

Planning Sub-Committee B

Wednesday 21 October 2015

6.30 pm

Meeting Room G01, Ground Floor, 160 Tooley Street, London SE1 2Q

Membership

Councillor Cleo Soanes (Chair)
Councillor Maria Linforth-Hall (Vice-Chair)
Councillor Sunil Chopra
Councillor Nick Dolezal
Councillor David Hubber
Councillor Eleanor Kerslake
Councillor Leo Pollak

Reserves

Councillor Stephanie Cryan
Councillor Lucas Green
Councillor David Noakes
Councillor Johnson Situ

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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Contact

Gerald Gohler 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: 13 October 2015



Planning Sub-Committee B

Wednesday 21 October 2015

6.30 pm

Meeting Room G01, Ground Floor, 160 Tooley Street, London SE1 2Q

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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 - 12
	To approve the minutes of the meetings held on 1 July and 7 September 2015 as correct records of these meetings.	
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Date: 13 October 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 B

MINUTES of the Planning Sub-Committee B held on Wednesday 1 July 2015 at 7.00 pm at Meeting Room G02, Ground Floor, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Cleo Soanes (Chair)
 Councillor Maria Linforth-Hall (Vice-Chair)
 Councillor Nick Dolezal
 Councillor David Hubber
 Councillor Eleanor Kerslake
 Councillor Leo Pollak

OTHER MEMBERS PRESENT: Councillor Tom Flynn
 Councillor Adele Morris

OFFICER SUPPORT: Rob Bristow (Development Management)
 Anjana Ghosh (Legal Officer)
 David Cliff (Development Management)
 Ciaran Regan (Development Management)
 Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Councillor David Hubber announced that he would be speaking in his capacity as a ward councillor on item 7.1, and would therefore not take part in the discussion and decision on this item.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 - development management items

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 28 April 2015 be approved as a correct record and signed by the chair.

At this point Councillor David Hubber left the top table and sat with the audience.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

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

7.1 THE CLIPPER, 562 ROTHERHITHE STREET, LONDON SE16 5EX

Planning application reference number: 14/AP/4337

Report: see pages 12 to 35 of the agenda pack and pages 1 to 3 and 6 to 13 of the addendum report.

PROPOSAL

Demolition of existing building and the erection of replacement four storey building comprising retail unit (Use Class A1) at ground floor and basement level and 6 flats on first, second and third floors, associated car parking and amenity area.

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

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

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

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

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

At this point Councillor David Hubber left the room.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and was lost. The chair invited members to put an alternative motion.

At 8.45pm, the meeting adjourned and reconvened at 8.55pm. The chair explained that the adjournment had been agreed in order for members to consider alternative motions they may want to put.

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

RESOLVED:

That planning permission for application number 14/AP/4337 be refused, as:

1. The proposed development, by reason of the height and width of the replacement building representing a significant increase in massing in relation to the existing building, coupled with the separation distance to the adjacent flats within Timbrell Place, would result in a significant loss of day light and be overbearing in appearance for the occupiers of these adjacent properties. The resulting harmful impacts upon neighbours' living conditions is contrary to saved policies 3.2 and 3.13 of the Southwark Plan 2007, Strategic Policies 12 and 13(8) of the Southwark Core Strategy, policy 7.6 of the London Plan 2015, Section 7 of the National Planning Policy Framework 2012 and the Southwark Residential Design Standards 2011.
2. The loss of the existing public house would amount to the loss of a valued community facility, contrary to Policy 3.1 of the London Plan 2015 and paragraph 70 of the National Planning Policy Framework 2012.
3. The proposed redevelopment of the site would result in the loss of a non-designated heritage asset which is of value to the surrounding townscape and the replacement building would not be of such quality to outweigh the harm resulting. The application is therefore contrary to paragraphs 128 to 135 of the National Planning Policy Framework 2012, Strategic Policy 12 of the Southwark Core

Strategy 2011 and policies 7.4 and 7.8 of the London Plan 2015.

At 9.15pm the meeting took a comfort break until 9.25pm, at the end of which Councillor David Hubber rejoined the meeting.

7.2 GROUND FLOOR, 2-4 GROVE LANE, LONDON SE5 8SY

Planning application reference number: 15/AP/1113

Report: see pages 36 to 47 of the agenda pack and pages 4 to 5 of the addendum report.

PROPOSAL

Continued use as a restaurant (Use Class A3), with the following hours of operation: 08:00 - 23:30 Sunday to Thursday and 08:00 - 00:00 Friday to Saturday.

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

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

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

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

Councillor Tom Flynn spoke in his capacity as a ward member. Members of the committee did not ask questions of Councillor Flynn.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 15/AP/1113 be granted, subject to the conditions outlined in the report and the addendum report, and with an additional condition stating:

"The front door of No.2 shall be used as the main customer entrance/egress to/from the premises. The front door to No.4 shall be used for wheelchair or fire access only and shall not be otherwise used for customer use."

At 10.30pm the meeting took a comfort break until 10.35pm.

7.3 NELSON SQUARE GARDEN, NELSON SQUARE, LONDON SE1 0LR

Planning application reference number: 15/AP/1590

Report: see pages 48 to 67 of the agenda pack.

PROPOSAL

Hard and soft landscape works including new entrances, new play area, new MUGA, new site furniture and surfacing, new planting and grassed areas; Demolition and removal of existing dividing wall and planter and rebuilding in new location.

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

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

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

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

Councillor Adele Morris spoke in her capacity as a ward member. Members of the committee did not ask questions of Councillor Morris.

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 15/AP/1590 be granted, subject to the conditions set out in the report and with an additional condition that:

- Consultation with residents be carried out about the following issues:
 - the railings around the park to remain the same height
 - the location, style and number of seats
 - details and locations of planting
 - dropped curbs at the entrances to the park and on the opposite pavements
 - additional waste bins and signage regarding dog fouling
- And that the results of the consultation be brought back to the sub-committee to be noted.

The meeting ended at 12.30am.

CHAIR:

DATED:



Planning Sub-Committee B

MINUTES of the OPEN section of the Planning Sub-Committee B held on Monday 7 September 2015 at 7.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Cleo Soanes (Chair)
 Councillor Maria Linforth-Hall (Vice-Chair)
 Councillor Sunil Chopra
 Councillor Nick Dolezal
 Councillor David Hubber
 Councillor Eleanor Kerlake
 Councillor Leo Pollak

OTHER MEMBERS PRESENT: Councillor Michael Mitchell
 Councillor Johnson Situ

OFFICER SUPPORT: Dennis Sangweme (Development Management)
 Alex Gillot (Legal Officer)
 Dipesh Patel (Development Management)
 Alex Cameron (Development Management)
 Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following members made declarations regarding the agenda items below:

Agenda item 7.3 – 111-113 FRIARY ROAD, LONDON SE15 1PY

Councillor Cleo Soanes informed the meeting that although she was a ward councillor and that she had had sight of the petition and some of the emails from residents, she would approach the application with an open mind.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 - development management items
- Members' pack of additional drawing and photographs

6. MINUTES

The chair informed the meeting that the minutes for the meeting of the sub-committee held on 1 July 2015 had not been included in the agenda pack in error, and that these would be submitted for agreement at the next meeting.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

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

7.1 197 MERROW STREET, LONDON SE17 2NY

Planning application reference number: 15/AP/1363

Report: see pages 6 to 15 of the agenda pack and page 1 of the addendum report.

PROPOSAL

Retention of single storey rear extension to dwelling house.

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

There were no objectors present wishing to speak.

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

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

Members debated the application and asked questions of the officers.

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

RESOLVED:

That planning permission for application number 15/AP/1363 be granted, subject to the conditions set out in the report.

7.2 97 AZENBY ROAD, LONDON SE15 5AJ

Planning application reference number: 15/AP/1900

Report: see pages 16 to 26 of the agenda pack.

PROPOSAL

Change of use of a vacant shop unit (A1 Class) to a studio flat (Use Class C3a)

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

There were no objectors present wishing to speak.

The applicant was not present.

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

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/1900 be granted, subject to the conditions set out in the report.

7.3 111-113 FRIARY ROAD, LONDON SE15 1PY

Planning application reference number: 15/AP/1916

Report: see pages 27 to 36 of the agenda pack and pages 1 to 2 of the addendum report.

PROPOSAL

Change of use of part of ground floor from light industrial use (use class B1) to mortuary (sui generis).

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

Local residents who objected to the application made representations to the sub-committee. Members did not ask questions of the objectors.

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

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

Councillor Johnson Situ spoke in his capacity as a ward member. Members of the sub-committee did not ask questions of Councillor Situ.

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 15/AP/1916 be granted subject to the conditions set out in the report and addendum report, and subject to two additional conditions:

1. That the plant noise shall not exceed the level of background noise.
2. That no visit to the premises by members of the public / clients be permitted.

7.4 8 FRANK DIXON WAY, LONDON SE21 7BB

Planning application reference number: 15/AP/1469

Report: see pages 37 to 52 of the agenda pack and pages 2 to 3 of the addendum report.

PROPOSAL

Erection of a new two storey dwellinghouse with accommodation to basement level and attic level.

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

highlighted the additional comments in the addendum report. Members asked questions of the officer.

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

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

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

Councillor Michael Mitchell spoke in his capacity as a ward member. Members of the sub-committee did not ask questions of Councillor Mitchell.

