

Planning Sub-Committee A

Tuesday 22 December 2015

6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Ben Johnson (Vice-Chair)
Councillor Nick Dolezal
Councillor Anne Kirby
Councillor Octavia Lamb
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.

Babysitting/Carers allowances

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

Access

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

Contact

Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk
Webpage: www.southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 14 December 2015



Planning Sub-Committee A

Tuesday 22 December 2015

6.30 pm

Ground Floor Meeting Room G02 - 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 11 November 2015, as a correct record of this meeting.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 10
	7.1. 33 NUTBROOK STREET, LONDON SE15 4JU	11 – 53

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

Date: 14 December 2015



PLANNING SUB-COMMITTEE

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

1. The reports are taken in the order of business on the agenda.
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: Director of Planning
Chief Executive's Department
Tel: 020 7525 5655; or

Planning Sub-Committee Clerk, Constitutional Team
Finance and Governance Department
Tel: 020 7525 7420



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Wednesday 11 November 2015 at 6.30 pm in the Ground Floor Meeting Room G02A, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
 Councillor Nick Dolezal
 Councillor Anne Kirby
 Councillor Eliza Mann
 Councillor Sandra Rhule

OTHER MEMBERS PRESENT: Councillor David Noakes

OFFICER SUPPORT: Jon Gorst (Legal Officer)
 Rob Bristow (Development Management)
 Shanali Counsell (Development Management)
 Dipesh Patel (Development Management)
 Michelle Sterry (Development Management)
 Michael Tsoukaris (Design & Conservation)
 Tim Murtagh (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillor Ben Johnson.

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 advised that items 7.3 and 7.4 had been withdrawn, and 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 7 October 2015 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

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

The chair informed the meeting that she would vary the order in which the items would be heard. The sequence would be as follows: 7.2, 7.1 and 7.5.

7.2 NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON SE1 9AG

Planning application reference number: 14/AP/4405

Report: see pages 30 to 52 of the agenda pack and pages 1, 2 and 3 of the addendum report.

PROPOSAL

Demolition of the roof extension and replacement with a part one and part two storey extension to contain a single three bedroom dwelling and associated roof terrace; change of use of the ground floor from offices (Use Class B1) to a restaurant (Use class A3) and alterations to the ground floor facade.

The legal officer advised that there would be a full re-hearing of this item so that all members of the sub-committee could participate in the decision.

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 questions of the officer.

A spokesperson for the objectors addressed the meeting. Members asked questions of the

objectors.

The applicant's agent addressed the meeting. Members asked questions of the applicant's agent.

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

Councillor David Noakes addressed the meeting in his capacity as a ward councillor. Members asked questions of Councillor Noakes.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 14/AP/4405 be granted, subject to the conditions set out in the report and addendum report.

7.1 190 SOUTHAMPTON WAY, LONDON SE5 7EU

Planning application reference number: 15/AP/3073

Report: see pages 13 to 29 of the agenda pack.

PROPOSAL

Variation of Condition 3 'Opening Hours' of planning permission ref: 14/AP/4259 granted on 13/05/15 for the "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 hours: Monday to Friday 7:00 to 20:30 and Saturdays 09:30 to 17:15hrs.

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

There were no objectors wishing to speak.

The applicants addressed the meeting. Members asked questions of the applicants.

A supporter of the development who lived within 100 metres addressed the meeting. Members did not ask questions of the supporter.

There were no ward councillors who wished to speak.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 15/AP/3073 be refused due to the reasons set out in the report, and because the sub-committee considered it reasonable and necessary to safeguard the living conditions for nearby occupiers.

7.5 114 BENHILL ROAD, LONDON SE5 7LZ

Planning application reference number: 15/AP/2168

Report: see pages 89 to 100 of the agenda pack and pages 3, 4, 5, 6 and 7 of the addendum report.

PROPOSAL

Erection of first floor extension with roof terrace and greenhouse.

The sub-committee heard an introduction to the report from a planning officer who also highlighted the additional comments in the addendum report. Members did not ask questions of the planning officer.

A spokesperson for the objectors addressed the meeting. Members did not ask questions of the objectors.

The applicants addressed the meeting. Members asked questions of the applicant.

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

Members debated the application.

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

RESOLVED:

That planning permission for application number 15/AP/2168 be granted, subject to the conditions set out in the report, and including the following amended condition 4:

The green roof hereby permitted shall not be used for any other purpose, including use as a roof terrace or balcony or for the purpose of sitting out, and the access door onto the green shall be obscure glazed and shall not be replaced or repaired otherwise than with obscure glazing.

Meeting ended at 9.00pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 22 December 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 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 Law & Democracy

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

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

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

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

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Gerald Gohler 020 7525 7420
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Simon Bevan 020 7525 5655

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Everton Roberts, Principal Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	14 December 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law & Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		14 December 2015

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Tuesday 22 December 2015

Appl. Type Full Planning Permission
Site 33 NUTBROOK STREET, LONDON, SE15 4JU

Reg. No. 15-AP-2624
TP No. TP/2727-A
Ward The Lane
Officer Neil Loubser

Recommendation GRANT PERMISSION

Item 7.1

Proposal

Demolish existing B1 premises and construct 3 houses with car parking to the front and a new substation outbuilding to replace existing

Ordnance Survey

Date 10/12/2015



Item No. 7.1	Classification: Open	Date: 22 December 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/2624 for: Full Planning Permission Address: 33 NUTBROOK STREET, LONDON SE15 4JU Proposal: Demolish existing B1 premises and construct 3 houses (Use Class C3) with car parking to the front and a new substation outbuilding to replace existing		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date 02/07/2015		Application Expiry Date 27/08/2015	
Earliest Decision Date 27/08/2015			

RECOMMENDATION

1. Grant planning permission, subject to conditions.

BACKGROUND INFORMATION

2. The application is reported to Planning Sub-Committee following a referral request by Members.

Site location and description

3. The application site is located to the centre of the residential area bordered by Howden Street, Nutbrook Street, Maxted Road and Waghorn Street. The existing site is occupied by two separate commercial buildings, with a height of one storey. The main building however, has a large parapet surrounding its roof, giving the impression of a building that is 1.5 storeys in height. The site has no direct frontage to the highway, however vehicular and pedestrian access is available through two crossovers, one from each of Nutbrook Street and Howden Street.
4. The site forms part of an existing commercial complex which sits in this backland location surrounded by residential properties on the four roads that border the site. The proposal site forms the eastern side of this rectangular portion of land. The existing commercial buildings to the west, which are within the same ownership but do not form part of the development site, are to be retained. These units are understood to be predominantly used as artist's studios. The area of the development site is approximately 860m², with a depth of approximately 42.5 metres and a width of approximately 19.5 metres.
5. The residential properties that enclose the proposal site are predominantly two storeys in height, with some of these properties having created a third storey through habitable roof space and dormers. These properties also are characterised by two storey outriggers projecting to the rear of the main wall.

Each dwelling also has a rear garden with an average depth of 7 metres.

6. The application site is located within an air quality management area, the urban density zone and the Peckham and Nunhead Action Area. The site is not located within a conservation area, nor is the application site within the setting of any Statutory Listed Buildings.

Details of proposal

7. Planning permission is sought for the demolition of the existing two standalone buildings which are currently within a light industrial (Class B1) use. The proposal involves the creation of a residential scheme (Class C3) consisting of three attached dwellings. The proposed building would be two storey in height, set in approximately 1.8m from the boundaries on Howden St and Nutbrook Street and 8.7m to the rear, approximately 5.5m in height at the eaves and cover the footprint of the existing buildings widthways.
8. The proposed development would result in an increase in height of 1.23m on the boundary shared with Nutbrook Street; however there would be a reduction in depth of the proposed building of 7m, increasing the separation between the 3 x houses and the properties on Waghorn Street.
9. It is proposed to move the existing substation from a location at the bottom of the garden of 26 Howden Street to a new location to the rear of 20 Howden Street. The substation will be constructed in accordance with The Electricity Safety, Quality and Continuity (Amendment) Regulations 2009.
10. The proposal incorporates a simple palette of materials namely brickwork and metal framing to windows, louvres and copings. 'Mystique' bricks in a stretcher bond are the predominant material. This is a contemporary looking multi textured brick. Contrasting cheddar brown bricks are to be used within the recesses of the vertically stacked brick feature. Window frames, coping, louvres and gates are all painted dark grey.
11. **Amendments to the proposal**
 - The dwelling nearest to Howden Street has been lowered into the ground so that its highest point is similar in height of the existing building.
 - There is a small increase in the size of the garden serving the lowered dwelling from 55 m² to 60m² and a small decrease in the size of the adjacent proposed garden from 65m² to 55m². This results from the position of the retaining wall between these two dwelling.
 - The previously proposed sedum roof and photo voltaic panels on the roofs will be omitted.
 - A proprietary single ply membrane roof will replace the sedum roof. This will be applied to the remaining roofs for consistency.

12. Planning history

Planning appeal ref: T/APP/A5840/A/89/126755/H5 dated 8th February 1990 was dismissed at appeal. The appeal was lodged for non determination.

The application was for outline planning permission to erect 28 self-contained units for the elderly together with wardens unit, common areas, library, parlour/lounge, dining facilities and communal gardens on the land at Trademasters Premises, Howden Street, and Peckham London.

The Planning Inspector stated that he considered the main issues in this case to be the visual appearance of the proposal and the impact of noise and disturbance.

The appeal application was described as comprising 28 units although only 24 units were shown on the submitted plans. The units were shown sited in such a way that the external walls of these buildings would form the boundary with the adjoining residential properties and their eaves would properly overhang with the adjoining houses.

The Planning Inspector goes further to say that he appreciates that the existing workshops on the appeal site already occupy a large part of the site and that the new residential units would be no higher than these existing buildings. He also acknowledges that a residential use of the site would be much more appropriate for this area. Regrettably the current appeal scheme contains too many units to make it acceptable. However the units would be too close to the boundary of the appeal site and the retention of the existing first floor structure for warden's accommodation would be inappropriate in a new housing scheme.

The Inspector raised concerns that the number of parking spaces would not be adequate for 28 units even if they are for sheltered accommodation. Furthermore he was of the opinion that the vehicular access for 28 units would result in noise and disturbance.

Planning ref: 346/90 for the erection of a mansard roof extension to the front part of the existing light industrial single storey building at 33 Nutbrook Street, London SE15.

Reason for refusal:

The erection of the proposed extension at first floor level would result in the overdevelopment of the site to the detriment of the neighbouring residential properties by reason of an increase sense of enclosure and loss of visual amenity.

Planning appeal ref: T/APP/A5840/A/90/170814/P7 dated 30th May 1991 was dismissed at appeal. The appeal was lodged for a refused planning application for a new mansard roof at first floor over existing ground floor area to form a new computerised type setting and design data transmission studio at 33 Nutbrook Street.

The Planning Inspector states "in relation to the houses in Nutbrook Street that the existing building is about as high as the gutters of those houses, and less than 10m away. The boundary wall here is 1.8m high for most of its length, and 2.42m at the western end, with the storage building and adjacent wall being 2.675m high. The existing building is 4.25m high, so that the boundary walls provide no screening for the upper part of it as seen from the houses.

