

Planning Sub-Committee A

Tuesday 24 January 2017

7.00 pm

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

Membership

Councillor Leo Pollak (Chair)
Councillor Ben Johnson (Vice-Chair)
Councillor Radha Burgess
Councillor James Coldwell
Councillor Helen Dennis
Councillor Nick Dolezal
Councillor David Noakes

Reserves

Councillor Tom Flynn
Councillor Lucas Green
Councillor David Hubber
Councillor Sarah King
Councillor Kieron Williams

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 16 January 2017



Planning Sub-Committee A

Tuesday 24 January 2017
7.00 pm

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

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-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 - 6
	To approve as a correct record the minutes of the meeting held on 28 November 2016.	
7.	DEVELOPMENT MANAGEMENT ITEMS	7 - 11
	7.1. CABRINI HOUSE, 2 HONOR OAK RISE, LONDON SE23	12 - 27

Item No.	Title	Page No.
7.2.	256-260 WATERLOO ROAD, LONDON SE1 8RF	28 - 47
7.3.	CAR PARK, 5-11 POPE STREET, LONDON SE1	48 - 74
7.4.	PECKHAM RYE PARK, PECKHAM RYE, SE15	75 - 91

Date: 16 January 2017

EXCLUSION OF PRESS AND PUBLIC

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

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

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 committee.
3. The role of members of the planning 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 committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- | |
|---|
| <ol style="list-style-type: none">(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 committee will then debate the application and consider the recommendation. |
|---|

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

5. 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 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.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

Contacts: General Enquiries
Planning Section, Chief Executive's Department
Tel: 020 7525 5403

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



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Monday 28 November 2016 at 7.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Leo Pollak (Chair)
 Councillor Ben Johnson (Vice-Chair)
 Councillor Radha Burgess
 Councillor James Coldwell
 Councillor Nick Dolezal
 Councillor Sarah King (Reserve)
 Councillor David Noakes

OTHER MEMBERS PRESENT: Councillor Gavin Edwards
 Councillor Damian O'Brien

OFFICER SUPPORT: Dennis Sangweme (Development Management)
 Margaret Foley (Legal Officer)
 Andre Verster (Development Management)
 Sonia Watson (Development Management)
 Oliver Stutter (Urban Forester)
 Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillor Helen Dennis.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

- Addendum report relating to all items
- The members' pack.

The chair also drew councillors' attention to an email by Justine Simons OBE, Deputy Mayor for Culture and Creative Industries in reference to item 7.1 190 Rye Lane, London SE15 4NF, which had been sent to the members of the committee.

Councillors agreed to hear the items in the following order:

1. South-West of Burgess Park, Albany Road, SE5
2. 190 Rye Lane, London SE15 4NF
3. Cabrini House, 2 Honor Oak Rise, London SE23
4. 75 Southwark Park Road, London SE16 3TY

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 4 October 2016 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

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

7.4 SOUTH-WEST OF BURGESS PARK, ALBANY ROAD, SE5

Planning application reference number: 16-AP-3165

Report: see pages 64 to 91 of the agenda pack and pages 8 to 9 of the addendum report.

PROPOSAL:

Re-landscaping the South-West region of Burgess Park including a new play area, new access pathways, new lighting fixtures, new surfaces, trees, shrubs, meadow and to

include new park furniture.

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

Representatives of the objectors addressed the meeting. Members asked questions of the objectors' representatives.

The applicant and their agents addressed the meeting. Members asked questions of the applicant and their agents.

There were no supporters of the application living within 100 metres, or ward councillors, who wished to speak.

Members debated the application and asked further questions of 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 16-AP-3165 be granted, subject to the conditions set out in the report, including:

- An amended condition 6 to explicitly state that the landscape management plan must take into account the security, privacy and noise attenuation concerns of the residents of Addington Square.
- An amended condition 5 to state that the arboricultural method statement must state that no trees are to be felled during nesting season.

7.1 190 RYE LANE, LONDON SE15 4NF

Planning application reference number: 15-AP-4857

Report: see pages 10 to 34 of the agenda pack, pages 1 to 4 and Appendix A of the addendum report

PROPOSAL

Retention of the facade of 190 Rye Lane, demolition of all other buildings and structures and redevelopment to form 22 new dwellings in total; and 691.4 sq m (GEA) restaurant unit (A3); new landscaped open space; surface vehicle and cycle parking; access and associated and ancillary development.

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

There were no objectors who wished to address the meeting.

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

There were no supporters of the application living within 100 metres, or ward councillors, who wished to speak.

Members debated the application and asked further questions of 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-4857 be granted, subject to the conditions set out in the report and addendum report, including:

- An amended condition 14 to restrict the opening hours of the restaurant to 07:30 to 23:30 hours Monday to Saturday, and 10:00 to 22:00 hours on Sundays and public holidays.
- An additional obligation is to be included in the Section 106 agreement stipulating that the developer must include and give prominence to the following in the marketing material for the development: information about the nature of the surrounding area, and the nature and hours of operation of the neighbouring venue at 188 Rye Lane.

7.2 CABRINI HOUSE, 2 HONOR OAK RISE, LONDON SE23

Planning application reference number: 16-AP-2259

Report: see pages 35 to 48 of the agenda pack and page 4 of the addendum report.

PROPOSAL

Conversion of existing vacant basement storage area to 3 residential units involving the creation of new lightwells.

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 no questions of the officers.

Representatives of the objectors addressed the meeting. Members asked questions of the objectors' representatives.

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

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

Councillor Gavin Edwards addressed the sub-committee in his capacity as a ward councillor. Members asked questions of Councillor Edwards.

Members debated the application and asked further questions of officers.

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

RESOLVED:

That planning permission for application number 16-AP-2259 be deferred to a future meeting, so that officers can supply the committee with information about the planning history of the site in relation to the assessment for affordable housing.

7.3 75 SOUTHWARK PARK ROAD, LONDON SE16 3TY

Planning application reference number: 16-AP-1758

Report: see pages 49 to 63 of the agenda pack, pages 5 to 8 and Appendix B of the addendum report.

PROPOSAL

Change of use of commercial premises from a shop (Class A1) to a hot-food take-away (Class A5) and the erection of an extractor duct to the rear elevation.

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

Representatives of the objectors addressed the meeting. Members asked questions of the objectors' representatives.

The applicant was not present.

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

Councillor Damian O'Brien addressed the sub-committee in his capacity as a ward councillor. Members asked questions of Councillor O'Brien.

Members debated the application and asked further questions of officers.

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

RESOLVED:

That planning permission for application number 16-AP-1758 be refused, for the following reasons:

1. The flue location is in close proximity to residential windows and gardens and would result in noise and smells. The proposal would also exacerbate the existing litter problem, be detrimental to visual and residential amenity and so would contravene policy 3.2 of the Southwark Plan 2007 "Protection of amenity".

2. The proposed A5-use in close proximity to the Harris Academy, coupled with the existence of other take-aways in the immediate area, is contrary to:
- Policy 3.2 of the current London Plan - Improving health and addressing health inequalities.
 - Part 8 of the National Planning Policy Framework – Promoting healthy communities.
 - Strategic Policy 4 of the Core Strategy 2011- Places for learning, enjoyment and healthy lifestyles.
 - Policy DM41 of the draft New Southwark Plan – hot food takeaways.

The meeting ended at 11.20 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 24 January 2017	Meeting Name: Planning Sub-Committee A
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F of Southwark Council's constitution 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 and 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	Chidi Agada, Constitutional Manager (acting)	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	13 January 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	13 January 2017	

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Tuesday 24 January 2017

Appl. Type Full Planning Permission
Site CABRINI HOUSE, 2 HONOR OAK RISE, LONDON SE23

Reg. No. 16-AP-2259
TP No. TP/2341-G
Ward Peckham Rye
Officer Andre Verster

Recommendation GRANT PERMISSION
Proposal

Item 7.1

Conversion of existing vacant basement storage area to 3 residential units involving the creation of new lightwells.

Appl. Type Full Planning Permission
Site 256-260 WATERLOO ROAD, LONDON SE1 8RF

Reg. No. 16-AP-3090
TP No. TP/1241-A
Ward Cathedrals
Officer Michael Glasgow

Recommendation GRANT PERMISSION
Proposal

Item 7.2

Construction of a top floor extension to create residential accommodation (1x one bedroom and 1x two bedroom flats)

Appl. Type Full Planning Permission
Site CAR PARK, 5-11 POPE STREET, LONDON SE1

Reg. No. 16-AP-3020
TP No. TP/79-B
Ward Grange
Officer Ciaran Regan

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT
Proposal

Item 7.3

Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of a 3-metre high boundary fence and the erection of a four storey terrace comprising six 3 bed terraced dwellinghouses

Appl. Type Council's Own Development - Reg. 3
Site PECKHAM RYE PARK, PECKHAM RYE SE15

Reg. No. 16-AP-4014
TP No. TP/2614-A
Ward Peckham Rye
Officer Alex Cameron

Recommendation GRANT PERMISSION
Proposal

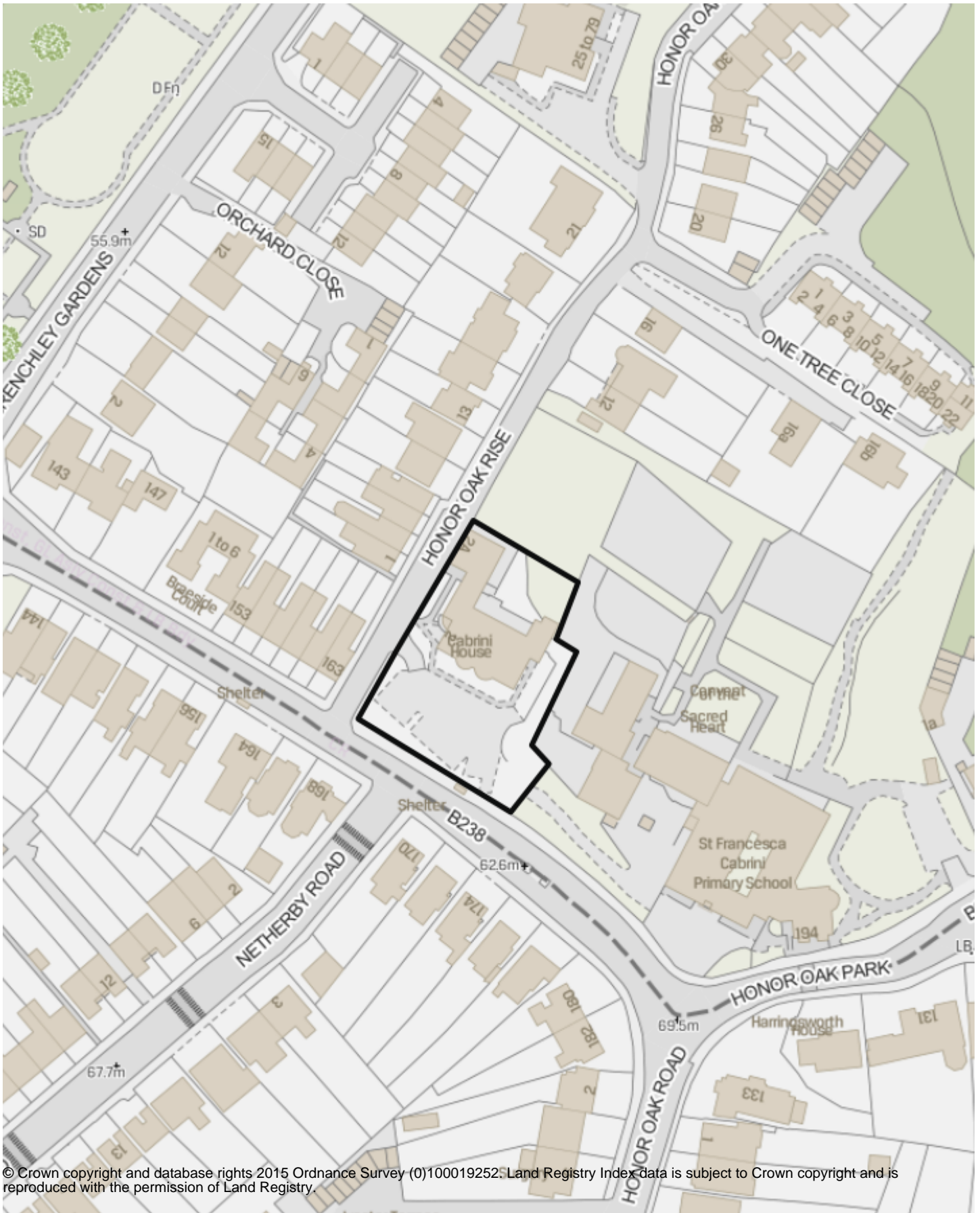
Item 7.4

The proposal seeks to revitalise Peckham Rye through a phased set of interventions:
Phase 1: Establishment of a new car park (Previous application 15/AP/4297).
Phase 2: Creation of new playground and associated landscape works on the site of the existing car park.
Phase 3: Construction of new changing rooms, store, plant, public toilets and play room facilities with associated landscape works.
Phase 4: Demolition of existing portacabins, PoW hut and tarmaced playgrounds and landscape works to return area to the common.

Agenda Item 7.1



AGENDA ITEM 7.1 - CABRINI HOUSE, 2 HONOR OAK



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50 m

Scale = 1 : 1250

11-Jan-2017

Item No. 7.1	Classification: Open	Date: 24 January 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 16/AP/2259 for: Full Planning Permission Address: CABRINI HOUSE, 2 HONOR OAK RISE, LONDON SE23 Proposal: Conversion of existing vacant basement storage area to 3 residential units involving the creation of a new lightwells.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date	01/08/2016	Application Expiry Date	14/10/2016
Earliest Decision Date 04/09/2016			

RECOMMENDATION

- Members to grant planning permission subject to conditions and informatives.

BACKGROUND INFORMATION

- The application was deferred at the Planning Sub-Committee meeting of 28 November 2016 so that officers can supply the committee with information about the planning history of the site in relation to the assessment for affordable housing contributions.

Site location and description

- Cabrini House is a three-storey, locally listed Georgian building in use as 12 flats. The building is located on the corner of Honor Oak Rise (where the vehicular entrance is located) and Forest Hill Road. A three-storey coach house (extension) is attached to the main building and has permission to be used as 2 flats. There is a large forecourt between the building and Forest Hill Road where off-street car parking and a number of mature trees are located. The building located is within the Honor Oak Rise Conservation Area.

Details of proposal

- It is proposed to convert the basement of Cabrini House into three flats. This area is currently used as storage space by occupiers of the flats within Cabrini House.
- The proposal was amended following concerns by officers that the second bedroom of flat 2 would not have adequate outlook. Flat 2 now only has one bedroom with two windows providing adequate outlook.
- The design and access statement indicates that the headroom in the basement varies between 2.4m and 2.47m.
- Four new lightwells are proposed to the south west elevation, two lightwells to the north western elevation and two lightwells to the south eastern elevation. The

lightwells would be 0.5m from the facade and would be enclosed by 1.1m high glass screens / panels. All new windows would be timber.

8. Flat 1 (69m²) would comprise two bedrooms (of which one would have an en-suite), hallway, bathroom, kitchen and an open plan living / dining area.
9. Flat 2 (68m²) would comprise one bedroom, bathroom and an open plan kitchen / living / dining area.
10. Flat 3 (131m²) would comprise two en-suite bedrooms, living room, open plan kitchen and dining room, hallway and storage area.
11. Flats 2 and 3 would have white timber bi-fold doors (to match existing windows above) opening onto an existing terrace to the north eastern elevation.
12. Access to the three flats would be from existing staircases located on the western and eastern sides of the building. Two of the three flats would also be accessible from the terrace along the north elevation.
13. The existing terrace to the south elevation would be separated by a screen and would be accessed from the respective living areas of Flats 2 and 3. The remainder of the existing communal areas would be available to future occupiers of the proposed development.
14. Six new cycle spaces would be provided, an additional refuse bin added to the existing refuse storage area and 1 new off-street car parking space provided.
15. **Planning history**

<p>03/AP/2209 Application type: Full Planning Permission (FUL) Erection of a 3 storey extension to the side of the main building, and part one storey/part two storey extensions above the existing ground floor at the rear of the building, and the conversion of the enlarged building to form 19 self-contained flats, with the creation of 18 off-street parking spaces at the front of the building. Decision date 01/03/2005 Decision: Granted with 'Grampian' Condition (GWGC)</p>
<p>05/AP/0722 Application type: Full Planning Permission (FUL) Erection of a three storey extension to the side and a two storey extension above the existing ground floor to rear of the main building and the demolition of a two storey building and replacement with a new two storey building to the rear of the site; conversion of enlarged modified buildings from bedsit accommodation and one self contained maisonnette into 12 x two bed and 2 x three bedroom flats with associated parking. Decision date 10/08/2005 Decision: Refuse (REF) Appeal decision date: 15/05/2006 Appeal decision: Planning appeal allowed (ALL). Reason(s) for refusal:</p>
<p>05/AP/2462 Application type: Conservation Area Consent (CAC) Demolition of two storey rear building and one storey lean-to building and removal of existing fire escape to the rear elevation. Decision date 01/08/2006 Decision: Granted (GRA)</p>
<p>08/EN/0513 Enforcement type: Non compliance with approved plans (NAP) Development not in accordance with approved plans in terms of basement under construction. Sign-off date 11/12/2009 Sign-off reason: Final closure - miscellaneous reason (FCM)</p>

10/AP/2688 Application type: Full Planning Permission (FUL)
 Retrospective application to vary the approved scheme appeal ref.
 App/A5840/05/1189974 (LBS ref. no. 05-AP-0722) to: create a 3 bedroom residential unit over the lower ground and upper ground levels of the coach house and change the height, design, massing and width of the coach house; retain the existing basement and use this space and the additional basement structure / space to the new three storey extension to Cabrini House as storage space; retaining wall to the north and east of the coach house and to the east of the new three storey extension to Cabrini House and revised hard and soft landscaping (including car parking spaces), refuse storage facilities, cycle parking and means of enclosure.
 Decision date 18/04/2012 Decision: Granted (GRA)

Planning history of adjoining sites

16. None

KEY ISSUES FOR CONSIDERATION

Summary of main issues

17. The main issues to be considered in respect of this application are:
- a) the detailed design of the alterations and the impact on the character and appearance of this part of the conservation area;
 - b) amenity issues for future occupiers of the units in the basement and adjoining properties;
 - c) car parking and transport impacts.