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

RESOLVED:

That planning permission for application number 15/AP/1469 be granted, subject to the conditions as set out in the report, and with two additional conditions stipulating that:

1. Satisfactory details of the ventilation be submitted to council, and that the noise from the ventilation shall not exceed the level of background noise.
2. Contractual arrangements be submitted to the council outlining satisfactory commencement and completion dates, and that the development shall commence within 12 months of the date of the decision.

7.5 POND COTTAGES, COLLEGE ROAD, LONDON SE21 7LE

Planning application reference number: 15/AP/1990

Report: see pages 53 to 61 of the agenda pack.

PROPOSAL

Single storey infill extension between the sports hall and the swimming pool building and installation of a DDA compliant accessible ramp to the sports hall.

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

There were no objectors present wishing to speak.

The applicant did not attend.

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

Members debated the application and asked questions of the officers.

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

DECISION:

That planning permission for application number 15/AP/1990 be granted, subject to the condition set out in the report.

Meeting ended at 9.30 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 21 October 2015	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

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

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which 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	20 April 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		9 October 2015

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Wednesday 21 October 2015

Appl. Type Full Planning Permission
Site 2 KINGS GROVE, LONDON SE15 2NB

Reg. No. 15-AP-2522
TP No. TP/2448-2
Ward Livesey
Officer Alex Cameron

Recommendation GRANT PERMISSION
Proposal

Item 7.1

Erection of a single storey side infill extension on ground floor and a single storey extension on first floor; creation of an enclosed entrance porch and replacement of existing uPVC windows with timber framed sash windows in enlarged openings

Appl. Type Full Planning Permission
Site LAND ADJACENT TO 1A WARWICK COURT, CHOUMERT ROAD, LONDON SE15 4SE

Reg. No. 15-AP-2995
TP No. TP/2715-J
Ward The Lane
Officer Lewis Goodley

Recommendation GRANT PERMISSION
Proposal

Item 7.2

Erection of part four and part two storey building with roof terrace, external walkways and balconies to provide six self-contained flats (4 x one bedroom flats and a 2 x two bedroom flat) with associated refuse and cycle storage.

Appl. Type Full Planning Permission
Site HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON SE22 0NR

Reg. No. 15-AP-3435
TP No. TP/2613-A
Ward Peckham Rye
Officer Sonia Watson

Recommendation GRANT PERMISSION
Proposal

Item 7.3

Erection of a canopy to create a covered external space within the sports block courtyard and a canopy over the first floor mezzanine terrace

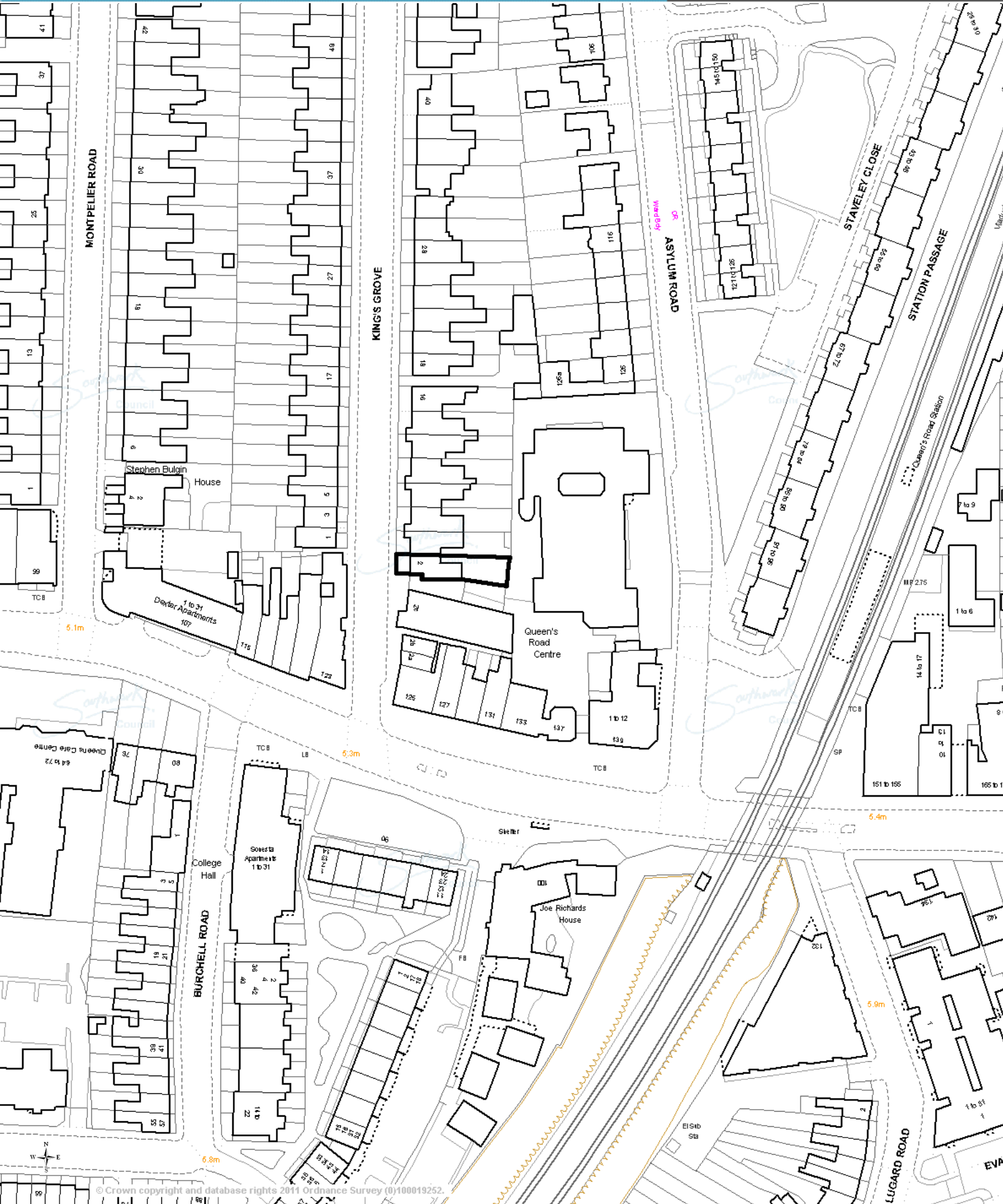
Appl. Type Council's Own Development - Reg. 3
Site BURGESS PARK FISHING CLUB, BURGESS PARK, LONDON SE1

Reg. No. 15-AP-2763
TP No. TP/M2022
Ward East Walworth
Officer Matthew Harvey

Recommendation GRANT PERMISSION
Proposal

Item 7.4

Demolition of existing buildings and erection of a single storey pre-fabricated building comprising a public toilet, office and storage and associated hard and soft landscaping



Item No. 7.1	Classification: OPEN	Date: 21 October 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/2522 for: Full Planning Permission Address: 2 KINGS GROVE, LONDON, SE15 2NB Proposal: Erection of a single storey side infill extension on ground floor and a single storey extension on first floor; creation of an enclosed entrance porch and replacement of existing uPVC windows with timber framed sash windows in enlarged openings		
Ward(s) or groups affected:	Livesey		
From:	Director of Planning		
Application Start Date 24/06/2015		Application Expiry Date 19/08/2015	
Earliest Decision Date 31/07/2015			

RECOMMENDATION

1. That planning permission is granted subject to conditions.

BACKGROUND INFORMATION

2. The application is reported to the planning sub-committee following a referral request from Members.

Site location and description

3. The application site refers to an end of terrace three-storey dwelling located on the eastern side of Kings Grove. The property has an existing two storey extension to the side and a single storey extension to the rear.
4. The host terrace (No.2 - No.16) is characterised by three-storey terraced houses of similar appearance and design. The site is adjacent to a three-storey plus a roof extension dwelling (No.2c) accommodating four flats to its south, and Queen's Road Centre to its east (rear). The surrounding area is therefore predominately residential in nature. The site does not relate to any listed building or lie in within a conservation area.

Details of proposal

5. Planning permission is sought for the extensions to the dwellinghouse containing the following elements:
 1. a single storey pitch-roofed side infill extension and re-construction of the existing single storey extension on the same footprint with a new pitched-roof
 2. a single storey 1st floor extension
 3. replacement of existing windows in enlarged openings

4. erection of an enclosed porch
6. The side extension is proposed 5.97m in depth x 2.60m in width, constructed of a pitch roof which would read 2.4m in height from No.4's ground floor level and project 3.5m at a maximum height. The roof slope of the existing single storey extension would be re-adjusted, resulting the height of the flank wall facing No.2c being reduced.
7. The 1st floor extension would measure 3.74m in width and extend out from the rear elevation of the upper floors by 3.8m, incorporating with a pitched roof sloping away from No.2c at an overall additional height of 2.5m.
8. The new windows are proposed to match the neighbouring property of No.4 in term of appearance and design and proportion.
9. Revisions
A site visit to No.2c Kings Grove revealed that the first floor element of the proposal would affect the amenity of the occupiers of the existing two first floor one-bedroom flats in terms of outlook and a sense of enclosure and light, owing to its close proximity to the development. The scheme was then amended to have a pitched roof sloping away from No.2c, instead of an originally proposed flat roof form.
10. Concerns were also raised over the height of the proposed side infill extension on the boundary with No.4. The height was subsequently reduced from 2.8m to 2.4m when read from No4's ground floor level.
11. The applicants have also provided an additional document in relation to the potential impacts of the proposal on the adjoining flats within 2C Kings Grove. This document provided analysis of the impacts on daylight, sunlight and also outlook on these properties.