The appeal was dismissed on grounds that the increased height at the western end would be unacceptable. It would curtail the outlook and view of the sky from those houses, and cause the occupiers to feel enclosed.

Planning permission was granted through a succession of decisions dated (05/09/78), 24/07/79 and 03/03/81 for the erection of a single storey light industrial building at 20A Howden Street to be used for lithographic work.

Condition 05 of the last of these planning permissions restricted operational use to 07:30 -19:00 Mon to Fri and 07:30 to 13:00 Sat and not at all on Sundays and Public holidays.

96/716 - Certificate of Lawfulness (existing) in respect of the continued use of the land and buildings for light industrial use. Granted 17/09/1996.
98/AP/1556 for: Full Planning Permission Mansard roof extension at 1st floor level to provide ancillary office accommodation. Reason(s) for refusal: The erection of the proposed roof extension at first floor level would result in the overdevelopment of the site to the detriment of the neighbouring residential properties by reason of an increase sense of enclosure and loss of visual amenity contrary to Policy E.3.1 [Protection of Amenity of the Southwark unitary Development Plan.
09/AP/2081 Application type: Full Planning Permission (FUL) Change of use from light industrial (Class B1) to multi-purpose community use including place of worship (Class D1) Decision date 08/03/2010 Decision: Refused (REF) Appeal decision date: 03/08/2010 Appeal decision: Withdrawn (WDRN) Reason(s) for refusal: The proposed Class D1 uses would, due to the backland location of the site and by reason of the general level of activity resulting from people coming and going to the premises and use of the external areas, give rise to noise and disturbance to the adjoining residential properties. The proposal would therefore be contrary to Policies 3.2 Protection of Amenity and 2.2 Provision of New Community Facilities of the Southwark Plan 2007. The proposal fails to comply with the policy relating to the provision of new community facilities due to the harm arising to the amenity of neighbours in terms of traffic and highway congestion and through increased pressure on levels of on street parking. As such, it is contrary to Policies 2.2 Provision of New Community Facilities and 5.2 Transport Impacts of the Southwark Plan 2007. The proposal fails to demonstrate how the buildings would be adequately ventilated without allowing sound to escape and cause nuisance to the adjoining residential properties. As such the proposal is contrary to Policy 3.2 Protection of Amenity of the Southwark Plan 2007.
09/EQ/0121 Application type: Pre-Application Enquiry (ENQ) Pre application for conversion of property into a community facility Decision date Decision: Pre-application enquiry closed (EQC)
12/EN/0568 Enforcement type: Change of use (COU) Change of use to an artist's studio/function room Sign-off date 10/01/2014 Sign-off reason: Final closure - breach ceased (FCBC)
14/EQ/0103 Application type: Pre-Application Enquiry (ENQ) Demolish existing B1 premises on backland development and construct 4 homes with car parking to the front and a new substation out building to replace existing Decision date 30/07/2014 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

13. 16 HOWDEN STREET, LONDON SE15 4LB

Reg. No.	Type	Description	Summary
12/AP/0732	FUL	Ground floor single storey rear infill extension to existing dwelling	GRA
12/AP/1656	CLP	Construction of a dormer extension to main house, mansard roof extension over outrigger and two rooflights to front roofslope; provides additional residential accommodation.	GRA

14. 14B HOWDEN STREET, LONDON SE15 4LB

Reg. No.	Type	Description	Summary
13/AP/1505	FUL	Construction of an L-shaped rear dormer and the insertion of 2no. rooflights in the front roof slope, to facilitate a loft conversion to provide additional residential accommodation.	GRA

15. 57 MAXTED ROAD, LONDON SE15 4LF

Reg. No.	Type	Description	Summary
15/AP/1117	FUL	Ground floor side infill extension to rear of dwellinghouse	GRA
15/AP/1594	FUL	Rear dormer roof extension with x3 rooflights to front roof slope Reason for refusal: The proposed roof extension, by reason of its excessive scale, bulk and massing, its poor form and design and its visual prominence, would introduce a visually incongruous and discordant element into the streetscene of Maxted Road and the unbroken run of original London valley (or 'butterfly') roofs visible from Howden Street. The proposal is therefore contrary to Section 7 (Requiring good design) of the National Planning Policy Framework (2012), policies 7.4 (Local character) and 7.6 (Architecture) of The London Plan (2015), strategic policy 12 (Design and Conservation) of the adopted Southwark Core Strategy (2011), saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007) and the Council's adopted Supplementary Planning Document: Residential Design Standards (2011).	REF

16. 63 MAXTED ROAD, LONDON SE15 4LF

Reg. No.	Type	Description	Summary
14/AP/3482	FUL	Erection of a ground floor single storey rear and side infill extension	GRA

17. 31 NUTBROOK STREET, LONDON SE15 4JU

Reg. No.	Type	Description	Summary
12/AP/2791	FUL	Single storey rear extension	GRA

18. 21 NUTBROOK STREET, LONDON SE15 4JU

Reg. No.	Type	Description	Summary
13/AP/2868	FUL	Construction of a single storey side/rear, part infill extension following the demolition of the existing single storey rear extension and replacement windows at first floor level within the northern and eastern elevation.	GRA

19. 17 NUTBROOK STREET, LONDON SE15 4JU

Reg. No.	Type	Description	Summary
14/AP/0638	FUL	Erection of a single storey side infill and rear extension to provide additional accommodation	GRA

KEY ISSUES FOR CONSIDERATION20. **Summary of main issues**

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

- a) the principle of a residential use on the site,
- b) the design and the quality of the residential accommodation proposed,
- c) the amenity impacts of the development on the adjoining residential properties,
- d) impacts upon trees
- e) transport impacts

Planning policy21. National Planning Policy Framework (the Framework) 2012

Section 1 - Building a strong, competitive economy

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 8 - Promoting healthy communities

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

22. The London Plan 2015 Consolidated with Alterations since 2011

Policy 3.3 Increasing housing supply

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.16 Protection and Enhancement of Community Infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

23. Core Strategy 2011
 Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic Policy 10 - Jobs and businesses
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
24. 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.
- 1.4 - Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations
 3.2 - Protection of amenity
 3.7 - Waste reduction
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 4.2 - Quality of residential accommodation
 4.3 - Mix of Dwellings
 5.2 - Transport impacts
 5.3 - Walking and cycling
 5.6 - Car parking
25. Peckham and Nunhead Area Action Plan SPD (2014)
 6 - Business Space
 15 - Residential parking
 16 - New homes
 18 - Mix and design of new homes
 20 - Trees
 25 - Built form
26. Supplementary Planning Documents
 Section 106 Planning Obligations (2007)
 Sustainable design and construction SPD (2009)
 Sustainability assessments SPD (2009)
 Sustainable Transport SPD (2010)
 Residential Design Standards SPD (2011)

Summary of consultation responses

27. 35 Letters of objections received from local residents.
- Consultation responses received during first round of consultations dated 22 July 2015*
28. Loss of light in our garden in Howden Street. The proposed building would be

significantly taller than the existing studio building and would thus cut a lot of light from our directly adjoining outside space.

Response: The proposal was revised on 11 November 2015 by lowering the proposed dwelling on the Howden Street elevation to the height of the existing building therefore it is considered that there would be no increase in the loss of daylight or sunlight which already exists.

29. Loss of light into the rear of our property. We believe that the extent of the proposed increase in building height described in the point above would also negatively impact the light coming into the ground floor rear of our property.

Response: Appendix 3 & 4 of the daylight and sunlight report submitted with pre-application 14/EQ/0242, and provided as a supporting document with the current application, confirms that with a larger scheme as proposed in 14/EQ/0242 would not have a detrimental impact on neighbouring properties in regards to loss of light or overshadowing. Drawing 122 – PL 300B confirms that the proposed development complies with the 25 degree guideline for sunlight and daylight as set out within the BRE-standards. It is therefore considered that the proposal would not have a significant detrimental impact on neighbours in regards to the loss of light.

30. The plans do not properly reflect the projecting volumes – these aspects of the proposed new structure would be significantly closer to our boundary wall than the existing building.

Response: Drawing PL098A – Proposed masterplan shows the proposed and existing (redline). It is clear from this drawing that the main flank walls of the proposed houses are no closer to side boundaries than the walls of the existing building. The projecting window elements at first floor will be closer to boundaries although these are relatively small elements and therefore are not considered to cause undue harm to neighbours' amenity.

31. The proposed design is substantial, modern and not at all in keeping with the existing housing stock of the area.

Response: It is acknowledged that the proposal is of a contemporary design; however this is a backland development which is not visible from the highway. The site is neither within a conservation area nor within the setting of a listed building. As such the design would not have a materially harmful effect on the character and appearance of the area

32. Potential loss of security – access to the current studio complex is secured with locked gates. Removal of these would allow easy access to the new secluded houses (which would presumably be often vacant during the daytime) and so to the rear of our property.

Response: The inclusion of residential units ensures that the site is occupied at all times thereby providing natural surveillance that should help to deter criminal or anti social activity. Furthermore the site will be controlled by gates at both Nutbrook Street and Howden Street.

33. Loss of employment and community resource.

Response: The site does not benefit from any policy protection in regards to loss of employment. As such saved policy 1.4 (Employment sites outside the preferred office locations and preferred industrial locations) is not relevant here.

34. Density of housing in the area.

Response: The development complies with strategic policy 5 (Providing New Homes) of the core strategy as it has a density range of 200-700hr/ha. The density of the proposed development would equate to 328.5hr/ha

35. Increased pressure on parking in an already congested area.

Response: The proposal complies with the council's SPD on parking. No objections raised by the council's transport team.

36. Noise levels during the construction, pollution, access of lorries etc.

Response: The effects of the construction process are dealt with under other legislation, as is fire safety, while the effect on property values is not a planning matter.

37. Loss of privacy - Any new houses would have views into my garden even if there are no windows on the flank wall directly facing my house.

Response: No windows are proposed that would directly overlook the properties on Nutbrook and Howden Streets, any views that are afforded of rear gardens in these roads from the new development will be oblique.

38. Access to the site is extremely limited in height and width, therefore vehicles larger than cars and small vans could not access it. It is clear that no fire engine could get direct access to the site.

Response: This is a matter dealt with under building control regulations; however as a result of this objection the applicant submitted a fire safety report to address these concerns. Additional fire hydrants are proposed as well as sprinkler systems to each dwelling.

39. It is also important to note that the planning inspectorate allowed an appeal dated 13/12/2011 Appeal Ref: APP/A5840/A/11/2159340, LBS Reg.No. 11-AP-0006 to the rear of 168-190 Friern Road stating that the driveway does not need to be wide enough to accommodate fire engines and services and emergency access could be from the street.

40. Inadequacy of the design and access statement and plans submitted - they do not contain a daylight, sunlight or shadowing study of the proposed development (only of the existing building). The plans do not show the height of the existing or proposed developments. Without these key pieces of information, it is difficult for those who will be impacted by the development to make any accurate assessment of it.

