub-committee heard an introduction to the report from a planning officer, drawing councillors' attention to the addendum report. Members of the sub-committee asked questions of the officer.

There were no objectors present who wished to address the sub-committee.

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

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

Members of the sub-committee 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 14/AP/0669 be granted subject to conditions, as set out in the report and the addendum report, including an amended condition 26 which is to also stipulate appropriate lighting and security measures between the building and the garages to the south, to be submitted.

7. 184 TO 188 SOUTHAMPTON WAY / 5A HAVIL STREET SE5 7EU

Planning application reference number: 14/AP/0764

Report: See pages 45 to 78 of the agenda pack and pages 3 and 4 of the addendum pack.

PROPOSAL

Erection two new buildings, the first fronting on Havil Street being up to five storeys in height, with the second fronting onto Southampton Way and being up to four storeys in height together comprising 24 residential units (1 ten x 1 bed, eleven x 2 bed and three x 3 bed) with associated balconies and terraces, wider landscaping and cycle / refuse stores.

The evidence and subsequent discussion about this item was held 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 14/AP/0764 be granted subject to conditions, as set out in the report and the addendum report.

The meeting ended at 8.10 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 20 January 2015	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

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

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

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

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

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

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

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

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. 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. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. 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
Appendix A	Items on Agenda of Planning Sub-Committee B on 20 January 2015

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Kenny Uzodike, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development Team	
Version	Final	
Dated	29 August 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		23 September 2014

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B**on Tuesday 20 January 2015**

Appl. Type Council's Own Development - Reg. 3
Site GOOD NEIGHBOURS HOUSE, 38 MARY DATCHELOR CLOSE, LONDON, SE5
 7AX

Reg. No. 14-AP-3033
TP No. TP/2961-38
Ward Brunswick Park
Officer Adam Greenhalgh

Recommendation GRANT PERMISSION

Proposal

Change of use from care home (Use Class C2) to 37 bedroom temporary hostel (sui generis) with internal alterations on the ground floor to form a separate office/meeting areas for a local Tenant Management Organisation.

Item 7.1

Appl. Type Full Planning Permission
Site 2 DARWIN STREET, LONDON, SE17 1HB.

Reg. No. 13-AP-3316
TP No. TP/1119-E
Ward Chaucer
Officer Ciaran Regan

Recommendation GRANT PERMISSION

Proposal

Construction of a part three-storey, part single-storey (ground floor) rear extension and a part single-storey, part two-storey roof extension involving the raising of the roof ridge and the insertion of three roof lights into the enlarged front roof slope.

Item 7.2

Appl. Type Full Planning Permission
Site 25 - 31 PENROSE STREET, LONDON, SE17 3DW

Reg. No. 14-AP-1726
TP No. TP/1384-31
Ward Newington
Officer Sonia Watson

Recommendation GRANT WITH 'GRAMPIAN' CONDITION

Proposal

Development of the site as 8 dwellings (comprising 6 three storey brick x 3 bedroom terrace houses and 2 converted three bedroom houses) including alterations and extension of part of the existing mail sorting office.

Item 7.3

Ordnance Survey

Date 6/1/2015



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Item No. 7.1	Classification: Open	Date: 20 January 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Council's own development Application 14/AP/3033 for: Council's Own Development - Reg. 3 Address: GOOD NEIGHBOURS HOUSE, 38 MARY DATCHELOR CLOSE, LONDON SE5 7AX Proposal: Change of use from care home (Use Class C2) to 37 bedroom temporary hostel (sui generis) with internal alterations on the ground floor to form a separate office/meeting areas for a local Tenant Management Organisation.		
Ward(s) or groups affected:	Brunswick Park		
From:	Head of Development Management		
Application Start Date 17/09/2014		Application Expiry Date 12/11/2014	
Earliest Decision Date 31/10/2014			

RECOMMENDATION

- 1 That planning permission be granted subject to conditions.

Site location and description

- 2 Good Neighbours House is a three storey building situated on the west side of Mary Datchelor Close within the D'Eynsford Estate in Camberwell. It is not designated for specific purposes in the Southwark Plan. It is not a listed building and it is not situated within a conservation area. It is currently vacant but was last used as a residential care home for people with physical disabilities (Class C2). The ground floor comprises a range of admin/service rooms, communal areas and two bedrooms. The first and second floors comprise bedrooms and shared kitchens/shower rooms etc.
- 3 The existing building sits close to Mary Datchelor Close on its southern and eastern sides while on the western side it adjoins a communal landscaped area within the estate. The northern side of the site adjoins a footpath. Neighbouring housing within the estate is two storeys in height. There is a double garage within the building but no formal on-site parking associated with the former use. The building has an enclosed bin store. There is some on-street parking available within Mary Datchelor Close.
- 4 The site is partly located within flood zone 3 on the Environment Agency flood map.

Details of proposal

- 5 The proposal is for the change of use of the building to a hostel providing temporary

accommodation and the formation of a D'Eynsford tenant management organization (TMO) office/meeting facility on the ground floor. The hostel would be managed and run by the council's temporary accommodation services team. The average length of stay in the hostel is 6 months.

- 6 A separating wall would be installed on the ground floor and half of the ground floor will be converted into the TMO meeting rooms/office and associated areas (e.g. IT, interview room, toddlers area, community room). The other half of the ground floor would comprise three residential units, communal kitchens, WCs, shower and service rooms for the hostel.
- 7 Internal alterations would be undertaken on the first and second floors which would provide 34 units, communal kitchens, WCs, shower and service rooms for the hostel.
- 8 Of the total 37 units, four will have a private kitchen within their unit. There are 11 communal kitchens. There will be 11 shower rooms with WCs & wash hand basins, 6 shower rooms only and 6 W.C.s & wash hand basins only.
- 9 No alterations are proposed to the external areas. Access arrangements and the elevations of the building would remain the same. Additional lighting will be provided at the front and side of the building.

Planning history

- 10 None.

Planning history of adjoining sites

- 11 None relevant.

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
 - b) the effects on the amenity of surrounding occupiers
 - c) the quality of the proposed accommodation and effects on living conditions for occupiers
 - d) transport issues
 - e) the effects on the character and appearance of the area
 - f) impact on trees
 - g) planning obligations/CIL
 - h) sustainability
 - i) flood risk.

Planning policy

- 13 National Planning Policy Framework (the Framework)
Relevant policies/advice are contained within Section 6 (Delivering a Wide Choice of High Quality Homes) and Section 7 (Requiring Good Design)

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

3.3 - Increasing Housing Supply

3.5 - Quality and Design of Housing Developments

7.4 – Local Character

Core Strategy 2011

SP1 - Sustainable Development

SP2 – Sustainable Transport

SP13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

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

Relevant policies include:

2.2 - Provision of new community facilities

3.2 - Protection of Amenity

4.2 - Quality of Residential Accommodation

4.6 - Loss of Residential Accommodation

4.7 - Non self-contained housing for identified user groups

5.2 - Transport Impacts

Principle of development

i. Loss of previous care home use:

- 14 The site is not designated for any particular use and there are no specific policies in the development plan which seek to resist the loss of care homes. The building was a care home for people with physical disabilities managed by Scope. Scope withdrew this service provision. In line with national and local service provision there is a shift away from care homes and care becoming more personalised with an emphasis on independence and a move away from institutions.

ii. Provision of new temporary hostel for general needs housing:

- 15 The applicant has confirmed that the hostel will provide temporary general needs accommodation. This represents a use for which there is a known need. There is an increasing housing deficit in London and homelessness is rising. The charity Shelter has just released figures stating that 400 families a week are being evicted and that the London Borough of Southwark is one of the three most affected local authorities.
- 16 The council has a statutory duty to provide good quality and cost-effective temporary accommodation to homeless households and this is an absolute priority for the council. In the long term, the site may be considered as part of the programme for the new homes but in the meantime, it is far better to have the building occupied and maintained. If the property was left unattended then it would be highly vulnerable to vandalism and squatting; an impact which would cause problems for the community. Using the building as temporary accommodation will contribute to providing housing in

the borough for those in need while representing an appropriate and effective use of council resources.

- 17 Additionally policy 4.7 (Non self-contained housing for identified user groups) of the Southwark Plan indicates that the use will be permitted where:
- it can be demonstrated that there is a need and the accommodation is suitable
 - there would be no loss of amenity for neighbouring occupiers
 - there is adequate infrastructure in the area to support future residents
 - the proposed accommodation would meet the needs of users including the adequate provision of appropriate facilities
- 18 The proposed hostel accommodation would comply with the requirements of policy 4.7. The 'need' and suitability of the site have been identified by the council's housing department. It would not result in a significant loss of amenity for surrounding occupiers (see 'Impact of proposed development on amenity of adjoining occupiers and surrounding area'). It would be close and within easy reach of local shops and services and the quality of the accommodation would meet the needs of users (see 'The quality of the proposed accommodation and effects on living conditions for occupiers'). The hostel use is therefore considered to be an appropriate use within the building.
- iii. Provision of new TMA offices/meeting facilities:
- 19 The new offices and meeting areas for D'Eynsford TMO is not considered to fall within one use class but represents a mixed B1, community and ancillary residential use. Policy 2.2 (Provision of new community facilities) of the Southwark Plan is applicable. This seeks to ensure that new community facilities are available for use by all members of the community, that there is no harm to the amenity of surrounding occupiers and that vehicular movements are limited/monitored. Located within the D'Eynsford Estate the TMO facilities would be accessible to the local community, there would be no material impact upon the amenity of surrounding occupiers in terms of noise, disturbance, loss of outlook etc. and it is not considered that there would be significant traffic flows associated with the use. The TMO office/meeting facility element is therefore considered to be an acceptable use in principle.

Environmental impact assessment

- 20 The site does not lie within a designated area and the proposal is not of sufficient size that an environmental impact assessment is required with the application.

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

- 21 No additions or extensions are proposed to the building and so there should be no impact upon the outlook or daylight/sunlight at any neighbouring properties. It is further not considered that the proposal would result in an undue loss of privacy for surrounding occupiers as the building envelope would not be extended or altered and no new external areas are proposed for residents' use.
- 22 Resident consultation responses refer to additional noise nuisance and disturbance. There may be more comings and goings than the previous use as a care home for people with physical disabilities. However, sited in a residential area within the urban area, the use as a hostel to provide general needs housing and the ground floor TMA

office/meeting rooms are not considered likely to result in inappropriate or excessive noise. A planning condition is recommended to ensure that the residential accommodation is used for general needs housing only.

- 23 The licence agreement which the residents will enter into has very clear clauses on nuisance. The service provider has prescribed procedures to evict people for nuisance. This would further ensure that future residents do not engage in repeated anti-social behaviour.
- 24 Recommended densities of development for housing are not directly applicable because these relate to new self-contained dwellings (i.e. houses and flats). However the density of the hostel component equates to 528 habitable rooms per hectare. The recommended density of development for houses and flats in the urban area in the Southwark Plan allows up to 700 habitable rooms per hectare. This suggests that the proposed density of accommodation is appropriate to the area and it is further considered that the level of activity associated with the scale of the development would not be harmful to the character or amenity of the area.
- 25 Neighbouring residents' concerns also relate to a loss of security and increased noise and nuisance in the area. Officers are of the view that there is no reason to believe that the use will result in undue noise, disturbance or criminal activity. The proposed use is for general needs housing and as a TMO office/meeting facility. The residential use would not present any greater threat to security or amenity than surrounding housing in the area. The introduction of a TMO/community use would be likely to result in natural surveillance of the site. Additionally there will be regular visits to the overall building by council staff and contractors. The Metropolitan Police have advised that the development should have a condition to achieve secure by design accreditation. Secure by design accreditation would include measures which would contribute to a secure development for future and surrounding occupiers. The applicant has advised that CCTV coverage will be provided.
- 26 The potential for 'light pollution' has been raised in the neighbourhood consultations. A planning condition to require details of any new external lighting is duly recommended.

