

Planning Sub-Committee A

Wednesday 10 June 2015

7.00 pm

Meeting room G01, 160 Tooley Street, London SE1 2QH

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Ben Johnson (Vice-Chair)
Councillor Nick Dolezal
Councillor Chris Gonde
Councillor Anne Kirby
Councillor Eliza Mann
Councillor Sandra Rhule

Reserves

Councillor Evelyn Akoto
Councillor David Hubber
Councillor Sarah King
Councillor Darren Merrill
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: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 2 June 2015



Planning Sub-Committee A

Wednesday 10 June 2015
7.00 pm
Meeting room G01, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
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.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 5
	To approve the minutes of the meeting held on 12 May 2015 as a correct record of the meeting.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 10
	7.1. THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ	11 - 26
	7.2. 68A BEAUVAL ROAD, LONDON SE22 8UQ	27 - 39
	7.3. 160 - 162 RYE LANE, LONDON SE15 4NB	40 - 55



PLANNING SUB-COMMITTEE

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

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

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

(b) The applicant or applicant's agent.

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

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

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

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

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

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

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

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

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

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

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



PLANNING SUB-COMMITTEE A

MINUTES of the Planning Sub-Committee A held on Tuesday 12 May 2015 at 7.00 pm in Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
Councillor James Barber (Vice-Chair)
Councillor Nick Dolezal
Councillor Sandra Rhule

OTHER MEMBERS PRESENT: Councillor Rosie Shimell

OFFICER SUPPORT: Rob Bristow (Development Management)
Rachel McKoy (Legal Officer)
Dipesh Patel (Development Management)
Michele Sterry (Development Management)
Christian Loveday (Principal Transport Planner)
Mumtaz Shaikh (Development Management)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillors Lucas Green, Vijay Luthra and Eliza Mann.

3. CONFIRMATION OF VOTING MEMBERS

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

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 10 February 2015 be agreed as a correct record of the meeting, and be signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

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

7.1 EAST DULWICH TABERNACLE CHURCH, 107 BARRY ROAD, LONDON SE22 0HW

Planning application reference number: 13/AP/3694

Report: see pages 12 to 26 of the agenda pack and pages 1 to 2 of the addendum report.

PROPOSAL

Demolition of existing rear and front extensions and replacement with a new single storey extension to the rear and a part single storey and part two storey to the front.

The sub-committee heard an introduction to the report from a planning officer who also highlighted the additional comments and conditions in the addendum report. Members asked question of the officer.

Local residents who objected to the application made representations to the sub-committee and answered members' questions.

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

members' questions.

There were no supporters of the development, who lived within 100 metres of it, wishing to speak.

Councillor Rosie Shimell spoke in her capacity as ward member. Members of the committee did not ask questions of Councillor Shimell.

Members debated the application and asked questions of the officers.

A motion to refuse planning permission was moved, but not seconded and fell.

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

RESOLVED:

That planning permission for application number 13/AP/3694 be granted with conditions, as set out in the report and addendum report, and with an additional condition stipulating that satisfactory details regarding the ramp on the inside of building be submitted.

At this point the meeting took a 10-minute comfort break and resumed at 8.05pm.

7.2 THE LAKE, SOUTHWARK PARK, GOMM ROAD, LONDON SE16

Planning application reference number: 14/AP/0558

Report: see pages 27 to 38 of the agenda pack.

PROPOSAL

Installation of a 2.74m high bronze 'Family of Dolphins' sculpture and integral fountain in Southwark Park Lake.

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

There were no local residents, who objected to the application, wishing to speak.

The applicant did not wish to speak. There were no local supporters of the application or ward councillors wishing to speak.

Members debated the application.

The motion to grant the application was moved, seconded and put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 14/AP/0558 be granted with conditions, as set out in the report.

7.3 TRANSMITTER MAST 31867, DULWICH SPORT GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH**Planning application reference number: 15/AP/0542**

Report: see pages 39 to 48 of the agenda pack.

PROPOSAL

Upgrade to existing radio base station consisting of the removal of three of the existing 6 antennas on the existing replica cypress tree telecommunications mast and removal of one equipment cabinet; Installation of three replacement antennas, one replacement equipment cabinet and ancillary development.

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

There were no local residents, who objected to the application, wishing to speak.

The applicant was not in attendance. There were no local supporters of the application or ward councillors wishing to speak.

Members debated the application.

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

RESOLVED:

That planning permission for application number 15/AP/0542 be granted with conditions, as set out in the report.

7.4 190 SOUTHAMPTON WAY, LONDON SE5 7EU**Planning application reference number: 14/AP/4259**

Report: see pages 49 to 64 of the agenda pack and page 2 of the addendum report.

PROPOSAL

Variation of condition 3 of planning permission 08-AP-1376 granted on appeal dated 17/11/2009 for 'Change of use of existing first floor residential into nursery, in connection with the existing ground floor nursery' to extend the hours of use from 08:00 to 18:00 on Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays to allow

opening: 07:00 to 19:00 on Monday to Friday and 09:00 to 16:00 on Saturday, Sundays and Bank Holidays.

The sub-committee heard an introduction to the report from a planning officer who also highlighted the additional comments and conditions in the addendum report. Members asked question of the officer.

There were no local residents, who objected to the application, wishing to speak.

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

There were no supporters of the development who lived within 100 metres of it, or ward councillors wishing to speak.

Members debated the application and asked questions of the officers.

The motion to grant the application was moved, seconded and put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 14/AP/4259 be granted with conditions, as set out in the report and addendum report.

Meeting ended at 8.40 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 10 June 2015	Meeting Name: Planning Sub-committee A
Report title:		Development management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

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

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

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the sub-committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the sub-committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning sub-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 and the 2011 London Plan. 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. Due weight should be given to relevant development plan policies according to their degree of consistency with the NPPF. The approach to be taken is that the closer the policies are 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	Lelsey John 020 7525 7228
Each planning sub-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 1	Items to be determined by the planning sub-committee

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Sarah Koniarski, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	June 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		June 2014

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Wednesday 10 June 2015

Appl. Type S.73 Vary/remove conds/minor alterations
Site THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ

Reg. No. 15-AP-0156
TP No. TP/2292-B
Ward Village
Officer Matthew Harvey

Recommendation GRANT PERMISSION

Item 7.1

Proposal

Variation of condition 2 (approved plans) of planning permission dated 15/04/2013 [application no.12/AP/2620 for the 'Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1)'] to include reconfigured car parking spaces and the introduction of an electrical substation and gated access to the wilderness garden from the car park.

Appl. Type Full Planning Permission
Site 68A BEAUVAL ROAD, LONDON SE22 8UQ

Reg. No. 15-AP-0618
TP No. TP/2313-68
Ward Village
Officer Marina Lai

Recommendation GRANT PERMISSION

Item 7.2

Proposal

Erection of single storey side and rear extension

Appl. Type S.73 Vary/remove conds/minor alterations
Site 160-162 RYE LANE, LONDON SE15 4NB

Reg. No. 15-AP-0938
TP No. TP/2732-162
Ward The Lane
Officer Alex Cameron

Recommendation GRANT PERMISSION

Item 7.3

Proposal

Minor amendments to planning permission 12-AP-2698 for: 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront' consisting of: A basement extension to the commercial unit for additional storage space; Changes to the top floor material from glazing structure to bricks; High quality bricks proposed to the entire building; Further development to the elevations including shop front design; Additional balcony to the rear elevation; Relocation of refuse storage; Green roof proposed to the front at first floor level. Submission of further details further details in relation to refuse storage, details of the shop front, details of the balconies and details of the privacy screens.