Planning policy

18. National Planning Policy Framework (the Framework)
- 6 Delivering a wide choice of high quality homes
 - 7 Requiring good design
 - 12 Conserving and enhancing the natural environment
19. The London Plan 2016
- 7.6: Architecture
20. Core Strategy 2011
- Strategic Policy 2 Sustainable Development
 - 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.

- 3.2 Protection of Amenity
- 4.2 Quality of Residential Accommodation
- 3.12 Quality in Design
- 3.13 Urban Design
- 3.15 Conservation of the Historic Environment
- 3.16 Development in Conservation Areas
- 4.2 Quality of Residential Accommodation
- 5.3 Walking and cycling
- 5.6 Car Parking
- 5.7 Parking Standards for Disabled People

Supplementary Planning Document

22. 2015 Technical update to the Residential Design Standards

Principle of development

23. The number of flats on the site would increase from 14 to 17, which is in line with the commitment of The National Planning Policy Framework (NPPF) to support sustainable economic growth. The conversion of the basement into three flats is sustainable and there is no objection to the loss of additional storage space of existing flats to create much needed new homes.
24. The density of the site would increase from 270 habitable rooms per hectare (hrh) to 325hrh, which is within the density range for the suburban density zone that is 200hrh to 350hrh.

Environmental impact assessment

25. The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not require the submission of an environmental impact assessment. It is not considered that significant environmental effects would arise.
26. **Summary of consultation responses**

Total number of representations:	19				
In favour:	3	Against:	13	Neutral:	3
Petitions in favour:	0		Petitions against:	0	

Details of Responses

27. Against
- Loss of storage space.
 - Impact on appearance and character of (locally) listed building.
 - Loss of amenity as a result of reduction in communal space.
 - Inappropriate development creating poor quality living
 - Loss of visitor and disabled parking:
 - Insufficient waste storage for an additional three flats.

28. Non-planning matters cited

- There is a history of inadequate building control and serious defects - *Building Control completion certificate issued on 04/12/2013.*
- Incorrect and misleading information submitted in relation to drawing ref. 16/004 dated 23.05.2016. - *Drawing subsequently revised. Lightwell removed and number of bedrooms reduced from 2 to 1.*
- Health and safety construction concerns - *Separate Building Control approval required for the works covered by this proposal.*
- The basement under flats 1-6 have flooded on various occasions (as far back as at least 2012). Our understanding is that the existing sewage and draining system is not sufficient to support the existing flats. Building a further three flats would cause additional pressures on an already failing system and we have no doubt that this would lead to further flooding. The basement under flats 7-12 have flooded on numerous occasions. One of the flats in the Coach House has also flooded throughout 2015 and 2016, which has lead to numerous insurance claims.- *Thames Water have no objections to the proposal with regards to water infrastructure capacity and have recommended an informative to be added to any planning permission granted.*
- A previous application was made to develop the basement of Cabrini House and that application was rejected. Despite this rejection, the basement was partitioned into flats and begin the necessary work to make this space habitable including cutting out window space and attaching drainage and pipes for waste removal - *the basement in question was regularised by retrospective planning permission 10/AP/2688 following enforcement investigation.*

In support

29. There used to be windows and residents living in the existing basement under the existing Cabrini House over 120 years old.

Thames Water

30. No objection but recommended that an informative in relation to water pressure be attached to the planning permission.

Transport Planning

31. No objection subject to provision of 1 disabled off-street parking space on the site as per the previously approved application.

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

32. The layout of flat 2 has been altered by reducing the bedrooms from two to one. The bedroom of flat 2 would have two new windows.
33. The daylight / sunlight report assessed the original scheme with flat 2 having two bedrooms.

Daylight

34. The daylight / sunlight report concludes that in terms of daylight all habitable rooms of the 3 flats would achieve or receive in excess of the minimum average daylight factor values prescribed for the associated room uses by the BRE Guidelines and the British Standards. All habitable rooms within the proposed development will therefore achieve very good levels of natural daylight.

Sunlight

35. The daylight / sunlight report concludes that in terms of sunlight at least one room within two of the three flats will receive very good levels of direct sunlight throughout the year.
36. Flat 2 would receive the least sunlight but it is considered that the revised layout with one larger bedroom with two windows would improve the level of daylight.
37. It is also acknowledged that despite the low level of sunlight to future occupiers of flat 2 they would benefit from large north facing bi-folding doors to the open plan living/dining/kitchen opening into an existing terrace. Future occupiers of Flat 2 would also benefit from the relatively open aspect to the north towards a stepped communal garden which is approximately 0.5m above the terrace along the north elevation.
38. The design and access statement states that the headroom in the basement varies between 2.4m and 2.47m. This height provides acceptable headroom for the scheme.
39. Internally, all 3 flats would have individual rooms and an overall unit size above the standards of the Supplementary Planning Document: 2015 Technical update to the Residential Design Standards.
40. The terrace to the rear of the north elevation currently forms part of the communal amenity area. It is considered that the proposal to divide this terrace to provide private amenity space for flats 1 and 3 is acceptable.
41. Whilst this would lead to a loss of communal amenity space it is considered that the raised communal area to the north would provide adequate amenity space for all 17 flats.

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

42. The future occupiers of flats 2 and 3 could suffer from a loss of privacy through overlooking from the raised communal amenity area to the north, especially when the bi-folding doors to the north elevation are open. However, the level of overlooking of these areas are no different from that experienced by occupiers of the flat at the lower level of the Coach House located to the north west.
43. The properties in the immediate vicinity, bar the school and the nursery to the south east, are in residential use. Cabrini House has been occupied for at least eight years without any known detrimental impact on occupiers from nearby uses. There is no reason to believe that nearby uses would have a detrimental impact on the occupiers and users of the flats.

Transport issues

44. The site is not within a CPZ and there no other on-street parking restrictions.
45. Historically, a total of 19 off-street car parking spaces have been approved of which 3 should be reserved for visitors and 1 for disabled parking. This includes a turning area

for vehicles to the east of parking spaces 18 and 19.

46. The submitted (surveyed) site layout plan shows 20 car parking spaces - this area is already tarmac and in practice can already be utilised as a car parking space. Policy does not require any more off street car parking spaces but given that the proposed car parking space already exist no concerns are raised in this regard. The proposed plan does show 1 disabled space which is acceptable.
47. The provision of 6 new off-street cycle spaces are acceptable.

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

48. Cabrini House is an undesignated heritage asset of local interest because of its location within the Honor Oak Conservation Area. Applications for listed building consent are only required for statutory listed buildings.
49. The appearance of the new lightwells and associated glass screens and new bi-folding doors to the north elevation are minor additions to this 3 storey building and would not detract from its character and appearance as an undesignated heritage asset nor the appearance or character of the wider conservation area.

Impact on trees

50. None identified.

Other matters

Affordable housing:

51. In 2005 planning permission was granted for planning application reference number 03/AP/2209 for the 'Erection of a three storey extension to the side of the main building, and part one storey/part two storey extensions above the existing ground floor at the rear of the building, and the conversion of the enlarged building to form 19 self-contained flats, with the creation of 18 off-street parking spaces at the front of the building'.
52. The permission was subject to the completion of a legal agreement which was concluded on the 1 March 2005. The agreement was entered into by the Missionary Sisters of the Sacred Heart as the Sacred Heart Convent were the applicants for planning permission. The agreement provided for affordable housing in that 5 of the one bed units in the new development were to be 'provided on a rental/shared ownership basis under the control of a Registered Social Landlord'.
53. A month later, in April 2005, Gillcrest Homes Limited, the new owners of the site, had submitted a fresh application for 'Erection of a three storey extension to the side and a two storey extension above the existing ground floor to rear of the main building and the demolition of a two storey building and replacement with a new two storey building to the rear of the site; conversion of enlarged modified buildings from bedsit accommodation and one self-contained maisonette into 12 x two bed and 2 x three bedroom flats with associated parking' This application was refused but Gillcrest Homes Ltd appealed and the appeal was allowed on 15 May 2006.
54. One of the principal issues in the appeal centred on whether the scheme was deficient in terms of its failure to provide a measure of affordable housing. The appellants argued that the development permitted in March 2005 for 19 self contained flats was not viable. The council argued that the extant planning permission for 19

units was a clear indication that the site was capable of accommodating more than the (then) threshold figure of 15 units for the provision of affordable housing.

55. The Inspector examined all the policy support for affordable housing which existed at the time and all of which has now been replaced. He considered whether there were any cogent reasons for departing from the policy requirement and considered that there were and these included the following;

a) The wording of the council's policy H.1.4 in the Unitary Development Plan at the time allowed for the maximum reasonable proportion of affordable housing having regard to all the circumstances and any compelling reasons for not providing affordable housing. The Inspector found that the wording of the policy therefore allowed for flexibility in its application.

b) A topic paper dated April to July 2005 submitted by the council in the appeal reflected guidance in a Circular in operation at the time (6/98) which recognised the need in individual cases to decide whether there are any particular costs associated with site development and whether the provision of affordable housing would prejudice any other planning objectives of importance in the local area. The circular also emphasised the need to secure an appropriate housing development, including a mix of housing suitable for families and smaller households.

c) The Inspector favoured the arguments put forward by the appellant on the basis that Cabrini House was in a run down and neglected condition and 'the costs associated with its conversion are likely to have a material impact upon the viability of the scheme'. He also considered that the redevelopment of the site would bring about considerable benefits to the appearance of the conservation area and would provide a wider mix of housing types (more in line with council policy) than the March 2005 development.

d) With regard to the 14 unit scheme, the Inspector did not accept that the individual units had been artificially increased in size in order to reduce the number of units below the affordable housing threshold.

e) The appellant had provided evidence on viability of the March 2005 development which the Inspector noted was not challenged by Southwark as the local planning authority and which related to amongst other factors, the costs of conversion, the loss of the five units to be transferred to a Registered Social Landlord and the poor layout of the individual units. He accepted that the earlier scheme for 19 units 'may well prove unviable'.

f) The Inspector noted that no detailed viability study had been undertaken of the proposals for 14 units but concluded that 'it seems to me that the changes to the layout of the units and the larger element of new build are likely to increase the chances of this scheme proceeding on the basis that no element of affordable housing is provided'.

56. Although the original 19 unit scheme brought forward by the Sacred Heart Convent in 2005 provided for 5 of the units to be affordable housing, this permission was not implemented and Gillcrest Homes Ltd as new owners of the site, brought forward a revised scheme for fewer units - 12 x two bed and 2 x three bedroom flats. The council refused this application and considered that the proposal should support affordable housing but the Inspector did not agree and allowed the appeal, granting permission for the development in 2006. Having considered the policy framework which existed at the time, the Inspector accepted Gillcrest's argument that the original scheme was not viable. He also concluded that the affordable housing policies allowed for sufficient flexibility in their application to allow considerations such as the

costs associated with site development along with the importance of planning objectives such as the need to enhance the appearance of the conservation area and the provision of a better housing mix, which suited the needs of families and smaller households, to outweigh the provision of affordable housing, despite the undoubted need for such housing in the locality.

57. An issue of contention at committee on 28 November was that the consented scheme from 2006 was not built out in compliance with approved plans in terms of the basement under construction and was subject to enforcement action. Retrospective permission was granted in April 2012 to vary the approved scheme.

58. The current policy framework includes the Affordable Housing SPD from 2008 and the draft Affordable Housing SPD from April 2011. Both SPDs contain guidance on cases where there may be underdevelopment, partial development, additional and phased development including proposals that are deliberately designed to avoid the affordable housing threshold, which is now 10 units. Cabrini House already has permission dating from 2006 for 14 units which was adjudged on appeal not to attract affordable housing requirements. Even if the local planning authority were minded to consider the application of the guidance in the draft Affordable Housing SPD in relation to 'sites that are partially developed' the policy states as follows;

"We will look at whether an application is an extension to a building which has an existing planning permission (this may be completed, under construction or yet to begin construction) to see whether it should be more properly considered to be part of a single development. We will take into account:

- The timing between the previous planning permission and the new planning application and the extent to which the previous permission has been implemented
- Whether the fresh application is linked to the previous application. This may include ownership, shared access or shared buildings, level of occupation and other relevant considerations."

59. It is clear that, as a decade has now elapsed since the 2006 scheme was consented on appeal, it is not open to the local planning authority to conclude that the 14 unit scheme and the three unit basement conversion can be properly considered to be part of a single development for the purposes of assessment for affordable housing. In addition, and for the sake of completeness, with regard to the second limb of the test and the link to previous applications, the planning agent, Gillcrest Group, has pointed out that the applicants in the present case are Malonne Ltd and the owners of the site are Cabrini London Ltd.

60. This advice is supported by the decision of the Planning Inspectorate at another site from October 2014. Here, the appeal considered whether two adjoining sites, the larger one of which had been developed and completed before the other, smaller appeal site could be considered together for the purposes of affordable housing. The Inspector concluded that the sites could not be considered as linked although they would effectively be developed by the same company. The Inspector noted that the larger site had been granted consent three years earlier in 2011 and that it was now completed and the dwellings sold. She concluded that, even if there were an appropriate retrospective requirement which could be accurately identified, this would not be practical as the cumulative contribution relating to the earlier site would have a disproportionate impact on the viability of the latter.

Refuse storage

61. The refuse store to the south of the vehicular entrance is currently used to store large wheelie bins and it is considered that there is adequate space within it for an

additional large wheelie bin.

Community Infrastructure Levy

62. None payable as the existing basement provides ancillary storage to the existing flats on site.

Conclusion on planning issues

63. The flats would provide a good standard of accommodation and would not impact on the amenity of neighbouring properties. For the reasons set out above, the application is recommended for approval.

Community impact statement

64. 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

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

Consultation replies

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

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 3 new flats. 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/2341-G Application file: 16/AP/2259 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 5457 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	Andre Verster, Team Leader	
Version	Final	
Dated	10 November 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 January 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 12/08/2016**Press notice date:** 14/07/2016**Case officer site visit date:** 12/08/2016**Neighbour consultation letters sent:** 07/07/2016**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

Flat 10 Cabrini House SE23 3QY	Flat 7 Cabrini House SE23 3QY
Flat 11 Cabrini House SE23 3QY	Flat 4 Cabrini House SE23 3QY
Flat 8 Cabrini House SE23 3QY	Flat 5 Cabrini House SE23 3QY
Flat 9 Cabrini House SE23 3QY	40 Barry Road London SE22 4HU
Flat 12 Cabrini House SE23 3QY	Bakery Cottage Eastcombe GL6 7ED
1 Honor Oak Rise London SE23 3QY	Bywood 30 Brackendale Close GU15 1HP
3 Honor Oak Rise London SE23 3QY	38 Honor Oak Rise London SE23 3RA
161 Forest Hill Road London SE23 3QU	Alpha House Laser Quay Business Park ME2 4HU
163 Forest Hill Road London SE23 3QU	16a Honor Oak Rise London SE23 3QY
Flat 1 Cabrini House SE23 3QY	30 Honor Oak Rise London SE23 3RA
Flat 2 Cabrini House SE23 3QY	Flat 8 Cabrini House SE23 3QY
Flat 1 Coach House SE23 3QY	13 Honor Oak Rise London Se233qy
Flat 2 Coach House SE23 3QY	5 Honor Oak Rise London SE233QY
Flat 3 Cabrini House SE23 3QY	School House Honor Oak Rise SE23 0HU
Flat 6 Cabrini House SE23 3QY	

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

Alpha House Laser Quay Business Park ME2 4HU
Bakery Cottage Eastcombe GL6 7ED
Bywood 30 Brackendale Close GU15 1HP
Flat 1 Cabrini House SE23 3QY
Flat 1 Coach House SE23 3QY
Flat 10 Cabrini House SE23 3QY
Flat 2 Coach House SE23 3QY
Flat 5 Cabrini House SE23 3QY
Flat 8 Cabrini House SE23 3QY
Flat 9 Cabrini House SE23 3QY
School House Honor Oak Rise SE23 0HU
13 Honor Oak Rise London Se233qy
16a Honor Oak Rise London SE23 3QY
30 Honor Oak Rise London SE23 3RA
38 Honor Oak Rise London SE23 3RA
40 Barry Road London SE22 4HU
40 Barry Road London SE22 4HU
5 Honor Oak Rise London SE233QY

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 Y PARDY MALONNE LTD	Reg. Number	16/AP/2259
Application Type	Full Planning Permission	Case Number	TP/2341-G
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Conversion of existing vacant basement storage area to 3 residential units involving the creation of new lightwells.

At: CABRINI HOUSE, 2 HONOR OAK RISE, LONDON SE23

In accordance with application received on 02/06/2016 16:00:51

and Applicant's Drawing Nos. Site location plan;16/000 rev E;16/002 rev E site / parking layout;16/003 rev A;16/004 revC; 16/005 revA;16/006 revA;16/007 revA;16/008 revA; 16/009 revA; 16/010 revA;16/042; Design and access statement; Daylight/Sunlight assessment; Email internal floor areas dated 30 September 2016.

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

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

16/000 revE;16/002 rev E site / parking layout;16/004 revC; 16/006 revA;16/008 revA; 16/010 revA.

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

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

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

- 3 Prior to occupation of the unit/s hereby approved 1 disabled parking space as shown on the drawing hereby approved, shall be made available, and retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason
To ensure that the parking spaces for disabled people are provided and retained in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

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

- 4 The facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

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.

