

Planning Sub-Committee B

Tuesday 28 February 2017

7.00 pm

Ground Floor Meeting Room G02 - 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

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Access

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

Contact

Beverley Olamijulo on 020 7525 7234 or email: beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 20 February 2017



Planning Sub-Committee B

Tuesday 28 February 2017
7.00 pm

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

Order of Business

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1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 5
	To approve as a correct record the minutes of the meeting held on 14 December 2016.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 10
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Date: 20 February 2017

Planning Sub-Committee

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

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

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

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

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

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

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

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

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



Planning Sub-Committee B

MINUTES of the Planning Sub-Committee B held on Wednesday 14 December 2016 at 7.00 pm at meeting Room G02, Ground Floor, 160 Tooley Street, London SE1 2QH

PRESENT:	Councillor Cleo Soanes (Chair) Councillor Maria Linforth-Hall (Vice-Chair) Councillor Nick Dolezal Councillor Octavia Lamb Councillor Damian O'Brien Councillor Sandra Rhule Councillor Catherine Rose
OTHER MEMBERS PRESENT:	Councillor Ben Johnson Councillor James Coldwell Councillor Jane Lyons
OFFICER SUPPORT:	Dipesh Patel (Development management) Alexander Gillott (Legal officer) Christopher Kirby (Development management) Ciaran Regan (Development management) Alexander Cameron (Development management) Beverley Olamijulo (Constitutional officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

None received.

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. ITEM 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 1 November 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 1 HAVEN WAY, LONDON SE1

Planning application reference number: 16-AP-2173

Report: See pages 9 – 32 of the agenda pack and pages 1 – 3 of the addendum report.

PROPOSAL

Construction of a roof-top extension to existing building to provide three 3-bed residential units.

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.

The objectors addressed the meeting and responded to questions from councillors.

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

There were no supporters who lived within 100 metres of the development site who

wished to speak.

Councillor Ben Johnson addressed the meeting in his capacity as a ward member and responded to questions from members.

Members debated the application and asked further questions of the officers.

A motion to grant planning permission was moved, seconded, and declared to be lost.

A motion to refuse planning permission was moved, seconded, put to the vote and withdrawn.

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

RESOLVED:

That planning permission for application number 16-AP-2173 be deferred.

Note:

The chair suggested members attend a site visit before the meeting date of when the planning application would next be considered.

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

At 9.05pm the meeting adjourned for a five minute comfort break. The meeting reconvened at 9.10pm.

Planning application reference number: 16-AP-3968

Council's own development

Report: see pages 33 to 59 of the agenda pack and pages 3 to 4 of the addendum report.

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.

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.

The objector addressed the meeting and responded to questions from councillors.

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

There were no supporters who lived within 100 metres of the development site who

wished to speak.

Councillor James Coldwell addressed the meeting in his capacity as a ward member and responded to questions from members.

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-3968 be granted subject to the conditions outlined in the report and amended conditions outlined in the addendum report.

7. GROUND FLOOR FLAT, 21 BEAUVAL ROAD, LONDON SE22 8UG

Planning application reference number: 16-AP-3766

Report: see pages 60 to 69 of the agenda pack and pages 4 to 6 of the addendum report.

PROPOSAL

Construction of a single storey rear extension.

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.

The objectors addressed the meeting and responded to questions from councillors.

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

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

Councillor Jane Lyons addressed the meeting in her capacity as a ward member and responded to questions from members.

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-3766 be granted subject to the conditions outlined in the report and addendum report. In addition that an informative be added to include the hours of construction should be weekdays only.

The meeting ended at 10.35 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 28 February 2017	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F 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	Ian Millichap, Constitutional Manager	
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 Tuesday 28 February 2017

Appl. Type Full Planning Application
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

Item 7.1

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

Appl. Type Full Planning Application
Site CARPARK, PLAY AREA AND GARAGES, DANIELS ROAD, LONDON SE15 3NA

Reg. No. 16-AP-4003
TP No. TP/2653-A
Ward Nunhead
Officer Michael Glasgow

Recommendation GRANT PERMISSION
Proposal

Item 7.2

Construction of two 3 storey residential (Use Class C3) blocks with a total of 19 new council homes. Block A comprises of 5x 3 bed houses. Block B comprises of 2x 3 bed flats, 6x 2 bed flats, 4x 1 bed flat, 1x 1 bed wheelchair accessible flat with a dedicated car parking space and 1x 3 bed wheelchair accessible flat with a dedicated car parking space; together with associated communal amenity space, landscaping works, a new 5 space car park and re-provision of playground

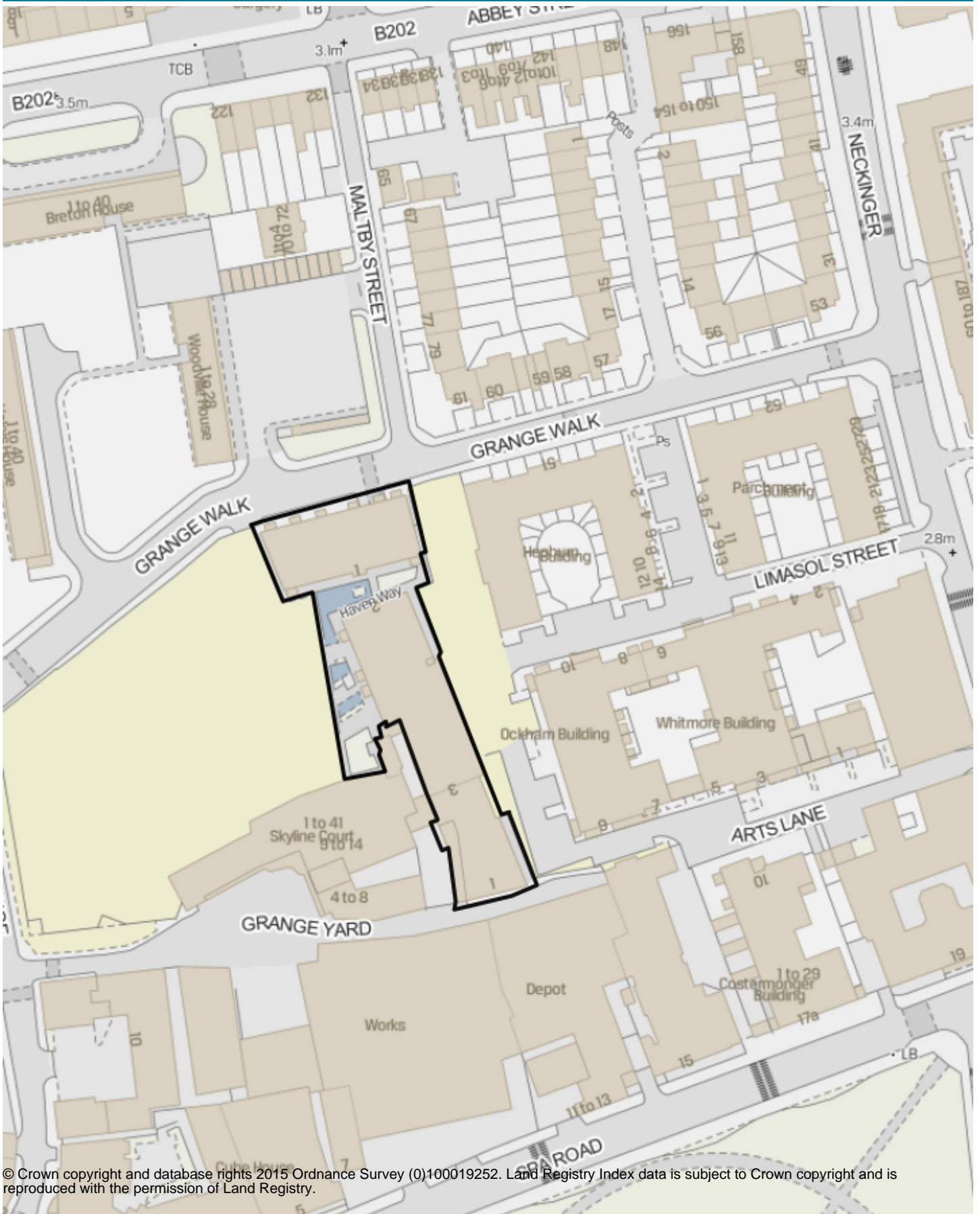
Appl. Type Full Planning Application
Site 56-60 DENMARK HILL, LONDON SE5 8RZ

Reg. No. 16-AP-3983
TP No. TP/2511-56
Ward Camberwell Green
Officer Craig Newton

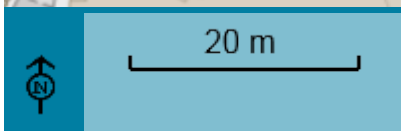
Recommendation GRANT SUBJECT TO LEGAL AGREEMENT
Proposal

Item 7.3

Demolition of single storey building to the rear (retrospective), creation of two storey building to accommodate proposed retail space on the ground floor and proposed gym space D1 Use on the first floor. Retention of existing two storey building facing onto Denmark Hill, with existing shop front and two storey building to the rear north-west corner of the site.



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16-Feb-2017

Legal Services

Item No. 7.1	Classification: Open	Date: 28 February 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/2173 for: Full Planning Permission Address: 1 HAVEN WAY, LONDON SE1 3DT Proposal: Construction of a roof-top extension to existing building to provide 3no. 3-bed residential units.		
Ward(s) or groups affected:	Grange		
From:	Director of Planning		
Application Start Date	15/06/2016	Application Expiry Date	10/08/2016
Earliest Decision Date	22/07/2016	Target Decision Date	03/03/2017

RECOMMENDATION

1. Grant planning permission, subject to conditions.

BACKGROUND INFORMATION

2. This application was originally presented to the Committee on 14 December 2016. At that meeting members passed a motion to defer taking a decision until a visit to the site could be undertaken and members and officers duly visited the site on 14 February 2017. During this time revised plans were also submitted by the applicant in response to some of the concerns that were discussed at the December meeting.
3. These changes are as follows;
 1. Increasing the size of the roof terrace for Flat 6.2 to 11sqm from 8.9sqm as originally proposed. This would be achieved by recessing the glazed window/door opening to the living/kitchen/dining room by about 0.6m.
 2. The number of windows in the south elevation has been reduced from six to five and the remaining five would be substantially reduced in size, they would now be uniformly approximately 1m wide whereas previously two of the six were 1m wide, with another two 2m wide and another two 3m wide. The new windows would also be recessed into the elevation by 1m thereby increasing the separation distance between them and the nearest north-facing windows of the closest existing dwellings in the neighbouring block at 2 Haven Way by the same distance.
 3. The smallest bedroom in Flat 6.1 has been increased to 11.1sqm from 9.5sqm as previously proposed.