Date 27/5/2015



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DULWICH VILLAGE Scale 1/1250

Item No. 7.1	Classification: OPEN	Date: 10 June 2015	Meeting Name: Planning Sub-committee A
Report title:	Development Management planning application: Application 15/AP/0156 for: S.73 Vary/remove conds/minor alterations Address: THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ Proposal: Variation of condition 2 (approved plans) of planning permission dated 15/04/2013 [application no.12/AP/2620 for the 'Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1)'] to include reconfigured car parking spaces and the introduction of an electrical substation and gated access to the wilderness garden from the car park.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 29/01/2015		Application Expiry Date 30/04/2015	
Earliest Decision Date 22/04/2015			

RECOMMENDATION

1. That this application is referred to Members for consideration due to the number of objections; and that planning permission (variation of condition 2) is granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site relates to public house known as the 'Crown and Greyhound' on the east side of Dulwich Village. The building is Grade II listed and is located within the Dulwich Village conservation area. Permission exists for extensions and alterations to the existing building and construction of a new building to comprise a refurbished public house and hotel (see below). This proposal relates to the car parking area and effects the rear landscaped part of the site known as 'the wilderness'.

Details of proposal

3. The application seeks to vary the approved development to accommodate the need for an electricity substation that was not anticipated when planning permission was originally obtained. As a result of this requirement and given the constraints of the site, the applicant has opted to site the substation within the customer car park. As a result

the layout of the parking area has changed, but it is noted that the overall number of space has remained the same. The application also seeks permission for a entrance gate to facilitate vehicular access through to the wilderness garden at the rear. However, the agent has confirmed this is for maintenance purposes only and no other changes are proposed to this part of the site.

4. The proposal was subject to reconsultation as part of the proposal relates to the installation of vehicular access gates in the boundary wall between the car park and the wilderness garden that was not originally included in the original description of development.

Relevant planning history

5. This proposal was originally submitted as a non-material amendment (see application 14/AP/4269 below), however, as the proposal consisted of new development not previously approved by the council, the applicant was advised to submitted a minor material amendment application instead, which is now the subject of this application.

<p>12/AP/2620 Application type: Full Planning Permission (FUL) Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1). Decision date 15/04/2013 Decision: Granted with Legal Agreement (GWLA)</p>
<p>12/AP/2621 Application type: Listed Building Consent (LBC) Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and internal and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1). Decision date 15/04/2013 Decision: Granted (GRA)</p>
<p>12/AP/2775 Application type: Conservation Area Consent (CAC) Partial demolition of rear extensions of the public house and buildings within its curtilage. Decision date 15/04/2013 Decision: Granted (GRA)</p>
<p>14/AP/4269 Application type: Variation: non-material changes (VNMC) Non-material amendment to planning permission 12-AP-2620 for: (Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1) to allow for amendment to layout of car parking spaces. Decision date 13/01/2015 Decision: Not Agreed - for app types VLA & VNMC (NAGR)</p>
<p>14/AP/4271 Application type: Listed Building Consent (LBC) Introduce an entrance to the new hotel from the car park, through the curtilage listed wall. Decision date 09/02/2015 Decision: Granted (GRA)</p>
<p>14/AP/4080 Application type: Full Planning Permission (FUL) Relocation of the principal Crown and Greyhound kitchen to the ground floor dining room and associated rerouting and relocation of the kitchen extract system and</p>

external flue.

Decision date 23/03/2015 Decision: Granted (GRA)

14/AP/4081 Application type: Listed Building Consent (LBC)

Relocation of the principal Crown and Greyhound kitchen to the ground floor dining room, insertion of a new staircase leading to the basement, associated rerouting and relocation of the kitchen extract system and external flue and removal of a partition wall on the second floor'.

Decision date 23/03/2015 Decision: Granted (GRA)

Planning history of adjoining sites

6. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

7. The main issues to be considered in respect of this application are:
- a) Whether the proposed sub-station and gate would preserve the character and appearance of the conservation area (and setting of the listed building);
 - b) Whether the revised parking layout is acceptable; and
 - c) Whether there would be any material impact on residential amenity.

Planning policy

8. This application should be determined in accordance with the development plan unless other material considerations indicate otherwise; and the following central government guidance, regional and local plan policies are particularly relevant:

National Planning Policy Framework (the Framework)

Requiring good design

Conserving and enhancing the historic environment

Core Strategy 2011

Strategic Policy 12 – Design and conservation

Southwark Plan 2007 (July) - saved policies

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

Policy 3.2 Protection of amenity

Policy 3.12 Quality in design

Policy 3.15 Conservation of the historic environment

Policy 3.16 Conservation areas

Policy 5.2 Transport impacts

Policy 5.6 Car parking

Principle of development

9. The principle of the development is established through the extant planning permission which this proposal seeks to vary, subject to the detailed considerations of the revised parts of the proposal which are set out below.

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

10. A number of concerns have been raised by local residents that the installation of vehicular access gates to the wilderness area would have a detrimental impact on residential amenity by way of the increased use of such a space which acts as a buffer between the application site and nearby residential properties.
11. Existing access to this space is via a single gate which allows for pedestrian access into this part of the site. The proposed installation of vehicular access gate is to allow for the maintenance of this part of the site and no parking or sitting out areas are proposed. On the basis that the gate is required for maintenance purposes only this would not give rise to any significant concerns in respect of noise and disturbance or other amenity impacts. In order to ensure this remains the case in the future a condition will be added to the permission to ensure that the gate is only used in association with access for maintenance vehicles.

Transport issues

12. Some concerns have been expressed by the Transport department in relation to the revised layout of the parking spaces required to accommodate the sub-station. These concerns relate to parking space no. 5 where vehicles are likely to struggle to enter and exit the space without manoeuvring multiple times. Spaces 6 and 7 will require vehicles to reverse a substantial distance before being able to turn to leave in a forward gear. Spaces 21-23 appear to be situated partially within a verge.
13. Spaces 21-23 are shown in the same position as previously proposed. Spaces 6 and 7 would require vehicles to reverse for approximately 20m, however, this is not considered to be harmful to residential amenity given that vehicles would reverse in a straight line and the parking area otherwise has good visibility. Whilst space no. 5 would be difficult to manoeuvre in and out of, overall this is not considered to be sufficiently harmful given that there is an overall increase in parking as part of the approved development compared to existing.

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

14. The new electricity substation building is modest in size and being single storey in nature and necessary for the proper functioning of the hotel. It has been sensitively sited so as not to be visible from the street scene and sited in the car park adjacent to existing buildings. Details of the appearance of this structure will be sought by condition, as no details have been provided with the application.
15. The proposed vehicular access gate to the wilderness area would result in some minor loss of fabric to the boundary wall, but the proposed gate is sympathetic and similar in detailing to a door granted previously in the wall under permission 14/AP/4271. Additional details of the gate that have been submitted during the course of the application are considered sufficient, and no further details should be required by condition in this respect.

16. The installation of the gates to the wilderness area would provide for the good management of this amenity area. A condition can be secured to ensure this is for access for maintenance purposes only. In reality this part of the site benefits from substantial tree cover and is unlikely to present any significant security issues of the type suggested in the public consultation exercise.

Impact on trees

17. The proposed substation and revised parking layout has been sensitively designed so as to not impact on the root protection area of the Horse Chestnut Tree which is adjacent to the parking area as shown on the submitted plans. A condition to ensure the tree protection measures are undertaken is suggested as part of any permission.

Conclusion on planning issues

18. The proposed substation building and access gates would preserve the character and appearance of the Dulwich Village conservation area and would not be harmful to the setting of the nearby Grade II listed building. The revised parking layout is acceptable in highway terms and on balance the proposal would not have a material impact on residential amenity. As such the application is recommended for approval.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: None.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: None.

Consultations

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

Consultation replies

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

Summary of consultation responses

22. Ten objections have been received in relation to this proposal on the following basis:
- Proposed vehicular access gates into the wilderness would increase the usability of this space contrary to the amenity (noise and disturbance) and security of nearby residents.

