

## Planning Sub-Committee A

Tuesday 9 May 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

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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

#### Babysitting/Carers allowances

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

#### Access

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**Contact:** Gerald Gohler on 020 7525 7420 or email: [gerald.gohler@southwark.gov.uk](mailto:gerald.gohler@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 28 April 2017



# Planning Sub-Committee A

Tuesday 9 May 2017  
7.00 pm

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

## Order of Business

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1.	<b>INTRODUCTION AND WELCOME</b>	
2.	<b>APOLOGIES</b>	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	<b>MINUTES</b>	1 - 4
	To approve as a correct record the minutes of the meeting held on 21 March 2017.	
7.	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	5 - 9
	<b>7.1. 81 SYDENHAM HILL, LONDON SE26 6TQ</b>	10 - 22
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<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
	<b>7.3. RAILWAY ARCHES 81-83, SCORESBY STREET, LONDON SE1 0XN</b>	37 - 46

Date: 28 April 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**.

- (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 Tuesday 21 March 2017 at 7.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Leo Pollak (Chair)  
Councillor Ben Johnson (Vice-Chair)  
Councillor Radha Burgess  
Councillor Helen Dennis  
Councillor Nick Dolezal  
Councillor Tom Flynn (Reserve)  
Councillor David Hubber (Reserve)

**OTHER MEMBERS PRESENT:** Councillor Damien O'Brien

**OFFICER SUPPORT:** Dennis Sangweme (Development Management)  
Ciaran Regan (Development Management)  
Sonia Watson (Development Management)  
Alexander Gillott (Legal Officer)  
Beverley Olamijulo (Constitutional Officer)

### 1. INTRODUCTION AND WELCOME

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

### 2. APOLOGIES

There were apologies for absence from Councillors James Coldwell and David Noakes.

### 3. CONFIRMATION OF VOTING MEMBERS

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

### 4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

## 5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

- Addendum report relating to item 7 – development management items
- Members' pack

## 6. MINUTES

### RESOLVED:

That the minutes of the meeting held on the 24 January 2017 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.

### 7.1 18 AMELIA STREET, LONDON SE17 3PY

#### Planning application reference number: 16/AP/3623

Report: see pages 12 to 46 of the agenda pack and pages 1 and 2 of the addendum report.

#### PROPOSAL:

*Demolition of existing 3-storey hotel and erection of a new part 6, part 4 storey hotel (53 bedrooms) with a basement floor and an ancillary retail unit at ground-floor (Use Class C1).*

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

There were no objectors who wished to speak.

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 of the development site who wished to speak.

There were no ward members present who wished to speak.

Members debated the application and asked further questions of officers.

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

**RESOLVED:**

That planning permission for application number 16/AP/3623 be granted, subject to the conditions outlined in the report and addendum report.

**7.2 176-178 BERMONDSEY STREET, LONDON SE1 3TQ**

**Planning application reference number: 16/AP/4727**

Report: see pages 47 to 72 of the agenda pack and pages 2 and 3 of the addendum report.

**PROPOSAL:**

*Demolition of existing building and replacement with a new part four store, part three storey and part two storey plus basement level for use as 7 rooms of visitor accommodation, ground floor restaurant and basement bar together with plant, green roof and other associated works.*

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

There were no objectors who wished to speak.

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 of the development site who wished to speak.

There were no ward members present who wished to speak.

Members debated the application and asked further questions of officers.

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

**RESOLVED:**

1. That planning permission for application number 16/AP/4727 be granted, subject to the conditions outlined in the report and addendum report.
2. That conditions 3 and 6 of the report should be fully considered in regard to the transport plans and the archaeological detail outlined in the report.

### 7.3 DULWICH AND SYDENHAM HILL GOLF CLUB, GRANGE LANE, LONDON SE21 7LH

**Planning application reference number: 16/AP/0072**

Report: see pages 73 to 84 of the agenda pack.

**PROPOSAL:**

*Erection of a single storey timber frame building to house ancillary training facility for the golf course.*

The sub-committee heard an introduction to the report from a planning officer. There were no questions from members to the planning officer.

There were no objectors present who wished to speak.

The applicant and applicant's agent were not present to address the sub-committee.

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

There were no ward members present who wished to speak.

Members debated the application.

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

**RESOLVED:**

That planning permission for application number 16/AP/0072 be granted, subject to the conditions outlined in the report.

The meeting ended at 9.40 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 9 May 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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

<b>Lead Officer</b>	Chidi Agada, Constitutional Manager (acting)	
<b>Report Author</b>	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
<b>Version</b>	Final	
<b>Dated</b>	28 April 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		28 April 2017

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A**  
**on Tuesday 9 May 2017**

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**Appl. Type** Full Planning Application  
**Site** 81 SYDENHAM HILL, LONDON SE26 6TQ

**Reg. No.** 16-AP-4915  
**TP No.** TP/2345-43  
**Ward** College  
**Officer** Gillian King

**Recommendation** GRANT PERMISSION FOR LIMITED PERIOD

## ***Item 7.1***

**Proposal**

Removal of existing garden walls and installation of a temporary timber gate for a maximum period of two years to allow for tree removal and replanting works. At the end of the two year period (which commenced from the date of planning permission 16/AP/0562, and is therefore no later than 21st March 2018), the temporary gate is to be removed and the garden walls reinstated to match.

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**Appl. Type** Full Planning Application  
**Site** 68A CRAWTHEW GROVE, LONDON SE22 9AB

**Reg. No.** 16-AP-4576  
**TP No.** TP/2621-68A  
**Ward** East Dulwich  
**Officer** Abrar Sharif

**Recommendation** GRANT PERMISSION

## ***Item 7.2***

**Proposal**

Erection of a second floor roof extension

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**Appl. Type** S.73 Vary/remove conds/minor alterations  
**Site** RAILWAY ARCHES 81-83, SCORESBY STREET, LONDON SE1 0XN

**Reg. No.** 17-AP-0769  
**TP No.** TP/RLY/11/BK1  
**Ward** Cathedrals  
**Officer** Rosie Nolan

**Recommendation** GRANT PERMISSION

## ***Item 7.3***

**Proposal**

Variation of Condition 4 of planning permission ref: 15/AP/3081 dated 14/10/2015 for 'Change of use from Class B1 (Business) to Class A3 (Restaurants & Cafes)'. Variation would allow extended opening hours during the morning being 07:00-23:00 on Monday to Saturday, and 09:00-22:30 on Sundays and public holidays.

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<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 9 May 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 16/AP/4915 for: Full Planning Application  <b>Address:</b> 81 SYDENHAM HILL, LONDON SE26 6TQ  <b>Proposal:</b> Removal of existing garden walls and installation of a temporary timber gate for a maximum period of two years to allow for tree removal and replanting works. At the end of the two year period (which commenced from the date of planning permission 16/AP/0562, and is therefore no later than 21 March 2018), the temporary gate is to be removed and the garden walls reinstated to match.		
<b>Ward(s) or groups affected:</b>	College		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 07/12/2016		<b>Application Expiry Date</b> 01/02/2017	
<b>Earliest Decision Date</b> 28/01/2017		<b>Time Extension date:</b> 20/03/2017	

## RECOMMENDATION

1. That planning permission is granted until 21 March 2018.

## BACKGROUND INFORMATION

### Site location and description

2. The application relates to a section of the set-back front garden wall of a detached residential dwelling-house, dating from the 1940s.
3. The application site is located within the Dulwich Wood Conservation Area. The nearby site of 'Beltwood House', 41 Sydenham Hill ((1855-63, remodelled c1895) is a grade II listed building; the listing and curtilage was designated in 1993, post-dating the construction of 81 Sydenham Hill (the application site). The application site is not listed and does not lie within the curtilage of the listed building, although it was once within the historic estate of Beltwood House.
4. Neighbouring properties are: 41, 77, 79, and 83 Sydenham Hill; 30, 40, 42, 44 and 46 Crescent Wood Road.