Planning history

12. No previous planning applications received.

Planning history of adjoining sites

13. 2c Kings Grove
99/AP/1699: Planning consent was granted on 30/03/2000 for two storey front addition to create three additional loft style apartments
14. 4 Kings Grove
95/AP/0223: Planning consent was granted for erection of extension at first floor. However, the scheme has not been implemented.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

15. The main issues to be considered in respect of this application are:
 - a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) The impact of the development on the amenity of the adjoining properties.
 - c) Design Quality

d) All other relevant material planning considerations.

Planning policy

16. National Planning Policy Framework (NPPF)
Section 7 - Requiring good design
17. London Plan July 2011 consolidated with revised early minor alterations October 2013
Policy 7.4 - Local Character
Policy 7.6 - Architecture
18. Core Strategy 2011
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards
19. Southwark Plan 2007 (July) - saved policies
The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.2 - Protection of amenity
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Residential Design Standards SPD (2011)

Principle of development

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

Summary of consultation responses

21. Seven objections have been received, concerned that the proposal would result in:
 - undue impact on light and a sense of enclosure to occupiers of No.4
 - loss of views from the balconies of the first floor flats at No.2c
 - loss of light to all the ground floor flat and first floor flats at No.2c
 - disruption that the building works would cause to adjoining occupiers
 - result in the de-valuation of the first floor flats at No.2c
22. The impact of the proposed development on the amenity of neighbouring occupiers is assessed in the following sections of the reports. The last two point concerning disruption of building works and impact on property values are not material consideration in the determination of planning applications.
23. Five letters of support have also been received from other local residents and businesses that note that the proposed extension and associated works would help

visually improve the host dwelling.

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

24. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD 2011 also sets out the guidance for rear extensions which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.
25. Single storey rear extension
Similar to the application site, adjoining property No.4 has an existing single storey rear addition with 2 existing side windows and 1 x rear opening which appear to serve their kitchen area. Concerns were raised from the owners of this adjoining property over the height of the proposed extension on the boundary which would result in a sense of enclosure and a loss of sunlight and daylight to the existing openings of their rear addition.
26. The single storey element of the scheme was then amended to reduce the height on the boundary with No.4 from 2.8m to 2.4m in height at eaves level. Given the length of the single storey extension at 6m not projecting beyond the existing rear elevation of the site together with the reduced height of 2.4 at the boundary; officers have undertaken an assessment of its impact on the amenity of the adjoining property. The impact the single storey extension would have on the outlook and daylight to no. 4 was assessed using the 45 degree rule. From this assessment, it is considered that the impact of the extension on daylight, sunlight and a sense of enclosure to the neighbouring occupier would not be significant to result in an unacceptable loss of amenity
27. 1st floor extension
The owners of No.2c made objections to the 1st floor extension on grounds of its impact on their light and outlook. No.2c is a residential block containing 4 flats. A site visit was made to the ground floor flat and 2 x first floor flats to assess the concerns, and noted that the first floor flats have in each case balconies that face onto the site of the proposed first floor addition here.
28. The application site has an existing single storey extension with a steep pitched roof and a high parapet wall. In order to mitigate the impact of the first floor flats of No.2c, the design of the scheme was amended to incorporate a roof sloping away from No.2c, instead of a bulkier flat roof. As a result, the first floor extension would only raise the height of the side wall facing No.2c from the existing 4.42m to 5.52m - an increase of 1.1m in height. Coupled with a distance of 3.26m between the building lines of No.2c and the application site, the amended scheme is not considered to generate an unacceptable impact on the adjoining occupiers of No.2c, in terms of a loss of daylight, sunlight or sense of enclosure.
29. Officers accept that there will be some loss of outlook to the first floor flats at no. 2c as a result of the first floor extension. However, officers do not consider that these impacts would be significant as views are still retained over the extension and to the rear of the site. As such, officers do not consider that the design of this element of the proposal would result in an unacceptable loss of amenity to the residential units at no. 2c such as to warrant refusal on these grounds.

30. Further to the officers assessment, the applicant has undertaken a further assessment in support of the application in relation to the impacts of the proposal on the adjoining properties in terms of daylight, sunlight and outlook. This analysis confirm the preceding assessment. In summary, whilst there will be some impacts on the outlook from the first floor flats as a result of the proposal, these impacts are not significant and as such would not detrimentally harm the amenities of the adjoining properties to an extent to warrant refusal of permission.
31. Window re-configurations
The proposed enlarged window openings to replace the existing UPVc windows will be placed in the same locations as the existing windows and as such are unlikely to have any detrimental impact to the neighbours.
32. Overall, officers are satisfied that the proposal does not result in an unacceptable loss of amenity on the amenity of adjoining properties. The proposal is therefore considered to accord with saved policy 3.2 'Protection of Amenity' of the Southwark Plan.

Transport issues

33. None expected as a result of the proposal.

Design issues

34. Strategic Policy 12 of the Core Strategy (2011) seeks to achieve the highest possible standards of design for buildings. Saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design', together, seek to achieve high quality architectural and urban design which enhances the quality of the built environment. The council's residential design standards 2011 provides general guidance on residential extensions to harmonise their scale, impact and architectural style. Section 7 paragraph 56 of the NPPF states that good design is a key aspect of sustainable development while paragraph 58 goes on to states that *'planning policies and decisions should aim to ensure that developments... respond to local character and history and reflect the identity of local surroundings and materials'*.
35. The proposed side infill extension is of a size and scale which is in keeping with the character and appearance of the dwellinghouse in terms of the scale of the extension and the proposed walls are to be finished in render to match the existing. Overall this element of the scheme is not of a scale that would result in a detrimental impact on the host dwelling or surrounding area.
36. The new 1st floor extension would have a depth of 3.8m and sit back from the existing rear building line by 2.13m, occupying half of the foot print of the existing single storey extension of the site. Given that the host building is three storeys, the extensions to the rear are not considered to dominate the host building or the neighbouring properties.
37. It is also noted that the application site is not listed and nor is located in a conservation area. The proposal is therefore not considered to be in a design or scale that significantly harms the character of the existing dwelling and surrounding streetscene.
38. Overall, the proposed massing is considered an appropriate response to the context of the site and as such would accord with saved policies 3.12 'Quality of Design' and 3.13 'Urban Design' of the Southwark Plan.

Impact on trees

39. None

Other matters

40. S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. The application is not CIL liable because it is not constituted as chargeable development under the CIL Regulations 2010 (as amended).

Community impact statement

41. The impacts of this application have been assessed as part of the application process with regard to local people in respect of the "protected characteristics", as set out in the Equality Act 2010, the council's community impact statement and Southwark council's approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.
42. In assessing this application, the council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal.

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

Consultations

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

Consultation replies

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

Human rights implications

45. 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.
46. This application has the legitimate aim of providing extensions to the dwelling. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Conclusion on planning and other issues

47. The proposed development is of a design and scale which is in keeping with the character and appearance of the surrounding streetscene and will have an acceptable impact on the amenity of neighbouring residents. Accordingly approval is recommended subject to the conditions set out in the decision notice.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2448-2 Application file: 15/AP/2522 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5403 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Alex Cameron, Senior Planner	
Version	Final	
Dated	08 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		8 October 2015

APPENDIX 1**Consultation undertaken**

Site notice date: 06/07/2015

Press notice date: n/a

Case officer site visit date: 22/07/2015

Neighbour consultation letters sent: 08/07/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

First Floor Front Flat Quay House SE15 2NB
Ground Floor And First Floor Rear Quay House SE15 2NB
First Floor Rear Flat Quay House SE15 2NB
Second Floor Flat Quay House SE15 2NB
4 Kings Grove London SE15 2NB

First Floor Front Flat SE15 2NB
By Email 2c Kings Grove SE15 2NB
1 Kings Grove
2a Kings Grove
2b Kings Grove
By Email
125 Queens Road

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

First Floor Front Flat SE15 2NB

By Email 2c Kings Grove SE15 2NB

Email representation

Email representation

Email representation

Email representation

Email representation

Email representation

First Floor Front Flat Quay House SE15 2NB

First Floor Rear Flat Quay House SE15 2NB

Ground Floor And First Floor Rear Quay House SE15 2NB

4 Kings Grove London SE15 2NB

RECOMMENDATION

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

Applicant	Mr Sinan Al-Jawad	Reg. Number	15/AP/2522
Application Type	Full Planning Permission	Case Number	TP/2448-2
Recommendation	Grant permission		

Draft of Decision Notice

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

Erection of a single storey side infill extension on ground floor and a single storey extension on first floor; creation of an enclosed entrance porch and replacement of existing uPVC windows with timber framed sash windows in enlarged openings

At: 2 KINGS GROVE, LONDON SE15 2NB

In accordance with application received on 23/06/2015 16:01:31

and Applicant's Drawing Nos. Design and Access Statement (amended); Daylight, Sunlight and Outlook Assessment. 11_00 REV.P02; 11_01 REV.P02; 11_02 REV.P02; 16_01 REV.P02; 16_02 REV.P02; 16_03 REV.P02; 17_02 REV.P02; 17_03 REV.P02; 01_00 REV.P01; 01_01 REV.P01; 01_02 REV.P01; 06_01 REV.P01; 06_02 REV.P01; 07_01 REV.P01; 07_02 REV.P01; 07_03 REV.P01;

Subject to the following three conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
11_00 REV.P02; 11_01 REV.P02; 11_02 REV.P02; 16_01 REV.P02; 16_02 REV.P02; 16_03 REV.P02; 17_02 REV.P02; 17_03 REV.P02;

Reason:

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

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

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

Reason

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

Statement of positive and proactive action in dealing with the application

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

Ordnance Survey

Date 8/10/2015



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Item No. 7.2	Classification: OPEN	Date: 21 October 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/2995 for: Full Planning Permission Address: LAND ADJACENT TO 1A WARWICK COURT, CHOUMERT ROAD, LONDON SE15 4SE Proposal: Erection of part four and part two storey building with roof terrace, external walkways and balconies to provide six self-contained flats (4 x one bedroom flats and a 2 x two bedroom flat) with associated refuse and cycle storage.		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date 29/07/2015		Application Expiry Date 23/09/2015	
Earliest Decision Date 17/09/2015			

RECOMMENDATION

1. That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

2. The application is to be considered by the sub-committee, because the applicant is a family member of an elected member.