Noted: The proposed gates and their use would be the subject of a condition to ensure issues around residential amenity and security are not compromised.

- The need for the gate was questioned, given the previously unmanaged nature of

this space.

Noted, however, this is not a reason to withhold permission and no objections were raised by transport officers.

Human rights implications

23. 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.
24. This application has the legitimate aim of providing enhanced visitor accommodation and maintenance access arrangements. 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

24. None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2292-B Application file: 15/AP/0156 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 4424 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	Matthew Harvey, Planning Officer	
Version	Final	
Dated	26 May 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	28 May 2015	

APPENDIX 1

Consultation undertaken

Site notice date: 30/03/2015

Press notice date: 19/02/2015

Case officer site visit date: n/a

Neighbour consultation letters sent: 26/02/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Ancient Monuments Society
Council for British Archaeology
The Society for the Protection of Ancient Buildings
The Victorian Society

Neighbour and local groups consulted:

13 Court Lane Gardens Dulwich Village SE21 7DZ	8 Court Lane London SE21 7DR
258 Turney Road Dulwich SE21 7JP	32 Court Lane London SE21 7DR
The Crown And Greyhound 73 Dulwich Village SE21 7BJ	22 Court Lane London SE21 7DR
67 Dulwich Village London SE21 7BJ	20 Court Lane London SE21 7DR
65 Dulwich Village London SE21 7BJ	2 Court Lane London SE21 7DR
93 Dulwich Village London SE21 7BJ	24 Court Lane London SE21 7DR
75-77 Dulwich Village London SE21 7BJ	30 Court Lane London SE21 7DR
97 Dulwich Village London SE21 7BJ	28 Court Lane London SE21 7DR
95 Dulwich Village London SE21 7BJ	26 Court Lane London SE21 7DR
63 Dulwich Village London SE21 7BJ	Burbage Road Via Email
86 Dulwich Village London SE21 7AQ	Via Email
76 Dulwich Village London SE21 7AJ	115 Dulwich Village London SE21 7BJ
74 Dulwich Village London SE21 7AJ	Via Email
96-98 Dulwich Village London SE21 7AQ	155 Court Lane London SE21 7EE
61 Dulwich Village London SE21 7BJ	112 Court Lane London SE21
59 Dulwich Village London SE21 7BJ	12 Court Lane London SE21 7DR
57 Dulwich Village London SE21 7BJ	75 Danecroft London SE24 9PA
96a Dulwich Village London SE21 7AQ	Via Email
85-87 Dulwich Village London SE21 7BJ	Via Email
94 Dulwich Village London SE21 7AQ	Via Email
89 Dulwich Village London SE21 7BJ	Via Email
89a Dulwich Village London SE21 7BJ	Via Email
73a Dulwich Village London SE21 7BT	Via Email
Second Floor Flat 96-98 Dulwich Village SE21 7AQ	34 Mount Adon Park Dulwich SE22 0DT
Flat 91 Dulwich Village SE21 7BJ	25 Kingsthorpe Road London SE26 4PG
88 Dulwich Village London SE21 7AQ	Estates Governors' The Old College SE21 7AE
78 Dulwich Village London SE21 7AJ	101 Dulwich Village London SE21
79 Dulwich Village London SE21 7BJ	61 Stradella Road London SE24 9HL
80 Dulwich Village London SE21 7AJ	166 Croxted Road London SE21 8NW
70 Dulwich Village London SE21 7AJ	Email X
Email X	149 Court Lane SE21
91 Dulwich Village London SE21 7BJ	258 Turney Road London SE21 7JP
84 Dulwich Village London SE21 7AJ	By Email
82 Dulwich Village London SE21 7AJ	71 Court Lane London SE21 7EF
72 Dulwich Village London SE21 7AJ	41 Dovercourt Road London SE22 8SS
88a Dulwich Village London SE21 7AQ	By Email
Ground Floor 80 Dulwich Village SE21 7AJ	By Email
Living Accommodation 73 Dulwich Village SE21 7BJ	59 Calton Avenue London SE21 7DF
10 Court Lane London SE21 7DR	170 Friern Road London SE22

16 Court Lane London SE21 7DR
14 Court Lane London SE21 7DR
First Floor 78 Dulwich Village SE21 7AJ
First Floor And Second Floor 75-77 Dulwich Village SE21 7BJ
87 Dulwich Village London SE21 7BJ
84b Dulwich Village London SE21 7AJ
2a Court Lane London SE21 7DR
Flat C 91 East Dulwich Grove SE22 8PU
Flat B 91 East Dulwich Grove SE22 8PU
Flat A 91 East Dulwich Grove SE22 8PU
18 Court Lane London SE21 7DR
4 Court Lane London SE21 7DR
36 Court Lane London SE21 7DR
34 Court Lane London SE21 7DR
6 Court Lane London SE21 7DR
62 Dulwich Village London SE21 7AJ
60 Dulwich Village London SE21 7AJ

84 Turney Road London SE21 7JH
76-80 Whitfield Street London W1T 4WZ
7 Ludgate Broadway London EC4V 6DX
19 Dekker Road London SE21 7DL
C/O 27 Dulwich Village SE21 7BN
C/O 27 Dulwich Village London SE21 7BN
188 Turney Road London SE21 7JL
29 Turney Road London SE21 7JA
11 Court Lane Dulwich SE21 7DH
By Email
15 Glanfield Road Beckenham BR3 3JS
5 Glengall Road London SE15 6NJ
39 Lavengro Road London SE27 9EQ
By Email
25 Kingsthorpe Road London SE26 4PG
8 Court Lane Dulwich SE217DR
10, Court Lane London SE217DR

Re-consultation: 23/03/2015

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

10 Court Lane London SE21 7DR
10, Court Lane London SE217DR
14 Court Lane London SE21 7DR
14 Court Lane London SE21 7DR
16 Court Lane London SE21 7DR
18 Court Lane London SE21 7DR
18 Court Lane London SE21 7DR
18 Court Lane London SE21 7DR
18 Court Lane London SE21 7DR
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18 Court Lane London SE21 7DR
18 Court Lane London SE21 7DR
18 Court Lane London SE21 7DR
6 Court Lane London SE21 7DR
8 Court Lane Dulwich SE217DR
8 Court Lane London SE21 7DR
93 Dulwich Village London SE21 7BJ

RECOMMENDATION

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

Applicant	The Dulwich Estate.	Reg. Number	15/AP/0156
Application Type	S.73 Vary/remove conds/minor alterations	Case Number	TP/2292-B
Recommendation	Grant permission		

Draft of Decision Notice

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

Variation of condition 2 (approved plans) of planning permission dated 15/04/2013 [application no.12/AP/2620 for the 'Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1)'] to include reconfigured car parking spaces and the introduction of an electrical substation and gated access to the wilderness garden from the car park.

At: THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ

In accordance with application received on 19/01/2015

and Applicant's Drawing Nos.

Site Location Plan; Agent's Letter 15 January 2015 (prepared by Daniel Watney LLP); 2016-T-01-0005-ZXX Rev 03; 2016-4-00-9010-ZXX Rev 01; 2016-1-00-9011-ZXX Rev 01; and 2016-T-01-0100-ZYY Rev 10.

Subject to the following eighteen conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall be begun before 15 March 2016.

Reason

As allowed and required under Section 91 of the Town and Country Planning Act 1990, the standard 3 year period being inappropriate in this case because the development has been implemented in part.