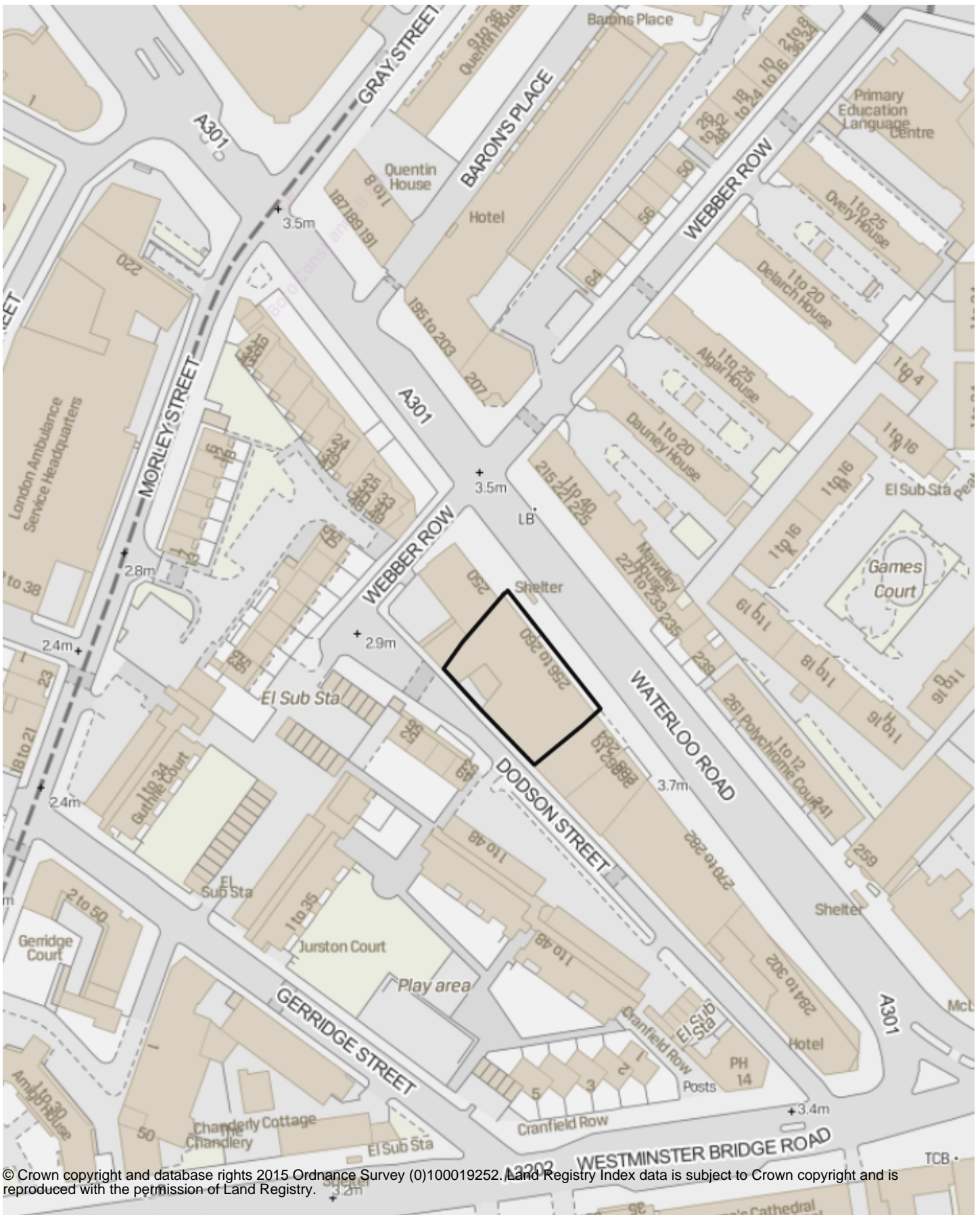
Informative

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Agenda Item 7.2



AGENDA ITEM 7.2 - 256-260 WATERLOO ROAD



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50 m
Scale = 1 : 1250
11-Jan-2017

Item No. 7.2	Classification: Open	Date: 24 January 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 16/AP/3090 for: Full Planning Permission Address: 256-260 WATERLOO ROAD, LONDON SE1 8RF Proposal: Construction of a top floor extension to create residential accommodation (1x one bedroom and 1x two bedroom flats)		
Ward(s) or groups affected:	Cathedrals		
From:	Director of Planning		
Application Start Date 04/08/2016		Application Expiry Date 29/09/2016	
Earliest Decision Date 03/09/2016			

RECOMMENDATION

1. That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application relates to a five-storey building fronting Waterloo Road with office use at ground (and lower ground) floor and residential accommodation on the upper four floors. The building comprises the original three-storey element that was constructed in the 1920s with a contemporary two-storey extension since added. The building is abutted directly by a six-storey building at 250 Waterloo Road to the west and seven-storey building at 262-264 Waterloo Road to the east. Dodson Street is immediately to the south, with housing including Jurston Court and Guthrie Court further south.
3. The site is located within the Central Activities Zone, Bankside and Borough District Town Centre, Bankside, Borough and London Bridge Opportunity Area and in the council's Air Quality Management Area. The building in question is not located within a conservation area nor is it listed, though Mawdley House (opposite) is Grade II listed.

Details of proposal

4. It is proposed to add a single storey extension to the roof of the existing building to create 2 additional flats: a two-bedroom four-person and a one-bedroom two-person flat. It is also proposed to introduce a colonnade constructed in reconstituted stone and with a feature glass brick detail at third and fourth floor level, sitting in front of the existing duplex flats. It is also proposed to create a communal storage area at 5th floor level, with plans suggesting that this could provide bespoke cycle storage.
5. **Planning history**

15/AP/3412 Application type: Full Planning Permission (FUL) Installation of air cooled heat pump condensing units in recessed front lightwell
--

<p>Decision date 29/10/2015 Decision: Granted (GRA)</p>
<p>12/AP/3760 Application type: Full Planning Permission (FUL) A 5th floor roof extension to form a new 2-bedroom flat. Decision date 01/02/2013; Decision: Refused (REF)</p> <p>Reason(s) for refusal:</p> <p><i>The proposed extension would adversely affect the proportions and architectural character of the building, and appear as an incongruous feature which damages the overall character and appearance of the building and visual amenities of the surrounding area. As such, the development is contrary to saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan (2007), Strategic Policy 12 – Design and conservation of the Core Strategy (2011) and Sections 7 'Requiring good design and 12 'Conservation of the historic environment' of the National Planning Policy Framework (2012).</i></p> <p>Appeal decision date: 07/01/2014; Appeal decision: Planning appeal dismissed (DIS).</p> <p>Summary of decision: Inspector agreed that the additional storey would represent an incongruous addition to the building and dismissed the appeal on this basis. Whilst some impact on the nearby listed building was noted, this was not deemed sufficient to warrant refusal.</p>
<p>08/AP/1056 Application type: Full Planning Permission (FUL) Installation of three air conditioning condenser units on an external wall adjacent to a loading bay to the rear of the building. Decision date: 21/08/2008 Decision: Granted (GRA)</p>
<p>03/AP/2450 Application type: Full Planning Permission (FUL) Roof level extension to provide additional self-contained flat with roof terrace to the rear Decision date: February 2005; Decision: Refused (REF)</p> <p>Reason(s) for refusal:</p> <p><i>The proposed extension, which would be constructed on top of a previous two storey extension to the original building, would adversely affect the architectural integrity of the building, and appear as an incongruous feature which damages the overall character and appearance of the building. As such, the development is contrary to Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995, and Policies 3.11 'Quality in Design' and 3.13 'Urban Design' of the emerging Southwark Plan (revised draft deposit version) March 2004.</i></p> <p><i>The proposed roof extension would reduce the level of natural light reaching the flats immediately below, particularly Flat 13, adversely affecting the amenities of the residents of these flats, and additionally could compromise the privacy of occupiers of other flats in the block, contrary to Policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan 1995, and Policy 3.2 'Protection of Amenity' of the emerging Southwark Plan (revised draft deposit version) March 2004.</i></p> <p>Appeal decision date: November 2005; Appeal decision: Planning appeal dismissed (DIS)</p> <p>Summary of decision: Inspector found that the additional extension would create an awkward 'top-heavy' appearance that would damage the architectural character of the existing building. A potential loss of daylight/sunlight was acknowledged because of</p>

the impact on rooflights serving the existing top floor flats and whilst not deemed sufficient to warrant refusal in isolation, these impacts added weight to the principal design concerns.

16/EQ/0157 Application type: Pre-Application Enquiry (ENQ)
Erection of a top floor extension to create residential accommodation
Decision date 08/07/2016 Decision: Pre-application enquiry closed (EQC)

15/EQ/0293 Application type: Pre-Application Enquiry (ENQ)
Erection of a top floor extension to create residential accommodation
Decision date 20/01/2016 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

250 Waterloo Road

6. **12/AP/2940** - Erection of five storey infill extension to rear of building fronting Webber Row and Dodson Street, five-storey extension over existing service yard adjoining 252-260 Waterloo Road, extension to fifth floor and erection of new sixth floor, extension with forward projection at 1st to 4th floors to front elevation with re-modelled elevations, and change of use at 4th and 5th floors from office (Use Class B1) to residential (Use Class C3) to create 8 residential units (5 x two bedroom and 3 x three bedroom) on 4th - 6th floors and additional office space.
Granted – March 2013.
7. **15/AP/1913** - Minor material amendments sought to the above planning permission to amend internal residential layouts and to introduce a small off-street car park beneath a new mezzanine level.
Refused - June 2015; Reason: Insufficient justification for car parking in an area with excellent public transport accessibility
8. **15/AP/2320** - Minor material amendments sought to the above planning permission to amend internal layouts and elevational treatments.
Granted - August 2015

262-264 Waterloo Road

9. **00/AP/0817** - Erection of six-storey building, use of ground floor as offices and provision of 6 car parking spaces and storage facilities ;use of front part of 1st floor for offices and rear part as 1x2bed;and provision of 10x2 bed flats on 2nd to 6th floors
Granted with Legal Agreement, October 2000
10. **01/AP/0876** - Construction of 8th storey to form a two-bedroom flat
Granted, November 2001

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. The main issues to be considered in respect of this application are:
 - a. The principle of development and conformity with land use policies;
 - b. Design considerations, including the impact on the setting of nearby listed buildings;
 - c. Quality of accommodation provided;
 - d. Impact(s) of the amenity of neighbours and that of the wider area, particularly

- daylight impacts;
- e. Transport and traffic impacts;
- f. Any other material considerations.

Planning policy

National Planning Policy Framework (the Framework)

12. The National Planning Policy Framework (NPPF) sets out the government's strategy for the delivery of sustainable development. The guidance it contains is a material consideration in the determination of planning applications. The following is of greatest relevance to this proposal:

Chapter 2 - Ensuring the vitality of town centres
Chapter 7 - Requiring good design

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

14. The London Plan 2016

Policy 2.13 - Opportunity areas and intensification areas
Policy 2.15 - Town Centres
Policy 3.4 - Optimising housing potential
Policy 3.5 - Quality and design of housing developments

15. Core Strategy 2011

Strategic Policy 5 - New Homes
Strategic Policy 12 - Design and conservation

16. Southwark Plan 2007 (July) - saved policies

Policy 3.2 - Protection of amenity
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Policy 3.18 - Development affecting the setting of listed buildings, conservation areas and world heritage sites
Policy 4.6 - Quality of residential accommodation
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and cycling

Supplementary planning guidance

17. Technical updated to the residential design standards SPD 2015

Summary of objections

18. 14 objections have been submitted in response to this application. The issues raised are that the proposed development would:

- Detract from the architectural integrity of the principal Waterloo Road frontage;
- Represent an incongruous and ill-conceived element in views from the Housing Estate to the south;
- Detract from the daylight and sunlight enjoyed by existing residents in the upper storey duplexes due to the construction of the colonnade and impacts on lightwells;
- Detract from the amenity of existing balconies/terraces due to enclosure and overshadowing;
- Reduce residential outlook from the single aspect upper storey duplexes;
- Increase transfer of noise between the proposed flats and existing;
- Create noise and disturbance during construction;
- A failure to overcome the issues highlighted by previous appeal decisions.

Principle of development

19. The site is located within an Opportunity Area and Town Centre, within which the provision of new residential units is an integral part of the vision for new development. Residential use is established as a lawful use at the application site. For these reasons, the principle of the use is acceptable, though the broader acceptability of the proposal is subject to consideration of the design impacts, impacts on the amenity currently enjoyed by neighbours and any other material considerations. These issues are explored below.

Environmental impact assessment

20. Not required for an application of this scale and nature.

Design issues

21. The application site has been subject to several refused applications and dismissed appeals in recent years and design issues have consistently been cited as the principal reason for the failure to achieve a successful planning permission.
22. Core Strategy policy 12 emphasises that the highest quality of design will be expected for all new development, whilst saved Southwark Plan policies 3.12 'Quality in design' and 3.13 'Urban design' articulate this more clearly with reference to a series of detailed design considerations.
23. The host building was originally a three storey commercial building, constructed in the 1920s with a classical architectural style. The building is red brick with a stone base, stone detailing and distinctive Crittall windows. The brick is articulated to give the impression of piers at regular intervals, providing a rhythm to the Waterloo Road frontage. A contemporary two storey extension comprising three duplex apartments has previously been added and though this element is designed to purposely contrast with the original building, it is recessive and subordinate to it. Previous refusals and appeal decisions have highlighted that further vertical extensions would unbalance the building, detracting from its original character and architectural integrity. The council has stressed through pre-application advice that the prominence of the original building must be retained and that the only opportunity for further units being delivered would be if a coherent, comprehensive and high quality design could be presented

that respected the architectural language of the original building.

24. The proposal would comprise a further storey that shares the alignment of the newer duplex units fronting Waterloo Road, but is set back from Dodson Street to the rear to allow for the creation of private terraces. The scale and massing of the extension is comparable to that of neighbouring buildings and the principal design concern is the impact on the architectural integrity of the host building and the consequent impact on the streetscene.
25. This extension would be clad in a similar material to the previous addition, but in an attempt to overcome past concerns about the perceived dominance of the modern additions, it is proposed to introduce a reconstituted stone colonnade that would sit in front of the existing third and fourth storeys, terminating just below the new extension. To address objections raised by existing residents that the new columns would adversely affect their daylight and outlook, it has been subsequently proposed that the centre of the individual piers within the colonnade will be constructed from a fully glazed brick.
26. Officers consider that from an urban design perspective, this design solution overcomes concerns aired in earlier applications and appeals. By virtue of its rhythm and use of reconstituted stone, officers are satisfied that the colonnade would read more clearly as an extension of the original building. As a result, the order of the building is skewed such that the original element remains of greatest prominence in views along Waterloo Road. Though the introduction of glazed brick is undoubtedly a modern intervention, as opposed to one that reflects the traditional character of the original building, it is nevertheless a high quality and distinctive material. Subject to suitable samples being presented in due course, officers are satisfied that the glazed brick has the ability to make a positive contribution to the overall appearance of a building that marries traditional and contemporary architecture.
27. The rear of the building is of lesser prominence in its immediate setting. From street level, the balustrade around the private terraces would be visible but the extension itself would be set-back from the existing building line. Though the elevated walkways and open spaces associated with the housing estate to the south would allow for longer views of the building, this extension will be read as one of a number of modern interventions along this line of buildings and officers would suggest that the impacts in this sense are afforded less material weight than those along Waterloo Road.

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

28. The Grade II listed Mawdley House is situated 25m north of the building in question. The addition of a single storey element to the host building - partly screened by a new colonnade - would not adversely affect the character or setting of the listed building.

Quality of accommodation

29. The overall size of both units would significantly exceed the nationally described Space Standards and individual room sizes would meet those specified in the council's residential design standards SPD. Both units have dual aspect and access to large private external terraces. The quality of accommodation would be high.

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

Impact on of daylight and sunlight for neighbours

30. A number of objections have focused on the potential impact of the development on levels of daylight received by existing properties, principally occupiers of the existing duplexes at 4th and 5th floor level.

Impacts on daylight received in duplex units at 256-260 Waterloo Road

31. A comprehensive analysis has been undertaken to consider the impacts on the daylight received at the three duplex apartments located in the existing rooftop extension. The vertical sky component (VSC) and No sky line (NSL) tests have both been completed to consider reductions in light falling on the plain of windows and within the affected habitable rooms. This accords with guidance drafted by the Building Research Establishment (BRE). The average daylight factor test has also been completed, but this test is less reliable where precise details concerning internal layout, decorative finish and glazing specification are unknown and so officers have afforded this information less weight.
32. The results of the vertical sky component test are as follows:

Apartment 13

	Current VSC	VSC After Extension	Level reduction	of Meets BRE?
LKD	33.80	27.60	-18.3%	Yes
Bed 1	36.80	29.50	-19.8%	Yes
Bed 2	36.80	27.50	-25.3%	Yes

Apartment 14

	Current VSC	VSC After Extension	Level reduction	of Meets BRE?
LKD	33.80	27.20	-19.5%	Yes
Bed 1	36.80	27.70	-24.7%	Yes
Bed 2	36.80	27.70	-24.7%	Yes

Apartment 15

	Current VSC	VSC After Extension	Level reduction	of Meets BRE?
LKD	33.10	27.10	-18.1%	Yes
Bed 1	36.40	27.70	-23.9%	Yes
Bed 2	34.10	27.10	-20.5%	Yes

33. The values recommended by the BRE are advisory and need to be interpreted carefully in an urban context, but they nevertheless provide the most robust way to assess impacts on daylight. The BRE guidance advises that an adverse impact may occur if a reduction in excess of 20% is experienced and the resulting VSC is less than 27%. In all cases here, the resulting VSC remains in excess of 27%, a level that is very good in an urban context.
34. An updated daylight assessment has been provided that also includes the no sky line/daylight distribution test, which considers the area of a room from which the sky is directly visible. This assessment concludes that the individual piers of the colonnade will lead to small areas of shadow immediately behind each pier, such that there is approximately a 2%-5% reduction in the amount of room from which the sky is visible.

The assessment has assumed that the piers are fully opaque obstructions rather than constructed from glazed brick, so this can be interpreted as a cautious outcome. This outcome is fully in accordance with the BRE recommendations.

35. Some objectors have also referred to the impact that the development would have on light from their rooflights. The lightwells serving the existing duplex units would effectively be extended vertically, becoming much deeper, as a result of the proposed development. These rooflights are secondary sources of light and directly serve a hall/stairway rather than a habitable room. The assessment presented suggests that the proposal would have a negligible impact on the amount of daylight that is delivered to the spaces below.
36. Overall, whilst the proposed extension and the introduction of a colonnade would have an effect on daylight for the dwellings below, the resulting levels of daylight would continue to exceed the levels recommended by the BRE. For a location within the Central Activity Zone, this represents a good level of daylight and officers are satisfied that the development would not unduly affect residential amenity in this regard.

Impact on daylight received by neighbours

37. Section drawings have been provided to demonstrate that the proposed development will have a limited impact on the levels of daylight received in properties opposite the application site. Further testing in accordance with the BRE's recommended methodology confirms there would be no noticeable impacts at Mawdley House to the north or at 1-48 Dodson Street.
38. A further sunlight assessment was carried out for Mawdley House, since the proposed extension would be to the south of this building. This demonstrates that the 1st floor and 2nd floor residential units at Mawdley House would continue to achieve the annual and winter sunlight levels recommended by the BRE.