Response: The applicant submitted a daylight and sunlight report during the pre-application process. See report which formed part of 14/EQ/0242 and which has been submitted as part of the supporting documents on the current application. This was for a larger scheme and was policy compliant. Drawing 122 – PL 300B confirms that the proposed development complies with the 25 degree guideline for sunlight and daylight as set out within the BRE-standards. It is therefore considered that the proposal would not have a detrimental impact on neighbours in regards to the loss of light.

41. Loss of amenity for existing residents. As noted in the Southwark Residential

Design Standards, "Backland development, particularly for new residential units, can have a significant impact on amenity, neighbouring properties and the character of an area." The proposed development reduces the amenity of neighbouring properties in key areas - light, privacy, traffic and parking, noise and security.

Response: The proposal has been designed with this in mind and addressed issues such as overlooking, loss of privacy and daylight and sunlight. Furthermore it is considered that the proposed development is appropriate in design, bulk and mass for this backland site.

42. Inappropriate mass and density for the backland site. The height of the two-storeys proposed will be greater than the two-storey outriggers of the neighbouring buildings, so it will not be subordinate in design. The density of proposed occupation is high, and the houses are in close proximity to those on Howden and Nutbrook Streets. The increase in height will have an even greater impact upon Howden Street residences which have a lower ground level relative to the site.

Response: The proposal is lower than the main buildings of the adjoining sites and has been lowered during the course of the application on the northern side of the site to take account of the lower neighbouring ground levels in Howden Street.

43. The gardens of Waghorn will be directly overlooked by the new development.

Response: The development is 22.4m from those on Waghorn Street, which accords with the 21m back to back separation stipulated in the council's residential design guidance SPD.

44. The plans indicate large trees to be planted in the gardens - these will only further increase the loss of light in adjacent gardens and seem excessive for such a small garden.

Response: Soft landscaping was assessed and found acceptable by the council's urban forester; the nature of the landscaping can be agreed under a condition to ensure that it is appropriate for this location.

45. The proposed development is higher than the existing building, by approx. 1.5m.

Response: The proposed development would be approximately 1.2m higher on the Nutbrook Street side than the existing building and retain the current height on the Howden Street elevation.

46. My main objection is that the proposed plans include moving the substation to a more central location behind Howden Street.

Response: The substation will be moved in accordance with policy as well as health and safety regulations. There is a building on the boundary in this location.

47. The proposal would contravene policy 3.2 by resulting in loss of amenity for neighbouring occupiers as well as potential future inhabitants of the proposed site. A previous planning application (09/AP/2081) was refused as: "The proposed Class D1 uses would, due to the backland location of the site and by reason of the general level of activity resulting from people coming and going to the premises and use of the external areas, give rise to noise and disturbance to the adjoining residential properties. The proposal would therefore be contrary to Policies 3.2 Protection of Amenity and 2.2 Provision of new community facilities of the

Southwark Plan 2007" A previous proposal (98/AP/1556) was also refused as "The erection of the proposed roof extension at first floor level would result in an overdevelopment of the site to the detriment of the neighbouring residential properties by reason of increased sense of enclosure and loss of visual amenity." These previous refusals demonstrate the council's acceptance of the potential impact of development here. I believe the proposal is an even greater risk to amenity than these previously refused applications.

Response: Each application has to be considered on its merits having regard to relevant development plan policy, supporting guidance and other material considerations. These other applications were materially different to the current application and therefore do not form a precedent here. The current proposals, with the reduction in height on the northern side, are now considered to have overcome the issues raised against the earlier applications cited above, and will have an acceptable impact on the area.

48. *Thames Water* - No objection

49. *Fire Brigade* – 'The Brigade is not satisfied with the proposal and refers to their Guidance note 29. Furthermore they recommend that the proposal should include sprinklers.

50. The officer goes further and states that insufficient details are shown for full approval to be made. The applicant is referred to the relevant British Standard BS 5588 part 11 regulations, current building regulations and the appropriate fire safety guidance document.

Response: The applicant has since responded by providing further details of hydrants and sprinklers within the site. This matter will be considered under the Building Regulations which takes account of fire safety.

Consultation responses received during second round of consultations dated 16 November 2015

51. Given there are many dimensions missing from the online plans, I would like to understand how this will be controlled and verified.

Response: Datum levels are provided on the drawings it is therefore possible to appreciate and control the height and dimensions of the proposed development.

52. From an aesthetical point of view I think it would be preferable for the entire construction to be lowered as per the Howden adjacent house. This would also avoid any negative changes to the sense of enclosure suffered by residences of Nutbrook Street.

Response: The submitted plans demonstrate that the 25 degree line of sight test from the rear of the Nutbrook Street properties will be met by this proposal, which is an important indicator that the proposal will not have a significant impact on sunlight and daylight, or the degree to which it is overbearing, on the Nutbrook Street side. Furthermore, it is important to note that whilst the proposal will be taller than the existing building on this side, it will not be as deep, which again will ensure that there will not be an undue impact on neighbours.

53. To published guidelines on the days and hours of construction work be respected. However, I would request that weekend working be avoided.

Response: Hours of construction will be controlled through legislation outside of

planning. The council's environmental protection team will monitor breaches in regards to construction work outside of permitted hours.

54. I believe that after some consultation the plans have been amended to reduce the height of the property on the Howden Street side of the development because of concerns over natural light and sunlight. This is not the case for the Nutbrook side – although I would contest that we would also lose sunlight with a higher building than currently occupies the site. I further note that the Southwark council website includes, as a material consideration, privacy (amongst other things). I would request that the height of the Nutbrook side be lowered to also be no higher than the current building based on this too. I understand that you have seen how close the site is to the end of the gardens at Nutbrook Street and I seriously believe that there would be a claustrophobic feel to our properties, and a feeling of loss of privacy should the new building be higher.

Response: The reduction in height on Howden Street is as a result of BRE regulations. The 2011 BRE guidelines recommend that when attempting to determine whether a neighbouring property will receive an adequate quantum of daylight or sunlight, a section in a plane perpendicular to the centre of the lowest window of the affected building is drawn. It then recommends that a measurement of the angle to the horizontal subtended by the window is taken, and if this angle is less than 25 degrees where it intersects the proposed building then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing window.

Taking this in account drawing 122 – PL 300B confirms that the proposed development complies with the 25 degree guideline for sunlight and daylight for the properties on Nutbrook Street to the south, Waghorn Street to the east and the existing Nutbrook Studios to the west.

The proposed development is approximately 8.5m away from the properties on Nutbrook Street, 8.8m away from the properties on Howden Street, and 22.4m from those on Waghorn Street. Furthermore these properties do not project any closer to these houses than the existing commercial building; however as a result of the reduced footprint the separation distance to Waghorn Street has increased by 7m.

55. Objectors raised concerns that the gates at the two street entrances remain locked for reasons of security.

Response: The site will still remain private and will provide access to those who have a legitimate purpose to be there. The inclusion of residential units ensures that the site is occupied at all times thereby providing natural surveillance that will deter criminal or anti social activity. The site will be controlled by gates at both Nutbrook Street and Howden Street. Further by introducing three houses in part of the site with their own gates to their gardens this will provide added security to both the studios and the local residents.

56. Change of use to residential would drastically alter the noise levels on the site with 24 hour habitation - cars entering and leaving at night, doors opening and closing, new gardens being in very close proximity to the gardens of existing houses. The introduction of this increase in the type, volume and duration of noise suffered by neighbours can only be described as a significant loss of amenity.

Response: In the planning appeal decision ref: T/APP/A5840/A/89/126755/H5 dated 8 February 1990 the planning inspector acknowledges that a residential use of the site would be much more appropriate for this area. It is considered that the introduction of a residential use will not have a detrimental impact on residential

amenity as a result of the residents' comings and goings to the houses at the rear of properties on Nutbrook, Howden and Waghorn Streets. The level of noise generated by the new households should not be dissimilar to that generated by the existing households that surround the site.

57. An objector stated that if the council still believes that permission should be granted then at least the following conditions should be applied:

* The height of all three houses should be at the lower level now proposed for the house adjacent to the Howden St back gardens.

Response: The height of the houses is now considered to be appropriate for the area taking into account the different topography between north and south.

* The site should remain gated as it is now from both Howden and Nutbrook Streets, to preserve security for the existing houses, and to prevent the site from becoming a pedestrian way.

Response: The inclusion of residential units ensures that the site is occupied at all times thereby providing natural surveillance that will deter criminal or anti social activity. The site will be controlled by gates at both Nutbrook Street and Howden Street.

* The permission for housing on this part of the site should not be taken as a precedent for the other half of the site on the western side, which should remain as appropriate only for art studios.

Response: The neighbouring site falls outside the application site boundary and therefore it would not be appropriate to fetter any future redevelopment proposals at that site through conditions on this application. Any proposals for redevelopment of that site would likely require planning permission, or prior approval if permitted development, and would be considered on their merits at the time.

* There should be restrictions applied to limit the days and hours allowed for construction.

Response: Hours of construction is controlled by environmental legislation.

* There needs to be restrictions imposed to keep the level of car use to three as provided for on the site. Already car parking in Nutbrook Street can be impossible at any time of day or evening. In addition to this development, we have also the new school being built at the end of Nutbrook Street. That is also going to increase the number of cars attempting to be parked in and around Nutbrook Street. We therefore need restrictions imposed on the car ownership of the occupancy of the new houses to keep these pressures down.

Response: The site does not fall within a controlled parking zone as such it would not be possible to impose conditions to prevent on-street parking. Nevertheless, by providing off-road parking within the site this proposal should avoid undue parking pressure on surrounding roads.

58. Objectors requested that conditions should be imposed on the application if granted.

Response: Paragraph 206 of the National Planning Policy Framework state “ Planning conditions should only be imposed where they are:

- necessary;
- relevant to planning and;
- to the development to be permitted;
- enforceable;
- precise and;
- reasonable in all respects.”

Those conditions deemed necessary by officers in accordance with the above tests are set out within the main recommendation.

59. Statutory consultees raised no objections as a result of the revised scheme / consultations.

Principle of development

60. Saved Policy 1.4 (Employment sites outside the Preferred Office Locations and Preferred Industrial Locations) states that outside preferred office locations, on sites with an established Class B use and that either front a classified road, are within the central activity zone or a strategic cultural area, development should not result in a net loss of the Class B use. This is reinforced by strategic policy 10 of the core strategy which seeks to preserve the existing business floor space within the borough and updates the areas protected as: the central activities zone, town and local centres, strategic cultural areas, the Camberwell action area, and on classified roads.
61. In this instance, the loss of a class B1 use would not be resisted as the site does not fall within the above categories. Therefore the principle of converting the use to a residential use, particularly given the site is located within an established residential area, is accepted.
62. The site is within the Peckham South character area of the Peckham and Nunhead action area plan. The objective of the Peckham South character area is for it to remain a 'predominantly residential area by supporting residential uses'. This point supports the proposed change to a class C3 use. The primary employment spaces to be protected within this character area are the shops on East Dulwich Road and Bellenden Road and the print village Industrial Estate on Chadwick Road, none of which are relevant to the proposal site.
63. The creation of new residential dwellings is also supported by Section 6 of the NPPF and strategic policy 5 of the core strategy which seeks to provide more housing opportunity for residents across the borough. The proposal would also comply with the objectives of saved policy 3.11 of the Southwark Plan which seeks to make efficient use of brownfield land for development.