The quality of the proposed accommodation and effects on living conditions for occupiers

- 27 The room sizes are effectively the same as existing. The existing rooms on the first and second floor are the same size as existing and those new rooms which are created on the ground floor for the hostel will be of a similar size, having a minimum area of 9.5sqm.
- 28 There are no 'space standards' for hostel accommodation in the Southwark Plan or the council's residential design standards but all the rooms would exceed the minimum required floor area for both a single bedroom in a general needs dwelling and also a single bedroom within sheltered housing or supported housing. The council's housing regeneration team, have no objections to the proposed standard of accommodation.
- 29 The neighbour representations refer to the lack of communal lounges and communal garden pointing to the requirement for communal lounges and communal gardens for 'sheltered and supported housing' in the council's residential design standards.

However the proposal is not for sheltered or supported housing. The hostel will provide temporary general needs accommodation for those needing to be re-housed. The proposal is not for temporary accommodation for those with particular needs which would require on-site care or support. Therefore the particular requirements relating to sheltered housing such as communal lounges, guest rooms and communal gardens are not applicable. Furthermore the applicant has confirmed that communal areas provided in other Southwark hostels go unused.

- 30 The room sizes comply with the Southwark code of practice for houses in multiple occupation. HMO standards also suggest that up to 5 individuals can share a cooker and a sink. The proposal would result in each kitchen being shared by up to 3 units
- 31 The proposed hostel would have an intercom system with handsets in each habitable room. It would also have an appropriate fire alarm system which is monitored 24 hours per day 365 days per year. There will be weekly checks carried out on these systems, monthly tests and quarterly fire drills. There is also a sprinkler system. All systems within Southwark hostels have fully compliant maintenance regimes.
- 32 The Metropolitan Police recommend that the development should have a condition to achieve secure by design accreditation. Temporary accommodation sites often home vulnerable people so ensuring that the site is secure is important. There will be a large number of people in small living area so creating a sense of security would be beneficial. A condition is attached accordingly. This will enable the implementation of a suitable access control strategy that is complemented by certified doors, windows and CCTV systems.
- 33 The applicant has indicated in the submission that the hostel will be fitted with a multi-steel front entrance door, a door entry system will be fitted with handsets in each unit and that full CCTV coverage will be provided.

Transport issues

- 34 The proposal does not raise any issues in terms of access and highways effects.
- 35 This development is not expected to generate a level of vehicular trips which will have a significant negative impact on the highway network and no changes are proposed to the access to the building.
- 36 The transport planning team have recommended that on-site cycle parking facilities are provided in accordance with London Plan standards. This is to encourage the use of cycles in the interests of sustainability. A condition is recommended accordingly.
- 37 It is not expected the occupants of the site will have access to a car. Therefore the provision of no car parking is satisfactory. Furthermore the area is under a residents' permit scheme so vehicular access would be limited. There are local bus services to Camberwell, which will serve the site.

Design issues and impact on character and appearance of the area

- 38 No changes to the elevations are proposed and so there would be no impact upon the appearance of the built environment. The site is located within a residential area close to the centre of Camberwell and the proposed use would not be inappropriate. Concern has been raised by a number of residents on security and nuisance grounds

but officers are of the view that there is no reason to believe that the use will result in undue noise or disturbance or criminal activity. The use is for general needs housing. Additionally surveillance would be provided in the shape of the TMO offices and meeting room and the applicant intends to install CCTV to safeguard the entrances/exits to the building.

Impact on trees

- 39 Existing trees within landscaped/paved areas would not be affected. No external building works are proposed.

Planning obligations/Community Infrastructure Levy (CIL)

- 40 No new dwellings or new floorspace are to be created. There is therefore no requirement for Mayoral CIL or planning obligations in accordance with Southwark and London Plan policies.

Sustainable development implications

- 41 The development does not exceed Southwark or London Plan thresholds for the provision of renewable energy technologies to improve energy efficiency and reduce carbon emissions. Nevertheless, the proposal to adapt an existing vacant building to serve an existing need is considered to represent an efficient use of resources. The development will provide 37 new units of accommodation within a 'sustainable' residential location with good access to local facilities. It represents a sustainable form of development which meets the needs of users without compromising or resulting in an inefficient use of resources.

Flood Risk

- 42 The site is partly located within flood zone 3 on the environment agency flood map. A flood risk assessment has been requested. At the time of writing comments from the environment agency had not been received. These will be reported with any appropriate recommendations as late material.

Conclusion on planning issues

- 43 The proposal for the formation of a temporary hostel to provide 37 units and communal facilities and offices/meeting areas for the TMO raises no objections in principle. The former care home use is no longer required and the proposed use would meet housing and community needs and is appropriate to the area. The proposed uses would not result in harm to the character of the area or a loss of amenities or security for surrounding occupiers and there would be no new floorspace or need for on-site parking. The re-use of the building would represent a sustainable form of development and there would be no change to the appearance of the building or the conditions on the neighbouring estate.

Community impact statement

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

application process.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

- 46 23 letters/emails raising objections received from occupiers of neighbouring dwellings. Objections raised relate to:

- Anti-social/criminal behaviour arising from future occupiers
- Lack of natural surveillance
- Inappropriate conditions/amenity for future occupiers
- Loss of security
- Inadequate external amenity space
- Inadequate room sizes
- Inadequate internal communal areas
- Excessive density of development
- Lack of on-site manager/support services
- Need to demonstrate lack of need for existing care home
- Other uses more appropriate and more in need: care home/self-contained wheelchair housing
- TMO use inappropriate and results in loss of housing
- Self-contained accommodation should be provided according to policy (policy 4.7)
- Insecurity/inadequacy of shared accommodation for future occupiers
- Failure to provide sustainable/energy saving accommodation
- Lack of social infrastructure for future residents
- Failure to comply with non-planning standards, e.g. Southwark Code of Practice for Houses in Multiple Occupation, Building Regulations, HM Government Housing Health and Safety Rating System
- Noise, nuisance and disturbance
- Inadequate lighting
- Undesirable lighting, inappropriate within a residential area
- Inadequate access for emergency services
- Safety/loss of amenity due to poor street layout etc.
- Potential future disposal to private operator and intensification in use
- Non-planning reasons - financial arguments for proposal

- 47 Consideration of the above matters is made within 'key issues for consideration' above, particularly within 'the principle of the development', 'the effects on the amenities of surrounding occupiers', 'the quality of the proposed accommodation and effects on living conditions for occupiers', 'the effects on the character and appearance of the area' and 'transport/highways issues'.

- 48 A further email including comments and suggestions from a resident of Sansom

Street has been received. The following points are made:

- Have alternative uses/sites been considered ?
- Inadequacy/potential disorder associated with use of entrance to hostel on Mary Datchelor Close
- Ongoing concern with standard of accommodation/room sizes/provision of communal facilities
- Intrusive nature of security lighting/CCTV on Mary Datchelor Close
- Scope for undertaking environmental improvements at adjoining garages on Mary Datchelor Close
- Need for yearly review of use and consideration of alternative uses

The following points should be noted in relation to the above comments:

- 49 Alternative uses - The building itself is on Southwark-owned housing land and in the long term may be considered for redevelopment into council housing but in the meantime, there is a clear need to provide temporary accommodation for homeless households

Alternative sites – The applicant has looked at a number of sites to use as temporary accommodation; not just Good Neighbours House

Entrance to Hostel - This remains in the same location as the original entrance. There is no reason for potential disorder to stem from the location of the entrance. CCTV and lighting will also assist monitoring.

Standard of Accommodation – This is addressed in 'The quality of the proposed accommodation and effects on living conditions for occupiers' above.

Intrusive nature of lighting and CCTV in Mary Datchelor Close – It is important to strike a balance between security and intrusiveness of CCTV. It is important to ensure the security of all residents and have CCTV which provides reassurance to most people. In terms of lighting, this will be diffused in a way which will create a safe environment for hostel residents but will not be intrusive to surrounding properties. If residents feel that the new lighting is too bright then this can be re-visited after the works have been completed.

Environmental Improvements to the Garages – This is something for the TMO to address as it forms part of the wider estate.

Yearly Review and Consideration of Alternative uses – The temporary accommodation services unit constantly review needs. In the past, when homeless demand has been weak, some of our hostels have been disposed for alternative uses. If the council wish to develop the site in the future, this will be subject to a new consultation process.

- 50 Metropolitan Police (Secure by Design)
Recommended that the development should have a condition to achieve secure by design accreditation. Temporary accommodation sites often home vulnerable people so ensuring that the site is secure is important. There will be a large number of people in a small living area so creating a sense of security would be beneficial. If the condition is added it will facilitate the successful implementation of a suitable access control strategy that is complemented by certified doors, windows and CCTV systems.

Human rights implications

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 53 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2961-38 Application file: 14/AP/3033 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 5428 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Adam Greenhalgh, Planning Officer	
Version	Final	
Dated	6 January 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		8 January 2015

Consultation undertaken

Site notice date: 02/10/2014

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: 08/10/2014

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Metropolitan Police Service (Designing out Crime)

Neighbour and local groups consulted:

78 Don Phelan Close London SE5 7BB	62 Mary Datchelor Close London SE5 7AY
76 Don Phelan Close London SE5 7BB	34 Mary Datchelor Close London SE5 7AX
74 Don Phelan Close London SE5 7BB	13 Mary Datchelor Close London SE5 7AX
84 Don Phelan Close London SE5 7BB	12 Mary Datchelor Close London SE5 7AX
82 Don Phelan Close London SE5 7BB	37 Mary Datchelor Close London SE5 7AX
80 Don Phelan Close London SE5 7BB	36 Mary Datchelor Close London SE5 7AX
72 Don Phelan Close London SE5 7BB	35 Mary Datchelor Close London SE5 7AX
64 Don Phelan Close London SE5 7BB	11 Mary Datchelor Close London SE5 7AX
70 Mary Datchelor Close London SE5 7AY	36 Sansom Street London SE5 7RE
66 Mary Datchelor Close London SE5 7AY	25a Vicarage Grove London SE5 7LY
70 Don Phelan Close London SE5 7BB	42 Sansom Street London SE5 7RE
68 Don Phelan Close London SE5 7BB	10 Mary Datchelor Close London SE5 7AX
66 Don Phelan Close London SE5 7BB	40 Sansom Street London SE5 7RE
86 Don Phelan Close London SE5 7BB	38 Sansom Street London SE5 7RE
25c Vicarage Grove London SE5 7LY	8 Mary Datchelor Close London SE5 7AX
25b Vicarage Grove London SE5 7LY	55 Mary Datchelor Close London SE5 7AY
126 Don Phelan Close London SE5 7DA	54 Mary Datchelor Close London SE5 7AY
Good Neighbours House 38 Mary Datchelor Close SE5 7AX	53 Mary Datchelor Close London SE5 7AY
Wardens Flat Good Neighbours House SE5 7AX	58 Mary Datchelor Close London SE5 7AY
36a Sansom Street London SE5 7RE	57 Mary Datchelor Close London SE5 7AY
124 Don Phelan Close London SE5 7DA	56 Mary Datchelor Close London SE5 7AY
116 Don Phelan Close London SE5 7DA	52 Mary Datchelor Close London SE5 7AY
114 Don Phelan Close London SE5 7DA	48 Mary Datchelor Close London SE5 7AY
88 Don Phelan Close London SE5 7BB	47 Mary Datchelor Close London SE5 7AY
122 Don Phelan Close London SE5 7DA	9 Mary Datchelor Close London SE5 7AX
120 Don Phelan Close London SE5 7DA	51 Mary Datchelor Close London SE5 7AY
118 Don Phelan Close London SE5 7DA	50 Mary Datchelor Close London SE5 7AY
	49 Mary Datchelor Close London SE5 7AY