Site location and description

3. The site is an undeveloped back land plot accessed from Warwick Court positioned behind properties which front onto Rye Lane and Choumert Road. The application site is located to the rear of 160-162 Rye Lane, which is currently a vacant yard.
4. The applicant has confirmed that the site to the rear although historical part of 160-162 Rye Lane is now in a different ownership.
5. Immediately adjoining is No. 166 Rye Lane a three storey building currently being used as a church. There is a comparable open area at the rear of No. 156-158 Rye Lane, also sharing an access off Warwick Court. There is also a two storey residential block situated to the west of the site known as 14 Kapuvar Close (located behind 1-8 Alpha Street).
6. The site is located within the Air Quality Management Area, the Peckham Town Centre, the Rye Lane conservation area and the Peckham and Nunhead Action Area.

Details of proposal

7. Erection of part four storey and part two storey building with roof terrace above, with

external walkways and balconies, and one lift shaft to provide six self-contained flats (4 x one bedroom flats and a 2 x two bedroom flats) with associated refuse and cycle storage.

8. The proposed building would have a maximum height of 13.28metres, a depth of 7metres, and a maximum width (east-west) of 17.86metres. The external walkways, balconies and lift shaft would project forward of the northern elevation by 3.8metres.
9. The building would be externally finished in Sevenoaks Yellow Stock brick, with painted timber window and door frames.

Planning history

10. 15/AP/1570 - Erection of four storey building with roof terrace, external walkways and balconies to provide seven self-contained flats (6 x one bedroom flats and a 1 x two bedroom flat) with associated refuse and cycle storage. WITHDRAWN 25/06/2015
11. The application follows the withdrawal of the previous scheme. The proposal under consideration here has looked to address previous concerns in relation to loss of light and sense of enclosure. The building steps back from the properties to the rear of 1-8 Alpha Street which are accessed from Kapuvar Close and front Warwick Court in order to ease the sense of enclosure.

Planning history of adjoining sites

12. 14 Kapuvar Close, Alpha Street (Located behind 1-8 Alpha Street)
09/AP/2129 for the erection of a 2-storey building comprising 6 self-contained flats, following demolition of lock-up garages (Use Class C3). Appeal upheld and planning permission granted on 20/08/2009.
13. This building is now built and is occupied. These properties are now numbered 14-19 Kapuvar Close.
14. 2-8 The Market, Choumert Road
04/AP/2280 - Demolition of existing shops and warehouse buildings and erection of a four storey building comprising of shops (with rear service access)on ground floor together 12 two bedroom flats on upper floors with lift access to all floors. Appeal upheld and granted permission on 14/04/2005.
15. 160-162 Rye Lane
12/AP/2698 - Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront. Approved on 13/02/2013
16. 15/AP/0938 - Minor amendments to planning permission 12-AP-2698 for: 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront' consisting of: A basement extension to the commercial unit for additional storage space; Changes to the top floor material from glazing structure to bricks; High quality bricks proposed to the entire building; Further development to the elevations including shop front design; Additional balcony to the rear elevation; Relocation of refuse storage; Green roof proposed to the front at first floor level. Submission of further details further details in relation to refuse storage, details of the shop front, details of the balconies and details of the privacy screens. Approved on 11/06/2015. It is noted that the refuse storage area shown within this application lies

within the application site under consideration.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

17. The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) The impact of the development on the amenity of the occupiers and users of any adjoining properties.
 - c) Design quality and impact upon Rye Lane conservation area
 - d) Quality of accommodation and amenity for future occupants of the proposed development
 - e) Transport, access and servicing
 - f) All other relevant material planning considerations

Planning policy

18. National Planning Policy Framework (the Framework)
 Section 6 - Delivering a wide choice of high quality homes
 Section 7 - Requiring good design
 Section 12 - Protecting and enhancing the historic environment
19. 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 5.17 - Waste capacity
 Policy 6.3 - Assessing effects of development on transport capacity
 Policy 6.9 - Cycling
 Policy 6.13 - Parking
 Policy 7.2 - An inclusive environment
 Policy 7.3 - Designing out crime
 Policy 7.4 - Local character
 Policy 7.6 - Architecture
 Policy 7.15 - Reducing noise and enhancing soundscapes

Mayor of London: Housing SPG (2012)

20. Core Strategy 2011
 Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable Transport
 Strategic Policy 5 - Providing New Homes
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

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

degree of consistency with the NPPF.

Policy 3.2 - Protection of Amenity
 Policy 3.7 - Waste Reduction
 Policy 3.11 - Efficient Use of Land
 Policy 3.12 - Quality in Design
 Policy 3.13 - Urban Design
 Policy 3.14 - Designing Out Crime
 Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 Policy 4.1 - Density of Residential Development
 Policy 4.2 - Quality of Residential Accommodation
 Policy 4.3 - Mix of dwellings
 Policy 5.2 - Transport Impacts
 Policy 5.3 - Walking and Cycling
 Policy 5.6 - Car Parking

Supplementary Planning Document: 2015 Technical Update to the Residential Design Standards (2011)

Supplementary Planning Document: Sustainable Design and Construction (2009)

Supplementary Planning Document: Sustainable Transport (2010)

Rye Lane Conservation Area Appraisal

Principle of development

22. The provision of new homes in brownfield locations is supported by Section 6 of the National Planning Policy Framework and Strategic Policy 5 of the Core Strategy. Given that the site is undeveloped the provision of new homes in this location would not compromise the economic function or the vitality of the town centre. The principle of new residential development on this site is therefore acceptable as there would be no conflicts with land use policies.

Summary of consultation responses received

23. 12 responses were received mostly from occupiers of Kapuvar Close objecting to the proposal. The material planning considerations raised in these objections were:
- Loss of daylight and sunlight;
 - Sense of enclosure and diminished outlook; and
 - Overdevelopment of the site with the building being out of character with surrounding development.
24. These points are addressed within the report below.

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

25. The proposal would be positioned to the east of properties recently constructed to the rear of 1-8 Alpha Street numbered 14-19 Kapuvar Court. Residential properties which front Choumert Road and Kapuvar Close adjoin the site to the north. A single storey commercial property adjoins the site at 1A Warwick Court whilst a three storey building presently used as a church adjoins the site to the south, numbered 166 Rye Lane. 160 and 162 Rye Lane adjoins the site to the east. Consequently these properties by virtue of their location are most likely to be impacted in regards to amenity from the proposal.
26. Nos.14-19 Kapuvar Close

The proposal would present a covered bike and refuse storage area 5.7metres from the front elevation of these properties positioned below the existing boundary wall. A two storey element would rise to a height of 6.88metres 8.5metres from the front elevation of these properties with a width of 7metres. A further two storey would rise above this two storey element by 5.65metres set back 12.8metres from the front elevation of 14-19 Kapuvar Close with a width of 7metres. A glazed balcony door is proposed to the side elevation, opening onto a roof terrace. A Juliet balcony is proposed to the third floor. At this point the external walkways, stairwell and liftshaft project from the northern elevation of the proposed building to the full height of the proposed building by 3.7metres providing access to every floor and the roof terrace.

27. Properties No.14-19 Kapuvar Close are arranged internally so that all habitable rooms are single aspect fronting eastward towards the site. The windows which serve these rooms to the ground floor and first floor of this building are positioned underneath an external walkway to the ground floor and an overhanging roof to the first floor. Critically these overhanging elements coupled with the single aspect nature of the properties compromise levels of daylight entering these properties currently. As such daylight levels inside these rooms are below BRE guidelines. Consequently a small reduction in daylight would have a proportionally greater impact in percentage terms. In cases where daylight is primarily limited into windows of existing properties by the design of the properties themselves (in this case by walkways), the BRE guidance allows an assessment to be undertaken by discounting the obstructing features. In this case, it means that an assessment for daylight has been undertaken looking at the impact that would occur if the flats on Kapuvar Close did not have their existing daylight restricted by walkways.
28. The assessment undertaken with the 'without balconies [walkways]' scenario shows that of the 18 windows assessed at 14-19 Kapuvar Close, 12 would have a reduction in daylight of less than 20%, a level that would not be noticed. The other six windows would have a reduction of 22-27%, a reduction that may be noticeable but would still be small. This analysis shows that the primary limiting factor on daylight for windows at 14-19 Kapuvar Close is and would continue to be the walkways within this existing development.
29. The assessment also undertakes the relevant sunlight test but because none of the windows within Kapuvar Close face within 90 degrees of due south, their sunlight would not be significantly affected. There would be some reduction in sunlight for properties on Choumert Road but it would be within the threshold for there not to be any significant impact according to the BRE guidance.
30. The proposed building would have a width of 7 metres and would be stepped in height when viewed from Nos. 14-19 Kapuvar Close. It is considered that given the urban town centre setting of the site coupled with a design which sufficiently limits its massing, the proposal would not harmfully restrict the outlook of the occupiers of this building. With the overhang of the external walkway of this neighbouring building, the stepping away of the second and third floors of the proposal and the separation distance means that the already restricted outlook would not be significantly altered. Further detailing such as the planting would help to soften the appearance of the limited amount of visible brickwork above the boundary wall, and perhaps even provide a moderate improvement.
31. To the first floor the stepping back of the proposed second and third floors would retain sufficient aspect for the neighbouring properties to the west, taking into account the urban character of the area.
32. The first floor side window and terrace would be positioned behind an obscure glazed privacy screen set away from the side elevation. As such this element would not give

rise to any increased overlooking to the west. A condition requiring the installation and retention of a privacy screen in this location will be imposed to safeguard the amenity of adjoining occupiers to the west.