Environmental impact assessment

64. The site does not require any formal assessment as it falls outside of the EIA criteria.

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

65. Strategic policy 13 of the core strategy requires consideration to be given to the impact of developments on the places in which people live, work and enjoy. Saved policy 3.2 of the Southwark Plan seeks to ensure an acceptable standard of amenity for existing and future occupiers.

66. The proposed development is not considered to result in a significant loss of amenity for the occupiers of adjoining sites. The proposed 3 x two storey terraced dwellings would not generate noise levels which would be inappropriate / excessive and the development would not be overbearing upon or likely to result in overshadowing of any neighbouring rooms or gardens to any significant extent .

67. *Loss of privacy or overlooking:*

The proposed development is approximately 8.5m away from the properties on Nutbrook Street, 8.8m away from the properties on Howden Street, and 22.4m from those on Waghorn Street. Furthermore these properties do not project any closer to these houses than the existing commercial building; however as a result of the reduced footprint the separation distance to Waghorn Street has increased by 7m.

68. The windows within the rear elevation complies with section 2.8 'Privacy and security' of the residential design standards 2011 which states that to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve a minimum distance of 21 metres at the rear of buildings.

69. The design of the southeast (facing Nutbrook Street) and northwest (facing Howden Street) elevations acknowledges the close proximity of the rear of the houses on Nutbrook Street and Howden Street. The scheme has been designed that there are no windows in these elevations directly overlooking the neighbours. The windows in both these elevations are designed that they point towards Waghorn Street and the commercial building within the site.

70. Whilst the northeast elevation (facing Waghorn Street) would include the installation of rear windows, given that there are a large number of windows on the rear facade of the existing terrace on Waghorn Street it is not anticipated that the additional windows would cause any material loss of privacy to rear gardens above that already experienced.

71. Given the above, it is not considered that the proposed location of the development would result in any harmful loss of privacy or overlooking.

72. *Loss of daylight/sunlight*

Pre-application advice was sought for the redevelopment of the site involving the demolition of the existing two standalone buildings which are currently within a Light Industrial (Class B1) use. That proposal involved the creation of a residential scheme (Class C3) consisting of four attached dwellings rising to a height in the central section of 3 storeys. The building would have been constructed flush with the shared boundaries to the north and south, with a separation distance of approximately 3 metres retained with the two single storey units shared boundary to the west and approximately 9.6 metres retained with the shared boundary to the west (see drawings within the appendix to this report together with the pre-application advice provided).

73. Even though the submitted daylight / sunlight and overshadowing assessment indicated that above development would fully adhere with the BRE 2011 Guidance the Council recommended a reduced scheme, which resulted in the submission of the current scheme. The proposed scheme is 1.445m lower at its highest point than the pre-app scheme assessed in the daylight / sunlight and overshadowing assessment. Furthermore the scheme was revised further during

the current application so that the dwelling nearest to Howden Street has been lowered into the ground so that its highest point is similar in height of the existing building.

74. The 2011 BRE guidelines recommend that when attempting to determine whether a neighbouring property will receive an adequate quantum of daylight or sunlight, a section in a plane perpendicular to the centre of the lowest window of the affected building is drawn. It then recommends that a measurement of the angle to the horizontal subtended by the window is taken, and if this angle is less than 25 degrees where it intersects the proposed building then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing window.
75. Taking this into account drawing 122 – PL 300B confirms that the proposed development complies with the 25 degree guideline for sunlight and daylight for the properties on Howden Street to the north, Nutbrook Street to the south, Waghorn Street to the east and the existing Nutbrook Studios to the west.
76. As a result of the site's location, the reduction in scale and massing of the development, and its separation from neighbouring properties, it is considered that the proposed development would not result in a detrimental impact on the amenity of nearby neighbours in regards to loss of daylight / sunlight and overshadowing.
77. *Noise*

Concerns have been raised about increased levels of noise from people living immediately behind in the existing residential properties. It is however considered that the introduction of a residential use will not have a detrimental impact on residential amenity as a result of the resident's comings and goings to the houses at the rear on Nutbrook, Howden and Waghorn Streets as noise levels should be similar to existing neighbouring occupants.

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

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

Transport issues

79. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highways conditions.

Car parking

80. The site is within an area with a public transport accessibility level of 5 which is high. The application site is not within a controlled parking zone. The following onsite parking is proposed: 1 x space for commercial deliveries, 2 x spaces for the commercial use and 3 x spaces for residents. Therefore it is not considered that the residential units would have an adverse impact upon parking in the local area as the proposal accords with the council's policies which set maximum and not minimum standards.
81. The site currently accommodates B1 premises and do not benefit from any formal parking arrangements, therefore it is considered that the proposed 1 x space for commercial deliveries and 2 x spaces for the commercial use would be an improvement to what is there currently.

Cycle parking

82. The proposed masterplan (PL098) indicates that 8 cycle parking spaces would be provided to the front of the development site in an existing building and a further 7 cycle spaces for the commercial unit. This level of provision would meet the London Plan cycle parking standards and would be supported.

Refuse storage

83. The refuse stores for all 3 houses are located within close proximity to the front doors of the dwellings and would provide 1 x 240 litre wheeled bin for mixed dry recycling, 1 x 240 litre wheeled bin for refuse and 1 x 240 litre wheeled bin for mixed food and garden waste per dwelling.
84. The transportation of wheeled bins to the collection point will be managed within the development. The refuse collection point is located in the driveway near Nutbrook Street and is within 10m of the refuse vehicle stopping point. These bins would be returned once the bins have been emptied. This managed system is being deployed for the commercial premises therefore the estate management staff are already in place to apply this service to the houses.
85. All of the above issues are therefore considered to be satisfactory and in accordance with the relevant Development Plan policies set out above.

Design issues

86. Saved Policy 3.11 states that all developments should maximise the efficient use of land, whilst, amongst other things, ensuring a satisfactory standard or amenity for future occupiers and not unreasonably compromising the development potential of neighbouring sites. It goes on to state that the LPA will not grant permission for development that is considered to be an unjustified underdevelopment or over-development of a site.
87. The NPPF stresses the importance of good design and states in paragraph 56 that: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
88. Policy SP12 of the Core strategy states that *“Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.”*
89. Saved Policy 3.13 of the Southwark Local Plan asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.

Local Context

90. The site sits within a backland area of existing class B1 use buildings. Bordered by amenities of the surrounding area, with access to the site from both Nutbrook Street and Howden Street. The majority of the surrounding buildings are 2 storeys in height. To the west of the site is the existing artist studios which is under the same ownership. The existing site is occupied by two separate single storey commercial buildings, the main building has a large parapet surrounding its roof, giving the impression that the building is 1,5 storeys in height.

91. The residential properties that surround the proposal site are predominantly two storeys in height, with some of these properties having created a third storey through roof conversions. These properties are also characterised by tow storey outriggers projecting to the rear.

Site layout and design

92. The form of the 3 x houses is inspired by the multi tiered volume of the existing Nutbrook studios. This has been rationalised into 3 rectilinear volumes which interlocks and overlap each other.
93. The design of the southwest elevation reflects a contemporary interpretation of the opposing Nutbrook studios elevation. The industrial fenestration of Nutbrook studios characterised by closely spaced vertical bars has been reflected in the fenestration of the development and scale up to increase the spaces between the vertical bars.
94. The design of the southeast and northwest elevations acknowledges the relatively close proximity of the rear of the houses on Nutbrook Street and Howden Street. This is expressed by the absence of windows in the proposed elevations looking out directly onto the neighbouring properties. The length of the proposed elevation is punctuated by a vertically stacked brick feature which denotes the position of the doors to the houses and references the vertical bar fenestration of the existing Nutbrook studios.
95. The design of the northeast elevation is a reflection of the southwest elevation but excludes the reference of the industrial fenestration.
96. While the design approach is quite different from the traditional Victorian dwellings within the area, as the site is a backland development and not visible from public vantage points it would not appear visually discordant with the surrounding area and the proposal has taken in account the overall proportions or neighbouring properties in term of their height.
97. The architectural design is considered to be acceptable. Concerns have been raised by a neighbouring resident that the development will result in overdevelopment and that the design of the buildings would result in loss of privacy and overlooking of neighbouring properties and should be refused.
98. Whilst this is noted, given that the height, scale and massing, and the separation between neighbouring buildings and the development is approximately 8.5m away from the properties on Nutbrook Street, 8.8m away from the properties on Howden Street, and 22.4m from those on Waghorn Street, and that there are no windows facing in the direction of both Nutbrook and Waghorn Streets, it is not considered that concerns regarding the architectural design resulting in overlooking would be sufficient grounds for refusing planning permission. Furthermore, the proposed development would equate to 328.5 habitable rooms per hectare and would therefore comply with this policy.
99. An objection was raised that a previous proposal (98/AP/1556) was refused on grounds that the erection of the proposed roof extension at first floor level would result in an overdevelopment of the site to the detriment of the neighbouring residential properties by reason of increased sense of enclosure and loss of visual amenity. This is acknowledged; however the proposed development would only have an increase of 1.2m in height on the Nutbrook Street elevation, and would have a reduced footprint to the existing building. This would result in substantially

reduced elevations fronting onto Nutbrook Street and Howden Street. Generally roof extensions are approximately 2.3m in height to allow for an acceptable ceiling height. It is therefore considered that the proposed development would not result in an increased sense of enclosure and loss of visual amenity

Quality of accommodation

100. Saved policy 4.2 requires new residential developments to provide a good standard of accommodation.
101. The details of the proposed Schedule of Accommodation are shown below:

	Total internal floor area	Bed 1	Bed 2	Bed 3	Bed 4	Storage	Kitchen	Lounge	Garden
House 1	153m ² (4b/6p = 107m ²)	15m ²	15m ²	9m ²	9m ²	3m ²	25m ²	30m ²	55m ²
House 2	196m ² (4b/8p = 107m ²)	19m ²	19m ²	12m ²	12m ²	2m ²	34m ²	36m ²	62m ²
House 3	153m ² (4b/6p = 107m ²)	15m ²	15m ²	9m ²	9m ²	3m ²	25m ²	30m ²	55m ²

102. The floor areas of the proposed residential units are shown above. The proposed units have floor areas above the minimum set out in the residential design standards (RDS) and the new national standards. All of the rooms have room sizes above the minimum room sizes.
103. All of the units are shown to be dual aspect and would have access to appropriate levels of sunlight, daylight and outlook. There are no facing habitable room windows so each of the units will have acceptable levels of privacy. The internal floor heights for the proposed units are above 2.3m. This is considered to be generous provision and will help create a high quality of accommodation for prospective residents.