### Details of proposal

5. This application is for retrospective approval for the demolition of an approximately 4m-long section of garden walling (at the front of the property, but set-back from the street frontage) and the temporary retention of its replacement plywood double-gate. Approval is sought to allow for the completion of tree replanting works in the rear garden of the property previously consented under planning permission 16/AP/0562.

These tree replanting works have to be completed by December 2017, and the garden walls reinstated to match their previous appearance by 21 March 2018, which is the end of the two year period set under 16/AP/0562.

6. This application responds to three actions that have taken place on site, action 1 does not require planning permission, as demonstrated below, but actions 2 and 3 do:-

a) The demolition of an approximately 4m long section of low, brick, front-garden wall opening onto Sydenham Hill. The conservation area guidance notes state that planning permission must be obtained for '*demolition of a wall greater than 1 metre in height fronting a highway or open space, or 2 metres in height elsewhere*'. The 4m section of demolished front garden wall was less than 1m in height; the adjoining wall piers are over 1m in height but have been retained. Therefore, the demolition of the front garden wall is not a material planning consideration and planning permission is not required for this action.

b) Retrospective approval for the demolition of a second, approximately 4m long section of higher, brick, garden wall set-back from the street frontage. This section was above 1m in height and its demolition does require planning consent within a conservation area.

c) The application is also for retrospective approval for and temporary retention of plywood double-gates, replacing the higher section of walling. The gates are above 1m high and require planning permission.

7. These combined works would facilitate vehicular access from Sydenham Hill into the rear garden of the property. The works have already taken place and were to allow vehicular access to the rear of the property for tree works, which were previously consented under consent reference 16/AP/0562. The two diseased trees required felling for safety reasons, and have been removed under the 2016 permission, but access is still required to install the new replacement trees under the existing consent, and fulfil the outstanding requirements and conditions of that consent. The replanting element of the works has to be completed by December 2017. After the replanting works required under 16/AP/0562 are completed, the temporary gates are to be removed and the garden walls reinstated on a like-for-like basis. The 2016 consent allows until 21 March 2018 for completion of the works, which is adequate time to replace the set-back section of wall.

## 8. Planning history

<p>15/AP/3980 Application type: Tree Works in Conservation Area (TCA)  G1. G2. G3 and additional Leylandii tree - carefully dismantle to as close to ground level as possible;  T1- 1 x Apple containing major decay to carefully dismantle to as close to ground level as possible;  T2- 1 x Bay to carefully dismantle to as close to ground level as possible;  G4- 2 x Spotted Laurel &amp; 1 x Rhododendron to carefully dismantle to as close to ground level as possible  Decision date 09/11/2015 Decision: Works acceptable - no intervention (TCAA)</p>
<p>16/AP/0562 Application type: Tree Preservation Order - works related (TPO)  T1: Beech (<i>Fagus sylvatica</i>) - Located on raised border approximately 3.5m from neighbouring property. Dangerous condition and high risk to neighbours - Fell to ground level  T2: Beech (<i>Fagus sylvatica</i>) - Located on raised border approximately 9m from neighbouring property. Dangerous condition and high risk to neighbours - Fell to ground level.</p>

Replacement by 1 x Beech and 1 x Tulip trees, both semi mature size and in an appropriate location to be planted in the first suitable planting season.  
A further 2 young Tulip trees to be planted in the same garden, to the satisfaction of Southwark Council.

Evergreen pleached trees of appropriate size and species alongside the fence with 79 Sydenham Hill to restore the natural screening offered by the Beech trees.  
Decision date 21/03/2016 Decision: TPO consent granted (TPOG)

### **Planning history of adjoining sites**

9. 04/AP/0759 83 SYDENHAM HILL, LONDON, SE26 6TQ  
Application type: New Vehicular crossover extending the existing driveway at the front.  
Decision: Granted 29/06/2004

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

10. The main issues to be considered in respect of this application are:
- a) Impact on amenity of adjoining properties and surrounding area;
  - b) Quality in Design;
  - c) Impact upon the character and appearance of the conservation area and the setting of listed buildings;
  - d) Impact on trees;
  - e) Transport impacts.

#### **Planning policy**

11. National Planning Policy Framework (the Framework)  
Section 7 - Requiring good design  
Section 12 - Conserving and enhancing the historic environment
12. The London Plan 2016  
Policy 7.4 - Local Character  
Policy 7.6 - Architecture  
Policy 7.8 - Heritage assets and archaeology
13. Core Strategy 2011  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards
14. Southwark Plan 2007 (July) - saved policies  
Policy 3.2 - Protection of amenity  
Policy 3.12 - Quality in design  
Policy 3.13 - Urban design  
Policy 3.15 - Conservation of the historic environment  
Policy 3.16 - Conservation areas

Policy 3.17 - Listed buildings

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

Policy 5.2 - Transport impacts

15. 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.
16. Supplementary Planning Documents  
2015 Technical Update to the Residential Design Standards SPD (2011)

### **Consultations**

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

### **Consultation replies**

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

### **Consultation Responses**

19. The application has received consultation responses, during two periods of consultation. The first consultation was on the original application (29/11/2016), and then the council requested a rewording of the description of development, instigating a time extension for a second period of consultation (30/01/2017). In the second consultation some of the original consultees reiterated their concerns about the application, and one new objection was received from another individual.
20. The issues raised in the consultation responses are summarised below:
- The requirement for a vehicular access for the works to trees;
  - Suggestion that the demolition of the garden wall was not necessary for the works to trees to take place;
  - Suitability of the plywood gates;
  - The suggestion that the council is considering an extension of time for the works to trees.
  - The moving of the lamp-column outside the site;
  - The current appearance of 81 Sydenham Hill within the conservation area;
  - Alleged removal of a protected magnolia tree in the front garden;
  - The possibility that the site would be redeveloped;
  - Lack of enforcement by the council;
  - Insufficient site notices were displayed by the council;
  - A dropped kerb is required.

### **Principle of development**

21. The use of the land has not changed and the principle of work to a garden wall is acceptable.

### **Consultation**

22. Objectors have suggested that there were not enough site notices erected. A site notice was placed outside the application property in a visible location in accordance with the statutory requirement and that of the statement of community involvement.

### **Impact on amenity of adjoining occupiers and surrounding area**

23. Saved Policy 3.2 ('Protection of Amenity') of the Southwark Plan 2007 seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 ('High Environmental Standards') of the Core Strategy 2011 requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The 2015 Technical Update to the Residential Design Standards SPD (2011) also sets out the guidance which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.
24. The works have not unacceptably harmed neighbour amenity with regard to privacy through overlooking, neighbour access to sunlight/daylight as a result of massing (i.e. height and depth) relative to the boundary, ground levels and orientation, or the neighbour's sense of openness as a result to massing relative to proportions of neighbouring amenity spaces.
25. The plywood gates are set back from the street frontage and are entirely contained within the front garden of 81 Sydenham Hill. Also, the proposal is temporary in nature and the garden wall would be reinstated by 21 March 2018 to match its pre-demolition appearance. This would mitigate the temporary impact on visual amenity while allowing a reasonable time for the works approved by 16/AP/0562 (to fell the two unsafe trees and for replacement planting) to be completed.

### **Quality in design**

26. Good design is indivisible from good planning. It should reinforce a sense of place and conform to the council's current guidance on design. Where a development may affect a heritage asset or its setting it should conserve or enhance its importance and its setting avoiding harm to its features and spaces.
27. The suburban character of the area would be preserved. The reason for this is because the plywood gate is temporary and the garden wall will be reinstated.
28. The alteration of a garden wall into a plywood double gate is in compliance with the Householder Design Guidance or Residential Design Standards and it does not cause harm to the host building.

### **Impact upon the character and appearance of the conservation area and the setting of listed buildings**

29. The Dulwich Wood Conservation Area is located to the southeast of Dulwich Village, and its woods and commons make up the largest expanse of predominantly open space in the borough. The line of Sydenham Hill forms the southern limit of the conservation area. Buildings in the conservation area tend to be around the perimeters of the open space, including some good quality Victorian houses in substantial grounds, although much has been demolished to make way for a number of 20<sup>th</sup> century residential estates. This part of the conservation area is characterised by the suburban development of late Victorian and 20<sup>th</sup> century houses, primarily large detached dwellings.

