

## Planning Sub-Committee B

Wednesday 14 December 2016

7.00 pm

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

### Membership

Councillor Cleo Soanes (Chair)  
Councillor Maria Linforth-Hall (Vice-Chair)  
Councillor Nick Dolezal  
Councillor Octavia Lamb  
Councillor Damian O'Brien  
Councillor Sandra Rhule  
Councillor Catherine Rose

### Reserves

Councillor Evelyn Akoto  
Councillor Anne Kirby  
Councillor Eliza Mann  
Councillor Darren Merrill  
Councillor Leo Pollak

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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#### Contact

Beverley Olamijulo on 020 7525 7234 or email: [Beverley.olamijulo@southwark.gov.uk](mailto:Beverley.olamijulo@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**  
Chief Executive  
Date: 6 December 2016



# **Planning Sub-Committee B**

Wednesday 14 December 2016  
7.00 pm  
Meeting Room G02, Ground Floor, 160 Tooley Street,  
London SE1 2QH

## **Order of Business**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>1.</b>	<b>INTRODUCTION AND WELCOME</b>	
<b>2.</b>	<b>APOLOGIES</b>	
<b>3.</b>	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
<b>4.</b>	<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.	
<b>5.</b>	<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.	
<b>6.</b>	<b>MINUTES</b>	1 - 3
	To approve as a correct record the minutes of the meeting held on 1 November 2016.	
<b>7.</b>	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	4 - 8
	<b>7.1. 1 HAVEN WAY, LONDON SE1</b>	9 - 32

<b>7.2. LAND TO NORTH SIDE OF HILLINGDON STREET AT JUNCTION WITH PELIER STREET, BOUNDED TO EAST BY RAILWAY VIADUCT AND WEST BY PELIER PARK, LONDON SE17</b>	<b>33 - 59</b>
<b>7.3. GROUND FLOOR FLAT, 21 BEAUVAL ROAD, LONDON SE22 8UG</b>	<b>60 - 69</b>

Date: 6 December 2016

## 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 sub-committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.
  - (b) The applicant or applicant's agent.
  - (c) One representative for any supporters (who live within 100 metres of the development site).
  - (d) Ward councillor (spokesperson) from where the proposal is located.
  - (e) The members of the sub-committee will then debate the application and consider the recommendation.

**Note:** Members of the 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 Committee Clerk, Constitutional Team  
Finance and Governance  
Tel: 020 7525 7234/7420



## Planning Sub-Committee B

MINUTES of the Planning Sub-Committee B held on Tuesday 1 November 2016 at 7.00 pm at meeting Room G02, Ground Floor, 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Cleo Soanes (Chair) Councillor Maria Linforth-Hall (Vice-Chair) Councillor Nick Dolezal Councillor Octavia Lamb Councillor Damian O'Brien Councillor Sandra Rhule
<b>OFFICER SUPPORT:</b>	Dipesh Patel (Development management) Alexander Gillott (Legal Officer) Michael Glasgow (Development management) Neil Loubser (Development management) Beverley Olamijulo (Constitutional Officer)

### 1. INTRODUCTION AND WELCOME

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

### 2. APOLOGIES

Apologies for absence were received Councillor Catherine Rose.

### 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 containing photographs and drawings

## 6. MINUTES

### RESOLVED:

That the minutes of the meeting held on 21 September 2016 be approved as a correct record and signed by the chair.

## 7. DEVELOPMENT MANAGEMENT ITEMS

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 revision.

### 7.1 SOUTHWARK PARK, GOMM ROAD, LONDON SE16 2EH

#### Planning application reference number: 16-AP-3387

Report: See pages 9 – 26 of the agenda pack and page 1 of the addendum report.

#### PROPOSAL

*Erection of single storey building comprising park offices, café and public toilet.*

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

There were no objectors present who wished to speak.

The applicant addressed the sub-committee and responded to questions from members.

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

Members debated the application and asked questions of the officers.

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

### RESOLVED:

That planning permission for application number 16-AP-3387 be granted, subject to the conditions outlined in the report and addendum report.



## 7.2 HOMESTALL ROAD PLAYING FIELDS, (ATHENLAY FC) HOMESTALL ROAD, LONDON SE22

**Planning application reference number: 16-AP-3203**

Report: see pages 27 to 42 of the agenda pack and pages 1 to 2 of the addendum report.

### **PROPOSAL**

*Demolition of existing derelict pavilion and WC block and construction of a new modular pavilion building and electric termination cabinet together with hard and soft landscaping and vehicular parking.*

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

There were no objectors present who wished to speak.

The applicant addressed the sub-committee and responded to questions from members.

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

Members debated the application and asked questions of the officers.

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

### **RESOLVED:**

That planning permission for application number 16-AP-3203 be granted subject to the conditions outlined in the report and addendum report.

The meeting ended at 7.35 pm

**CHAIR:**

**DATED:**

# Agenda Item 7

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 14 December 2016	<b>Meeting Name:</b> Planning Sub-Committee B
<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 & Democracy**

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

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

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

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

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

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

## BACKGROUND DOCUMENTS

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

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

Lead Officer	Chidi Agada, Constitutional Manager (acting)		
Report Author	Everton Roberts, Principal Constitutional Officer Jonathan Gorst, Head of Regeneration and Development		
Version	Final		
Dated	29 February 2016		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments Included	
Director of Law & Democracy	Yes	Yes	
Director of Planning	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		29 February 2016	

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B**  
**on Wednesday 14 December 2016**

**Appl. Type** Full Planning Permission  
**Site** 1 HAVEN WAY, LONDON, SE1

**Reg. No.** 16-AP-2173  
**TP No.** TP/987-A  
**Ward** Grange  
**Officer** Ciaran Regan

**Recommendation** GRANT PERMISSION

**Proposal**

Construction of a roof-top extension to existing building to provide 3no. 3-bed residential units.

***Item 7/1***

**Appl. Type** Full Planning Permission  
**Site** LAND TO NORTH SIDE OF HILLINGDON STREET AT JUNCTION WITH PELIER STREET, BOUNDED TO EAST BY RAILWAY VIADUCT AND WEST BY PELIER PARK, LONDON SE17

**Reg. No.** 16-AP-3968  
**TP No.** TP/1712-29  
**Ward** Newington  
**Officer** Alex Cameron

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT

**Proposal**

Construction of a seven-storey residential development containing 17 dwellings for social rent, consisting of 4 x 1 bed flats, 9 x 2 bed flats and 4 x 3 bed flats.

***Item 7/2***

**Appl. Type** Full Planning Permission  
**Site** GROUND FLOOR FLAT, 21 BEAUVAL ROAD, LONDON, SE22 8UG

**Reg. No.** 16-AP-3766  
**TP No.** TP/2313-21  
**Ward** Village  
**Officer** Christopher Kirby

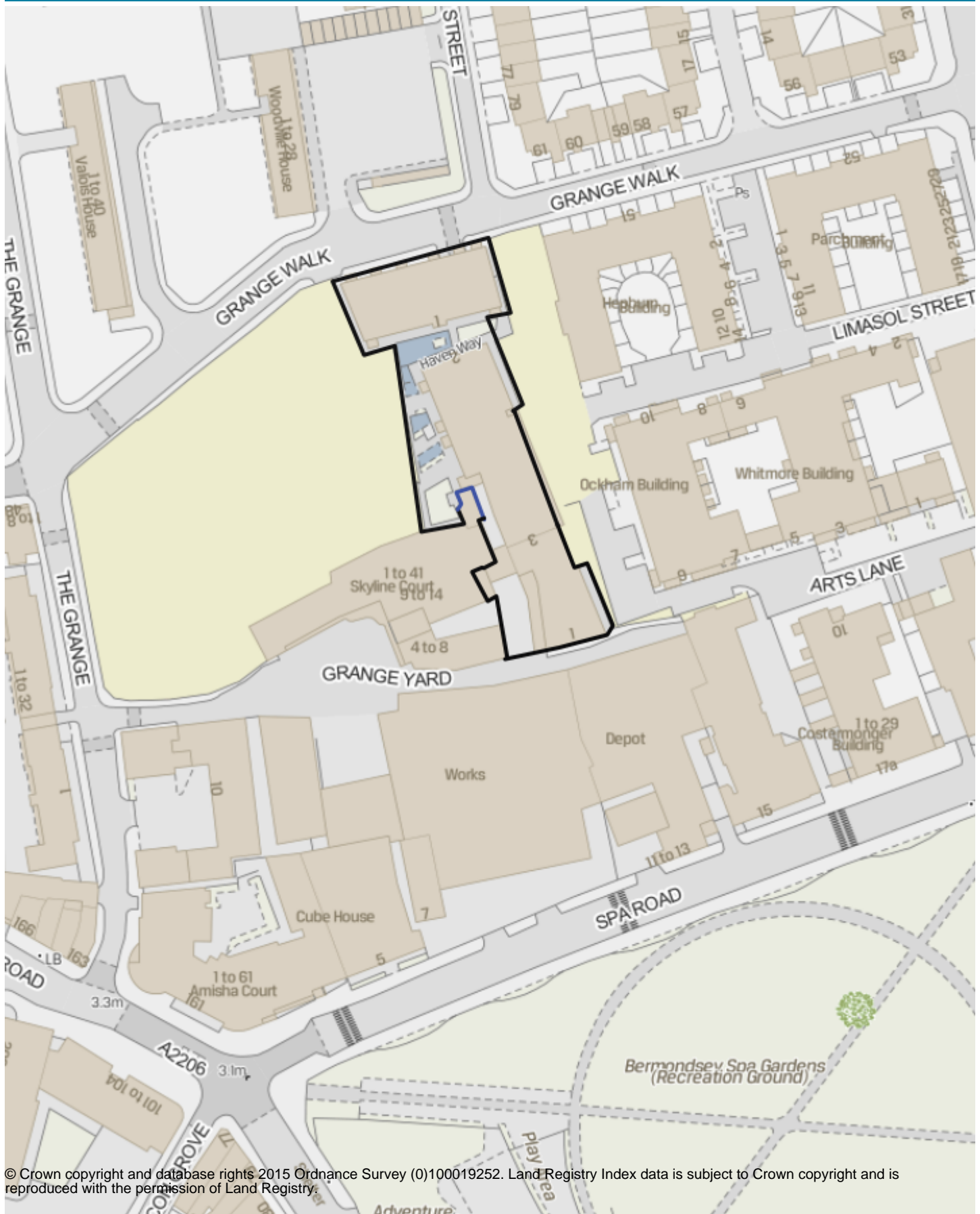
**Recommendation** GRANT PERMISSION

**Proposal**

Construction of a single storey rear extension

***Item 7/3***

## 1 Haven Way



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20 m

Scale = 1 : 1250

5-Dec-2016

**Legal Services**

<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 14 December 2016	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 16/AP/2173 for: Full Planning Permission  <b>Address:</b> 1 HAVEN WAY, LONDON, SE1 3DT  <b>Proposal:</b> Construction of a roof-top extension to existing building to provide 3no. 3-bed residential units.		
<b>Ward(s) or groups affected:</b>	Grange		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 15/06/2016		<b>Application Expiry Date</b> 10/08/2016	
<b>Earliest Decision Date</b> 22/07/2016		<b>Target Decision Date</b> 21/12/2016	

## RECOMMENDATION

1. Grant planning permission, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The subject building, 1 Haven Way (formerly known as Block A), is a 6-storey pavilion building which fronts onto Grange Walk. It now sits between two new developments; one complete, to the east of the site on land formerly referred to as Bermondsey Spa Site C5 by Notting Hill Home Ownership Ltd. (planning ref. 10/AP/3010), and one currently under construction to the west of the site by Linden Homes, (planning ref. 14/AP/2102).
3. The site is situated to the south side of Grange Walk. It was formerly known as 'Larnaca Works' which, following permission in 2007 (ref. 06/AP/2272), has been redeveloped into a residential-led (90 units) scheme known as 'Grange Gardens' arranged in 3 blocks. The Grange Gardens development originally accommodated 90 residential units and 1100sqm of commercial space (flexible Use Class A1, A2, A3, B1 and D1 floorspace) to the ground floor in 3 blocks between 5 and 7 storeys in height. The development includes a basement car park with direct ramped access from Grange Walk.
4. The immediate context surrounding the site is predominantly residential, however there are a number of commercial uses to the south and west of the site. The built form surrounding the site is varied at between 2 and 7 storeys in height.
5. The site is not in a conservation area and there are no statutorily listed buildings on or adjacent to the site. It is within an Archaeology Priority Zone, the Urban Density Zone, an Air Quality Management Area and Flood Zone 2.



## Details of proposal

6. The proposal seeks to add another floor to the existing building which would provide an additional three 3-bed flats. The additional floor would be smaller in scale and be set in from the building's existing elevations by 1.57m from the front Grange Walk façade (north elevation), approx. 2m from the east elevation, approx. 1m from the rear façade (south elevation), the set-back on its west side would vary from 1.7m at the south-west corner to almost 3m at the north west corner.
7. The new flats would be centred around the building's existing stair/lift core which means the core would simply be extended upwards. The existing top floor comprises three 2-bed units, two 1-bed units and one 3-bed unit. All of the proposed new 3-bed units would be dual-aspect.
8. The existing elevations are finished using a black brick, a glazed green brick and black framed aluminium windows. The green glazed brick has been used as a lighter visual accent to off-set the predominant black brick that covers the bulk of the building and has been applied to the ground floor, the top floor and is incorporated in the detailing of the window bays in the front elevation. The proposed new floor would be clad in the same green glazed brick as the existing top floor and so will appear as a seamless enlargement of the existing top floor.
9. The existing building is approximately 20.55m high. The building as extended would be 24.07m to the parapet. The extended lift shaft over-run would project above this by a further 450mm.

## Planning history

10. 15/EQ/0375  
Pre-Application Enquiry: Extension to 1 Haven Way to accommodate x4 residential units  
ADVICE ISSUED: 20/04/2016
11. 14/EN/0149  
Enforcement Investigation:  
Breach of condition, non-compliance with approved plans, ground floor layout/entrance door.  
Decision: No breach involved as the alteration does not amount to development.  
Case closed on 15/03/2016.
12. 13/EN/0093  
Enforcement Investigation:  
Building works not in accordance with the plans approved under 11/AP/2136, specifically in relation to the failure to construct the balconies granted as part of this variation of condition / minor material amendment application.  
DECISION: No breach involved as there is no requirement for any of the amendments granted by this application to be implemented. Case closed on 27/06/2016.
13. 13/AP/3174  
Full Planning Permission: Provide new glazing to the existing and consented commercial unit in Block A. (Permission under LBS Reg. Number 06-AP-2272)  
GRANTED: 21/11/2013
14. 13/AP/2695  
S.73 Vary/remove conds/minor alterations: Variation of condition 8 (Approved drawings) of planning permission ref:12/AP/3987 for "Change of use of 454sqm of vacant ground floor commercial floorspace (flexible Use Class A1, A2, A3, B1 & D1

floorspace) to residential (Use Class C3) and associated elevational changes. The proposed residential use comprises 7 residential units (4 x 1 Bed, 2 x 2 Bed & 1 x 3 Bed)". This current application relates to amended window openings and types and seeks to replace Drawings: A(PL)300/P2 with A(PL)300/P3 A(PL)301/P3 with A(PL)301/P4 B(PL)301/P4 with B(PL)301/P5 B(PL)302/P4 with B(PL)302/P5 C(PL)300/P1 with C(PL)300/P2.

GRANTED: 30/10/2013

15. 12/AP/3987

Full Planning Permission: Change of use of 454sqm of vacant ground floor commercial floorspace (flexible Use Class A1, A2, A3, B1 & D1 floorspace) to residential (Use Class C3) and associated elevational changes. The proposed residential use comprises 7 residential units (4 x 1 Bed, 2 x 2 Bed & 1 x 3 Bed). The application also proposes additional door openings to the ground floor commercial unit located in block C (adjacent to Grange Yard).

GRANTED: 21/05/2013

16. 12/AP/1626

Full Planning Permission: Retrospective planning permission for an additional door on the west elevation of Block B and planning permission for a new shop front on the east elevation

GRANTED: 09/08/2012

17. 11/EN/0255

Enforcement Investigation:

Departure from parent planning permission 06/AP/2272 and the shopfront details approved under application ref. 07/AP/2610 in respect of a door being inserted into the west elevation in the single storey element between blocks B and C on elevation drawing 00 23 C.

DECISION: Breach regularised by the subsequent submission and approval of planning application ref. 12/AP/1626. Case closed on 11/07/2011.

18. 11/AP/2136

S.73 Vary/remove conds/minor alterations: Variation of condition 19 (Approved drawings) to allow for minor material amendments to the existing planning permission 06/AP/2272. Amendments consist of:

Within Block B:

- Introduction of 14 balconies to the south and east elevations
- Reduction in the number of residential units from 38 to 35.
- Amended housing mix from 15x1 bed, 22x2 bed, 1x3 bed to 8x1 bed, 25x2 bed, 2x3bed.