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

2016-T-01-0005-ZXX Rev 03; 2016-T-01-0100-ZXX Rev 07, 2016-T-01-0100-ZYY Rev 10, 2016-T-01-0110-Z00 Rev 08, 2016-T-01-0111-Z01 Rev 06, 2016-T-01-0112-Z02 Rev 06, 2016-T-01-0113-Z03 Rev 05, 2016-T-01-0114-Z04 Rev 05, 2016-T-01-0115-ZB1 Rev 06, 2016-T-01-0120-Z00 Rev 03 2016-T-01-0200-ZNO Rev 04, 2016-T-01-0201-ZSO Rev 05, 2016-T-01-0202-ZEA Rev 05, 2016-T-01-0203-ZSW Rev 03, 2016-T-01-0300-ZAA Rev 04, 2016-T-01-0301-ZBB Rev 05, 2016-T-01-0302-ZCC Rev 03, 2016-T-01-0303-ZDD Rev 03, 2016-T-01-0304-ZEE Rev 00, 2016-T-01-0400-Z00 Rev 03, 2016-T-01-0401-Z01 Rev 03, 2016-T-01-0402-ZXX Rev 03, 2016-T-01-0500-ZYY Rev 02, 2016-T-01-0501-ZYY Rev 02, 2016-T-01-0600-ZXX Rev 04, 2016-T-00-9000-ZXX Rev 01, 2016-4-00-9010-ZXX Rev 01 and 2016-1-00-9011-ZXX Rev 01

Reason:

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

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

- 3 Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:
biodiversity based with extensive substrate base (depth 80-150mm);
laid out in accordance with plan 2016-T-01-0111-Z01 Rev 06 & 2016-T-01-0112-Z02 Rev 05 hereby approved;

and

planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage of the London Plan 2008 saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy 2011.

- 4 Before any above grade work hereby authorised begins, detailed drawings scale 1:50 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 3996 Nursery stock specification, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity, adaptation to climate change, in addition to the attenuation of surface water runoff, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards and Saved Policies of The Southwark Plan 2007: Policy 3.13 Urban Design: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

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

Reason:

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

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.

- 6 Details of any external lighting [including design, power and position of luminaires, including bat friendly lighting] and security surveillance equipment of external areas surrounding the building shall be submitted and approved by the Local Planning Authority before any such lighting or security equipment is installed and the development shall thereafter not be carried out other than in accordance with any 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 saved policies 3.2 (Protection of Amenity) and 3.14 (Designing out Crime) of the Southwark Plan (2007) and & Strategic Policy 13 High Environmental Standards of the Core Strategy 2011

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

- 7 The approved development shall be carried out in accordance with the approved written scheme of investigation for a programme of archaeological building recording (under application 14/AP1076), which shall be approved and implemented in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 8 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Report dated 14/02/2013 by Keith Macgregor. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around. Excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'. In any case, all works must adhere to BS5837: (2012) and BS3998: (2010).

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

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity and adaptation to climate change, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity. Urban greening; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 9 The the cycle parking facilities (approved under application ref: 14/AP/2041) be installed prior to occupation of the development approved and shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

- 10 The residential living accommodation hereby approved shall be used as a self-contained unit of occupation, ancillary to the associated hotel or public house, and shall not be severed as an independent and unconnected residence.

Reason:

Occupation of the residential accommodation other than by persons engaged in the management or operation of the hotel or public house business would result in a property of inadequate internal and external amenity area that is detrimental to the amenities of future occupants, contrary to Saved Policy 3.2 Protection of amenity and Saved Policy 4.2 Quality of residential accommodation of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and the Residential Design Guidance SPD 2011.

- 11 All demolition and construction work shall be undertaken in strict accordance with the approved Environment Management Plan and code of practice (approved under application 14/AP/1688) unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt there is a limitation to the hours of working to

8:00am to 6:00pm on Mondays to Fridays and 8:00am to 1:00pm on Saturdays (No works on Sundays or public holidays)

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of The Southwark Plan 2007.

- 12 The rated noise level from any plant, together with any associated ducting, shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises. The method of assessment shall be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, you are required to submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate compliance with the above requirements. The supplementary acoustic report must include:

A schedule of all plant and equipment installed;

Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;

Manufacturer specifications of sound emissions in octave or third octave detail;

The location of all most affected noise sensitive receptor locations and the most affected windows;

Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

The lowest existing LA90, T measurement as already established.

New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

Reason

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

- 13 The courtyard serving the garden wing shall only be used for sitting out between the hours of 7am and 11pm without the prior written approval of the Local Planning Authority.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 67 Dulwich Village from undue noise and disturbance in accordance with Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011

- 14 The conservation roof-lights to the northern sloping roof of the garden wing (Drwg no. 2016-T-01-0112-Z02 Rev 06) shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 67 Dulwich Village from undue overlooking in accordance with Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011

- 15 The approved vehicular access gate (between the car parking area and area marked as 'The Wilderness') as shown on Drawing No. 2016-T-01-0100-ZYY Rev 10 shall be kept locked at all times other than for access for maintenance purposes only.

Reason: To protect the amenity of nearby residential properties and to preserve the open character of this part of the site.

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

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

- 17 Dwelling houses, flats and hotel rooms for residential purposes sharing a party element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound. The sound insulation of the party element shall be sufficient to ensure that NR25 is not exceeded in residential premises due to noise from the commercial premises. Any scheme approved is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results submitted to the Local Planning Authority for approval.

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 Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011

- 18 All residential bedrooms shall be designed to attain the following internal noise levels:
Bedrooms- 30dB LAeq,T* and 45dB LAfmax

A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results submitted to the Local Planning Authority for approval.

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

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

Statement of positive and proactive action in dealing with the application

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

Date 27/5/2015



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Item No. 7.2	Classification: OPEN	Date: 10 June 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/0618 for: Full Planning Permission Address: 68A BEAUVAL ROAD, LONDON SE22 8UQ Proposal: Erection of a single storey side and rear extension		
Ward(s) or groups affected:	Village		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 02/03/2015		Application Expiry Date 27/04/2015	
Earliest Decision Date 04/04/2015			

RECOMMENDATION

1. That the application is referred to the Planning Sub-Committee for consideration at the request of members; and that planning permission is granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site refers to a ground floor flat of a two-storey mid-terraced period dwelling located on the western side of Beauval Road. The property has an existing conservatory set on the back of its rear outrigger.
3. The surrounding area is predominately residential in character. The property is within the Dulwich Village Conservation Area but is not within the setting of a listed building and is not listed itself.

Details of proposal

4. Planning consent is sought for the demolition of the existing conservatory on the site and construction of a flat-roofed side and rear extension in a 'L' shape. The side infill extension would measure 8.7m in length and 2.3m in height to the boundary with No.66. The rear extension would extend out from the existing rear outrigger by 3.8m, projecting 2.8m in height. The proposal would be constructed of brickwork to match existing, timber windows and a flat roof where a projecting rooflight in lantern style and a small rooflight would be installed.

Revisions

5. As advised by the case officer, the height of the side extension has been reduced from 2.7m to 2.3m, so as to mitigate the amenity impact on No.66.

Planning history

6. 97/AP/0352: Planning consent was granted on 14/05/1997 for erection of single storey

conservatory and boundary wall at rear.

Planning history of adjoining sites

7. 70 Beauval Road

Planning consent was granted on 14/08/2002 for construction of a side and rear extension.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies;
 - b) The impact of the development on the amenity of the adjoining properties;
 - c) Design Quality;
 - d) Impact on the Dulwich Village Conservation Area; and
 - e) Any other relevant material planning considerations.

Planning policy

9. This application should be determined in accordance with the development plan unless other material considerations indicate otherwise; and the following central government guidance, regional and local plan policies are particularly relevant:

National Planning Policy Framework (NPPF)

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 7.4 - Local Character

Policy 7.6 - Architecture

Core Strategy 2011

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

Policy 3.2 - Protection of amenity

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.16 - Conservation areas

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

Supplementary Planning Documents

Residential Design Standards SPD (2011)

Dulwich Supplementary Planning Document (July 2013)

Principle of development

10. There is no objection in principle to alterations to residential properties in established residential areas provided that development is of a high standard of design, respects and enhances the character of its surroundings including any designated heritage assets and does not adversely impact upon the amenity of adjoining properties or residents in accordance with above mentioned development policies.