33. The proposed second floor Juliet balcony and top roof terrace would be above the roof of 14-19 Kapuvar Close and would not create any direct views into these properties. The proposed external walkways, stairwell and balconies would create some views westward however these views would be limited given the relatively shallow depth of these elements and the significant separation distance between these elements and the front elevation of Nos.14-19.
34. 160 -162 & 164 Rye Lane (east)
Sufficient separation distance would be maintained between these properties and the proposed building to prevent any harmful loss of light to any existing residential properties or those consented under LBS reference 12/AP/2698 (as amended by 15/AP/0938) with a back to back distance of approximately 16.7metres would be maintained to the nearest first floor residential window. Any shadowing of outbuildings or extensions to the rear of these properties to the latter part of the day would not depart from the established pattern of shadowing which is created by the presence of the three storey building present at No.166 Rye Lane. Under the consented scheme 12/AP/2698 (as amended by 15/AP/0938) the basement and single storey rear element serve the commercial unit and provide storage space. The rear (east elevation) of the proposed building does not have any openings to avoid mutual overlooking with the rear of the consented flats at 160/162 Rye Lane, and this elevation is also relatively narrow, which reduces the prominence when viewed from the back of 160/162 looking west. Sufficient separation would also prevent unacceptable increases in overlooking from the proposed roof terrace.
35. 166 Rye Lane (South)
This property would be located to the south of the proposed building any would consequently not lose any direct sunlight. Daylight would to a degree be reduced to the five top floor windows present to the northern elevation of this property. Despite this it is not considered that a reduction in daylight would prevent the function of this building with the large number of windows present to the southern and western elevations of this building unaffected by the proposal. Sufficient separation would be maintained from the top floor roof terrace and the top floor windows to prevent any overlooking into this building.
36. Properties fronting Choumert Road and Kapuvar Close (north)
It is considered that sufficient separation distances would be maintained between the proposed building and these properties to prevent any loss of daylight or sunlight, as confirmed by the daylight and sunlight report submitted as part of the application. It is considered that sufficient separation would also be maintained between the proposed building and these properties to the north to prevent any undue overlooking into these properties from the proposal, including the roof terrace, maintaining acceptable levels of privacy in this urban context.
37. 1A Warwick Close
It is considered that the proposal would not limit the commercial operations at this property. A level of separation would be maintained whilst this single storey warehouse building would still be afforded good levels of daylight through the many windows and rooflights present to this building.

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

38. Neighbouring uses are such that they would co-exist appropriately with the proposal.

Transport, access and servicing

39. Car Parking

Due to the constraints of the site the provision of off-street parking would not be viable. The site itself is not located within a Controlled Parking Zone (CPZ) but surrounding streets are. Future occupiers could be prevented from applying for parking permits as surrounding streets are within a CPZ to prevent any increased stress on local on-street parking provision. This could be secured through condition.

40. Cycle Storage

Secure and weather proof cycle storage is shown within the enclosed outdoor amenity space. This provision is considered adequate, providing convenient and ample provision for all proposed units.

41. Refuse Storage

Refuse would be stored within an enclosed storage area and would be collected via private collection with a private contract. The refuse storage area would be accessed separately from the main pedestrian access. This arrangement is considered acceptable.

Design issues and impact on character and setting of Rye Lane conservation area

42. The proposal would see the erection of a part four part two storey building in a backland location constructed in yellow brick with timber window and door frames. The building would have residential accommodation to each floor. All properties would mostly be single aspect orientating towards the north however kitchens and bathrooms would orientate to towards the south. An external lift shaft, stairwell and walkways would provide access to each property. Each property would have an area of private outdoor amenity space in the form of a courtyard or balcony. All properties would have access to a roof terrace positioned above the fourth storey accessed from the external stairwell.

43. The proposal would replicate the architectural style of the recently constructed 14-19 Kapuvar Close and 2-8 The Market, Choumert Road and would be constructed in materials to mirror these developments. Given the set back from Rye Lane the development would not be visible from the main thoroughfare along Choumert Road and would not harm the setting or appearance of the wider Rye Lane Conservation Area. Increased natural surveillance would be offered to this backland site by the presence of residential accommodation with views into Warwick Court available from the proposed building.

44. Details regarding the detailing of the principal pedestrian access gate have not been provided. To ensure that an attractive and legibility entrance gate is constructed a condition requiring additional details regarding boundary treatment will be imposed.

45. It is considered that the proposal would not limit the potential to develop the rear plots of the adjoining properties of No.156-158 and 1A Warwick Court as these plots are already restricted by the presence of 2-8 Choumert Road consented under LBS reference 04/AP/2280 at appeal.

46. The proposal would through its use of materials, massing and architectural style achieve an adequate standard of design reflective of its town centre location and surrounding development. It is also considered that the proposal would preserve, and potentially enhance, the character and appearance of the Rye Lane Conservation Area, given the nature of the design and taking into account the fact that this site

currently detracts from the area.

Quality of accommodation for future occupiers

47. The London Plan (2015) and the council's adopted 2015 Technical Updated Residential Design Standards SPD (2011) set out the minimum space standards for all new residential units.
48. The application proposes six self-contained flats. Each flat would have a gross internal area (GIA) which would meet the required minimum standards and each room would meet the required minimum sizes. Each flat would have a sufficiently sized bathroom/ WC and sufficient storage space.
49. The units would predominantly be single aspect facing north however windows within the bathrooms and kitchens would allow for cross ventilation through each unit.
50. Each unit is afforded its own private outdoor amenity space. The private spaces are located predominantly on the northern side of the building. However, a communal roof terrace would be available to the occupiers of all units. Taken together an appropriate level/quality of outdoor amenity space will be provided.
51. Overall it is considered that given the constraints of the site the proposal would offer an acceptable standard of accommodation to all potential future occupiers.

Impact on trees

52. None.

Planning obligations (S.106 undertaking or agreement)

53. The proposal would see the creation of six new residential units on a site where there is no existing floorspace. Consequently all floorspace would be Mayoral and Southwark CIL liable.

Mayoral CIL
 $366\text{m}^2 \times \text{£}35 / 223 = \text{£}14,648$

Southwark CIL (Residential Zone 3)
 $366\text{m}^2 \times \text{£}50 = \text{£}18,300$

Other matters

54. The site is previously developed and the ground could be contaminated or methane gasses could escape from historic landfill. A condition requiring further details in regard to land contamination should be imposed to safeguard the health of any future occupiers.
55. It is noted that the refuse storage for 160-162 Rye Lane approved under LBS reference 15/AP/0938 which amended consented scheme 12/AP/2698 lies within the application site. Both sites are in the ownership of the applicant. Further details in regard to the storage and collection of waste for 160-162 Rye Lane will be sought.

Conclusion on planning issues

56. The proposal will bring an unused piece of land in this town centre location back into productive use. The proposal is of an appropriate scale and massing given this urban

location and has been designed to avoid significant impacts on neighbours' amenity. The standard of accommodation will be acceptable and the scheme will preserve, and potentially enhance, the character and appearance of this part of Rye Lane conservation area.

57. Subject to the imposition of the recommended conditions the overall scheme is acceptable and accords with the Development Plan.
58. The Committee is therefore recommended to grant planning permission.