Re-consultation: n/a

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

Metropolitan Police Service (Designing out Crime)

Neighbours and local groups

Email representation

House Of Commons London SW1A 0AA

18 Sansom Street Camberwell SE5 7RE

21 Sansom Street SE5 7RD

22 Sansom Street London SE5 7RE

25 Sansom Street London SE5 7RD

26 Sansom Street London SE5 7RE

36 Sansom Street London SE5 7RE

36a Sansom Street London SE5 7RE

38 Sansom Street London SE5 7RE

4 Sansom Street Camberwell SE5 7RE

41 Samson Street SE5 7RD

48 Vicarage Grove Camberwell SE5 7LP

6 Sansom Street London SE5 7RE

94 Don Phelan Close London SE5 7BB

95 Don Phelan Close London SE5 7BB

RECOMMENDATION

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

Applicant	Mrs S. Paulizky Southwark Council	Reg. Number 14/AP/3033
Application Type	Council's Own Development - Reg. 3	
Recommendation	Grant permission	Case Number TP/2961-38

Draft of Decision Notice

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

Change of use from care home (Use Class C2) to 37 bedroom temporary hostel (sui generis) with internal alterations on the ground floor to form a separate office/meeting areas for a local Tenant Management Organisation.

At: GOOD NEIGHBOURS HOUSE, 38 MARY DACHELOR CLOSE, LONDON, SE5 7AX

In accordance with application received on 20/08/2014 08:03:35

and Applicant's Drawing Nos. 13146.SE57AX.TMO.01, TMO.02, TMO.03, 101, 102, 103, 301, 302

Subject to the following six 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: 13146.SE57AX.TMO.02, TMO.03, 301, 302, 303

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.

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

- 3 Before the change of use hereby permitted commences, details of security measures shall be submitted to and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall be designed to achieve the Secured by Design accreditation award from the Metropolitan Police.

Reason

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

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

- 4 Unless otherwise agreed in writing by the Local Planning Authority the hostel accommodation hereby permitted shall be for general needs housing only.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use 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 and the National Planning Policy Framework 2012.

- 5 The use of the offices, meeting areas and associated community rooms on the ground floor shall be personal to the D'Eynsford Tenant Management Organisation and shall not enure for the benefit of the land.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and considers that under the management of D'Eynsford TMO the proposal would not give rise to a loss of amenity in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011, Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2012

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 6 Details of any external lighting [including design, power and position of luminaries] and security surveillance equipment of external areas surrounding the building shall be submitted to and approved by the Local Planning Authority in writing before any such lighting or security equipment is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with The National Planning Policy Framework 2012, 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 and 3.14 Designing out crime of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

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

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Ordnance Survey

Date 6/1/2015



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Item No. 7.2	Classification: Open	Date: 20 January 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/3316 for: Full Planning Permission Address: 2 DARWIN STREET, LONDON SE17 1HB Proposal: Construction of a part three-storey, part single-storey (ground-floor) rear extension and a part single-storey, part two-storey roof extension involving the raising of the roof ridge and the insertion of three roof lights into the enlarged front roof slope, in association with the conversion from a single-family dwelling house to five self-contained flats with associated refuse and cycle storage provision. (Retrospective Application)		
Ward(s) or groups affected:	Chaucer		
From:	Head of Development Management		
Application Start Date 01/11/2013		Application Expiry Date 27/12/2013	
Earliest Decision Date 02/01/2014			

RECOMMENDATION

- 1 That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

- 2 Planning permission LBS ref. TP1119-E-AH was granted on 14 November 1988 for the conversion of a single-family dwelling house into 3 self-contained flats and 1 dwelling house, including the erection of a rear extension and roof alterations
- 3 Following the grant of this planning permission, a building control commencement notice was received by the council on 27 June 1989.
- 4 Seventeen years later, on 27 October 2006, the then owner of the site (not the current owner) wrote in, to inform the planning department that approximately 60% of the works had been completed in the 2 years following the grant of the 1988 permission and that due to personal ill-health the works then ceased but that it was now intended to complete the works and that it was understood that because a substantial start had been made on the development there was no requirement to re-apply for planning permission. Receipt of this letter was acknowledged but no record of a written response exists.
- 5 At some point thereafter the current owner acquired the site and began to make significant alterations to the approved development without seeking any further grant of planning permission. These unauthorised works were brought to the attention of the

planning department and an enforcement investigation was duly opened.

- 6 On 3 October 2013, while the unauthorised works were still proceeding, the current planning application was submitted in the hope of regularising the works, i.e. gaining planning permission in retrospect. The applicant having stated on the application form that he commenced making the significant alterations to the original scheme on 1 July 2013.
- 7 Negotiations with the applicant have resulted in a reduction in the number of flats in the conversion from six to five as well as other external and internal improvements to the scheme. These are discussed in further detail below.

Site location and description

- 8 The application site is occupied by a three-storey, end-of-terrace dwellinghouse on the west side and northern end of Darwin Street, a cul-de-sac street terminating in a turning head, adjacent to the Bricklayer's Arms gyratory. The adjoining property at 4 Darwin Street is understood to be a house in multiple occupation which provides accommodation for six separate unrelated individuals/couples.
- 9 The site is located within the central activity zone, the urban density zone, the air quality management area, an archaeological priority zone and the Old Kent Road action area.
- 10 The site is not located within a conservation area nor is it located within the setting of any listed buildings.

Details of proposal

- 11 Part of the dwelling's rear garden has been dug down by approximately 0.9m to create the private garden area for the north-side flat on the ground-floor.
- 12 In comparison to the original 1988 permission the three-storey part of the rear extension on the north side of the site is both 2.1m deeper and 0.75m wider. However, it is 8.8m high to the top of its flat roof and so is 1.05m lower than the 1988 version.
- 13 The single-storey (ground-floor) rear extension on the south side of the site is a further addition to the original 1988 permission and in comparison to it, projects a further 2.9m into the rear garden. It is 3.25m wide and has a mono-pitched roof extending from a maximum height of 3.1m down to rear eaves at a height of 2.5m.
- 14 A further significant deviation from the original 1988 permission is the addition of a part single-storey, part two-storey rear roof extension involving the raising of the original roof ridge.
- 15 At second floor level this appears as simply a rear infill extension as its rear elevation now aligns with the historically deeper rear elevation of the adjoining property at No.4 Darwin Street and is finished in smooth white render which is somewhat similar in appearance to the white-painted brickwork of No.4's rear wall.
- 16 Above this, the new third floor level is finished in hung synthetic slates and so takes on the appearance of a rear dormer, albeit a large flat-roofed rear dormer which extends

across the full width of the building and is neither set down from the new higher roof ridge nor set back from the new deeper rear eaves. Its dimensions are 3.4m high, 3.9m deep and approximately 8m wide.

- 17 A 2m deep roof terrace for the top floor 1-bed flat extends beyond the rear dormer element out over the flat roof of the three-storey rear extension beyond. The terrace would be bound by 1.1m high vertical metal railings.
- 18 The proposed accommodation comprises of two 1-bed flats on the ground floor, two 2-bed flats on the first and second floors and a further 1-bed flat on the third floor within the extended roof.
- 19 All of the five flats would be accessed through the dwelling's original front door onto Darwin Street.
- 20 A communal bin and cycle store is intended to be provided at the rear of the site, with a gated access in the north flank boundary wall facing Old Kent Road. To date however this element remains to be implemented.

Planning history

- 21 13/EN/0321
Unauthorised building works: Rear extension, second floor extension and full width dormer, without planning permission.
Decision pending
(Depending on the outcome of this planning application)

TP1119-E-AH

Conversion of a single-family dwelling house into 3 self-contained flats and 1 dwelling house, including the erection of a rear extension and roof alterations.
Granted: 14/11/1988

Planning history of adjoining sites

- 22 4 Darwin Street

99/AP/1368

Erection of conservatory to the rear of building.
Granted: 23/02/2000

2 Old Kent Road

14/AP/3158

Change of use of a building with an established use as an outbuilding used for purposes incidental to the enjoyment of the dwelling house at No. 2 Darwin Street (Use Class C3) to separate self-contained offices (Use Class B1(a)).
Valid application received: 25/09/2014 Pending consideration

14/AP/0083

Certificate of lawful existing use: Use of building as a dwelling house.

Refused: 27/02/2014

Reason for refusal:

The existing development is not considered to be lawful because it is not in accordance with an earlier section 106 agreement dated 3/9/96 that is assessed as still being binding on the site and capable of enforcement, as at the date of this decision.

13/AP/3454

Erection of a study room and bedroom ancillary to the main building over existing lobby area.

Granted: 19/12/2013

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

- 23 The main issues to be considered in respect of this application are:
- a) principle of the proposed development in terms of land use and conformity with strategic policies;
 - b) impact on the amenities of occupiers of adjoining properties;
 - c) quality of accommodation for future occupiers;
 - d) design issues – impact on the character and appearance of the area;
 - e) transport and servicing issues – car and cycle parking and refuse facilities, and;
 - f) any other material considerations.

Planning policy

- 24 National Planning Policy Framework (NPPF) (Published 27 March 2012)
The following sections are of particular relevance:

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design.

The London Plan (Adopted 22 July 2011 and since consolidated with revised early minor alterations on 11 October 2013)

- Policy 3.3 Increasing housing supply
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.17 Waste capacity
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character

Policy 7.6 Architecture

Mayor of London Supplementary Planning Guidance (SPGs)

Housing (2012)

Sustainable Design and Construction (2006) (Saved)

Accessible London – Achieving an Inclusive Environment (2004) (Saved)

Southwark Core Strategy (Adopted 6 April 2011)

Strategic Policy 1 - Sustainable development

Strategic Policy 2 - Sustainable transport

Strategic Policy 5 - Providing new homes

Strategic Policy 12 - Design and conservation

Strategic Policy 13 - High environmental standards

Southwark Unitary Development Plan (Adopted 28 July 2007) (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 NPPF. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.1 - Environmental effects

Policy 3.2 - Protection of amenity

Policy 3.7 - Waste reduction

Policy 3.11 - Efficient use of land

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.14 - Designing out crime

Policy 4.2 - Quality of residential accommodation

Policy 4.3 - Mix of dwellings

Policy 5.2 - Transport impacts

Policy 5.3 - Walking and cycling

Policy 5.6 - Car parking

Southwark Supplementary Planning Documents (SPDs)

Sustainable Design and Construction (2009)

Residential Design Standards (2011)

Principle of development

- 25 Planning permission LBS ref. TP1119-E-AH was granted on 14 November 1988 for the conversion of a single-family dwelling house into 3 self-contained flats and 1 dwelling house, including the erection of a rear extension and roof alterations.
- 26 The original dwelling house had a gross internal floor area of more than 130sqm therefore the principle of the conversion of this former single-family dwelling house into two or more flats still complies with saved policy 4.3 of the Southwark UDP (Mix of dwellings).
- 27 As such, there is no objection to the principle of extending and converting a dwelling

house to flats in this location provided that it would not have an adverse effect on neighbouring amenity, would provide a good standard of accommodation and is of a satisfactory design which responds appropriately to the character and appearance of the local area as required by relevant policies in the development plan for the borough (listed above) and the NPPF. These issues are addressed in detail further below.

