

Planning Committee

Monday 4 September 2017

6.00 pm

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

Membership

Councillor Nick Dolezal (Chair)
Councillor Cleo Soanes (Vice-Chair)
Councillor Lucas Green
Councillor Lorraine Lauder MBE
Councillor Hamish McCallum
Councillor Darren Merril
Councillor Michael Mitchell
Councillor Adele Morris

Reserves

Councillor James Barber
Councillor Catherine Dale
Councillor Sarah King
Councillor Jane Lyons
Councillor Jamille Mohammed
Councillor Kieron Williams

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Access

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 23 August 2017



Planning Committee

Monday 4 September 2017
6.00 pm

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

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	3 - 6
	To approve as a correct record the minutes of the open section of the meeting held on 19 July 2017.	
6.	CONFIRMATION OF ARTICLE 4 DIRECTION TO WITHDRAW THE PERMITTED DEVELOPMENT RIGHTS ASSOCIATED WITH THE CHANGE OF USE, DEMOLITION AND ALTERATION OF PUBLIC HOUSES IN SOUTHWARK	7 - 97

Item No.	Title	Page No.
7.	RELEASE OF £128,358.50 FROM S106 AGREEMENTS TO DELIVER IMPROVEMENTS TO THE PARK ON THE MANOR ESTATE	98 - 106
8.	DEVELOPMENT MANAGEMENT	107 - 111
	8.1. REAR OF ALBION PRIMARY SCHOOL, (SOUTHERN END) ALBION STREET, LONDON SE16 7JD	112 - 169

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

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

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

PART B - CLOSED BUSINESS

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 23 August 2017

Planning 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 Committee Clerk, Constitutional Team
Finance and Governance
Tel: 020 7525 5485



Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Wednesday 19 July 2017 at 5.30 pm at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

- PRESENT:** Councillor Nick Dolezal (Chair)
 Councillor Cleo Soanes (Vice Chair)
 Councillor Lorraine Lauder MBE
 Councillor Hamish McCallum
 Councillor Darren Merrill
 Councillor Adele Morris
 Councillor Lucas Green
- OTHER MEMBERS PRESENT:** Councillor David Noakes, ward councillor, Cathedrals
- OFFICER SUPPORT:** Simon Bevan, Director of Planning
 Sally Crew, Transport Policy Manager
 Victoria Foreman, Constitutional Officer
 Jon Gorst, Legal Representative
 Sam Hepworth, Senior Transport Planner
 Victoria Lewis, Team Leader
 Yvonne Lewis, Group Manager
 Martin McKay, Team Leader, Design and Conservation
 Bridin O'Connor, Group Manager

1. APOLOGIES

Apologies for absence were received from Councillor Michael Mitchell.

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as voting members for the meeting.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers which were circulated at the

meeting:

- Addendum report relating to items 6.1 and 6.2;
- Members' pack relating to items 6.1 and 6.2.

4. **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

5. **MINUTES**

RESOLVED:

That the minutes of the meeting held on 15 June 2017 be confirmed as a correct record and signed by the chair.

6. **DEVELOPMENT MANAGEMENT**

RESOLVED:

1. That the determination of planning applications, or formal observations or 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.

6. **LAND AT 18 BLACKFRIARS ROAD BOUNDED BY STAMFORD STREET, PARIS GARDENS AND CHRIST CHURCH GARDENS, LONDON SE1 8NY**

Planning application reference 16/AP/5239

Report: see pages 12 to 121 of the agenda and pages 1 to 4 of the addendum report.

PROPOSAL

Redevelopment of site to create four levels of basement and the erection of six buildings ranging from five to 53 storeys plus plant (heights ranging from 23.1m AOD - 183.5m AOD) to provide; office space (Class B1); 548 room hotel (Class C1); 288 residential units (Class C3); flexible retail uses (Classes A1/A2/A3/A4); restaurant (Class A3); music venue (Class D2); storage (Class B8); new landscaping and public realm; reconfigured vehicular and pedestrian access; associated works to public highway; ancillary servicing and plant; car parking and associated works.

The committee heard an officer's introduction to the report and addendum report and

asked questions of the officer.

The committee heard representations from objectors and asked questions of the objectors.

The applicant and applicant's agent addressed the committee and answered the committee's questions arising from their submission.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

Councillor David Noakes, ward member for Cathedrals, addressed the committee.

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

RESOLVED:

1. That planning permission be granted, subject to conditions set out in the report and the addendum report, the applicant entering into an appropriate legal agreement and referral to the Mayor of London.
2. That it be confirmed that the environmental information has been taken into account as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessments) Regulations 2011.
3. That following issue of the decision the Director of Planning place a statement on the Statutory Register pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2011 which contains the information required by Regulation 21, and that for the purposes of Regulation 24(1)(c) the main reasons and considerations on which the planning committee's decision was based be set out as in the report.
4. That in the event that the requirements of paragraph 1 are not met by 31 January 2018, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 298 of the report.

6. VARCOE SERVICE STATION 1 VARCOE ROAD, LONDON SE16 3DG

Planning application reference 16/AP/5235

Report: see pages 122 to 169 of the agenda and pages 4 to 7 of the addendum report.