Impacts on outlook from neighbouring and existing properties

39. The residential design standards SPD recommends a separation distance across a highway of 12m as being sufficient to protect against overlooking and a loss of privacy. Buildings on the northern side of Waterloo Road are in excess of 20m away, so there is no concern in this regard. Residents in the existing building have raised concern about overlooking of their existing amenity spaces, but the proposed extension would give rise to a relationship between floors that is common across flatted developments. Officers do not consider that the additional roof terraces associated with the new units would detract from the amenity currently enjoyed by residents to the extent that there would be any material harm.

Noise

40. It is desirable for flats to be stacked in an arrangement to limit possible issues with noise transfer between floors, for example, bedrooms above bedrooms. This has not been possible in this instance because the existing top floor only includes bedrooms. For such cases, it is normally recommended that the sound insulation between the dwellings be installed to exceed the requirements in the Building Regulations; a condition to achieve this has been recommended.

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

41. The relationship with immediate neighbours is such that no adverse impacts are anticipated for occupiers of the proposed units.

Transport issues

42. The site benefits from excellent accessibility to public transport and the additional trip generation presented by two new residential units is considered negligible.
43. The applicant proposes changes to the internal layout and functioning of the bin store, including the introduction of a platform lift and installation of new doors to prevent odour being transferred into communal areas of the building. The mooted changes do not result in any external change (and do not require planning permission) but, should they improve the functioning of this space, can be supported.
44. The site is located within the Borough Controlled Parking Zone and in the interests of promoting sustainable transport a planning condition is proposed to stipulate that residents of the proposed units would be ineligible for residential parking permits.

Planning obligations (S.106 undertaking or agreement) and Community Infrastructure Levy

45. The scale of development is such that no planning obligations are required, but the additional residential floorspace triggers the need to pay both the Mayoral and Southwark Community Infrastructure Levy (CIL).
46. Mayoral CIL is charged in Southwark at a rate of £35 per square metre, whilst Southwark's CIL is charged at a rate of £200 per square metre for residential development in this location. Both charges are subject to indexation, but the required contributions are estimated as follows:

Mayoral CIL - £11,351
Southwark CIL - £55,635

47. The Localism Act 2011 sets out that any local financial considerations are material to the determination of planning applications, though the material weight to be attached is an issue for the decision taker to determine.

Sustainable development implications

48. None in addition to those referenced above.

Conclusion on planning issues

49. The proposal presents a coherent and well-considered architectural solution, allowing for the creation of the two new high quality residential units whilst maintaining the character and integrity of the original building. Though the introduction of the colonnade will interrupt views from the existing duplex units and lead to a minor loss in daylight received in these units, these impacts are considered to be relatively minor and not so significant that they would unduly reduce the amenity experienced in these residential units. It is considered that the proposal is consistent with development plan policies pertaining to impacts on amenity and urban design and, as such, it is recommended that planning permission is granted, subject to conditions.

Community impact statement

50. 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

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

Consultation replies

52. Details of consultation responses received are set out in Appendix 2.
53. In addition, comments have been received from the council's design and conservation team and these are incorporated into the above policy assessment.

Human rights implications

54. 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.
55. This application has the legitimate aim of providing details of a proposed roof top extension to provide two residential units and external changes to the appearance of the existing building. 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/1241-A Application file: 16/AP/3090 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 1249 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Michael Glasgow, Team Leader	
Version	Final	
Dated	10 January 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 January 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 04/08/2016**Press notice date:** 11/08/2016**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 05/08/2016**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat 8 260 Waterloo Road SE1 8RH	Flat 9 Polychrome Court SE1 8XH
Flat 9 260 Waterloo Road SE1 8RH	256 Waterloo Road SE1 1AA
Flat 10 260 Waterloo Road SE1 8RH	49 Dodson Street London SE1 7QJ
Flat 5 260 Waterloo Road SE1 8RH	50 Dodson Street London SE1 7QJ
Flat 6 260 Waterloo Road SE1 8RH	Fourth Floor 246-250 Waterloo Road SE1 8XH
Flat 7 260 Waterloo Road SE1 8RH	Flat 12 Polychrome Court SE1 8XH
258 Waterloo Road London SE1 8RG	Flat 15 260 Waterloo Road SE1 8RH
Flat 2 235 Waterloo Road SE1 8XH	Flat 1 Polychrome Court SE1 8XH
Flat 3 235 Waterloo Road SE1 8XH	Flat 2 Polychrome Court SE1 8XH
Flat 11 260 Waterloo Road SE1 8RH	Unit 1 262 Waterloo Road SE1 8RQ
Flat 12 260 Waterloo Road SE1 8RH	Unit 2 262 Waterloo Road SE1 8RQ
Flat 13 260 Waterloo Road SE1 8RH	Flat 6 Polychrome Court SE1 8XH
Flat 4 260 Waterloo Road SE1 8RH	Flat 10 Polychrome Court SE1 8XH
Flat 5 Mawdley House Webber Row Estate SE1 8XQ	Flat 11 Polychrome Court SE1 8XH
Flat 6 Mawdley House Webber Row Estate SE1 8XQ	Flat 3 Polychrome Court SE1 8XH
Flat 7 Mawdley House Webber Row Estate SE1 8XQ	Flat 4 Polychrome Court SE1 8XH
Flat 20 Mawdley House Webber Row Estate SE1 8XQ	Flat 5 Polychrome Court SE1 8XH
Flat 3 Mawdley House Webber Row Estate SE1 8XQ	51 Dodson Street London SE1 7QJ
Flat 4 Mawdley House Webber Row Estate SE1 8XQ	Flat 12 Mawdley House Webber Row Estate SE1 8XQ
231 Waterloo Road London SE1 8XH	Flat 13 Mawdley House Webber Row Estate SE1 8XQ
Flat 1 237 Waterloo Road SE1 8XH	Flat 14 Mawdley House Webber Row Estate SE1 8XQ
Flat 3 260 Waterloo Road SE1 8RH	Flat 1 Mawdley House Webber Row Estate

Flat 8 Mawdley House Webber Row Estate SE1 8XQ	SE1 8XQ
Flat 9 Mawdley House Webber Row Estate SE1 8XQ	Flat 10 Mawdley House Webber Row Estate SE1 8XQ
223 Waterloo Road London SE1 8XH	Flat 11 Mawdley House Webber Row Estate SE1 8XQ
Flat 4 235 Waterloo Road SE1 8XH	Flat 18 Mawdley House Webber Row Estate SE1 8XQ
Ground To Third Floors 246-250 Waterloo Road SE1 8RD	Flat 19 Mawdley House Webber Row Estate SE1 8XQ
Flat 11 264 Waterloo Road SE1 8RP	Flat 2 Mawdley House Webber Row Estate SE1 8XQ
Flat 12 264 Waterloo Road SE1 8RP	Flat 15 Mawdley House Webber Row Estate SE1 8XQ
Flat 10 264 Waterloo Road SE1 8RP	Flat 16 Mawdley House Webber Row Estate SE1 8XQ
Flat 1 264 Waterloo Road SE1 8RP	Flat 17 Mawdley House Webber Row Estate SE1 8XQ
Flat 2 264 Waterloo Road SE1 8RP	Flat 1 235 Waterloo Road SE1 8XH
Flat 3 264 Waterloo Road SE1 8RP	55 Dodson Street London SE1 7QJ
Flat 2 237 Waterloo Road SE1 8XH	56 Dodson Street London SE1 7QJ
Flat 3 237 Waterloo Road SE1 8XH	215 Waterloo Road London SE1 8XH
Flat 4 237 Waterloo Road SE1 8XH	52 Dodson Street London SE1 7QJ
Flat 7 264 Waterloo Road SE1 8RP	53 Dodson Street London SE1 7QJ
Flat 8 264 Waterloo Road SE1 8RP	54 Dodson Street London SE1 7QJ
Flat 9 264 Waterloo Road SE1 8RP	225 Waterloo Road London SE1 8XH
Flat 4 264 Waterloo Road SE1 8RP	227-229 Waterloo Road London SE1 8XH
Flat 5 264 Waterloo Road SE1 8RP	233 Waterloo Road London SE1 8XH
Flat 6 264 Waterloo Road SE1 8RP	217 Waterloo Road London SE1 8XH
Flat 14 260 Waterloo Road SE1 8RH	219 Waterloo Road London SE1 8XH
Flat 7 Polychrome Court SE1 8XH	221 Waterloo Road London SE1 8XH
Flat 8 Polychrome Court SE1 8XH	Flat 9 Mawdley House Webber Row Se1 8xq
	The Whitehouse Belvedere Road SE1 8GA
	260 Waterloo Rd Flat 8 SE1 8RH

Re-consultation: 18/10/2016

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Flat 11 260 Waterloo Road SE1 8RH

Flat 11 260 Waterloo Road SE1 8RH

Flat 12 260 Waterloo Road SE1 8RH

Flat 13 260 Waterloo Road SE1 8RH

Flat 14 260 Waterloo Road SE1 8RH

Flat 14 260 Waterloo Road SE1 8RH

Flat 15 260 Waterloo Road SE1 8RH

Flat 15 260 Waterloo Road SE1 8RH

Flat 2 Mawdley House Webber Row Estate SE1 8XQ

Flat 3 Mawdley House Webber Row Estate SE1 8XQ

Flat 4 260 Waterloo Road SE1 8RH

Flat 4 260 Waterloo Road SE1 8RH

Flat 8 260 Waterloo Road SE1 8RH

Flat 9 Mawdley House Webber Row Se1 8xq

The Whitehouse Belvedere Road SE1 8GA

256 Waterloo Road SE1 1AA

256 Waterloo Road SE1 1AA

260 Waterloo Rd Flat 8 SE1 8RH

51 Dodson Street London SE1 7QJ

**Chief executive's department**

Planning division
 Development management (5th floor - hub 2)
 PO Box 64529
 LONDON SE1P 5LX

Mr Ian Liptrot
 DLA Architecture

**Your Ref:**

Our Ref: 16/EQ/0157
Contact: Wing Lau
Telephone: 020 7525 5729
E-Mail: planning.applications@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 08/07/2016

Dear Mr Liptrot

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

At: 256-260 WATERLOO ROAD, LONDON SE1 8RF

Proposal: Erection of a top floor extension to create residential accommodation

I write in connection with your pre-application enquiry received on 09/05/2016 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

Summary

This pre-application follows a previous enquiry (our ref 15/EQ/0293). As previously noted, a number of unsuccessful planning applications have been submitted for roof top extensions to this property over the past fifteen years. The planning history for this site is therefore compelling insofar as establishing the principle of further extensions to the property would be very difficult to achieve given the inherent design challenges of adding an extension on top of an existing extension. The original building is an attractive and well detailed warehouse style building which contributes positively to the local townscape. The existing extension, comprising two storeys is in proportion with the scale of the original three storey building. Whilst the site is considered capable of accommodating an increase in height, a further extension is likely to unbalance the proportions of the building to an unacceptable degree.

The previous pre-application enquiry 15/EQ/0293 was submitted with 3 different options and the applicant has now further explored in detail Option 2, which was a roof top extension which seeks to integrate its external appearance with the existing extension by overlaying cladding onto the existing building creating a single flat and communal storage space. This pre-application advice letter will therefore deal mainly with how the proposal would have satisfied the design concerns.

Planning Policy

The statutory development plan for the borough comprises The London Plan consolidated with further alterations (March 2015); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within the:

- Central Activities Zone/Urban Zone
- Air Quality Management Area
- Bankside and Borough District Town Centre
- Bankside, Borough and London Bridge Opportunity Area

The site is not within a conservation area, but the Grade II listed building Mawdley House, Webber Row is just opposite on the north side of the road.

Other key material considerations

The National Planning Policy Framework

Land Use Principle

Policy 3.11 of the Southwark Plan states that all developments should maximise the efficient use of land providing *inter alia* that the proposal responds positively to the local context and complies with all policies relating to design. Whilst additional residential accommodation in this location would make a more efficient use of the site, the planning history demonstrates that design has been the key consideration in all dismissed appeals. This is discussed below.

Design

The subject building is a three storey warehouse building constructed in the first half of the twentieth century. The building was extended in 1998 which added an additional two storeys of residential accommodation in a contrasting appearance. The neighbouring building to the south (No. 262-264 Waterloo Road) is taller than the subject property and permission exists for the neighbouring property to the north (No. 250 Waterloo Road) to extend by an additional storey resulting in a building that would also be higher. Whilst noting that the permission at No. 250 Waterloo Road has not yet been implemented, it is considered that a taller building in this situation could be accommodated whilst relating in a satisfactory manner to both neighbouring properties and the wider townscape.

The key issue in the consideration of this proposal is the manner in which any additional extension to this building relates in visual terms to the current building (as extended).

In response to the previous pre-application comments, the applicant has now proposed to create a 'floating' colonnade at 3rd and 4th floor level, and which is in the same plane as the existing main elevation.

The revised design now has a more comfortable relationship by extending the existing facade upwards with a third floor facsimile of the existing ground floor facade, with the original parapet design shifted up one floor. This has the potential of providing a balanced facade with the original parapet design shifted up one floor. This provides a more balanced facade. This additional modern set back would now sit comfortably behind the taller parapet without the addition being top heavy.

The material palette proposed includes brick infill to prefabricated colonnade, aluminium framed windows, glazed cladding and prefabricated colonnade. The above is considered appropriate, but Officers advise that the prefabricated colonnade should ideally be reconstituted stone.

Housing Quality

It appears that the proposed flats would have good quality of accommodation being dual aspect and of adequate size. Rooflights are proposed to allow for natural light.

Other matters

It was noted in the previous pre-application advice that a planning application would need to be accompanied by additional information detailing how additional requirements for cycle and refuse storage would be provided in accordance with the development plan and guidance.

The applicant has submitted details of cycle parking and refuse storage.

The refuse store with a new platform lift internally appears to be acceptable. The applicant is now proposing that lockers are provided in the communal area on the new 5th floor. This is considered acceptable though it may be inconvenient due to the need to access the upper levels.

Conclusion

The proposal is considered to be appropriate in land use terms. The proposed residential accommodation is considered to be of an acceptable standard for the reasons set out above. The revised design is now considered more acceptable provided it is executed in an excellent way and the materials are of high quality.

For the above reasons the proposal is worth submitting as a planning application in its current form.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a

formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

Simon Bevan
Director of Planning

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Mr Ian Liptrot DLA Architecture Ltd	Reg. Number	16/AP/3090
Application Type	Full Planning Permission	Case Number	TP/1241-A
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a top floor extension to create residential accommodation (1x one bedroom and 1x two bedroom flats)

At: 256-260 WATERLOO ROAD, LONDON SE1 8RF

In accordance with application received on 28/07/2016 08:03:12

and Applicant's Drawing Nos. Site location plan
Covering Letter (DLA, 27/07/16)

Existing plans

2015-021_B01/105, 2015-021_B01/110/RevB, 2015-021_B01/111, 2015-021_B01/112, 2015-021_B01/115, 2015-021_B01/201.

Proposed plans

2015-021_B01/205, 2015-021_B01/206, 2015-021_B01/210, 2015-021_B01/211, 2015-021_B01/212.

Daylight and sunlight assessment (Issue 6)(SPB Sustainability, November 2016)

Daylight and sunlight section drawings - 2015-021_B01/008

Design and access statement (2015-021 RevA)(DLA, September 2016)

Subject to the following six conditions:

Time limit for implementing this permission and the approved plans

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

2015-021_B01/205; 2015-021_B01/206; 2015-021_B01/210/RevB; 2015-021_B01/211; 2015-021_B01/220

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

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

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

- 3 Prior to building works commencing, samples of all external facing materials to be used in the carrying out of this permission shall be presented to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that 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.

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

- 4 The sound insulation between the dwellings hereby permitted (including outdoor amenity spaces) and those below shall exceed the impact and airborne sound transfer requirements of the Building Regulations by 5dB.

Reason:

To protect the amenity of the occupiers of the dwellings below 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.

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

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

Living rooms - 30dB LAeq, T **

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

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

Reason

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

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

Reason

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

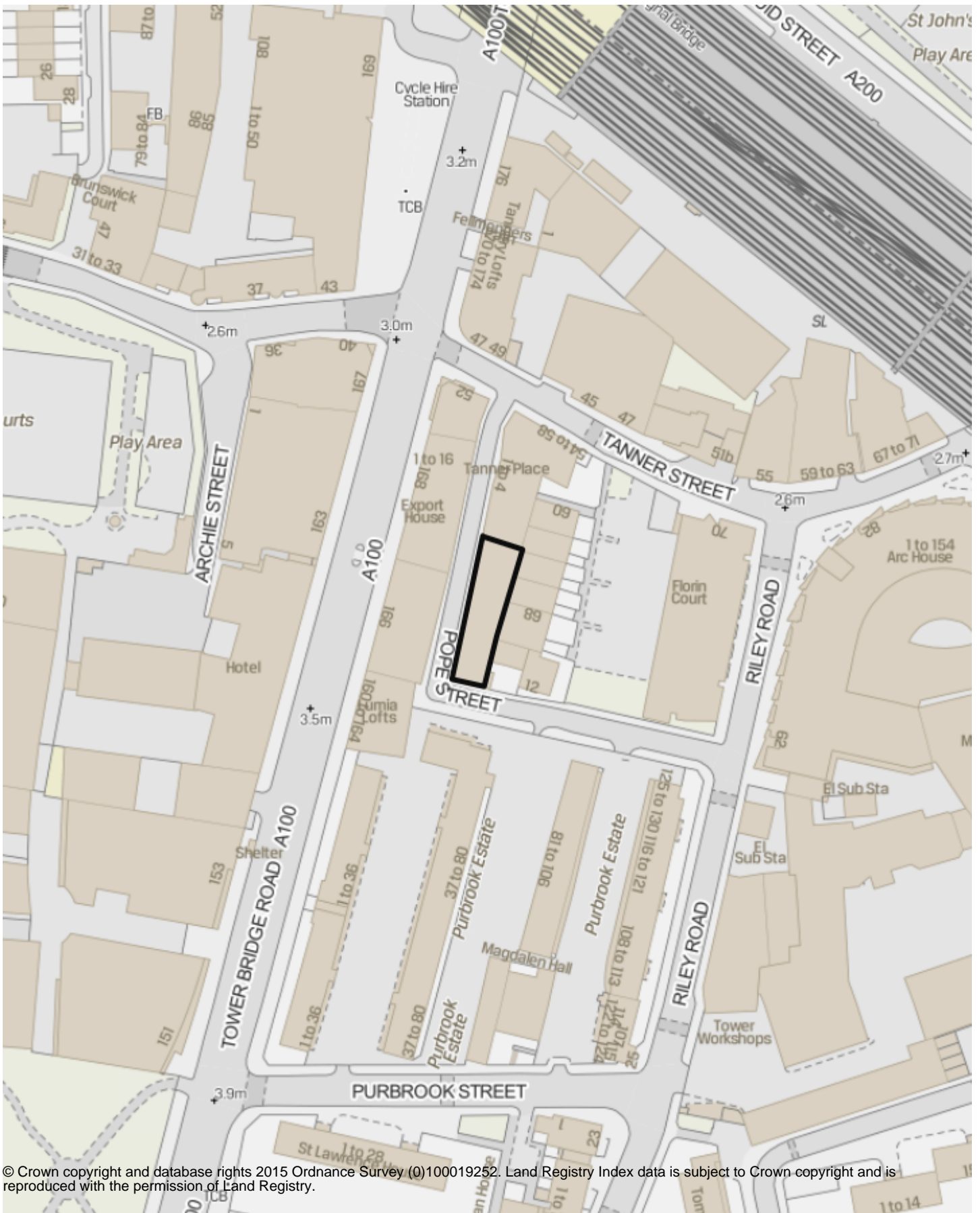
Statement of positive and proactive action in dealing with the application

The Council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements. The pre-application service was used for this application and the advice given was followed.