Impact on trees

104. There are a number of trees of varying species, sizes, age and visual significance adjacent to the site. As a result of the location of the development within the existing footprint of the building currently on site the proposal does not require the removal of any trees.
105. The site is not within a conservation area nor are there any protected (TPO) trees on the site therefore it is considered that the proposal would not result in a detrimental impact on the site in regards to trees.

Planning obligations (S.106 undertaking or agreement)

106. S106 is not required for a development of this scale.

Other matters

CIL

107. 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.
108. 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 Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to **£2041.00** and the Southwark CIL amount is **£10,200.00**.

Density

109. Strategic policy 5 (providing new homes) of the core strategy locates the site within the urban density zone which has a density range of 200-700hr/ha.
110. The density of the proposed development would equate to 328.5hr/ha.

Back-land development

111. Back-land development sites are those located predominantly to the rear of existing dwellings separated from the residential dwelling (e.g. not a conservatory or extension to the existing dwelling). The proposal is located at the rear Nutbrook, Howden and Waghorn Streets; it is therefore considered that this is a back-land development.
112. The proposed development is lower than surrounding properties therefore it is considered that the proposed height, scale and massing is acceptable, and would not have a detrimental impact on the streetscape.

Emergency vehicle access

113. The existing access is not wide enough to accommodate a fire engine; however this can be overcome in two ways, by either installing a hydrant on the site or by installing a domestic sprinkler system to houses too far away. This is a matter for building control and is not covered by planning legislation.
114. Even though this is a matter for building control and is not covered by planning legislation the applicant addressed fire safety as it was raised by a number of objectors.
115. It is proposed to provide two new external fire hydrants to serve the houses. these hydrants would be within the prescribed 45m radius. Furthermore it is proposed to install a full sprinkler system in all three houses.

Security

116. Neighbours raised an objection that the proposal will result in a security risk if the gates providing access to the site are removed. The site will still remain private and will provide access to those who have a legitimate purpose to be there. The inclusion of residential units ensures that the site is occupied at all times thereby providing natural surveillance that will deter criminal or anti social activity. The site

will be controlled by gates at both Nutbrook Street and Howden Street.

Conclusion on planning issues

117. The proposed loss of commercial floorspace and redevelopment with residential is acceptable in land use terms. The proposed development in terms of design, scale, massing and materials would be suitable for this development within the streetscape. The development will have no significant adverse impacts on the amenity of any adjoining occupiers or the surrounding area and will provide high quality accommodation. The proposal provides appropriate parking for vehicle and cycles within the site and is acceptable in respect of highway safety and amenity.
118. The scheme complies with the relevant saved policies of the Southwark Plan 2007 (July), the Core Strategy 2011, the Peckham and Nunhead AAP and the NPPF 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

Community impact statement

119. 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, other than those set out above.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Human rights implications

121. 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.
122. This application has the legitimate aim of providing additional residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

123. None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2727-A Application file: 15/AP/2624 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5451 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Neil Loubser, Planning Officer	
Version	Final	
Dated	4 December 2015	
Key Decision	None	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	10 December 2015	

APPENDIX 1**Consultation undertaken****Site notice date:** 23/07/2015**Press notice date:** n/a**Case officer site visit date:** 23/07/2015**Neighbour consultation letters sent:** 22/07/2015**Internal services consulted:**

Flood and Drainage Team

Statutory and non-statutory organisations consulted:

London Fire & Emergency Planning Authority

Thames Water - Development Planning

Neighbour and local groups consulted:

62 Nutbrook Street London SE15 4LE
 49a Nutbrook Street London SE15 4JU
 60 Nutbrook Street London SE15 4LE
 56 Nutbrook Street London SE15 4LE
 58 Nutbrook Street London SE15 4LE
 14a Howden Street London SE15 4LB
 14b Howden Street London SE15 4LB
 12b Howden Street London SE15 4LB
 49b Nutbrook Street London SE15 4JU
 12a Howden Street London SE15 4LB
 30 Howden Street London SE15 4LB
 32 Howden Street London SE15 4LB
 28 Howden Street London SE15 4LB
 24 Howden Street London SE15 4LB
 26 Howden Street London SE15 4LB
 52 Nutbrook Street London SE15 4LE
 54 Nutbrook Street London SE15 4LE
 38 Howden Street London SE15 4LB
 34 Howden Street London SE15 4LB
 36 Howden Street London SE15 4LB
 48a Nutbrook Street London SE15 4LE
 25 Howden Street London SE15 4LB
 Flat A 18 Howden Street SE15 4LB
 21 Howden Street London SE15 4LB
 19 Howden Street London SE15 4LB
 15 Howden Street London SE15 4LB
 Flat B 18 Howden Street SE15 4LB
 33 Nutbrook Street London SE15 4JU
 Flat 1 66 Waghorn Street SE15 4JZ
 Flat 2 66 Waghorn Street SE15 4JZ
 50b Nutbrook Street London SE15 4LE
 48b Nutbrook Street London SE15 4LE
 50a Nutbrook Street London SE15 4LE
 Flat 6 66 Waghorn Street SE15 4JZ
 62 Waghorn Street London SE15 4JZ
 Flat 5 66 Waghorn Street SE15 4JZ
 Flat 3 66 Waghorn Street SE15 4JZ
 Flat 4 66 Waghorn Street SE15 4JZ
 27 Nutbrook Street London SE15 4JU
 29 Nutbrook Street London SE15 4JU
 25 Nutbrook Street London SE15 4JU
 Unit 11 33 Nutbrook Street SE15 4JU
 Unit 12 33 Nutbrook Street SE15 4JU
 39 Nutbrook Street London SE15 4JU
 41 Nutbrook Street London SE15 4JU
 37 Nutbrook Street London SE15 4JU
 31 Nutbrook Street London SE15 4JU
 35 Nutbrook Street London SE15 4JU
 Unit 4 33 Nutbrook Street SE15 4JU
 Unit 5 33 Nutbrook Street SE15 4JU
 Unit 3 33 Nutbrook Street SE15 4JU
 Unit 1 33 Nutbrook Street SE15 4JU
 Unit 2 33 Nutbrook Street SE15 4JU
 Unit 9 33 Nutbrook Street SE15 4JU
 Unit 10 First Floor 33 Nutbrook Street SE15 4JU
 Unit 8 33 Nutbrook Street SE15 4JU
 Unit 6 33 Nutbrook Street SE15 4JU
 Unit 7 33 Nutbrook Street SE15 4JU
 43 Nutbrook Street London SE15 4JU
 13 Howden Street London SE15 4LB
 16 Howden Street London SE15 4LB
 64 Waghorn Street London SE15 4JZ
 58 Waghorn Street London SE15 4JZ
 60 Waghorn Street London SE15 4JZ
 22 Howden Street London SE15 4LB
 23 Howden Street London SE15 4LB
 20 Howden Street London SE15 4LB
 17 Howden Street London SE15 4LB
 44 Waghorn Street London SE15 4JZ
 46 Waghorn Street London SE15 4JZ
 42 Waghorn Street London SE15 4JZ
 45 Nutbrook Street London SE15 4JU
 47 Nutbrook Street London SE15 4JU
 54 Waghorn Street London SE15 4JZ
 56 Waghorn Street London SE15 4JZ
 52 Waghorn Street London SE15 4JZ
 48 Waghorn Street London SE15 4JZ
 50 Waghorn Street London SE15 4JZ
 8 Nigel Road London SE15 4NR
 10 Howden Street London SE15 4LB
 45 Nutbrook St London SE15 4JU
 17 Nutbrook Street London SE15 4JU
 9 Howden Street London SE15 4LB
 38 Nutbrook Street London SE15 4LE
 43 London SE15 4DX
 67 Maxted Road London SE15 4LF
 38 Howden Street Peckham SE15 4LB
 Flat 1 50 Nutbrook Street SE15 4LE
 64 Nutbrook Street London SE15 4LE
 2 Howden Street London Se15 4lb
 63 Maxted Road London Se154lg
 65 Maxted Road London SE15 4LF
 28 Howden St London SE15 4LB
 179 Friern Road SE220BD
 60 Nutbrook St Peckham SE15 4LE
 Email

APPENDIX 2

Re-consultation: 16/11/2015

Consultation responses received

Internal services

Flood and Drainage Team

Statutory and non-statutory organisations

London Fire & Emergency Planning Authority

Thames Water - Development Planning

Neighbours and local groups

Email

Flat A 18 Howden Street SE15 4LB
 Flat 1 50 Nutbrook Street SE15 4LE
 Flat 1 50 Nutbrook Street SE15 4LE
 10 Howden Street London SE15 4LB
 10 Howden Street London SE15 4LB
 10 Howden Street London SE15 4LB
 16 Howden Street London SE15 4LB
 17 Howden Street London SE15 4LB
 17 Nutbrook Street London SE15 4JU
 179 Friern Road SE220BD
 179 Friern Road SE220BD
 2 Howden Street London Se15 4lb
 22 Howden Street London SE15 4LB
 24 Howden Street London SE15 4LB
 28 Howden St London SE15 4LB
 28 Howden St London SE15 4LB
 28 Howden Street London SE15 4LB
 28 Howden Street London SE15 4LB
 30 Howden Street London SE15 4LB
 32 Howden Street London SE15 4LB
 34 Howden Street London SE15 4LB
 34 Howden Street London SE15 4LB
 35 Nutbrook Street London SE15 4JU
 38 Howden Street London SE15 4LB
 38 Howden Street London SE15 4LB
 38 Howden Street Peckham SE15 4LB
 38 Nutbrook Street London SE15 4LE
 43 London SE15 4DX
 43 Nutbrook Street London SE15 4JU
 45 Nutbrook St London SE15 4JU
 45 Nutbrook Street London SE15 4JU
 45 Nutbrook Street London SE15 4JU
 45 Nutbrook Street London SE15 4JU
 47 Nutbrook Street London SE15 4JU
 50 Waghorn Street London SE15 4JZ
 56 Waghorn Street London SE15 4JZ
 60 Nutbrook St Peckham SE15 4LE
 60 Nutbrook St Peckham SE15 4LE
 60 Nutbrook Street London SE15 4LE
 63 Maxted Road London Se154lg
 64 Nutbrook Street London SE15 4LE
 64 Nutbrook Street London SE15 4LE
 65 Maxted Road London SE15 4LF
 67 Maxted Road London SE15 4LF
 8 Nigel Road London SE15 4NR
 9 Howden Street London SE15 4LB

APPENDIX 3



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

Mr. Freddie Addo
 F.G. Addo Architects
 XXXX
 XXXX
 London
 XXX XXX

Your Ref:
Our Ref: 14/EQ/0242
Contact: Neil Loubser
Telephone: 020 7525 5451
E-Mail: planning.applications@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 19/12/2014

Dear Mr. Addo

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

At: 33 NUTBROOK STREET, LONDON, SE15 4JU
Proposal: Demolish existing B1 premises and construct 4 houses with car parking to the front and a new substation outbuilding to replace existing

I write in connection with your pre-application enquiry received on 28th October 2014 and further to your meeting on-site with Council officer Neil Loubser (Major Applications) on 2nd December 2014 and subsequent meeting at the Council officers on 4th December 2014.