Environmental impact assessment

- 28 Applications where an environmental impact assessment (EIA) is required will either be mandatory or discretionary, depending on whether they constitute Schedule 1 (mandatory) or Schedule 2 (discretionary) development of the Town and Country Planning (EIA) Regulations 2011. In this case the development falls under Schedule 2, Category 10b 'urban development project' of the EIA Regulations where the threshold for these projects is a site area exceeding 0.5ha. The application site area is 0.019ha and therefore well below this threshold.
- 29 An EIA would only be required for this current application site if it is likely to generate significant (greater than local) environmental effects having regard to the criteria set out in Schedule 3 of the Regulations, which include:
- The characteristics of the development
 - The environmental sensitivity of the location
 - The characteristics of the potential impact

As this is not the case this application does not require an EIA.

Impact on the amenity of occupiers of adjoining properties

- 30 Saved policy 3.2 (Protection of amenity) of the Southwark UDP (2007) states that planning permission for development will not be granted where it would cause a loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Also, there is a requirement in saved policy 3.1 (Environmental effects) to ensure that development proposals will not cause material adverse effects on the environment and quality of life.
- 31 Strategic Policy 13 (High Environmental Standards) of the Core Strategy (2011) requires developments to avoid amenity and environmental problems that affect how we enjoy the environment in which we live and work.

Privacy - Relationship with 4 Darwin Street

- 32 A site visit to the substantially complete development revealed that a degree of oblique overlooking of 4 Darwin Street to the south is possible from a rear bedroom window in the first-floor flat. However, the view is only over the semi-translucent roof of this property's rear conservatory and is only from a bedroom. Furthermore, having noted that 4 Darwin Street is a HMO rather than a single-family dwelling house, that it concerns a modestly sized conservatory rather than a principal habitable room in the adjoining property, and the fact that to overlook the neighbouring conservatory would require the occupant of the flat to purposefully stand at the bedroom window and look at an angle over the shared side boundary, is considered to be sufficient to indicate that any such perceptions of overlooking do not amount to a significant loss of privacy and hence the relationship is considered, on balance, to be acceptable in planning terms (without the need for a side privacy screen as the applicant proposes, as shown in the view of the south flank wall of the substantially complete development - drawing

no. 14010/005/3).

- 33 Initially a further area of concern for officers was the fact that the roof terrace serving the top floor flat had, at the outset, been proposed to occupy the entire flat roof of the completed three-storey rear extension. The concern here related to the ease at which users of the terrace could look down and back into several habitable room windows in the rear wall of No. 4 (as well as the habitable room windows of other flats within the proposed development) as well as over its rear garden, due to the combination of its height, the extent to which would have projected to the rear and its proximity to the shared side boundary with No. 4. However, through negotiation with the applicant the size of the terrace has been much reduced. Its depth has been reduced by approximately two-thirds to now be only 2m deep and it is also set back from the south-flank wall of extended three-storey rear outrigger element by approximately 850mm. These amendments are considered to have satisfactorily addressed the previous overlooking concerns and hence the extent of the roof terrace as shown in drawing no. 14010/004 Rev. B is considered to be acceptable in this regard. Its visual impact will be considered further below.
- 34 The only flank windows in the development are small obscure-glazed bathroom windows at first and second floor level in the south wall of the three-storey rear outrigger which as such do not cause any harmful overlooking.

Privacy - Relationship with other neighbouring dwellings

- 35 The development has also retained some tall Spruce trees within the site which sit in a row along the side boundary with No. 4. Their retention provides a natural screen partially obscuring more distant views from the roof terrace westward / southwestward towards Searles Road and beyond. However, it is approximately a distance of 20m to the rear garden boundary of the nearest dwelling to the west at 33 Searles Road and so, even without these trees, it is considered that the reduced roof terrace would not perpetuate a situation of a harmful degree of overlooking of this or any other neighbouring dwelling lying generally to the west or south-west of the site.
- 36 It has been noted that the owner of No.2 Old Kent Road (the former public lavatories at the rear of the site) is concerned that the development will result in a loss of privacy to this building due to what is stated as the proximity of two rear terraces which overlook the garden of 2 Old Kent Road. However, there is only one rear terrace (the roof terrace) and that has been substantially reduced in area and depth such that it is would not be possible to overlook any part of this neighbouring building.

Daylight and sunlight

- 37 At first-floor level, on the side next to No. 4, the development projects beyond this adjoining property's rear wall by 2m. The nearest edge of a first-floor bedroom window within the neighbour's rear wall is sited approximately 0.8m from the party boundary with No.2. The window itself is also approximately 0.8m wide and hence the vertical mid-point of the window is approximately 1.2m away from the projecting flank wall. This window is already partially enclosed by the property's original two-storey rear outrigger whose flank wall almost abuts the window's nearest south-side edge (save for a gap about the width of a brick) and which extends vertically two-thirds of the way up the window.
- 38 The first-floor part of flank wall of the extension at No. 2 is sited to the north of the window at No. 4 and hence it does not have any effect on the window in terms of access to sunlight. Whilst it has created a minor 'tunnelling effect' by siting a flank wall

on the north side of the window opposite the existing lower flank wall of the property's own rear outrigger, it does not result in a significant loss of daylight to this window because although it does not meet the 45 degree horizontal line test in the residential design standards SPD (due to the flank wall being 2m deep but being sited only 1.2m away from the vertical mid-point of the window), it does however meet the second component of this test in the SPD, that is, the 45 degree vertical line test, as the wall does not project above a line drawn upwards at a 45 degree angle originating from the window's horizontal mid-point. As the SPD requires that only one of the two 45 degree line tests need to be met in order to demonstrate that no significant loss of daylight would occur, the daylight relationship between the development and this neighbour's first-floor rear bedroom window is therefore considered to be acceptable.

- 39 The owner of No.2 Old Kent Road (the former public lavatories at the rear of the site) has expressed a concern that the garden of this building will be overshadowed. Officers consider that it is not unreasonable to assume that this site has experienced some loss of morning sunshine (i.e., when the sun is in the east and low in the sky) as a result of the subject development. However, the loss of some morning sunshine does not amount to significant overshadowing and/or loss of daylight in planning terms and furthermore the building in question only has consent to be used as a residential outbuilding (ancillary to the residential use of No.2 Darwin Street) and hence the open space that is referred to as a garden is not actually a separate private residential garden. Looking ahead, it is also considered that the impact of the development on No.2 Old Kent Road in terms access to sunlight and daylight would still be acceptable should a current planning application (ref. 14/AP/3158) be granted permission for its use as an office.
- 40 This same owner's concern that the development has caused an overbearing sense of enclosure to this adjoining building is not shared for the same reasons, i.e., it is not a dwelling house.
- 41 No other potentially harmful impacts on the amenity of neighbouring occupiers through loss of sunlight or daylight have been identified.

Quality of accommodation for future occupiers

Internal space standards

- 42 Policy 3.5 (Quality and design of housing developments) of the London Plan states, inter alia, that, 'LDFs should incorporate minimum space standards that generally conform with Table 3.3. The Mayor will, and boroughs should, seek to ensure that new development reflects these standards.'
- Table 3.3 sets out minimum space standards according to the type and 'maximum designed occupancy' of residential dwelling.
- 43 Saved policy 4.2 (Quality of residential accommodation) of the Southwark UDP (2007) states that planning permission will be granted for residential development where it achieves good quality living conditions and includes high standards of accessibility, outlook, privacy, natural daylight, ventilation, outdoor amenity space, safety, security and protection from pollution including noise and light.
- 44 The residential design standards SPD (2011) sets out guidance on what constitutes 'excellent' accommodation standards looking at factors such as exceeding minimum flat sizes, a preponderance of dual aspect units, and providing generous floor to

ceiling heights. It also largely echoes the minimum space standards set out in Table 3.3 of policy 3.5 of the London Plan.

- 45 The sizes of the five flats are set out in the tables which follow below. The first table shows the overall size of each flat and compares it to the relevant minimum standard in the London Plan (and the residential design standards SPD). The five tables further below look in more detail at the size of the individual rooms within each flat and compare these to the minimum standards in the council's adopted residential design standards SPD (2011). In many cases the standards in the SPD also match those in the Mayor's housing SPG (2012).

	Policy minimum size standard (sqm)	Actual Size (sqm)
Flat 1 (1b/2p)	50	45.07
Flat 2 (1b/2p)	50	43.3
Flat 3 (2b/4p)	70	81.88
Flat 4 (2b/4p)	70	72.25
Flat 5 (1b/2p)	50	42.25

<u>FLAT 1</u> 1-bed / 2-person flat on ground floor		
Kitchen/Living/Dining room	27	23.2
Bedroom	12	13.5
Shower-room/WC	3.5	4.37
Hallway	-	4
TOTAL	50	45.07

<u>FLAT 2</u> 1-bed / 2-person flat on ground floor		
Kitchen/Living/Dining room	27	29.64
Bedroom	12	11
Shower-room/WC	3.5	2.65
TOTAL	50	43.3

<u>FLAT 3</u> 2-bed / 4-person flat on first floor		
Kitchen/Living/Dining room	27	37.16
Bedroom 1	12	20
Bedroom 2	12	13.7
Bathroom	3.5	4.37
Hallway	-	4
Ensuite	-	2.65
TOTAL	70	81.88

<u>FLAT 4</u> 2-bed / 4-person flat on second floor		
Kitchen/Living/Dining room	27	31.64
Bedroom 1	12	12.7

Bedroom 2	12	13.7
Bathroom	3.5	5.5
Hallway	-	4
Utility	-	4.7
TOTAL	70	72.25

<u>FLAT 5</u> 1-bed / 2-person flat on third floor		
Kitchen/Living/Dining room	27	24.8
Bedroom	12	11.85
Bathroom	3.5	5.8
TOTAL	50	42.45

- 46 Within the consideration of internal space standards it is also noted that the flats all have good floor-to-ceiling heights (Ground-floor – 2.7m-2.95m; First-floor – 2.7m, Second-floor – 2.45m and Third-floor – 2.43m). Also not readily evident from the submitted plans but noted during the site visit were several examples of dedicated in-built storage space for each flat.