Agenda Item 7.3



AGENDA 7.3 - CAR PARK, 5-11 POPE STREET



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50 m

Scale = 1 : 1250

11-Jan-2017

Legal Services

Item No. 7.3	Classification: Open	Date: 24 January 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 16/AP/3020 for: Full Planning Permission Address: CAR PARK, 5-11 POPE STREET, LONDON SE1 Proposal: Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of a 3 metre high boundary fence and the erection of a four storey terrace comprising six 3 bed terraced dwellinghouses		
Ward(s) or groups affected:	Grange		
From:	Director of Planning		
Application Start Date	23/07/2016	Application Expiry Date	17/09/2016
Earliest Decision Date	27/08/2016		

RECOMMENDATIONS

1. That the Planning Sub-Committee grant planning permission subject to conditions and the applicant entering into an appropriate legal agreement by no later than 10 March 2017.
2. That in the event that the requirements of paragraph 1 above are not met by 10 March 2017, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 82 of this report.

BACKGROUND

Site location and description

3. The site is located on the east side of the southern end of Pope Street. Pope Street also bounds the southern side of the application site as it takes a 90 degree turn and continues eastward. The area once had a more industrial character, however the former Tower Bridge School which lies immediately to the east of the site, shows that it was not exclusively industrial.
4. The area today has a much more mixed-use character in which commercial and office uses are closely juxtaposed with residential accommodation. Building heights generally range from 1.5-5 storeys. The existing buildings which occupy land that shares a boundary with the application include 60-68 Tanner Street (residential - 1.5 storeys), 12 Pope Street (residential - 2 storeys) and 1-4 Pope Street (office - 3 storeys).
5. The site lies within the following designated areas:
 - Air Quality Management Area
 - Urban Density Zone
 - Archaeological Priority Zone
 - Bermondsey Street Conservation Area
 - Flood Zone 3

PTAL (Public Transport Accessibility Level) 4/6b

Details of proposal

6. The application proposes a four-storey terrace of six 3-bed dwellinghouses on a narrow rectangular site at the southern end of Pope Street, on its east side. The north flank wall of the proposed development would abut an existing building at 1-4 Pope Street. The proposed rear (east) elevation would abut the rear of No.s 64, 66 and 68 Tanner Street and the west flank wall of No.12 Pope Street. Directly opposite the site on the west side of Pope Street are 166 Tower Bridge Road and Export House (168 Tower Bridge Road).
7. The proposed development would have a 35m long frontage onto Pope Street and, like the site it sits on, it would taper from a depth of 9.7m at its northern end to a depth of 7.4m at its southern end. It would be 11.4m high.
8. Five of the six dwellings would be provided with a single-car integral garage with direct access to Pope Street (although annotations on the plans suggest that these garages could alternatively become multi-use studio spaces). A WC/shower room would also be provided on the ground-floor as well as a bin store. The southern-most dwelling (House F) would be provided with a combined open-plan kitchen/dining room on the ground-floor rather than the integral garage in the other five dwellings (Houses A-E).
9. At first floor level houses A-E would each have a single double-bedroom with an en-suite and dressing room while House F would have a double-bedroom, a single-bedroom and a bathroom. They would also have small rear terraces / lightwells whose floors would be glazed (below a metal grate or similar) to allow more natural daylight to penetrate into the garages/studios below.
10. At second floor level Houses A-E would have a double-bedroom, a single-bedroom and a bathroom while House F would have a double-bedroom with an en-suite.
11. At third floor level houses A-E would have a single open-plan combined kitchen/living/dining room with access to roof terraces at the rear. House F meanwhile would have a single open-plan lounge similarly with access to a roof terrace at the rear.
12. A mansard-style roof finished in dark-grey aluminium or zinc is proposed with front and rear dormer windows.
13. Cycle parking is shown as 2 cycles per dwelling kept within the integral garages/studios (Houses A-E) or in a space under the stairs on the ground-floor in house F.
14. The fenestration to the front elevation is arranged to read as a succession of three 'handed' pairs. The front elevation at second floor level would contain shallow square bay windows with the largest front pane being obscured. Narrower panes in the front (0.4m wide) and sides (0.6m wide) of the bay windows would be clear-glazed.
15. Proposed External Materials:
 Elevations: Yellow stock or pale beige facing brick laid to stretcher bond (ground-floor to be 'rusticated', i.e., alternate horizontal protruding courses (25mm)).
 Roof: Natural grey slate
 Windows: All metal-framed (metal or finish not specified)
 Other: Metal balustrades, laser-cut metal grille security gates at front entrances to dwellings, dormer window surrounds in dark-grey aluminium or zinc.

16. Comparison with previous scheme dismissed at appeal (15/AP/4317)

- The overall height of the terrace has been reduced by 0.6m, from 12m to 11.4m
- The bulk, massing and design of the top floor (roof structure) has been improved with a clearly legible Mansard-style roof form now adopted with dormer windows to the front and rear and with expressed party walls to distinguish the individual dwellings within the terrace.
- South-east corner of building (next to 12 Pope Street) now cut away at first-floor level
- An oriel window has been added to the exposed southern gable
- The width of the rear 'outrigger' part of houses E and F has been reduced by 0.6m, i.e., it has been inset from the south boundary of the application site by this additional distance
- In the dismissed appeal scheme at second-floor level at the rear clear-glazed sliding 'patio' doors behind Juliet balconies were proposed. In the current proposal these have been replaced by windows that would be part fixed and obscure-glazed (up to 0.8 above the finished floor level) with a clear-glazed openable casement part above. The Juliet balconies have been removed.
- The amount of clear-glazing in the front elevation at first-floor level has been reduced.
- Front dormer windows have replaced roof-lights but are also substantially obscure-glazed to avoid any significant loss of privacy

17. Planning history

16/AP/4753

Application type: Section 96a - Non-material changes: Non-material amendment to planning permission ref. 13/AP/0058 dated 26/03/2014 (Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising 5 single dwellings.) in the form of a change in the facing brickwork from London yellow stock to 'Alaska Sintered Rustic'.

AMENDMENT AGREED: 20/12/2016

15/AP/4317

Full Planning Permission: Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of a 3 metre high boundary fence and the erection of a four-storey terrace comprising six 3-bed terraced dwellinghouses.

REFUSED: 02/03/2016

APPEAL DISMISSED: 15/08/2016

Reason(s) for refusal:

1. The proposed development, by reason of the combination of its excessive density, height, bulk, mass and poor design would create a monolithic, over-dominant and visually-obtrusive over-development of the site that would fail to respect the form, height and scale of adjoining and neighbouring buildings in the surrounding townscape and so would also fail to preserve the character and appearance of Bermondsey Street Conservation Area. As such the proposal is contrary to Sections 7 and 12 of the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8

(Heritage Assets and Archaeology) of the London Plan (2015), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of amenity), 3.12 (Quality in design), 3.13 (Urban design), 3.15 (Conservation of the historic environment) and 3.16 (Conservation areas) of the Southwark Unitary Development Plan (2007).

2. The combination of the number, size, orientation, proximity, elevation above street-level and clear-glazed nature of the first-floor habitable room windows in the front (west) elevation of the proposed development would result in an unacceptably intrusive level of overlooking in both directions between the existing inhabitants of the flats within 166 and 168 Tower Bridge Road on the opposite side of Pope Street and the future occupiers of the proposed development to the detriment of the residential amenity of both. In addition, the combination of the proximity, elevation above street-level and alignment of the fully-glazed sliding patio door / Juliet balcony arrangement (to bedrooms) in the rear (east) elevation of the proposed development at second-floor level with clear-glazed conservatory 'rooflights' in the adjoining dwellinghouses at No. 64, 66 and 68 Tanner Street would result in an unacceptably intrusive level of overlooking of habitable rooms within these same dwellings, to the detriment of the residential amenity of their occupiers. The proposal is therefore contrary to Section 11 of the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2015), strategic policy 12 (Design and conservation), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).
3. The proposed development would result in a four-storey (12m) high rear wall sited on the party boundary with No. 12 Pope Street projecting southwards past the front elevation of the nearest part of this neighbouring property by approximately 5.75m, thereby creating an overbearing sense of enclosure by unduly obstructing the immediate outlook from habitable room windows in its front (south-facing) elevation and from its front/side garden, to the detriment of the residential amenity of its occupiers. The proposal is therefore contrary to Section 11 of the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2015), strategic policy 12 (Design and conservation), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

16/AP/2305

Approval of details pursuant to Condition 6 (Implementation of a Programme of Archaeological Evaluation Works) of planning permission ref. 13/AP/0058 dated 26/03/2014 (Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising 5 single dwellings.)

GRANTED: 11/07/2016

16/AP/2304

Approval of details pursuant to Condition 5 (Written Scheme of Investigation for a Programme of Archaeological Recording) of planning permission ref. 13/AP/0058 dated 26/03/2014 (Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising 5 single dwellings.)

GRANTED: 11/07/2016

16/AP/2303

Approval of details pursuant to Condition 4 (Complete scope and arrangement of the

<p>foundation design and all ground works) of planning permission ref. 13/AP/0058 dated 26/03/2014 (Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising 5 single dwellings.) GRANTED: 07/09/2016</p>
<p>16/AP/2279 Approval of details pursuant to parts a and b of Condition 3 (Investigation and Risk Assessment) of planning permission ref. 13/AP/0058 dated 26/03/2014 (Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising 5 single dwellings.) GRANTED: 22/08/2016</p>
<p>16/AP/2281 Approval of details pursuant to Condition 3 (Construction Contract) of conservation area consent ref. 13/AP/0056 dated 26/03/2014 (Demolition of 3m boundary fence). GRANTED: 02/08/2016</p>
<p>16/EQ/0138 Pre-application enquiry: Redevelopment of the car park at 5-12 Pope Street to provide 6 dwellinghouses. PRE-APPLICATION ADVICE ISSUED: 27/06/2016</p>
<p>13/AP/0058 Full Planning Permission: Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of the existing 3 metre high fence and the erection of a four storey terrace comprising five single dwellings. GRANTED: 26/03/2014</p>
<p>13/AP/0056 Conservation Area Consent: Demolition of 3m boundary fence. GRANTED: 26/03/2014</p>
<p>11/EQ/0153 Pre-Application Enquiry: Construction of five terrace houses. PRE-APPLICATION ADVICE ISSUED: 07/11/2011</p>
<p>92/00137: Erection of a 3m high fence around private car park together with the construction of light weight security cage. GRANTED: 1992</p>

Planning history of adjoining / neighbouring sites

68 Tanner Street

18. 03/AP/0039 - Extensions and associated alterations at first floor level to provide better headroom in the bathroom and an additional bedroom.
GRANTED: 21/02/2003

64 Tanner Street

19. 11/AP/3322 - Rear first floor extension to provide an additional bedroom in place of part glazed rear roof; and a rear dormer roof extension.
GRANTED: 01/12/2011

60 Tanner Street

20. 15/AP/4611 - Erection of rear extension at first floor level; rear dormer roof extension; and first floor roof terrace.
GRANTED: 11/01/2016

FACTORS FOR CONSIDERATION

Main Issues

21. The main issues in this case are considered to be:
- a. The principle of development (in terms of land use and conformity with strategic policies).
 - a) The impact of the development on the amenity of adjoining land/property
 - b) The acceptability of the car / cycle parking, servicing and refuse arrangements
 - c) The design of the proposal and its impact on the character and setting of a listed building and/or conservation area.
 - d) Quality of residential accommodation
 - e) All other relevant material planning considerations.

Relevant Planning Policy

National Planning Policy Framework (Published 27 March 2012)

22. Of specific relevance are the following sections:
4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design.
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment
 12. Conserving and enhancing the historic environment

23. The London Plan (2016)

Policy 3.3 Increasing housing supply
 Policy 3.4 Optimising housing potential
 Policy 3.5 Quality and design of housing developments
 Policy 3.8 Housing Choice
 Policy 5.3 Sustainable Design And Construction
 Policy 5.13 Sustainable Drainage
 Policy 5.17 Waste Capacity
 Policy 6.3 Assessing the impacts of development on transport capacity
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.1 Building London's Neighbourhoods And Communities
 Policy 7.2 An Inclusive Environment
 Policy 7.3 Designing Out Crime
 Policy 7.4 Local Character
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.14 Improving Air Quality
 Policy 7.15 Reducing Noise And Enhancing Soundscapes

Southwark Core Strategy (Adopted 6 April 2011)

Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 5 - Providing new homes
 Strategic Policy 7 - Family homes
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards

Southwark Unitary Development Plan (Adopted 28 July 2007) (Saved Policies)

24. 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 3.1: Environmental Effects
 Policy 3.2: Protection of Amenity
 Policy 3.6: Air Quality
 Policy 3.7: Waste Reduction
 Policy 3.9: Water
 Policy 3.11: Efficient use of Land
 Policy 3.12: Quality in Design
 Policy 3.13: Urban Design
 Policy 3.14: Designing out Crime
 Policy 3.15: Conservation of the historic environment
 Policy 3.16: Conservation Areas
 Policy 3.19: Archaeology
 Policy 4.2 Quality of residential accommodation
 Policy 5.2: Transport Impacts
 Policy 5.3: Walking and Cycling
 Policy 5.6: Car Parking
 Policy 5.7 Parking Standards for Disabled People

25. Supplementary Planning Document: Sustainable Design and Construction (2009)
 Supplementary Planning Document: Residential Design Standards (2011)
 Supplementary Planning Document: Sustainable Transport (2008)
 Supplementary Planning Document: Bermondsey Street Conservation Area Character Appraisal (January, 2003)

26. **Summary of neighbour consultation responses – First consultation**

Total number of representations:	8				
In favour:	2	Against:	6	Neutral:	0
Petitions in favour:	0	Petitions against:	0		

27. **Summary of neighbour consultation responses – Re-consultation on current plans**

Total number of representations:	5				
In favour:	0	Against:	5	Neutral:	0

Petitions in favour:	0	Petitions against:	0
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Summary of other statutory and non-statutory consultation responses

Southwark Design and Conservation Team

28. Windows in front elevation should be quite deeply recessed to follow the established character. In many respects the proposal is not radically different to the previous scheme and is still quite bulky. It is a matter of judgment and careful consideration of the differences between the two schemes. It would be helpful for the differences to be more clearly shown through the use of section overlays.

The principle of development

29. The principle of replacing a car park with a residential development is acceptable in this location as there are no policies protecting a car park in this part of the borough and the area itself is predominantly residential already.

Environmental Impact Assessment

30. The proposal lies outside the scope of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 (as amended) and as such there is no requirement for an EIA.

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

31. Saved policy 3.2 (Protection of amenity) of the Southwark UDP (2007) and strategic policy 13 (High environmental standards) of the Core Strategy (2011) states that the Council will not allow development where it leads to an unacceptable loss of amenity to neighbouring land and occupiers.

Privacy / overlooking

32. The degree of overlooking of neighbouring residential properties that the proposed development would create is considered to be unacceptable. There are issues across Pope Street to flats opposite in 166 and 168 Tower Bridge Road and between windows in the rear (east) facing elevation of the proposed development and the rear of dwellings at 64 and 66 Tanner Street.
33. Pope Street is a narrow single-lane street ranging from 6-7m wide. The windows on the upper floors of the eastern elevation of 166 Tower Bridge Road provide openings to eight single-aspect flats, four either side of a central staircase facing the site and similarly there are also habitable room windows on the upper floors in the eastern elevation of the 168 Tower Bridge Road (Export House) which adjoins No.166 to the north.
34. A number of residents have raised concerns regarding the impact of the proposed development on their privacy. Southwark's Residential Design Standards SPD states that developments should retain a distance of at least 12m across highways and 21m to the rear between residential blocks.
35. To mitigate for the lack of an adequate separation distance between the front elevations of the proposed development and the existing flats opposite at 166 Tower Bridge Road the proposal would apply obscure-glazing to most parts of the square bay bedroom windows at second floor level and the narrow dressing-room windows at first and second floor level would also be completely obscure-glazed. Through a reduction

in window size and the introduction of obscure-glazing (in part), the size of the clear-glazed windows serving the first-floor front bedrooms would also be significantly reduced (a reduction of more than half from 3.65sqm to 1.6sqm) in comparison to the earlier scheme that was dismissed at appeal.