Summary of consultation responses

11. Owners of No.66 placed objections to the application, concerned:
- significant reduction in daylight and sunlight and increase in overshadow
 - use of space in side passage where serves the outdoor amenity space in the summer
 - loss of visual amenity
 - detrimental impact on the character of the neighbouring properties and the conservation area by virtue of its design and scale
 - no indication to the proposed materials
 - the effect of subsidence to the adjoining property and the area
 - interaction by the construction works to implement the scheme if planning permission was granted and no relevant information is provided.
12. The issues regarding the impact on the neighbouring amenity and design and the character of the conservation area are assessed below. It is noted that the concerns related to the subsidence by the development and constructional interaction during implementing the scheme are not considered as planning matters, and given the scale of the development, construction method statement would not be required.

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

13. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD 2011 also sets out the guidance for rear extensions which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

No. 66 Beauval Road

14. No.66 has a two-storey rear addition, like the proposal, where 1, side window and 1, side glazed door are installed on the ground floor to serve the kitchen. The owners of this adjoining property placed objections to the proposal it respect to concerns that the proposal would be detrimental to the neighbouring amenity in terms of loss of sunlight and daylight, visual impact and a sense of enclosure.
15. The proposed structure would project 8.7m in length and 2.3m in height on the boundary with No.66, and the impact on the level of sunlight and daylight received to the existing ground floor openings of No.66 due to the proximity to No.68 has to be

considered.

16. A sunlight and daylight test conducted by the case officer via drawing a line at 45 degrees sideways from the centre of the affected window of No.66 demonstrates that the side extension would fall within the shadow of the 45 degree line, meaning that the development would not result in an unacceptable loss of daylight and sunlight to the affected openings of No.66.
17. It is also noted that the extension does drop down to 2.3m on the boundary with this neighbouring property and it would not be feasible to drop the level further and still maintain an acceptable standard of accommodation within the extended kitchen area of the application site.
18. With regard to visual impact and effect on sense of enclosure, a site visit to this affected property noted that the side passage level of No.66's is approximately 200mm higher than the application site as a result of an existing wooden decking wrapped around the site and rear of No.66. Therefore, the proposed extension would read approximately 2.1m in height from No. 66's decking.
19. Given this height, which would only be 100mm above the permitted height for a fence, the proposed development is not considered to generate a harmful level of a sense of enclosure to the occupiers of No.66, that would warrant a refusal of the application.

No.70 Beauval Road

20. The application site has an existing conservatory to the rear measuring 3m in depth and 3.3m at its overall height which would be replaced it with a flat-roofed structure that would be 800mm deeper and 600mm lower in terms of overall scale and massing. Given its projection, the proposal is not considered to generate additional detrimental impact on this adjacent property.
21. The proposed projecting rooflight would not be higher than the overall height of the existing conservatory, and therefore would have limited impact on the amenity of the adjoining occupiers.
22. Based on the above assessment, the proposal is considered, on balance, acceptable in amenity terms.

Transport issues

23. None envisaged.

Design issues

24. Strategic Policy 12 of the Core Strategy (2011) seeks to achieve the highest possible standards of design for buildings. Saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design', together, seek to achieve high quality architectural and urban design which enhances the quality of the built environment. The Council's Residential Design Standards 2011 provides general guidance on residential extensions to harmonise their scale, impact and architectural style. Section 7 paragraph 56 of the NPPF states that good design is a key aspect of sustainable development while paragraph 58 goes on to states that *'planning policies and decisions should aim to ensure that developments... respond to local character and history and reflect the identity of local surroundings and materials'*.

25. The council's adopted 'Dulwich Supplementary Planning Document (SPD) 2013 sets out the guidance that should be required when considering proposals for extensions that require planning permission. Section 5.6 'Extensions' states:
- 5.6.2: Where extensions are proposed, they should be in keeping with the character of the area and for the most part follow the guidance set out in the residential design standards SPD. In some cases, however, larger development that exceeds the 3 metres by 3 metre threshold set out in the SPD could be considered. In particular detached and semi-detached properties with substantial gardens may accommodate a larger extension providing the openness of an area is not compromised, the design is clearly subservient to the main part of a building and it would not add appreciably to the building's bulk.
26. The application site is located within the Dulwich Village Conservation Area. The proposal would replace the existing conservatory with a rear and side extension, and thus would not result in a loss of substantial rear garden area.
27. The proposed structure would be single storey, set within the rear garden of the site. Given the low eaves height of the side extension, the bulk and scale of the proposal is considered acceptable, and would not form a dominating feature to the host building. The proposed materials of brickwork would complement the host building which is acceptable.
28. The owners of No.66 also concerned that the proposed development would harm the character of the neighbouring properties; however, it is acknowledged that similar developments have been recently granted within the adjoining properties, including:
- No.27 Beauval Road (Ref: 12/AP/3037): The side and rear infill extension would measure 8m in length and 2.2m in height on the boundary with No.25. It is noted that No.25 is in a lower land level
 - No.61 Beauval Road (Ref: 12/AP/0266/): The scheme would measure 8.2m in length and 3.2m in height to its eaves level; It is noted that No.61 is situated on a corner plot, and the proposed side extension would not adjoin any properties.
 - No.77 Beauval Road (Ref: 10/AP/0196): The proposal would measure 5.09m in length x 3m in height to parapet level.
29. The proposal is broadly comparable in projection and height to these granted extensions and on consideration of these applications, it was considered that the character and appearance of these houses would be preserved, subject to suitable materials.

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

30. Saved Policy 3.16 'Conservation areas' asserts that within conservation areas, development should preserve or enhance the character or appearance of the area. Saved Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites', states that Permission will not be granted for developments that would not preserve or enhance:
- i. The immediate or wider setting of a listed building; or
 - ii. An important view(s) of a listed building; or
 - iii. The setting of the Conservation Area.
31. The application site is located within the Dulwich Village Conservation Area. Officers consider that the proposed rear extension cannot be viewed from a public point of access and an extension of this scale would preserve the character and appearance of the Conservation Area, subject to materials being sympathetic, i.e. bricks to match existing and appropriate roofing material that avoids felt or plastic covering.

32. It was noted that the design may have meant that the guttering would over sail the adjoining properties, the applicant's agent has confirmed that this would not be the case. The occupiers of No.66 are concerned that the proposal shows no indication of the proposed materials for the extension, which would be detrimental to the character of the conservation area.
33. The submitted application form and an email from agent on 01/05/2015 confirmed that the proposed materials would be of brickwork to match existing and timber framed windows. Conditions are therefore recommended, requesting the proposed brickwork to match existing, the details of roofing with No.66 to be submitted for approval and the restriction of the use of UPVc windows.
34. It is then considered that subject to conditions, the proposal is acceptable and would preserve the character and appearance of the existing building and the conservation area.

Impact on trees

35. None.

Other matters

36. 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. The application is not CIL liable because it is not constituted as chargeable development under the CIL Regulations 2010 (as amended).

Community impact statement

37. 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.
38. 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.
39. The following protected characteristics or groups have been identified as most likely to be affected by this proposal: None

Consultations

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

Consultation replies

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

Summary of Neighbour Responses

42. Representations were received from 66 Beauval Road raising the following issues and concerns:
- significant reduction in daylight and sunlight and increase in overshadowing
 - use of space in side passage which serves the outdoor amenity space in the summer
 - loss of visual amenity
 - detrimental impact on the character of the neighbouring properties and the conservation area by virtue of its design and scale
 - no indication as to the proposed materials
 - the effect of subsidence to the adjoining property and the area
 - extent of construction works to implement the scheme if planning permission was granted and no relevant information is provided.