Internal layout and 'stacking'

- 47 The development also demonstrates a high degree of stacking of like-for-like rooms in each of the flats above and below each other. The only exception to this is the relationship between Flat 2 on the ground-floor and the southern half of Flat 3 on the first floor. Although not a planning consideration to which any significant weight can be attached it is also noted that the applicant's design and access statement refers to the fact that the current design is aimed at being able to demonstrate compliance with the current building regulations (Part E, 2003) standards for noise attenuation.

Outdoor amenity space

- 48 Saved policy 4.2(ii) of the Southwark UDP (2007) and Section 3.2 of the residential design standards SPD state that development should provide high standards of outdoor/green amenity space. The SPD advises that development should, as a minimum, meet and seek to exceed the following standards:
- 50m² of communal space per development;
 - For units containing 3 or more bedrooms, 10m² of private amenity space;
 - For units containing 2 or less bedrooms, ideally 10m² of private amenity space, and where this is not possible the remaining amount should be provided to the communal amenity space requirement.
- 49 In this flat conversion a private outdoor amenity space is provided to 3 out of the 5 flats; the two ground-floor 1-bed flats and the other 1-bed flat on the top floor. Therefore the only flats lacking private outdoor amenity areas are the two 2-bed units on the first and second floors of the development. The development does not provide a communal garden area.

	Private outdoor space provision (sqm)
Flat 1 (1b/2p)	18.5 (garden)
Flat 2 (1b/2p)	16.1 (garden)
Flat 3 (2b/4p)	-
Flat 4 (2b/4p)	-
Flat 5 (1b/2p)	7.4 (roof terrace)

- 50 On balance, while still representing a shortfall when measured against the guidance in the SPD the quantum of private outdoor space provided and its allocation within the scheme is considered to represent the optimum solution in this instance. It is also observed that private outdoor space is generally more likely to be regularly used and well-maintained than a communal garden and so where feasible the provision of the former is always more desirable than the latter in planning terms (and this priority is reflected in the wording of the guidance above).
- 51 In summary, although, as the first table above confirms, all of the 1-bed flats fall below the required minimum size of 50sqm, it is noted that all provide an outlook for their occupants in more than one direction (i.e., they are 'dual aspect' flats). In addition, all of these three 1bed units also benefit from having a private outdoor area, i.e., the two ground-floor flats each have their own private rear garden areas while the top floor flat has a roof terrace over part of the rear extension. It is also noted that the two 1bed flats on the ground floor still feel relatively spacious due to their generous floor-to-ceiling heights. As such, despite their sub-standard size in terms of gross internal floor space, it is considered that these 1bed units would still represent a good standard of accommodation.
- 52 Overall, therefore, considering the other benefits of the scheme, i.e., dual aspect, good 'stacking', in-built storage, good floor-to-ceiling heights throughout and not least the generous proportions of the two 2xbed flats at first and second floor level, it is considered that the quality of accommodation provided by the development is of a sufficiently high standard.

Design issues – impact on the character and appearance of the area

- 53 The scheme is undeniably greater in bulk and massing (if not in terms of height alone) than the scheme granted planning permission in 1988, with the rear element in particular being wider and deeper as described above. However, what should be acknowledged is that, with the exception of the large 'rear dormer' part of the roof extension, the increase in the height of the roof and the position of the new higher ridge has merely brought the roof of the building into conformity with those of the other buildings in the terrace and in Darwin Street as a whole. The proportions and pitch of the new front roof slope therefore appears as though it were as originally designed and now forms a natural continuation of the existing roofscape in the street.
- 54 The rear dormer extension is also undeniably large. However, the host property was also always a substantial generously-proportioned double-fronted dwelling with a wide frontage onto Darwin Street and hence the dormer does not appear as excessive and overbearing as it might on a more modestly proportioned dwelling. Whilst it occupies the full area of (what one could have imagined to be) the original rear roof slope and hence does not comply with the guidance on roof extensions in the residential design

standards SPD, at the same time its visual impact on the surrounding area is lessened by a group of five large street trees within the wide pavement between the site and the carriageway of Old Kent Road as well as further street trees sited to the front (north) and west of the former public lavatory building to the rear of the application site. These are all deciduous trees and hence the degree of screening that they provide waxes and wanes with the seasons, but even during winter months their substantial branches partially screen the bulk of the extension at the rear and soften its appearance somewhat.

- 55 More distant views of the development from the north are also partially screened by the elevated section of the Old Kent Road which pass over the south side of the Bricklayer's Arms gyratory.
- 56 Any potential perception of the rear dormer extension as being overly large and overbearing is also mitigated by the fact that its north-east flank wall is sited between 20-25m back from the carriageway of Old Kent Road. This fact together with the fact that this part of Old Kent Road is particularly fragmented and visually incoherent (as a result of its highly-engineered, traffic-dominated design, the associated ramped walkways serving the north-south pedestrian underpass and the single-storey former public lavatory building to the rear of the site) mean that there is nothing in the immediate street scene that provides a visual reference to compare the rear dormer with in terms of either scale or design.
- 57 Although matching London stock brick (ideally using a proportion of reclaimed brick) would have been the preferred and obvious choice for the rear extensions, the choice and arrangement of materials used to complete the exterior surfaces of the development are nonetheless considered to be successful in appropriately ensuring that it harmonises with the character and appearance of the host building and the surrounding street scene.
- 58 Slate has been used for the extended front roof slope and the rear dormer extension and this sits well within the surrounding area where the vast majority of buildings are similarly covered with slate.
- 59 Up to second floor level, the rear-facing elevations of the rear extensions on the southern half of the building adjacent to No. 4 Darwin Street have been finished with a white render. This blends reasonably with the white painted brickwork on the main rear wall of No. 4, but this itself is an exception in the context of the predominance of rear elevations of original unaltered London stock brick between No.s 6 and 20 Darwin Street further to the south.
- 60 However, the larger, deeper three-storey part of the rear extension on the north side of the building has been finished in a light grey smooth render, finished in an 'ashlar block' effect. Although this represents the introduction of a new third wall material (in addition to the original London stock brick on the front wall and dormer flanks and the existing rough grey pebble-dash finish on the building's north flank), its neutral, recessive colour and smooth texture are considered to be quite successful in ensuring that this, the largest, most bulky, part of the development does not draw any further attention to itself but rather allows it to sit quite quietly in the background behind its screen of trees. Its scale and siting are also such that it obstructs views of the white-rendered parts of the rear of the building from Old Kent Road.

Transport and servicing issues – car and cycle parking and refuse facilities

- 61 The application site has a public transport accessibility Level rating of 4 rating, meaning it has 'good' accessibility to public transport. There are tube and rail stations and many bus routes in the vicinity contributing to this rating. The site is located in the central activities zone and is within a controlled parking zone (CPZ).

Car parking

- 62 Given that the site is located within a CPZ and in order to prevent possible over spill parking from the development, it is recommended that a condition is imposed preventing any occupiers of this development being eligible for on-street parking permits. Subject to this condition and the securing of adequate secure, covered cycle parking facilities through another condition the scheme is considered to be acceptable as a car-free development.

Cycle parking

- 63 The applicant has shown a bin and cycle storage shed at the rear of the site (drawing no. 14010/003 Rev. B) that would be accessed via a side entrance. This arrangement is considered to be acceptable in principle as the store would appear to be sufficiently large to be capable of providing storage space for 5 cycles (1 space per flat in accordance the cycle parking minimum standards in the development plan). However, a condition is suggested to require further details of the store and the parking arrangement within it to be submitted for approval to ensure that it would be a sufficiently durable, secure and weather-tight structure as well as capable of accommodating the required 5 cycles.

- 64 Similarly, either this same condition or another condition shall require the creation of the side entrance to the store to be provided (as currently it is only proposed and has not yet been provided) within a reasonable period following any grant of permission, so as to ensure that this intended communal bin and cycle store actually comes into use as such for the benefit of future occupiers.

Refuse / recycling facilities

- 65 The proposed bin storage arrangements of five 240 litre wheelie bins sat side by side against the east boundary of the store (two for refuse and three for recycling) is considered to be acceptable. There would also be sufficient space remaining to provide a third refuse bin if this deemed to be necessary in the future.

Planning obligations (S106 undertaking or agreement)

- 66 None required for a development of this scale

Other matters

- 67 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.
- 68 The application is CIL liable because it has involved the extension of a building to create additional dwellings. From the planning history it appears that more than 10

years has elapsed since the building was last in use as a single-family building and therefore any claim for exemption from CIL has been lost. Under the current CIL regulations (as amended since 2010) the applicant can off-set existing floor space (so that only the additional floor space created as a result of the extensions would be CIL liable), however this is dependent on the building having been lawfully actively used for 6 of the last 36 months which does not appear to be the case in this instance, hence it is considered that the whole building / floor space is CIL liable.

- 69 The CIL contribution based on the combined gross internal floor areas of the five areas is calculated as follows: $284.75\text{m}^2 \times \text{£}35 = \text{£}9,966$.

Conclusion on planning issues

- 70 The development is not in strict accordance with the development plan in terms of its overall scale, bulk and massing and the sizes of three of the five flats. However, having said that, the development still provides a reasonably good standard of accommodation and amenity for future occupiers. While the size of the rear extensions are larger than would normally be considered appropriate, the particular site circumstances and the mitigation provided through the use of appropriate materials have combined to ensure that no significant harm has arisen either to the character and appearance of the area or to the amenity of neighbouring residents. More positively, the development has preserved the character and appearance of its Darwin Street frontage and has resulted in the provision of additional self-contained dwellings in a readily accessible part of the borough which therefore contributes to meeting the housing target set out in Policy 5 (providing new homes) of the Core Strategy.
- 71 As such, having taken all relevant policies, proposals and material considerations into consideration, officers recommend that the application be granted.

Community impact statement

- 72 The impacts of this application have been assessed as part of the application process with regard to local people in respect of the “protected characteristics”, as set out in the Equality Act 2010, the council's community impact statement and Southwark Council's approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.

In assessing this application, the council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal.

- a) The impact on local people is set out above.
- b) No issues specifically relevant to particular communities/groups likely to be affected by the proposal have been identified.
- c) No adverse or less good implications for any particular communities/groups have been identified in connection with the proposal.

Consultations

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

Consultation replies

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

Summary of consultation responses

4 letters of objection from neighbours were received.

Neighbouring residents at No.35 and No. 36 Searles Road

Object to the proposal on the grounds of:

- Loss of light to neighbouring properties
- Damage to the environment (no further details specified)
- Insufficient on-street parking capacity in Darwin Road, i.e., the development will greatly exacerbate existing levels of parking congestion.

A resident in Darwin Street (address not supplied)

Object to the proposal:

- Concern expressed that the continued construction of this unauthorised development suggests that planning regulations are being ignored.
- Wish for it to be acknowledged that this development will have consequences for local residents in terms of putting additional pressure on already stretched local amenities and services such as parking, schools and local medical services.

The owner of No.2 Old Kent Road

Object to the proposal on the grounds of:

- Over-development of the site
- Overbearing sense of enclosure and loss of privacy due encroachment to within less than 3m of the adjoining boundary wall of 2 Old Kent Road.
- Loss of privacy due to proximity of two rear terraces which overlook the garden of 2 Old Kent Road.
- Overshadowing of the garden of 2 Old Kent Road as well as neighbouring gardens – specifically loss of morning sunshine.