36. Although at roof level front dormer windows are now proposed where previously roof lights were proposed, again an appropriate proportion of each window would be obscurely-glazed leaving only two small clear-glazed openings (65cm x 65cm) to either side. Given the modest size of these clear-glazed openings and the fact that the rooms they serve are principally orientated to take advantage of longer views available on the opposite east side of the site (as there are no such privacy constraints at this level and hence the third floor rear windows can remain clear-glazed), it is considered that they would not cause a significant loss of privacy to the occupiers of the flats opposite (to the west) in 166 Tower Bridge Road.
37. The reason for the refusal of the previous scheme (15/AP/4317) also cited an unacceptable loss of privacy to the occupiers of the dwellinghouses at No. 64, 66 and 68 Tanner Street. This was considered to be caused as a result of the combination of the proximity, elevation above street-level and alignment of the fully-glazed sliding patio doors and associated Juliet balconies serving second-floor bedrooms in the rear (east) elevation of the proposed development with the clear-glazed conservatory 'rooflights' in these adjoining dwellinghouses. The current proposal has sought to address this objection. While the windows would be approximately the same size and in the same position as before, the Juliet balconies have been removed and the lower parts of the windows (up to 0.8m above the finished floor level) made both fixed-shut and obscure-glazed. While this is an improvement it is considered that it is considered that it does not go quite far enough in addressing the loss of privacy identified, particularly given the lack of lateral separation between the proposal and the three Tanner Street dwellings. It is considered that a suitably effective level of mitigation would require the fixed-shut and obscure-glazed parts to be no lower than 1.5m above the internal finished floor level. This would still leave clear-glazing between a height of 1.5m and 2.2m above the floor of the bedrooms affected which would still allow a decent standard of outlook. This enhanced level of privacy has been specified within a suggested planning condition.
38. Subject to this condition it is considered that the proposed development would satisfactorily address the privacy grounds on which the previous application was refused and would now comply with saved policy 3.2 (Protection of amenity) of the Southwark Plan (2007).

Daylight / sunlight

39. The previous scheme which was dismissed at appeal was found to have an acceptable impact on the levels of daylight and sunlight received by neighbouring residential properties. It therefore stands to reason that the current revised proposal which is less tall and bulky would be even less impactful in this regard and would again satisfy the recommendations in the BRE guidance.

Enclosure

40. It is also considered that the combination of the overall reduction in height of the development by 0.6m, the setting away of the rear outrigger of Houses E and F from the south boundary by a further 0.6m, the reduction in bulk of the top-floor roof structure and the reduction in bulk and mass at the south-east corner at first-floor level is sufficient to address the third of the reasons for the refusal of the earlier application, i.e., the creation of an over-bearing enclosing effect on the adjoining property at No.12 Pope Street.

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

41. The surrounding area comprises a mix of uses and it is considered that the adjoining and nearby uses would not have a detrimental impact on the proposed development.

Traffic issues

42. Strategic Policy 2 (Sustainable Transport) of the Core Strategy and Saved Policies 5.2 (Transport Impacts) and 5.3 (Walking) of the Southwark Plan aim to ensure that developments do not have harmful traffic impacts and make provision for sustainable forms of movement.
43. The London Plan allows for up to 1 on-site car parking space per residential unit in the Urban Zone in areas with a PTAL rating of 5-6 and developments within the range of 200-700 HR/Ha. At the same time it advises that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.
44. The transport impacts that could potentially arise from this development are increased pressure on on-street parking, impact on the highway network and pedestrian safety.
45. The site is in a location which has a Public Transport Accessibility Level (PTAL) of between 4 (good) and 6b (the best) and is located in the Grange Controlled Parking Zone (CPZ).
46. Existing and proposed vehicular and pedestrian access to the site is from Pope Street. The proposal would alter vehicular access to the site from the highway by introducing five new dropped kerbs to serve the proposed development.
47. The footways on the relevant section of Pope Street are very narrow and there is no possibility of widening the footways as the physical distances between the opposite properties are minimal.
48. In this context the proposed development is not able to provide adequate driver visibility and pedestrian visibility. Drivers must be able to see 25m to the left and right from a point 2.4m back from the carriageway which in all cases would be a point inside the garages and therefore obscured by walls. The access points to the garages have been amended by moving it forward, flush with the facade and increased in width to 2.5m. To generally manoeuvre into a garage of that size would require at least 6m of carriageway width (in this case from opposite the kerb), which is not achievable on the very narrow Pope Street.
49. Vehicles speeds on this section of highway are however very slow and both pedestrians and vehicle drivers will be aware of the narrow widths of the roads and the pavement. Highway users will also be aware of the possible hazards which may arise from the existing highway conditions. In this case, it is considered that on balance, notwithstanding the identified danger to highway and pedestrian safety users, it would not justify refusing the application on this issue alone.
50. It is considered that vehicular trip generation by the proposed development is unlikely to have a significant impact on the surrounding highway network. The trip generation by the existing car park use is likely to be higher on a daily/ weekly level than the proposed residential use (although it is appreciated that the site has not actually operated as a working car park for a long time).
51. In the event of a grant of planning permission a condition preventing any occupiers of

this development being eligible for on-street parking permits could reasonably be imposed given the site's location in a CPZ in order to prevent possible overspill parking from the development.

52. The extant consent is a material consideration and in comparison with it the current proposal would only result in one additional on-site parking space / dropped kerb access. As such, in line with the reasoning set out above, it is considered that the refusal of the application on the basis of highway impacts and/or level of on-site parking would not be justified.
53. As noted above cycle parking is shown as two cycles per dwelling kept within the ground-floor integral garages/studios (houses A-E) or in a space under the stairs on the ground-floor in House F. This provision would comply with London Plan policy 6.9 (Cycling) and saved Southwark Plan policy 5.3 (Walking and Cycling).

Refuse / recycling storage

54. Two standard 240L wheeled bins for each house, one for standard refuse and one for recycling, would be provided. This is acceptable and would meet the volumes required by Southwark's guidance.
55. Refuse collection will be undertaken from Pope Street. Given that each dwelling would be served by two standard 240L wheeled bins, one for refuse and one for recycling, and the proximity of the storage areas to the highway, refuse/recycling collection vehicles are not likely to be stationary in the highway for an extended period.

The design of the proposal and its impact on the character and setting of listed buildings and the conservation area.

Policy context

56. The policies set out in Section 12 (Conserving and enhancing the historic environment) of the NPPF are reinforced by those in Section 7 (Requiring good design).
57. Paragraph 56 states that: 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'
58. Paragraph 58. '...decisions should aim to ensure that developments: respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.'
59. Paragraph 64 states that, 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'
60. In respect to the council's local plan policies, Strategic Policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) states that all development will achieve the highest possible standard of design for buildings and public spaces to help create attractive distinctive places which are safe, easy to get around and a pleasure to be in.
61. The Core Strategy policies are reinforced by the saved policies of the Southwark Unitary Development Plan (2007). Saved policy 3.12 (Quality in design) states that: developments should achieve a high quality of both architectural and urban design,

enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. New buildings and alterations to existing buildings should embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities and where applicable, preserving or enhancing the historic environment. The use of design features and materials should be carefully considered.

62. Saved policy 3.13 (Urban design) of the Southwark UDP (2007) states that principles of good urban design must be taken into account in all developments. Urban design is the relationship between different buildings and streets, squares, parks and waterways and other spaces that make up the public domain; the nature and quality of the public domain itself; the relationship of one part of an urban area to another; and the pattern of movement and activity. In designing new developments, consideration must be given to: height, scale and massing of buildings, designing a building that is appropriate to the local context and which does not dominate its surroundings inappropriately.
63. Saved policy 3.16 (Conservation areas) of the Southwark UDP (2007) states that within conservation areas, development should preserve or enhance the character or appearance of the area. Planning permission will be granted for new development, including the extension or alteration of existing buildings provided that the proposals: respect the context of the conservation area, and do not involve the loss of existing traditional features of interest which make a positive contribution to the character or appearance of the conservation area.

Appraisal

64. Strategic Policy 5 (Providing New Homes) of the Core Strategy states that residential density will be expected to comply with the relevant density range in each of the three identified zones. The site lies within the Urban Density Zone and as such the density of the scheme should fall within a range of 200-700 habitable rooms per hectare.
65. The scheme has a total of 25 habitable rooms on a site of 0.0306 hectares and thus has a density of 817 HR/Ha which is above the upper limit of the range.
66. The amendments listed above at paragraph 16 are considered to be sufficient to address the first of the three reasons cited for the refusal of the previous scheme, i.e., *'that the combination of its excessive density, height, bulk, mass and poor design would create a monolithic, over-dominant and visually-obtrusive over-development of the site that would fail to respect the form, height and scale of adjoining and neighbouring buildings in the surrounding townscape and so would also fail to preserve the character and appearance of Bermondsey Street Conservation Area'*.
67. The development now proposed would be slightly less high than in the previous scheme, but perhaps the most significant change is that to the top attic floor. In the refused scheme the top floor was unduly bulky. At the rear its design and size was such that it was indistinguishable in any way from the floors below and failed to convey any sense that it was the roof of the development or indeed that the proposal was comprised of a traditional row of terraced dwellinghouses. Rather, it was a contrived and visually-jarring hybrid design comprised of a traditional roof slope at the front but which then continued the height of the ridge all the way to the rear to terminate in a sheer vertical elevation thus creating both an excessively boxy, top-heavy mass and a very odd, indeed alien, side profile at the south gable end.
68. In contrast the revised proposal now under consideration has adopted a much more legible mansard-style roof and which fits much more comfortably with the original

typology or composition of the development, i.e., a traditional terrace. The roof displays a much more pleasing symmetry particularly where its cross-sectional form is most readily evident, i.e., the south end gable. It is clearly smaller in scale with its principal front and rear roof slopes set behind the brick-clad elevations below. The openings within the Mansard roof are generally smaller in scale and convincingly take on the guise of dormer windows. Although the width of the development broadly follows the shape of the site, increasing in regular stages from south to north, the Mansard-style roof would remain a visually coherent feature as it is laterally subdivided into six equal portions by the detail of the raised party parapet walls which separates one dwellinghouse from another and therefore collectively helps to identify the development as a row of six terraced dwellinghouses. This is continued into the front elevation where the combination of the fenestration and the recessed downpipe detail convey clear patterns of, foremost, six dwellinghouses and within that, a series of three 'handed' pairs of dwellings. The clear distinction between a legible, traditional roof form and the floors below would be reinforced by the clear contrast between the different colour and tone of the roof and wall materials and this also acts to reduce the visual massing of the development

69. The rear elevation also has a clear order and rhythm to it with the three deeper 'outrigger' elements displaying a consistent width and separation from each other and overwhelmingly (apart from a subtle divergence in respect of the southernmost dwelling) exhibiting an ordered arrangement of windows here too. The rear elevation is considered to be suitably well-designed and visually-coherent to ensure that it would no longer appear obtrusive or over-dominant in its immediate townscape context, i.e., as forming the immediate backdrop to the 1.5 storey terrace of dwellings in Tanner Street.

Quality of proposed residential accommodation

70. Policy 3.5 of the London Plan (2011) requires new residential development to be of a high quality with convenient and efficient layouts. Saved policy 4.2 (Quality of residential accommodation) of the Southwark UDP (2007) states that planning permission will be granted for residential accommodation provided that they achieve good quality living conditions; and include high standards of accessibility; privacy and outlook; natural sunlight and daylight; ventilation; space including suitable outdoor/green space; safety and security; protection from pollution, including noise and light pollution. These policies are consistent with the NPPF which promotes the delivery of a wide choice of high quality homes. More detailed guidance within the council's Residential Design Standards SPD (2011) sets out minimum room and unit floorspace standards as well as standards in relation to sunlight, daylight and external amenity space.
71. The 2015 Technical Update to the Residential Design Standards SPD adds the new Nationally Described Space Standard (NDSS) to the council's own more detailed guidance on the layout and quality standards for all new residential developments. Where necessary the SPD has been updated to remove any conflicts with the new NDSS.
72. The houses proposed would be four-storey, 3-bed/5-person dwellings. The nearest equivalent dwelling type in minimum unit space standards table is 99sqm (for 3-storey, 3-bed, 5-person dwellings). However, considering the additional floor and the additional circulation space therefore required it is considered that the new dwellings should provide at least 108sqm (99sqm plus 9sqm). All of the units would exceed this minimum gross internal floor area requirement. Net internal area figures for all of the dwellings range from 128sqm to 156sqm. The main habitable rooms within the dwellings would also comply. The open-plan kitchen/living/dining rooms on the top floor would range in size from 28.8-31sqm.

External amenity space

73. The council's adopted Supplementary Planning Document: Residential Design Standards (2011) sets out advised minimum standards for the provision of external amenity space for new residential development. New dwellinghouses are expected to be provided with private rear gardens of at least 50sqm and that any gardens should be at least 10m in length. The table below shows the outdoor amenity space provision for each of the dwellings. The amenity spaces are a combination of balconies and roof terraces mostly located at the first and third floor levels.

	First floor	Second floor	Third floor	Total
House A	5.3	-	6.2	11.5
House B	5.2	-	6.3	11.5
House C	4.7	-	4.5	9.2
House D	4.0	-	5.1	9.1
House E	3.6	-	3.7	7.3
House F	-	-	6.6	6.6

74. While it is clear that the provision does not accord with the guidance in the SPD, it is considered that substantial weight should be given to the character, predominant dwelling type (mainly flats) and density of the area. Such relatively generous private rear gardens as espoused by the SPD are not typical features of development in this inner London locality. The provision of a total of 10sqm (more or less) would still be in general accordance with what would be expected in the context of a flatted development. Also, the provision is not significantly different to that provided as part of the extant consent and no issue was raised to it then. The only issue (non compliance with the SPD) with the amenity space provision has been highlighted above already and that is the unacceptable overlooking of several of the Tanner Street dwellings situated immediately to the east of the site. Allowing for the character of the area it is therefore considered that the proposed outdoor amenity spaces are acceptable in terms of their individual and combined sizes for each dwelling.

Archaeology

75. Saved policy 3.19 of the Southwark Plan requires all applications within Archaeological Priority Zones to be accompanied by a desk-based assessment and an archaeological evaluation.
76. Archaeological work at the nearby Century House Site has revealed remains in this area dating from the 12th century onwards, presumably associated, in some way, with Bermondsey Priory, as was. Significant features relating to post-medieval water management, presumably tanning, were also noted. This work has been undertaken too recently to be included in the desk-based assessment. However the broad conclusions of the document are still accurate.
77. In the event of a grant of planning permission a programme of archaeological evaluation works will need to be undertaken on site prior to the commencement of development works. If any site investigation works are proposed these should be archaeologically monitored. These matters should be secured through planning conditions.

Flood risk

78. No issues raised and the Environment Agency has no objection as there is no sleeping

accommodation on the ground floor.

Impact on trees

79. None.

Planning obligations (S.106 undertaking or agreement)

80. A financial contribution is required in lieu of the failure of the development to comply with the minimum standard for private amenity space for dwellinghouses (50sqm per dwelling) in the Technical update to the Residential Design Standards SPD (2015). The required contribution has been calculated in accordance with the figures in the Planning Obligations and CIL SPD (2015).

Total of external amenity space provided = 55.2sqm

Amount that should be provided as required by the SPD = (6 x 50sqm) 300sqm

Shortfall = 300 – 55.2 = 244.8sqm

Financial contribution towards local open space = 244.8sqm x £205 = £50,184

81. The applicant has agreed to these Heads of Terms which will be secured within a s.106 agreement.
82. However, in the event that the legal agreement has not been signed by 10 March 2017, it is recommended that the Director of Planning be authorised to refuse planning permission, if appropriate, for the following reason:

In the absence of a signed s106 legal agreement there is no mechanism in place to secure mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to saved policy 2.5 planning obligations of the Southwark Plan 2007, strategic policy 14 Delivery and Implementation of the Core Strategy (2011) policy 8.2 planning obligations of the London Plan (2015) and the Southwark section 106 planning obligations and Community Infrastructure Levy SPD (2015).

Sustainable development implications

83. There are no over-arching sustainable development implications which require consideration.

Other matters – Mayoral and Southwark Community Infrastructure Levies (CIL)

84. 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. As the proposal would result in the creation of new self-contained residential units it would be CIL Liable because it constitutes a chargeable development under the CIL Regulations 2010 (as amended).

Mayoral CIL

85. Based on the figures in the submitted CIL information form it is estimated that the development would be liable to pay £39,569 (881.5sqm x £35 x 286/223) on commencement of development.

Southwark CIL

86. As the site lies within CIL Charging Zone 2 and is a residential development (Use Class C3) it is estimated that it would be liable to pay £194,679 (881.5sqm x £200 x 286/259) on commencement of development.

Conclusion

87. The proposed development is considered to be a substantial improvement over the previous six-dwelling scheme that was refused and dismissed at appeal. The bulk and massing have been reduced, the visual quality of the design is much improved and it is now considered to be of a standard that would preserve and enhance the character and appearance of Bermondsey Street Conservation Area. Furthermore, it is considered that the unacceptable amenity impacts of the previous scheme, i.e., loss of privacy to neighbouring residents and future occupiers of the proposed development and the over-bearing enclosure of 12 Pope Street would now be adequately mitigated by the revised design now presented. A planning obligation would secure a financial contribution towards the maintenance and improvement of local parks and open spaces in the vicinity of the site as compensation for the inadequate size of the private outdoor amenity spaces and the applicant has agreed to the principle of the planning obligation. This is considered to be an acceptable and appropriate solution that would unlock the ability of the site to deliver new family housing for which there is an acute need in the borough. It is also noted that the character of the area is quite densely urban and that it would be somewhat unrealistic to expect conventional private rear gardens in the order of 5m x 10m in this location. The quality of the proposed accommodation would be very good. There are no significant flooding risk or archaeological impact concerns. In general terms the development would represent an efficient re-use of a brownfield site in a sustainable location and should be supported. For these reasons the application is recommended for GRANT.