Community impact statement

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

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

Consultations

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

Consultation replies

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

Human rights implications

62. 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.
63. This application has the legitimate aim of providing new residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2715-J Application file: 15/AP/2995 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: 0207 525 5976 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Lewis Goodley, Planner	
Version	Final	
Dated	7 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		8 October 2015

APPENDIX 1**Consultation undertaken****Site notice date:** 14/08/2015**Press notice date:** 13/08/2015**Case officer site visit date:** 14/08/2015**Neighbour consultation letters sent:** 25/08/2015**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

15a Alpha Street London SE15 4NX	Unit A 166 Rye Lane SE15 4NB
First Floor And Second Floor Flat 160 Rye Lane SE15 4NB	Unit C 166 Rye Lane SE15 4NB
164a Rye Lane London SE15 4NB	Unit B 166 Rye Lane SE15 4NB
1a Choumert Road London SE15 4SE	164 Rye Lane London SE15 4NB
Flat 4 166 Rye Lane SE15 4NB	Flat E 160-162 Rye Lane SE15 4NB
Flat 3 166 Rye Lane SE15 4NB	Flat 1 166 Rye Lane SE15 4NB
Flat 5 166 Rye Lane SE15 4NB	3 Choumert Road London SE15 4SE
15b Alpha Street London SE15 4NX	16 Kapuvar Close London SE15 4SH
Flat 6 166 Rye Lane SE15 4NB	18 Kapuvar Close London SE15 4SH
Flat 8 16 Alpha Street SE15 4NX	Flat C 160-162 Rye Lane SE15 4NB
Flat 7 16 Alpha Street SE15 4NX	19 Kapuvar Close London SE15 4SH
1a Warwick Court Choumert Road SE15 4SE	Flat D 160-162 Rye Lane SE15 4NB
First Floor And Second Floor Warwick Court SE15 4SE	17 Kapuvar Close London SE15 4SH
Flat 6 16 Alpha Street SE15 4NX	1 Kapuvar Close London SE15 4SH
Flat 2 16 Alpha Street SE15 4NX	15 Kapuvar Close SE15 4SH
Flat 1 16 Alpha Street SE15 4NX	18 Kapuvar Close London SE15 8DT
Flat 3 16 Alpha Street SE15 4NX	30 Golders Manor Drive London NW11 9HT
Flat 5 16 Alpha Street SE15 4NX	16 Kapuvar Close SE15 4SH
Flat 4 16 Alpha Street SE15 4NX	18 Kapuvar Close SE15 4SH
Flat 2 166 Rye Lane SE15 4NB	17 Kapuvar Close SE15 4SH
Flat B 1a Choumert Road SE15 4SE	17 Kapuvar Close SE15 4SH
Flat A 1a Choumert Road SE15 4SE	1 Kapuvar Close London SE15 4SH
Flat C 1a Choumert Road SE15 4SE	1 Kapuvar Close London SE15 4SH
15 Kapuvar Close London SE15 4SH	14 Kapuvar Close SE15 4SH
14 Kapuvar Close London SE15 4SH	6 Grosvenor Gardens London Nw11 0hg NW11 0HG
Unit D 166 Rye Lane SE15 4NB	17 Kapuvar Close SE15 4SH
Flat B 160-162 Rye Lane SE15 4NB	15 Kapuvar Close SE15 4SH
Flat A 160-162 Rye Lane SE15 4NB	14 Kapuvar Close SE15 4SH
	34 St Georges Road London NW11 0LR

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

14 Kapuvar Close SE15 4SH

14 Kapuvar Close London SE15 4SH

15 Kapuvar Close SE15 4SH

15 Kapuvar Close London SE15 4SH

16 Kapuvar Close London SE15 4SH

17 Kapuvar Close SE15 4SH

17 Kapuvar Close London SE15 4SH

18 Kapuvar Close London SE15 4SH

18 Kapuvar Close London SE15 8DT

19 Kapuvar Close London SE15 4SH

34 St Georges Road London NW11 0LR

6 Grosvenor Gardens London Nw11 0hg NW11 0HG

/

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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

Applicant	M, R & P Chopra	Reg. Number	15/AP/2995
Application Type	Full Planning Permission	Case Number	TP/2715-J
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of part four and part two storey building with roof terrace, external walkways and balconies to provide six self-contained flats (4 x one bedroom flats and a 2 x two bedroom flat) with associated refuse and cycle storage.

At: LAND ADJACENT TO 1A WARWICK COURT, CHOUMERT ROAD, LONDON SE15 4SE

In accordance with application received on 28/07/2015 08:01:08

and Applicant's Drawing Nos. Site Location Plan,
30B
31A
32B
55B
56D
57F
58F
59E
Design and Access Statement
Daylight and Sunlight Assessment Accon UK (09/07/2015)

Subject to the following seven conditions:

Time limit for implementing this permission and the approved plans

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

55B
56D
57F
58F
59E

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.

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

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

Reason

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

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.

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

Reason

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

- 6 Prior to the occupation of any part of the hereby approved building the second floor roof terrace shall be enclosed by an opaque obscured privacy screen along its western extent with a minimum height of 1.8metres when measured from the external floor level of the terrace, and shall be maintained and replaced as such thereafter.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at No.17-19 Kapuvar from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

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

Reason

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

Statement of positive and proactive action in dealing with the application

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

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

Ordnance Survey

Date 8/10/2015



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Item No. 7.3	Classification: OPEN	Date: 21 October 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/3435 for: Full Planning Permission Address: HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON SE22 0NR Proposal: Erection of a canopy to create a covered external space within the sports block courtyard and a canopy over the first floor mezzanine terrace.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 08/09/2015		Application Expiry Date 03/11/2015	
Earliest Decision Date 09/10/2015			

RECOMMENDATION

1. That members grant full planning permission.

BACKGROUND INFORMATION

2. This application is reported to plans sub committee as it concerns development on Metropolitan Open Land (MOL).

Site location and description

3. The application relates to the Harris Girl's Academy East Dulwich. The school is accessed from Homestall Road which borders the south of Peckham Rye Park. The application relates to the sports block which is a free standing building that fronts onto Homestall Road and extends in a south easterly direction towards the rear teaching block.
4. The school lies within the following planning designations;
 - Green Chain Parks
 - Air Quality Management Area
 - Metropolitan Open Land
 - Peckham and Nunhead Action Area

Details of proposal

5. Permission is sought to install two steel framed poly carbonate canopies, they would be located within a three sided courtyard which is split by a mezzanine level. The ground level canopy would cover (144 sq metres). A smaller canopy covering is proposed for the external mezzanine overlooking the ground floor courtyard space (44 sq m).

6. The spaces would still remain external but would be useable during inclement weather.

Planning history

7. 97/CO/1167 Application type: Council's Own Development - Reg. 3 (REG3)
Details of reserved matters (elevations, landscaping and foundation design) for outline planning permission 16.4.97 for new sports hall, teaching block & associated facilities. (Not including details of the dining block).
Decision date 15/10/1997 Decision: Grant (GRA)
8. 97/CO/1414 Application type: Council's Own Development - Reg. 3 (REG3)
Removal of existing closeboard fence to be replaced with a traditional type railing to match existing on top of low brick wall with piers every 10 metres
Decision date 12/12/1997 Decision: Grant (GRA)
9. 99/CO/0894 Application type: Council's Own Development - Reg. 3 (REG3)
Construction of two-storey dining hall and teaching block and link bridge between it and an existing two-storey building (full planning application pursuant to an outline planning permission granted on 16.4.97).
Decision date 14/10/1999 Decision: Grant (GRA)
10. 99/AP/1821 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of landscaping, floodlighting and the car park, as required by conditions 4, 6, 8 and 9 of planning permission dated 16/4/97 (LBS Reg. No. 9700182) for the construction of a new sports hall, teaching block and dining hall.
Decision date 03/03/2000 Decision: Grant (GRA)
11. 05/CO/0108 Application type: Council's Own Development - Reg. 3 (REG3)
External alterations including replacement powder coated aluminium windows and erection of a 3 storey extension to provide an entrance lobby, lift shaft, storerooms and wc's to the science block.
Decision date 12/01/2006 Decision: Grant (GRA)
12. 07/AP/0204 Application type: Screening Opinion (EIA) (SCR)
Request for an Environmental Impact Assessment Screening Opinion for the proposed education development currently defined as:
Creation of a 6th form area
Creation of a permanent area for inclusion and SEN unit
Refurbishment works to Gibbs House and New House
Upgrade works to the assembly hall including the removal of stage and replacement of partitioning doors
Refurbishment works to swimming pool
Upgrade works to design and technology blocks

Decision date 09/02/2007 Decision: Screening Opinion - EIA Regs (SCR)
13. 07/AP/2948 Application type: Full Planning Permission (FUL)
Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 01/05/2008 Decision: Granted with Legal Agreement (GWLA)
14. 08/AP/1318 Application type: S.73 Vary/remove conds/minor alterations (VAR)

Variation of Condition 12 of Planning Permission 07-AP-2948 dated 1 May 2008 to read:

"Prior to commencement of the development a further bat survey, including a minimum of three activity surveys as recommended in the Bat Survey Report shall be undertaken. The findings of the survey and any recommendations shall be submitted to the Local Planning Authority for approval in writing. Should the survey encounter bats, a strategy shall be agreed in writing with the Local Planning Authority in consultation with Natural England as to the most appropriate method for dealing with the protected bats.

Reason:

To ensure the proposal protects biodiversity in accordance with Policy 3.28 of the Southwark Plan."