Human rights implications

- 75 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.
- 76 This application has the legitimate aim of providing new commercial and 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

77 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1119-E Application file: 13/AP/3316 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5470 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Ciaran Regan, Planning Officer	
Version	Final	
Dated	27 November 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	8 January 2015	

Consultation undertaken

Site notice date: 10/12/2013

Press notice date: N/a

Case officer site visit dates: 21/01/2014, 24/01/2014 and 24/07/2014

Neighbour consultation letters sent: 28/11/2013

Internal services consulted:

Southwark Transport Planning Team

Environmental Protection Team

Design Surgery

Statutory and non-statutory organisations consulted:

Neighbours and local groups consulted:

Darwin Street: No.s 2, 3A, 4 (Flats 1-6), 5A, 6, 7A, 8, 9A, 10, 11A, 13A, 15A, 17A, 19A, 21A,

Mason Street: No.s 3B, 5B, 7B, 9B, 11B, 13B, 15B, 17B, 19B, 21B, 27, 31, 33

Old Kent Road: No.2

Re-consultation: None

Consultation responses received

Internal services:

Southwark Transport Planning Team:

The application supports the following policies:

- 5.2 – Transport Impacts
- 5.3 – Walking and cycling
- 5.6 – Parking
- 5.8 – Other parking
- 3.11 – Efficient use of land (protecting amenity, servicing, etc)

In terms of transport, we support the application in principle as it contributes to Southwark Council's sustainable transport policies; however, the number of cycle parking spaces should be provided prior to granting approval and the location of refuse and recycling bins should also be provided.

- No S106 required.
- No adverse transport impacts identified.
- Car-free development – the rights of residents or any members of staff to apply for CPZ permits should be removed.
- No environmental/streetscape improvements required.
- Cycle parking is not adequate on site.
- No Travel Plan required.
- No changes to traffic orders.

Statutory and non-statutory organisations: None

Neighbours and local groups:

- The development has resulted in a loss of light to neighbouring properties.
- The development has caused overshadowing of the garden of 2 Old Kent Road as well as neighbouring gardens – specifically loss of morning sunshine.
- It causes an overbearing sense of enclosure and loss of privacy due to encroachment to within less than 3m of the adjoining boundary wall of 2 Old Kent Road.
- The development has caused a loss of privacy due to the proximity of two rear terraces which overlook the garden of 2 Old Kent Road.
- The development will exacerbate existing parking congestion levels in Darwin Street and surrounding residential roads.
- Wish for an acknowledged that this development will have consequences for local residents in terms of putting additional pressure on already stretched local amenities and services such as parking, schools and local medical services.
- The proposal is an over-development of the site.
- Concern expressed that the continued construction of this unauthorised development suggests that planning regulations are being ignored.

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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

Applicant	Mr D. Foster	Reg. Number	13/AP/3316
Application Type	Full Planning Permission	Case Number	TP/1119-E
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a part three-storey, part single-storey (ground-floor) rear extension and a part single-storey, part two-storey roof extension involving the raising of the roof ridge and the insertion of three roof lights into the enlarged front roof slope, in association with the conversion from a single-family dwellinghouse to five self-contained flats with associated refuse and cycle storage provision. (Retrospective Application)

At: 2 DARWIN STREET, LONDON, SE17 1HB

In accordance with application received on 03/10/2013 08:00:28

and Applicant's Drawing Nos. 14010/001, 14010/002, 14010/003 Rev.A, 14010/004 Rev.A, 14010/005 Rev.B, 14010/006, 14010/007, 14010/008, a Design and Access Statement and a Site Location Plan.

Subject to the following seven 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:

14010/003 Rev.B, 14010/004 Rev.B, 14010/005/2, 14010/005/3, 14010/005/4 and 14010/005 Rev.C.

Reason:

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

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

- 2 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.

- 3 Within 3 months from the date of this permission, detailed scaled drawings of a suitable cycle store shall be submitted to and approved in writing by the Local Planning Authority. These shall include details of the internal arrangement of securely parked cycles (at least five) and shall specify the materials to be used in its construction. Within 2 months from the date of the approval of these details, the cycle parking facilities shall be provided in accordance with the approved details and thereafter shall be retained and used for no other purpose.

Reason:

To ensure that satisfactory secure bicycle parking is provided and retained for the benefit of the occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework (2012), policy 6.9 of the London Plan (2011), strategic policy 2 (Sustainable Transport) of the Southwark Core Strategy (2011) and saved policy 5.3 (Walking and Cycling) of the Southwark Unitary Development Plan (2007).

- 4 Within 3 months of the date of this permission, and with the exception of the canopy cover, the doorway required to provide access to the communal bin and cycle store in the north side wall, as shown on drawing no. 14010/005/2, shall be constructed and shall contain a lock-able metal door or gate.

Reason:

To ensure that the proposed bin and cycle store is brought into use as soon as reasonably possible to serve the occupiers of the development, in accordance with the National Planning Policy Framework (2012), policies 5.17 (Waste Management) and 6.9 (Cycling) of the London Plan (2011), strategic policies 2 (Sustainable Transport) and 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policies 3.7 (Waste Reduction) and 5.3 (Walking and Cycling) of the Southwark Unitary Development Plan (2007).

- 5 Within 3 months from the date of this permission, the details of the means of enclosure of the roof terrace shall be submitted to and approved in writing by the Local Planning Authority. Within 2 months of the date of approval of these details, it shall be constructed in accordance with the approved details and shall be retained thereafter.

Reason:

To safeguard the amenity of neighbouring residents and to ensure that the means of enclosure of the roof terrace will not have an adverse impact on the character and appearance of the surrounding area, in accordance with policies 7.4 (Local Character) and 7.6 (Architecture) of The London Plan (2011), strategic policies 12 (Design and Conservation) and 13 (High Environmental Standards) of the Southwark Core Strategy (2011), and saved policies 3.2 (Protection of Amenity) and 3.12 (Quality in Design) of the Southwark Unitary Development Plan (2007).

- 6 Within 3 months of the date of this permission, the refuse storage arrangements shown on the approved drawing no. 14010/003 Rev.B 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 the National Planning Policy Framework (2012), policy 5.17 (Waste Management) of the London Plan (2011), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.7 (Waste Reduction) of the Southwark Unitary Development Plan (2007).

- 7 Within 3 months from the date of this permission, the details of proper securely-affixed metal Juliet balcony railings (to replace all of the current temporary timber Juliet balconies) shall be submitted to and approved in writing by the Local Planning Authority. Within 2 months of the date of approval of these details, these shall be installed in accordance with the approved details and shall be retained thereafter.

Reason:

To provide the development with a satisfactory external appearance using good quality materials in keeping with the character and appearance of the surrounding area, in accordance with policies 7.4 (Local Character) and 7.6 (Architecture) of The London Plan (2011), strategic policies 12 (Design and Conservation) and 13 (High Environmental Standards) of the Southwark Core Strategy (2011), and saved policies 3.2 (Protection of Amenity) and 3.12 (Quality in Design) of the Southwark Unitary Development Plan (2007).

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service.

Initially the scheme did not comply with guidance and no pre-application discussions were entered into. However, the local planning authority's suggested improvements were adopted by the applicant.

Ordnance Survey

Date 8/1/2015



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Item No. 7.3	Classification: Open	Date: 20 January 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 14/AP/1726 for: Full Planning Permission Address: 25 - 31 PENROSE STREET, LONDON SE17 3DW Proposal: Development of the site as 8 dwellings (comprising 6 three storey brick x 3 bedroom terrace houses and 2 converted three bedroom houses) including alterations and extension of part of the existing mail sorting office.		
Ward(s) or groups affected:	Newington		
From:	Head of Development Management		
Application Start Date 17/06/2014		Application Expiry Date 12/08/2014	
Earliest Decision Date 17/07/2014			

RECOMMENDATION

- 1 That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 The application site consists of a red brick Victorian building, originally designed by the architect Henry Tanner as a post office sorting office and warehouse. Although it is neither statutory listed nor found within a conservation area, it does form a distinctive townscape element with well detailed finishes that contribute positively to the street scene. It is considered to sit well between the industrial character of the adjacent railway viaduct to the east and the domestic villas to the west. It has a double height pitched roof creating an internal hall space, with an office at mezzanine level. Attached to the west elevation there is a more modern, brick built single storey extension and a space for loading and car parking.
- 3 Directly abutting the application site to the west is a two storey building at 33 Penrose Street that is Grade II listed. The application site is considered to fall within the setting of this listed building and any proposals will be considered accordingly.
- 4 To the north of the application site is Penrose Street. On the other side of Penrose Street is a warehouse building of some 17m in height. To the east of the site is Penrose Grove, which wraps around to the rear (south) of the building. On the other side of Penrose Grove to the east is the railway viaduct with commercial uses under the arches. These are mostly screened from the application site by a relatively tall brick wall on the back edge of pavement. To the south of the site there is a more

modern two storey building and further south still, a taller block of residential flats. The area to the west of the application site comprises predominantly two and three storey residential properties.

- 5 There are two points of vehicular accesses to the site, one from Penrose Street at the front and one from Penrose Grove to the rear.
- 6 The site lies within the following designated areas according to the Southwark Core Strategy 2011: air quality management area, urban density zone. The application building is not listed, neither is the area a conservation area. The two storey building immediately to the west at 33 Penrose Street is listed grade II. This building is currently in use as a doctor's surgery.
- 7 The site is within a controlled parking zone (CPZ) and has a public transport accessibility level of 5, indicating good access to public transport.

Details of proposal

- 8 Planning permission is sought for the conversion and extension of the front section of the building to provide 2 new 3 bedroom dwellings each over two floors. To the rear of the site it is proposed to construct a terrace of six three storey 3 bed houses, these will front onto Penrose Grove.
- 9 The proposals under consideration would retain and restore the front part of the existing sorting office and warehouse building and convert it into 2 new residential dwellings. Between this and the listed building at 33 Penrose Street a new single storey annex would be built to contain another new residential dwelling (partially in the annexe and partially in the converted sorting office).
- 10 The rear part of the existing sorting office would be demolished and replaced with private gardens and six new terraced houses fronting Penrose Grove to the south. The existing 5.5m high plastered brick wall and glazed brick plinth along the eastern elevation (Penrose Street) would be retained to enclose the gardens and form the eastern gable of the new terraced housing.

Planning history

- 11 Planning permission was refused on demolition of existing building and construction of 9 dwellings (9 x 3 bedroom) three storeys in height; associated refuse storage, cycle parking and landscaping. The application was refused for the following reasons:
- 12 The proposed buildings, by reason of their mass, bulk and detailed design, would fail to respond positively to their surroundings. The inappropriate scale and design of the building would be an incongruous feature within the street scene and would fail to achieve a high quality of either architectural or urban design. Furthermore, the ungainly bulk of the proposed buildings, and their proximity to the listed building at 33 Penrose Street, would unacceptably harm its setting.
- 13 The scheme would fail to provide an acceptable standard of accommodation to future occupiers due to the proximity of rear facing windows and terraces, the lack of separation between the proposed dwellings would lead to unacceptable levels of overlooking between the houses and would potentially result in undue noise disturbance.

- 14 There have been various applications relating to the use of the building as a warehouse use pre-2000. More recently, in 2012 there has been a pre-application discussion regarding the retention of the building and addition of three floors to form residential flats.