30. Objectors have referred to the fact that the present appearance of 81 Sydenham Hill is affecting the conservation area. The removal of the section of brick garden wall has caused some harm to the conservation area, but this harm would be temporary should planning permission be given, as the wall would be reinstated. This, coupled with the replacement planting would address the harm.

### **Impact on trees**

31. The trees are protected by TPO ref 492 made 17/12/2015. Planning and TPO consent was given for the tree works under 16/AP/0562 with a replacement planting condition, the permission stated that these replanting works were to be completed by December 2017. Objectors have suggested that this application may provide an extension of the deadline for the tree consent order, this is not the case. The planting works would need to be completed by December 2017 and should planning permission be granted, the wall would need to be reinstated by 21 March 2018.
32. The 2016 works - under 16/AP/0562 - were in response to a report by an accredited arboricultural consultant, dated November 2015, showing that both trees had suffered substantial decay such that their safety could not reasonably be assured in the short to medium term, and that the risk of collapse was foreseeable. This was especially the case owing to the nature of the two types of fungus identified, which were known to cause extensive root decay resulting in potentially sudden structural failure. A safety risk of potential collapse of one or both the trees onto adjacent properties, pedestrians, road users, was identified as a safety risk to residents requiring action.
33. The council recognised in 2016 that the proposed felling would affect the amenity of the area and adjoining neighbours. The removal of mature boundary trees is an incremental loss to the character and appeal of the conservation area and the value of the garden setting within which the property is built. The loss of the trees would be adequately mitigated by the replacement planting approved under 16/AP/0562.
34. Refusal of the application could potentially have a negative impact on trees, as it may not be possible to install the replacement trees which are still required under planning application 16/AP/0562. These works are still outstanding; the council's Urban Forester has concluded that it is not unreasonable for the applicant to require vehicle access to the rear garden to facilitate the requirements of the 2016 planning consent. The new trees will be large trees, needing to meet specifications concerning girth and root protection systems, *etc.* vehicle delivery is not an unreasonable strategy for implementing the works.
35. The council's urban forester confirms that there has not, to date, been a negative impact on trees in relation to these works. The two diseased trees have been felled and the Urban Forester confirms that the magnolia trees in the front garden have not been adversely affected by the works.

### **Transport issues**

36. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway impacts and to consider servicing requirements. Consultation has taken place with the council's Transport department, who advise that consideration of this application does not involve transport issues.
37. The removal and re-siting of the lamp-column outside 81 Sydenham Hill, while a reason for objection from residents, is not something that required planning permission and does not form part of this application.

38. A dropped kerb is required for lawful vehicle access to the site. Consultation with the Highways department, with regard to this application, concludes that granting temporary approval to allow a hi-ab or similar large-tyred vehicle to drive across the footway is a reasonable response in these circumstances. This is a one-off operation solely to allow vehicle access and egress to deliver the new trees for replanting, this single action can take place in lieu of a dropped kerb. Any damage occasioned during the course of the tree-delivery large-tyred vehicle driving onto the footway will need to be repaired, and this will have to be undertaken swiftly and at the applicant's cost.

#### **Sustainable development implications**

39. The proposal demonstrates that it conforms to the principles of sustainable development. It complies with current policy; respects the amenity of neighbouring properties; and the proposal will ensure good design to a set-time scale and is recommended for approval.

#### **Other matters**

40. A planning enforcement investigation has commenced, and this application was invited as a result of that investigation. The investigation is awaiting the outcome of this application before any further steps are considered.

#### **Conclusion on planning issues**

41. The council identified in 2016 that the loss of the two trees was a safety requirement, but affected the amenity of the area and adjoining properties and has had a detrimental effect on the character and appeal of the conservation area which is defined by the presence of large trees and wooded areas.
42. This can be mitigated with replacement planting as proposed and detailed in the planning and TPO consent given under 16/AP/0562, these works must be completed by 21 March 2018. The loss of the garden wall can be mitigated by replacement of the wall once the tree works are completed on-site.
43. There is sufficient information to establish that the development is not likely to cause such harm as to justify refusal of planning permission, and in order to ensure that these works are carried out, a condition is required relating to the reinstatement of the garden wall on a like-for like basis.
44. The outstanding requirements of 16/AP/0562 still need to be complied with.

#### **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.

#### **Human rights implications**

46. 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.

47. This application has the legitimate aim of replacing trees lost to disease. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

#### SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

48. Consultations have taken place with Southwark's Enforcement, Highways and Traffic teams.

#### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2345-43	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquires telephone: 020 7525 5403
Application file: 16/AP/4915		Planning enquires email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 020 7525 5410
		Council website: www.southwark.gov.uk

#### APPENDICES

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

#### AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Gillian King, Senior Planner Archaeology	
<b>Version</b>	Final	
<b>Dated</b>	30 March 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	26 April 2017	

**APPENDIX 1****Consultation undertaken**

**Site notice date:** 05/01/2017

**Press notice date:** 15/12/2016

**Case officer site visit date:** 21/04/2017

**Neighbour consultation letters sent:** n/a

**Internal services consulted:**

n/a

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

77 Sydenham Hill London SE266TQ  
40 Crescent Wood Road London SE266RU  
22 Crescent Wood Road London SE266RU

22 Crescent Wood Road London Se266ru  
40 Crescent Wood Road London SE26 6RU  
44 Crescent Wood Road London SE26 6RU

**Re-consultation:** n/a

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

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

22 Crescent Wood Road London SE266RU  
22 Crescent Wood Road London Se266ru  
40 Crescent Wood Road London SE26 6RU  
40 Crescent Wood Road London SE266RU  
40 Crescent Wood Road London SE266RU  
40 Crescent Wood Road London SE266RU  
40 Crescent Wood Road London SE266RU  
40 Crescent Wood Road London SE266RU  
44 Crescent Wood Road London SE26 6RU  
77 Sydenham Hill London SE266TQ  
77 Sydenham Hill London SE266TQ

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**RECOMMENDATION**


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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.

<b>Applicant</b>	Mrs C. Larco	<b>Reg. Number</b>	16/AP/4915
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/2345-43
<b>Recommendation</b>	Grant permission for limited period		

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**Draft of Decision Notice**


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

Removal of existing garden walls and installation of a temporary timber gate for a maximum period of two years to allow for tree removal and replanting works. At the end of the two year period (which commenced from the date of planning permission 16/AP/0562, and is therefore no later than 21st March 2018), the temporary gate is to be removed and the garden walls reinstated to match.

**At:** 81 SYDENHAM HILL, LONDON SE26 6TQ

**In accordance with application received on** 06/12/2016 08:00:19

**and Applicant's Drawing Nos.** PR-01 - SITE LOCATION PLAN

PR-02 - EXISTING SITE PLAN

PR-03 - PROPOSED SITE PLAN

PR-04 - EXISTING & PROPOSED STREET ELEVATION

DESIGN & ACCESS STATEMENT

HERITAGE STATEMENT

**Subject to the following condition:**
**Time limit for implementing this permission and the approved plans**

- 1 The temporary gates hereby permitted shall not be retained after 21 March 2018 on or before which date the temporary gates shall be removed from the site and the garden wall reinstated in brickwork to match existing garden walls in material, design and finish.

**Reason**

The temporary gates are not such as the Local Planning Authority is prepared to approve other than for a limited period, having regard to the materials and to ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, 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; London Plan policy 5.10, Urban greening, 7.19 Biodiversity 7.21 Trees and woodlands 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.