Site location and description

4. 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).
5. 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 three 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 three blocks between five and seven storeys in height. The development includes a basement car park with direct ramped access from Grange Walk.
6. 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.
7. 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

8. The proposal seeks to add another floor to the existing building which would provide an additional three three-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.
9. 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 two-bed units, two one-bed units and one three-bed unit. All of the proposed new three-bed units would be dual-aspect.
10. 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.
11. 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

15/EQ/0375

12. Pre-Application Enquiry: Extension to 1 Haven Way to accommodate x4 residential units
Advice issued on 20/04/2016, please see Appendix 4.

14/EN/0149

13. 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.

13/EN/0093

14. 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/AP/3174

15. 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

13/AP/2695

16. 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

12/AP/3987

17. 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

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

11/EN/0255

18. 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.

11/AP/2136

19. 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 1105m² 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

11/EN/0485

20. 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.

06/AP/227221. Demolition of existing buildings and canopy structure and redevelopment to provide three buildings of between five (18m) and seven (24m) storeys in height comprising 1105m² 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 sites10/AP/3010

22. '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

14/AP/2102

23. '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

24. 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

National Planning Policy Framework (Published 27 March 2012)

25. 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
26. 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)

27. 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

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

28. 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) 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)

29. Summary of consultation responses

Total number of representations:	48				
In favour:	0	Against:	48	Neutral:	0
Petitions in favour:	0	Petitions against:		0	

Details of responses

30. 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.

Transport Planning Team

31. 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.

Environmental Protection Team

32. No objection – subject to applying the standard residential internal noise levels condition.

The principle of the proposed development in terms of land use

33. 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

34. 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

35. The nearest (and highest) neighbouring dwellings are two two-bed/four-person 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.
36. 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.
37. 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.
38. 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 window-to-window separation distances of between 12.4m-14.1m between the bedrooms of the proposed new flats at 1 Haven Way and the nearest north-facing windows of the closest existing dwellings within the neighbouring block immediately to the south at 2 Haven Way.
39. The proposed separation distance 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 in line with the recommended 12m minimum separation distance between windows across a street in the Residential Design Standards SPD. This distance is what is considered appropriate to mitigate any unacceptable impact with respect to privacy or overlooking. In addition, as explained in full at the top of the report, the bedroom windows in the south elevation of the proposal are now much smaller (narrower) than previously proposed. It is therefore considered that current proposal would not cause any significant loss of privacy to the existing flats within 2 Haven Way and that no further mitigation is required, i.e., there is no longer any need for a planning condition to be imposed specifying the submission for approval of a scheme of partial obscure-glazing for these windows.

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

40. There is concern from objectors 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.
41. 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. Again, the separation distances are in line with the guidance in the Residential Design Standards SPD.

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

42. 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.
43. 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 first and fifth 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 seventh 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

44. 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).
45. 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 six neighbouring residential windows would be affected to a noticeable degree. These six 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).

46. However, four out of these six windows (4th floor: W3 and W6 and 5th 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 two windows both serve secondary double bedrooms on the fourth floor.
47. 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 two-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.
48. 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.
49. 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.
50. In any case, the report details the results of a Daylight Distribution test and an Average Daylight Factor (ADF) test for the existing top floor accommodation at 1 Haven Way. 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.

Average daylight factor analysis of impact of proposal on the daylighting of the principal living space (Living/kitchen/dining room) in each of the six existing flats below.

	BRE guide recommended minimum standard	Assessment results
Room 1 (L/K/D)	2%	5.2%
Room 2 (L/K/D)	2%	2.36%
Room 3 (L/K/D)	2%	4.52%

Room 4 (L/K/D)	2%	3.79%
Room 5 (L/K/D)	2%	2.2%
Room 6 (L/K/D)	2%	2.1%

51. The table above shows the results of an average daylight factor (ADF) analysis for the existing top floor flats (of which there are six) in 1 Haven Way. It shows the quality/extent of natural daylight that would remain in the principal habitable rooms of these existing flats following the construction of the proposed extension and consequent loss of the existing skylights. The table shows that in every flat the residual daylighting factor would exceed the recommended minimum standard. Officers consider that the results demonstrate that the existing top floor flats would continue to enjoy good levels of natural daylight via their windows which would remain unaffected by the proposal.
52. The report also found that no neighbouring residential property would suffer any significant loss of sunlight.
53. 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.
54. The application has been accompanied by a construction management plan (CMP) which covers 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 detail sufficient appropriate protocols and mitigation, commensurate to the scale and nature of the development, to ensure that the impact of the construction works on existing local residents would be minimised, within reason. The applicant has indicated that they will limit working hours from 8am-6pm, Monday-Friday; an informative is recommended referring to this.
55. 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

56. 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.
57. 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.

58. 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.
59. 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.
60. 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.
61. 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

62. All of the proposed 3bed/6person dwellings would exceed the 95sqm minimum unit size standard.
63. Notwithstanding the slightly reduced size of the kitchen/living/dining room for Flat 6.2 (due to the enlargement of the external terrace) the kitchen/living/dining rooms for each flat would still all comply with the 30sqm minimum size requirement in the Residential Design Standards SPD.
64. One of the three double bedrooms in Flat 6.1 measures only 11.1sqm. However, this represents only a very marginal shortfall from the recommended 12sqm double-bed room minimum standard in the SPD and in the context of a large flat containing two other adequately-sized double bedrooms it is not considered to undermine the overall quality of accommodation for this unit.
65. 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 clear-glazed vertical window allowing direct natural light and an outlook.

Outdoor amenity space

66. 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. The proposal would meet this requirement in full as the new flats would all benefit from private outdoor roof terraces of the following sizes:

Flat 6.1 – 12.4sqm

Flat 6.2 – 11.0sqm

Flat 6.3 – 34.6sqm

Car / cycle parking, servicing and refuse arrangements

Car Parking

67. 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.

Cycle Storage

68. 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).

Refuse Storage

69. 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

70. 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

71. 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

72. 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.
73. 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). The contributions would be as follows:

Mayoral CIL: £15,452
 Southwark CIL: £75,731

Conclusion on planning issues

74. Amendments have been received that mean the scheme would comply with the guidance in the Residential Design Standards with respect to its impact on neighbours' privacy. All neighbouring dwellings would continue to retain good levels of daylight and sunlight. For the reasons set out above the application is recommended for a approval of planning permission, subject to conditions.

Community impact statement

75. 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.

There are no issues relevant to particular communities/groups likely to be affected by the proposal.

Consultations

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

Human rights implications

77. 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.
78. 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.

79. 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.
80. 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	28 February 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		16 February 2017

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	2 Haven Way London SE1 3FL
Flat 322 1 Haven Way SE1 3FJ	Flat 208 1 Haven Way SE1 3FJ
Flat 318 1 Haven Way SE1 3FJ	Flat 533 1 Haven Way SE1 3FJ
Flat 214 1 Haven Way SE1 3FJ	Flat 532, Block A 1 Haven Way SE13fj
Flat 213 1 Haven Way SE1 3FJ	431 Grange Gardens 1 Haven Way SE1 5QB
Flat 212 1 Haven Way SE1 3FJ	2 Haven Way London SE1 3FL
Flat 317 1 Haven Way SE1 3FJ	10 Limasol Street Flat 45 SE16 3GE
Flat 316 1 Haven Way SE1 3FJ	1, Haven Way London SE1 3FJ
Flat 215 1 Haven Way SE1 3FJ	Flat 45 Ockham Building 10 Limasol Street SE16 3GE
2 Haven Way London SE1 3FL	37 Whitmore 3 Arts Lane Se163gb
Flat 315 2 Haven Way Se1 3FL	48 Ockham Building 10 Limasol Street SE16 3GE
Flat 631 2 Haven Way SE1 3FL	33 Ockham Building 10 Limasol Street SE163GE
Flat 530 2 Haven Way SE1 3FL	27 Ockham Building 10 Limasol Street SE16 3GE
Flat 632 2 Haven Way SE1 3FL	Flat 535, 1 Haven Way London SE1 3FJ
Flat 634 2 Haven Way SE1 3FL	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 SE163GE
 37 Whitmore 3 Arts Lane Se163gb

431 Grange Gardens 1 Haven Way SE1 5QB
48 Ockham Building 10 Limasol Street SE16 3GE
48 Ockham Building 10 Limasol Street SE16 3GE

RECOMMENDATION

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

Applicant	Hazelwood Properties Ltd Hazelwood Properties Ltd DP9 Mr Thomas Price	Reg. Number	16/AP/2173
Application Type	Full Planning Application	Case Number	TP/987-A
Recommendation	Grant permission		

Draft of Decision Notice

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 revisions/amendments received on 27/01/2017**

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 P4, (PL)107 P1, (PL)200 P1, (PL)300 P1, (PL)301 P2, (PL)302 P2, (PL)303 P3,

Documents:

Design and Access Statement, Daylight and Sunlight Report prepared by CHP Surveyors, dated 25th May 2016,
Construction Management Plan (Revised) prepared by GHR Construction Ltd, dated January 2017.

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 P4
(PL)107 P1
(PL)200 P1
(PL)300 P1
(PL)301 P2
(PL)302 P2
(PL)303 P3

Construction Management Plan (Revised) prepared by GHR Construction Ltd, dated January 2017

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, 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).

- 4 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.

- 5 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.

- 6 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).

- 7 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.

- 8 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).

- 9 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.

- 10 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).

- 11 The construction of the development hereby approved shall only take place between the hours of 8am to 6pm between Monday to Friday and not at all on Saturdays, Sundays or Bank Holidays.

Reason

Having regard to the particular nature of the proposed development and its associated construction logistics, to therefore ensure that the existing residential occupiers of the existing building do not suffer an unacceptable loss of amenity by reason of noise and inconvenience arising from the construction of the development 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 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.