Decision date 02/07/2008 Decision: Granted (GRA)

15. 09/AP/0803 Application type: Full Planning Permission (FUL)
Erection of a two storey building to provide school accommodation for temporary two year period (Class D1). (This application represents a Departure from the Development Plan).
Decision date 10/06/2009 Decision: Granted for Limited Period (GFLP)
16. 09/AP/0905 Application type: Approval of Details - Article 30 DMPO (AOD)
Details for the refuse storage, including recycable material as required by Condition 4 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 15/06/2009 Decision: Granted (GRA)
17. 09/AP/0904 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the new facilities to provided for the secure storage of a minimum of 27 cycles as required by Condition 3 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 22/06/2009 Decision: Granted (GRA)
18. 09/AP/1016 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of a further bat survey, including a minimum of three activity surveys as required by Condition 12 of planning permission dated 01/06/08 - LBS Registration 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 22/06/2009 Decision: Granted (GRA)
19. 09/AP/0775 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the surface drainage works as required by condition 18 of planning permission dated 1/05/2008 LBS.REG.NO. 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom

buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 29/06/2009 Decision: Granted (GRA)

20. 09/AP/0907 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of planting including native planting and landscaping treatment, including surfacing materials of any parking, access, or pathways required by Condition 9 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 21/07/2009 Decision: Granted (GRA)
21. 09/AP/0768 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the external facing materials, including doors and windows and details of the proposed bat bricks, swift bricks and house martin nests as required by condition 2 of planning permission dated 1/05/2008 for erection of a new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House blocks and provision of a new refuse bin store to replace existing.
Decision date 24/07/2009 Decision: Granted (GRA)
22. 09/AP/1312 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the means by which the existing trees are to be protected from damage from the formation of the concrete paths as required by Condition 2 of planning permission dated 10/06/09 - LBS Registration No 09-AP-0803 for erection of a two storey building to provide school accommodation for temporary two year period (Class D1). (This application represents a Departure from the Development Plan).
Decision date 14/08/2009 Decision: Granted (GRA)
23. 09/AP/1550 Application type: S.73 Vary/remove conds/minor alterations (VAR)
Variation of condition 3 of planning permission dated 9.6.09 (ref: 09-AP-0803 for the erection of a two storey building to provide school accommodation for temporary two year period) to allow the colour of the building to be white, blue and pale grey.
Decision date 01/09/2009 Decision: Granted (GRA)
24. 09/AP/2470 Application type: Approval of Details - Article 30 DMPO (AOD)
Partial approval for details of an independently verified BREEM EcoHomes report as required by Condition 8 of planning permission dated 01/05/08 (LBS Registration No 07-AP-2948) for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 22/02/2010 Decision: Granted (GRA)
25. 09/AP/0771 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of a protection plan and a method statement detailing the extent of protective works and fencing around the stream and pond as required by condition 15 of planning permission dated 01/05/2008 LBS.REG.NO:07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin

store to replace existing
Decision date 25/02/2010 Decision: Granted (GRA)

26. 09/AP/0448 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of energy assessment as required by condition 17 of planning permission dated 01/05/2008 LBS.REG.No:07-AP-2948 for erection of a 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing new House classroom and gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 25/02/2010 Decision: Granted (GRA)
27. 10/AP/0869 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of facing bricks as required by condition 2 of planning application 07AP2948 dated 01/05/2008 for Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 23/06/2010 Decision: Granted (GRA)
28. 10/AP/2892 Application type: Approval of Details - Article 30 DMPO (AOD)
Details for a report detailing steps to minimise the developments future users exposure to air pollution as required by condition 6 of planning application 07-AP-2948: Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 17/12/2010 Decision: Granted (GRA)
29. 10/AP/3277 Application type: Advertisement Consent (ADV)
New signage:
- 3 x Flags
 - 1 x Acrylic Menu sign
 - 2 x replacements signs mounted on posts
 - 2 x Signs mounted on brick piers
 - 1 x Built up sign tray on building
 - 2 x Signs within quadrangle
 - 1 x Monolith sign
 - 1 x large etched sign
 - 5 x small etched signs
- Decision date 20/01/2011 Decision: Granted (GRA)
30. 10/AP/3725 Application type: Full Planning Permission (FUL)
Widening of site entrance gates.
Decision date 23/03/2011 Decision: Granted (GRA)
31. 11/AP/3440 Application type: Variation: non-material changes (VNMC)
Non-Material Amendment to condition 5 (noise) of planning permission 07-AP-2948 (dated 1.5.2008) to delete the requirement for a further noise report to be submitted within one month of the installation of the plant and equipment.
Decision date 07/11/2011 Decision: Agreed - for app types VLA & VNMC (AGR)
32. 12/AP/0054 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of a Post Construction BREEAM certificate as required by Condition 8 of planning permission dated 01/05/2008 LBS Reg.No.07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.

Decision date 10/02/2012 Decision: Granted (GRA)

33. 12/AP/0406 Application type: Approval of Details - Article 30 DMPO (AOD)
 Details of a management plan for the biomass boiler as required by Condition 16 of planning permission 07-AP-2948 for: (Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing)
 Decision date 30/01/2013 Decision: Granted (GRA)
34. 09/AP/0447 Application type: Approval of Details - Article 30 DMPO (AOD)
 Details of ground investigation as required by condition 7 of planning permission dated 01/05/2008 LBS.REG.No. 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and gibbs House classroom blocks and provision of new refuse bin store to relpace existing
 Decision date 04/02/2013 Decision: Granted (GRA)
35. 13/AP/0571 Application type: Full Planning Permission (FUL)
 Single storey extension to the existing Science Block to form new entrance lobby, exhibition space/meeting room. Works include the installation of wall lights/and vents, and a new brick wall.
 Decision date 29/05/2013 Decision: Granted (GRA)
36. 14/AP/1655 Application type: Full Planning Permission (FUL)
 Provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).
 Decision date 24/07/2014 Decision: Granted for Limited Period (GFLP)
37. 14/AP/3309 Application type: Approval of Details - Article 30 DMPO (AOD)
 Details of Landscaping and Restoration required by Condition 6 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).
 Decision date 04/11/2014 Decision: Refused (REF)
 Reason(s) for refusal:
38. 14/AP/3308 Application type: Approval of Details - Article 30 DMPO (AOD)
 Details of Secure and covered storage of cycles/scooters required by Condition 5 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including

outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).

Decision date 12/11/2014 Decision: Granted (GRA)

39. 14/AP/3315 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Landscaping as required by Condition 3 of planning application dated 15/11/2013 [LBS ref no.13AP1700] of construction of a 45.75 x 27.45 m (50 x 30 yard) artificial turf pitch, with associated fencing and floodlighting.
Decision date 12/11/2014 Decision: Granted (GRA)
40. 14/AP/3181 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Site investigation and Risk Assessment as required by condition 3 of planning application dated 24/07/2014 for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007)
Decision date 12/11/2014 Decision: Granted (GRA)
41. 14/AP/3307 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Arboricultural survey, Protection plan and Method statement required by Condition 4 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).
Decision date 13/11/2014 Decision: Granted (GRA)

Planning history of adjoining sites

42. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

43. The main issues to be considered in respect of this application are:
- a) impact upon amenity
 - b) design and appearance
 - c) impact upon MOL

Planning policy

44. National Planning Policy Framework (the Framework) 2012
Chapter 8. Promoting healthy communities
Chapter 9 Protecting green belt land
Chapter 11 Conserving and enhancing the natural environment
45. London Plan 2015 consolidated with alterations since 2011
3.18 Education facilities

7.17 Metropolitan Open Land

46. Core Strategy 2011

SP4 Places to learn and enjoy
 SP11 Open Spaces and wildlife
 SP12 Design and conservation
 SP13 High environmental standards

Southwark Plan 2007 (July) - saved policies

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

3.2 Protection of amenity
 3.12 Quality in design
 3.25 Metropolitan open land

Principle of development

48. The site falls within an area of protected open space designated as Metropolitan Open Land. Saved Policy 3.25 of the Southwark Plan asserts that there is a general presumption against inappropriate development on Metropolitan Open Land (MOL). This policy is reinforced by Policy 7.17 of the London Plan and the NPPF Section 9, which confers the same protection on MOL as greenbelt land.
49. In view of the importance of retaining the open character of MOL, any development should be concentrated on the existing building footprint. In this instance the area of land affected is within the grounds of the main school buildings, furthermore the proposal is for new canopy structures to allow more use of these open courtyard spaces. It is therefore not considered that the proposal would conflict with the objectives of protecting MOL land. The canopies are situated within the existing envelope of buildings on the site and therefore the openness of the MOL would be preserved.

Environmental impact assessment

50. Not required.

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

51. Saved policy 3.2 seeks to ensure new development would adversely impact upon the amenity of nearby occupiers.
52. By virtue of the development being set in between existing buildings away from all site boundaries the scheme would not impact upon neighbouring properties in terms of daylight and sunlight, outlook and privacy. No conflict with policy identified.
53. Visual amenity
 The site is not visible from the public highway or from any adjoining properties and in

this respect would not result in any harm.

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

54. None identified.

Transport issues

55. None identified.

Design issues

56. Saved policies 3.12 and 3.13 seek to ensure development is of a good standard. The design of the canopies would compliment the existing school building and canopies, and would not any create adverse impacts to nearby residential dwellings. No conflict with policy identified.

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

57. The building is not listed and the scheme is not within conservation area.

Impact on trees

58. No trees would be affected by this proposal.

Planning obligations (S.106 undertaking or agreement)

59. The proposal would not create any new floorspace and as an educational use would not attract CIL.

Sustainable development implications

60. The proposal would make more use of these small external areas, allowing for its use throughout the year, for external recreation use such as table tennis.

Other matters

61. None arising.

Conclusion on planning issues

62. Planning permission is sought for the erection of two canopies to cover an existing external courtyard. The structures are not considered to conflict with the policies to protect MOL and would benefit the school by increasing the use of these external spaces. The design of the canopies are complimentary to the existing school buildings and their location well within the site would protect the amenities of local residents. It is therefore recommended that planning permission be granted.

Community impact statement

63. 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 and no adverse impact on any groups with the protected characteristics identified above is expected.