**Statement of positive and proactive action in dealing with the application**

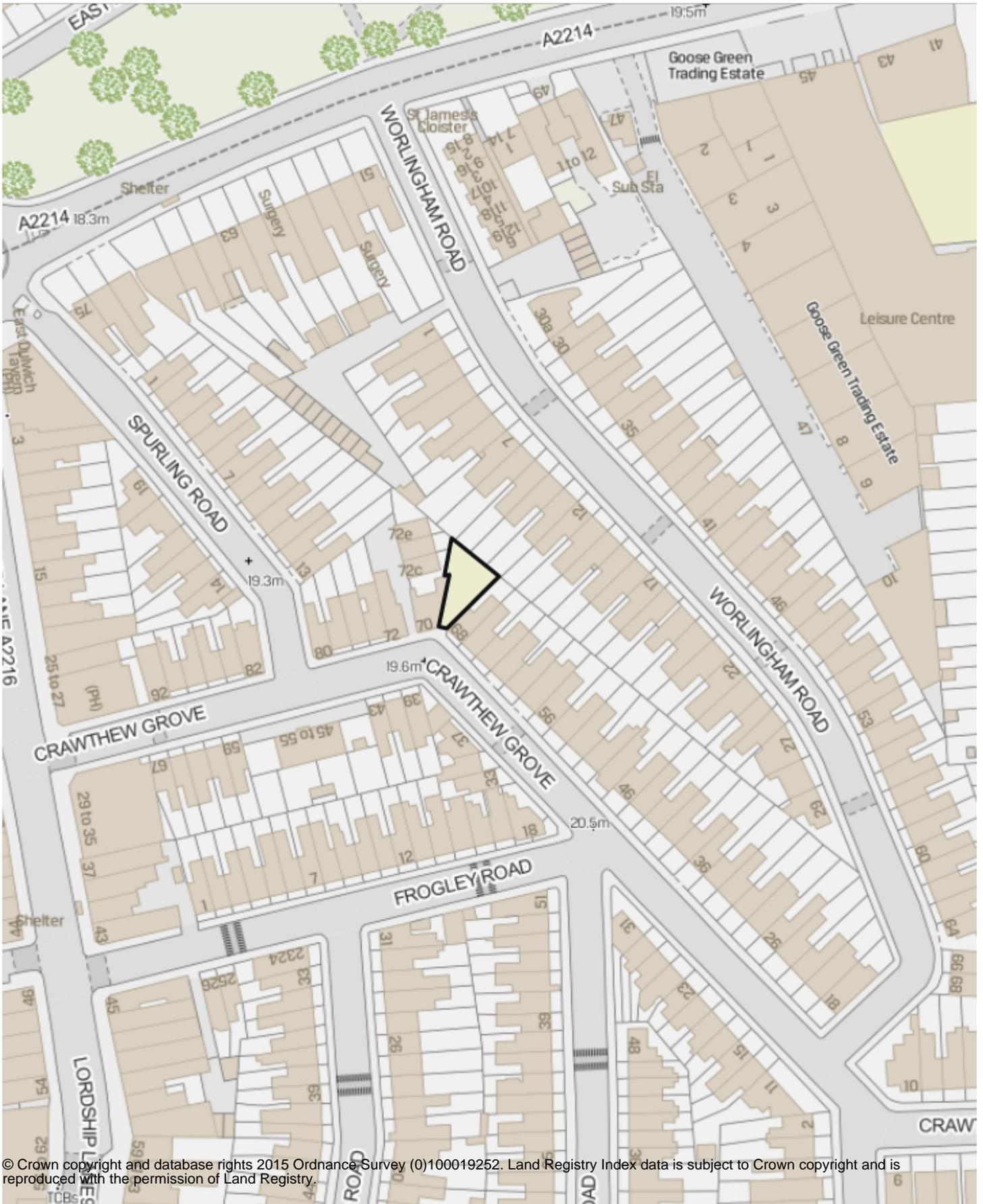
The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to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

**Informative**

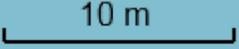
You should give the council's highways section seven days notice of the date you propose to bring the replacement trees onto the site. Your notice should also include details of traffic management for the plant movement. The notice should be made for the attention of Dale Foden and Ken Sorhaindo and sent to [Highways@southwark.gov.uk](mailto:Highways@southwark.gov.uk)



**AGENDA ITEM 7.2 - 68A CRAWTHEW GROVE, LONDON SE22 9AB**



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 Scale = 1 : 1250  
 26-Apr-2017

<b>Item No.</b> 7.2	<b>Classification:</b> OPEN	<b>Date:</b> 9 May 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 16/AP/4576 for: Full Planning Application  <b>Address:</b> 68A CRAWTHEW GROVE, LONDON SE22 9AB  <b>Proposal:</b> Erection of a second floor roof extension		
<b>Ward(s) or groups affected:</b>	East Dulwich		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 13/02/2017		<b>Application Expiry Date</b> 10/04/2017	
<b>Earliest Decision Date</b> 09/03/2017			

### RECOMMENDATION

1. That planning permission be granted, subject to conditions.

#### Site location and description

2. The site is an irregular triangular corner plot.
3. On 09/08/2012, planning permission (12/AP/1700) was granted for the construction of a 3 bedroom, 3 storey dwellinghouse, which would include a basement. Works connected to planning permission 12/AP/1700 have begun and is almost complete, but they are currently held in abeyance pending the outcome of this application.
4. The site is bounded by residential use with No.70 Crawthrew Grove to the west side, which is split into an ground floor flat and an upper flat; No.68 Crawthrew to the southeast side and No.s 9, 10 and 11 Worlingham Road to the northeast are single family dwellinghouses, which are to the rear of the site.
5. There are no noticeable height differences in ground level between the site property and the adjoining properties on either side; the property is not a listed building nor is it sited within a conservation area does and does not affect the setting of a listed building or conservation area.

#### Details of proposal

6. The proposal seeks approval for an extension at roof level, which would effectively add a new floor on top of the first floor flat roof and would be at second floor level. It would accommodate a fourth bedroom and en-suite shower room/WC.
7. Objection was taken to the description of the scheme. A neighbour mentioned it should be rewritten to include the fact that a new floor was being erected, as opposed to a roof extension. The paragraph above clarifies what is proposed.

8. The proposed roof extension would be located between the gable ends of No.68 and No.70, would not be higher than the roof ridges on either side and would have a maximum/eaves height of 3.09m on a flat roof.
9. The roof extension would have an overall 8.61m depth along its boundary with No.70 and an overall 5.6m depth along its boundary with No.68. The front elevation would be setback from the front building line by 0.27m along its boundary with No.70 and 1.56m from the front building line along its boundary with No.68. The extension would have a 3.14m width in the front elevation facing the street, which would widen to 8.005m to the rear, as it follows the triangular plot of the site.
10. The roof extension would only extend 1.1m further rear than the building line of No.70 and would finish flush with the site property at first floor level. At its boundary with No.68, it would extend no further rear of the adjoining neighbour.
11. The first floor roof terrace of the upper flat at No.70 would extend 2.32m further rear than both the end of the proposed roof extension and the rear first floor building line of the application site.
12. The new roof extension would be clad in zinc to complement the contemporary materials of the existing dwelling (cedar cladding and white render). The grey of the zinc would also be in keeping with the grey slates of the adjoining properties. The doors and windows would be colour coated (grey) aluminium as per the rest of the dwelling.
13. **Planning history**

06/AP/2070 Application type: Full Planning Application Erection of a two storey building comprising 2x2 bedroom self contained units. Decision date 22/02/2007 Decision: Refused
07/AP/0769 Application type: Full Planning Application Erection of a two-storey building comprising 2 x 2-bedroom dwellinghouses (RE-SUBMISSION) Decision date 26/06/2007 Decision: Refused
08/AP/1833 Application type: Full Planning Application Erection of a new two storey building incorporating two self contained flats (1 two bedroom flat and 1 one bedroom flat). Decision date 18/12/2008 Decision: Refused
10/AP/1738 Application type: Full Planning Application Demolition of existing single storey commercial storage building and erection of a two storey two bedroom dwelling house. Decision date 21/10/2010 Decision: Granted (GRA)
12/AP/0024 Application type: Full Planning Application Demolition of existing commercial storage building and construction of 2 bedroom, 3 storey (including basement) family dwelling house. Decision date 11/05/2012 Decision: Refused
12/AP/1700 Application type: Full Planning Application Demolition of existing commercial storage building and construction of 3 bedroom, 3 storey (including basement) family dwelling house Decision date 09/08/2012 Decision: Granted
13/AP/0342 Condition 17 - Construction Management Strategy 13/AP/1422 Condition 15 - details of proposed soffit 13/AP/0338 Condition 12 - details of the green roof 13/AP/0339 Condition 14 - details of the rooms and new internal stairs design 13/AP/0341 Condition 16 - details of the construction of the basement design 13/AP/0337 Condition 9 - details of a Contaminated Land Assessment All conditions discharged - Granted