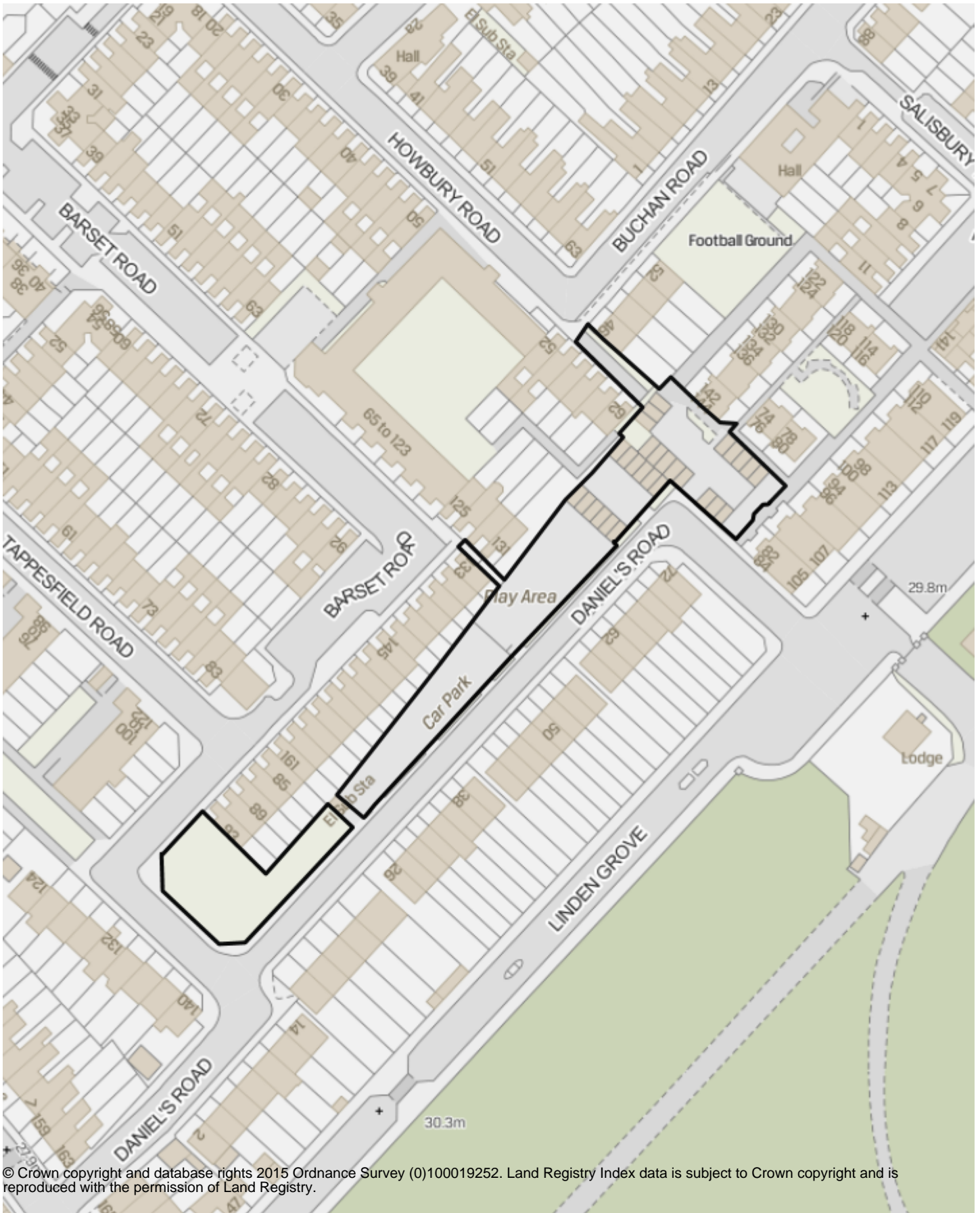
Informative

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.

Agenda Item 7.2



AGENDA 7.2 - Carpark, Play Area & Garages, Daniels Road , SE15 3NA



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50 m

Scale = 1 : 1243.620

17-Feb-2017

Legal Services

Item No. 7.2	Classification: Open	Date: 28 February 2017	Meeting Name: Planning Sub-Committee B
Report title:	<p>Development Management planning application: Council's own development Application 16/AP/4003 for: Full Planning Application</p> <p>Address: CARPARK, PLAY AREA AND GARAGES, DANIEL'S ROAD, LONDON SE15 3NA</p> <p>Proposal: Construction of two 3 storey residential (Use Class C3) blocks with a total of 19 new council homes. Block A comprises of 5x 3-bed houses. Block B comprises of 3x 3-bed flats, 6x 2-bed flats, 5x 1-bed flat; together with associated communal amenity space, landscaping works, a new 5-space car park and re-provision of playground space.</p>		
Ward(s) or groups affected:	Nunhead		
From:	Director of Planning		
Application Start Date 26/09/2016		Application Expiry Date 26/12/2016	
Earliest Decision Date 24/11/2016			

RECOMMENDATION

1. That planning permission be granted subject to the completion of a unilateral undertaking and planning conditions.
2. In the event that the unilateral agreement is not completed by 30 April 2017, the Director of Planning be authorised to refuse planning permission for the reasons detailed in paragraph 55.

BACKGROUND INFORMATION

Site location and description

3. The application site is 0.3ha in size and currently comprises a children's play area, a car park, a grassed amenity space, a substation and a collection of garages. It is surrounded by residential properties of differing architectural styles. To the east and south, terraced properties along Daniel's Road and Tappesfield Road are two storeys in height, whilst the terrace immediately to the west is 3 storeys fronting Basset Road with a distinctive roofline that tapers towards the site. The same building typology exists on Howbury Road to the north west. Properties to the north-east fronting Linden Grove are two and three storeys in height. The site is located 60m west of Nunhead Cemetery.
4. In terms of planning designations, the site is located within the Peckham and Nunhead Action Area, the urban density zone and the council's Air quality management area.

Details of proposal

5. Planning permission is sought for the development of the site to provide 19 dwellings split between a terrace of 5 houses and a new 3-storey block containing 14 flats. These two residential blocks would be divided by a new refurbished children's play area and a small car park, both of which replace existing on-site examples. A community garden is also proposed. The proposal forms part of the council's Direct Delivery programme and, as such, all of the new units are proposed as affordable, social rented units.
6. **Planning history**

16/EQ/0108 Application type: Pre-Application Enquiry (ENQ)
 Construction of 2 no. 3 storey residential (C3 Use) blocks with a total of 19 new council homes. Block A comprises of 5no. 3 bed houses. Block B comprises of 2No. 3 bed flats, 6no. 2 bed flats, 4no. 1 bed flats, 1no. 2 bed wheelchair accessible flat with a dedicated car parking space, 1no. 3bed wheelchair accessible flat with a dedicated car parking space. The proposals include associated communal amenity space and landscaping works, a new 8 space car park and reprovision of playground space.
 Decision date 14/07/2016 Decision: Pre-application enquiry closed (EQC)

The advice given is included in appendix 4.

Planning history of adjoining sites

7. Some small-scale householder developments in surrounding streets, but nothing of material significance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issues to be considered in respect of this application are:
 - a. Principle of development and conformity with strategic land use policies;
 - b. Provision of affordable housing
 - c. Impact on the amenity of neighbours and that of the wider area;
 - d. Design considerations, including the quality of accommodation
 - e. Transport and traffic impacts
 - f. Impact on trees
 - g. Environmental sustainability
 - h. Any other material considerations

Planning policy

National Planning Policy Framework (the Framework)

9. The NPPF establishes the Government's strategy for the delivery of sustainable development. Whilst not itself planning policy, all local policies must be in general conformity with the NPPF guidance and it is a material consideration in the determination of planning applications. The following sections are most relevant in this case:

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 11: Conserving and enhancing the natural environment

10. 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

5.2 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

5.21 Contaminated land

6.3 Assessing effects of development on transport capacity

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

8.2 Planning obligations

8.3 Community Infrastructure Levy

11. Core Strategy 2011

Strategic Policy 2 - Sustainable transport

Strategic Policy 4 - Places for learning and enjoyment

Strategic Policy 5 - Providing new homes

Strategic Policy 6 - Homes for people on different incomes

Strategic Policy 7 - Family homes

Strategic Policy 12 - Design and conservation

Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

12. 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 3.3 - Sustainability assessment

Policy 3.6 - Air quality

Policy 3.7 - Waste reduction

Policy 3.11 - Efficient use of land

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.14 - Designing out crime

Policy 3.28- Biodiversity

Policy 4.2 - Quality of residential accommodation

Policy 4.3 - Mix of dwellings

Policy 4.4 - Affordable housing

Policy 5.1 - Locating developments

Policy 5.2 - Transport impacts

Policy 5.3 - Walking and cycling

Policy 5.6 - Car parking

13. Peckham and Nunhead Area Action Plan 2014

Policy 16 - New homes

Policy 17 - Affordable and private homes

Policy 18 - Mix and design of new homes

Policy 21 - Energy

Policy 22 - Waste, water and flooding

Policy 23 - Public realm

Policy 25 - Built form

Policy 27 - Land use (Peckham core action area)

Policy 28 - Transport and movement (Peckham core action area)

Policy 29 - Built environment (Peckham core action area)

14. Supplementary planning documents

2015 Technical Update to the council's residential design standards SPD

Summary of consultation responses

15. 10 responses have been made - mainly objections - via the public consultation on this application. The main issues raised are:

- Support for affordable housing;
- Concern that building heights are taller than existing terraces;
- Insufficient car parking and flaws in the parking survey;
- Potential for increases in noise, anti-social behaviour and littering;

- "Green space grabbing" and loss of children's play space;
- Loss of privacy, light and local views;
- Negative impact on property values.

16. These are, generally, pertinent planning issues and are addressed as part of the below assessment. The perceived impact on property values is not a material planning consideration.

Principle of development

17. PNAAP Policy 31 states that "Nunhead, Peckham Rye and Honor Oak will continue to be a neighbourhood of low density housing and open spaces". The policy explicitly states that new residential uses will be supported. The proposed development comprises new residential accommodation and areas of open space and so is entirely consistent with this aim.

Environmental impact assessment

18. The scale and nature of development does not warrant an environmental impact assessment, as determined with regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

Affordable housing

19. The proposed development forms part of the council's Direct Delivery Programme, one part of the council's ambition to deliver 11,000 new council homes over the period up to 2043, with 1,500 by 2018. As such, all of the units will be provided as affordable, social rented homes.
20. PNAAP policy 17, requires a minimum 35% affordable housing and 35% private housing to be delivered in the area for major developments.. The application is made in the knowledge that the council's Strategic Housing Market Assessment (SHMA) identifies a net affordable housing requirement of 1,472-1,824 units per year between 2013 and 2031. The SHMA states that affordable housing represents 48% of Southwark's total annual housing need.
21. Recent planning changes, such as the change in threshold for sites to deliver affordable housing from 10 to 11 and the permitted change of use of B class sites to residential has meant that some schemes which would previously have delivered affordable housing, are no longer required to do so. In delivering an entirely affordable scheme, the proposal directly responds to the identified housing need and is in accordance with the council plan commitment to deliver quality affordable homes.