Consultations

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

Consultation replies

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

Summary of consultation responses

66. None received.

Human rights implications

67. 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.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2613-A Application file: 15/AP/3435 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Sonia Watson, Team Leader Majors	
Version	Final	
Dated	7 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		9 October 2015

APPENDIX 1**Consultation undertaken**

Site notice date: 16/09/2015

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

RECOMMENDATION

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

Applicant	Mrs Jane Fletcher Harris Girls' Academy	Reg. Number	15/AP/3435
Application Type	Full Planning Permission	Case Number	TP/2613-A
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a canopy to create a covered external space within the sports block courtyard and a canopy over the first floor mezzanine terrace

At: HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON SE22 0NR

In accordance with application received on 24/08/2015 12:00:38

and Applicant's Drawing Nos. Existing
200 Rev P1; 2001 Rev P1; 2002 Rev P1;

Proposed
1000 Rev P1; 1001 Rev P1; 2003 Rev P1 2004 Rev P1; 2005 Rev P1; 2006 Rev P1;

Design and Access Statement

Subject to the following three 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:

1000 Rev P1; 1001 Rev P1; 2003 Rev P1 2004 Rev P1; 2005 Rev P1; 2006 Rev P1;

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.

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

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

Reason

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

Statement of positive and proactive action in dealing with the application

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



Item No. 7.4	Classification: OPEN	Date: 21 October 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Council's own development Application 15/AP/2763 for: Council's Own Development - Reg. 3 Address: BURGESS PARK FISHING CLUB, BURGESS PARK, LONDON, SE1 Proposal: Demolition of existing buildings and erection of a single storey pre-fabricated building comprising a public toilet, office and storage and associated hard and soft landscaping		
Ward(s) or groups affected:	East Walworth		
From:	Director of Planning		
Application Start Date 04/08/2015		Application Expiry Date 29/09/2015	
Earliest Decision Date 05/09/2015			

RECOMMENDATION

1. That Members grant full planning permission subject to conditions.

BACKGROUND INFORMATION

2. This application is reported to planning sub-committee as it concerns Metropolitan Open Land (MOL).

Site location and description

3. The application site relates to part of Burgess Park between Cobourg Road and the lake, just north of Cobourg Primary School. To the east of the application site is the Cobourg Avenue conservation area. The site is irregularly shaped encompassing the existing buildings to be removed and the location of the proposed replacement building. The existing buildings comprise two pre-fabricated buildings sited close to the pedestrian access to the park from Cobourg Road. The buildings are set within a compound formed by a timber fence which encloses an unsightly yard. Both buildings are utilitarian in appearance and appear to be nearing the end of their useful lives. It is noted that there is a temporary structure in the form of a portable toilet on the footpath near to Cobourg Primary School.
4. The proposed building would be sited in a landscaped area in an area reclaimed from the lake when the park was refurbished some years ago.

Details of proposal

5. The proposal would provide public conveniences to users of the park, as well as an office and storage facility for the fishing club. The building would have a footprint of approximately 50sqm and a height of approximately 2.9m. The building would replace the existing office and storage facilities as well as the temporary

toilets that currently existing. These areas would be the subject of landscaping.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

6. The main issues to be considered in respect of this application are:
 - a) The principle of the development, with reference to preserving the openness of the Metropolitan Open Land;
 - b) The impact on nearby residents and Cobourg Primary School;
 - b) Whether the proposal is acceptable in design terms; and
 - c) Whether the proposal would have an acceptable impact on biodiversity and trees.

Planning policy

7. National Planning Policy Framework (the Framework)
 7. Requiring good design
 9. Protecting green belt land
 11. Conserving and enhancing the natural environment
8. London Plan 2015 consolidated with alterations 2011
 - Policy 7.17 Metropolitan Open Land
 - Policy 7.19 Biodiversity and access to nature
9. Core Strategy 2011
 - Strategic Policy 11 – Open spaces and wildlife
 - Strategic Policy 12 – Design and conservation
10. Southwark Plan 2007 (July) - saved policies

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

 - Policy 3.12 Quality in design
 - Policy 3.13 Urban design
 - Policy 3.25 Metropolitan open land
 - Policy 3.28 Biodiversity

Principle of development

11. The application site forms part of the Borough's network of Metropolitan Open Land (MOL), whereby the policy context at all tiers aims to keep such spaces open and free from development, except (within the context of this proposal) where the proposal is considered to represent 'appropriate development' and would preserve the openness of the MOL. In particular, Policy 7.17 of the London Plan states '*Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL*'. The policy explains that small scale structures to support outdoor open space uses and minimise any adverse impact on the openness of MOL are considered to represent appropriate development.

12. The proposal which consists of public conveniences and offices and storage area for the fishing club are considered to fall within the above definition. It is noted that public conveniences are essential for facilities for users of a public park. The fishing club, a sporting activity, is directly related to the use of the lake within the park and the siting of the building adjacent to the lake is appropriate within this context. This is consistent with policy 3.25 of the Southwark Plan as it would fall within the definition of 'essential facilities for outdoor sport and outdoor recreation' which is considered to represent appropriate development.
13. The location of the proposed building, would be in a slightly more prominent position than the existing buildings, whereby views of the building from the footpaths surrounding the lake would be more apparent. That said, the volume of the replacement building would be less than the two existing buildings to be removed. Thus the amount of built form would be reduced. Further benefits to the openness of the MOL would result from the removal of the fence enclosing the compound alongside a comprehensive landscaping scheme. Therefore, whilst the building would be sited in a more prominent position, this would be compensated for by the net reduction in built form and improvements to the landscaping of the park.

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

14. The proposed location was selected by the applicant following public consultation, which preferred a location for the proposal away from the residential properties on Cobourg Road. Thus the proposal would offer an enhancement to the visual amenity of these properties, by virtue of the landscaping work that would be undertaken in the location of the existing buildings. The proposal would not be harmful to the nearby school, given the scale of the proposal, its separation from the boundary treatment and existing levels of activity in the park. No objection has been received from the school.

Design issues

15. The proposed building, would replace the existing utilitarian buildings and thus the proposal (alongside the proposed landscaping), would offer enhancements to the setting of Burgess Park and the adjacent conservation area. The key facing material of the building, which would be cedar cladding is appropriate for this location being natural in appearance, further details will be sought by condition given the prominence of the building.

Sustainable development implications

16. The application site is within a site of importance for nature conservation (SINC). The Ecology officer has been consulted on the proposal and has noted the proposal would not have a material impact on biodiversity and welcomes the inclusion of a brown roof. It is noted that the existing buildings (to be demolished) are unlikely to provide a habitat for bats.
17. The tree officer raises no objection in relation to the impact of the proposal on existing trees, but additional information is requested in relation to landscaping. This is considered to be necessary given that this forms part of the justification of the principle of the proposal.

Conclusion on planning issues

18. The proposal would provide an essential facility for outdoor sport and recreation and would preserve the openness of the MOL. There would be enhancements in design

terms to the setting of the park and adjacent Cobourg Avenue conservation area. There would be no significant adverse impacts on biodiversity or trees as a result of the proposal.

Community impact statement

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

- a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: None.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: None.

Consultations

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

Consultation replies

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

- Ecology - No objection
- Trees - No objection, subject to further details in relation to landscaping.
- No representations have been received from neighbouring properties.

Human rights implications

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/M2022 Application file: 15/AP/2763 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 4424 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Matthew Harvey, Planning Officer	
Version	Final	
Dated	1 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		8 October 2015

APPENDIX 1**Consultation undertaken****Site notice date:** 13/08/2015**Press notice date:** n/a**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 07/08/2015**Internal services consulted:**

Ecology Officer

Statutory and non-statutory organisations consulted:

Friends of Burgess Park, 48 Willowbrook Road

Neighbour and local groups consulted:

67 Cobourg Road London SE5 0HU	75a Cobourg Road London SE5 0HU
65 Cobourg Road London SE5 0HU	75 Cobourg Road London SE5 0HU
83 Cobourg Road London SE5 0HU	Main Block Cobourg Primary School SE5 0JD
73 Cobourg Road London SE5 0HU	81 Cobourg Road London SE5 0HU
71 Cobourg Road London SE5 0HU	79 Cobourg Road London SE5 0HU
69 Cobourg Road London SE5 0HU	77 Cobourg Road London SE5 0HU

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

RECOMMENDATION

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

Applicant	Miss Louise Wilcox London Borough of Southwark	Reg. Number	15/AP/2763
Application Type	Council's Own Development - Reg. 3	Case	TP/M2022
Recommendation	Grant permission	Number	

Draft of Decision Notice

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

Demolition of existing buildings and erection of a single storey pre-fabricated building comprising a public toilet, office and storage and associated hard and soft landscaping

At: BURGESS PARK FISHING CLUB, BURGESS PARK, LONDON SE1

In accordance with application received on 09/07/2015 16:00:31

and Applicant's Drawing Nos. 14005/A020; 14005/A021; 14005/A022; 14005/A0013/3; and 14005/A010/3.

Subject to the following five conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

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

14005/A020; 14005/A021; 14005/A022; 14005/A0013/3; and 14005/A010/3.

Reason:

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

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

- 3 Details of the specification of the facing materials, including details of maintenance where necessary, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

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

- 4 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the

duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

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

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.

- 5 The existing buildings shown to be demolished on Drawing No. 14005/A020 shall be demolished and all waste materials associated from their demolition shall be removed from the site and the site restored in accordance with the approved landscaping scheme within 3 months of the building hereby approved being first brought into beneficial use.

Reason:

In order to preserve the openness of the Metropolitan Open Land in accordance with Policy 7.17 'Metropolitan Open Land' of the London Plan (2015) and Saved Policy 3.25 'Metropolitan Open Land' of the Southwark Plan (2007).

Statement of positive and proactive action in dealing with the application

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

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