Summary

The proposal involves the creation for 4 attached dwellings. Two of the proposed dwellings would be single storey in height and contain three bedrooms. The other two dwellings, located in the centre of the terrace would be three storeys in height and contain five bedrooms.

The principle of the development to create residential units on land currently within a Class B1 use is accepted, given that the application site meets the exceptions test contained within Saved Policy 1.4 of the Southwark Plan. The proposed residential accommodation is also considered to be of a high quality due to its compliant room sizes and internal space; however the dwellings do not comply with the Residential Design Standards SPD (October 2011) requirements for amenity space, which requires a minimum of 50m² private garden space (amenity space). Furthermore the garden should be at least 10m in length. The proposed density is also compliant with Council requirements.

The primary concerns with this application are the impact on the amenity of surrounding residents due to the height and bulk of the proposed development on the shared boundary with properties on both Nutbrook Street and Howden Street. It is considered

that this height and bulk would create an unreasonable sense of enclosure and reduce the outlook of these properties.

The Internal Daylight, Sunlight and Overshadowing Report ascertained that the proposed development at 33 Nutbrook Street will provide residential accommodation considered acceptable in terms of daylight and sunlight. All habitable rooms have been assessed for Average Daylight Factor (ADF), No Sky Line (NSL) and Room Depth Criterion (RDC). The report shown that all rooms will exceed the levels of ADF suggested by the BRE and all but two will meet the BRE's recommendation for NSL. These two rooms (labelled no. 15 and 18) are bedrooms which offer the typical outlook of rooms looking into a light well and as they achieve levels of ADF in line with recommendation they can be considered acceptable.

A detailed Daylight and Sunlight as well as an Overshadowing assessment was carried out to assess the impact that the proposal would have on the rear gardens and windows of 35-49 Nutbrook, 20-38 Howden and 50-62 Waghorn Streets. The report states that the properties to the north of Howden Street did not pass the 25 degrees rule; however the detailed Daylight and Sunlight analysis found that the proposed development will fully adhere with the BRE 2011 Guidance, meaning that there will be a negligible impact by the proposed development. Furthermore the overshadowing assessment found that the rear gardens of three out of the ten properties on Howden Street will experience a beneficial impact from the proposed development, and two will have a negligible impact and the remaining five amenity spaces will see a minor impact from the proposed development.

In addition, the proposal would be classed as backland development and in accordance with the Residential Design Standards SPD, should be consistent with the established built form. The proposal for three stories is not considered to do this as the predominant dwelling height surrounding the site is two storeys with dual pitched roofs. Consideration therefore should also be given to reducing the overall height of the proposal.

Furthermore, any future planning application should be accompanied by further details on waste storage, cycle storage and off street car parking, arboriculture impacts and sustainability. These points are discussed further within the letter below.

Subsequent to the second meeting held on 4th December 2014 the applicant submitted a revised option which will be referred to in this report as Option B on the 15th December 2014. Brief comments will appear in the body of this report as the applicant informed the Council that the original submission received on 28th October 2014 should be assessed within the pre-application report. Option B is as a result of the Council's concerns to this scheme.

Site Description

The application site is located to the centre of the residential area bordered by Howden Street, Nutbrook Street, Maxted Road and Waghorn Street. The existing site is occupied by two separate commercial buildings, with a height of one storey. The main building however, has a large parapet surrounding its roof, giving the impression of a building that is 1.5 storeys in height. The site has no direct frontage to the highway, however vehicular and pedestrian access is available through two crossovers, one from each of Nutbrook Street and Howden Street.

The area of the site is to the west of the centrally located commercial complex, with the buildings to the east being retained as part of this proposal. These existing commercial units to be retained are understood to be predominantly used as artist's studios. The area of the development site is approximately 860m², with a depth of approximately 42.5 metres and a width of approximately 19.5 metres.

The residential properties that enclose the proposal site are predominantly two stories in height, with some of these properties having a created a third storey through habitable roof space and dormers. These properties also are characterised by two storey outriggers projecting to the rear of the main wall. Each dwelling also has a rear garden with an average depth of 7 metres.

Also worthy of note is that the application site is located within an Air Quality Management Area, the Urban Density Zone and the Peckham and Nunhead Action Area. The site is not located within a Conservation Area, nor is the application site within the setting of any Statutory Listed Buildings.

Relevant planning history for the site and neighbouring sites

There have been numerous applications for householder applications on residential properties surrounding the application site, fronting Howden Street, Nutbrook Street and Maxted Road, and you are advised to refer to the Council's website for details (www.southwark.gov.uk/planning). Other applications that are of note are as follows:

33 Nutbrook Street (Proposal Site)

98/AP/1556

Planning Permission was refused for a Mansard roof extension at 1st floor level to provide ancillary office accommodation on 19 November 1998.

09/AP/2081

Planning Permission was refused for a Change of use from light industrial (Class B1) to multi-purpose community use including place of worship (Class D1) on 8 March 2010. This decision was appealed by the applicant; however this appeal was withdrawn on 3 August 2010.

Proposal

Pre-application advice is sought regarding redevelopment of the site involving the demolition of the existing two standalone buildings which are currently within a Light Industrial (Class B1) use. The proposal involves the creation of a residential scheme (Class C3) consisting of four attached dwellings. The proposed building accommodating the four dwellings would be single storey with a flat roof on its northern and southern flank, rising to a height of 3 storeys (2 storeys with mansard roof) for the two centrally located dwellings. The building would be constructed flush with the shared boundaries to the north and south, with a separation distance of approximately 3 metres retained with the two single storey units shared boundary to the west and approximately 9.6 metres retained with the shared boundary to the west.

The 2 x 3 bedroom single storey units:

Each dwelling would contain living / kitchen / dining areas, and 3 x bedrooms on the ground floor level, with central court yard acting as a light-well and decking / amenity space to the rear of the dwelling. Car parking proposed to the front of the dwelling and a Sheffield cycle stand in the rear garden accessed through the dwelling.

The 2 x 5 bedroom three storey units:

Each dwelling would contain living and dining / kitchen areas on the ground floor level, with residential accommodation above. The two x three storey dwellings located within the centre of the building would have 3 x bedrooms at first floor level and 2 x bedrooms at second floor level (mansard roof). Amenity space proposed to the rear of the dwelling which consists of soft landscaping and decking. Car parking proposed to the front of the dwelling and a Sheffield cycle stand in the rear garden accessed through the dwelling.

The submission includes a variety of existing and proposed floor plans, as well as section diagrams, a massing study and sunlight assessment. The application package also includes photographs of the built form surrounding the application site.

Option B

The demolition of the existing two standalone buildings which are currently within a Light Industrial (Class B1) use. The proposal involves the creation of a residential scheme (Class C3) consisting of three attached dwellings. The proposed building would be two storey in height, set in approximately 1.8m from the boundaries on Howden St and Nutbrook St and 8.1m to the rear, approximately 5m in height and cover the footprint of the existing buildings.

Planning policy designations (Proposals Map)

Air Quality Management Area
Urban Density Zone
Peckham and Nunhead Action Area
PTAL Score of 5

Planning policies

The Development Plan is made up of the London Plan 2013, Core Strategy 2011 and the saved policies of the Southwark Unitary Development Plan 2007, along with Supplementary Planning Documents. The National Planning Policy Framework is a material consideration. The proposal would be considered with regard to various policies including, but not exclusively:

National Planning Policy Framework

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

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

Policy 3.3 Increasing housing supply

Policy 3.5 Quality and design of housing developments
 Policy 3.8 Housing choice
 Policy 3.16 Protection and Enhancement of Community Infrastructure
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology

Core Strategy (2011)

Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards

Saved policies of the Southwark Plan (2007)

1.4 - Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations
 3.2 - Protection of amenity
 3.7 - Waste reduction
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 4.2 - Quality of residential accommodation
 4.3 - Mix of Dwellings
 5.2 - Transport impacts
 5.3 - Walking and cycling
 5.6 - Car parking

Supplementary Planning Documents

Section 106 Planning Obligations (2007)
 Sustainable design and construction SPD (2009)
 Sustainability assessments SPD (2009)
 Sustainable Transport SPD (2010)
 Residential Design Standards SPD (2011)

Principle of the proposed development

Saved Policy 1.4 (Employment sites outside the Preferred Office Locations and Preferred Industrial Locations) states that outside preferred office locations, on sites with an established Class B use and that either front a classified road, are within the Central Activity Zone or a Strategic Cultural Area, development should be made that does not result in a net loss of the Class B use. This is reinforced by Strategic Policy 10 which seeks to preserve the existing business floor space within the Borough.

In this instance, the loss of a Class B1 use would not be resisted as the site has no direct frontage to a classified road. The site is also not within the Central Activity Zone nor is it within a Strategic Cultural Area. Therefore the principle of converting the use to a residential use, particularly given the site is located within an established residential area, is accepted.

The site is within the Peckham South Character Area of the Peckham and Nunhead Action Area Plan. The objective of the Peckham South Character Area is for it to remain a 'predominantly residential area by supporting residential uses'. This point supports the proposed change to a Class C3 use. The primary employment spaces to be protected within this Character Area are the shops on East Dulwich Road and Bellenden Road and the Print Village Industrial Estate on Chadwick Road, of which are not relevant to the proposal site.

The creation of new residential dwellings is also supported by Section 6 of the NPPF and Strategic Policy 5 of the Core Strategy which seeks to provide more housing opportunity for residents across the Borough. The proposal would also comply with the objectives of Saved Policy 3.11 of the Southwark Plan which seeks to make efficient use of brownfield land for development.

Density

Strategic policy 5 of the Core Strategy 'Providing new homes' permits a density range of between 200 - 700 habitable rooms per hectare (hrh) in the Urban Density Zone. This requirement is repeated within the Residential Design Standards SPD, which also notes that this may be exceeded in the core area where developments are of an exemplary standard of design. The proposal for 4 units includes 22 habitable rooms for the purposes of calculation of density, which is inclusive of the proposed separate kitchen/dining and living areas. This equates to a density of 299hrh, which is within the allowable density. The proposed density is also acceptable given the sensitive 'backland' nature of the proposal site. There are concerns regarding the height and massing of the proposed building, as discussed within later sections of this letter.

Option B

The proposal for 3 units includes 18 habitable rooms for the purposes of calculation of density, which is inclusive of the proposed separate kitchen/dining and living areas. This equates to a density of 245hrh, which is within the allowable density. The proposed density is also acceptable given the sensitive 'backland' nature of the proposal site.

Affordable housing

Due to the size of the proposed residential scheme, the Council would not require affordable housing to be provided as part of this type of development.

Housing mix

The Council generally requires developments to provide for a mix of housing in accordance with Strategic Policy 7 of the Core Strategy, the Peckham and Nunhead Action Area Plan and the Residential Design Standards SPD. However this requirement is only applicable to developments with 10 dwellings or greater and is therefore not relevant to the assessment of this application.