Community impact statement

88. 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) There are no issues relevant to particular communities/groups likely to be affected by the proposal, and,
 - c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

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

Summary of consultation responses: (13)

91. 10 letters of objection and 3 letters of support were received from local residents. The following issues were raised:
- Pope Street is a narrow, one-lane street with inadequate footways such that it will not be able to accommodate the additional foot and vehicular traffic created by the development. It is unclear how cars will pass along this already busy road. *(Officer comment: These concerns are understood and are not downplayed. However, it is considered that the resulting harm is not so great as to warrant the refusal of the application on these terms).*
 - Car trips as a result of the inclusion of on-site parking will lead to further noise, pollution and congestion. Recent developments nearby have already exacerbated the number of vehicles using Pope Street and at weekends it is often impossible to pass through Pope Street due to the number of cars parked on the street. This will also significantly impede the ability of the emergency services to access nearby housing in the event of an emergency. *(Officer comment: see comment above).*
 - The development will overshadow flats in the adjacent 168 Tower Bridge Road building (Export House), in particular causing a significant loss of sunlight to flats at the first and second floor level. *(Officer comment: It is agreed that these properties will suffer a loss of daylight and sunlight as compared to the existing situation. However, as explained above the applicant has commissioned a Daylight and Sunlight Impact Assessment which has found that the degree of loss would remain within good practice guidelines and therefore should not be unduly noticeable).*
 - The development will result in unacceptable overlooking across Pope Street into the existing flats opposite. *(Officer comment: The proposal incorporates sufficient mitigation and so satisfactorily addresses this concern).*
 - The development does not comply with design guidance in terms of separation distances between the front facades of dwellings. *(Officer comment: This point is agreed, however it does not automatically mean that a development is unacceptable).*
 - Pope Street is not an attractive environment given the number of commercial waste bins located along it. The development would look onto the rear of a pizza delivery business where delivery motorcycles are typically parked outside and where deliveries typically occur up to and beyond midnight causing much noise and disturbance to future occupiers. *(Officer comment: The concern is understood, however there are already flats near/ above commercial businesses, the development would not have any primary habitable rooms at ground-floor level and the delivery hours of the hot food takeaway business referred to can be monitored and appropriate action taken if in consistent breach of the planning condition which limits its hours of use.)*
 - The development is too high and bulky. *(Officer comment: The revised design satisfactorily addresses this concern.)*
 - There is no confidence, based on recent works on the site, that the development will be constructed in a manner sympathetic to the amenities of neighbouring residents. *(Officer comment: This matter could be satisfactorily dealt with through a condition requiring details of a Construction Management*

Plan if necessary and or through other environmental protection legislation. However, given the scale of the development a Construction Management Plan is not considered to be necessary).

- The plans fail to show the development in the context of the properties at 60, 62, 64, 66 and 68 Tanner Street. *(Officer comment: This point is not accepted).*
- The applicant's Daylight and Sunlight Impact Assessment fails to acknowledge the possibility of any impact on the properties at 60, 62, 64, 66 and 68 Tanner Street. *(Officer comment: This point is not accepted).*
- A living room and terrace on the third floor and openable fully-glazed doors set behind Juliet balconies on the second floor will overlook 68 Tanner Street. *(Officer comment: The proposed development has addressed this concern).*
- The development may prejudice the otherwise reasonable development potential of 68 Tanner Street. *(Officer comment: This point is not accepted).*
- The development will ruin the view from flats in 166 Tower Bridge Road. *(Officer comment: This is not a relevant planning consideration. There is no such thing as a 'right to a view' in planning, only protection against developments that would create an overbearing sense of enclosure resulting in the obstruction of a reasonable immediate outlook).*
- The development will have a detrimental impact on the value of neighbouring properties. *(Officer comment: This is not a relevant planning consideration.)*
- The development's height and bulk and siting at the back of the footway will make Pope Street feel especially cramped, dark and miserable. *(Officer comment: The daylight and sublight impact assessment has demonstrated that this impact would be acceptable. Development up to the back of the footway is also an established part of the character of the area and so this is not objectionable in principle.)*

Southwark transport planning team

92. While there is history on the site I still have concerns about the proposed car parking, size of the refuse units and impact on the footways.
93. Car Parking: The site is located in a PTAL 4 area. Sites in these locations have good accessibility and as such we should be resisting car parking associated with residential units. In addition the parking layout does not comply with design standards and no visibility is possible. The existing situation is different as there is only one access and the access is wide giving pedestrian splays.
94. The breakup of the footway does not comply with SSDM and therefore Highways would not support the works.
95. The site is located in a CPZ and therefore all residents should be committed from on-street permits.
96. The site in general gives nothing to the public realm and builds right up to the site boundary. It would be beneficial to widen the footways around the site. The overhanging balconies would need approval from the Public Realm team.
97. Cycle parking within individual dwellings is usually left if adequate space appears. In this instance there is space within the garages to provide this cycle parking. If the

garages were removed cycle parking should be conditioned at 2 spaces per unit.

98. Refuse for individual units usually consists of three bins in Southwark. The space provided with swing door looks insufficient.

Archaeology Officer

99. The site is located within the Borough, Bermondsey and Rivers Archaeological Priority Zone. The applicants have supplied a desk-based assessment. It is not considered necessary to re-impose the same conditions as were recently discharged in respect of the extant consent for the five dwellinghouse scheme.

Southwark Environmental Protection Team

100. No response received to date

Environment Agency

101. No response received to date (but no objection stated previously in response to planning permission ref. 13/AP/0058).

Human rights implications

102. 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. This application has the legitimate aim of seeking to develop a mixed use building providing self-contained residential accommodation and a commercial premises. 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/79-B Application file: 16/AP/3020 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 3602 Council website: www.southwark.gov.uk

APPENDICES

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	Ciaran Regan, Senior Planning Officer	
Version	Final	
Dated	11 January 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 January 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 03/08/2016**Press notice date:** 04/08/2016**Case officer site visit date:** 03/08/2016**Neighbour consultation letters sent:** 27/07/2016**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat 4 Export House SE1 3LS	Flat 9 166 Tower Bridge Road SE1 3LZ
Flat 3 Export House SE1 3LS	Flat 7 166 Tower Bridge Road SE1 3LZ
Flat 2 Export House SE1 3LS	166b Tower Bridge Road London SE1 3LZ
Flat 7 Export House SE1 3LS	166a Tower Bridge Road London SE1 3LZ
Flat 6 Export House SE1 3LS	Flat 8 166 Tower Bridge Road SE1 3LZ
Flat 5 Export House SE1 3LS	Flat 12 166 Tower Bridge Road SE1 3LZ
66 Tanner Street London SE1 3DR	Flat 11 166 Tower Bridge Road SE1 3LZ
64 Tanner Street London SE1 3DR	Flat 10 166 Tower Bridge Road SE1 3LZ
62 Tanner Street London SE1 3DR	Flat 5 166 Tower Bridge Road SE1 3LZ
Flat 1 Export House SE1 3LS	60 Tanner Street London SE1 3DR
168a Tower Bridge Road London SE1 3LS	12 Pope Street London SE1 3PR
68 Tanner Street London SE1 3DR	Flat 6 166 Tower Bridge Road SE1 3LZ
Flat 8 Export House SE1 3LS	Flat 1 166 Tower Bridge Road SE1 3LZ
168b Tower Bridge Road London SE1 3LS	Flat 14 166 Tower Bridge Road SE1 3LZ
Flat 16 Export House SE1 3LS	Ground Floor Tanner Place SE1 3PH
Flat 15 Export House SE1 3LS	Flat 16 166 Tower Bridge Road SE1 3LZ
Second Floor 1-4 Pope Street SE1 3PR	Flat 2 166 Tower Bridge Road SE1 3LZ
First Floor 1-4 Pope Street SE1 3PR	87 Lower Camden Chislehurst BR7 5JD
Ground Floor 1-4 Pope Street SE1 3PR	14 Lumia Lofts 160 Tower Bridge Road SE1 3FG
Flat 11 Export House SE1 3LS	18 Parkview Court Dash Wood Road
Flat 10 Export House SE1 3LS	Flat 14 166 Tower Bridge Road SE1 3LZ
Flat 9 Export House SE1 3LS	12 Pope Street London SE1 3PR
Flat 14 Export House SE1 3LS	Flat 14, 166 Tower Bridge Road London Se1 3lz
Flat 13 Export House SE1 3LS	2 Shad Thames London se12yu
Flat 12 Export House SE1 3LS	Flat 2 115 Tower Bridge Road SE1 3NE
Flat 4 166 Tower Bridge Road SE1 3LZ	Email
Flat 3 166 Tower Bridge Road SE1 3LZ	164 Tower Bridge Road London SE1 3FG
Flat 13 166 Tower Bridge Road SE1 3LZ	Unit 1, First Floor 166 Tower Bridge Road SE1 3LZ
Flat 15 166 Tower Bridge Road SE1 3LZ	By Email

Re-consultation: 25/10/2016

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

By Email

Email representation

Email representation

Email representation

Flat 3 Export House SE1 3LS

Flat 5 166 Tower Bridge Road SE1 3LZ

Flat 6 Export House SE1 3LS

Unit 1, First Floor 166 Tower Bridge Road SE1 3LZ

12 Pope Street London SE1 3PR

12 Pope Street London SE1 3PR

164 Tower Bridge Road London SE1 3FG

18 Parkview Court Dash Wood Road

60 Tanner Street London SE1 3DR

66 Tanner Street London SE1 3DR

66 Tanner Street London SE1 3DR

68 Tanner Street London SE1 3DR

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 Noel Serrano Pope Street SE1 Ltd	Reg. Number	16/AP/3020
Application Type	Full Planning Permission	Case Number	TP/79-B
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of a 3 metre high boundary fence and the erection of a four storey terrace comprising six 3 bed terraced dwellinghouses

At: CAR PARK, 5-11 POPE STREET, LONDON SE1

**In accordance with application received on 22/07/2016 08:00:41
and revisions/amendments received on 21/10/2016**

and Applicant's Drawing Nos. POP2-02, POP2-03 REV.D, POP2-04 REV.D, POP2-05 REV.D, POP2-07, POP2-08, a Planning Statement, a Flood Risk Assessment, a Design and Access Statement, a Daylight and Sunlight Assessment and a Report of a Programme of Archaeological Evaluation Works.

Subject to the following thirteen 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:

POP2-03 REV.D
POP2-04 REV.D
POP2-05 REV.D
POP2-08

Reason:

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

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

- 3 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each of the six dwellinghouses in the detailed construction plans meet the M4(2) (Adaptable dwellings) standard of Approved Document M of the Building Regulations (2015) and the development shall only be carried out in accordance with the details thereby approved by the appointed building control body.

Reason:

To ensure the development complies with strategic policy 5 (Providing new homes) of the Southwark Core Strategy (2011) and policy 3.8 (Housing choice) of the London Plan (2016).

- 4 The approved remediation scheme (LBS application ref. 16/AP/2279 dated 22/08/2016) must 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 must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, 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.

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 the National Planning Policy Framework (2012), policy 5.21 (Contaminated land) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

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

- 5 Samples of the external facing materials to be used in the carrying out of this permission shall be submitted to, and approved in writing 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 high quality of design and detailing that will preserve the character and appearance of Bermondsey Street Conservation Area, in accordance with section 7 of the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the historic environment) and 3.16 (Conservation Areas) of the Southwark Unitary Development Plan (2007).

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

- 6 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing ref. POP2-03 REV.D shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with the National Planning Policy Framework (2012), policy 5.17 (Waste capacity) of the London Plan (2015), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of amenity) and 3.7 (Waste reduction) of the Southwark Unitary Development Plan (2007).

- 7 Before the first occupation of any of the dwellinghouses hereby approved the cycle storage facilities as shown on the approved drawing ref. POP2-03 REV.D shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

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

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

- 8 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.

- 9 Notwithstanding the provisions of Classes A or B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no extension, enlargement or external alteration of the dwellinghouses hereby permitted shall be carried out without the prior permission in writing of the local planning authority.

Reason:

To safeguard the character of the area and the amenities of adjoining properties, in accordance with sections 7 and 12 of the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2015), strategic policies 13 (High environmental standards) and 12 (Design and conservation) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of Amenity) and 3.12 (Quality in Design) of the Southwark Unitary Development Plan (2007).

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

Reason:

To ensure the development complies with the National Planning Policy Framework (2012), policy 5.15 (Water use and supplies) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), saved policies 3.3 (Sustainability) and 3.4 (Energy Efficiency) of the Southwark Unitary Development Plan (2007).

- 11 Notwithstanding the details shown on the approved drawing ref. POP2-05 Rev.D, the second-floor bedroom windows in the rear (east) elevation of the development hereby permitted shall be both obscurely-glazed and fixed shut up to a height of no less than 1.5m above the internal finished floor level of the bedrooms they serve.

Reason:

To protect the privacy of neighbouring residential occupiers in accordance with the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2016), policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must 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), all with the aim of ensuring that no part of the site would qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation, shall be submitted to the Local Planning Authority for approval in writing.

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 the National Planning Policy Framework (2012), policy 5.21 (Contaminated land) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

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

- 13 Within three months of the date of this decision, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise

than in accordance with any such approval given.

Reason:

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with the National Planning Policy Framework (2012), policy 7.8 (Heritage Assets and Archaeology) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policy 3.19 (Archaeology) of the Southwark Unitary Development Plan (2007).

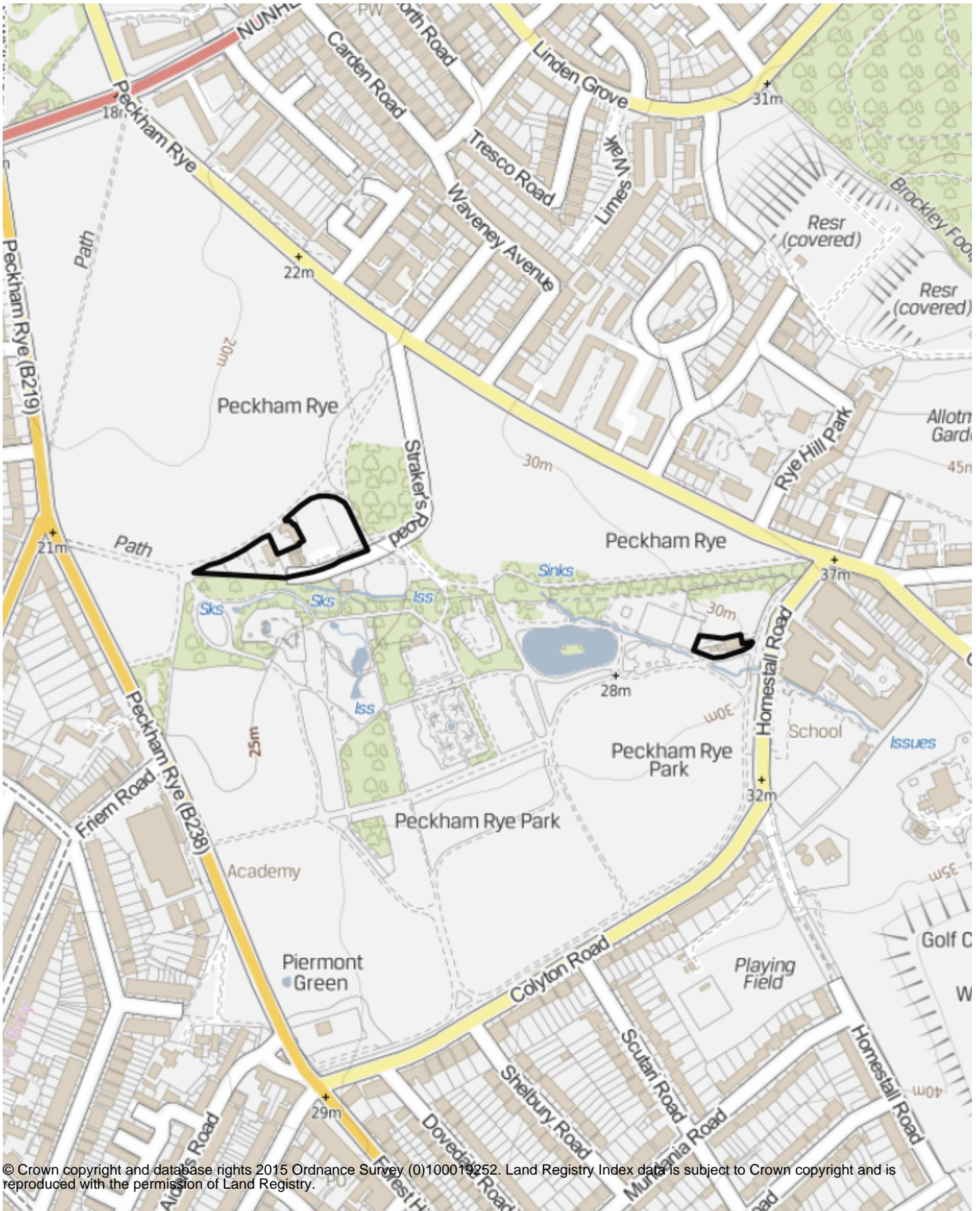
Statement of positive and proactive action in dealing with the application

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

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



AGENDA ITEM 7.4 - Peckham Rye Park, Peckham Rye SE15



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Item No. 7.4	Classification: OPEN	Date: 24 January 2017	Meeting Name: Planning Sub-Committee A
Report title:	<p>Development Management planning application: Council's own development Application 16/AP/4014 for: Council's Own Development - Reg. 3</p> <p>Address: PECKHAM RYE PARK, PECKHAM RYE, SE15</p> <p>Proposal: The proposal seeks to revitalise Peckham Rye through a phased set of interventions:</p> <p>Phase 1: Establishment of a new car park (Previous application 15/AP/4297).</p> <p>Phase 2: Creation of new playground and associated landscape works on the site of the existing car park.</p> <p>Phase 3: Construction of new changing rooms, store, plant, public toilets and play room facilities with associated landscape works.</p> <p>Phase 4: Demolition of existing portacabins, PoW hut and tarmaced playgrounds and landscape works to return area to the common.</p>		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 29/09/2016		Application Expiry Date 24/11/2016	
Earliest Decision Date 01/12/2016			

RECOMMENDATIONS

1. That planning permission is granted subject to conditions.

BACKGROUND INFORMATION

2. The application is referred to members by virtue of the site being located on Metropolitan Open Land.

Site location and description

3. The site is in three different locations, with the first being the existing car park site, the second being the area of existing portacabins and the PoW building to the west and the located on Peckham Rye Common with the third element being the existing changing rooms which are located within the adjacent Peckham Rye Park, a Grade II registered Park, which is to the south. It is surrounded by a good mix of mature trees within the surrounding area. To the south of Strakers Road it presently has no particular use other than as open space. The River Peck is to the south and the site has the following designations:

Air Quality Management Area
 Green Chain Park
 Metropolitan Open Land (MOL)
 Peckham and Nunhead Action Area
 Site of Importance for Nature Conservation

Details of proposal

3. The proposal seeks to revitalise Peckham Rye through a phased set on interventions. These are proposed as follows:

- Phase 1: Establishment of new car park (Previous consented application 15/AP/4297 which is currently under construction).
- Phase 2: Creation of new playground and associated landscape works on site of existing car park.
- Phase 3: Construction of new changing rooms, store, plant, public toilets and play room facilities with associated landscape works.
- Phase 4: Demolition of existing portacabins, PoW hut and tarmaced playgrounds and landscape works to return area to the common.