All amendments relate to planning permission 06/AP/2272 for the demolition of existing buildings and canopy structure and redevelopment to provide three buildings of between five (18m) and seven (24m) storeys in height comprising 1105m<sup>2</sup> of floorspace for either A1, A2, A3, B1 or D1 Use Class and 90 flats (comprising 31 x 1 bed; 49 x 2 bed; 9 x 3 bed; 1 x 4 bed), plus car and cycle parking, amenity and public open space.

GRANTED: 29/03/2012

19. 11/EN/0485

Enforcement Investigation:

Alterations to parent planning permission 06/AP/2272 including alteration to the internal layout of Blocks A and B and external alterations including additional balconies and alterations to the shop fronts of the commercial units at ground floor.

DECISION: Breach regularised by the subsequent submission and approval of planning application ref. 11/AP/2136. Case closed on 16/05/2012.

20. 06/AP/2272

Demolition of existing buildings and canopy structure and redevelopment to provide three buildings of between five (18m) and seven (24m) storeys in height comprising 1105m<sup>2</sup> of floorspace for either A1, A2, A3, B1 or D1 Use Class and 90 flats (comprising 31 x 1 bed; 49 x 2 bed; 9 x 3 bed; 1 x 4 bed), plus car and cycle parking, amenity and public open space.

GRANTED WITH A LEGAL AGREEMENT: 25/06/2007

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

21. 10/AP/3010

'The Exchange'

Bermondsey Spa Site C5, Grange Walk (Site bounded by Spa Road, Neckinger and Grange Walk)

Full Planning Permission: Demolition of existing buildings and erection of 4 buildings ranging from 4 to 7 storeys in height (4 storeys fronting Grange Walk, rising to 5, 6 and 7 storeys at the centre of the site and 4 to 5 storeys fronting Spa Road) to provide 205 residential units (Use Class C3). The proposal includes 796sqm of flexible commercial space either for retail (Use Class A1), office (Use Class B1) or community use (Use Class D1). Within the site, the proposal includes the construction of new roads, pedestrian and cycle routes and new access to the public highway; together with associated works including the provision of 39 car parking spaces, 252 cycle parking spaces, 12 motorcycle parking spaces, servicing, landscaping and plant areas.

GRANTED WITH A LEGAL AGREEMENT: 25/01/2011

22. 14/AP/2102

'Corio'

Site bounded by Grange Walk, Grange Yard and The Grange

Full Planning Permission: Demolition of existing buildings and redevelopment to provide 167 residential units with basement car and cycle parking, amenity space, plant and associated works. The proposed height will be part-4, part-6 and part-7 storeys.

GRANTED WITH A LEGAL AGREEMENT: 06/10/2014

### **KEY ISSUES FOR CONSIDERATION**

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

23. The main issues in this case are considered to be:

- a) The principle of development (in terms of land use and conformity with strategic policies)
- b) The impact of the development on the amenity of neighbouring residential occupiers.
- c) Design issues
- d) Quality of accommodation
- e) Car / cycle parking, servicing and refuse arrangements.
- f) Sustainable development implications
- g) Other matters - Affordable Housing
- h) Other matters - Community Infrastructure Liability
- i) All other relevant material planning considerations.

## Planning policy

24. National Planning Policy Framework (Published 27 March 2012)  
Of specific relevance are the following sections:

Section 1: Building a strong, competitive economy\_  
Section 4: Promoting sustainable transport  
Section 6: Delivering a wide choice of high quality homes  
Section 7: Requiring good design.  
Section 12: Conserving and enhancing the historic environment

25. The London Plan (2016)  
Policy 3.3 Increasing housing supply  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing Choice  
Policy 5.3 Sustainable Design And Construction  
Policy 5.13 Sustainable Drainage  
Policy 5.17 Waste Capacity  
Policy 6.3 Assessing the impacts of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.1 Building London's Neighbourhoods And Communities  
Policy 7.2 An Inclusive Environment  
Policy 7.3 Designing Out Crime  
Policy 7.4 Local Character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.14 Improving Air Quality  
Policy 7.15 Reducing Noise And Enhancing Soundscapes

Mayor of London: Housing SPG (March, 2016)

26. Southwark Core Strategy (Adopted 6 April 2011)  
Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable transport  
Strategic Policy 5 - Providing new homes  
Strategic Policy 12 - Design and conservation  
Strategic Policy 13 - High environmental standards

27. Southwark Unitary Development Plan (Adopted 28 July 2007) (Saved Policies)  
The Council's cabinet on 19th 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) 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  
3.6 - Air Quality  
3.7 - Waste Reduction  
3.8 - Waste Management  
3.11 - Efficient use of land  
3.12 - Quality in Design

- 3.13 - Urban Design
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 4.1 - Density of residential development
- 4.2 - Quality of residential accommodation
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking

Supplementary Planning Document: Sustainable Design and Construction (2009)  
 Supplementary Planning Document: Residential Design Standards (2015)  
 Supplementary Planning Document: Sustainable Transport (2008)

### Summary of consultation responses

28.	Total number of representations:	44			
	In favour:	0	Against:	44	Neutral: 0
	Petitions in favour:	0	Petitions against:	0	

### Details of responses

29. Against:
- It will be necessary to infill the rooflights on the existing roof – this will cause an unbearable level of discomfort.
  - The development is contrary to Protocol 1, Article 1 of the Human Rights Act (1998)
  - Loss of evening sunlight
  - Additional overshadowing to the courtyard areas.
  - Further pressures on already inadequate public amenities in the locality
  - Impact on views
  - Overlooking
  - Design quality
  - Not in keeping with the existing building and the whole Grange Gardens development.
  - Over-development
  - The site is already over-developed
  - Nuisance from construction
  - No justification to add an additional floor having regard to the height of the Linden Homes 'Corio' development which is approximately the same height as the current building.
  - Poor public transport in the area
  - Will cause on-street overspill car parking
  - Contributes to the claustrophobic feel of the area
  - Loss of daylight due to the loss of the rooflights to the existing top floor flats.
  - The existing services in the building are already near breaking-point. The additional ground floor flats have already caused numerous issues to the central boiler and it was designed to serve so many flats.
30. Transport Planning Team:  
 No objection – The surround area has a limited number of available CPZ parking bays and therefore the new units should be exempt from eligibility from for parking permits within the CPZ.
31. Environmental Protection Team:  
 No objection – subject to applying the standard residential internal noise levels condition.

### **The principle of the proposed development in terms of land use**

32. The provision of additional residential units to an existing pre-dominantly residential building in a pre-dominantly residential neighbourhood does not conflict with any strategic policies or proposals in the current Development Plan for the borough and therefore is acceptable.

### **Environmental impact assessment**

33. The likely impacts of the proposed development are not so significant that the application falls within the scope of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 and as such there is no requirement for an EIA.

### **The impact of the development on the amenity of neighbouring residential occupiers.**

#### *Privacy – Relationship to 2 Haven Way (aka Block B) to the south*

34. The nearest (and highest) neighbouring dwellings are two 2bed/4person flats on the top (7th storey) of Block B immediately to the rear (south) of the proposed extension. Both of these flats have their principal living areas on the north side, but these rooms benefit from being dual aspect with arguably better views also available to the east and west respectively.
35. It appears that the minor material amendment application, ref.11/AP/2136 gave consent for alterations to the rear elevation of the host building (Block A) namely, (i) the protrusion of the glazed stairwell out from the rear elevation (it was originally flush), (ii) the infilling/removal of small recessed balconies, two per floor, with the windows brought forward to be flush with the elevation and, (iii) the alteration of the projecting large square bay windows which were originally approved as being obscure-glazed, albeit with clear-glazed side returns, but which have been constructed as clear-glazed windows with solid side returns.
36. This same minor material amendment application, ref.11/AP/2136, also permitted a modest extension on the north side of the top floor of Block B, thereby allowing it to encroach closer, in part, to the rear elevation of Block A.
37. However, notwithstanding these consented alterations to both blocks, the rear (south) elevation of the proposed extension (which would be recessed behind the building's existing rear elevation by approximately 1m) would leave a window-to-window separation distance of 11.4m to the flat on the east side of Block B and a window-to-window separation distance of between 11.6m-13.1m to the flat on the west side of Block B.
38. The separation distances between the rear bedroom windows of the proposed development and the living/kitchen/dining rooms of the nearest existing top floor flats in Block B is therefore generally less than 12m which is the minimum separation between windows across a street advocated by the Residential Design Standards SPD. Although the gap between the two blocks is a private landscaped pedestrian courtyard or thoroughfare rather than a public highway, the existing gap (slightly wider on the western side due to their oblique alignment) was clearly considered to be generally acceptable from a privacy standpoint when the scheme was originally approved in 2007, particularly, it is surmised, bearing in mind the relatively modest size of the residential window openings between the 1<sup>st</sup> and 5<sup>th</sup> floors in the north elevation of Block B (they are approximately no more than a typical door's width) and the fact that the vast majority of these windows serve bedrooms rather than the

principal living area of these flats. It is therefore considered that it is more appropriate to gauge the privacy impacts of the extension against the 12m rather than the 21m separation distance standard.

39. That said, the new extension on Block A would be at the same height as the existing top floor in Block B and therefore when combined with the larger size of the window openings both in the north elevation of the existing top floor flats in Block B (and the fact that these serve the primary habitable room of these two flats), and having regard to the roof terrace areas belonging to these flats it is considered that without some degree of obscure-glazing to the rear bedroom windows in the proposed development, both these nearest existing neighbours and any future occupiers of development would be left with an unacceptable loss of privacy.
40. It is considered that this matter could be successfully resolved by a planning condition but for clarity at this stage and to demonstrate that this could be achieved without compromising the quality of the proposed accommodation, it is envisaged that the four largest rear windows (two either side of the glazed stair core) would need to be obscure-glazed up to 1.5m above the internal finished floor level of the bedrooms they serve. Such a solution would therefore only affect 2 out of the 3 bedrooms in each of these two flats but would still in any event permit a reasonable outlook and views of the sky. This will be secured by way of condition.

*Privacy – Relationship to the Linden Homes development ('Corio') to the west*

41. There is a potential concern that the size and proximity of windows in the west elevation of the extension could have a detrimental impact on the privacy of the future occupiers of the nearest flats in the adjacent residential development by Linden Homes to the west of the site.
42. However, while these windows would be of a significant size and would have an elevated advantage of one floor over the highest flats in the nearest part of this adjacent development, the relationship would be an oblique one with an angle of at least 45 degrees. The window-to-window separation distances to the nearest flats in this neighbouring development to the west would range between 16.5m and 22m. With some partial obscure glazing being applied (e.g., obscuring the nearest rear third of the window nearest the south-west corner of the extension) and secured by a planning condition, together with the oblique relationship involved it is considered that sufficient mitigation would be in place to ensure that these future neighbours will not have an unacceptably poor standard of privacy imposed on them.

*Privacy – Relationship to the Notting Hill Home Ownership development ('The Exchange') to the east*

43. Currently there is a distance of 15.3m between the east elevation of the host building Block B and the west elevation of what was then referred to as Block D of the Bermondsey Spa Site C5 development approved in early 2011. The buildings are separated by a shared surface thoroughfare which has been named Park Way. This neighbouring Block D development is a four-storey C-shaped building arranged around an internal communal courtyard garden. It fronts onto Grange Walk to the north and Park Way to the west.
44. Having regard to the fact that all of the windows in the east elevation of the host building (there are four per floor between the 1<sup>st</sup> and 5<sup>th</sup> floors) are clear-glazed and serve habitable room windows (i.e., bedrooms and living/kitchen/dining rooms) it is considered that the two additional windows in the east elevation of the proposed extension (one serving a bedroom and another serving a living/kitchen/dining room) would not significantly worsen the existing situation particularly when one has regard to the fact that they would be set back by a further 2m and when one considers that there would be unlikely to be any direct line of sight due to the outlook from this side of

the extension looking over the top of the Block D given that it would form a 7<sup>th</sup> storey, while Block D is 4 storeys high. As such, it is considered that residents of this adjacent development to the east of the site would not suffer any unduly significant loss of privacy.

Daylight and sunlight impacts

45. The applicant has commissioned and submitted a technical daylight and sunlight report to accompany the application. This has been prepared by CHP Surveyors Ltd. with reference to the established industry guide from the Building Research Establishment (BRE) titled 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (Littlefair, P. 2nd Ed. 2011).
46. The report analyses the impact of the development on all of the immediately surrounding residential properties, in particular those already discussed above in relation to privacy. In undertaking the Vertical Sky Component (VSC), which simply measures the amount of daylight reaching the outside of any window at its centre, it found that only 6 neighbouring residential windows would be affected to a noticeable degree. These 6 windows are all in the north end wall of the block immediately to the rear of the application site (2 Haven Way) and are located on the fourth and fifth floors (the top floor in this development is the sixth floor).
47. However, 4 out of these 6 windows (4<sup>th</sup> floor: W3 and W6 and 5<sup>th</sup> floor: W3 and W4) are secondary windows serving dual-aspect living/kitchen/dining rooms meaning that these rooms also benefit from daylight received through glazed door/window openings in the west and east elevations. The other 2 windows both serve secondary double bedrooms on the fourth floor.
48. A Daylight Distribution test was also undertaken which compares the area of the affected room receiving direct skylight before and after the development. The BRE guide recommends that the area receiving direct skylight will be noticeable if it is reduced by more than 20%. Looking at the results of this test the area receiving direct skylight would be reduced by 20% in one of the bedrooms and by 30% in the other so therefore only one window would fail both the VSC test and the Daylight Distribution test. Having regard to the fact that only one out of many neighbouring residential windows tested would be so affected, that the window serves the second double bedroom in a 2-bed flat and that the room would only marginally be affected more than recommended, it is considered that the impact of the development on the current levels of daylight enjoyed by neighbouring dwellings is acceptable.
49. The report also examines the implications of the proposed development for the habitable rooms within the existing top floor flats in the building. The loss of daylight through the loss of these roof-lights is a recurring issue in several of the responses to the statutory neighbour consultation undertaken.
50. However, it should be noted that the existing top floor flats were considered to have been provided with sufficient daylight without roof-lights when the original planning permission for the Grange Gardens development was approved in 2007 as the roof of the building at that time showed no such roof-lights at all. In this vein, it is observed that the existing top floor layout together with the number and size of windows provided would still, by today's standards and guidance, (the Residential Design Standards SPD 2015 and the BRE guidance 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (Littlefair, P. 2nd Ed. 2011)) be considered to be well designed to achieve good levels of natural daylighting without any need of supplementary daylight via roof-lights.
51. In any case, the report details the results of an Average Daylight Factor (ADF) test of the existing top floor accommodation in the building. The ADF is the total amount of



daylight in a space. Although usually reserved for assessing the amount of daylight available in proposed new dwellings as it can be affected by variables such as the reflectivity of interior surfaces, the type of window glass used, the distance between the window head and the finished floor level and of course the size and layout of the various rooms, it is equally acknowledged that much of this information is known to the applicant.

52. The BRE guide advises that an ADF score of 2% should be achieved for kitchens, 1.5% for living rooms and 1% for bedrooms. The analysis shows that the six open plan living/kitchen/dining rooms of the existing top floor flats will still achieve ADF scores ranging from 2.1-5.2% in the absence of the roof-lights. The results of this test are therefore accepted as demonstrating conclusively that the existing top floor flats would continue to enjoy good levels of natural daylight via their windows without the additional daylight received through the roof-lights.
53. The report also found that no neighbouring residential property would suffer any significant loss of sunlight.
54. Issues of a history of construction programmes on the 'Grange Gardens' development running over and having to endure construction noise and disturbance on both sides of Grange Gardens for a significant period of time (due to the construction of the 'Corio' development to the west, 'The Exchange' development to the east as well as ongoing works to the subject building itself), have been raised in the responses to the statutory neighbour consultation undertaken.
55. With an awareness of these issues the application has been accompanied by a Construction Management Plan (CMP). The CMP covers the issues of construction hours and travel, a noise minimization strategy, vehicular access and arrangements, a waste management and refuse strategy, accommodation of scaffolding and storage of building materials, extension of lift, site facilities and accommodation, accident and emergency and neighbourly consultation and relationships. The CMP is considered to be generally acceptable and it is recommended that it be included in the list of approved plans and documents. There are some queries in regard to whether it is absolutely necessary for the scaffolding to wrap around all four sides of the building and whether it might not rather be possible to for it just to wrap around one or two sides and thereby not be as intrusive to the existing residents in the building in terms of loss of light, loss of privacy and noise and disturbance and also how long the works are envisaged to last. At the time of writing no answers to these queries have yet been provided, however any responses can be reported via an Addendum on the day of the committee meeting and/or via an additional planning condition.
56. In summary, officers consider that the proposed development would have an acceptable impact on the amenity of neighbouring residential occupiers and so would comply with saved policy 3.2 (Protection of amenity) of the Southwark Plan (2007).