<p>14/EN/0487 Enforcement type: Unauthorised building works Breach of condition 17: construction management plan, of planning permission 12ap1700 granted 9 August 2012 for a three storey (incl basement) house. Compliance check: development to be in accordance with approved plans. Sign-off date 29/01/2015 Sign-off reason: Final closure - no breach of control</p>
<p>16/EN/0184 Enforcement type: Unauthorised building works Compliance inspection: planning permission ref 12ap1700 for: Demolition of existing commercial storage building and construction of 3 bedroom, 3 storey (including basement) family dwelling house Sign-off date 04/07/2016 Sign-off reason: Final closure - no breach of control</p>
<p>16/EQ/0323 Application type: Pre-Application Enquiry Construction of a rear dormer extension and creation of a roof terrace on the existing flat roof at the rear of the 1st floor. Decision date 01/12/2016 Decision: Pre-application enquiry closed</p>

### Planning history of adjoining sites

14. 68 Crawthow Grove, London, SE22 9AB  
12/AP/1392 Application type: Certificate of Lawful Development (CLP)  
Construction of a loft conversion to the existing property including a rear dormer and hip to gable extension to provide an additional bedroom with en-suite bathroom.  
Decision date 28/09/2012 Decision: Granted (GRA)

This permission has been implemented.

15. 70 Crawthow Grove, London, SE22 9AB  
06/AP/1189 Application type: Full Planning Application (FUL)  
Change of use of ground floor Class A1 (shop) to residential to provide a 2-bedroom self contained flat including the erection of single storey rear extensions and alteration of existing first floor 1 bed flat to include the erection of a rear dormer roof extension with Juliet balcony providing a second bedroom.

Decision date 24/10/2006 Decision: Granted (GRA)

16. Enforcement:  
Planning enforcement investigated the unauthorised development relating to a rear balcony at 70 Crawthow Grove and subsequently closed the case (06/EN/0353) when the breach was regularised by retrospective planning permission 06/AP/1189

### KEY ISSUES FOR CONSIDERATION

#### Summary of main issues

17. The main issue to be considered in respect of this application is:
- Impact on amenity of adjoining properties;
  - Design quality;
  - Impact on Listed Building(s)/Conservation Area.
  - All other relevant material planning considerations.

#### Planning policy

18. National Planning Policy Framework (NPPF)  
Section 7 - Requiring good design

## Section 12 - Conserving and enhancing the historic environment

19. The London Plan 2016  
Policy 7.4 - Local Character  
Policy 7.6 - Architecture
20. Core Strategy 2011  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards
21. Southwark Plan 2007 (July) - saved policies  
Policy 3.2 - Protection of amenity  
Policy 3.12 - Quality in design  
Policy 3.13 - Urban design

2015 Technical Update to the Residential Design Standards SPD (2011)

### Summary of consultation responses

22.	Total number of representations:	5				
	In favour:	0	Against:	5	Neutral:	0
	Petitions in favour:	0		Petitions against:	0	

### Issues raised by consultees and how the application addresses these

23. No.70 Crawthow Grove objects to:

- Obstruction of view on its eastern boundary with the site property
- Overlooking
- Reduction of light due to the massing of the extension
- Four storey house, others in street are only two storeys
- Length of time to complete approved works
- Concurs with objections from Worlingham Road

Officer comment:

- The length of time taken to complete a development granted permission is not a material planning consideration.
- Properties in the street are generally two storey high as stated by the objector, however, conversions of lofts into habitable space at second floor roof level are not uncommon in the local area and where such extensions have been constructed those properties are split over three storeys not two. Planning permission 12/AP/1700 already grants permission for a three storey house with a flat roof, which includes a lower ground floor (i.e. a basement). This would leave an empty void between the gable ends of No.68 and No.70, giving rise to the row of terraced houses either side of the site property looking disjointed. The infilling of this gap without going above the roofs ridges either side of the site property would give a more cohesive and coherent street frontage.
- Other points covered in text of the report.

24. No.9 Worlingham Road objects to:

- Same objections as before
- Length of time to complete approved works

- Amount of glazing in the rear elevation

Officer comment:

- The occupiers of No.9 Worlingham Road state that they would like the comments they submitted last time to be taken under consideration, however, no planning permission or its corresponding reference number is given. There is no record of comments from this address on the previous application (12/AP/1700) record. In the absence of this information, no officer comment is offered.
- It was considered that the extent of glazing, originally intended, in the rear elevation of the proposed roof extension was contextually extensive. The applicant has subsequently reduced this to an acceptable level.
- Other points covered in the text of the report.

25. No.11 Worlingham Road (2 responses combined) objects to:

- Description should state that the proposal was a new floor and not a roof extension
- Design
- Privacy – overlooking
- Amount of glazing in the rear elevation
- Claims committee rejected three storey property last time round
- Light pollution from proposal site
- Noise from works on site

Officer comment:

- The proposal would extend the property on top of the first floor flat roof, which would effectively add a new second floor level, and would include a fourth bedroom and en-suite shower room/WC.
- The modern design of the scheme approved under planning permission 12/AP/1700 is very different from what is found in the local area. Any assessment based on the acceptability of the current proposal and its design is based on that fact as a starting point.
- It is not considered that the light that would emanate from the roof extension would cause any detrimental impact on the occupiers of the adjoining neighbours.
- Other points covered in the text of the report.

26. No.2 Charlecote Grove objects to:

- Design
- Privacy – overlooking
- Additional storey was not acceptable last time so it should not be acceptable now
- Overdevelopment
- Amount of glazing in the rear elevation
- Noise from works on site

Officer comment:

- Any harmful noise pollution emanating from the site because of works carried out to implement the approved scheme 12/AP/1700 should be reported to the Environmental Protection Team.

- Other points covered in the text of the report.

### **Impact on amenity of neighbouring occupiers**

27. Saved Policy 3.2 ('Protection of Amenity') of the Southwark Plan 2007 seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 ('High Environmental Standards') of the Core Strategy 2011 requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The 2015 Technical Update to the Residential Design Standards SPD (2011) also sets out the guidance for rear extensions which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.
28. The windows in the rear elevation of the proposed roof extension would be angled slightly away from the rear building line of No.70 and would also be setback from the connecting boundary by 1.98m.
29. On the other side, the windows in the proposed roof extension would be setback from the connecting boundary with No.68 by 2.2m, while not extending any further rear of No.68.
30. There would be a separation of 9.84m–10.25m between the rear end of the proposed roof extension and the rear boundary of the site plot which connects it to the adjoining properties to the rear (i.e. No.s. 9, 10 and 11 Worlingham Road). This distance increases to about 17m between the rear end of the proposed extension and the outrigger ends of No.s. 9, 10 and 11 Worlingham Road.
31. The scheme would therefore cause no detrimental increase in overlooking as a result of any additional windows to the rear of the property over and above that already arising from the existing fenestration of the host property.
32. The impact on light amenity to the occupiers of adjoining properties would be to those at No.70, more specifically to the light entering the rear French doors which grant access to the occupiers of No.70 to their first floor roof terrace.
33. However, the proposed roof extension would only extend 1.1m further rearwards of the building line of No.70 Crawthow Grove over the floor above. This would be no further rearwards of the existing granted building line at first floor level under planning permission 12/AP/1700.
34. The proposed roof extension would be in line with and extend no further rearwards than the rear building line of No.68, which already has a full width box dormer roof extension, with a minimal setback from its roof eaves.
35. There would therefore be no a harmful reduction of daylight or sunlight as the massing of the proposed roof extension would not result in overshadowing over and above the impact of the scheme granted from the scheme under 12/AP/1700, because of its relatively short depth in relation to the No.70, which would give an acceptable proposed massing, with adequate separation from the windows of the habitable rooms of the adjoining properties.
36. The main impact of any increased sense of enclosure/tunnelling effect would relate to the occupiers of the upper flat of No.70, however, the relative increase rearwards at roof level would only be 1.1m, and there is no structure enclosing the rear of No.68 towards the west side.