Viability

22. A brief viability report has been provided to address the requirements of the council's Development Viability SPD 2016. Whilst not constituting a full financial appraisal, the statement demonstrates that the necessary funding is in place to deliver a fully affordable scheme.

Dwelling Mix

23. The proposal comprises 5x 1-bedroom units, 6x 2-bedroom units and 8x 3-bedroom

units. 74% of the units would have 2 or more bedrooms and 42% of the units 3 bedrooms. This exceeds the requirements of Core Strategy Policy 7, which stipulates minimums of 60% and 20% respectively in the urban zone.

24. Two of the units are proposed to be design as wheelchair accessible dwellings, conforming to both the Building Regulations M4(3) standard and the South East London Housing Partnership Wheelchair Housing Design Guidelines, as advocated within the council's Residential Design Standards SPD. This meets the 10% requirement set out in Southwark Plan policy 4.3.

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

Privacy and overlooking

25. The distances to existing properties and elevated position of the site relative to properties to the north mean that there is the potential to affect the privacy currently enjoyed by residents. The built development has been focussed on a very limited amount of the site to address this and is successful in preventing overlooking. Separation distances between the new residential terrace and existing properties on Tappesfield Road are over 17m, whilst the flanks of this terrace are 18m and 24m away from existing properties on Daniel's Road and Barsest Road. These distances are all in excess of the 12m separation distances required within the Residential Design Standards.
26. The block of flats would be separated by between 13.5m and 15.5m from existing properties on Daniel's Road at ground and first floor level. Closer distances to the rear of the flats to properties fronting Barsest and Howbury Road are mitigated by the fact that the distinctive style of these existing homes means that their outlook is focussed away from the new flats. Further, as noted below, living accommodation in the new flats would be located with an outlook towards Daniel's Road, rather than to the rear of the site.
27. Objectors have expressed concern about the relationship between the children's play area and residential properties behind, especially because of the elevated position of the playground. A sensitive and suitable boundary treatment would mitigate the potential for overlooking and a condition is recommended to secure this.

Daylight and sunlight

28. A daylight and sunlight report has been undertaken following the methodology recommended by the Building Research Establishment (BRE), as per the industry norm. The assessment considers the impact of the proposed development on existing properties along Howbury Road, Barsest Road and Daniel's Road using the Vertical Sky Component (VSC) test - the amount of skylight reaching a residential window- and the No Sky Line (NSL) test - the proportion of a room from which the sky is visible.

Daniel's Road

29. Numbers 58-70 Daniel's Road sit opposite the new block of flats. Focusing on habitable rooms, the VSC test identifies that all bedrooms comply with the BRE guidance- either the daylight reductions are less than 20% or the remaining VSC level would be good (above 27%) For the ground floor living rooms, whilst Nos. 58, 60 and 72 are compliant, there are some minor discretions on the other 5 properties.

Here, the reductions tend to be around 24% and the resulting VSC levels between 24% and 26.99%. This still demonstrates a good level of compliance with the BRE guidance. The NSL test bears this out, with reductions of between 20 and 35% for the properties affected. The BRE recommendations are not absolute and need to be considered as part of the wider planning assessment for individual schemes. Given the sensible massing of the development, as discussed below, and the need to demonstrate that the development represents an efficient use of the site, these impacts are considered to be, on balance, acceptable.

Tappesfield Road

30. 132-138 Tappesfield Road sit opposite the new terrace of townhouses. The reductions in VSC here for all windows serving living areas or bedrooms are all comfortably within the 20% outlined by the BRE as being acceptable. Smaller windows within and adjacent to the front doors are identified as having impacts in excess of 20%, but this will not have such a significant impact on the level of amenity enjoyed in these homes. The NSL test echoes these results.

Howbury Road

31. 60 and 62 Howbury Road sit adjacent to the block of flats to the north east. 6 windows are tested and in all cases the reduction in VSC level is well within the 20% advised as being acceptable. The reductions in NSL would be negligible. These results are fully compliant with the BRE guidance. Of the tested properties, Howbury Road are the only ones located 90 degrees of south to the proposed buildings.. The assessment demonstrates that these properties would continue to benefit from levels of annual and winter sunlight that are well in excess of the levels recommended by the BRE.

Barset Road

32. 129 and 131 Barset Road sit to the rear of the western end of the block of flats, sharing a similar relationship to the new build as the above properties on Howbury Road. A single window would experience a reduction in VSC of 21.8% though the remaining VSC is in excess of 25%, very close to the 27% recommended by the BRE. The NSL reductions are negligible. This represents a very marginal, and ultimately acceptable, reduction in daylight levels.

Noise

33. Several objectors have raised concerns about noise associated with the new development. It is not considered that new homes would give rise to any noise above and beyond what can typically be expected in a residential area. Construction noise would be noticeable but such a situation is common in London. Hours of working and the use of good suitable methods can be controlled through separate legislation. An informative is recommended to note some of the measures that the council's environmental protection team would expect to be taken into consideration by contractors to limit the environmental impacts for existing residents.

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

34. The site is surrounded by residential properties; a mixture of traditional terraced houses and flats/maisonettes in 3 and 4-storey blocks. As above, adequate separation distances would be achieved and the scale of development proposed is

consistent with the local scale. These properties would not exert any influence over the development site such that the amenity of future occupiers would be compromised.

Transport issues

Car parking

35. Both the Core Strategy and the PNAAP support sustainable travel and limit the need to travel by private car. PNAAP Policy 15 states that in the urban zone, a maximum of 1 parking space per unit will be acceptable. The site has a PTAL rating of 2 and is not within a controlled parking zone (CPZ). Though this proposal includes a 5 space car park, it would replace the existing car park.. A car parking survey has been completed to demonstrate that this will not lead to parking stress.
36. The parking survey mapped the number of cars parked on streets within 200m of the site over a typical midweek evening and also carried out two 'snapshot' surveys in the early hours of the morning to capture overnight parking demands. Overall, the survey suggests that of the 611 spaces available, an average of 50% were available at any given time (46% overnight). Focusing just on the roads immediately surrounding the site, the east side of Daniel's Road peaks at 61% capacity (22 of 38) spaces in use. This ignores the assumed spare capacity on the opposite side of Daniel's Road - realistically, the narrow width of the street would make parallel parking difficult. Tappesfield Road peaks at 77% capacity (63 of 82), Barset Road at 33% (38 of 115) and Howbury Road at 59%.
37. Two separate surveys of the use of the existing car park were carried out on a Wednesday evening and a Saturday afternoon. During this time, only 2 vehicles were recorded as using the car park; one remaining for 3 hours, the other for 1 minute. This indicates a suggests a low demand for the existing car park.
38. The survey results show adequate capacity on the surrounding streets to accommodate some additional residential parking. Coupled with the other measures intended to promote sustainable travel, including the provision of secure cycle parking and car club membership for new residents, the anticipated transport impacts of the proposal are considered acceptable.
39. A single disabled bay is included in the new car park, which is intended to serve the adjoining wheelchair accessible unit. A second disabled bay was initially proposed adjacent to the community garden, however this has been removed at the request of the Highways team given concerns over the proximity to the corner of Daniel's Road. Not all occupiers of wheelchair accessible dwellings are car owners so there may not be a need. If there is, a space could be accommodated on-street, within the proposed car park or a specific bay could be provided as part of the s278 works.

Cycle parking

40. The flatted part of the scheme includes a single cycle store with a capacity of 23 bikes. Each of the terraced houses have the potential to store bikes within sheds in the rear garden or in the smaller front garden, though specific provision needs to be confirmed. Subject to this confirmation, the amount of cycle parking meets the requirements set in London Plan Policy 6.9 and is supported. The communal store for the flats would be accessed directly from Daniel's Road and is adequately sized to allow for easy manoeuvring of bikes. The type of cycle storage proposed can be confirmed in due course via planning condition.

Design issues

Density

41. The development comprises 60 habitable rooms across a 0.3 hectare site. This equates to a density of 200 habitable rooms per hectare, at the lower end of the 200 – 700 habitable rooms per hectare identified in the Core Strategy as being appropriate in the urban zone. Whilst the design merits of the scheme and potential impacts on the amenity of neighbours are considered below, the density of development is within the range suggested.

Site layout and urban design

42. The site is constrained by a narrow plot width and level changes to the north, which create a challenging relationship with existing properties, notably on Basset Road. The proposed development is arranged as a series of discrete parcels, the two residential elements book-end the plot with the 3-storey flatted building to the east and a 2.5 storey terrace to the west. The built elements would be separated by a new community garden, smaller car park and a refurbished playground.
43. The arrangement of the site is good, with green spaces stretching along the northern side of Daniel's Road. Built development here would, in all likelihood, compromise the lead to overshadowing of properties further north on Basset Road and lead to a loss of privacy. The indicative designs for the children's playspace and community garden demonstrate a stark uplift in quality and will improve the amenity of the street. It is recommended that the final designs of these spaces, and their respective maintenance regimes, be subject to planning condition.
44. The modest enclosure of the street from the buildings is appropriate in this location and certainly an improvement on the utilitarian garage blocks that partially occupy the site at present. In addition, the relatively low height of the flat block would help integrate it with the existing low rise streetscape. The ground floor units each contain wrap around private gardens which would bring a degree of animation at street level. The dwellings and the open space would greatly benefit the streetscape.
45. New pedestrian links between Daniel's Road and Tappesfield Road would be created, providing easy access to the new children's playground, to Linden Grove and Nunhead Cemetery, and generally improving permeability for residents in the local area.

Materials

46. The materials palette is relatively restrained, with both blocks predominantly constructed in a buff, multi-stock brick. A second cream coloured brick would be used in the recessed areas of the flatted block, such as on balconies and behind the gallery access. Zinc cladding would be used for the recessed upper storey of the flats and the roof of the terrace, with a brown pigment added so that the roofs better reflect the tiled finish of neighbouring properties. The gallery screen would similarly be constructed from a series of metal fins, which balance the need for privacy, ensuring the deck would be well-lit and providing some interest to this façade. This approach is considered appropriate and subject to the presentation of materials samples in due course, is acceptable.