## **Design issues**

### Density

57. When originally approved the density of the entire Grange Gardens development (1, 2 and 3 Haven Way) was estimated to be 805hr/h, thus above the 200-700hr/h Urban Density Zone range. The single-storey roof-top extension now proposed would provide an additional 12 habitable rooms and as such it would only marginally increase this figure.
58. However, as the Mayor's Housing SPG (2016) advises that density is only one measure of the appropriateness of a development and needs to be considered alongside other issues such as the need to secure residential quality, the need to

avoid harmful amenity impacts, the need to ensure that the transport impacts can be absorbed and/or mitigated and the need to take due account of local context and character.

59. In terms of the impact of the proposal on the local context and character, having had regard to the heights of the neighbouring 7-storey Woodville and Valois Houses on the north side of Grange Walk and the height of the 7-storey Linden Homes 'Corio' residential development nearing completion immediately to the west of the site it is considered that an additional floor in the form and scale proposed would not be unduly out of step with the prevailing height and scale of buildings in this location. It would only be marginally higher than the now substantially complete 7-storey Linden Homes 'Corio' development to the west which is approximately 22.5m high.
60. Aesthetically, through its reduced size and being set in from the building's existing elevations on all sides by reasonable margins, it is considered to be an appropriate means of extending the building without creating an over-dominant mass. The success of the extension in this regard is aided by the intention to continue the green glazed tile cladding used for the existing top floor and to simply extrude it upwards following the recessed building lines of the north-west corner of the existing top floor. As such it is considered to be a logical extension that will integrate well with the building's established architecture and materials. The green glazed tiles and generally larger full height window openings proposed would combine to give the extension a suitable visually 'lighter' appearance but elsewhere other window openings in the front and rear elevations demonstrate good visual continuity with the established fenestration on the floors below.
61. It is proposed for the 'margins' between the smaller footprint of the proposed extension and the larger footprint of the roof upon which it would sit, to form accessible roof terraces. This is acceptable in principle, however it is recommended that the details of the design and materials to form the balustrades are submitted for approval as these have not been shown in any meaningful detail on the submitted plans and elevations.
62. It is also considered reasonable and appropriate to apply a condition to ensure that the existing sedum roof on host building would not be lost but would be replicated on the roof of the proposed extension. The condition would seek for detailed construction drawings and planting specifications to be submitted for approval, should the application be granted.

### **Quality of accommodation**

#### *Unit, room size, aspect, head heights, etc*

63. All of the proposed 3bed/6person dwellings would exceed the 95sqm minimum unit size standard.
64. The principal living areas in each flat (the open plan kitchen/living/dining rooms) would also all comply with the 30sqm minimum size as set out in the Residential Design Standards SPD.
65. The smallest of the three double bedrooms in Flat 6.1 measures approximately 9.5sqm and so would fall short of the 12sqm double-bed room minimum standard. However, the double bed furniture shown on the plans is only indicative and it is acceptable to simply treat this room as a well-proportioned single-bed room exceeding the requisite 8sqm single-bed room minimum standard.
66. The units would also have good floor to ceiling heights and would all be dual aspect and all habitable rooms would be served by a conventional vertical window allowing

direct natural light and an outlook.

Outdoor amenity space

67. The new flats would all benefit from private outdoor roof terraces of the following sizes:

Flat 6.1 – 12.4sqm

Flat 6.2 – 8.9sqm

Flat 6.3 – 34.6sqm

68. The Residential Design Standards SPD advises that at least 10sqm of private outdoor amenity space should be provided for dwellings containing 3 or more bedrooms. Two out of the three flats would exceed this standard while one would marginally fall short. However, this provision is considered to be acceptable having regard to the design of the existing building and the proximity of flats to the rear within Block B (2 Haven Way) both of which preclude the provision of a larger roof terrace for Flat 6.2.

**Car / cycle parking, servicing and refuse arrangements**

69. Car Parking

Although the existing building benefits from on site car parking in the basement, no additional car parking spaces are proposed to serve the additional residential units now proposed. The proposal is therefore effectively a 'car-free' scheme, which is acceptable in principle as the site is located within a Controlled Parking Zone (CPZ) and therefore the potential overspill impact on on-street parking can be addressed by the imposition of a planning condition prohibiting new residents from applying for parking permits.

70. Cycle Storage

The proposed units would form part of an existing development and will utilize the existing basement for the cycle storage area, where all other services are located. The application proposes to install an additional 7 cycle parking spaces within the existing basement, accessible from the communal main entrance. This provision would comply with the minimum cycle parking standards in the London Plan (2016).

71. Refuse Storage

It is proposed to increase the capacity of one general refuse bin and another one for recycling from 660L to 1000L to meet the additional refuse and recycling storage demand of the three additional units now proposed. These two larger bins would be accommodated within the existing residential bin store area in the north-east corner of the ground-floor. Officers are satisfied that this is an acceptable and practical solution noting that most of the additional storage capacity of the 1000L bins is derived from their additional height (60cm higher), although they would also be 26cm deeper.

**Sustainable development implications**

72. As mentioned above the proposed development should re-instate the existing sedum roof on the building. This can be secured through an appropriate condition.

**Other matters – Affordable Housing**

73. The matter of whether this development would trigger a requirement for affordable housing, when viewed cumulatively with planning permission ref. 12/AP/3987 (which granted permission for a change of use of commercial floorspace within the building to create an additional 7 residential units) has also been examined. However, the combination of the 7 residential units granted under this planning permission with the 3 additional units now proposed in this extension would amount to only 10 units and

therefore the affordable housing liability threshold, which currently stands at 11 or more units, would not be reached. As such there is no policy requirement for this development to contribute towards the provision of affordable housing in the borough.

### **Other matters – CIL Liability**

74. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
75. The application is liable for both the Mayoral CIL and the Southwark CIL because it would create three new dwellings and as such constitutes a chargeable development under the CIL Regulations 2010 (as amended).

Mayoral CIL = 358sqm x £35/sqm x 275/223 = £15,452

Southwark CIL (Residential Zone 2) = 358sqm x £200/sqm x 275/260 = £75,731

### **Conclusion on planning issues**

76. For the reasons set out above the application is recommended for a grant of planning permission, subject to conditions.

### **Community impact statement**

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

- a) The impact on local people is set out above,
- b) There are no issues relevant to particular communities/groups likely to be affected by the proposal, and
- c) There are no likely adverse or less good implications for any particular communities/groups.

### **Consultations**

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

### **Human rights implications**

79. 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.
80. It is noted that an objection/s to the proposed development has/have been raised on the grounds that it conflicts with Article 1 of Protocol 1 of the HRA, that is, that every natural or legal person is entitled to the peaceful enjoyment of his possessions. The

principle that planning proposals that impact upon a person's enjoyment of their home, health or privacy may engage rights under the HRA is accepted. However, case law has established that the impact must reach a minimum level of severity, i.e., the intensity, duration and the physical and mental effects are all important factors. However, the State may place lawful restrictions on this and any other right under the HRA providing that it has a legitimate aim which may involve the need to balance the interests of society with those of individuals and groups.

81. Given that the proposed development is modest and therefore noise and disturbance arising from construction related activity will not be long-lasting, given that a construction management plan has been prepared, the aim of which is to minimize the noise and disruption visited upon neighbouring residents (particularly those living in the same building) and given that the long-term impacts of the proposed development have been given a thorough and balanced consideration in this report and that planning conditions have been recommended to appropriately control all residual impacts related to planning matters, it is considered that the proposed development does not conflict with the human rights of any of the affected residents as set out in the HRA.
82. This application has the legitimate aim of seeking to extend the existing building to create three additional residential dwellings. 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/115-75  Application file: 16/AP/2173  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 5405 Council website: www.southwark.gov.uk

## APPENDICES

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

**AUDIT TRAIL**

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Ciaran Regan, Senior Planning Officer		
Version	Final		
Dated	14 December 2016		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director, Finance and Governance	No	No	
Strategic Director, Environment and Leisure	No	No	
Strategic Director, Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		5 December 2016	

**APPENDIX 1****Consultation undertaken****Site notice date:** 15/06/2016**Press notice date:** n/a**Case officer site visit date:** 15/06/2016**Neighbour consultation letters sent:** 17/06/2016**Internal services consulted:**

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

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

n/a

**Neighbour and local groups consulted:**

Flat 535 1 Haven Way SE1 3FJ	Flat 633 2 Haven Way SE1 3FL
Flat 534 1 Haven Way SE1 3FJ	Flat 529 2 Haven Way SE1 3FL
Flat 533 1 Haven Way SE1 3FJ	Flat 425 2 Haven Way SE1 3FL
Unit 1 1 Haven Way SE1 3FJ	Flat 424 2 Haven Way SE1 3FL
Flat 537 1 Haven Way SE1 3FJ	Flat 426 2 Haven Way SE1 3FL
Flat 536 1 Haven Way SE1 3FJ	Flat 528 2 Haven Way SE1 3FL
Flat 532 1 Haven Way SE1 3FJ	Flat 527 2 Haven Way SE1 3FL
Flat 428 1 Haven Way SE1 3FJ	Flat 4 2 Haven Way SE1 3FL
Flat 427 1 Haven Way SE1 3FJ	Flat 3 2 Haven Way SE1 3FL
Flat 426 1 Haven Way SE1 3FJ	Flat 5 2 Haven Way SE1 3FL
Flat 431 1 Haven Way SE1 3FJ	Flat 8 2 Haven Way SE1 3FL
Flat 430 1 Haven Way SE1 3FJ	Flat 6 2 Haven Way SE1 3FL
Flat 429 1 Haven Way SE1 3FJ	Flat 2 2 Haven Way SE1 3FL
61a Grange Walk London SE1 3EL	Unit 4 2 Haven Way SE1 3FL
60b Grange Walk London SE1 3EL	Flat 635 2 Haven Way SE1 3FL
60a Grange Walk London SE1 3EL	Unit 5 2 Haven Way SE1 3FL
79b Maltby Street London SE1 3PB	Flat 1 2 Haven Way SE1 3FL
61c Grange Walk London SE1 3EL	Unit 6 2 Haven Way SE1 3FL
61b Grange Walk London SE1 3EL	Flat 208 2 Haven Way SE1 3FL
79a Maltby Street London SE1 3PB	Flat 107 2 Haven Way SE1 3FL
Flat 1 1 Haven Way SE1 3FJ	Flat 209 2 Haven Way SE1 3FL
Unit 3 1 Haven Way SE1 3FJ	Flat 211 2 Haven Way SE1 3FL
Unit 2 1 Haven Way SE1 3FJ	Flat 210 2 Haven Way SE1 3FL
Flat 4 1 Haven Way SE1 3FJ	Flat 106 2 Haven Way SE1 3FL
Flat 3 1 Haven Way SE1 3FJ	Flat 102 2 Haven Way SE1 3FL
Flat 2 1 Haven Way SE1 3FJ	Flat 101 2 Haven Way SE1 3FL
Flat 425 1 Haven Way SE1 3FJ	Flat 103 2 Haven Way SE1 3FL
Flat 208 1 Haven Way SE1 3FJ	Flat 105 2 Haven Way SE1 3FL
Flat 107 1 Haven Way SE1 3FJ	Flat 104 2 Haven Way SE1 3FL
Flat 106 1 Haven Way SE1 3FJ	Flat 319 2 Haven Way SE1 3FL
Flat 211 1 Haven Way SE1 3FJ	Flat 318 2 Haven Way SE1 3FL
Flat 210 1 Haven Way SE1 3FJ	Flat 420 2 Haven Way SE1 3FL
Flat 209 1 Haven Way SE1 3FJ	Flat 423 2 Haven Way SE1 3FL
Flat 105 1 Haven Way SE1 3FJ	Flat 421 2 Haven Way SE1 3FL
Flat 101 1 Haven Way SE1 3FJ	Flat 317 2 Haven Way SE1 3FL
Store Adjacent Woodville House SE1 3EQ	Flat 213 2 Haven Way SE1 3FL
Flat 104 1 Haven Way SE1 3FJ	Flat 212 2 Haven Way SE1 3FL
Flat 103 1 Haven Way SE1 3FJ	Flat 314 2 Haven Way SE1 3FL
Flat 102 1 Haven Way SE1 3FJ	Flat 316 2 Haven Way SE1 3FL
Flat 321 1 Haven Way SE1 3FJ	Flat 315 2 Haven Way SE1 3FL
Flat 320 1 Haven Way SE1 3FJ	Flat 317 1 Haven Way
Flat 319 1 Haven Way SE1 3FJ	Flat 532 1 Haven Way London SE1 3FJ
Flat 424 1 Haven Way SE1 3FJ	B422 2 Haven Way SE1 3FL

Flat 323 1 Haven Way SE1 3FJ  
 Flat 322 1 Haven Way SE1 3FJ  
 Flat 318 1 Haven Way SE1 3FJ  
 Flat 214 1 Haven Way SE1 3FJ  
 Flat 213 1 Haven Way SE1 3FJ  
 Flat 212 1 Haven Way SE1 3FJ  
 Flat 317 1 Haven Way SE1 3FJ  
 Flat 316 1 Haven Way SE1 3FJ  
 Flat 215 1 Haven Way SE1 3FJ  
 2 Haven Way London SE1 3FL  
 Flat 315 2 Haven Way Se1 3FL  
 Flat 631 2 Haven Way SE1 3FL  
 Flat 530 2 Haven Way SE1 3FL  
 Flat 632 2 Haven Way SE1 3FL  
 Flat 634 2 Haven Way SE1 3FL

2 Haven Way London SE1 3FL  
 Flat 208 1 Haven Way SE1 3FJ  
 Flat 533 1 Haven Way SE1 3FJ  
 Flat 532, Block A 1 Haven Way SE13fj  
 431 Grange Gardens 1 Haven Way SE1 5QB  
 2 Haven Way London SE1 3FL  
 10 Limasol Street Flat 45 SE16 3GE  
 1, Haven Way London SE1 3FJ  
 Flat 45 Ockham Building 10 Limasol Street SE16 3GE  
 37 Whitmore 3 Arts Lane Se163gb  
 48 Ockham Building 10 Limasol Street SE16 3GE  
 33 Ockham Building 10 Limasol Street SE163GE  
 27 Ockham Building 10 Limasol Street SE16 3GE  
 Flat 535, 1 Haven Way London SE1 3FJ  
 Flat 535, 1 Haven Way London SE1 3FJ  
 Beechlawn Hurtmore Road GU7 2RA

**Re-consultation:** n/a



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

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

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

Beechlawn Hurtmore Road GU7 2RA  
 B422 2 Haven Way SE1 3FL  
 Flat 101 1 Haven Way SE1 3FJ  
 Flat 101 1 Haven Way SE1 3FJ  
 Flat 101 2 Haven Way SE1 3FL  
 Flat 103 1 Haven Way SE1 3FJ  
 Flat 104 2 Haven Way SE1 3FL  
 Flat 107 1 Haven Way SE1 3FJ  
 Flat 208 1 Haven Way SE1 3FJ  
 Flat 212 1 Haven Way SE1 3FJ  
 Flat 212 2 Haven Way SE1 3FL  
 Flat 213 1 Haven Way SE1 3FJ  
 Flat 315 2 Haven Way Se1 3FL  
 Flat 316 1 Haven Way SE1 3FJ  
 Flat 317 1 Haven Way  
 Flat 317 1 Haven Way SE1 3FJ  
 Flat 424 1 Haven Way SE1 3FJ  
 Flat 428 1 Haven Way SE1 3FJ  
 Flat 430 1 Haven Way SE1 3FJ  
 Flat 431 1 Haven Way SE1 3FJ  
 Flat 45 Ockham Building 10 Limasol Street SE16 3GE  
 Flat 527 2 Haven Way SE1 3FL  
 Flat 532, Block A 1 Haven Way SE13fj  
 Flat 532, Block A 1 Haven Way SE13fj  
 Flat 532, Block A 1 Haven Way SE13fj  
 Flat 532 1 Haven Way London SE1 3FJ  
 Flat 532 1 Haven Way SE1 3FJ  
 Flat 533 1 Haven Way SE1 3FJ  
 Flat 533 1 Haven Way SE1 3FJ  
 Flat 535, 1 Haven Way London SE1 3FJ  
 Flat 535, 1 Haven Way London SE1 3FJ  
 Flat 535 1 Haven Way SE1 3FJ  
 Flat 536 1 Haven Way SE1 3FJ  
 Flat 537 1 Haven Way SE1 3FJ  
 Flat 537 1 Haven Way SE1 3FJ  
 Flat 631 2 Haven Way SE1 3FL  
 Flat 632 2 Haven Way SE1 3FL  
 1, Haven Way London SE1 3FJ  
 10 Limasol Street Flat 45 SE16 3GE  
 2 Haven Way London SE1 3FL  
 2 Haven Way London SE1 3FL

2 Haven Way London SE1 3FL  
27 Ockham Building 10 Limasol Street SE16 3GE  
33 Ockham Building 10 Limasol Street SE16 3GE  
37 Whitmore 3 Arts Lane SE16 3GB  
431 Grange Gardens 1 Haven Way SE1 5QB  
48 Ockham Building 10 Limasol Street SE16 3GE  
48 Ockham Building 10 Limasol Street SE16 3GE

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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>	Hazelwood Properties Ltd Hazelwood Properties LtdMr Thomas Price DP9Mr Thomas Price DP9	<b>Reg. Number</b>	16/AP/2173
<b>Application Type</b>	Full Planning Permission		
<b>Recommendation</b>	Grant permission	<b>Case Number</b>	TP/987-A

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**Draft of Decision Notice**


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

Construction of a roof-top extension to existing building to provide 3no. 3-bed residential units.