37. The proposal would therefore not result in a harmful reduction in outlook or an increased sense of enclosure/tunnelling effect due to the satisfactory massing of the roof extension and its separation from the windows of any habitable rooms of the upper flat of No.70.

### **Good design and heritage**

38. Good design is indivisible from good planning. It should reinforce a sense of place and conform to the council's current guidance on design. Where a development may affect a heritage asset or its setting it should conserve or enhance its importance and its setting avoiding harm to its features and spaces.
39. It should be noted that what the approved plans show under planning permission 12/AP/1700 and what has been built differs slightly.
40. The proposed elevations under 12/AP/1700 show the eaves of the site property finishing in line with the eaves heights of No.s 70 and 68 Crawthrew Grove. This was confirmed during the site visit. The applicant states that the measurements taken relating to the eaves heights of No.s 70 and 68 during the original survey were inaccurate by about 0.6m. The resulting building, currently under construction, is therefore lower at the eaves than the adjoining buildings either side.
41. The roof extension would be located at second floor/roof level and be visible from the street scene, with a 0.27m – 1.56m setback from the front elevation. The approved scheme under 12/AP/1700 would currently leave an empty void at roof / second floor level between the gable ends of No.68 and No.70. This proposal would infill that gap, resulting in a more cohesive and coherent design and frontage.
42. The scheme approved under 12/AP/1700 is a contemporary scheme with a modern aesthetic and the single dwellinghouse that would be erected as a consequence would be different from other properties in Crawthrew Grove, Worlingham Road and the local area. On that basis, the principle of a contemporary scheme has been accepted, though the eaves to the front are lower than the neighbours, it is justified and contextually appropriate. The proposed roof extension would therefore not harm the appearance of the host dwelling because the scheme would help to better contextualise the approved proposal under 12/AP/1700, by infilling the empty void otherwise left between the gable ends of No.68 and No.70 Crawthrew Grove.
43. When planning permission 12/AP/1700 was granted, the neighbouring property, No.68 had a hipped roof which has since been changed to a gable with a rear full width dormer.
44. The proposed second floor, when viewed from the rear, would appear large but in light of the context of this unique triangular site, it is considered that the scale would be appropriate especially as the roof at No. 68 is now a hip end with a full width rear dormer. Furthermore, the use of zinc would be integral to achieve a modern look and feel and as such the proposed roof extension would relate acceptably to the host dwelling.
45. The scheme would not affect any Heritage Assets.

### **Other matters**

46. None.

### Conclusion on planning and other issues

47. The proposal demonstrates that it conforms with the principles of sustainable development. It respects the amenity of neighbouring properties; and is of good design and where it departs from existing guidance it offers justification and should therefore be granted planning permission.

### Community impact statement

48. 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.

### Human rights implications

49. 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.
50. This application has the legitimate aim of providing additional residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2621-68A Application file: 16/AP/4576 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 3992 Council website: www.southwark.gov.uk

### APPENDICES

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

**AUDIT TRAIL**

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Abrar Sharif, Graduate Planner	
<b>Version</b>	Final	
<b>Dated</b>	25 April 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		26 April 2017

**APPENDIX 1****Consultation undertaken**

**Site notice date:** 04/01/2017

**Press notice date:** n/a

**Case officer site visit date:** 24/04/2017

**Neighbour consultation letters sent:** 14/02/2017

**Internal services consulted:**

n/a

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

10 Worlingham Road London SE22 9HD  
11 Worlingham Road London SE22 9HD  
9 Worlingham Road London SE22 9HD  
Ground Floor Flat 70 Crawthrew Grove SE22 9AB

70a Crawthrew Grove London SE22 9AB  
68 Crawthrew Grove London SE22 9AB  
2 Charlecote Grove SE26 4BW  
11 Worlingham Road SE229HD

**Re-consultation:** n/a

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

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

2 Charlecote Grove SE26 4BW

11 Worlingham Road London SE22 9HD

11 Worlingham Road SE229HD

70a Crawthw Grove London SE22 9AB

70a Crawthw Grove London SE22 9AB

70a Crawthw Grove London SE22 9AB

9 Worlingham Road London SE22 9HD

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr Scott Collins	<b>Reg. Number</b>	16/AP/4576
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/2621-68A
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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

Erection of a second floor roof extension

**At:** 68A CRAWTHEW GROVE, LONDON SE22 9AB

**In accordance with application received on** 09/11/2016 16:02:12

**and Applicant's Drawing Nos.**

SITE LOCATION PLAN;  
 01-002 EXISTING - GROUND FLOOR PLAN;  
 EX-001 EXISTING LOWER GROUND FLOOR;  
 EX-003 EXISTING FIRST FLOOR PLAN;  
 EX-004 EXISTING SECTION AA;  
 EX-006 - EXISTING ROOF PLANS;  
 EX-05 EXISTING ELEVATIONS;  
 PL-101 REV C - PROPOSED FIRST AND SECOND FLOOR PLANS;  
 PL-102 REV C - PROPOSED ELEVATIONS;  
 PL-103 REV B - PROPOSED SECTION;  
 PL-104 - PROPOSED ROOF PLANS;  
 PL-105 - PERSPECTIVE SKETCHES - 3D\*\*\*\*\*

**OTHER DOCUMENTS:**

DESIGN AND ACCESS STATEMENT;  
 AGENT REPSONSE TO OBJECTIONS.

**Subject to the following three conditions:**

**Time limit for implementing this permission and the approved plans**

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

Reason

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

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

PL-101 REV C - PROPOSED FIRST AND SECOND FLOOR PLANS;  
 PL-102 REV C - PROPOSED ELEVATIONS;  
 PL-103 REV B - PROPOSED SECTION;  
 PL-104 - PROPOSED ROOF PLANS;  
 PL-105 - PERSPECTIVE SKETCHES - 3D.

Reason:

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

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

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

**Reason**

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

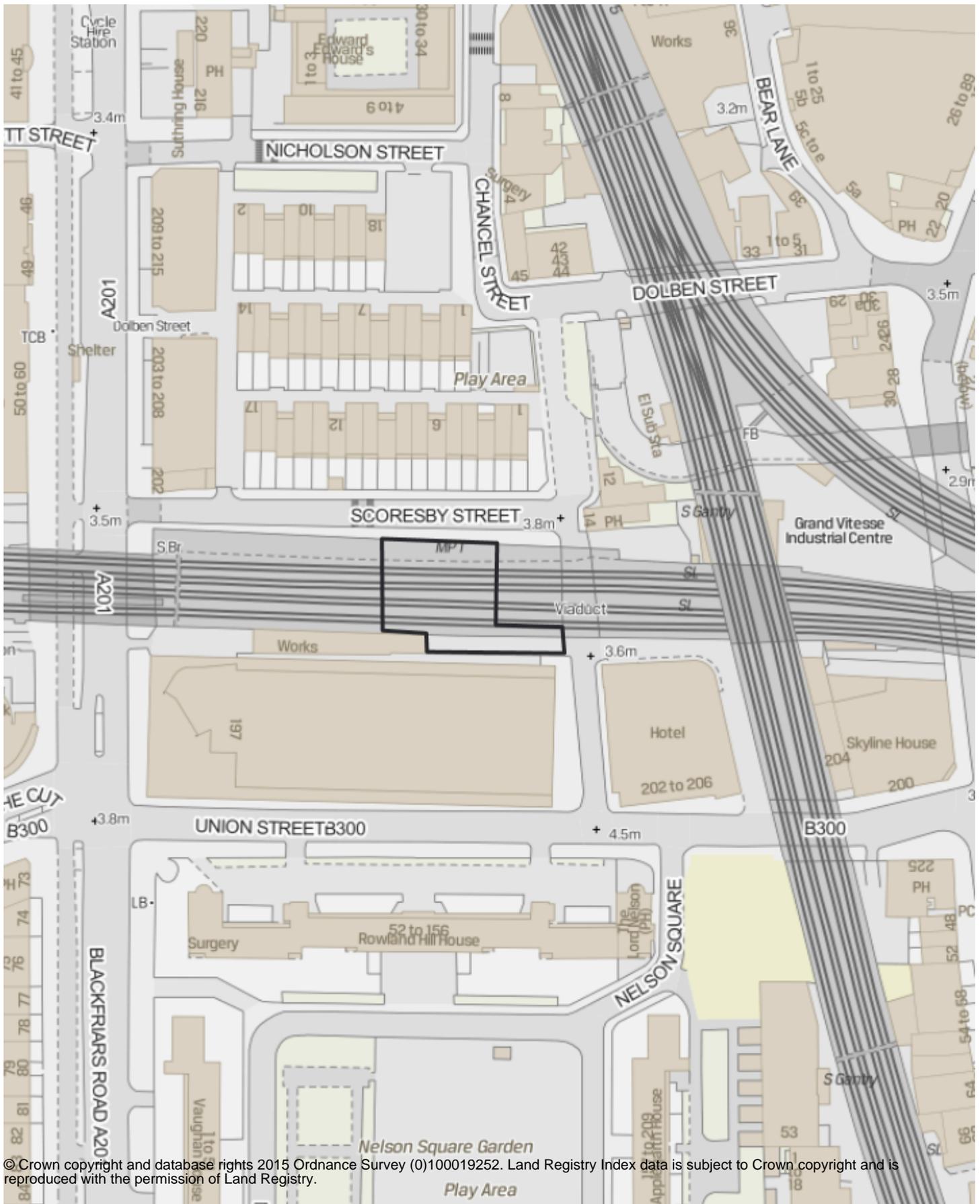
**Statement of positive and proactive action in dealing with the application**

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

The local planning authority delivered the decision in a timely manner.



**AGENDA ITEM 7.3 - RAILWAY ARCHES 81-83, SCORESBY STREET, LONDON SE1 0XN**



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Scale = 1 : 1250

26-Apr-2017

<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 9 May 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/0769 for: S.73 Vary/remove conds/minor alterations  <b>Address:</b> RAILWAY ARCHES 81-83, SCORESBY STREET, LONDON SE1 0XN  <b>Proposal:</b> Variation of Condition 4 of planning permission ref: 15/AP/3081 dated 14/10/2015 for 'Change of use from Class B1 (Business) to Class A3 (Restaurants & Cafes)'. Variation would allow extended opening hours during the morning being 07:00-23:00 on Monday to Saturday, and 09:00-22:30 on Sundays and public holidays.		
<b>Ward(s) or groups affected:</b>	Cathedrals		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 01/03/2017		<b>Application Expiry Date</b> 26/04/2017	
<b>Earliest Decision Date</b> 30/03/2017			

## RECOMMENDATION

1. Grant planning permission subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. This application refers to the three railway arches under the Waterloo-London Bridge Railway Viaduct located at 81-83 Scoresby Street. The railway arches front onto Scoresby Street which is in turn bounded by the rear gardens of the dwellings on Rotherham Walk to the north. The rear of the arches faces onto an access lane from Gambia Street and bounded by Palestra to the South.
3. The site is located within the Central Activity Zone, the Air Quality Management Area, Bankside, Borough and London Bridge Opportunity Area, Borough and Bankside District Town Centre, Strategic Cultural Area and London Bridge Opportunity Area. The site is not listed or located in a conservation area.

### Details of proposal

4. Planning permission was granted on the 14 October 2015 for the change of use of the Railway Arches, 81-83 Scoresby Street from Class B1 (Business) to Class A3 (Restaurants and Cafes).
5. This application under consideration by way of this report seeks to vary condition 4 of the extant permission ref: 15/AP/3081 with regard to the opening hours. The existing condition currently states:

*"The use hereby permitted for Class A3 purposes shall not be carried on outside of*

*the hours 10:00-23:00 on Monday to Saturday or 12:00- 22:30 on Sundays and public holidays."*

The proposed variation seeks extended opening hours in the mornings only from 07:00 Monday to Friday and 09:00 on Sundays and public holidays. Evening closing times would remain as currently approved.

## 6. Planning history

05/AP/2287 Application type: Full Planning Application (FUL) Installation of a new shop front and roller shutter. Decision date 24/01/2006 Decision: Grant (GRA)
05/AP/1994 Application type: Full Planning Application (FUL) Alterations and additions to arches to create five (5) units in B1 (a,b & c) and B8 uses along with changes to fire escape route onto Gambia Street. Decision date 15/05/2006 Decision: Grant (GRA)
07/AP/1039 Application type: Full Planning Application (FUL) Change of use of railway arch from storage / kiosk use (within B1/A1 Use) to a coffee / snack bar (within A1/A3 Use). Provision of outdoor seating area and construction of a glass/stainless steel and brickwork shopfront to Blackfriars Road elevation. Decision date 29/05/2008 Decision: Refused (REF) Reason(s) for refusal:
15/AP/3081 Application type: Full Planning Application (FUL) Change of use from Class B1 (Business) to Class A3 (Restaurants & Cafes) Decision date 14/10/2015 Decision: Granted (GRA)
16/AP/4516 Application type: Full Planning Application (FUL) Installation of new arch infills to the front of Arches 81, 82 and 83 Scoresby Street Decision date 28/12/2016 Decision: Granted (GRA)

## Planning history of adjoining sites

7. There is no relevant planning history at the adjoining sites.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

8. The main issue to be considered in respect of this application is:
- a) Impact of earlier opening hours on the amenity of adjoining occupiers and surrounding area.
  - b) Transport impacts

### Planning policy

9. National Planning Policy Framework (the Framework)  
Section 8- Promoting healthy communities
10. The London Plan 2016  
Policy 7.15- Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
11. Core Strategy 2011  
SP 13- High Environmental Standards

12. Southwark Plan 2007 (July) - saved policies

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

3.1- Environmental Effects

3.2- Protection of Amenity

**Principle of Development**

13. The principle of the A3 use has been established under planning permission 15/AP/3081 approved on 14 October 2015. This application does not seek to change the permitted use on the site and therefore the principle is considered to be appropriate.

14. The permitted A3 use had not commenced on site in April 2017. During the officer site visit it was noted that external works were underway. The applicant has confirmed that these works relate to the installation of new arch infills at arches 81, 82 and 83 Scoresby Street granted permission on 28 December 2016 under planning application ref: 16/AP/4516.

**Summary of consultation responses**

15. Four public objections have been received in relation to the proposed variation of the opening hours. The contents of which are summarised below:

- Noise and disturbance to residential properties from people leaving, smoking and drinking on the pavement and anti-social behaviour
- Deliveries and traffic increasing vehicle movements and parking on street
- Increased refuse
- Illuminated signs should be designed so that they do not cause nuisance
- Possibility of change of use to club/ other entertainment use

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

16. There are residential units located directly opposite the application site, and unrestricted use of the arches for Class A3 use could result in undue noise and disturbance at unsociable times such as late into the evening. Accordingly the original consent restricted the hours of operation by way of the said condition now sought for amendment.

17. The amended opening hours proposed by way of this application seek to allow the use of the premises during the morning period from 7am on weekdays and Saturdays, and 9am on Sundays and Bank Holidays. The hours of closing would remain as previously approved. It is not anticipated that operation during this morning period would result in increased noise or disturbance to local residents. As such, the proposed opening

hours are considered to be reasonable.