Quality of accommodation

47. All units are sized to achieve the Nationally Described Housing Standards and almost all rooms achieve the individual room sizes stipulated in the council's residential design standards SPD. The only exceptions here are the living room/kitchen/dining rooms in the 2x 1-bedroom flats at first floor level, which fall 0.9sqm short. All units are designed to include bulk storage and 17 of the 19 units achieve dual or triple aspect, improving their outlook, daylight and sunlight and general amenity.
48. The flatted development relies on deck/gallery access at the upper storeys, but with the core being located centrally, each wing of the deck only serves two or three properties. This will limit any impacts on the privacy of occupiers as a result of people walking past windows. It is further noted that kitchens and bathrooms front on to the gallery as opposed to bedrooms or the living rooms.
49. All units are designed to achieve the optional M4(2) Building Regulations standards for Accessible and Adaptable dwellings, which is akin to the former Lifetime Homes standard. As noted above, 2 of the units will surpass this and be designed to achieve the M4(3) Wheelchair Accessible Standard, as well as adhering to the more onerous South East London Wheelchair Housing Design Guidance.

Amenity space and children's play

50. Every unit has access to a well proportioned terrace or garden. All three bedroom flats have access to a private amenity space well in excess of the 10sqm specified in the council's Residential Design Standards SPD. Two of the private gardens associated with the town houses are in excess of 50sqm, as advised in the SPD, whilst three of them are only 35sqm. Though the balconies of the smaller flats tend to fall below 10sqm, this is more than compensated for by the generous communal spaces provided as part of the scheme. The proposal would generate a requirement to provide 230sqm play space. The play area proposed is approximately 450sqm, and though this is a replacement of the existing play space, the uplift in quality will be sufficient to accommodate the additional demands of children residing in the new homes. The provision of amenity space and open space for residents and the wider community is an undoubted strength of the development.

Impact on trees

51. 17 trees around the perimeter of the site have been surveyed. Of those, 12 will be retained and protected during construction, the remaining 5 will be removed. Those to be lost are of varying quality. Five new trees are proposed as a result, 4 to be planted along the northern boundary of the new pedestrian link and 1 in the new play area fronting Daniel's Road. Since submission of the application, the building line of the residential terrace has been set back slightly to improve the footpath width adjacent to the two London Plane trees on Tappesfield Road and to provide additional separation between the canopies on these trees and the building line.
52. The council's urban forester has reviewed the planting proposals and whilst they are acceptable in principle, the overall landscaping incurs a net loss of 330cm in stem girth. In addition to the on-site planting, a financial contribution should be sought for off-site planting to fully compensate for this loss. Using the Capital Asset Value for Amenity Trees (CAVAT) methodology, a contribution of £6,600 is warranted and should be secured via unilateral undertaking. Further details of tree protection

measures to be undertaken during demolition and construction should be provided prior to the commencement of works on site.

Planning obligations (S.106 undertaking or agreement)

53. A unilateral undertaking will be required to secure the affordable housing units, to identify the relevant highways improvement works and to secure payments for off-site tree planting and to the council's carbon offset fund, as described in the relevant sections of the report.
54. Without planning obligations on affordable housing, highway improvements and financial payments for tree planting and the carbon off-set fund, the development would be contrary to policies 2.5 planning Obligations; 3.28 biodiversity; 4.4 affordable housing and 5.2 transport impacts of the Southwark Plan, policies SP6 Homes for people on different incomes and SP14 Implementation and Delivery of the Core Strategy 2011; policies 3.11 affordable housing targets, 5.2 minimising carbon dioxide emissions and 8.2 planning Obligations of the London Plan 2016, and Section 6 delivering a wide choice of high quality homes of the National Planning Policy Framework 2012.
55. In the event that unilateral agreement not been given by 30 April 2017 it is recommended that the Director of Planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a Planning Obligations Agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015).

Sustainable development implications

Air quality

56. An air quality assessment has been prepared which assess the potential impacts on air quality during demolition, construction and on occupation. The assessment is prepared in accordance with Mayoral Guidance and suggests some mitigation techniques which are standard practice. The exposure to pollution for future residents would be at background levels and not require further mitigation.

Contamination

57. A Phase 1 desk-based survey and initial site investigations have been undertaken. The desk based surveys suggests that historic land uses in the area have been residential and, in the absence of manufacturing or industry, the risk of contamination is low. This is borne out by the site investigations, though an isolated incident of elevated lead concentrations was detected. Subject to a capping layer of imported topsoil being introduced to landscaped areas, the conclusions is that risks presented by contamination are low. A condition is proposed to confirm remediation measures and the procedure in the event that unanticipated contamination is discovered.

Ecology and biodiversity

58. London Plan policy 5.10 states that all major developments should incorporate green infrastructure and policies in the Core Strategy and PNAAP emphasise that the biodiversity of sites should be enhanced and new habitat created. In addition to the planting, boundary hedges and community garden, the proposal also incorporates a green roof in the flatted block. Details of the green roof specification are subject to a proposed planning condition. The council's ecologist has also recommended that a combination of bird boxes and bat bricks are incorporated within the development, with details of the locations and specifications secured by planning condition. The proposal has a clear benefit to the biodiversity value of the site.

Energy

59. London Plan policy 5.2 sets out that all major residential developments are required to use the energy hierarchy in order to reduce their regulated carbon dioxide emissions by 35% relative to a Building Regulations 2013. An energy assessment is provided to demonstrate that through the installation of photovoltaic panels on the roofs of both residential blocks, an annual saving of around 25% of regulated carbon emissions can be achieved. In accordance with Mayoral Guidance and the council's s106 and CIL SPD 2015, the shortfall in carbon reduction can be bridged via a payment to the council's carbon offset fund. A fee of £5,112 will be secured by way of a unilateral undertaking. There is no proposal at this time to connect the development to the wider communal heating scheme that serves the Barset Estate, but the report notes that the scheme could be adapted should the feasibility improve in the future.

Flood risk

60. The site is located in Flood Zone 1, at low risk of fluvial flooding from the River Thames. The proposal has been reviewed by the council's flood risk and drainage team who raise no concerns.

Other matters: Community Infrastructure Levy

61. The Localism Act 2011 states that 'local financial considerations' are material considerations in the determination of planning applications, though the amount of weight to attach is an issue for the decision maker. The delivery of new homes would normally be liable for both the Mayoral and Southwark CIL. The Mayoral CIL is levied in Southwark at £35 per sqm and Southwark CIL at £200 per sqm in this location, both charges are subject to indexation. This would give a notional Mayoral CIL liability of £60,464 and Southwark CIL liability of £297,484. However, affordable housing relief is available and in the event that planning permission is granted an application should be made to secure this prior to the commencement of development.

Conclusion on planning issues

62. The scheme would deliver high quality affordable homes in a generous landscape. Though the scheme would not provide private dwellings, the proposal specifically addresses an acute need for affordable homes identified in the council's housing market assessment and this is a significant material consideration. The buildings have been carefully designed to respect the amenity of neighbours, whilst also attempting to maximise the development potential of the site. It is considered that

the above proposal is consistent with the ambitions and policies of the development plan and that planning permission should be granted.

Community impact statement

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

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

Consultations

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

Consultation replies

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

66. The above assessment and resulting planning conditions/obligations also reflect feedback from the council's flood risk and drainage, design and conservation, environmental protection, highways and transport planning teams.

Human rights implications

67. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

68. This application has the legitimate aim of providing details of a proposed residential development. 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/2653-A Application file: 16/AP/4003 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1249 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Michael Glasgow, Team Leader	
Version	Final	
Dated	15 February 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 February 2017

APPENDIX 1

Consultation undertaken

Site notice date: 01/11/2016

Press notice date: 13/10/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 21/10/2016

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

Neighbour and local groups consulted:

52 Daniels Road London SE15 3LR	84 Tappesfield Road London SE15 3EZ
54 Daniels Road London SE15 3LR	86 Tappesfield Road London SE15 3EZ
56 Daniels Road London SE15 3LR	88 Tappesfield Road London SE15 3EZ
46 Daniels Road London SE15 3LR	78 Tappesfield Road London SE15 3EZ
48 Daniels Road London SE15 3LR	80 Tappesfield Road London SE15 3EZ
50 Daniels Road London SE15 3LR	82 Tappesfield Road London SE15 3EZ
58 Daniels Road London SE15 3LR	90 Tappesfield Road London SE15 3EZ
66 Daniels Road London SE15 3LR	98 Tappesfield Road London SE15 3EZ
68 Daniels Road London SE15 3LR	47 Tappesfield Road London SE15 3HD
70 Daniels Road London SE15 3LR	49 Tappesfield Road London SE15 3HD
60 Daniels Road London SE15 3LR	92 Tappesfield Road London SE15 3EZ
62 Daniels Road London SE15 3LR	94 Tappesfield Road London SE15 3EZ
64 Daniels Road London SE15 3LR	96 Tappesfield Road London SE15 3EZ
28 Daniels Road London SE15 3LR	56 Tappesfield Road London SE15 3EZ
30 Daniels Road London SE15 3LR	58 Tappesfield Road London SE15 3EZ
32 Daniels Road London SE15 3LR	60 Tappesfield Road London SE15 3EZ
22 Daniels Road London SE15 3LR	140 Tappesfield Road London SE15 3EZ
24 Daniels Road London SE15 3LR	52 Tappesfield Road London SE15 3EZ
26 Daniels Road London SE15 3LR	54 Tappesfield Road London SE15 3EZ
34 Daniels Road London SE15 3LR	62 Tappesfield Road London SE15 3EZ
40 Daniels Road London SE15 3LR	72 Tappesfield Road London SE15 3EZ
42 Daniels Road London SE15 3LR	74 Tappesfield Road London SE15 3EZ

44 Daniels Road London SE15 3LR
 36 Daniels Road London SE15 3LR
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 103 Nunhead Grove London SE15 3LX
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 Flat 5 43 Linden Grove SE15 3LW
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 123 Barset Road London SE15 3HE
 125 Barset Road London SE15 3HE
 127 Barset Road London SE15 3HE
 95 Barset Road London SE15 3HE
 97 Barset Road London SE15 3HE
 99 Barset Road London SE15 3HE