**At:** 1 HAVEN WAY, LONDON, SE1

**In accordance with application received on** 27/05/2016 08:01:23

**and Applicant's Drawing Nos. Existing Plans:**

Site Location Plan, (EX)099 P1, (EX)100 P1, (EX)105 P1, (EX)106 P1, (EX)200 P1, (EX)300 P1, (EX)301 P1, (EX)302 P1, (EX)303 P1,

**Proposed Plans:**

(PL)000 P1, (PL)099 P1, (PL)100 P1, (PL)105 P1, (PL)106 P3, (PL)107 P1, (PL)200 P1, (PL)300 P1, (PL)301 P2, (PL)302 P1, (PL)303 P2,

**Documents:**

Design and Access Statement, Daylight and Sunlight Report prepared by CHP Surveyors, dated 25th May 2016, Construction Management Plan prepared by GHR Construction Ltd, dated November 2016.

**Subject to the following eleven 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 and documents:

(PL)099 P1  
(PL)100 P1  
(PL)105 P1  
(PL)106 P3  
(PL)107 P1  
(PL)200 P1  
(PL)300 P1

(PL)301 P2

(PL)302 P1

(PL)303 P2

Construction Management Plan prepared by GHR Construction Ltd, dated November 2016

Reason:

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

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

- 3 Prior to the commencement of development, a scheme of partial obscure-glazing to include the four largest window openings in the south (rear) elevation and the large window in the southern half of the west elevation shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out other than in strict accordance with any such approval given and the agreed scheme shall be installed prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

Reason:

In order to protect the privacy and amenity of the neighbouring residents from undue overlooking in accordance with Section 11 of the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2016); strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

- 4 Prior to the commencement of development, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:  
biodiversity based with extensive substrate base (depth 80-150mm);  
laid out in accordance with agreed plans; and  
planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

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

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

Discharge of this condition will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies 2.18, 5.3, 5.10, and 5.11 of the London Plan (2016), Strategic policy 11 of the Southwark Core Strategy (2011) and saved policy 3.28 of the Southwark Unitary Development Plan (2007).

- 5 Prior to the commencement of development, detailed section and elevation drawings (including specification of materials used) at a scale of 1:5m/1:10m for the balustrading around the roof terraces shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out other than in strict accordance with any such approval given.

Reason:

To ensure a high quality of detailed design and the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

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

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

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with 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.

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

**Reason:**

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

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

**Reason**

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

- 9 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 (Guidance on sound insulation and noise reduction for buildings) are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T \*, 30 dB LAeq T \*\*, 45dB LAFmax T \*

Living rooms- 35dB LAeq T \*\*

Dining room - 40 dB LAeq T \*\*

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

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

**Reason**

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework (2012), policy 7.15 (Reducing and managing noise, etc.) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of amenity) and 4.2 (Quality of residential accommodation) of the Southwark Unitary Development Plan (2007).

- 10 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted.

**Reason**

In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

- 11 The roof of the development hereby permitted shall not be used other than as a means of escape or for necessary maintenance and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

**Reason**

In order to protect the privacy of neighbouring residential occupiers from undue overlooking from the use of the roof in accordance with Section 11 of the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2016); strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

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

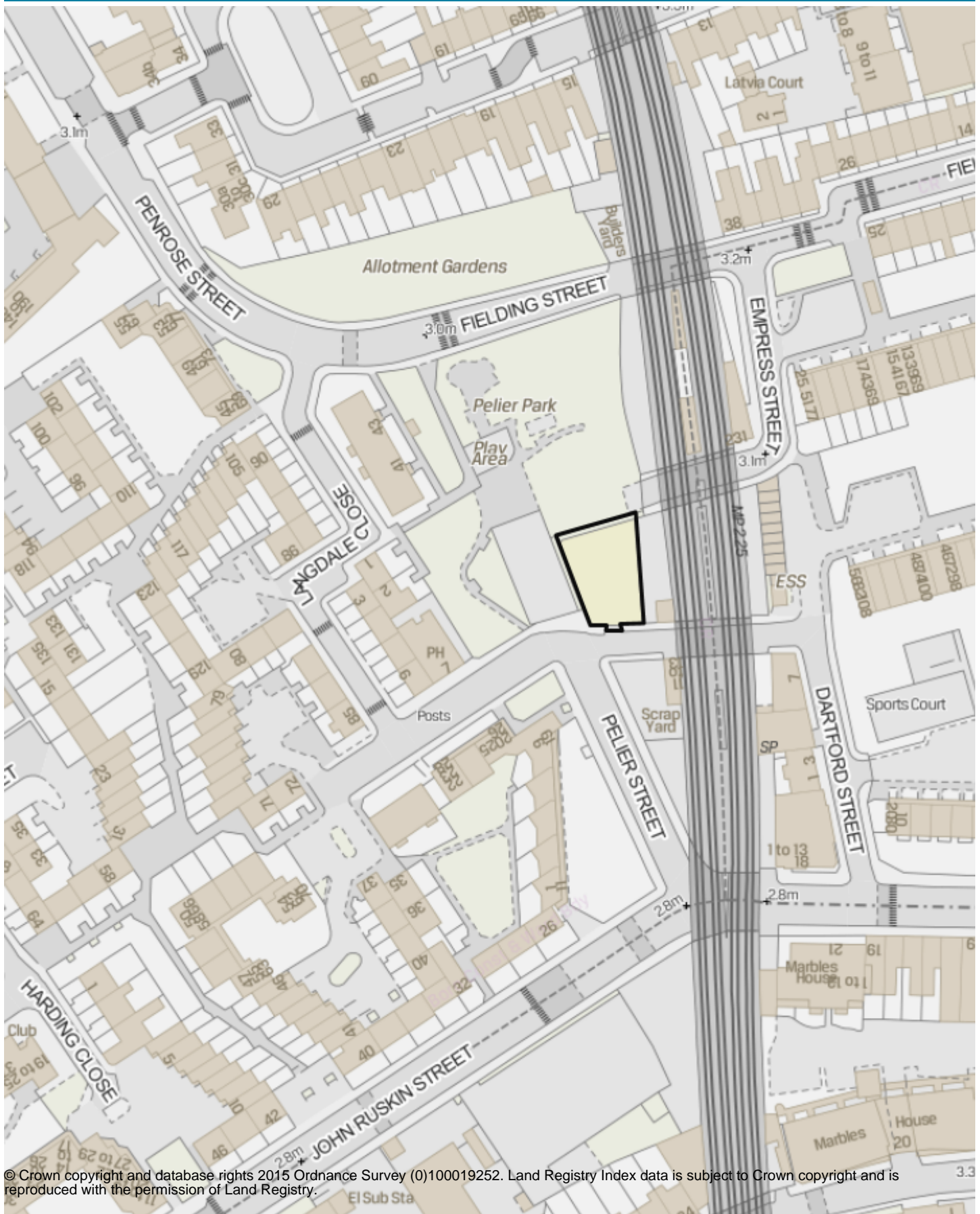
To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service.

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

**Informative**

The Applicant and/or Developer is advised that should there be any further sub-division of the floorspace with the intention of, or that would have the effect of, creating 4 (four) or more self-contained residential units within the development, a contribution to the provision of Affordable Housing in the borough would be required in accordance with the Development Plan.

## Land to North Side of Hillingdon Street at Junction with Pelier Street



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10 m

Scale = 1 : 1250

5-Dec-2016

Legal Services

<b>Item No.</b> 7.2	<b>Classification:</b> OPEN	<b>Date:</b> 14 December 2016	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Council's own development Application 16/AP/3968 for: Full Planning Permission  <b>Address:</b> LAND TO NORTH SIDE OF HILLINGDON STREET AT JUNCTION WITH PELIER STREET, BOUNDED TO EAST BY RAILWAY VIADUCT AND WEST BY PELIER PARK, LONDON SE17  <b>Proposal:</b> Construction of a seven-storey residential development containing 17 dwellings for social rent, consisting of 4 x 1 bed flats, 9 x 2 bed flats and 4 x 3 bed flats.		
<b>Ward(s) or groups affected:</b>	Newington		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 27/09/2016		<b>Application Expiry Date</b> 27/12/2016	
<b>Earliest Decision Date</b> 30/11/2016			

## RECOMMENDATION

1. Grant Planning permission subject to Planning Obligations Agreement and conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The application site is a piece of land between the north-south railway viaduct between Elephant and Castle and Loughborough Junction, and Pelier Park. The site is currently enclosed behind hoardings, and has in the past contained a car wash and a scrap yard. There is an existing scaffold and corrugated plastic canopy structure over an area to the east of the site, adjacent to the viaduct and covering the entrance to some arches. The surrounding area has a predominantly residential character, with some low key industrial uses adjacent to the rail viaduct. There is also a public house (Sir Robert Peel) to the west of the site.
3. The site is designated within the Core Strategy Proposals Map as follows:  
Air Quality Management Area  
Urban Density Zone  
Flood Risk Zone 3  
PTAL 5 (High access to Public Transport)  
Controlled Parking Zone
4. There are no designated heritage assets on or near to the site. Pelier Park, which borders the northern and western boundaries of the site is protected open space, designated as Other Open Space, OS84 in the Core Strategy Proposals Map.



### **Details of proposal**

5. The proposal consists of the construction of a seven-storey residential development containing 17 dwellings for social rent, consisting of 4 x 1 bed flats, 9 x 2 bed flats and 4 x 3 bed flats. A three and two bed duplex would be split across ground and first floor with an additional three bed flat at first floor. two x two beds and one x one bed would be on floors 2-5 and two x three bed units would be provided at sixth floor level.
6. Cycle and refuse storage are proposed at ground floor level as well as a plant machine room which would partially extend into a lower ground floor of the building.
7. The proposed materials would consist of a facing brick work as the main material with soldier brick courses and circular brick columns. The windows and doors would consist of aluminium composite material with steel balustrades to the balconies.

### **Planning history**

8. 11/EN/0062 Enforcement type: Unauthorised building works (UBW) - motor mechanics operating in archway under bridge Sign-off date 04/07/2012 Sign-off reason: Final closure - breach immune (FCBI)
9. 14/EN/0356 Enforcement type: Change of use (COU) - Unauthorised industrial use. Sign-off date 29/10/2014 Sign-off reason: Final closure - no breach of control (FCNB)
10. 13/AP/3300 for: Outline Planning Permission was granted for the erection of a Four storey development of 7 dwellings comprising 5 x 1 bed flats and 2 x 3 bed flats (outline application with access, appearance, landscaping, layout and scale reserved for future consideration).

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

11. 1-9 Pelier Street - Planning permission was granted in 2001 for the continued use of site and arch for car repairs. (This site is further south of the application site).
12. 11-13 Dartford Street - 08-AP-1382 - Conversion of archway and land adjacent to viaduct to form a live/work unit with the commercial component within the archway.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

13. The main issues to be considered in respect of this application are:
  - a) the principle of the land use.
  - b) the impact on the character and appearance of the streetscene and conservation area setting.
  - c) the impact on the amenity of neighbouring occupiers (including adjacent park).
  - d) the quality of accommodation for future occupiers.
  - e) the impact on the transport network.

## Planning policy

### 14. National Planning Policy Framework (the Framework)

Section 1 – Building a strong, competitive economy  
 Section 4 – Promoting sustainable transport  
 Section 6 – Delivering a wide choice of high quality homes  
 Section 7 – Requiring good design  
 Section 8 – Promoting healthy communities  
 Section 11 – Conserving and enhancing the natural environment  
 Section 12 – Conserving and enhancing the historic environment

### 15. The London Plan 2016

2.9 Inner London  
 3.1 Equal life chances for all  
 3.2 Improving health and assessing health opportunities for all  
 3.3 Increasing housing supply  
 3.4 Optimising housing potential  
 3.5 Quality and design of housing developments  
 3.6 Children and young peoples play and informal recreation facilities  
 3.8 Housing choice  
 3.9 Mixed and balanced communities  
 3.10 Definition of affordable housing  
 3.11 Affordable housing targets  
 3.13 Affordable housing thresholds  
 5.1 Climate change mitigation  
 5.2 Minimising carbon dioxide emission  
 5.3 Sustainable design and construction  
 5.7 Renewable energy  
 5.10 Urban greening  
 5.11 Green roofs and development site environs  
 5.13 Sustainable drainage  
 5.14 Water quality and waste water infrastructure  
 5.15 Water use and supplies  
 5.17 Waste capacity  
 5.18 Construction, excavation and demolition waste  
 5.21 Contaminated land  
 6.3 Assessing effects of development on transport capacity  
 6.5 Funding Crossrail and other transport initiative  
 6.9 Cycling  
 6.10 Walking  
 6.13 Parking  
 7.1 Building London's neighbourhoods and communities  
 7.2 An inclusive environment  
 7.3 Designing out crime  
 7.4 Local Character  
 7.5 Public Realm  
 7.6 Architecture  
 7.14 Improving air quality  
 7.15 Reducing noise and enhancing soundscapes  
 8.1 Implementation  
 8.2 Planning obligations  
 8.3 Community Infrastructure Levy

16. Core Strategy 2011

Strategic Policy 1 - Sustainable Development  
 Strategic Policy 2 – Sustainable transport  
 Strategic Policy 11 'Open Spaces and Wildlife'  
 Strategic Policy 12 - Design and Conservation  
 Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

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

Policy 2.5 Planning obligations  
 Policy 3.1 Environmental effects  
 Policy 3.2 Protection of amenity  
 Policy 3.3 Sustainability assessment  
 Policy 3.4 energy efficiency  
 Policy 3.6 Air quality  
 Policy 3.7 Waste reduction  
 Policy 3.9 Water  
 Policy 3.11 Efficient use of land  
 Policy 3.12 Quality of accommodation  
 Policy 3.13 Urban design  
 Policy 3.14 Designing out crime  
 Policy 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites  
 Policy 3.27 Other Open Space  
 Policy 4.2 Quality of residential accommodation  
 Policy 4.3 Mix of dwellings  
 Policy 4.4 Affordable housing  
 Policy 4.5 Wheelchair affordable housing  
 Policy 5.2 Transport impacts  
 Policy 5.3 Walking and Cycling  
 Policy 5.6 Car parking  
 Policy 5.7 Parking standards for disabled people

18. 2015 Technical Update to the Residential Design Standards [SPD] 2011

Summary of neighbour consultation responses

19. A total of 12 objections have been received to the proposed development. The objections have been raised on the following grounds:
- Height and massing inappropriate within this location. No set backs proposed.
  - Building 3 times higher than surrounding buildings.
  - Out of character with the surrounding area.
  - Overbearing impact of the building as it is too tall.
  - Impacts on the neighbours amenities by way of overshadowing of the park and allotments.
  - Overshadowing study not undertaken of the park.

Overlooking into the park.

- Over dense.
- Impacts on the setting of the Sutherland Square conservation area and listed buildings.
- detrimental impact upon the neglected Pelier Park which is already in need of investment, lack of natural light and poor access,
- A building in that site of more than 5 levels, will impact in terms of light and shadow in the Pelier Park and in surround buildings.

20. Response: These comments are addressed in the main body of the report below.

None planning related comments

21. Number of related documents obstructs objectors from commenting on the development of historic Pelier Park, while nearby sites fall into disrepair.

Response: *The number of documents relates to either statutory or local validation requirements for major planning applications.*

22. Block view of the shard

Response: *The shard does not sit within any protected views and as such is not a material planning consideration.*

23. Plans and images misleading:

Response: *The plans and elevations are all accurate and in accordance with the provided scales.*

**Principle of development**

24. The application site is a currently unoccupied brownfield site and is enclosed by a site hoarding; however its previous use appears to have been within a commercial B class use. However, the site is not on a classified road, in the Central Activity Zone, within a Public Transport Accessibility Zone, or Strategic Cultural Area, therefore policy 1.4 which assesses the loss of employment sites does not apply in this case. The area is predominantly residential; therefore a residential development would be an acceptable addition to the area.
25. The proposed density of 1541 habitable rooms per hectare (hrph) would exceed that normally recommended within the urban zone (200 – 700) where the site has a PTAL of 4. However, policy notes that maximum density guidelines may be exceeded where developments show an exemplary standard of design and would provide new residential units of a high quality of accommodation.
26. The proposal does provide new residential units which significantly exceed minimum floorspace; provide bulk storage; include a predominance of dual and triple aspect units; good daylight and exceed minimum ceiling heights in accordance with Residential Design Guidance. As such officers are satisfied that the development does not exhibit the usual signs of overdevelopment with the provision of high quality residential units with outdoor amenity space for each of the units. As such, officers are satisfied that the density of the site is considered appropriate in this instance.