18. Neighbour objections refer to the existing use of the street, in particular in relation to noise and disturbance and anti-social behaviour occurring during the evening hours. Concern is also raised with regard to the use of the arches as a club and signage. These however are unrelated to the application under consideration which only relates to an amendment to the morning opening hours. There is no change of use or physical alterations being sought by way of this application. A separate application would be required for such changes.
19. Conditions attached to the original permission Ref: 15/AP/3081 require the applicant to submit details of the refuse and servicing arrangements to be approved in writing by the Council. These conditions will remain attached to the new permission.

### **Transport Issues**

20. Condition 5 of the parent permission to which this application relates ref: 15/AP/3081 requires details of the arrangements for the storing of commercial refuse and servicing arrangements to be submitted and approved in writing by the Local Planning Authority and for the facilities to be provided prior to the commencement of the A3 use within the arches.
21. The applicant has confirmed that the proposed earlier opening hours are not expected to result in significant changes to the expected refuse/ delivery and servicing arrangements. Furthermore, as this is required to be approved by the LPA prior to commencement of the use the proposed extended opening hours are not considered to have an undue impact on the local transport network or on neighbouring amenity.

### **Conclusion on planning issues**

22. The proposed extended opening hours would not have a significant detrimental impact on the amenity of occupiers in the surrounding area or on the local transport network and as such variation of the condition is considered to be acceptable. The application is therefore recommended for approval.

### **Community impact statement**

23. 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**

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

### **Consultation replies**

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

### **Human rights implications**

26. 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.

27. This application has the legitimate aim of providing extended opening hours to the previously approved A3 use. 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/RLY/11/BK1 Application file: 17/AP/0769 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:  Council website: www.southwark.gov.uk

## APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Rosie Nolan, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	5 April 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		26 April 2017

## APPENDIX 1

## Consultation undertaken

**Site notice date:** 07/03/2017

**Press notice date:** n/a

**Case officer site visit date:** 08/03/2017

**Neighbour consultation letters sent:** 07/03/2017

**Internal services consulted:**

n/a

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

5 Rotherham Walk London SE1 0XE	10 Rotherham Walk London SE1 0XE
6 Rotherham Walk London SE1 0XE	11 Rotherham Walk London SE1 0XE
7 Rotherham Walk London SE1 0XE	6 Rotherham Walk London SE1 0XE
4 Rotherham Walk London SE1 0XE	5 Rotherham Walk London SE1 0XE
17 Rotherham Walk London SE1 0XE	8 Rotherham Walk London SE1 0XE
2 Rotherham Walk London SE1 0XE	7 Rotherham Walk London SE1 0XE
3 Rotherham Walk London SE1 0XE	2 Rotherham Walk London SE1 0XE
8 Rotherham Walk London SE1 0XE	17 Rotherham Walk London SE1 0XE
Railway Arch 81 Scoresby Street SE1 0XN	4 Rotherham Walk London SE1 0XE
Railway Arch 82 Scoresby Street SE1 0XN	3 Rotherham Walk London SE1 0XE
Railway Arch 85 Scoresby Street SE1 0XN	Railway Arch 81 Scoresby Street SE1 0XN
Railway Arch 80 Scoresby Street SE1 0XN	Railway Arch 80 Scoresby Street SE1 0XN
9 Rotherham Walk London SE1 0XE	Railway Arch 85 Scoresby Street SE1 0XN
12 Gambia Street London SE1 0XH	Railway Arch 82 Scoresby Street SE1 0XN
16 Rotherham Walk London SE1 0XE	9 Rotherham Walk London SE1 0XE
Part First Floor Palestra House SE1 8AA	Railway Arches 77 To 78 Gambia Street SE1 0XH
Living Accommodation Mar I Terra Public House SE1 0XH	12 Gambia Street London SE1 0XH
Sixth Floor Palestra House SE1 8AA	16 Rotherham Walk London SE1 0XE
Excluding Part Ground Part First Floor And Sixth Floor Palestra House SE1 8NJ	Mar I Terra Public House 14 Gambia Street SE1 0XH
Railway Arch 84 Scoresby Street SE1 0XN	Railway Arch 84 Scoresby Street SE1 0XN
Mar I Terra Public House 14 Gambia Street SE1 0XH	13 Rotherham Walk London SE1 0XE
Part Ground Floor Palestra House SE1 8AA	12 Rotherham Walk London SE1 0XE
13 Rotherham Walk London SE1 0XE	15 Rotherham Walk London SE1 0XE
14 Rotherham Walk London SE1 0XE	14 Rotherham Walk London SE1 0XE
15 Rotherham Walk London SE1 0XE	1 Rotherham Walk London SE1 0XE
12 Rotherham Walk London SE1 0XE	11 Rotherham Walk London SE1 0XE
1 Rotherham Walk London SE1 0XE	10 Rotherham Walk London SE1 0XE

**Re-consultation:** n/a

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

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

10 Rotherham Walk London SE1 0XE

12 Rotherham Walk London SE1 0XE

16 Rotherham Walk London SE1 0XE

8 Rotherham Walk London SE1 0XE

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Network Rail Infrastructure Limited	<b>Reg. Number</b>	17/AP/0769
<b>Application Type</b>	S.73 Vary/remove conds/minor alterations	<b>Case Number</b>	TP/RLY/11/BK1
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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

Variation of Condition 4 of planning permission ref: 15/AP/3081 dated 14/10/2015 for 'Change of use from Class B1 (Business) to Class A3 (Restaurants & Cafes)'. Variation would allow extended opening hours during the morning being 07:00-23:00 on Monday to Saturday, and 09:00-22:30 on Sundays and public holidays.

**At:** RAILWAY ARCHES 81-83, SCORESBY STREET, LONDON SE1 0XN

**In accordance with application received on 27/02/2017 16:01:12**

**and Applicant's Drawing Nos.** Application Covering Letter from Network Rail received 27th February 2017.

**Subject to the following four conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall be begun before the 14/10/2018 being the end of three years from the date of the parent permission 15/AP/3081.

**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.

- 2 Unless otherwise discharged under condition 2 of the parent application 15/AP/3081, prior to commencement of A3 use within;

- a). Arch 81
- b). Arch 83
- c). Arch 83

Details of the arrangements for the storing of commercial refuse and servicing arrangements shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities 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 and that servicing does not impact on the local transport network in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport and Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity, Policy 3.7 Waste Reduction and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007

- 3 Unless otherwise discharged under condition 3 of the parent application 15/AP/3081, prior to the commencement of A3 use within;

- a). Arch 81

- b). Arch 82
- c). Arch 83

Full particulars and details of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

**Reason**

In order to ensure that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

**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 use hereby permitted for Class A3 purposes shall not be carried on outside of the hours 07:00-23:00 on Monday to Saturday or 09:00-22:30 on Sundays and public holidays.

**Reason:**

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

**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.

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

**NOTE:** Original held by Constitutional Team all amendments/queries to Gerald Gohler Tel: 020 7525 7420

Name	No of copies	Name	No of copies
<b>To all Members of the sub-committee</b>			
Councillor Leo Pollak (Chair)	1	Environment & Leisure	1
Councillor Ben Johnson (Vice-Chair)	1	Environmental Protection Team	
Councillor Radha Burgess	1		
Councillor Helen Dennis	1		
Councillor Nick Dolezal	1	Communications	By
Councillor David Noakes	1	Louise Neilan, media manager	email
		<b>Total:</b>	18
<b>Members of the sub-committee receiving electronic copies only</b>			
Councillor James Coldwell		<b>Dated:</b> 19 April 2017	
<b>(Reserves to receive electronic copies only)</b>			
Councillor Tom Flynn			
Councillor Lucas Green			
Councillor David Hubber			
Councillor Sarah King			
Councillor Kieron Williams			
<b>Officers</b>			
Constitutional Officer, Hub 2 (2 <sup>nd</sup> Floor), Tooley St.	7		
Jacqui Green/Selva Selvaratnam, Hub 2 (5 <sup>th</sup> Floor) Tooley St.	3		
Margaret Foley, Legal Services Hub 2 (2 <sup>nd</sup> Floor) Tooley St.	1		