4. **Planning history**

99/AP/0954 Application type: Full Planning Permission (FUL) - Construction of a single storey building to be used as a cafe Decision date 16/03/2000 Decision: Grant (GRA)
10/AP/2633 Application type: Council's Own Development - Reg. 3 (REG3)- The enlargement of an existing play area with partial closure of Strakers Road, relocation of lamp posts, new railings and gate and new play equipment including water feature. Decision date 03/03/2011 Decision: Granted (GRA)
12/AP/1635 Application type: Council's Own Development - Reg. 3 (REG3) - Relocation of existing porta cabin buildings comprising 3 changing units and 1 storage unit to permanent location within the maintenance yard in Peckham Rye Park. Decision date 14/09/2012 Decision: Granted (GRA)
15/AP/4297 Application type: Council's Own Development - Reg. 3 (REG3) - Construction of a new car-park facility on the South side of Strakers Road. Decision date 12/02/2016 Decision: Granted (GRA)

Planning history of adjoining sites

5. None relevant.

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 and its impact on Metropolitan Open Land
- b) The impact of the development on the Grade II registered Peckham Rye Park
- c) Impact on amenity for the park and common users

d) Environmental impacts

Planning policy

7. National Planning Policy Framework (the Framework)

Section 8 - Promoting healthy communities

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

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

8. The London Plan 2016

Policy 3.19 - Sports facilities

Policy 5.3 - Sustainable design and construction

Policy 5.12 - Flood risk management

Policy 7.4 - Local character

Policy 7.5 - Public realm

Policy 7.6 - Architecture

Policy 7.8 - Heritage assets and archaeology

Policy 7.17 - Metropolitan open land

Policy 7.19 - Biodiversity and access to nature

Policy 7.21 - Trees and woodlands

Policy 7.30 - London's canals and other rivers and waterspaces

9. Core Strategy 2011

Strategic Policy 2 - Sustainable Transport

Strategic Policy 11 - Open Spaces and Wildlife

Strategic Policy 12 - Design and Conservation

Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

10. 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.

Saved Policy 3.1 - Environmental effects

Saved Policy 3.2 - Protection of Amenity

Saved Policy 3.9 - Water

Saved Policy 3.11 - Efficient Use of Land

Saved Policy 3.12 - Quality in Design

Saved Policy 3.15 - Conservation of the Historic Environment

Saved Policy 3.25 - Metropolitan Open land

Saved Policy 3.28 - Biodiversity

Saved Policy 5.2 - Transport Impacts

Saved Policy 5.6 - Car parking

11. Peckham and Nunhead Area Action Plan 2014

Policy 19 - Open space and sites of importance for nature conservation (SINC)

Policy 34 - Natural environment (Peckham Rye, Nunhead and Honor Oak)

Summary of consultation responses.

12. Two letters of support have been received with the application, one from a local resident and one from the Friends of Peckham Rye Park. However the letters of support do outline some areas of improvement and clarification, as follows:
 1. The total amount of play space proposed appears smaller than at present.
 2. There is a large grass area in the playground which could easily become very muddy as happens in most of the other local playgrounds. Reducing the amount of grass in the playground or replacing it with another surface would resolve this.
 3. There is not enough seating in the playground or on the side of the cafe adjacent to the playground for parents wanting to watch their children play.
 4. The proposed "ornamental planting and railing" to the periphery of the play area" does not specify its height.
 5. The play equipment should be suitably screened from the open Common.

Principle of development

13. Peckham Rye Common and Park are afforded a significant degree of protection, being Metropolitan Open Land (MOL). Paragraph 7.56 of the London Plan states that paragraphs 79-92 of the NPPF on Green Belts apply equally to MOL. Paragraph 89 of the NPPF, in reference to buildings, states that certain forms of development are not inappropriate on Green Belt as long as they preserve the openness of Green Belt. The list includes appropriate facilities for outdoor sport and recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.
14. Policy 7.17 'Metropolitan Open Land' of the London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
15. Strategic Policy 11 Open spaces and wildlife of the Core Strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.
16. Saved policy 3.25 of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes such as essential facilities for outdoor sport and recreation and importantly, for other uses that preserve the openness of MOL.
17. The removal of the existing car park and relocation is considered acceptable (and previously granted consent) in principle as it would be for people using the park and common for sport and outdoor recreation, so would be appropriate development on MOL.
18. The introduction of new play equipment within the place of the existing car park is also

considered acceptable as this would be ancillary to the main park use and provide new outdoor recreation apparatus. The removal of cars from this area of the common and the replacement with play equipment would not impact significantly upon the openness of the park as most of the play equipment would still allow for open views throughout the park. Further to this, the removal of the existing portacabins to the west of the site and reinstating the grassed area would help improve the openness within this area of the site and as such overall, the openness of the Common and Park would be maintained.

19. In terms of the proposed changing rooms, store, plant, public toilets and play room facilities, these would all be located within a single storey building. This would replace existing portacabin structures within this part of the park, but would also allow for the removal of the portacabins to the western part of the site, which would cumulatively result in the creation of a more green open space within the site.
20. As referred to above, the proposals would preserve the openness of the Common and Park and provide new outdoor recreation equipment and sports facilities. The proposal is therefore considered to be appropriate development on MOL and the principle of the development acceptable in accordance with the policies in the NPPF; London Plan 2016; Core Strategy 2011; Peckham and Nunhead Area Action Plan 2014 and the saved Southwark Plan 2007.

Environmental impact assessment

21. The development proposed is not one that detailed in either Schedule 1 or 2 of the Environmental Impact Regulations 2015 (as amended) and it does not otherwise qualify as an EIA application; an EIA is not required.

Impact on amenity for the park and common users

22. Presently, the location identified for 'Phase 2' is currently underused for recreational park activities as it contains the large existing car park. The area subject to 'Phase 4' contains the one o'clock club and some play equipment, as well as a number of portacabins which are at present used for storage only.
23. These spaces are not used to their full potential and the proposal would rationalise all of the play space into one large facility and the various buildings (PoW building, portacabins and changing rooms) would all be rationalised into one larger facility. This will provide a far enhanced provision, both in terms of indoor facilities and outdoor recreational and play facilities for the users of the park.
24. One of the representations received suggests that there may be a reduction in overall play space, however any reduction would be nominal and the proposed facilities would provide much more useable play space with an enhanced higher quality play apparatus for the users of the park and as such would help improve the usability of the open space as a whole. The new changing and play facilities would be provided in a new purpose built facility which would be far more suitable, thus improving the amenities of the users of the Park and Common.
25. Some disruption would occur during construction but this would be temporary, given the overall phasing of the development, this is likely to be limited and would allow for continuous use throughout the Common and Park.
26. The proposal would enhance the amenities of the users of the park through removing visual clutter and provide new improved facilities, thus benefiting the surrounding residents and users of the park. This is consistent with saved Southwark Plan policy 3.2 'Protection of Amenity'.

Transport issues

27. A total of 41 new parking spaces on the common would be provided and this element has previously been consented under planning permission ref:15/AP/4297. The consent for the new car park has enabled the redevelopment of the existing car park, which has 53 parking spaces, representing an overall reduction of 12 parking spaces. This would encourage people to access the site by more sustainable modes and is consistent with the council's sustainable transport policies. To ensure that a situation does not arise whereby both car parks are used simultaneously, potentially increasing the amount of car parking on the common, as was previously recommended, a condition should be imposed prohibiting the use of the proposed car park until the existing car park closes.
28. No cycle storage has been shown on the plans, however it is recognised that there are a number of cycle stands already located throughout the park. Notwithstanding this, in order to ensure that there is sufficient cycle storage provision within the areas subject to this application (where there would be a high demand) a condition requiring further details is proposed.

Design issues

29. In terms of the play equipment presented under 'Phase 2' of the proposal, the structures are modest in scale and would blend aesthetically within the context of the surrounding Park and Common. It is considered that the new play area and the introduction of the new play equipment will not unacceptably impact upon the openness of the MOL as it would replace an existing play area and would provide improved landscaping to this area of the Common.
30. One of the representations received raises concerns about the use of a significant area of grass within the play area as this would become muddy after use. Whilst it is recognised that plans show a grassed area within the park, there are also a number of other more solid materials that would enable the use of the park when the grass is muddy, as such no concerns are raised in relation to the proposed landscaping materials. However, as the level of detail that would normally be expected to show the landscaping has not been provided, further details of the landscaping would be required and as such a condition is proposed in this regard.
31. Another comment received questions the height of the fencing surrounding the play area. Having measured from the plans, this would be approximately 1.3m in height and officers are satisfied that this would be sufficient to ensure that the safety of the users of the play area would not be impacted upon. However details in terms of design of the fencing has not been provided and as such would form part of the requirements of the landscaping condition.
32. The proposed changing room and play room building is conceived as a new pavilion set within the park landscape. It would occupy an area that is currently occupied by the existing changing facilities, which are located within portacabin buildings. As these buildings are not suitable for the long term use, it is proposed to remove these and provide a new purpose built contemporary building.
33. The new building would be located adjacent to the existing adventure playground building to the east of the site and would be also be situated adjacent to the skate park to the west. The proposed building would have a contemporary appearance, and its L-shaped footprint would be built around the large Horse Chestnut tree and sit adjacent to the existing adventure playroom building. Its modest scale and location would preserve the openness of the MOL and the proposed timber materials are considered

appropriate as they would blend with the adjacent trees and landscaping. It is recommended that materials samples should be conditioned for approval prior to construction of the new facility.

34. Overall, the building is considered to be of a high standard of design that would be an exciting addition to the listed park and would complement and preserve its historic character. The proposal would therefore accord with saved policies 3.12 'Quality of Design' and 3.15 'Conservation of the Historic Environment' of the Southwark Plan (2007).

The impact of the development on the Grade II registered Peckham Rye Park

35. The significance of Peckham Rye Park as a heritage asset lies in its historic context and layout, which was created under the guidance of J. J. Sexby, the first chief officer of the London County Council. Notable are its grid-like pattern of compartments and paths that followed the then field boundaries and woodland belts, as are the gardens within it. A considerable amount of the park was reserved for sports, as it is today and these key features would not be impacted upon as a result of the proposed development.
36. One of the respondents to the consultation has suggested that screening should be increased to the play area. A balance needs to be struck between screening the site from the rest of the open space and a desire for natural surveillance for the play area, which the proposal would achieve, and as such officers are satisfied that the level of screening proposed is appropriate.
37. There is an PoW hut within the site which is proposed to be removed. The hut forms part of the history of the site, however is of little architectural interest and its loss is not resisted. The London Parks & Gardens Trust suggest that records of the hut are taken prior to the demolition of the site and stored within the council's archives. An informative is proposed to advise that photographic records are taken of the PoW hut and subsequently retained.
38. Overall, as noted above, the proposal would preserve the openness of the Park, would reduce visual clutter within the Park and Common and would not have a detrimental impact on any of the key historic features of the Park.

Impact on trees

39. A total of three trees would be required to be removed in order to facilitate the development of 'Phase 3' of the proposal - two category 'C' trees and one category 'U'. The submitted tree assessment identifies that the trees are in poor structural condition, smothered in ivy and that they are also required in order to facilitate the development of the new changing room building.
40. Officers are satisfied that the loss of these trees would not be detrimental to the overall canopy cover of the park, however the loss should be mitigated against through a scheme of re-planting. A condition is proposed to provide further details of tree planting and landscaping.

Sustainable development implications

41. None identified.

Other matters

Land contamination

42. The Environmental Protection team are satisfied that it would be unlikely that there would be any significant contaminants located within the site, however a condition is proposed to require further details of action to be taken in the event that contamination not previously identified is found to be present at the site.

Drainage

43. No details have been provided in relation to drainage impacts of the proposal, however, as there would be an overall reduction of buildings (when considering the portacabins), and increased permeable materials as part of the landscaping, it is not considered that the proposal would result in detrimental impacts in terms of drainage.

Conclusion on planning issues

44. The development is appropriate development to facilitate indoor and outdoor sport and recreation and it would also maintain the openness of the MOL. The impact on Peckham Common and Peckham Rye Park would be limited; the individual sites would be well screened by the mature trees surrounding them, while the potential for surface water impacts and contamination impacts can be mitigated through condition. It is therefore recommended that planning permission be granted.

Community impact statement

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

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

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

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

Consultations

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

Consultation replies

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

Summary of consultation responses

48. Sport England - Did not raise an objection to this application. However they noted that they would recommend that the detailed design of the proposed sports facility accords with Sport England's relevant design guidance in order to ensure that the facility is fit for purpose and of an appropriate quality. This is suggested as an informative.

49. Environmental Protection - Recommended approval with conditions.
50. Thames Water - No objections.
51. London Parks & Gardens Trust - No objections, however suggested that records are kept of the PoW hut prior to demolition and kept within the Local Authorities archives.

Human rights implications

52. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
53. This application has the legitimate aim of providing new recreational and sports facilities within the park. 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/2614-A Application file: 16/AP/4014 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Alex Cameron, Team Leader	
Version	Final	
Dated	6 January 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		11 January 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 06/10/2016**Press notice date:** n/a**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 06/10/2016**Internal services consulted:**

Ecology Officer
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land
 Contamination / Ventilation]
 Flood and Drainage Team
 Public Realm Comments on Developments Where Trees are Affected

Statutory and non-statutory organisations consulted:

Garden History Society
 Sport England

Neighbour and local groups consulted:

Strakers Road Peckham Rye Common SE15 3UA 140 Peckham Rye SE22 9QH	32 Tresco Road London SE15 3PX The Friends Of Peckham Rye Park Park Office, Strakers Rd, P Rye Park SE15 3UA Duck Island Cottage St James'S Park SW1A 2BJ
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Re-consultation: n/a

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

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations

Sport England

Neighbours and local groups

Duck Island Cottage St James'S Park SW1A 2BJ
The Friends Of Peckham Rye Park Park Office, Strakers Rd, P Rye Park SE15 3UA
32 Tresco Road London SE15 3PX

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 L Wannop Southwark Council	Reg. Number	16/AP/4014
Application Type	Council's Own Development - Reg. 3	Case Number	TP/2614-A
Recommendation	Grant permission		

Draft of Decision Notice

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

The proposal seeks to revitalise Peckham Rye through a phased set of interventions:

Phase 1: Establishment of a new car park (Previous application 15/AP/4297).

Phase 2: Creation of new playground and associated landscape works on the site of the existing car park.

Phase 3: Construction of new changing rooms, store, plant, public toilets and play room facilities with associated landscape works.

Phase 4: Demolition of existing portacabins, PoW hut and tarmaced playgrounds and landscape works to return area to the common.

At: PECKHAM RYE PARK, PECKHAM RYE SE15

In accordance with application received on 28/09/2016 16:01:06

and Applicant's Drawing Nos. Design and access statement - PHASE 3 (DESIGN PROPOSALS)

Design and access statement - PHASES 2 AND 4

ARBORICULTURAL REPORT - PHASE 3

ARBORICULTURAL REPORT - PHASES 2 AND 4

973 20105 - EXISTING ELEVATIONS

TM244 L01 - ILLUSTRATIVE GA PHASE 2&4

TM244 L02 - ILLUSTRATIVE GA PHASE 3

TM244 L03 - MATERIAL GA PHASE 2&4

TM244 L04 - MATERIALS GA PHASE 3

TM244 L05 - LEVELS GA PHASE 2&4

TM244 L06 - LEVELS GA PHASE 3

TM244 L07 - TREE PROTECTION AND REMOVAL GA PHASE 2&4

TM244 L08 - TREE PROTECTION AND REMOVAL GA PHASE 3

TM244 LS01 - ILLUSTRATIVE LANDSCAPE SECTION PHASE 2

TM244 LS02 - ILLUSTRATIVE LANDSCAPE SECTION PHASE 3

973 1006 REV F - PROPOSED GA PLAN

973 1007 REV B - PROPOSED ROOF PLAN

973 2000 REV D - NORTH AND SOUTH ELEVATIONS

973 2003 REV C - SOUTH WEST AND EAST ELEVATIONS

973 3000 REV C - SECTION 1-1 & 2-2

973 3001 REV C - SECTION 3-3 & 44-

1010 - FIRE STRATEGY PLAN

Subject to the following seven 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:

TM244 L01 - ILLUSTRATIVE GA PHASE 2&4
 TM244 L02 - ILLUSTRATIVE GA PHASE 3
 TM244 L03 - MATERIAL GA PHASE 2&4
 TM244 L04 - MATERIALS GA PHASE 3
 TM244 L05 - LEVELS GA PHASE 2&4
 TM244 L06 - LEVELS GA PHASE 3
 TM244 L07 - TREE PROTECTION AND REMOVAL GA PHASE 2&4
 TM244 L08 - TREE PROTECTION AND REMOVAL GA PHASE 3
 TM244 LS01 - ILLUSTRATIVE LANDSCAPE SECTION PHASE 2
 TM244 LS02 - ILLUSTRATIVE LANDSCAPE SECTION PHASE 3
 973 1006 REV F - PROPOSED GA PLAN
 973 1007 REV B - PROPOSED ROOF PLAN
 973 2000 REV D - NORTH AND SOUTH ELEVATIONS
 973 2003 REV C - SOUTH WEST AND EAST ELEVATIONS
 973 3000 REV C - SECTION 1-1 & 2-2
 973 3001 REV C - SECTION 3-3 & 44-
 1010 - FIRE STRATEGY PLAN

Reason:

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

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 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.
- a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.
- b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.
- c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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

Reason

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

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

- 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.

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

Reason:

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

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.

- 6 The use of the proposed car park shall not commence until the cessation of the use of the existing car park to the north of Strakers Road.

Reason:

To ensure that there no a net increase in car parking for Peckham Common and Peckham Rye Park in accordance with the National Planning Policy Framework 2012; Strategic Policy 2 sustainable transport of the Core Strategy 2011 and saved policy 5.2 transport impacts of the Southwark Plan 2007.

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

- 7 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority (in consultation with the Environment Agency) for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

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.

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.

Informatives

Prior to demolition, a full photographic survey of the PoW hut should be undertaken and the survey submitted to the Council's Archives.

Sport England would recommend that the detailed design of the proposed sports facility accords with Sport England's relevant design guidance in order to ensure that the facility is fit for purpose and of an appropriate quality. The guidance is available to view on Sport England's website at <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/> (Clubhouse, under the 2 Design tab).

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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2016-17

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