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

### Overlooking into the surrounding properties

27. The closest properties to the north of the site are approximately 95m away and as such no impacts would be had in overlooking terms on these properties. The properties to the west of the site would also be approximately 33m away from the property and again no impacts would be expected.
28. The property at 11-13 Dartford Street would be approximately 13m away; however there do not appear to be any habitable windows directly facing the proposed development. Notwithstanding this, the proposal would be in excess of 12m (when across a road) from this property and as such would be compliant with the guidance contained within the Residential Design Standards. With regards to the properties on the corner of Pelier Street and Langdale Close, these are approximately 23m away and any windows would also be at a splayed angle to the proposal, as such there would again be no direct overlooking that would occur.

### Daylight impacts on the proposal

29. The applicants have provided a daylight and sunlight assessment which looks at how the proposed development would impact on the surrounding residential properties. The properties that would be most affected are along Langdale Close (1, 2 4 and 7), at 11-13 Dartford Close and at 41-43 Fielding Street and as such the assessment looks at the likely impacts on these properties.
30. The British Research Establishment (BRE) guidelines 'Site Layout Planning and Daylight and Sunlight' (2011) has been used to assess the impact on daylight and sunlight. The daylight assessment uses the Vertical Sky Component (VSC) methods. Absolute VSC considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the residential windows which look towards the site. The BRE target figure for VSC is 27% or greater to maintain good levels of daylight (the maximum value being 40% for a completely unobstructed wall).
31. The BRE advises that acceptable levels of daylight can still be achieved if VSC levels are within 0.8 (or 80%) of their original value. Any greater loss (i.e. loss of 20% or more) would mean there would be a noticeable reduction in the amount of daylight received.
32. The results show that only two of the windows would fall short of the tests in relation to the VSC calculations and both of these would be within the live/work property at 11-13 Dartford Street. In such cases where the VSC tests indicate that a development may have the potential for causing daylight impacts at neighbouring properties, it is suggested that a more detailed Average Daylight Factor (ADF) can be used as an additional assessment whilst also looking at the no sky line assessment impacts of the scheme.
33. In terms of the no sky line assessment, the BRE guidance outlines that the area of the working plane within the room that has the view of the sky should not be reduced by 0.8 times its former result prior to the new development. In this instance, all of the rooms which have potential to be affected by the development have been tested here and results note that all of the rooms would comply with this test and as such there would be no noticeable impacts on the occupants of each of the rooms within the adjacent properties.
34. Further to this, the applicants have also provided an Average Daylight Factor assessment. The ADF test takes into account the size and number of windows serving each room and therefore allows a more quantitative assessment to be undertaken.

35. The applicants assessments outline that the two rooms which showed shortfalls under the VSC analysis would retain in excess of the minimum target for the particular rooms use as there are multiple windows within this affected room. As such, the overall light into all of the habitable rooms surrounding the development would not result in any significant daylight impacts on the surrounding properties.

#### Sunlight impacts

36. The applicant's assessment of the impacts on sunlight identifies that all of the individual windows pass the relevant Annual Probable Sunlight Hours assessment and consequently no impacts would be expected on any of the surrounding properties access to sunlight.

#### Overshadowing of Pelier Street Park and surrounding gardens

37. A number of objections raise concerns in relation to how the development would impact on the park and the surrounding residents' enjoyment of this space.
38. Guidance published by the Building Research Establishment (BRE) suggests that where new development may affect one or more amenity areas, analysis can be undertaken to quantify the loss of sunlight resulting from overshadowing. This is relevant to the impact of the new proposals on Pelier Park. The BRE Guidelines recommend that for a garden or amenity area to appear adequately sunlit throughout the year, and outlines that at least 50% of the park should receive two or more hours of sunshine on 21 March.
39. The applicants have provided an overshadowing study within the Design and Access statement that illustrates that over 50% of the park will continue to receive in excess of two or more hours of sunshine on 21st March and would continue to provide good levels of direct sunlight into the park throughout the year, both during summer and winter solstice.
40. The applicant's daylight and sunlight report outlines that the access to sunlight into the surrounding residential gardens would not result in a noticeable impact in terms of overshadowing into the surrounding gardens.
41. As such the proposal would be in accordance with the BRE guidance in relation to overshadowing amenity space and as such officers are satisfied that the impacts on the amenities of the surrounding residents and users of the park would not be significantly impacted upon to an extent to warrant refusal of planning permission.

#### **Quality of Accommodation**

42. In terms of the dwelling mix of the proposal, it would provide 4 x 1 bed units (24 %), 9 x 2 bed units (52 %) and 4 x 3 bed (% 24%). This mix is in accordance with strategic policy 7 which requires at least 60% of units to have 2 or more bedrooms and at least 20% of units to have 3 bedrooms or more and as such is acceptable in this regard.
43. The proposal would provide 100% of affordable housing (social rent), the Core Strategy outlines that within the Newington Ward at least 35% of new units must be affordable and there is no restriction on the amount of private housing that is required and as such the proposal is considered policy compliant in this regard.
44. The development exceeds the minimum floor space standards in terms of overall flat sizes but also in relation to each individual room. All of the flats have at least dual aspect and tests have been carried out on the sunlight and daylight within the proposed accommodation and meet the BRE guidelines. The schedule of

accommodation (expressed as Gross Internal Area) is set out below:

Unit	Floor area (sqm) (national standard in brackets)	Amenity space (sqm)
G.01 (2b/4p duplex)	90.01 (79)	10.5
G.02 (3b/5p duplex)	102 (93)	10.7
1.01 (3b/5p)	97.3 (86)	9.4
2.01 (2b/4p)	70.3 (70)	10.7
2.02 (1b/2p)	51 (50)	11.4
2.03 (2b/4p)	70.1 (70)	14.2
3.01 (2b/4p)	70.3 (70)	10.7
3.02 (1b/2p)	51 (50)	11.4
3.03 (2b/4p)	70.1 (70)	14.2
4.01 (2b/4p)	70.3 (70)	10.7
4.02 (1b/2p)	51 (50)	11.4
4.03 (2b/4p)	70.1 (70)	14.2
5.01 (2b/4p)	70.3 (70)	10.7
5.02 (1b/2p)	51 (50)	11.4
5.03 (2b/4p)	70.1 (70)	14.2
6.01 (3b/5p)	99.3 (86)	22.1
6.02 (3b/5p)	94.9 (86)	14.2

45. Only one unit falls shy of the requirements for outdoor amenity space and as this shortfall is a very modest, and as such the proposal provides a very high quality of accommodation for each of the individual units.
46. However, it is noted that no communal outdoor amenity has been provided within the development. Further to this, it is also noted that there is no provision for children's play space within the development which would normally be required by the London Plan.
47. The development would have some potential to provide external amenity space and play space at roof level, however this area has been designated for the use of PV panels in order to meet the London Plan energy targets. Given that the site is directly adjacent to a good sized, and well equipped local park, it is unlikely that a roof terrace would be used to its full capacity and as such the most efficient use of this land would be to use this area for meeting the London Plan's energy targets. Notwithstanding this, a contribution in accordance with the Councils Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD for the shortfall of both play space and communal amenity space can be agreed as part of the planning obligations agreement sought alongside this application which would allow for funding to be used on projects to improve facilities within Pelier Street Park.
48. The site is constrained physically by Pelier Park to the north and west; MOT centre to the east; and Dartford Street to the south. The footprint of the site limits options for multiple lifts at the site and opportunities to provide on-site car parking for wheelchair users. For this reason it is proposed that the wheelchair requirement for this development will be delivered as part of the wider phase of Direct Delivery programme. The applicants have provided a letter of confirmation that this would be provided within another scheme and as such a clause can be added into the obligations agreement to confirm this provision.
49. Overall the accommodation is considered to be of a very high quality and would positively contribute to the provision of new affordable housing which helps meet the Councils wider 11,000 new homes targets.

### **Transport issues**

50. The site is located within a CPZ and benefits from a good PTAL Level (4), as such the applicant has proposed to provide a car free development, this is welcomed. As the site is within a CPZ, it should be noted that all occupiers of the development will be ineligible from obtaining an on street parking permit.
51. Disabled Parking - The applicant has not proposed to provide any on street disabled parking. Transport Policy do not object to this proposal. However, it should be noted that the existing on street disabled bay can not be tied to this development and as such there would be no provision of disabled parking has been provided as a result of this proposal. As noted above, no disabled units have been proposed here due to the site constraints and as such no concerns are raised in this regards.
52. Cycle storage - The applicant has proposed to provide 31 cycle spaces within the building at ground floor level which is in line with the London Plan requirements. These cycle spaces are proposed by way of double stackers. Given the site constraints of the relatively small footprint of the site, this type of cycle storage is considered appropriate and it would be secure, accessible and weatherproof. A compliance condition requiring the cycle storage shown on plan is proposed plans shall be provided prior to occupation.
53. Servicing - The applicant has stated that all servicing will be undertaken from on street in accordance with the existing arrangements for other properties. As the proposal relates to a residential building, the level of servicing is likely to relate to refuse and recycling and any building maintenance that may be required. As there would be a limited amount of journeys proposed, no concerns are raised in relation to servicing from the street.
54. A large area on the ground floor has been provided for refuse purposes and this area is considered appropriate as it would contain sufficient refuse capacity and would also be readily accessible for on street servicing. A compliance condition recommending that the refuse area is provided as shown on plan is proposed plans.

### **Design issues**

55. The footprint of the building uses almost all of the land available on the site and is therefore very efficient. With the possible exception of a small commercial garage use between the site and the railway viaduct to the east, there are no developable sites adjacent to the site. This development will not therefore compromise development on adjacent sites.
56. In response to the open location of the site, the development is built as a freestanding pavilion of seven storeys in height. This is higher than the low rise and longitudinal buildings that characterise the rest of the Pelier Estate but is justified by its separation from surrounding development and its prominent position by the Park. In addition, the buildings fairly small footprint will ensure that the building, despite its height, is not bulky or overly dominant. Instead it will read as a slim landmark that marks the gateway to the Park.
57. The building is designed and detailed as a three dimensional freestanding object. It has an interesting wedged 'lozenge' footprint imparted by the shape of the site. Whilst this could add in bit of drama to the composition, in reality it is not likely to be very noticeable.



58. Directionality is added by tiers of very assertive round brick columns as oversized props separated by brick edged balconies/ extruded floor slabs on the prominent north and south elevations. The upper tier of this arrangement is higher than the rest, to provide a classical top to this composition. All of this will add depth and modelling to these facades.
59. The flank facades are, as a deliberate contrast, rather more flat, but with a fashionable arrangement of full height windows separated by brick soldier courses at the floor zones. The soldier courses line through with the edges of the balconies to form continuous bands round the building.
60. Additional emphasis is given to the overall composition by the choice of only one material for the facades of the building- brick. Even the soffit's of the balconies will be tiled with brick slips. Other materials, for instance the balcony railings, are played down on order to emphasise the strong architecture of the building and this approach provides a strong and robust building which suits the 'island' site and compliments the surrounding area effectively.
61. Overall, and despite its relatively small size and bulk, the building will read as quite a powerful and assertive piece of architecture. The detailed construction details have been included as a part of the planning package and add comfort in this regard.
62. For the above reasons, officers are of the view that the design approach, including the bulk, massing and detailed design are considered appropriate in this instance and thus the building is acceptable in design terms.

#### **Impacts on the setting of listed buildings/conservation areas.**

63. The site is situated between 70-80m south of the Sutherland Square Conservation area, as well as from the rear of a group of listed buildings also situated within the aforementioned conservation area. Objections and comments have been raised in relation to the potential impacts of the scheme on the setting of the nearby heritage assets.
64. The significance of the Sutherland Square conservation area and the listed buildings which lie within it, is with the significant architectural and historic quality of the square as a whole. An objection has been raised that no verified views have been provided as part of the application to assess the impacts of the proposal on the setting of the conservation area and Grade II listed buildings within the square.
65. Officers are satisfied that given the distance from the centre of the square, any views of the proposal would be limited and as such would not amount to substantial harm on the setting and importance of the conservation area and surrounding listed buildings. As such, the application is considered to be in accordance with saved policy 3.18 of the Southwark Plan.

#### **Impact on trees**

66. Due to low to poor quality of the trees and vegetation, the site will be cleared to facilitate development with more formalised planting included within the proposal to improve amenity. The trees to be removed include:
  - T1 - T4 young to semi-mature sycamore and tree of heaven specimens, am to 7m height, 130mm to 200mm in fair to poor condition with low amenity value. The trees appear to be self-set and have the typical form and condition of industrial scrub vegetation.
  - G1 - G3 Buddleia and sycamore sapling scrub vegetation groups 3 - 4m height.

67. Officers are satisfied that these trees and vegetation are of little amenity value to the site and surrounding area and as such their loss is not resisted. A condition requiring details of hard and soft landscaping is proposed and as such this would incorporate planting to mitigate against the loss of the existing vegetation.

#### **Planning obligations (S.106 undertaking or agreement)**

68. In accordance with the Councils Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD, the application would require to enter into a planning obligations agreement in order to fulfil the following:
69. Outdoor amenity space - The private amenity space is essentially policy compliant, however as no communal space is provided, a fee of £205 per sqm not provided (50sqm) should be provided. This amounts to £10,500.
70. Children's play space - The child yield would be 17.8 children expected from the development (for affordable units 2 per 3 bed, 1 per 2 bed and 0.2 per 1 bed) and 10sqm would normally be expected to be provided per child. As such a contribution of £151 per metre that should be provided (172sqm) is required. This amounts to a contribution of £25,972.
71. Public Realm measures - 1) Commitment to carry out a schedule of works under a section 278 agreement of the Highway Act 1980. The following works have been identified as being required:
- Repave the footway around the development including new kerbing on Dartford Street using materials in accordance with Southwark's Streetscape Design Manual.
  - Reinstall redundant crossover on Dartford Street as footway.
  - Replace any gully covers damaged during construction.
  - Provide dropped kerb at the front of the refuse bin store on Dartford Street.

#### **Sustainable development implications**

72. The London Plan target for major development prior to October 1st as outlined by the GLA requires a 35% improvement over Part L 2013 of the Building Regulations. Whilst from October 1st, the London plan requires all developments to be Carbon neutral, as the application was received and validated on 27/09/16, the Council has taken the view that any applications received prior to this date should be measured under the 35% requirement.
73. The submitted energy statement outlines that the regulated CO2 emissions are shown to achieve 35.5% lower than a Part L 2013 compliant development through the use of CHP as well as Photovoltaic Panels, which represents an annual saving of approximately 7.6 tonne's of CO2. The target for Greater London Authority and the Southwark planning policy of 35% improvement over Part L 2013 is achieved as required by the London Plan. As such, the application is considered policy compliant in sustainability and energy terms.

#### **Flood Risk**

74. No response has been received from the Environment Agency, however the Flood Risk Assessment has been viewed by the Councils Flood and Drainage team who did not raise any objections in principle, however sought further information on peak rainfall run off allowances, details of SuDS and clarification on the level of development proposed in the basement.

75. The applicants have advised that as of February 2016, the EA revised their peak rainfall run-off allowances for climate change from 30% to 20%, therefore, the 20% used in the report is correct in line with current guidance and as such is considered acceptable.
76. In terms of the SuDS proposed, the applicants have advised that as this is an outline surface water management strategy that informs detailed drainage design, and is dependent on the outcome of infiltration testing, we only outline options for managing surface water run-off on site. The strategy will, however, also be subject to infiltration testing, but this, alongside detailed drainage design, is typically undertaken after planning is awarded. As such a planning condition is proposed accordingly.
77. In terms of the basement level proposed, it relates to a very a small pre-fabricated pod which contains the cold water storage tank and is accessed by ladder from within the plant room. Given its very modest scale, it is not likely to impact on ground water flows and as such a Basement Impact Assessment is not required here.

### **Other matters**

#### CIL

78. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration; however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
79. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development and in this instance would be £200 per sqm of residential floorspace, subject to the indexation. The CIL calculations are as follows:

$$\text{MCIL} = 1610\text{sqm} \times £35 \times 275/223 = £69,490$$

$$\text{SCIL (Resi. Zone 2)} = 1610\text{sqm} \times £200 \times 275/260 = £340,577$$

#### Contamination

80. The submitted site investigation report by Ian Farmer Associates of June 2016 shows the presence of elevated concentrations of a number of contaminating substances in the soils below the site. No remediation strategy was submitted as the final design was not then available, as such conditions requiring submission of further details is recommended.