136 Daniels Road London SE15 3NA	89 Barsest Road London SE15 3HE
138 Daniels Road London SE15 3NA	91 Barsest Road London SE15 3HE
140 Daniels Road London SE15 3NA	93 Barsest Road London SE15 3HE
76 Daniels Road London SE15 3NA	46 Buchan Road London SE15 3HF
84 Daniels Road London SE15 3NA	88 Buchan Road London SE15 3HG
86 Daniels Road London SE15 3NA	90 Buchan Road London SE15 3HG
88 Daniels Road London SE15 3NA	41b Howbury Road London SE15 3HH
78 Daniels Road London SE15 3NA	48 Buchan Road London SE15 3HF
80 Daniels Road London SE15 3NA	50 Buchan Road London SE15 3HF
82 Daniels Road London SE15 3NA	52 Buchan Road London SE15 3HF
116 Daniels Road London SE15 3NA	69 Barsest Road London SE15 3HE
118 Daniels Road London SE15 3NA	71 Barsest Road London SE15 3HE
120 Daniels Road London SE15 3NA	73 Barsest Road London SE15 3HE
110 Daniels Road London SE15 3NA	161 Barsest Road London SE15 3HE
112 Daniels Road London SE15 3NA	65 Barsest Road London SE15 3HE
114 Daniels Road London SE15 3NA	67 Barsest Road London SE15 3HE
122 Daniels Road London SE15 3NA	75 Barsest Road London SE15 3HE
130 Daniels Road London SE15 3NA	83 Barsest Road London SE15 3HE
132 Daniels Road London SE15 3NA	85 Barsest Road London SE15 3HE
134 Daniels Road London SE15 3NA	87 Barsest Road London SE15 3HE
124 Daniels Road London SE15 3NA	77 Barsest Road London SE15 3HE
126 Daniels Road London SE15 3NA	79 Barsest Road London SE15 3HE
128 Daniels Road London SE15 3NA	81 Barsest Road London SE15 3HE
42 Howbury Road London SE15 3HR	69a Avondale Rise Peckham SE15 4AJ
	70 Daniels Road Nunhead SE15 3LR

Re-consultation: n/a

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

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

Neighbours and local groups

130 Tappesfield Road London SE15 3EZ
14 Daniels Road London SE15 3LR
155 Barsest Road London SE15 3HE
36 Daniels Road London SE15 3LR
52 Howbury Road London SE15 3HR
53 Barsest Road London SE15 3HW
66 Daniels Road London SE15 3LR
69a Avondale Rise Peckham SE15 4AJ
70 Daniels Road London SE15 3LR
70 Daniels Road Nunhead SE15 3LR

RECOMMENDATION

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

Applicant	Southwark Council	Reg. Number	16/AP/4003
Application Type	Full Planning Application	Case Number	TP/2653-A
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of two 3 storey residential (Use Class C3) blocks with a total of 19 new council homes. Block A comprises of 5x 3 bed houses. Block B comprises of 2x 3 bed flats, 6x 2 bed flats, 4x 1 bed flat, 1x 1 bed wheelchair accessible flat with a dedicated car parking space and 1x 3 bed wheelchair accessible flat with a dedicated car parking space; together with associated communal amenity space, landscaping works, a new 5 space car park and reversion of playground space.

At: CARPARK, PLAY AREA AND GARAGES, DANIELS ROAD, LONDON SE15 3NA

In accordance with application received on 26/09/2016

and Applicant's Drawing Nos. Existing plans

082-4-PL-001, 082-4-PL-002, 082-4-PL-003, 082-4-PL-004, 082-4-PL-005, 082-4-PL-007

Proposed plans

082-4-PL-099/RevB, 082-4-PL-100/RevA, 082-4-PL-101/RevA, 082-4-PL-102/RevA, 082-4-PL-103/RevA, 082-4-PL-110/RevB, 082-4-PL-111, 082-4-PL-112, 082-4-PL-113; 082-4-PL-200, 082-4-PL-201, 082-4-PL-202/RevA; 082-4-PL-300, 082-4-PL-301, 082-4-PL-302, 082-4-PL-303/RevA.

439.02-B, 439.04-B, 439-015-A, 439-06

Documents

Planning statement, Design and access statement, Daylight and sunlight assessment, Arboricultural survey, Arboricultural impact assessment, Phase 1 habitat survey, Bat surveys, Ground investigation report, Unexploded ordinance survey, Financial viability statement, Energy Statement, Flood risk assessment, Parking survey, Swept path analysis (162241/A/01/RevA), Air quality assessment.

Subject to the following fifteen 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:

082-4-PL-099/RevB, 082-4-PL-100/RevA, 082-4-PL-101/RevA, 082-4-PL-102/RevA, 082-4-PL-103/RevA, 082-4-PL-110/RevB, 082-4-PL-111, 082-4-PL-112, 082-4-PL-113; 082-4-PL-200, 082-4-PL-201, 082-4-PL-202/RevA; 082-4-PL-300, 082-4-PL-301, 082-4-PL-302, 082-4-PL-303/RevA; 439.02-B, 439.04-B, 439-015-A, 439-06.

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 a) An arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.
- i) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.
- ii) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.
- iii) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.
- b) Full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.
- c) The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.
- d) If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

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

- 4 a) Prior to the commencement of above grade works, a remediation strategy shall be submitted to the Local Planning Authority for approval in writing to address the issues identified in the Phase 1 and 2 site assessments and bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- b) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
- c) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

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

standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 5 Details of bird nesting boxes and bat bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above grade works associated with the permission hereby granted.

No less than 6 nesting boxes/bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes/bricks shall be installed 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 and 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.

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.

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

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

Reason

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

- 7 Prior to above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission shall be presented on site (unless otherwise agreed) 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.

- 8 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided 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

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development 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.

- 9 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 511 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

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

Reason

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

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.

- 11 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

M4(1)

All other units

M4(2)

M4(3a)

F-1, F4.

M4(3b)

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.

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

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

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

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

Reason

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

- 13 Before the first occupation of the development hereby permitted, the developer shall achieve a Secured by Design accreditation from the Metropolitan Police.

Reason

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

- 14 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawings referenced 082-4_PL_110 and 082-4_PL_100 Rev A shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 15 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 pre-application service was used for this application and the advice given was followed.

Informative

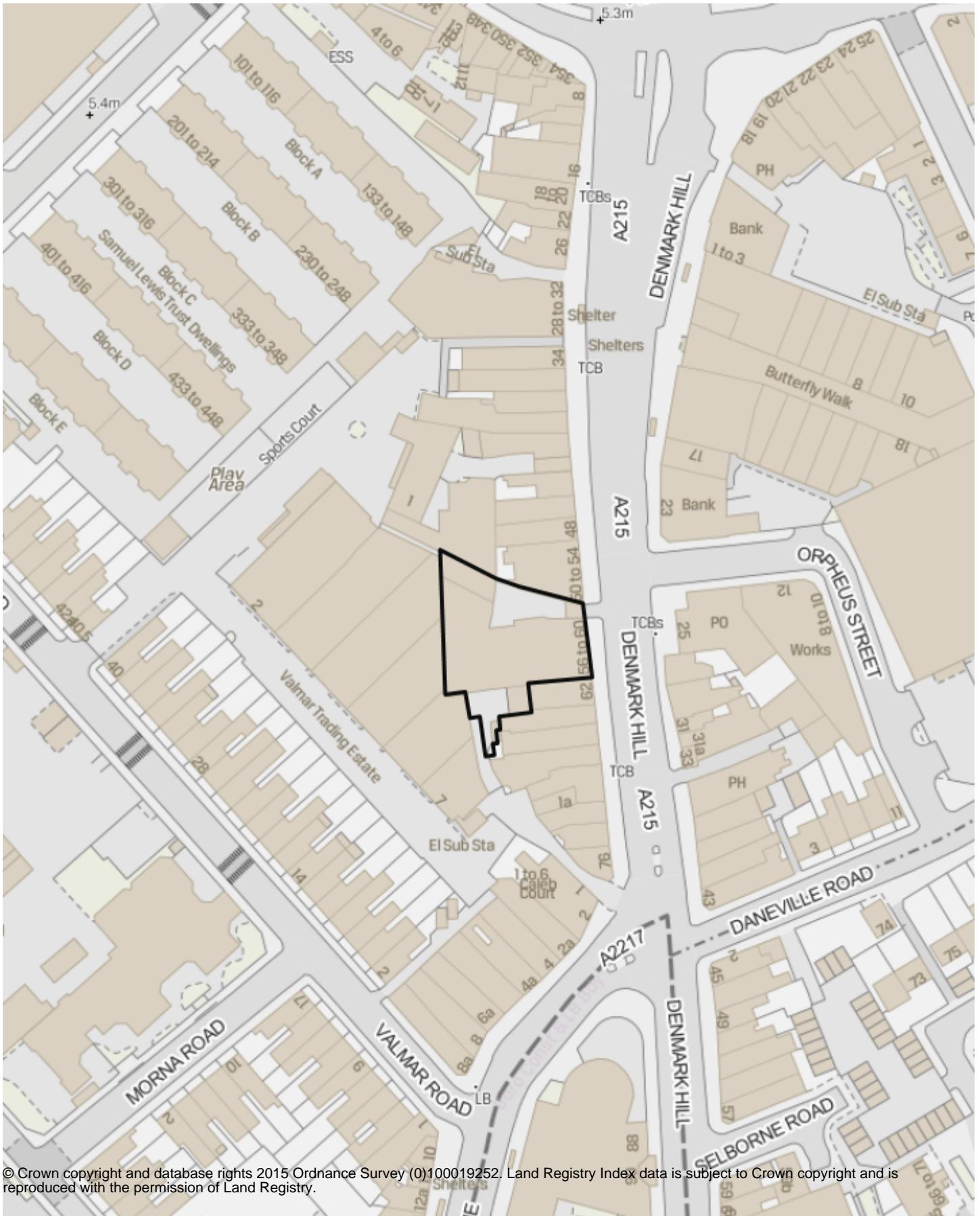
To follow current best construction practice, please see the following documents:

- Southwark Council's Technical Guide for Demolition & Construction at <http://beta.southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>
- S61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites'

Agenda Item 7.3



Agenda item 7.3 - 56-60 Denmark Hill, London SE5 8RZ



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Item No. 7.3	Classification: Open	Date: 28 February 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/3983 for: Full Planning Permission Address: 56-60 DENMARK HILL, LONDON SE5 8RZ Proposal: Demolition of single storey building to the rear (retrospective), creation of two storey building to accommodate proposed retail space on the ground floor and proposed gym space D1 Use on the first floor. Retention of existing two storey building facing onto Denmark Hill, with existing shop front and two storey building to the rear north-west corner of the site.		
Ward(s) or groups affected:	Camberwell Green		
From:	Director of Planning		
Application Start Date 05/10/2016		Application Expiry Date 30/11/2016	
Earliest Decision Date 05/11/2016			

RECOMMENDATIONS

1. That the application be referred to members for consideration by virtue of the application being called in.
2. That subject to the applicant (or their successors in title) first entering into an appropriate legal agreement (S106) (at no cost to the council) by no later than 28 April 2017, planning permission be granted.
3. In the event that the requirements of part a) are not met by 28 April 2017, the Director of Planning be authorised to refuse planning permission for the reasons set out in paragraph 45.