Amenity of neighbouring occupiers and the surrounding area

Strategic Policy 13 of the Core Strategy requires developments to achieve high standards for reducing air, land, water, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. In addition, Saved Policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.

The design of the building raises some significant amenity issues to adjoining properties. A particular concern is the height of the proposed building where it is flush with the property boundaries of those residential properties fronting Howden Street and Nutbrook Street. The building would have a height along its southern boundary (Nutbrook Street) of 3.266 metres. Given that the rear gardens of those properties adjoining the application site to the north (Howden Street) are sunken below that of the application site, the proposal would have a height of 4.126 metres.

The creation of walls with the abovementioned heights along these boundaries would create an unreasonable sense of enclosure and loss of outlook to the properties facing both Howden Street and Nutbrook Street. This is particularly evident given that these properties are characterised by small gardens and the creation of such a large and bulky structure for a depth of approximately 24 metres will have a detrimental impact on the amenity currently enjoyed by the occupants of adjoining properties.

The Town and Country Planning (General Permitted Development) Order 1995, Part 2, Minor Operations, Class A states that development is permitted if the height of any other gate, fence, wall or means of enclosure erected or constructed do not exceed two metres above ground level. Given this consideration should be given to reducing the height along the boundary to one storey not exceeding 2 metres in height at eaves level, with a gradual rise in height towards the centre of the building. It is noted that this would impact the proposed internal configuration of the building and perhaps the ability to provide for 4 separate dwellings and the scale of the residential accommodation to be provided should also be considered.

It is noted that that the proposed Daylight / Sunlight Sections see drawing no. DL 200 Sections A-A and C-C indicate that the development do not fully comply with the recommendations as set out in the Residential Design Standards (October 2011) SPD in regards to the 25 degree sunlight angle. Even though the submitted Daylight / Sunlight and Overshadowing Assessment state that the proposed development will fully adhere with the BRE 2011 Guidance it is recommended that the two x three storey dwellings located within the centre of the building are reduced to a maximum of height of 2 storeys.

Option B

The proposal do not raise any concerns in regards to scale, bulk and massing as it is proposed within the same footprint of the current building. Furthermore the proposal is for a two storey building similar in height to the current building and set in from the boundaries.

Option B do not raise any issues in regards to daylight / sunlight as it is of a similar scale to what is on site. Furthermore drawing annotated as 33 Nutbrook Street – Proposed sketch design – 3 houses December 2014 Section A-A shows that the proposal complies with the 25 degree angle rule.

Quality of accommodation

Saved policy 4.2 of the Soutwark Plan requires residential developments to provide a good standard of accommodation. You are referred to the Council's Residential Design Standards SPD which establishes minimum room and overall flat sizes based on occupancy levels. The proposed internal space of the current proposal for each of the dwellings appears to comply with internal space requirements and their compliance is set out below:

	Flat 1	Flat 2	Flat 3	Flat 4	
Description	3 Bed	5 Bed	5 Bed	3 Bed	
Required size	86m ²	110m ²	110m ²	86m ²	
Unit size	98m ²	180m ²	180m ²	98m ²	Comply
Bedroom 1	14m ² (12m ²)	18.5m ² (12m ²)	18.5m ² (12m ²)	14m ² (12m ²)	Comply
Bedroom 2	12m ² (7m ²)	15m ² (7m ²)	15m ² (7m ²)	12m ² (7m ²)	Comply
Bedroom 3	7m ² (7m ²)	12.8m ² (7m ²)	12.8m ² (7m ²)	7m ² (7m ²)	Comply
Bedroom 4		7m ² (7m ²)	7m ² (7m ²)		Comply
Bedroom 5		20m ² (7m ²)	20m ² (7m ²)		Comply
Living / Dining / Kitchen	30m ² (30m ²)			30m ² (30m ²)	Comply
Living		17m ² (15m ²)	17m ² (15m ²)		Comply
Dining / Kitchen		24.5m ² (12m ²)	24.5m ² (12m ²)		Comply
Storage	Unknown (2.25m ²)	Unknown (2.75m ²)	Unknown (2.75m ²)	Unknown (2.25m ²)	Unknown
WC	Unknown (3.5m ²)	Unknown (3.5m ²)	Unknown (3.5m ²)	Unknown (3.5m ²)	Unknown
Amenity Space	22m ² (50m ²)	47m ² (50m ²)	47m ² (50m ²)	6.4m ² (50m ²)	Do not comply

All proposed rooms would also comply with the minimum internal room sizes as outlined within Table 3 of the Residential Design Standards SPD. Each dwelling would also be dual aspect, which will create a satisfactory living environment for future occupants.

You are referred to the Council's Residential Design Standards SPD which establishes minimum room and overall dwelling sizes based on occupancy levels, and from the plans you have submitted, it would appear that the proposal complies with the overall internal space requirements. Internal light levels and light levels to the amenity spaces including communal space should be tested through a BRE report.

Section 3 of the Residential Design Standards SPD sets out the Council's amenity space requirements for residential developments and states that all developments must meet the following minimum standards and seek to exceed these where possible:

- 50 m² communal amenity space per development;
- For units containing three or more bedrooms, 10 m² of private amenity space;
- For units containing two or less bedrooms, 10 m² of private amenity space should

ideally be provided. Where it is not possible to provide 10 m² of private amenity space, as much space as possible should be provided as private amenity space, with the remaining amount added towards the communal amenity space requirement;

- Balconies, terraces and roof gardens must be a minimum of 3 m² to count towards private amenity space.

Your current proposal does not comply with above requirements as set out within the Residential Design Standard SPD. It is therefore recommended that the single storey dwellings are reduced in size by pulling the back elevation (western flank wall) in line with the rear elevation of the two centre 5 bedroom units. It is noted that this would impact the proposed unit size and internal configuration of the building and perhaps the ability to provide for 4 separate dwellings and the scale of the residential accommodation to be provided should also be considered.

Option B

The proposed internal space of the current proposal for each of the dwellings appears to comply with internal space requirements and their compliance is set out below:

	Flat 1	Flat 2	Flat 3	
Description	4 bed 6 person	4 bed 6 person	4 bed 6 person	
Required size	107m ²	107m ²	107m ²	
Unit size	153m ²	190m ²	153m ²	Comply
Bedroom 1	15m ² (12m ²)	17m ² (12m ²)	15m ² (12m ²)	Comply
Bedroom 2	9m ² (7m ²)	12m ² (7m ²)	9m ² (7m ²)	Comply
Bedroom 3	9m ² (7m ²)	12m ² (7m ²)	9m ² (7m ²)	Comply
Bedroom 4	15m ² (7m ²)	17m ² (7m ²)	15m ² (7m ²)	Comply
Living	17m ² (15m ²)	34m ² (15m ²)	17m ² (15m ²)	Comply
Dining / Kitchen	29m ² (12m ²)	32m ² (12m ²)	29m ² (12m ²)	Comply
Storage	Unknown (2.25m ²)	Unknown (2.75m ²)	Unknown (2.75m ²)	Unknown
WC	Unknown (3.5m ²)	Unknown (3.5m ²)	Unknown (3.5m ²)	Unknown
Amenity Space	54m ² (50m ²)	54m ² (50m ²)	54m ² (50m ²)	Comply

The proposed development would provide a satisfactory living environment for future occupants, with compliant room sizes as well as overall space sizes, amenity space and circulation areas.

Transport

Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require the needs of pedestrians and cyclists to be considered and 5.6 establish maximum parking standards. The site has a PTAL (public transport accessibility level) of 5. It is noted that the proposal site allows for vehicles to enter the site from Nutbrook Street and exit the site to Howden Street; however it was observed during the site visit on 2nd December that the Howden Street access gate was securely locked not allowing any vehicles through. Furthermore this access is narrow

with residential accommodation bridging this access way. This is also very low which would impede large delivery vehicles from using this as an exit point. It also became apparent during the site visit that a large number of vehicles were parked in front of the commercial units not allowing free access to the site. Inadequate information provided in regards to parking and servicing of the neighbouring commercial use on this site.

Drawing number DL100.1 proposed ground and first floor plans indicate 4 residential parking bays in front of each residential unit. As the commercial and residential uses coexists at this site the commercial and residential parking may have an impact on each other it is recommended that transport survey are carried out which should include a parking survey and a swept path analysis.

Parking

Southwark Transport SPD requires that a maximum of 1 car parking space per unit should be provided. Given the size of the proposed units, the Council would expect that some level of off street car parking to be provided on the site and therefore consideration of this should be given accordingly. Whilst the area surrounding the application site is not located within a Controlled Parking Zone, it is considered that the space available could accommodate off street car parking to reduce demand on on-street car parking.

Cycling

Saved policy 5.3 of the Southwark Plan states that planning permission for development will be granted if developments are designed to accommodate bicycles and provide sufficient cycle parking spaces. Cycle parking must also be convenient, secure and weatherproof. Access should not involve walking long distances or carrying bicycles up stairs or in lifts or through dwellings.

The applicant will be expected to provide cycle storage in line with the London Plan plus 10% for visitor space in line with the Southwark Plan. Officers recommend Sheffield stands as the preferred cycle storage method in all cases, and request that every attempt is made to provide these in the design. Two-tiered or vertical (and semi-vertical) storage systems are not recommended as they are not particularly easy to use. Cycle storage should be located so that residents are not required to lift their bikes and unless there are suitably sized lifts or ramps provided, storage must be located on the ground floor.

Drawing number DL100.1 proposed ground and first floor plans indicate 4 cycle parking spaces in the rear gardens of the proposed dwelling which can only be accessed through the dwellings. This does not comply with saved policy 5.3 of the Southwark Plan or with the guidance as set out in Southwark's Sustainable Transport SPD. As such this aspect of the proposal should be redesigned in accordance with policy.

Refuse and Recycling

Before finalising the refuse and recycling stores you are referred to the Council document 'Waste Management guidance notes for residential developments' which is aimed at providing developers with the requirements for waste storage at new sites. You are also referred to the Sustainable Design and Construction SPD which contains further information and the calculation for determining the amount of refuse storage required should be included in your submission. To maximise use and for ease of collection residents should not have to travel more than 30m to a refuse store and the refuse store

should be no more than 10m from the collection point.

No details have been provided as to the location of the proposed waste storage area and the strategy for collection and further details should be provided as part of any future planning application. Furthermore as it is proposed that the commercial and residential uses coexists at this site the commercial refuse storage and collection may have an impact on that of the residential use. As no details have been provided this could not be assessed and discussed in this document.

Option B

Inadequate information provided to comment on above issues relating to Option B; however comments for main submission will be relevant to Option B and should be complied with if applicant decides to proceed with this option.

Design, Character and Appearance

The site is not located within a Conservation Area, however, the proposal should have a positive design outcome, in accordance with Section 7 of the NPPF, Policies 7.4 and 7.6 of the London Plan, Strategic Policy 12 of the Core Strategy and Saved Policies 3.12 and 3.13 of the Southwark Plan. The established built form surrounding the application site is residential dwellings with a height of two storeys. It is noted that on some properties surrounding the proposal site a third level has been created, however these are through dormer window extensions that are subordinate in appearance to the original dwelling.