#### Air Quality

81. The submitted air quality assessment by REC, ref. AQ101479, June 2016, has predicted that the air quality objectives for nitrogen dioxide will not be achieved in the ground floor to third floor flats, such that mechanical ventilation from a high level intake will be required to achieve acceptable conditions in those flats with respect to this matter. Consequently, a condition is recommended to be included in any approval in order to provide further details of this.

### **Conclusion on planning issues**

82. The application for a new residential building within this location is acceptable in principle. The proposed design and quality of accommodation is of a very high quality and the scheme contributes new social housing dwellings to the council's 11,000 homes targets and as such provides significant public benefit. The amenity impacts on the surrounding properties and the adjacent park are also considered acceptable.
83. As such, subject to the imposition of conditions and a finalised planning obligations agreement, it is therefore recommended that outline permission be granted.

### **Community impact statement**

84. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
  - a) The impact on local people is set out above.
  - b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
  - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### **Consultations**

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

### **Consultation replies**

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

#### Summary of consultation responses

#### Statutory Consultees

87. Thames Water - No objections, subject to a condition relating to piling and surface water drainage.
88. Met Police - No objections but request a Secured by Design' condition attached to any permission.

#### Internal responses

89. Flood and Drainage team - No in principle objections, however asked for clarification on basement and run off. Additional information has been received and subject to conditions no concerns are raised.
90. Environmental Protection - No objections subject to conditions.
91. Highways team - No objections subject to the applicants entering into a S278 agreement.

92. Ecology officer - No objections subject to conditions.

### **Human rights implications**

93. 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.
94. This application has the legitimate aim of providing additional affordable dwellings. 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/1712-29  Application file: 16/AP/3968  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Alex Cameron, Team Leader		
Version	Final		
Dated	29 November 2016		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director, Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		5 December 2016	

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

**Site notice date:** 07/11/2016

**Press notice date:** 13/10/2016

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 10/10/2016

**Internal services consulted:**

Ecology Officer

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

Flood and Drainage Team

Highway Development Management

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

Environment Agency

London Fire & Emergency Planning Authority

Metropolitan Police Service (Designing out Crime)

Thames Water - Development Planning

**Neighbour and local groups consulted:**

25 Langdale Close London SE17 3UF  
 24 Langdale Close London SE17 3UF  
 23 Langdale Close London SE17 3UF  
 26 Langdale Close London SE17 3UF  
 29 Langdale Close London SE17 3UF  
 28 Langdale Close London SE17 3UF  
 27 Langdale Close London SE17 3UF  
 22 Langdale Close London SE17 3UF  
 8 Dartford Street London SE17 3UD  
 6 Dartford Street London SE17 3UD  
 4 Dartford Street London SE17 3UD  
 1 Langdale Close London SE17 3UF  
 21 Langdale Close London SE17 3UF  
 20 Langdale Close London SE17 3UF  
 2 Langdale Close London SE17 3UF  
 3 Langdale Close London SE17 3UF  
 4 Langdale Close London SE17 3UF  
 39 Langdale Close London SE17 3UF  
 38 Langdale Close London SE17 3UF  
 40 Langdale Close London SE17 3UF  
 54 Langdale Close London SE17 3UG  
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 5 Langdale Close London SE17 3UF  
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 36 Langdale Close London SE17 3UF  
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 34 Langdale Close London SE17 3UF  
 82 Dartford Street London SE17 3UB  
 80 Dartford Street London SE17 3UB  
 78 Dartford Street London SE17 3UB  
 84 Dartford Street London SE17 3UB  
 90 Dartford Street London SE17 3UB  
 88 Dartford Street London SE17 3UB  
 86 Dartford Street London SE17 3UB

Flat 21 Holford House Manor Estate SE16 3NP  
 Flat 14 Holford House Manor Estate SE16 3NP  
 Flat 15 Holford House Manor Estate SE16 3NP  
 Flat 12 Holford House Manor Estate SE16 3NP  
 Flat 13 Holford House Manor Estate SE16 3NP  
 Flat 16 Holford House Manor Estate SE16 3NP  
 Flat 19 Holford House Manor Estate SE16 3NP  
 Flat 20 Holford House Manor Estate SE16 3NP  
 Flat 17 Holford House Manor Estate SE16 3NP  
 Flat 18 Holford House Manor Estate SE16 3NP  
 Flat 5 Mortain House Manor Estate SE16 3LU  
 Flat 6 Mortain House Manor Estate SE16 3LU  
 Flat 3 Mortain House Manor Estate SE16 3LU  
 Flat 4 Mortain House Manor Estate SE16 3LU  
 Flat 7 Mortain House Manor Estate SE16 3LU  
 Flat 1 Southwell House Manor Estate SE16 3LX  
 Flat 10 Southwell House Manor Estate SE16 3LX  
 Flat 8 Mortain House Manor Estate SE16 3LU  
 Flat 9 Mortain House Manor Estate SE16 3LU  
 Flat 2 Mortain House Manor Estate SE16 3LU  
 Flat 1 Mortain House Manor Estate SE16 3LU  
 Flat 10 Mortain House Manor Estate SE16 3LU  
 82 Camilla Road London SE16 3NJ  
 84 Camilla Road London SE16 3NJ  
 Flat 11 Mortain House Manor Estate SE16 3LU  
 Flat 14 Mortain House Manor Estate SE16 3LU  
 Flat 15 Mortain House Manor Estate SE16 3LU  
 Flat 12 Mortain House Manor Estate SE16 3LU  
 Flat 13 Mortain House Manor Estate SE16 3LU  
 Flat 22 Southwell House Manor Estate SE16 3LX  
 Flat 23 Southwell House Manor Estate SE16 3LX  
 Flat 20 Southwell House Manor Estate SE16 3LX  
 Flat 21 Southwell House Manor Estate SE16 3LX  
 Flat 24 Southwell House Manor Estate SE16 3LX  
 Flat 4 Southwell House Manor Estate SE16 3LX  
 Flat 5 Southwell House Manor Estate SE16 3LX  
 Flat 25 Southwell House Manor Estate SE16 3LX  
 Flat 3 Southwell House Manor Estate SE16 3LX

76 Dartford Street London SE17 3UB  
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 74 Dartford Street London SE17 3UB  
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 10 Dartford Street London SE17 3UD  
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 14 Dartford Street London SE17 3UD  
 12 Dartford Street London SE17 3UD  
 32 John Ruskin Street London SE5 0NX  
 30 John Ruskin Street London SE5 0NX  
 28 John Ruskin Street London SE5 0NX  
 34 John Ruskin Street London SE5 0NX  
 Sir Robert Peel Public House 7 Langdale Close SE17 3UF  
 Railway Arch 245a John Ruskin Street SE5 0NS  
 Railway Arch 245 John Ruskin Street SE5 0NS  
 26 John Ruskin Street London SE5 0NX  
 43b Fielding Street London SE17 3HE  
 43a Fielding Street London SE17 3HE  
 41f Fielding Street London SE17 3HE  
 43c Fielding Street London SE17 3HE  
 43f Fielding Street London SE17 3HE  
 43e Fielding Street London SE17 3HE  
 43d Fielding Street London SE17 3HE  
 Arch 243 9 Dartford Street SE17 3UB  
 Railway Arches 229 To 233 Fielding Street SE17 3HD  
 Railway Arches 225 To 228 Fielding Street SE17 3HD  
 Railway Arches 224 To 227 Fielding Street SE17 3HD  
 Railway Arch 249 John Ruskin Street SE5 0NS  
 Arches 247a And 248 1-9 Pelier Street SE17 3JG  
 Railway Arches 223 And 226 Fielding Street SE17 3HD  
 Railway Arches 239 Dartford Street SE17 3UB  
 Arch 247 15 Dartford Street SE17 3UQ  
 11-13 Dartford Street London SE17 3UQ  
 Railway Arches 230 And 234 Empress Street SE17 3HJ  
 Railway Arch 237 Empress Street SE17 3HJ  
 Railway Arches 232 To 236 Empress Street SE17 3HJ  
 Railway Arches 231 To 235 Empress Street SE17 3HJ  
 79 Langdale Close London SE17 3UG  
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 41a Fielding Street London SE17 3HE  
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 5 Dartford Street London SE17 3UQ  
 41b Fielding Street London SE17 3HE  
 41e Fielding Street London SE17 3HE  
 41d Fielding Street London SE17 3HE  
 41c Fielding Street London SE17 3HE  
 3 Dartford Street London SE17 3UQ  
 87 Langdale Close London SE17 3UG  
 86 Langdale Close London SE17 3UG

Flat 2 Southwell House Manor Estate SE16 3LX  
 Flat 13 Southwell House Manor Estate SE16 3LX  
 Flat 14 Southwell House Manor Estate SE16 3LX  
 Flat 11 Southwell House Manor Estate SE16 3LX  
 Flat 12 Southwell House Manor Estate SE16 3LX  
 Flat 15 Southwell House Manor Estate SE16 3LX  
 Flat 18 Southwell House Manor Estate SE16 3LX  
 Flat 19 Southwell House Manor Estate SE16 3LX  
 Flat 16 Southwell House Manor Estate SE16 3LX  
 Flat 17 Southwell House Manor Estate SE16 3LX  
 Flat 33 Ramsfort House Manor Estate SE16 3NZ  
 Flat 34 Ramsfort House Manor Estate SE16 3NZ  
 Flat 31 Ramsfort House Manor Estate SE16 3NZ  
 Flat 32 Ramsfort House Manor Estate SE16 3NZ  
 Flat 35 Ramsfort House Manor Estate SE16 3NZ  
 Flat 2 Thurland House Manor Estate SE16 3NS  
 Flat 3 Thurland House Manor Estate SE16 3NS  
 Flat 36 Ramsfort House Manor Estate SE16 3NZ  
 Flat 1 Thurland House Manor Estate SE16 3NS  
 Flat 30 Ramsfort House Manor Estate SE16 3NZ  
 Flat 23 Ramsfort House Manor Estate SE16 3NZ  
 Flat 24 Ramsfort House Manor Estate SE16 3NZ  
 Flat 21 Ramsfort House Manor Estate SE16 3NZ  
 Flat 22 Ramsfort House Manor Estate SE16 3NZ  
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 Flat 29 Ramsfort House Manor Estate SE16 3NZ  
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 Flat 1 Ramsfort House Manor Estate SE16 3NZ  
 Flat 16 Hambley House Manor Estate SE16 3NR  
 Flat 17 Hambley House Manor Estate SE16 3NR  
 Flat 10 Hambley House Manor Estate SE16 3NR  
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 Flat 4 Hambley House Manor Estate SE16 3NR  
 Flat 1 Hambley House Manor Estate SE16 3NR  
 Flat 2 Hambley House Manor Estate SE16 3NR  
 Flat 5 Hambley House Manor Estate SE16 3NR  
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 Flat 6 Hambley House Manor Estate SE16 3NR  
 Flat 7 Hambley House Manor Estate SE16 3NR  
 Flat 14 Ramsfort House Manor Estate SE16 3NZ  
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 Flat 13 Ramsfort House Manor Estate SE16 3NZ  
 Flat 16 Ramsfort House Manor Estate SE16 3NZ  
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 Flat 20 Ramsfort House Manor Estate SE16 3NZ  
 Flat 17 Ramsfort House Manor Estate SE16 3NZ  
 Flat 18 Ramsfort House Manor Estate SE16 3NZ  
 Flat 11 Ramsfort House Manor Estate SE16 3NZ  
 Flat 4 Ramsfort House Manor Estate SE16 3NZ  
 Flat 5 Ramsfort House Manor Estate SE16 3NZ  
 Flat 2 Ramsfort House Manor Estate SE16 3NZ  
 Flat 3 Ramsfort House Manor Estate SE16 3NZ  
 Flat 6 Ramsfort House Manor Estate SE16 3NZ  
 Flat 9 Ramsfort House Manor Estate SE16 3NZ



85 Langdale Close London SE17 3UG  
 88 Langdale Close London SE17 3UG  
 1 Dartford Street London SE17 3UQ  
 90 Langdale Close London SE17 3UG  
 89 Langdale Close London SE17 3UG  
 59 Fielding Street London SE17 3HE  
 57 Fielding Street London SE17 3HE  
 55 Fielding Street London SE17 3HE  
 61 Fielding Street London SE17 3HE  
 67 Fielding Street London SE17 3HE  
 65 Fielding Street London SE17 3HE  
 63 Fielding Street London SE17 3HE  
 53 Fielding Street London SE17 3HE  
 13 Dartford Street London SE17 3UQ  
 11 Dartford Street London SE17 3UQ  
 Studio Flat 5 Dartford Street SE17 3UQ  
 45 Fielding Street London SE17 3HE  
 51 Fielding Street London SE17 3HE  
 49 Fielding Street London SE17 3HE  
 47 Fielding Street London SE17 3HE  
 69 Fielding Street London SE17 3HE  
 23 Empress Street London SE17 3HH  
 21 Empress Street London SE17 3HH  
 19 Empress Street London SE17 3HH  
 25 Empress Street London SE17 3HH  
 37 Empress Street London SE17 3HH  
 35 Empress Street London SE17 3HH  
 33 Empress Street London SE17 3HH  
 17 Empress Street London SE17 3HH  
 75 Fielding Street London SE17 3HE  
 73 Fielding Street London SE17 3HE  
 71 Fielding Street London SE17 3HE  
 77 Fielding Street London SE17 3HE  
 15 Empress Street London SE17 3HH  
 13 Empress Street London SE17 3HH  
 11 Empress Street London SE17 3HH  
 Flat 13 18 John Ruskin Street SE5 0NE  
 Flat 11 18 John Ruskin Street SE5 0NE  
 Flat 10 18 John Ruskin Street SE5 0NE  
 Flat 2 18 John Ruskin Street SE5 0NE  
 Flat 5 18 John Ruskin Street SE5 0NE  
 Flat 4 18 John Ruskin Street SE5 0NE  
 Flat 3 18 John Ruskin Street SE5 0NE  
 Flat 1 18 John Ruskin Street SE5 0NE  
 Railway Arches 238 240 241 And 242 Dartford Street SE17 3UB  
 Flat 6 18 John Ruskin Street SE5 0NE  
 18a John Ruskin Street London SE5 0NE  
 Railway Arch 242 Empress Street SE17 3HJ  
 Railway Arch 241 Empress Street SE17 3HJ  
 18b John Ruskin Street London SE5 0NE  
 8-9 Dartford Street London SE17 3UQ  
 Living Accommodation Sir Robert Peel Public House SE17 3UF  
 Railway Arch 240 Empress Street SE17 3HJ  
 Flat 9 18 John Ruskin Street SE5 0NE  
 Flat 8 18 John Ruskin Street SE5 0NE  
 Flat 7 18 John Ruskin Street SE5 0NE  
 Flat 12 18 John Ruskin Street SE5 0NE  
 Railway Arch 238 Empress Street SE17 3HJ  
 9 Pelier Street London SE17 3JG  
 7 Pelier Street London SE17 3JG  
 5 Pelier Street London SE17 3JG  
 100 Dartford Street London SE17 3UB  
 106 Dartford Street London SE17 3UB  
 104 Dartford Street London SE17 3UB  
 102 Dartford Street London SE17 3UB  
 3 Pelier Street London SE17 3JG  
 11 Pelier Street London SE17 3JG  
 1 Pelier Street London SE17 3JG  
 129 Olney Road London SE17 3HT  
 13 Pelier Street London SE17 3JG  
 19 Pelier Street London SE17 3JG  
 17 Pelier Street London SE17 3JG  
 15 Pelier Street London SE17 3JG  
 108 Dartford Street London SE17 3UB  
 52 Dartford Street London SE17 3UB  
 50 Dartford Street London SE17 3UB  
 48 Dartford Street London SE17 3UB  
 Flat 10 Ramsfort House Manor Estate SE16 3NZ  
 Flat 7 Ramsfort House Manor Estate SE16 3NZ  
 Flat 8 Ramsfort House Manor Estate SE16 3NZ  
 Flat 29 Kite House SE1 5ZS  
 Flat 30 Kite House SE1 5ZS  
 Flat 27 Kite House SE1 5ZS  
 Flat 28 Kite House SE1 5ZS  
 Flat 31 Kite House SE1 5ZS  
 Flat 34 Kite House SE1 5ZS  
 Flat 35 Kite House SE1 5ZS  
 Flat 32 Kite House SE1 5ZS  
 Flat 33 Kite House SE1 5ZS  
 Flat 26 Kite House SE1 5ZS  
 Flat 19 Kite House SE1 5ZS  
 Flat 20 Kite House SE1 5ZS  
 Flat 17 Kite House SE1 5ZS  
 Flat 18 Kite House SE1 5ZS  
 Flat 21 Kite House SE1 5ZS  
 Flat 24 Kite House SE1 5ZS  
 Flat 25 Kite House SE1 5ZS  
 Flat 22 Kite House SE1 5ZS  
 Flat 23 Kite House SE1 5ZS  
 Flat 12 Hobby House SE1 5ZA  
 Flat 13 Hobby House SE1 5ZA  
 Flat 10 Hobby House SE1 5ZA  
 Flat 11 Hobby House SE1 5ZA  
 Flat 14 Hobby House SE1 5ZA  
 Flat 17 Hobby House SE1 5ZA  
 Flat 18 Hobby House SE1 5ZA  
 Flat 15 Hobby House SE1 5ZA  
 Flat 16 Hobby House SE1 5ZA  
 Flat 9 Hobby House SE1 5ZA  
 Flat 2 Hobby House SE1 5ZA  
 Flat 3 Hobby House SE1 5ZA  
 Flat 36 Kite House SE1 5ZS  
 Flat 1 Hobby House SE1 5ZA  
 Flat 4 Hobby House SE1 5ZA  
 Flat 7 Hobby House SE1 5ZA  
 Flat 8 Hobby House SE1 5ZA  
 Flat 5 Hobby House SE1 5ZA  
 Flat 6 Hobby House SE1 5ZA  
 Flat 9 Domino House SE16 3PN  
 Flat 10 Domino House SE16 3PN  
 Flat 7 Domino House SE16 3PN  
 Flat 8 Domino House SE16 3PN  
 Flat 11 Domino House SE16 3PN  
 Flat 14 Domino House SE16 3PN  
 Flat 15 Domino House SE16 3PN  
 Flat 12 Domino House SE16 3PN  
 Flat 13 Domino House SE16 3PN  
 Flat 6 Domino House SE16 3PN  
 Flat 1 Domino House SE16 3PN  
 Flat 4 Domino House SE16 3PN  
 Flat 5 Domino House SE16 3PN  
 Flat 2 Domino House SE16 3PN  
 Flat 3 Domino House SE16 3PN  
 Flat 10 Kite House SE1 5ZS  
 Flat 11 Kite House SE1 5ZS  
 Flat 8 Kite House SE1 5ZS  
 Flat 9 Kite House SE1 5ZS  
 Flat 12 Kite House SE1 5ZS  
 Flat 15 Kite House SE1 5ZS  
 Flat 16 Kite House SE1 5ZS  
 Flat 13 Kite House SE1 5ZS  
 Flat 14 Kite House SE1 5ZS  
 Flat 7 Kite House SE1 5ZS  
 Flat 1 Kite House SE1 5ZS  
 Flat 16 Domino House SE16 3PN  
 South Bermondsey Childrens Centre Domino House SE16 3PN  
 Flat 2 Kite House SE1 5ZS  
 Flat 5 Kite House SE1 5ZS  
 Flat 6 Kite House SE1 5ZS  
 Flat 3 Kite House SE1 5ZS  
 Flat 4 Kite House SE1 5ZS  
 8 Beatrice Road London SE1 5BT  
 262 Lynton Road London SE1 5DE  
 4 Beatrice Road London SE1 5BT