BACKGROUND INFORMATION

Site location and description

4. The subject site is located to the western side of Denmark Hill, approximately 50m to the north of the intersection with Coldharbour Lane. The site also backs onto Milkwell Yard. It is within a parade of two and three storeys buildings which are predominately retail at ground floor level and offices or ancillary retail space above. The site is roughly rectangular and presently contains two buildings of two storeys. The remaining part of the site has either been demolished or serves as part of the service yard, which has a vehicular access (from a crossover) directly from Denmark Hill. There is access to the rear / side of the building from Milkwell Yard. The site was previously in use as a large retail shop (Peacocks).
5. The site is within the:
 - Camberwell Action Area
 - Camberwell Green Archaeological Priority Zone

- Camberwell Green Conservation Area
- Camberwell District Town Centre
- Urban Density Zone
- Air Quality Management Area

Details of proposal

6. Planning permission is sought for the construction of a two storey extension to create new retail floorspace, servicing areas and access to the first floor where a Gym (D2 Use Class) is proposed.
7. The proposed retail area would be 907sqm. An additional 33sqm provided at ground floor would provide access to the gym proposed on the first floor along with a 27sqm store for the gym off Milkwell yard. In total the building at ground floor would be 972sqm.
8. At first floor the proposed Gym (D2 Use Class) would measure approximately 944sqm and would infill the area between the existing buildings that rise to first floor. Access would be from Denmark Hill via a lift and staircase. A plant room would be positioned on the roof.
9. The application has been amended since the original submission to move the refuse / recycling area from the rear with access from Milkwell Yard, to the front. In addition, the demolition that occurred without consent has been included in the description of this development.
10. **Planning history**

<p>10/AP/0753 Application type: Full Planning Permission (FUL) Installation of a new shopfront including new entrance/exit doors, aluminium cladding to piers and stallrisers, repair works to first floor front windows and internal alterations. Installation of 4 No. air conditioning units to the rear on existing flat roof. Decision date 14/06/2010 Decision: Granted (GRA)</p>
<p>13/AP/3025 Application type: Full Planning Permission (FUL) Construction of ground floor extensions to the existing retail unit to create new retail floorspace and the creation of a refuse / recycling storage area within the front service yard Decision date 07/02/2014 Decision: Granted (GRA)</p>
<p>16/AP/0991 Application type: Variation: non-material changes (VNMC) Non material changes to planning application 13/AP/3025 'Construction of ground floor extensions to the existing retail unit to create new retail floorspace and the creation of a refuse / recycling storage area within the front service yard' to allow the relocation of rear entrance to retail unit and bike store Decision date 14/04/2016 Decision: Agreed - for app types VLA & VNMC (AGR)</p>

Planning history of adjoining sites

11. None considered to be directly relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
- a) The principle of the development
 - b) The design and impact on the character and appearance of the streetscene and conservation area
 - c) The impact on the amenity of neighbouring occupiers
 - d) The impact on the transportation network.

Planning policy

13. National Planning Policy Framework (the Framework)

Section 1 - Building a strong, competitive economy
 Section 4 - Promoting sustainable transport
 Section 7 - Requiring good design
 Section 12 - Conserving and enhancing the historic environment

14. The London Plan 2016

2.9 Inner London

- 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
- 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
- 8.3 Community Infrastructure Levy

15. Core Strategy 2011

Strategic Policy 1 - Sustainable Development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 12 - Design and Conservation
 Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

16. The council's cabinet on 19 March 2013, as required by parka 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 1.4 Employment sites outside the preferred office locations and preferred industrial locations

Policy 1.7 Development within town and local centres

Policy 1.9 Change of use within protected shopping frontages

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 5.2 Transport impacts

Policy 5.3 Walking and Cycling

Summary of consultation responses

17. One objection has been received for the application. Matters of concern in this representation include:
- Cycle Storage;
 - Opening Hours;
 - Access Arrangements and use of existing Service Yard;
 - Works on Site;
 - Emergency Access.

18. There were no objections from internal and statutory consultees.

Principle of development

19. The site is within a protected shopping frontage and is located within the Camberwell District Town Centre, and any proposed changes of use would need to accord with Policies 1.7 and 1.9 of the Southwark Plan 2007.
20. Policy 1.7 'Development within town and local centres' states a range of services and uses would be permitted as long as the proposal protects the surrounding amenity, the viability of the centre, is an appropriate use which is highly accessible by public transport and there is sufficient capacity for any additional servicing requirements.

21. While aspects such as transport and servicing are dealt with separately within the report. The only aspect that requires further analysis is iv '*Any floorspace currently in A Class use should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre (where the proposal site is located within a protected shopping frontage, the proposal should comply with Policy 1.9)*'. The proposal is for a reduction of the overall retail floorspace (A1 Use Class) by 132sqm. However, in accordance with the policy, the overall loss is compensated by providing a gym that would provide a direct service to the public. The gym would also increase the viability and vitality of the centre by increasing footfall.
22. The remaining retail pace at 907sqm, would still be one of the largest retail units on Denmark Hill and would not harm the retail vitality of the area. The proposal meets the requirements of the policy by preserving the amenity of local occupants and promoting additional community uses within a local centre.
23. Policy 1.9 'change of use within protected shopping frontages' says that permission would not be granted for a change of use within such frontages unless certain criteria are met. No change of use of the retail units is proposed so the proposal would comply with the policy.
24. The principle of the land uses proposed is acceptable.

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

Noise

25. The closest noise sensitive property has been identified as the rear facade of 62 Denmark Hill, which is 15m away. The noise report identifies that with the mitigation measures stated in paragraph 5.2, the transmission of noise to the nearest sensitive windows satisfies the emissions criterion of the local authority. A condition requiring the mitigation as identified within the Noise Assessment (October 2016) shall be implemented and that a subsequent noise assessment would be undertaken to show that the plant noise level is 10dB below the lowest background levels at 1m from the nearest residential window.

Daylight/Sunlight

26. An assessment has been undertaken in accordance with the Building Research Establishment (BRE) guidance. The daylight to only one non-habitable window would be reduced to a noticeable degree but it would retain a vertical sky component (VSC) of more than 23% which is very good for a town centre. There would be significant overshadowing to the outside space for 50-54 Denmark Hill but this is not an amenity space as it serves as a fire exit.

Waste

27. As noted above, the extensions themselves are unlikely to have a material impact on the amenity of neighbouring occupiers, the refuse storage for both uses has now been moved to the Denmark Hill frontage and no servicing is expected from Milkwell Yard where there are residents.

Retail/Gym Use

28. The proposed uses on site would not cause unacceptable harm to neighbours or

it lead to an adverse change in the flow of people to site as it is already a busy area in a town centre. Because of this and the fact that the only windows and doors for the gym would face Denmark Hill, it is not considered necessary to limit the hours of operation.

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

29. None envisaged.

Transport issues

30. The site is located in Camberwell that benefits from a high PTAL (6) and excellent transport links via local buses and nearby train stations. The applicant proposes a car-free development with servicing undertaken on Denmark Hill.
31. Similar to the previous applications (and this application) concerns were raised regarding the use of Milkwell Yard for servicing/refuse collection. This is because the rear yard is too small for large vehicles to manoeuvre and leave in a forward gear, plus it also has direct access to a busy intersection which would create problems for highway capacity and safety. The applicant has since amended the scheme to move the refuse storage area to the proposed side infill area that has direct access to Denmark Hill.
32. Therefore all servicing and refuse collections would be from on-street loading bays positioned on Denmark Hill. To assess the capacity and impact of this a transport assessment was required.
33. As stated within the transport assessment and acknowledged the site was previously occupied by a large retailer (Peacocks). It is accepted that Peacocks would have made limited use of the existing service yard due to the height restriction which would limit goods vehicles to small LGVs. As such the large proportion of deliveries would have taken place from on-street, specifically the loading bay just north of the site entrance.
34. The transport assessment goes on to say that the existing loading bay south of the site was surveyed to be operating at a 22% usage. Taking into account the proposed retail and gym use the 'worst-case' scenario was assumed. It identified that approximately seven vehicle movements per day could be expected. This is considered by the LPA to be representative of the typical movements associated with the uses.
35. In capacity terms the low usage of the on-street loading bay and considering that one HGV would equate to two LGVs pushing up the current usage to 28%, there would be sufficient capacity for the unit to be serviced on-street without causing highway issues or over-saturation of the loading bay.
36. To further protect the integrity of the highway and in particular the bus lanes on the strategic route, a draft management plan was prepared. A condition requiring a full service management plan (including hours of servicing) is recommended. This is to ensure that the free-flow of traffic and buses in particular can continue to operate efficiently as unlike the current situation, more HGVs would be using the loading bay which could impact on the manoeuvrability of vehicles/buses approaching from the junction with Coldharbour Lane. It would also be considered that a review of the servicing would be secured in the management plan 1 year later to take into account the highway improvements works proposed.

37. The applicant has demonstrated that long term cycle parking (for staff) for 10 bikes can be accommodated. An additional requirement is to provide short-stay parking for customers. The only reasonable place this can be accommodated would be within the frontage which would be an inefficient use of floorspace. For this reason, a negotiated solution has been reached and the applicant has agreed to enter into a S106 agreement to provide a financial contribution equivalent to the cost of installing 21 cycle parking stands. These would be installed by the Highway Authority within the vicinity of the site and would offer wider community use.
38. The applicant would also undertake highway works to:
- Reinststate the redundant vehicle crossover as footway;
 - Provide a dropped kerb at the front of the bin store on Denmark Hill;
 - Repair any damage to the existing footway as a result of site construction works.
39. While the applicant has failed to provide adequate cycle parking facilities on site to meet the London Plan standards. It is considered that on balance the loss of shop frontage and retail floor space to accommodate both retail and gym cycle parking would be an inefficient use of space. As such the on-street contribution is considered acceptable. The assessment of the transport implications are satisfactory and with the proposed conditions would safe guard the integrity of the highway.

Design issues

40. The only alteration which would be visible from the street is the side yard extension, which would result in the removal of the metal gates and replaced with doors to serve the refuse store and gym. The existing shop frontage would remain in terms of appearance but would be refurbished and extended to the side. The materials of the side extension would also have matching brickwork and the extension to the rear would also be in brick. Overall, the appearance of the side extension and rear infill addition are considered acceptable.
41. The design of the scheme is considered acceptable as the majority of building would not be visible from the public domain. The element which is provides an improvement and would tie into the existing elevation.

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

42. The impact on the conservation area would be very limited. One noticeable change from the conservation area would be replacement of gates to the service area with doors- an improvement. The other noticeable change would be the introduction of a transom element to the shopfront, providing greater interest and relief.
43. The new built part of the development would sit behind the first floor elevation and not be seen from the conservation area. Overall, the scheme would preserve the conservation area, causing no harm.