PROPOSAL

Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment/retail space on ground floor (Use Class B1, A1-A3).

The committee heard an officer's introduction to the report and addendum report and asked questions of the officer.

The committee heard representations from objectors and asked questions of the objectors.

The applicant addressed the committee and answered the committee's questions arising from their submission.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

There were no local ward councillors present at the meeting who wished to speak.

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

RESOLVED:

1. That planning permission be granted, subject to the completion of a section 106 agreement, conditions set out in the report and addendum report and the following additional and amended conditions:
 - That details of a revised acoustic report relating to the industrial estate be provided. If it is demonstrated that attenuation is required, the applicant will provide the council with details of acoustic measures to be undertaken.
 - That condition 17 be amended to include screening of the roof terrace along the east side of the building as required.
2. That in the event that the section 106 agreement is not completed by 29 September 2017, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 129 of the report.

The meeting ended at 8.44pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 4 September 2017	Meeting Name: Planning Committee
Report title:		Confirmation of Article 4 direction to withdraw the permitted development rights associated with the change of use, demolition and alteration of public houses in Southwark	
Ward(s) or groups affected:		All	
From:		Director of Planning	

RECOMMENDATIONS

That the Planning Committee:

1. Authorises the confirmation of the Article 4 Directions (Appendix A) to withdraw the permitted development rights granted by the General Permitted Development Order 2015 (as amended) for changes of use, demolition and alteration of public houses in Southwark in accordance with the methodology outlined in this report in relation to the public houses specified in Appendix C.
2. Notes the updated equalities analysis of the proposed Article 4 Directions (Appendix E).
3. Delegates to the director of planning the arrangements for confirming the Article 4 Direction including compliance with the notification requirements under the Town and Country Planning (General Permitted Development) Order 1995.

BACKGROUND INFORMATION

4. Public houses play an important role in the community and have unique historic characteristics which should be recognised as key social, cultural and heritage assets within local neighbourhoods. Nationally, the rate of public house closure has risen steadily. This increase has been exacerbated by a number of factors including the introduction of permitted development rights which allowed public houses to be changed to alternative uses or demolished.
5. The council completed an assessment of all public houses across the borough based on an analysis of licensing data and planning applications relating to public houses. There are currently 164 public houses open in Southwark today (excluding bars / other Use Class A4 drinking establishments).
6. In total the borough has lost a third of all public houses that were present in the borough ten years ago. Over the last ten years 79 public houses in the borough have closed down and 54 of these have subsequently been lost to demolition or change of use (see Appendix B). The council now have ten public houses which are designated as assets of community value (ACVs) reflecting the aspiration from the local community to protect local public houses from redevelopment or change of use.

7. A Local Planning Authority (LPA) may introduce an Article 4 Direction to remove permitted development rights where the impact of development brought forward under provisions in the General Permitted Development Order (GDPO) (2015) (as amended) cause harm.
8. The Planning Committee resolved to make an Immediate Article 4 Direction to protect traditional public houses across the borough in recognition of their unique community and historic value. The Immediate Article 4 Direction: Public Houses; came into effect on 13 March 2017 and relates to development consisting of the change of use, demolition or alteration of public houses in respect of:
 - General Permitted Development Order 2015 (as amended)
 - Schedule 2, Part 2, Class A and Class C (alteration or construction of any means of enclosure or any exterior painting)
 - Schedule 2, Part 3, Class A and Class B (changes of use to shops (A1), financial and professional services (A2), restaurants or cafes (A3))
 - Schedule 2, Part 11, Class B and Class C (demolition of buildings or means of enclosure).
9. Subsequently on 23 May 2017 the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2017 came into effect. This Order amends the Town and Country Planning (General Permitted Development) (England) Order 2015.
10. Article 3 of the Amendment (No.2) Order, 2017, removes permitted development rights allowing the change of use of a building falling within Class A4 to a building within Classes A1 (shops), A2 (financial and professional services), and A3 (restaurants and cafes). Article 3 also introduces a new permitted development right allowing the change of use of a building falling within Class A4 to a use falling within Class A3, or from those uses to a use falling within Class A4. These changes are defined by a new Use Class AA, 'drinking establishments with expanded food provision'. Article 4 of the Amendment (No.2) Order, 2017, removes permitted development rights allowing for the demolition of buildings used for a purpose within Class A4.
11. Despite the Amendment (No.2) Order, 2017, the council's Immediate Article 4 Direction: Public Houses remains relevant in protecting public houses from permitted development. The Amendment (No.2) Order, 2017 does not protect a building within Class A4 from alterations. The Article 4 Direction contains detail of the pubs in Southwark and the special protection afforded to them individually. This would protect against any future national changes to legislation and reflect the circumstances relating to public houses on a local level.
12. The next stage in implementing the Article 4 Direction: Public Houses; requires that the Planning Committee authorise confirmation of the Article 4 Direction: Public Houses. This is a requirement under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
13. Paragraph 1 (9) of Schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) stipulates that in deciding whether to confirm a direction made under Article 4 (1), the local planning authority must take into account any representations received during the representation period specified in accordance with sub-paragraph (4)(d) of the same.