54 Dartford Street London SE17 3UB  
 60 Dartford Street London SE17 3UB  
 58 Dartford Street London SE17 3UB  
 56 Dartford Street London SE17 3UB  
 46 Dartford Street London SE17 3UB  
 36 Dartford Street London SE17 3UB  
 34 Dartford Street London SE17 3UB  
 32 Dartford Street London SE17 3UB  
 38 Dartford Street London SE17 3UB  
 44 Dartford Street London SE17 3UB  
 42 Dartford Street London SE17 3UB  
 40 Dartford Street London SE17 3UB  
 65 Empress Street London SE17 3HH  
 63 Empress Street London SE17 3HH  
 61 Empress Street London SE17 3HH  
 67 Empress Street London SE17 3HH  
 71 Empress Street London SE17 3HH  
 7 Empress Street London SE17 3HH  
 69 Empress Street London SE17 3HH  
 59 Empress Street London SE17 3HH  
 43 Empress Street London SE17 3HH  
 41 Empress Street London SE17 3HH  
 39 Empress Street London SE17 3HH  
 45 Empress Street London SE17 3HH  
 51 Empress Street London SE17 3HH  
 49 Empress Street London SE17 3HH  
 47 Empress Street London SE17 3HH  
 73 Empress Street London SE17 3HH  
 119 Olney Road London SE17 3HT  
 117 Olney Road London SE17 3HT  
 115 Olney Road London SE17 3HT  
 121 Olney Road London SE17 3HT  
 127 Olney Road London SE17 3HT  
 125 Olney Road London SE17 3HT  
 123 Olney Road London SE17 3HT  
 113 Olney Road London SE17 3HT  
 9 Empress Street London SE17 3HH  
 77 Empress Street London SE17 3HH  
 75 Empress Street London SE17 3HH  
 105 Olney Road London SE17 3HT  
 111 Olney Road London SE17 3HT  
 109 Olney Road London SE17 3HT  
 107 Olney Road London SE17 3HT  
 36 Sutherland Square SE17 3EE  
 38b Sutherland Square London SE17 3EE  
 Dartford St London SE17 3UQ  
 21 Abbey Court, Macleod Street Walworth SE17 3HA  
 24 Sutherland Square Walworth SE17 3EQ  
 24 Sutherland Square London SE17 3EQ  
 Flat 5 Holford House Manor Estate SE16 3NP  
 Flat 6 Holford House Manor Estate SE16 3NP  
 Flat 3 Holford House Manor Estate SE16 3NP  
 Flat 4 Holford House Manor Estate SE16 3NP  
 Flat 7 Holford House Manor Estate SE16 3NP  
 Flat 10 Holford House Manor Estate SE16 3NP  
 Flat 11 Holford House Manor Estate SE16 3NP  
 Flat 8 Holford House Manor Estate SE16 3NP  
 Flat 9 Holford House Manor Estate SE16 3NP  
 Flat 2 Holford House Manor Estate SE16 3NP  
 Flat 8 Southwell House Manor Estate SE16 3LX  
 Flat 9 Southwell House Manor Estate SE16 3LX  
 Flat 6 Southwell House Manor Estate SE16 3LX  
 Flat 7 Southwell House Manor Estate SE16 3LX  
 Flat 16 Mortain House Manor Estate SE16 3LU  
 Flat 1 Holford House Manor Estate SE16 3NP  
 Store Southwell House Manor Estate SE16 3LX  
 Flat 24 Holford House Manor Estate SE16 3NP  
 Flat 25 Holford House Manor Estate SE16 3NP  
 Flat 22 Holford House Manor Estate SE16 3NP  
 Flat 23 Holford House Manor Estate SE16 3NP  
 Flat 26 Holford House Manor Estate SE16 3NP  
 Flat 29 Holford House Manor Estate SE16 3NP  
 Flat 30 Holford House Manor Estate SE16 3NP  
 Flat 27 Holford House Manor Estate SE16 3NP  
 Flat 28 Holford House Manor Estate SE16 3NP  
 6 Beatrice Road London SE1 5BT  
 3 Roseberry Street London SE16 3LY  
 5 Roseberry Street London SE16 3LY  
 1 Roseberry Street London SE16 3LY  
 11 Roseberry Street London SE16 3LY  
 2 Beatrice Road London SE1 5BT  
 269 Lynton Road London SE1 5DB  
 271 Lynton Road London SE1 5DB  
 265 Lynton Road London SE1 5DB  
 267 Lynton Road London SE1 5DB  
 237 Lynton Road London SE1 5DR  
 243 Lynton Road London SE1 5DR  
 245 Lynton Road London SE1 5DR  
 239 Lynton Road London SE1 5DR  
 241 Lynton Road London SE1 5DR  
 68 Camilla Road London SE16 3NJ  
 70 Camilla Road London SE16 3NJ  
 64 Camilla Road London SE16 3NJ  
 66 Camilla Road London SE16 3NJ  
 72 Camilla Road London SE16 3NJ  
 78 Camilla Road London SE16 3NJ  
 80 Camilla Road London SE16 3NJ  
 74 Camilla Road London SE16 3NJ  
 76 Camilla Road London SE16 3NJ  
 62 Camilla Road London SE16 3NJ  
 48 Camilla Road London SE16 3NJ  
 50 Camilla Road London SE16 3NJ  
 7 Roseberry Street London SE16 3LY  
 9 Roseberry Street London SE16 3LY  
 52 Camilla Road London SE16 3NJ  
 58 Camilla Road London SE16 3NJ  
 60 Camilla Road London SE16 3NJ  
 54 Camilla Road London SE16 3NJ  
 56 Camilla Road London SE16 3NJ  
 4 Wilmington Terrace 63 Camilla Road SE16 3NL  
 5 Wilmington Terrace 63 Camilla Road SE16 3NL  
 2 Wilmington Terrace 63 Camilla Road SE16 3NL  
 3 Wilmington Terrace 63 Camilla Road SE16 3NL  
 6 Wilmington Terrace 63 Camilla Road SE16 3NL  
 14 Beatrice Road London SE1 5BT  
 16 Beatrice Road London SE1 5BT  
 10 Beatrice Road London SE1 5BT  
 12 Beatrice Road London SE1 5BT  
 1 Wilmington Terrace 63 Camilla Road SE16 3NL  
 Flat 21 Hobby House SE1 5ZA  
 Flat 22 Hobby House SE1 5ZA  
 Flat 19 Hobby House SE1 5ZA  
 Flat 20 Hobby House SE1 5ZA  
 Flat 23 Hobby House SE1 5ZA  
 Flat 26 Hobby House SE1 5ZA  
 Flat 24 Hobby House SE1 5ZA  
 Flat 25 Hobby House SE1 5ZA  
 42 Beatrice Road London SE1 5BT  
 44 Beatrice Road London SE1 5BT  
 38 Beatrice Road London SE1 5BT  
 40 Beatrice Road London SE1 5BT  
 255 Lynton Road London SE1 5DB  
 261 Lynton Road London SE1 5DB  
 263 Lynton Road London SE1 5DB  
 257 Lynton Road London SE1 5DB  
 259 Lynton Road London SE1 5DB  
 36 Beatrice Road London SE1 5BT  
 22 Beatrice Road London SE1 5BT  
 24 Beatrice Road London SE1 5BT  
 18 Beatrice Road London SE1 5BT  
 20 Beatrice Road London SE1 5BT  
 26 Beatrice Road London SE1 5BT  
 32 Beatrice Road London SE1 5BT  
 34 Beatrice Road London SE1 5BT  
 28 Beatrice Road London SE1 5BT  
 30 Beatrice Road London SE1 5BT  
 Fielding St London SE17 3HE  
 1 Fielding Street Walworth SE17 3HE  
 38 Fielding Street London SE17 3HD  
 25 Fielding Street London SE17 3HE

**Re-consultation:** n/a

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

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

**Statutory and non-statutory organisations**

Metropolitan Police Service (Designing out Crime)  
Thames Water - Development Planning

**Neighbours and local groups**

Dartford St London SE17 3UQ  
Fielding St London SE17 3HE  
1 Fielding Street Walworth SE17 3HE  
11 Dartford Street London SE17 3UQ  
11 Dartford Street London SE17 3UQ  
21 Abbey Court, Macleod Street Walworth SE17 3HA  
24 Sutherland Square London SE17 3EQ  
24 Sutherland Square Walworth SE17 3EQ  
25 Fielding Street London SE17 3HE  
3 Pelier Street London SE17 3JG  
36 Sutherland Square SE17 3EE  
36 Sutherland Square SE17 3EE  
38 Fielding Street London SE17 3HD  
38b Sutherland Square London SE17 3EE

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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>	Ms Sonia Hamilton Southwark Council	<b>Reg. Number</b>	16/AP/3968
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/1712-29
<b>Recommendation</b>	Grant subject to Legal Agreement		

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### Draft of Decision Notice

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

Construction of a seven-storey residential development containing 17 dwellings for social rent, consisting of 4 x 1 bed flats, 9 x 2 bed flats and 4 x 3 bed flats.

**At:** LAND TO NORTH SIDE OF HILLINGDON STREET AT JUNCTION WITH PELIER STREET, BOUNDED TO EAST BY RAILWAY VIADUCT AND WEST BY PELIER PARK, LONDON SE17

**In accordance with application received on 26/09/2016**

**and Applicant's Drawing Nos. Existing:**

Site location plan - A3-P001  
 A3-P002 - EXISTING SITE ELEVATION NORTH  
 A3-P003 REV A - EXISTING SITE ELEVATION WEST  
 A3-P004 - EXISTING SITE ELEVATION SOUTH  
 A3-P005 - EXISTING SITE ELEVATION EAST  
 A3-P006 - EXISTING SECTION AA  
 A3-P022 REV A - EXISTING SITE PLAN  
 A3-P023 - ACCESS & LAND REGISTRATION PLAN

**Proposed:**

A3-P007 REV B - PROPOSED GROUND FLOOR SITE PLAN  
 A3-P008 REV B - PROPOSED GROUND FLOOR  
 A3-P009 REV A - PROPOSED FIRST FLOOR  
 A3-P010 REV A - PROPOSED SECOND TO FIFTH FLOORS  
 A3-P011 REV A - PROPOSED SIXTH FLOOR  
 A3-P012 REV A - PROPOSED ROOF PLAN  
 A3-P013 - PROPOSED NORTH ELEVATION  
 A3-P014 - PROPOSED WEST ELEVATION  
 A3-P015 - PROPOSED SOUTH ELEVATION  
 A3-P016 - PROPOSED EAST ELEVATION  
 A3-P017 REV A - PROPOSED SECTION AA  
 A3-P018 - PROPOSED SECTION BB  
 A3-P019 - 3D VISUAL  
 A3-P020 - TYPICAL BAY STUDY PLAN / SECTION/ ELEVATION  
 A3-P021 - TYPICAL BAY STUDY

**Documents:**

Planning statement  
 Report on Ground Investigation - Ian Farmer Associates: June 2016  
 Design & Access Statement - Bell Phillips Architects: September 2016  
 Daylight and Sunlight Assessment - Herrington Consulting Ltd: August 2016  
 Arboricultural Impact Assessment - D F Clarke Bionomique Ltd: 01.07.16 - Reference DFCEP 3782  
 Ecological Assessment - The Environment Partnership: June 2016  
 Financial Viability Statement: 11th August 2016  
 Flood Risk Assessment - Herrington Consulting Ltd: July 2016  
 Noise and Vibration Assessment - KP Acoustics: Ref: 14083.NVA.01 - 13 June 2016  
 Energy and Sustainability Strategy Rev 1 - Hoare Lea - July 2016

**Subject to the following seventeen 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:

A3-P007 REV B - PROPOSED GROUND FLOOR SITE PLAN

A3-P008 REV B - PROPOSED GROUND FLOOR

A3-P009 REV A - PROPOSED FIRST FLOOR

A3-P010 REV A - PROPOSED SECOND TO FIFTH FLOORS

A3-P011 REV A - PROPOSED SIXTH FLOOR

A3-P012 REV A - PROPOSED ROOF PLAN

A3-P013 - PROPOSED NORTH ELEVATION

A3-P014 - PROPOSED WEST ELEVATION

A3-P015 - PROPOSED SOUTH ELEVATION

A3-P016 - PROPOSED EAST ELEVATION

A3-P017 REV A - PROPOSED SECTION AA

A3-P018 - PROPOSED SECTION BB

A3-P019 - 3D VISUAL

A3-P020 - TYPICAL BAY STUDY PLAN / SECTION/ ELEVATION

A3-P021 - TYPICAL BAY STUDY

Reason:

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

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

- 3 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure and as such piling has the potential to impact on local underground sewerage utility infrastructure, in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 3.9 Water of the Southwark Plan 2007. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 4 Details of bird and bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 4 bat bricks/tubes and a mix of 5 bird nest boxes inc 2 Swift, 1 Sparrow Terrace and 3 others shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of

the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 5 a). Prior to the commencement of any development, A detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and drinking water supply pipes shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation and/or mitigation scheme shall be implemented as part of the development works. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- b). In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation risk assessment, and a remediation strategy shall be submitted to the Local Planning Authority for approval in writing.
- c). Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

- 6 No below grade works shall commence until details of a surface water drainage strategy, incorporating sustainable drainage principles has been submitted to (2 copies) and approved in writing by Local Planning Authority. The site drainage must be constructed to the approved details.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

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

- 7 Before any above grade work hereby authorised begins, detailed drawings [select scale 1:50, 1:100 or 1:500] of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

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

Reason

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

- 8 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:  
biodiversity based with extensive substrate base (depth 80-150mm);  
laid out in accordance with agreed plans; and  
planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

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

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

Discharge of this condition will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 5.11 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

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

Reason:

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

**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.

- 10 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing referenced A3-P008 REV B - PROPOSED GROUND FLOOR shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

- 11 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing referenced A3-P008 REV B - PROPOSED GROUND FLOOR shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 12 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:  
Bedrooms - 35dB LAeq T, 30 dB LAeq T\*, 45dB LAFmax T \*

Living rooms- 35dB LAeq T  
 Dining room - 40 dB LAeq T  
 Balconies shall be designed to attain 55dB(A) LAeq, 16hr .  
 \* - Night-time - 8 hours between 23:00-07:00  
 - Daytime - 16 hours between 07:00-23:00

A report shall be submitted in writing to and approved by the LPA that shows how the above conditions will be met. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter. Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample (usual minimum of 10%) of premises. The results shall be submitted to the LPA for approval in writing.