Planning history of adjoining sites

- 15 36-38 Penrose Street:
11-AP-3723: A renewal of planning permission 08-AP-1656 dated 17/11/2008 was granted on 05/01/12 for ground and first floor rear extension, third and fourth floor front extension, roof-top extension, and conversion of building to commercial (Use Class B1) on ground and part first floor, with 9, two bedroom flats on part first floor and second, third, fourth and new fifth floor; with elevational alterations.
- 16 10-AP-0521: Planning permission was granted on 29/09/10 for the conversion and change of use of the existing building to provide 44 no. student accommodation units (including demolition of existing front outrigger, reconstruction of western wall, extension to roof, creation of basement and associated elevational alterations).

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 17 The main issues to be considered in respect of this application are:
- a) principle of development in relation to current land-use policies
 - b) amenity of nearby residents and users of the area, and amenity of future occupants of the site
 - c) transport Issues
 - d) design and conservation issues
 - e) sustainability
 - f) flood risk.

Planning policy

- 18 National Planning Policy Framework (NPPF)
Section 4. Promoting sustainable transport
Section 6. Delivering a wide choice of high quality homes
Section 7. Requiring good design.
Section 12. Conserving and enhancing the historic environment

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

- Policy 3.3 Increasing housing supply
- Policy 3.5 Quality and design of housing developments
- Policy 5.3 Sustainable design and construction
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Core Strategy 2011

Strategic Policy 2 – Sustainable transport
 Strategic Policy 5 – Providing new homes
 Strategic Policy 10 – Jobs and businesses
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

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

1.4 Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations

2.5 Planning Obligations

3.1 Environmental Effects

3.2 Protection of Amenity

3.11 Efficient Use of Land

3.13 Urban Design

3.12 Quality in Design

3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites.

4.2 Quality of Residential Accommodation

4.3 Mix of Dwellings

5.2 Transport Impacts

5.3 Walking and Cycling

5.6 Car Parking

Residential Design Standards SPD 2011

Principle of development

- 19 The relevant land use policy would be 1.4, employment sites outside the preferred office locations and preferred industrial locations. Outside the preferred office locations, and preferred industrial locations, on sites which have an established B Class use and which meet any of the following criteria:
- i) The site fronts onto or has direct access to a classified road; or
 - ii) The site is within a Public Transport Accessibility Zone; or
 - iii) The site is within the Central Activities Zone; or
 - iv) The site is within the Strategic Cultural Area.

Development will be permitted provided that the proposal would not result in a net loss of floor space in Class B use.

- 20 Since none of the above criteria apply to the application site, there is no requirement to re-provide commercial floor space within B class use as part of this application.

Environmental impact assessment

- 21 None required due to the size of the site, which falls below the threshold of 0.5 hectares at which EIA is required by Schedule 2 of the EIA regulations 2011.

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

- 22 The Daylight and Sunlight assessment identifies key receptors (neighbouring windows affected by the development as being those on the front elevation of 40-44 Penrose Street (houses), and the front windows in the doctor's surgery at 33 Penrose Street. The report assesses sky component and annual probable sunlight hours. The impact on both of these properties is concluded to be negligible, and would not result in significant harm to occupiers. Officers are in agreement that the two sets of windows assessed are those most likely to be affected by the development, and agree that the report has assessed the likely impact effectively. There is not considered to be any significant harm to the amenity of nearby residents in this regard.
- 23 No other aspects of the scheme have been identified, that would impact on amenity of nearby residents.

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

Noise and Air Quality

- 24 In view of the proximity of the site to the rail viaduct, which houses a number of industrial uses, a noise and air quality report has been submitted by the applicant. This demonstrates how the residents' internal amenity would be protected to ensure good internal noise levels. Measures incorporated into the building include mechanical ventilation, and a condition would be imposed to any recommendation for approval to require details of this. Air intake should be from less polluted facades.
- 25 The retention of the existing wall along Penrose Street would act as a noise barrier to the new dwellings and gardens of the proposed homes.

Transport issues

- 26 The site is proposed as car free with a loss of two existing car parking spaces. The site has a high PTAL of 5, is located within a CPZ. Therefore in this instance the car free development is considered acceptable and supported by policy.
- 27 The proposal site is situated in a CPZ. Therefore, in order to prevent possible overspill parking from the development and encourage the use of the available sustainable modes, a planning condition would be imposed preventing occupiers of this development being eligible for on-street parking permits.
- 28 Any existing access which will be made redundant as a result of this development must be reinstated, with Highways approval. In addition to planning consent, any new or altered access must have the approval of the highways authority, before construction. An informative to this effect would therefore be attached to any recommendation for approval

- 29 No on site servicing is provided, however given the nature of the proposed development and the location of the bin stores it is not thought there will be many service vehicle movements associated with the above application; or refuse vehicles stationary in the highway for an extended period.
- 30 It was noted on site there were some bollards stopping up the road on Penrose Grove, this resulted in the commercial car business using this space to park cars. In order to provide access for refuse vehicles to the proposed houses it was considered better to remove these bollards to allow traffic to pass through. Highways officers and the applicant have agreed to a condition which would require the applicant to pay for this work to be undertaken. A condition to this effect is added to the recommendation should members be minded to grant approval.
- 31 Bin stores and cycle storage are considered adequate and appropriate for this development. The scheme is considered to be in accordance with saved policy 5.2 transport impacts, 5.3 walking and cycling, and 5.6 car parking of the Southwark Plan 2007, and SP2 sustainable transport of the core strategy 2011.

Design issues

- 32 The NPPF stresses the importance of good design and states in paragraph 56 that: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
- 33 Policy SP12 of the core strategy states 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.”*
- 34 Saved policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments. This includes the height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
- 35 The existing sorting office fronting onto Penrose Street would be retained and repaired where necessary. This is considered appropriate in terms of height, scale and massing and welcomed as a positive contribution to the local townscape. The success of this will be subject to the materials chosen to replace the existing fabric where necessary and the way in which they are detailed to match the existing. This can be controlled by condition.
- 36 According to the submitted material, the roof on the old sorting office needs to be replaced. The proposals state that it will be overhauled and made good in materials to match existing. This is welcomed, but as a low building, the roof is particularly visible from the surrounding townscape and therefore the details of the proposed replacement should also be controlled by condition.
- 37 The new annexe building, proposed between the old sorting office and the listed building at 33 Penrose Street would only be one storey in height. It would be set very slightly behind the building line of the listed building (although the entrance porch, some distance away, would protrude beyond this). Although the current gap between the two buildings would be filled in by this addition, its modest scale and subservient character would not cause any harm to the existing townscape.

- 38 The design for the terraced houses has been modified during the course of the application, the changes have focused on the design of the rear elevation, specifically the roof and the impact this would have on the setting of the listed building and the Penrose Street elevation. Following these revisions, the redesigned simpler roof form is considered to have addressed officer's initial concerns and is not considered to be harmful to the street scene or the listed building.

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

- 39 The application site is considered to be within the setting of the directly adjacent Grade II listed building at 33 Penrose Street. The proposals are therefore subject to Saved Policy 3.18 of the Southwark Plan which states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building. The retention of the more prominent parts of the former sorting office together with the redesign of the new terrace of buildings to the rear are considered to preserve and enhance the existing listed building at no. 33 Penrose Street.
- 40 Paragraph 135 of the NPPF states that “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application”.
- 41 Although it is neither listed nor within a conservation area, the proposals would preserve and enhance the existing building on the site. Concerns have been raised about the loss of the former sorting office building and it is recognised that the building is of merit and local historical significance. This application is considered to retain the best elements of the former sorting office, (the main front building onto Penrose Street and the wall along Penrose Grove). This makes a considerable contribution to the preservation of the setting of the listed building and is therefore welcomed.

Sustainable development implications

- 42 A code for unsustainable Homes level 4 pre-assessment has been submitted and a condition would be attached to require a post-completion report to this effect.

Other matters

Previous reasons for refusal

- 43 The 2013 application cited two reasons for refusal, firstly around the mass and bulk of development proposed and secondly in respect of the quality of accommodation and lack of privacy between the two rows of terraced houses.
- 44 This scheme has retained and converted most of the existing sorting office building and in principle, this is considered to represent efficient use of land whilst retaining the most of the non designated heritage asset on the site and respecting the setting of the neighbouring listed building. The living accommodation is generous and generally meets or exceeds that expected in the Southwark residential standards SPD.
- 45 The potential for overlooking between the converted sorting office and the proposed terraced housing and rear gardens is mitigated by the use of high level obscured windows in the existing building. Thanks to the size of the openings in the existing building and the proposal for a walled winter garden and roof lights in the annexe, this should not compromise the quality and amount of daylight and sunlight received.

- 46 It is acknowledged that the amenity space for the houses fronting Penrose Grove are limited in size being 25sq metres, which is half of the size suggested for housing within the residential design guide SPD, the dwellings do also benefit from a terrace of approximately 6.5sq metres, which brings the total amount of private amenity space available to around 31.5sq metres.
- 47 The two dwellings, housed within the converted section of the sorting office and single storey annexe would benefit from gardens of 34 and 45sq metres looking onto Penrose Street, whilst not ideal given the very urban location it is not considered that this is sufficient to constitute a refusal of permission.

Other issues

- 48 The recommended density for the site is 200-700 habitable rooms per hectare. The proposal would result in a density of 457hrph which is well within the density range for the area.
- 49 Flood Risk - the site is located within Flood Risk Zone 3. Zone 3 is a high risk area but benefits from River Thames tidal flood defences. Despite these, residual flooding can still occur but these occurrences fall outside the remit of the environment agency.
- 50 Ecology - A Phase 1 Habitat Survey, as well as a Bat Survey, have been completed. This identifies that the building on site provides little or no potential for roosting bats, nesting birds newts or reptiles.
- 51 CIL - The applicant's CIL form gives 838.48sqm as the proposed residential floor space. The existing uses on site (which have been in lawful use for the minimum period of 6 months in the 2 years prior to the application) are given as 530.3sqm. This can therefore be offset. The CIL liable floor space is therefore 308.18sqm. At Southwark's rate of £35 per sqm, this would be £10,786.

Conclusion on planning issues

- 52 The proposal has sought to address the two previous reasons for refusal, this has resulted in the retention and reuse of most of the former sorting office building, whilst also providing new family sized residential accommodation. The concerns of objectors around the loss of the building are noted, but given the attempt by the applicant to take on board those concerns and to overcome the previous reasons for refusal it is not considered that the loss of part of the building would outweigh the benefit of providing new residential accommodation. It is therefore recommended that planning permission be granted.

Community impact statement

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

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

b) The 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

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

Consultation replies

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

Summary of consultation responses

Letters were received from 3 objectors and the Walworth Society, full commentary is included within the appendix 2 of the officer report.