Planning obligations (S.106 undertaking or agreement)

44. Grant planning permission subject to legal agreement to secure a contribution of £3,389 for archaeology mitigation monitoring, on-street cycle stands not provided and for the applicant to enter into a S278 agreement to provide:

- Reinststate the redundant vehicle crossover as footway;
- Provide a dropped kerb at the front of the bin store on Denmark Hill;
- Repair any damage to the existing footway as a result of site construction works.

In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development the highway and on archaeological remains, the proposal would be contrary to Policy 2.5 of the Southwark Plan.

45. In the event that a satisfactory legal agreement has not been entered into by 28 April 2017 it is recommended that the Director of Planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a Planning Obligations Agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015).

46. The total CIL liable area is based on the proposed new floor space at ground and first floor. This is because part of the building was demolished prior the planning application being submitted which means it becomes liable to CIL as stated in CIL guidance. The mayoral CIL would be £59,387 while the local CIL would be £82,266.

Sustainable development implications

47. The London Plan target for major development as outlined by the GLA requires a 35% improvement over Part L 2013 of the Building Regulations. The submitted energy statement outlines that the regulated CO₂ emissions are shown to achieve a 35.1% improvement over Part L 2013. This is achieved through the use of CHP as well as Photovoltaic Panels. As such, the application is considered policy compliant in sustainability and energy terms.

Other matters

Security

48. The Metropolitan Police requested that secure by design was conditioned. This is because the proposal sits at the end of a narrow service alley which could attract anti-social behaviour. This was also raised by a neighbour consultee as an issue. As such the applicant agreed to the condition being attached to the planning permission, if granted.

Archaeology

49. The site is within an Archaeology priority zone. There are works involved that require the removal of ground and as such two conditions are recommended to safeguard any potential archaeology findings. In addition, a financial contribution is secured through the S106 progress to cover the cost to the council of monitoring and assessment. The applicant has agreed to this.

Conclusion on planning issues

50. Overall, for the reasons explored above it is considered that the proposed development is acceptable, and subject to the imposition of suitable conditions, that the development would not harm the appearance of the streetscene, viability of the protected shopping frontage, local occupants and the function of the transportation network.
51. The planning application is recommended for approval.

Community impact statement

52. 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.

The impact on local people is set out above.

Consultations

53. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.
54. Details of consultation responses received are set out in Appendix 2.

Human rights implications

55. 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.
56. This application has the legitimate aim of providing additional commercial and community 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

Background Papers	Held At	Contact
Site history file: TP/2511-56 Application file: 16/AP/3983 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 4004 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Craig Newton, Planning Officer	
Version	Final	
Dated	15 February 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		17 February 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 12/10/2016**Press notice date:** 13/10/2016**Case officer site visit date:** 12/10/2016**Neighbour consultation letters sent:** 12/10/2016**Internal services consulted:**

Ecology Officer
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
 Flood and Drainage Team
 Highway Development Management
 Waste Management

Statutory and non-statutory organisations consulted:

London Fire & Emergency Planning Authority
 Metropolitan Police Service (Designing out Crime)
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Unit 5 Valmar Trading Estate SE5 9NW	27a Denmark Hill London SE5 8RS
Unit 4 Valmar Trading Estate SE5 9NW	25 Denmark Hill London SE5 8RT
Unit 3 Valmar Trading Estate SE5 9NW	62a Denmark Hill London SE5 8RZ
29 Denmark Hill London SE5 8RS	Garage Rear Of 62 Denmark Hill SE5 8RZ
33 Denmark Hill London SE5 8RS	64-70 Denmark Hill London SE5 8RZ
56-60 Denmark Hill London SE5 8RZ	29c Denmark Hill London SE5 8RS
27 Denmark Hill London SE5 8RS	48-54 Denmark Hill London SE5 8RZ
Rear Of 44-50 Denmark Hill SE5 8RZ	62 Denmark Hill London SE5 8RZ
First Floor And Second Floor 48-54 Denmark Hill SE5 8RZ	31-33a Denmark Hill London SE5 8RS
52-54 Denmark Hill London SE5 8RZ	31 Denmark Hill London SE5 8RS
29b Denmark Hill London SE5 8RS	64 Denmark Hill London SE5 8RZ
Unit 6 Valmar Trading Estate SE5 9NW	66 Denmark Hill London SE5 8RZ
Unit 7 Valmar Trading Estate SE5 9NW	68-70 Denmark Hill London SE5 8RZ
29a Denmark Hill London SE5 8RS	5 Valmar Road Camberwell SE5 9NG
62b Denmark Hill London SE5 8RZ	

Re-consultation: 06/12/2016

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

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

Statutory and non-statutory organisations

London Fire & Emergency Planning Authority
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

5 Valmar Road Camberwell SE5 9NG

RECOMMENDATION

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

Applicant	Mr Jordan Wang Candy Investments Limited	Reg. Number	16/AP/3983
Application Type	Full Planning Application	Case Number	TP/2511-56
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of single storey building to the rear (retrospective), creation of two storey building to accommodate proposed retail space on the ground floor and proposed gym space D1 Use on the first floor. Retention of existing two storey building facing onto Denmark Hill, with existing shop front and two storey building to the rear north-west corner of the site.

At: 56-60 DENMARK HILL, LONDON, SE5 8RZ

In accordance with application received on 26/09/2016 12:09:20

and Applicant's Drawing Nos. Amended plan - 124-01-001 A1 REV B - PROPOSED GROUND FLOOR PLAN

Amended plan - 124-01-002-A1 REV A - PROPOSED FIRST FLOOR PLAN

Plan - proposed - 124-01-003 A1 - AS PROPOSED - ROOF PLAN

Plan - proposed - 124-01-004 A1 REV A - AS PROPOSED - ELEVATIONS AND SECTION A-A

Plan - proposed - 124-01-005 A1 - AS PROPOSED - SECTION A-A

Plan - existing - 124-100-A1 - EXISTING GROUND FLOOR PLAN

Plan - existing - 124-101-A1 - EXISTING FIRST FLOOR PLAN

Plan - existing - 124-101-A1- EXISTING SECOND FLOOR PLAN

Plan - existing - 124-103-A1 - EXISTING ELEVATIONS & SECTION

Plan - existing - 124-104-A1 - EXISTING SECTION A-A

Plan - existing - 124-200-A1 - EXISTING GROUND FLOOR PLAN - DEMOLITION PLAN

Plan - 124-201-A1 - EXISTING FIRST FLOOR PLAN - DEMOLITION PLAN

Plan - existing - 124-202-A1 - EXISTING SECOND FLOOR PLAN - DEMOLITION PLAN

Plan - existing - 124-203-A1 - EXISTING ELEVATION & SECTION - DEMOLITION PLAN

Plan - 124-204-A1 - EXISTING SECTION A-A - DEMOLITION PLAN

Amended Site Location Plan 18/01/2017

Archaeology assessment

BREEAM PRE ASSESSMENT - REVISED GROUND FLOOR ONLY

BREEAM PRE ASSESSMENT REVISED FIRST FLOOR GYM ONLY

Daylight/Sunlight assessment

DELIVERY AND SERVICING MANAGEMENT PLAN

Design and access statement 08/11/2016

ECOLOGY SURVEY AND REPORT

Energy statement

Flood risk assessment

Noise impact assessment Dated 25/10/2016

STATEMENT OF COMMUNITY INVOLVEMENT

Transport statement / Transport Addendum

Subject to the following thirteen conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

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

Amended plan - 124-01-001 A1 REV B - PROPOSED GROUND FLOOR PLAN
 Amended plan - 124-01-002-A1 REV A - PROPOSED FIRST FLOOR PLAN
 Plan - proposed - 124-01-003 A1 - AS PROPOSED - ROOF PLAN
 Plan - proposed - 124-01-004 A1 REV A - AS PROPOSED - ELEVATIONS AND SECTION A-A
 Plan - proposed - 124-01-005 A1 - AS PROPOSED - SECTION A-A
 Design and access statement 08/11/2016

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 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

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

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

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

- 5 Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

- 6 Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good or excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency 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.

- 7 Before the first occupation of the building hereby permitted a Service Management Plan detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

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

- 8 Mitigation of plant noise shall be undertaken to meet the recommendations of section 5.2 of the report by KP Acoustics, reference 13249.PCR.01, October 2016 submitted with the application.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to 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).

- 9 The gym premises shall constructed or provided with sound insulation such that the LFmax sound from amplified music and gym activities shall not exceed the lowest L90,5min 1m from the facade of the nearby residential premises at all third octave bands between 31.5Hz and 8 kHz.

Reason:

To ensure that nearby residents do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities associated with non residential premises 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).

- 10 Any deliveries, unloading and loading to the Retail commercial unit (A1 Use Class) shall only be between the following hours: Monday to Sundays - 19:00 - 07:00.

Reason

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 11 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 Planning Stage Energy Statement Issue 2dated November 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).

- 12 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local

planning authority has been obtained for any proposed change or variation.

Reason

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

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

- 13 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Statement of positive and proactive action in dealing with the application

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

Informative

Out of Hours Site Works S61 CoPA'74

All developers and contractors working on this development are given notice that standard site hours are:
 Monday to Friday - 08.00 - 18.00hrs
 Saturday - 09.00 - 14.00hrs
 Sundays & Bank Hols - no works

Any programmed/expected work required outside the standard site hours will require permission from Southwark's Environmental Protection Team under S61 of the Control of Pollution Act 1974 (e.g. regular extensions for set-up and clean down periods, extended concrete pours, the delivery and collection of abnormal loads, etc.). An application form can be found on the Southwark website - the link is:-
<http://southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>
 Follow the instructions on the web page to the form, complete it and submit it on-line. Forms need to be submitted a minimum of 28 working days before permission is needed to be in place for regular extended site hours and 5 working days before permission is needed to be in place for a short, temporary extension to site hours.

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
To all Members of the sub-committee			
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		
Councillor Catherine Rose	1	Total:	23
(Reserves to receive electronic versions only)		Dated: 17 February 2017	
Councillor Evelyn Akoto			
Councillor Anne Kirby			
Councillor Eliza Mann			
Councillor Darren Merrill			
Councillor Leo Pollak			
Officers			
Constitutional Officer, Hub 2 (2 nd Floor), Tooley Street	10		
Jacquelyne Green/Selva Selvaratnam, Hub 2 (5 th Floor), Tooley Street	2		
Margaret Foley /Jon Gorst, Legal Services, Hub 2 (2 nd Floor), Tooley Street	2		