**Reason:**

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

- 13 Prior to occupation, full particulars and details of a scheme for the internal ventilation of the development which shall include; appropriately located plant, inlets and outlets; filtration and treatment of incoming air to ensure it meets the national standards for external air quality; plant noise output levels; and a management and maintenance plan have been submitted to and approved by the LPA. The development shall be carried out in accordance with the approval given.

**Reason:**

In order that the Local Planning Authority may be satisfied that the ventilation, ducting, filtration/treatment and ancillary equipment is incorporated as an integral part of the development in the interests of residential amenity in accordance with Strategic Policy 13 - High Environmental Standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

- 14 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body

**Unit reference numbers**

Access to and use of building standard

All units

M4(2)

**Reason**

To ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2015 Policy 3.8 (Housing choice).

**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.

- 15 The development hereby permitted shall be constructed to achieve at least a 35% carbon saving against the 2013 Building Regulations as outlined within the submitted Energy and Sustainability Strategy Rev 1 July 2016.

**Reason**

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

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

**Reason**

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



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

**Reason**

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

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

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

**Informatives**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

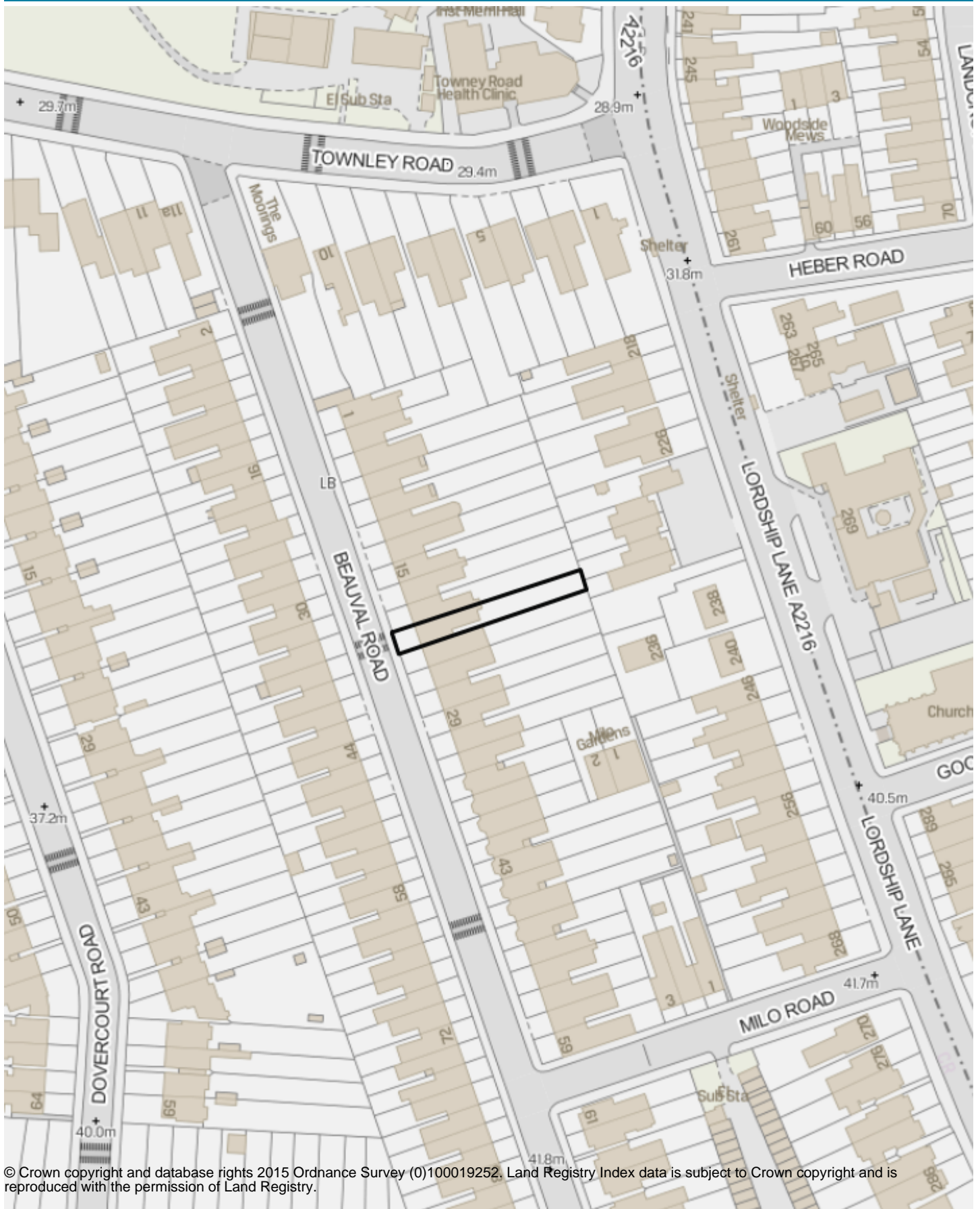
Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres /minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact Iaan Smuts, Highway Development Manager on 020 7525 2135 to arrange.

# Agenda Item 7.3



## Ground Floor Flat, 21 Beauval Road



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50 m

Scale = 1 : 1250

5-Dec-2016

Highways

<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 14 December 2016	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 16/AP/3766 for: Full Planning Permission  <b>Address:</b> GROUND FLOOR FLAT, 21 BEAUVAL ROAD, LONDON, SE22 8UG  <b>Proposal:</b> Construction of a single storey rear extension		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 14/09/2016		<b>Application Expiry Date</b> 09/11/2016	
<b>Earliest Decision Date</b> 22/10/2016			

## RECOMMENDATION

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

## BACKGROUND INFORMATION

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

### Site location and description

3. The subject site consists of a two storey mid-terraced property with a rear outrigger extension and a rear roof dormer (utilised by the upper floor flat). The property is currently being used as two separate self contained flats. The proposed development relates to the ground floor flat which has access to a modest rear garden.
4. The site is located on the north eastern side of Beauval Road, with the rear garden being east facing. The two adjoining properties are No. 19 and No. 23 Beauval Road, with No. 334 Lordship Lane bordering at the rear.
5. Beauval Road is located on a hill and as a result there are distinctive difference in the natural ground levels between the neighbouring properties. No. 23, the property located to the south, is 0.8m higher than the subject site. The difference in the natural ground levels between the subject site and No. 19 would have continued much to the same extent, however, No 19 has undertaken work in the rear garden and it appear that the natural ground level has been altered. Therefore, the difference in ground level between the two rear gardens (at the area which would be alongside the proposed extension) would be 0.2m.
6. The property is not a listed building but it is located within the Dulwich Village Conservation area.

### Details of proposal

7. Planning permission is sought for an L-shaped, side infill and rear extension. The original scheme has been amended in order to reduce the eaves height along the boundary with No. 19 by 0.5m. The side infill would have depth of 8.5m, of which 3m would project beyond the end of the existing outrigger. The proposed extension would have an eaves height of 3m along the boundary wall with No. 23 Beauval Road (which has a ground level that is 0.8m higher than the subject site) and an eaves height of 2.5m along the boundary wall with No. 19 (which is 0.2m lower than No. 21).
8. The proposed development would use the following materials:  
 Walls - Decorative facing brick  
 Roof - GRP membrane to new flat roof structure  
 Windows - PPC aluminium framed casement windows  
 Doors - PPC aluminium framed sliding doors

9. **Planning history**

15/AP/0930 Application type: Tree Works in Conservation Area (TCA)  
 T1: Goat Willow *Salix caprea* - Section fell to ground level  
 T2: Elder *Sambuca nigra* - Section fell to ground level  
 Decision date 29/04/2015 Decision: Works acceptable - no intervention (TCAA)

**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;
  - b) Design quality;
  - c) Impact on Conservation Area.
  - d) All other relevant material planning considerations.

**Planning policy**

11. National Planning Policy Framework (the Framework)  
 Section 7 - Requiring good design
12. The London Plan 2016  
 Policy 7.4 - Local Character  
 Policy 7.6 - Architecture
13. Core Strategy 2011  
 Strategic policy 12 - Design and conservation  
 Strategic policy 13 - High environmental standards
14. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF.

The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.2 - Protection of amenity

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.16 - Conservation Area

Policy 5.2 - Transport Impacts

15. 2015 Technical Update to the Residential Design Standards SPD (2011)

### **Summary of consultation responses**

Total number of representations: 4

In favour: 0

Against: 4

Petitions in favour: 0

Petitions against: 0

Neutral: 0

16. Objection relating to the impact that the development would have on No. 21 B (first floor flat), No. 19 and No. 23.

- Loss of light & sense of enclosure, largely influenced by the eaves height and the differences in ground levels.
- Loss of outlook.
- The development would restrict access to the roof and therefore prevent maintenance.
- Drainage, flooding and foul water treatment which would put the neighbouring properties at risk.

17. General objections:

- The development would not be in keeping the conservation area.
- The extension would not be a subservient addition to the host dwelling.
- The development would result in more than 50% of the amenity space being development
- Have an impact on the foul water treatment.

18. Comments on the amended plans:

- The development would result in more than 50% of the amenity space being development
- That the development would have a harmful effect on the Dulwich Village Conservation Area as the modest rear garden space would be lost.
- That the height of the development would still have a harmful impact on the daylight/sunlight at No. 19. Flooding and foul water treatment concerns.

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

19. 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.

20. This application site is adjoining No. 23 Beauval Road to the south and No. 19 Beauval Road to the north. The proposed works would result in an 'L' shaped single storey rear extension that would project 8.5m along the boundary with No. 23 Beauval Road and 3m along the boundary with No. 19 Beauval Road.
21. The proposed development would extend an additional 3m further than the side infill extension at No. 23 Beauval Road and that ground level at No. 23 is 0.8m higher than the subject site. As such, it is anticipated that the proposed 3m high eaves of the development would not have a harmful impact on the amenity space at No 23. It would not have a significant impact on outlook and would not cause an unacceptable sense of tunnelling or enclosure as the eaves height of 3m would essentially only be 2.2m high when viewed from No. 23. Furthermore, No 23 is located to the south of the subject site and therefore due to its orientation it would not be subject to a loss of daylight/sunlight.
22. The eaves height of the development is more of a concern when assessing it against its relationship with No. 19 Beauval Road which is 0.2m lower than the ground level at the subject site. However, there are a few factors which mitigate the potential harm that the height may cause on the amenity space. The extension projects 3m from the end of the outrigger, which is 2m further than the existing structure at the end of the outriggers at both the subject site and No. 19. The eaves height has been amended and reduced from 3m to 2.5m (2.7m from No.19) in order to accommodate for the slight difference in ground levels between the two site. This amended eaves height would ensure that the development would comply with the 2015 Technical Update to the Residential Design Standards (2011) daylight and sunlight test. Furthermore, the reduced eaves height would limit the impact on outlook and would not cause an unacceptable sense of tunnelling or enclosure.
23. It is anticipated that the proposed development would have no amenity impact on the above flat, No. 21B Beauval Road. Due to the development being proposed below all of the upper floor windows it would not result in a loss of light nor would it have an impact on the outlook.

### **Design issues**

24. Strategic Policy 12 of the Core Strategy (2011) seeks to achieve the highest possible standards of design for buildings. Saved Policies 3.12 'Quality in Design' and 3.13 'Urban Design', together, seek to achieve high quality architectural and urban design which enhances the quality of the built environment. The Council's Residential Design Standards 2011 provides general guidance on residential extensions to harmonise their scale, impact and architectural style. Section 7 paragraph 56 of the NPPF states that good design is a key aspect of sustainable development while paragraph 58 goes on to states that *'planning policies and decisions should aim to ensure that developments... respond to local character and history and reflect the identity of local surroundings and materials'*.
25. The proposed single storey, 'L' shaped extension would be acceptable in terms of mass, bulk and size and would appear subordinate to the three storey host building. Whilst it has been noted that the end section of the rear garden is not owned by the applicant and therefore the coverage of the rear garden is actually smaller than what was initially shown on the site location map (since been amended) and what was seen

when conducting a site visit. On receiving the amended plans, which show the correct site, a calculation was done to determine whether the development would result in more than 50% of the amenity space being lost as a result of the proposed development. The development would not result in the loss of more than 50% of the rear garden.

26. The architectural aesthetic and use of materials to match would be sympathetic to the existing building and surrounding area. Furthermore, the proposed development would not be seen from the public realm and as such no design issues are raised.

#### **Other matters**

27. It was brought to my attention that the occupier of the first floor flat did not receive letter notifying them of the development. Our records do show that we had sent a letter. The occupiers believe that this letter was hidden from them as they have a shared post-box. This is not a planning matter but must be noted.

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

28. The proposed erection of an 'L' shaped rear extension would be acceptable in terms of mass, bulk and size and would not result in any adverse impact on the residential amenity of the adjoining occupiers or surrounding area. The proposed materials are considered acceptable. As such it is recommended that planning permission is granted.

#### **Community impact statement**

29. 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**

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

#### **Consultation replies**

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

#### **Human rights implications**

32. 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.
33. This application has the legitimate aim of providing additional residential space. 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2313-21  Application file: 16/AP/3766  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0952 Council website: www.southwark.gov.uk

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Christopher Kirby, Planning Officer		
Version	Final		
Dated	1 December 2016		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments included
Strategic Director, Finance and Governance		No	No
Strategic Director, Environment and Leisure		No	No
Strategic Director, Housing and Modernisation		No	No
Director of Regeneration		No	No
Date final report sent to Constitutional Team			5 December 2016



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

**Site notice date:** 23/09/2016

**Press notice date:** 29/09/2016

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 23/09/2016

**Internal services consulted:**

n/a

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

n/a

**Neighbour and local groups consulted:**

First Floor Flat 21 Beauval Road SE22 8UG

23 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

21b Beauval Road London SE22 8UG

**Re-consultation:** 08/11/2016

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

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

First Floor Flat 21 Beauval Road SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

19 Beauval Road London SE22 8UG

21b Beauval Road London SE22 8UG

23 Beauval Road London SE22 8UG

23 Beauval Road London SE22 8UG

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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>	Ms Lucy MacDonald	<b>Reg. Number</b>	16/AP/3766
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2313-21
<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:**

Construction of a single storey rear extension

**At:** GROUND FLOOR FLAT, 21 BEAUVAL ROAD, LONDON, SE22 8UG

**In accordance with application received on 13/09/2016 and Applicant's Drawing Nos.** DESIGN AND ACCESS

**STATEMENT**

BEAUV\_0000 REV C - SITE LOCATION PLAN.

BEAUV\_0001 REV C - EXISTING SITE AND GROUND FLOOR PLAN

BEAUV\_0010 REV A - PROPOSED BASEMENT AND GROUND FLOOR AND ROOF PLAN

BEAUV\_0015 REV A - EXISTING & PROPOSED EAST ELEVATION

BEAUV\_0017 REV A - EXISTING AND PROPOSED SOUTH ELEVATION / SECTION A-A

**Subject to the following three conditions:**

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

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

BEAUV\_0000 REV B - SITE LOCATION PLAN.

BEAUV\_0010 REV A - PROPOSED BASEMENT AND GROUND FLOOR AND ROOF PLAN

BEAUV\_0015 REV A - EXISTING & PROPOSED EAST ELEVATION

BEAUV\_0017 REV A - EXISTING AND PROPOSED SOUTH ELEVATION / SECTION A-A

Reason:

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

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

Reason

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

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

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

Reason

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

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

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance. The application has been determined within the agreed extended time period.

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

**NOTE:** Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: telephone 020 7525 7434.

Name	No of copies	Name	No of copies
<b>To all Members of the sub-committee</b>			
Councillor Cleo Soanes (Chair)	1	Environmental Protection Team	1
Councillor Maria Linforth-Hall (Vice-Chair)	1		
Councillor Nick Dolezal	1	Communications	By email
Councillor Octavia Lamb	1	Louise Neilan, media manager	
Councillor Damian O'Brien	1		
Councillor Sandra Rhule	1	<b>Total:</b>	23
Councillor Catherine Rose	1		
<b>(Reserves to receive electronic versions only)</b>		<b>Dated: 6 December 2016</b>	
Councillor Evelyn Akoto			
Councillor Anne Kirby			
Councillor Eliza Mann			
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Constitutional Officer, Hub 2 (2 <sup>nd</sup> Floor), Tooley Street	10		
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Alex Gillott /Jon Gorst, Legal Services, Hub 2 (2 <sup>nd</sup> Floor), Tooley Street	2		