- The proposal would result in the significant harm to a local historic building
- No parking is provided for residents
- The proposal is out of character with the local area

Human rights implications

- 55 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.
- 56 This application has the legitimate aim of providing new 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

- 57 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1384-31 Application file: 14/AP/1726 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 5434 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Sonia Watson, Planning Team Leader	
Version	Final	
Dated	8 January 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		8 January 2015

Consultation undertaken

Site notice date: 24/06/2014

Press notice date:

Case officer site visit date: 16/07/2014

Neighbour consultation letters sent: 13/06/2014

Internal services consulted:

Design and Conservation team
Transport Planning Team
Environmental Protection Team

Statutory and non-statutory organisations consulted:

Network Rail

Neighbours and local groups consulted:

PENROSE SURGERY 33 PENROSE STREET LONDON SE17 3DW
43 PENROSE STREET LONDON SE17 3DW
36-38 PENROSE STREET LONDON SE17 3DW
48 PENROSE STREET LONDON SE17 3DW
36A PENROSE STREET LONDON SE17 3DW
REAR OF 37 PENROSE STREET LONDON SE17 3DW
RAILWAY ARCH 205 PENROSE STREET LONDON SE17 3EZ
RAILWAY ARCHES 208 TO 209 PENROSE STREET LONDON SE17 3EZ
RAILWAY ARCH 206 PENROSE STREET LONDON SE17 3DW
RAILWAY ARCH 203 PENROSE STREET LONDON SE17 3EZ
RAILWAY ARCH 204 PENROSE STREET LONDON SE17 3EZ
37 PENROSE STREET LONDON SE17 3DW
39 PENROSE STREET LONDON SE17 3DW
35 PENROSE STREET LONDON SE17 3DW
RAILWAY ARCH 210 PENROSE GROVE LONDON SE17 3EZ
31 PENROSE STREET LONDON SE17 3DW
40 PENROSE STREET LONDON SE17 3DW
45 PENROSE STREET LONDON SE17 3DW
46 PENROSE STREET LONDON SE17 3DW
44 PENROSE STREET LONDON SE17 3DW
41 PENROSE STREET LONDON SE17 3DW
42 PENROSE STREET LONDON SE17 3DW

Re-consultation:

n/a

Consultation responses received

Statutory and non-statutory organisations

Network Rail - no response

Neighbours and local groups

41 Penrose Street - Objects

The application is incomplete. It should not be considered without the elevation drawings (and street scene) of Penrose Street facing south including the three storey buildings at the rear. These do not currently appear in the drawings. I would object to any decision taken without this information as it impacts the street scene from Penrose Street.

The schedule of materials for elevation E appears to be incomplete. How will this look from Penrose Street? What materials will the frontage be made of and will they be in keeping with the brick houses surrounding?

There is no provision for parking for any of the residents of the proposed properties. There needs to be at least one parking space for each dwelling even if it is on street. None of the street frontage appears to be available for parking.

Brandon Street - Objects

I write to reiterate my opposition and objection to this planning application. This application is similar to the previous one affecting this old Post Office building, which I opposed on application 13/AP/2515. This application of 8 dwellings (6 three storey brick x 3 bedroom terrace houses and 2 converted three bedroom houses). The architecture doesn't fit in with the adjacent Victorian properties or houses facing. In opposing any part of this historical building asset built in the 19th century (1887) by Sir Henry Tanner, Head Architect for the Post Office who built and designed many fine buildings for them. He was also Chief Architect to Government designing with distinction. So I oppose and object to any part of this authentic building being removed or demolished and being replaced by houses of poor design.

33 Penrose Street - Objects

We believe the old Royal mail sorting office is a building of historical interest, and it would be a shame to see it damaged in any way. We do however acknowledge that something positive should be done with the site and we therefore echo and endorse the comments of the Walworth Society which I think have been made after careful consideration.

Walworth Society - Objects

The Walworth Society commented on the previous application for this site (13/AP/2515) which included the complete demolition of the existing historic sorting office building. Underpinning our objection to that scheme was a substantial amount of original historical research, which demonstrated the historic significance and architectural value of the building. The Walworth Society accepts English Heritage's decision that the building did not meet the exacting criteria which would make it listable as a building of national significance. However, we do welcome their acknowledgment of its local value. We also recognise that Southwark does not as yet have an up-to-date active register of 'locally

listed' buildings. However, the Council will be aware of our ambitions to work closely with them at their earliest possible convenience to establish this list for our local area (and we have already submitted a proposed draft list for their consideration). Although No 31 is not yet technically included on a 'local list' we note that both the NPPF Annex and the NPPG recognise such lists as only being one possible mechanism for identifying some non-designated assets, but it is clear that this is not the only way.

Along with a number of statutory consultees (including the Victorian Society and the Ancient Monuments Society) the Walworth Society made a clear and convincing case that Sir Henry Tanner's building, though not nationally significant, is certainly of local importance and it should be considered to be a non-designated heritage asset.

We would like it to be noted that this matter was of such interest that the Walworth Society requested and was accepted to make a representation to the meeting of the Borough, Bankside and Walworth Community Council held on Saturday 1 February 2014 at 1.00 pm at St Saviour's & St Olave's School, New Kent Road, London SE1 4AN. At that meeting (and we quote directly from the meeting minutes), it was resolved:

That this community council recognises the particular local heritage significance of the old Walworth sorting office on Penrose Street (acknowledged both by English Heritage and the Victorian Society), and desires to protect the building from demolition by developers.

We remain concerned that all steps have not been taken to remove the element of demolition from these plans and rather to integrate more fully the sorting office building into the development in the way that we outline below in our Comments on the Proposal.

POLICY

Paragraph 135 of the NPPF states that "*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application*". Paragraph 137 of the NPPF states that "*local planning authorities should look for opportunities for new development... within the setting of heritage assets to enhance or better reveal their significance*"

COMMENTS ON PROPOSALS

We recognise that this proposal represents a substantial improvement upon the previous scheme, specifically through retention of a proportion of the historic sorting office premises. We recognise that this approach will certainly be less harmful to the historic character and integrity of the Penrose Street streetscape and the setting of the adjacent GII listed building. However, we continue to have concerns over the extent of the demolitions proposed to the historic sorting office and that this new massing will detract from its integrity and visual coherence, particularly in more oblique views from the west along Penrose Street (best seen in the massing studies shown in the applicant's daylight/sunlight assessment). We strongly recommend that consideration is given to retaining a higher proportion, or indeed all, of the rear volume of the sorting office. If this is proved to be structurally unviable, that a proportion is re-built to match the existing. We suggest that provision of communal amenity space for residents, in courtyard form, could enable a higher quantum of development whilst also securing a higher proportion of the non-designated heritage asset (within the spirit of an enabling-development approach).

CONCLUSION

The proposals represent a clear improvement to the previously committed scheme

however we continue to have concerns that the development will result in undue levels of harm to an important local non-designated heritage asset. We would welcome an opportunity to engage with the applicant and the Council to evolve these plans further as we feel there is clearly scope for development upon this site which our community could actively support which would also better protect this historic asset in the way that they local community and its representatives have so clearly envisaged in the very recent past.

RECOMMENDATION

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

Applicant	Gambuzzi Property	Reg. Number 14/AP/1726
Application Type	Full Planning Permission	
Recommendation	Grant with 'Grampian' Condition	Case Number TP/1384-31

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Development of the site as 8 dwellings (comprising 6 three storey brick x 3 bedroom terrace houses and 2 converted three bedroom houses) including alterations and extension of part of the existing mail sorting office.

At: 25 - 31 PENROSE STREET, LONDON, SE17 3DW

In accordance with application received on 23/05/2014 08:08:11

and Applicant's Drawing Nos.

Existing

2013/10 SL01; 2013/10 SL02; 2013/10 SL03

Proposed

2013/10 TPS101B; 2013/10 TP101B; 2013/10 TP102B; 2013/10 TP103B; 2013/10 TP104B; 2013/10 TP105A; 2013/10 TP106B; 2013/10 TP107; 2013/10 TP108A; 2013/10 TP109; 2013/10 TP110A; 2013/10 TP111; 2013/10 TP112A; 2013/10 TP113A; 2013/10 TP115; 2013/10 TP116A; 2013/10 TP117A; 2013/10 TP118

Documents

Design and Access Statement with Heritage Statement; Air Quality Assessment (Hawkins environmental); Flood Risk Assessment (Syntergra Consulting); Noise Assessment (Hawkins environmental); Transport Statement (Paul Mew Assocs); Energy Strategy Report Rev A (Syntergra Consulting); Daylight and sunlight impact assessment (Hawkins environmental)

Subject to the following sixteen 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:

2013/10 TPS101B; 2013/10 TP101B; 2013/10 TP102B; 2013/10 TP103B; 2013/10 TP104B; 2013/10 TP105A; 2013/10 TP106B; 2013/10 TP107; 2013/10 TP108A; 2013/10 TP109; 2013/10 TP110A; 2013/10 TP111; 2013/10 TP112A; 2013/10 TP113A; 2013/10 TP115; 2013/10 TP116A; 2013/10 TP117A; 2013/10 TP118

Reason:

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

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

Reason

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

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

- 3 Before any work hereby authorised begins, the applicant shall provide section detail-drawings at a scale of 1:5 through:
the facades;
parapets;
roof edges;
junctions with the existing building; and

heads, sills and jambs of all openings

to be used in the carrying out of this permission for both the retained and new build elements of the proposals shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan (UDP) July 2007.

- 4
- a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. 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 of High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 5
- All works of making good to the existing building shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any conditions attached to this consent. Samples of the following specified for the making good of the existing building shall be made available on site for inspection by the Local Planning Authority, and approved in writing prior to any work in connection with this permission being carried out; the development shall not be carried out otherwise than in accordance with any such approval given.
- i) Brick, mortar, pointing and stone dressing for any repairs;
 - ii) Rainwater goods;
 - iii) Roofing materials; and
 - iii) Windows and doors.

Reason:

In order that the Local Planning Authority may be satisfied that the existing building will be restored to make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan (UDP) July 2007.

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

grade' here means any works above ground level.

- 6 Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials to be used on the new build elements of this permission, (including windows and doors) shall be presented on site to the Local Planning Authority and approved in writing before any work in connection with this permission is commenced; 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.

- 7 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 Level 4 or equivalent has 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.

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

Reason

In the interests of visual and residential amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

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

- 9 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 2013/10 TP101B shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

- 10 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced 2013/10 TP101B shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

- 11 The residential rooms within the development sharing a party wall/ floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 is not exceeded due to noise from the commercial premises, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out

otherwise than in accordance with any such approval given.

Reason

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

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

- 12 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.

- 13 The development hereby permitted shall be carried out in accordance with the recommendations contained within the approved Flood Risk Assessment prepared by (Syntergra Consulting) dated 09/05/2014.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

- 14 The windows on the south elevation of the Penrose Street building shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason

In order to protect the privacy and amenity of the occupiers and users of the proposed adjoining dwellings on Penrose Grove from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 15 Notwithstanding the provisions of Classes A, B, C, D, E, and F of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellings hereby approved.

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 16 Prior to the commencement of any development above grade (excluding demolition), the developer shall enter into an agreement, under section 278 of the Highways Act, with the Highways Authority to carry out the highways works surrounding the site, on Penrose Street. The development shall not be carried out otherwise than in accordance with this S278 agreement, and such works shall be completed within 3 months of first occupation of any part of the development.

Reason

To ensure that the proposal will not comprise any highway safety in accordance with policy 5.2 transport Impacts of the Southwark Plan 2007 and to ensure that the works are carried out with the agreement of and to the relevant standards of the Highway Authority.

Statement of positive and proactive action in dealing with the application

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

PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2014-15

NOTE: Original held by Constitutional Team (Community Councils) all amendments/queries to Sean Usher Tel: 020 7525 7187

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Alexander Gillott, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		