Human rights implications

43. 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.
44. This application has the legitimate aim of providing a rear extension. 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.

Conclusion on planning and other issues

45. The proposed development is, on balance, not considered to result in significant harm on the amenities of the adjoining neighbours. The overall design is also considered acceptable within this context and subject to conditions would preserve the character and appearance of the conservation area. As such, it is recommended that the application be approved.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2313-68 Application file: 15/AP/0618 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 5403 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	Marina Lai, Planning Officer	
Version	Final	
Dated	26 May 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		28 May 2015

APPENDIX 1**Consultation undertaken**

Site notice date: 10/03/2015

Press notice date: 12/03/2015

Case officer site visit date: n/a

Neighbour consultation letters sent: 09/03/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

70 Beauval Road London SE22 8UQ
68b Beauval Road London SE22 8UQ

66 Beauval Road London SE22 8UQ
51 Dovercourt Road London SE22 8SS
53 Dovercourt Road London SE22 8SS

Re-consultation: n/a

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

66 Beauval Road London SE22 8UQ

RECOMMENDATION

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

Applicant	Mr M Bougle	Reg. Number	15/AP/0618
Application Type	Full Planning Permission	Case Number	TP/2313-68
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of single storey side and rear extension

At: 68A BEAUVAL ROAD, LONDON, SE22 8UQ

In accordance with application received on 23/02/2015 08:04:11

and Applicant's Drawing Nos. Site Location Plan;
2; 2B; 101 Rev.A

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
2B; 101 Rev.A;

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.

- 3 All new external works and finishes and works of making good shall match existing original brickwork 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 condition(s) attached to this consent.

Reason:

In order to ensure that the design and details are in the interest of the special architectural of the listed building or the character of the conservation area in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas of The Southwark Plan 2007.

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).

- 4 Notwithstanding the details hereby approved, the extension shall not be constructed of UPVc windows and doors unless otherwise agreed in writing by the Local Planning Authority.

Reason:

The use of uPVC is unsuitable in appearance and type for the Dulwich Village Conservation Area contrary to 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, 3.13 Urban Design and 3.16 Conservation Areas of the saved Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

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



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Item No. 7.3	Classification: OPEN	Date: 10 June 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/0938 for: S.73 Vary/remove conds/minor alterations Address: 160-162 RYE LANE, LONDON SE15 4NB Proposal: Minor amendments to planning permission 12-AP-2698 for: 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront' consisting of: A basement extension to the commercial unit for additional storage space; Changes to the top floor material from glazing structure to bricks; High quality bricks proposed to the entire building; Further development to the elevations including shop front design; Additional balcony to the rear elevation; Relocation of refuse storage; Green roof proposed to the front at first floor level. Submission of further details further details in relation to refuse storage, details of the shop front, details of the balconies and details of the privacy screens.		
Ward(s) or groups affected:	The Lane		
From:	Head of Development Management		
Application Start Date 18/03/2015		Application Expiry Date 13/05/2015	
Earliest Decision Date 25/04/2015			

RECOMMENDATION

1. That the application is referred to Planning Sub-Committee A for consideration due to the applicant being related to an elected member; and that planning permission is granted for these minor amendments subject to condition.

BACKGROUND INFORMATION

Site location and description

2. The application site is a pair of part two/ part three storey buildings on Rye Lane. The site currently has retail on the ground floor and 3 residential units above. The surrounding area generally consists of a mixture of uses with commercial at ground floor and residential/office above.

The site lies within the Rye Lane Conservation Area however there are no listed buildings within the vicinity of the site. Designations of the Proposals Map (April 2011) are:

- Major town centre
- Air Quality Management Area
- Urban Density Zone

- Peckham Action Area Core
- Protected Shopping Frontage

Details of proposal

3. The proposals detailed consist of minor amendments to planning permission 12-AP-2698 for: 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b 2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront',
4. The amendments consist of: A basement extension to the commercial unit for additional storage space; Changes to the top floor material from glazing to brick; A change to the brick proposed for the remainder of the building; Further development to the elevations including shop front design; An additional balcony to the rear elevation; Relocation of refuse storage; and A green roof to the front at first floor level.
5. The applicant has also included further details which were originally required via a condition of the previous application including details of the refuse storage, details of the shopfront, details of the balconies, brick samples and privacy screening.

Planning history

6.

08/AP/1756 Application type: Full Planning Permission (FUL) - Demolition of part ground, first and second floors. Erection of 4 upper floors consisting of first, second, third and fourth floor with 2 storey rear extension. The addition of commercial floorspace (330 sqm) to the first floor as ancillary office and staff facilities. Second, third and fourth floors to contain 9 self contained flats (6 x 1 bedroom and 3 x 2 bedroom). Other alterations include widening of existing access way to upper floors. Provision of cycle storage and refuse. Decision date 22/10/2008 Decision: Refused (REF)
11/AP/0364 Application type: Full Planning Permission (FUL) - Separating of shop and alteration of shopfront to form two units and retained kiosk. Decision date 21/04/2011 - Decision: Granted (GRA)
12/EQ/0031 Application type: Pre-Application Enquiry (ENQ) - New building comprising commercial space at the ground floor and 8 residential units on upper floors. Decision date 23/04/2012 Decision: Pre-application enquiry closed (EQC)
12/AP/2698 Application type: Full Planning Permission (FUL) - Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront. Decision date 13/02/2013 Decision: Granted with 'Grampian' Condition (GWGC)
12/AP/3804 Application type: Conservation Area Consent (CAC) - Demolition of the existing building. Decision date 13/02/2013 Decision: Granted (GRA)
14/AP/4786 Application type: Variation: non-material changes (VNMC) - Non-material amendment to planning permission 12-AP-2698 for 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront' consisting of: Extension to the approved basement area for commercial unit. Decision date 04/02/2015 Decision: Not Agreed - for app types VLA & VNMC (NAGR)

Planning history of adjoining sites

7. Warwick Court, Choumert Road, London SE15 4S - 09/AP/2129 Permission refused 20/08/2010; subsequently allowed on appeal (09/06/2011) for erection of a 2-storey building comprising 6 self-contained flats, following demolition of lock-up garages (Use Class C3). This is located to the rear of the site across the laneway called Warwick Court.

66 Rye Lane SE15 - 98/AP//0484 Permission granted 12/01/2000 for variation of condition 1 of planning permission dated 29/09/97 to allow permanent use of the building for non-residential institution (Use Class D1) to include religious activities

KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies;
 - b) Design issues and impact on the conservation area;
 - c) Residential Design Standards;
 - d) Impact on the amenities of neighbouring residents and occupiers;
 - e) Impact of adjoining and nearby uses on occupiers and users of proposed development;
 - f) Traffic issues;
 - g) Sustainability; and
 - h) Waste and Recycling

Planning policy

9. This application should be determined in accordance with the development plan unless other material considerations indicate otherwise; and the following central government guidance, regional and local plan policies are particularly relevant:

National Planning Policy Framework (the Framework)

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

London Plan 2015

- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 3.8 Housing Choices

Policy 4.7 Retail and Town Centre Development
 Policy 5.1 Climate Change Mitigation
 Policy 5.2 Minimising Carbon Dioxide Emissions
 Policy 5.3 Sustainable Design and Construction
 Policy 5.6 Decentralising Energy in Development Proposals
 Policy 5.7 Renewable Energy
 Policy 6.1 Strategic Approach
 Policy 6.3 Assessing Effects of Development on Transport Capacity
 Policy 7.1 Building London's Neighbourhood and Communities
 Policy 7.2 An Inclusive Environment
 Policy 7.3 Designing Out Crime
 Policy 7.4 Local Character
 Policy 7.5 Public Realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage Assets and Archaeology

Core Strategy 2011

1 - Sustainable Development
 2 - Sustainable transport
 3 - Shopping, Leisure and Entertainment
 5 – Providing new homes
 12 - Design and conservation
 13 - High environmental standards
 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