The proposal to create three storey dwellings, even though the third storey is designed as a mansard roof, it is considered to be not in keeping with the established built form of the area. The Residential Design Standards SPD refers to backland development and states that 'development must not be more intensive than existing development on the adjoining street frontage, frequently backland development is single storey so as not to impose on the surrounding area. Backland development should echo the characteristics of existing neighbours'. Based on this requirement, a two storey scheme would be most appropriate for this location and as previously discussed the scale of the proposal should also be reduced at the northern and southern shared boundaries.

Any future planning application should also be accompanied by details on the types of the materials to be used in the construction of the building. In accordance with Section 7 of the NPPF, Strategic Policy 12 of the Core Strategy and Saved Policies 3.12 and 3.13 of the Southwark Plan, the materials proposed should be high quality and reflect and be consistent with the established built form.

Option B

The proposal do not raise any concerns in regards to scale, bulk and massing as it is proposed within the same footprint of the current building. Furthermore the proposal is for a two storey building similar in height to the current building and set in from the boundaries.

Impact on trees

It is noted that there are some large trees within the rear garden of no. 12 Nutbrook Street. This tree is a third party tree that contributes positively to the leafy and green

character of the surrounding area. Some branches of this tree also overhang onto the proposal site and the proposal is likely to have a significant impact on this tree. Accordingly, any future proposal should be accompanied by an Arboricultural Impact Assessment of any proposal on this tree.

Option B

Inadequate information provided to comment on above issues relating to Option B; however comments for main submission will be relevant to Option B and should be complied with if applicant decides to proceed with this option.

Sustainable development implications

Saved Policy 3.4 seeks energy efficient development and Saved Policy 3.9 advises that all development should incorporate measures to reduce the demand for water supply. These policies are expanded on in the Council's Sustainable Design and Construction SPD. Core Strategy SP13 - High environmental standards applies a similar energy hierarchy to the London Plan and requires the highest environmental standards. The table set out at p114 of the Core Strategy sets out the targets to be achieved including CSH level 4 for new housing.

Strategic policy 13 of the Core Strategy (High Environmental Standards) requires all residential developments to achieve at least Code for Sustainable Homes Level 4.

No information regarding an energy strategy for the site has been provided to date; however drawings of the 1st floor indicate sedum / green roofs with photovoltaic cells on the flat roofs of the 2 x single storey dwellings and photovoltaic cells on the mansard roofs of the 3 x storey dwellings. This proposal is welcomed as it would contribute towards the energy strategy and Code for Sustainable Homes requirements. An energy strategy and Code for Sustainable Homes pre-assessment indicators would be required at application stage.

Option B

Inadequate information provided to comment on above issues relating to Option B; however comments for main submission will be relevant to Option B and should be complied with if applicant decides to proceed with this option.

Mayoral CIL

This application would be Mayoral CIL liable and as such a CIL liability form should be submitted with any future application.

It will be calculated according to the amount of additional floor space a new development will produce and/or the change of use of existing floor space taking into account the last lawful occupancy of the building. The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found at:

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructure/evymay11>

Existing floorspace (gross) within the red line plan can be deducted from the chargeable floorspace calculation. Existing floorspace can only be considered where it has been in continuous lawful use for at least 6 months of the 3 years prior to the development being

permitted.

Southwark CIL

Southwark is seeking to implement its own CIL contribution and this will apply to all new developments creating new units. It is envisaged that Southwark CIL will be in place from around late autumn, details of the scheme and how it affects your development can be found on the Council's website.

List of documents required at application stage

Links to further information about planning application forms and local and national validation requirements is set out below. A list of documents that officers consider would be necessary for validation is set out below.

http://www.southwark.gov.uk/downloads/download/2021/full_planning_permission

- Completed planning application form.
- Planning application fee
- Site location plan
- Block plan
- Existing and proposed plans, elevations and sections, (including key views from the street and sections through the adjoining sites).
- Drawings of elevations and sections to a stated metric scale; each drawing must include a scale bar;
- Section drawings including the disabled access
- Design and Access Statement including townscape visual impact assessment
- Planning Statement including schedule of existing and proposed uses - Air Quality Assessment
- Car parking management plan
- Refuse and servicing details
- Code for Sustainable Homes Pre-assessment
- Acoustic Report
- Photographs and photomontages
- Completed CIL form;

It is recommended that as much detailed information as possible (including samples and specifications) be submitted at application stage with regard to materials, refuse/recycling storage, cycle storage, etc. Should the application then proceed to a positive recommendation this will reduce the need for extensive conditions which require discharge.

Other matters

It is anticipated that further meetings may be required as the scheme progresses, and a PPA may be required to determine an appropriate timescale for determination.

Conclusion

The proposed development would provide a satisfactory living environment for future occupants, with compliant room sizes as well as circulation areas; however the amenity space do not comply with the space standards as set out in the Residential Design Standards SPD. No objection is raised to the loss of B1 floor space as the proposal would comply with the exceptions test contained within Saved Policy 1.4 of the

Southwark Plan. However the Council has concerns over the impact that this proposal would have on the amenity of existing residents due to its proximity to shared boundaries. The design and its height is also inconsistent with the established built form of the area and therefore the applicant should reconsider the overall bulk and scale of the proposal. Consideration should also be made to providing off street car parking within the development site to ensure the proposal does not unreasonably impact the availability of on street parking within Howden and Nutbrook Streets or that of the commercial use coexisting on this site. Further information would be required on proposed cycle storage and waste storage areas and the applicant should also provide an Arboricultural Impact Assessment on the existing tree within the rear garden of no.12 Nutbrook Street.

On balance, the Council would be unable to recommend approval of this application in its current form and the applicant should reconsider the overall bulk, scale and height of the proposal.

Option B

The proposed development would provide a satisfactory living environment for future occupants, with compliant room sizes as well as overall space sizes, amenity space and circulation areas. The design, its height and being set in from the boundaries is considered consistent with the established built form of the area. Consideration should also be made to providing off street car parking within the development site to ensure the proposal does not unreasonably impact the availability of on street parking within Howden and Nutbrook Streets. Further information would be required on proposed cycle storage and waste storage areas and the applicant should also provide an Arboricultural Impact Assessment on the existing tree within the rear garden of no.12 Nutbrook Street.

Yours sincerely

Neil Loubser
Planning Officer -Development Management

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	Starspangle Ltd	Reg. Number	15/AP/2624
Application Type	Full Planning Permission	Case	TP/2727-A
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolish existing B1 premises and construct 3 houses with car parking to the front and a new substation outbuilding to replace existing

At: 33 NUTBROOK STREET, LONDON SE15 4JU

In accordance with application received on 01/07/2015 12:00:53

and Applicant's Drawing Nos. Daylight/Sunlight assessment; Site location plan - PL 099A; PLANNING & DESIGN & ACCESS STATEMENT; DAYLIGHT AND SUNLIGHT REPORT TAKEN FROM 14-EQ-0242; Fire Access and Fire Fighting report; 33 Nutbrook Street - Proposed sketch design - 3 houses dated December 2014

PL 095 - EXISTING MASTERPLANS;

PL 098A - PROPOSED MASTERPLAN; PL 100A - Proposed ground, first and roof plans; PL201A - EXISTING & PROPOSED SECTIONS; PL 300A - Proposed elevations; PL 300B - Proposed elevations; PL 301A - Façade materials southwest elevation; PL 302A - Façade materials northeast elevation; PL 304A - Façade materials northwest elevation; PL400 - Proposed ground floor masterplan Fire appliance location and proposed fire hydrant locations; PL401 - Proposed ground and first floor travel distance from proposed fire hydrants; PL 402 - EXISTING & PROPOSED SURFACE; PL301 - FACADE MATERIALS SOUTHWEST ELEVATION; PL302A - FACADE MATERIALS - NORTHEAST ELEVATION; PL303 - FACADE MATERIALS - SOUTHEAST ELEVATION; PL304 - FACADE MATERIALS - NORTHWEST ELEVATION; PL399 - Site access and means of escape

Subject to the following eleven conditions:

Time limit for implementing this permission and the approved plans

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

PL 098A - PROPOSED MASTERPLAN; PL 100A - Proposed ground, first and roof plans; PL201A - EXISTING & PROPOSED SECTIONS; PL 300A - Proposed elevations; PL 300B - Proposed elevations; PL 301A - Façade materials southwest elevation; PL 302A - Façade materials northeast elevation; PL 304A - Façade materials northwest elevation; PL400 - Proposed ground floor masterplan Fire appliance location and proposed fire hydrant locations; PL401 - Proposed ground and first floor travel distance from proposed fire hydrants; PL 402 - EXISTING & PROPOSED SURFACE; PL301 - FACADE MATERIALS SOUTHWEST ELEVATION; PL302A - FACADE MATERIALS - NORTHEAST ELEVATION; PL303 - FACADE MATERIALS - SOUTHEAST ELEVATION; PL304 - FACADE MATERIALS - NORTHWEST ELEVATION; PL399 - Site access and means of escape

Reason:

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

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

Reason

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below

must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

3.
 - a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
 - b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
 - c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
 - d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

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

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:

the parking of vehicles of site operatives and visitors;
 loading and unloading of plant and materials;
 storage of plant and materials used in constructing the development;
 the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 wheel washing facilities;
 measures to control the emission of dust and dirt during construction;
 a scheme for recycling / disposing of waste resulting from demolition and construction works

Reason:

To ensure that 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 (2011) saved policy 3.2 `Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

5. The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Report by DPA dated March 2015. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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

Reason

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

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. Before the first occupation of the building the cycle storage facilities as shown on drawing PL098 shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

7. Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced PL098 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.

8. Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises or curtilage development shall be carried out to the dwellings hereby approved.

Reason

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

9. Each dwelling hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason

To ensure the development complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

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

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the

building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

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).

11. Any tree or shrub required to be retained or to be planted as part of the landscaping scheme hereby approved, that is found to be dead, dying, severely damaged or seriously 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 by specimens of similar or appropriate size and species in the first suitable planting season.

Reason:

To ensure that the details of the scheme are in accordance with Strategic Policy 11 Open spaces and wildlife and Strategic Policy 12 Design and conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007

Statement of positive and proactive action in dealing with the application

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

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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 Anne Kirby	1		
Councillor Octavia Lamb	1	Communications	By
Councillor Eliza Mann	1	Louise Neilan, media manager	email
Councillor Sandra Rhule	1		
		Total:	24
(Reserves to receive electronic copies only)		Dated: 10 December 2015	
Councillor Evelyn Akoto			
Councillor David Hubber			
Councillor Sarah King			
Councillor Darren Merrill			
Councillor Kath Whittam			
Officers			
Constitutional Officer, Hub 4 (2 nd Floor), Tooley St.	12		
Jacquelyne Green/Abrar Sharif, Hub 2 (5 th Floor) Tooley St.	3		
Jon Gorst, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		