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

1.7 Development within Town and Local Centres
 3.1 Environmental Effects
 3.2 Protection of Amenity
 3.4 Energy Efficiency
 3.6 Air Quality
 3.7 Waste reduction
 3.9 Water
 3.11 Efficient use of land
 3.12 Quality in Design
 3.13 Urban Design
 3.14 Designing out Crime
 3.16 Conservation Areas
 3.19 Archaeology
 4.2 Quality of Residential Development
 5.2 Transport impacts
 5.3 Walking and cycling
 5.6 Car parking

Supplementary Planning Documents

Residential Design Standards SPD
 Rye Lane Conservation Area Appraisal
 Sustainable Design and Construction SPD

Principle of development

10. The principle of the demolition of the existing building and redevelopment of the site has already been agreed as part of planning permission ref: 12/AP/2698 and conservation area consent ref:12/AP/3804. The case officer's reports note that the site is location within a Major Town Centre and within the Peckham Action Area Core. The site also lies within a Protected Shopping Frontage. Saved Policy 1.7 'Development within town and local centres' is applicable in this instance, together with Strategic Policy 3 'Shopping, Leisure and Entertainment' of the Core Strategy. A further material consideration is the National Planning Policy Framework and amended London Plan. Having regard to the above policy documents, it is considered that the principle of retail at ground floor and residential above is acceptable as there are no policy provisions preventing this.

Impacts on Amenity

11. The proposed scale and massing of the proposed building is largely the same as the previously approved scheme and as such it is unlikely that there will be any additional amenity impacts. The daylight/sunlight report with the previous application noted that the BRE guidelines in relation to daylight would be achieved for the neighbouring properties considered and as such it is not considered that any material additional impacts would be raised by the proposed alterations.
12. No additional overlooking impact would arise as a result of the alterations proposed. The additional balcony at first floor level within the rear elevation will be placed in a similar location to the already approved balconies (above and adjacent to the proposed balcony location) and as such no additional overlooking would result from this element of the proposal.
13. The alterations proposed include a change to the balcony edging materials from the previously approved obscure glazing to powder coated handrails with vertical balustrades. The colour proposed is RAL 8022. It is not considered that this change will impact harmfully on the amenities of the surrounding properties or on the future occupiers of the building and as such, this is deemed acceptable.
14. The application provides additional information in relation to the proposed privacy screens between the balconies. They are proposed to consist of an obscure glazed panel between the balconies up to a height of 1.725m which would be sufficient in height to ensure that no overlooking would result. They will also ensure that sufficient light will reach the balconies and are thus deemed acceptable. A condition of the previous approval required details of the privacy screen to the top floor flat (8). However, the terrace at this level is for the sole use for this flat and as there will be no overlooking into the adjoining properties, this is not required. A compliance condition is now proposed to clarify this.
15. As a result of the above, the proposed alterations to the approved planning permission are not considered to result in any additional amenity impacts and as such accord with Saved Policy 3.2. 'Protection of Amenity' of the Southwark Plan

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

16. None expected.

Transport issues

17. No alterations are proposed that would result in any additional transport impacts. A condition will be required to restrict occupiers from applying for parking permits and one for details of cycle storage, as per the previous approval.

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

18. As noted above, the principle of the demolition and redevelopment of the site has already been accepted as part of the previous approval. Further details are contained in the case officer reports for these applications.
19. Officers raised initial concerns in relation to the alterations proposed to the approved design, particularly the shop front design. Clarification was also sought in relation to further details of materials/colours of the two proposed bricks and details of the rear balconies. As such, the applicant submitted amended plans and further information to overcome officers concerns on 08/05/2015 and followed up with a meeting on 20/05/2015 to provide samples of the brick work as well as the timber shopfront and anodised aluminium proposed for the residential entrance. These details are shown on the following drawings 289/PA/8.00 (Condition 3) Rev A, 289/GA/3.00 (Section 73) Rev B, 289/GA/3.04 (Section 73) Rev A, and 289/PA/4.00 (Condition 5) Rev A.
20. Officers were satisfied that the proposed use of Ashburn brick to the main element of the building and the Pagus brick on the top floor setback are acceptable as they will respond positively to the streetscene and wider Rye Lane Conservation Area. The sample materials were reviewed in a meeting on 20/05/2015 and considered sufficient to control via a compliance condition (rather than a pre commencement condition as included in the previous approval) on any potential approval.
21. The amended shopfront as shown on detailed Dwg no.289/PA/4.00 (Condition 5) Rev B is considered an acceptable amendment to the scheme and thus overcomes previous officers concerns. This is also proposed to be enshrined within a compliance condition requiring these details to be implemented on site unless agreed in writing with the LPA.
22. The remaining alterations the fenestration including the alterations to the balcony materials and the additional balcony to the rear are not considered to significantly alter the approved scheme in terms of design and would contribute acceptably to the streetscene and wider conservation area. The proposed green roof is also considered acceptable as it would not detrimentally impact on the host building or wider townscape.
23. Overall the amendments to the design of the building, including the amended materials and additional details are considered acceptable in this instance as they would accord with Saved Policies 3.12, 3.13 and 3.16 of the Southwark Plan.

Waste, Recycling and Highways Impacts

24. The alterations proposed seek to move the proposed bin store from inside the building to be located within a separate secure refuse storage area located within the rear yard of the building. It is also proposed that the bins will be collected through the rear of the site via Warwick Court and onto Choumert Road. Dwg no.289/GA/1.01 (Condition 7) Rev A, shows details of this proposed arrangement and notes that a collection point will be located off of the Choumert Road highway where a private contractor will deliver the bin storage to and return it back to the storage point within the site.

25. This arrangement is confirmed by the applicant in an letter dated 10/03/15 which notes that the private company will arrange/coordinate the collection time in order to ensure the bins are moved to the collection point just before the collection time and the bins are moved back to refuse storage after collection. This arrangement is considered acceptable and appropriate and, as such, a compliance condition will be attached requiring this to be done in accordance with the approved drawings and email.
26. As such, in highways terms no issues are raised as a result of the proposed alterations and as such they are considered to accord with the relevant Core Strategy and Southwark Plan policies.

Impact on trees

27. None.

Planning obligations (S.106 undertaking or agreement)

28. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
29. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. The additional space will be both Southwark and Mayoral CIL liable. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to £6,203.48 (i.e. 155sqm x £35/sqm x 255/223), and Southwark CIL is amount is £19,375.00 (i.e. Zone2 Retail = 155sqm x £125/sqm). S73 app with net addition of 155sqm new build compared to original app.12/AP/2698.

Sustainable development implications

30. None expected.

Other matters

31. No other matters have been identified.

Conclusion on planning issues

32. The proposed alterations are considered to respond positively to the previous approved application and sufficient information has been provided for officers to take the view that the revised scheme will contribute positively to the streetscene and wider conservation area. As such it is recommended that the application is granted subject to conditions.

Community impact statement

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

application process.

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

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

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

Consultations

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

Consultation replies

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

Summary of consultation responses

None received.

Human rights implications

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

38. None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2732-162 Application file: 15/AP/0938 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Alex Cameron, Senior Planning Officer	
Version	Final	
Dated	26 May 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	28 May 2015	

APPENDIX 1**Consultation undertaken**

Site notice date: 31/03/2015

Press notice date: 02/04/2015

Case officer site visit date: n/a

Neighbour consultation letters sent: 30/03/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat A 160-162 Rye Lane SE15 4NB
183 Rye Lane Peckham SE15 4TP
177-179 Rye Lane Peckham SE15 4TP
168 Rye Lane London SE15 4NB
156 Rye Lane Peckham SE15 4NB
205 Rye Lane Peckham SE15 4NB
192 Rye Lane Peckham SE15 4NF
181 Rye Lane London SE15 4TP
196 Rye Lane Peckham SE15 4NF

192a Rye Lane Peckham SE15 4NF
190a Rye Lane Peckham SE15
207 Rye Lane Peckham SE15 4TP
213a Rye Lane Peckham SE15 4TP
56 Pennethorne Road Peckham SE15 5TQ
178 Peckham Rye London SE22 9QA
82 Rye Lane Peckham SE15 4RY
Style 173 Rye Lane SE15 4TL
154 Rye Lane London SE15 4NB

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

RECOMMENDATION

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

Applicant	Mr Mohit Chopra MRP Capital Ltd.	Reg. Number	15/AP/0938
Application Type	S.73 Vary/remove conds/minor alterations	Case Number	TP/2732-162
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Minor amendments to planning permission 12-AP-2698 for: 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront' consisting of: A basement extension to the commercial unit for additional storage space; Changes to the top floor material from glazing structure to bricks; High quality bricks proposed to the entire building; Further development to the elevations including shop front design; Additional balcony to the rear elevation; Relocation of refuse storage; Green roof proposed to the front at first floor level. Submission of further details further details in relation to refuse storage, details of the shop front, details of the balconies and details of the privacy screens.

At: 160-162 RYE LANE, LONDON SE15 4NB

In accordance with application received on 17/03/2015 08:02:36

and Applicant's Drawing Nos. 289/LP/1.00 Rev OR, 289/GA/1.00(Section 73)Rev OR, 289/GA/1.01(Section 73)Rev OR, 289/GA/1.02(Section 73)Rev OR, 289/GA/1.03(Section 73)Rev OR, 289/GA/1.04(Section 73)Rev OR, 289/GA/1.05(Section 73)Rev OR, 289/GA/1.06(Section 73)Rev OR,

289/GA/2.00(Section 73) Rev A, 289/GA/2.02(Section 73) Rev A, 289/GA/3.00(Section 73)Rev B, 289/GA/3.01(Section 73)Rev B, 289/GA/3.02(Section 73)Rev B, 289/GA/3.03(Section 73)Rev B, 289/GA/3.04(Section 73)Rev A, 289/GA/3.05(Section 73)Rev OR, 289/GA/3.06(Section 73)Rev A, 289/DD/4.00(Section 73)Rev A, 289/PA/8.00(Condition 3) Rev A, 289/PA/8.01(Condition 3)Rev A, 289/PA/8.02(Condition 3)Rev A, 289/PA/8.03(Condition 3) Rev A, 289/GA/3.00(Condition 5) Rev A, 289/DD/4.00(Condition 5)Rev C, 289/DD/4.01(Condition 5)Rev A, 289/DD/4.02(Condition 5)Rev B, 289/DD/4.03(Condition 5) Rev B, 289/GA/1.01(Condition 7) Rev A, 289/PA/4.00(Condition 5) Rev B

Subject to the following thirteen 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: 289/GA/2.00(Section 73) Rev A, 289/GA/2.02(Section 73) Rev A, 289/GA/3.00(Section 73)Rev B, 289/GA/3.01(Section 73)Rev B, 289/GA/3.02(Section 73)Rev B, 289/GA/3.03(Section 73)Rev B, 289/GA/3.04(Section 73)Rev A, 289/GA/3.05(Section 73)Rev OR, 289/GA/3.06(Section 73)Rev A, 289/DD/4.00(Section 73)Rev A, 289/PA/8.00(Condition 3) Rev A, 289/PA/8.01(Condition 3)Rev A, 289/PA/8.02(Condition 3)Rev A, 289/PA/8.03(Condition 3) Rev A, 289/GA/3.00(Condition 5) Rev A, 289/DD/4.00(Condition 5)Rev C, 289/DD/4.01(Condition 5)Rev A, 289/DD/4.02(Condition 5)Rev B, 289/DD/4.03(Condition 5) Rev B, 289/GA/1.01(Condition 7) Rev A, 289/PA/4.00(Condition 5) Rev B

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 13 February 2016.

Reason

As allowed and required under 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

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

(b) Within one month of the installation of the plant and equipment, a further acoustic report to demonstrate compliance with the requirements approved at (a) shall be submitted to and approved in writing by the Local Planning Authority, and the report shall include:

A schedule of all plant and equipment installed;
 Location of the plant, associated ducting, attenuation and damping equipment;
 Manufacturer specifications of sound emissions in octave or third octave detail;
 Location of the most affected noise sensitive receptor locations and most affected windows;
 Distance between plant, equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location/s;
 The lowest existing LA90, T measurement as already established;
 Noise monitoring data, measurement evidence, calculations demonstrating compliance with this condition.

Reason

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

4

The development shall not commence until details of an Environmental Management Plan has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The Environmental Management Plan shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site during construction and will include the following information for agreement

A detailed specification of construction works at each phase of development including consideration of environmental impacts and the required remedial measures.

The specification shall include details of the method of piling.

Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts.

Arrangements for publicity and promotion of the scheme during construction.

A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.

All construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Strategic Policy 13 High Environmental Standards of the Core Strategy and saved Policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of The Southwark Plan 2007

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

5

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

Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the

Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.4 Energy Efficiency of the Southwark Plan 2007.

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

- 6 Notwithstanding the details hereby approved, prior to occupation of the building hereby approved, a 1:1 mock up of the balcony/ terrace railings will be made available to review on site and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design 3.13 Urban Design and 3.16 Conservation Areas of The Southwark Plan 2007.

- 7 Before any work hereby authorised begins, details of how the residential rooms within the development sharing a party 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 saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 8 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing referenced 289-GA-1_01_Condition 7 Rev A and letter dated 10/03/15 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

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.

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

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

*- Night-time 8 hours between 23:00-07:00
Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and PPG 24 Planning and Noise.

- 10 The development shall be carried out in accordance with the details on Dwg no.289/DD/4.00(Section 73)Rev A,

showing the privacy screens proposed for the development, and provided prior to the occupation of the dwellings and retained as such thereafter.

Reason

In order to ensure that the privacy of the occupiers of neighbouring occupiers is not impacted upon in accordance with saved Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

- 11 The detailed drawings as shown on Dwg nos. 289/DD/4.00(Condition 5)Rev C, 289/DD/4.01(Condition 5)Rev A, 289/DD/4.02(Condition 5)Rev B, 289/DD/4.03(Condition 5) Rev B, 289/GA/3.00(Section 73)Rev B shall be used in the carrying out of this permission unless otherwise agreed in writing with the Local Planning Authority.

Reason

In order that the design and details are acceptable, in the interest of the appearance of the development hereby approved in accordance with in accordance with Strategic Policy 12 Design and Conservation of the Core Strategy (2011) and saved policies 3.12 'Quality in Design', 3.13 'Urban design' and 3.16 'Conservation Areas' of The Southwark Plan 2007.

- 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 Unless otherwise agreed in writing, the materials shall include those be as specified on approved drawings ref:
289/GA/3.06(Section 73) Rev A
289/PA/8.00(Condition 3) Rev A
289/PA/8.01(Condition 3) Rev A
289/PA/8.02(Condition 3) Rev A
289/PA/8.03(Condition 3) Rev A

The development shall not be carried out otherwise than in accordance with these drawings unless otherwise approved in writing.

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.

Statement of positive and proactive action in dealing with the application

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

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 A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2015-16

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

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Lorraine Lauder MBE (Chair)	1	Environment & Leisure	1
Councillor Ben Johnson (Vice-Chair)	1	Environmental Protection Team	
Councillor Nick Dolezal	1		
Councillor Chris Gonde	1		
Councillor Anne Kirby	1	Communications	1
Councillor Eliza Mann	1	Louise Neilan, media manager	
Councillor Sandra Rhule	1		
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Alex Gillott, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		