14. Paragraph 1(10) of Schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) stipulates the local planning authority must not confirm a direction until after the expiration of –
 - a. a period of at least 28 days following the latest date on which any notice relating to the direction was served or published; or
 - b. such longer period as may be specified by the Secretary of State of the direction.
15. Representations received during the consultation period are outlined within the report and summarised in further detail in the attached consultation report (see Appendix F).
16. The immediate directions must be confirmed within six months of the date in which the Direction came into force (23 March 2017) to prevent expiration of the Direction in accordance with Paragraph 2(6) of Schedule 3, of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Article 4 directions

17. An Article 4 Direction can be used to remove specific permitted development rights in all or parts of the local authority's area. It would not restrict development altogether but instead ensures that development requires planning permission. A planning application for the proposal would need to be submitted that would then be determined in accordance with the development plan.
18. Article 4 Directions must apply to all uses within the relevant use class and it cannot restrict changes within the same use class. In this case public houses fall within Use Class A4 which covers all drinking establishments, including bars.
19. The government's national planning practice guidance (NPPG entitled 'When is permission required?') sets out guidance on the use of Article 4 Directions. The NPPG states that an Article 4 Direction to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. It also states that in deciding whether an Article 4 Direction would be appropriate, local planning authorities should identify clearly the potential harm that the direction is intended to address (paragraph 038).
20. Article 4 Directions can either be immediate or non-immediate depending upon when notice is given of the date on which they come into force. Immediate directions can be made where the development presents an immediate threat to local amenity or prejudices the proper planning of an area (NPPG paragraph 045). In the case of this report, the council introduced an Immediate Article 4 Direction on 13 March 2017, for which the process is as follows:
 - Stage 1 (the current stage) - The council makes an Article 4 Direction withdrawing permitted development rights with immediate effect;
 - Stage 2 – Publication/Consultation stage. The council:-
 - 1) publishes the notice of direction in a local newspaper;
 - 2) formally consults with general members of the public and the owners and occupiers of every part of the land within the area or site to which the Direction relates over a period of 21 days;
 - 3) and place notices up on site for 6 weeks;

- Stage 3 – On the same day that notice is given under Stage 2 above, the council refers its decision to the Secretary of State who has wide powers to modify or cancel a Direction.
- Stage 4 – Confirmation Stage - The direction comes into force on the date on which the notice is served on the owners/occupiers of the land. The council has between 28 days from the date of when the notice comes into effect and 6 months to decide whether to go ahead and confirm the direction, taking into account any representations which have been received. If this does not happen within 6 months, the direction will lapse.

Compensation

21. In some circumstances the council can be liable to compensate developers or landowners whose developments are affected by Article 4 Directions. Local planning authorities are liable to pay compensation to landowners who would have been able to develop under the permitted development rights that an Article 4 Direction withdraws, if they:
 - Refuse planning permission for development which would have been permitted development if it were not for an Article 4 Direction; or
 - Grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an Article 4 Direction being in place.
22. Compensation may also be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights. 'Abortive expenditure' includes works carried out under the permitted development rights before they were removed, as well as the preparation of plans for the purposes of any work.
23. Loss or damage directly attributable to the withdrawal of permitted development rights would include the depreciation in the value of land or a building(s), when its value with the permitted development right is compared to its value without the right.
24. However, the compensation arrangements differ for cases where a development order in respect of prescribed development is being withdrawn. The definition of prescribed development can be found in regulation 2 of the Town and Country Planning (Compensation) (England) Regulations 2015 (as amended). In cases such as these compensation is not payable if the following procedure is followed, as set out in section 108 of the Town and Country Planning Act:
 - The planning permission withdrawn is of a prescribed description as set out in the Town and Country Planning (Compensation) Regulations 2015 (as amended).
 - The permitted development right is withdrawn in the prescribed manner.
 - Notice of withdrawal is given in the prescribed manner:
 - Not less than 12 months before it takes effect.
 - Not more than the prescribed period of two years.
25. With the exception of development permitted by Schedule 2, Part 4, Class D, none of the proposed permitted development classes to be removed are prescribed development. Therefore compensation could be claimed as described above and would be payable while the Article 4 Direction remains in force. For developments relating to Class D (change of use to temporary flexible uses) compensation will only be payable on applications made within 12 months starting from the date that the

immediate Direction comes into force. After expiry of 12 months no compensation would be payable.

Planning applications

26. If permitted development rights are withdrawn and planning permission is required, the council would be obliged to determine the proposal in accordance with the development plan unless material considerations indicate otherwise. In Southwark's case, the development plan includes the London Plan, the Core Strategy, saved policies in the Southwark Plan and adopted area action plans. The relevant saved policies relating to change of use or demolition of public houses in the Southwark Plan are policy 1.7 (development within town and local centres), policy 1.10 (services outside the town and local centres), policy 3.15 (conservation of the historic environment), policy 3.16 (conservation areas) and policy 3.17 (listed buildings). Policies contained within the London Plan and the NPPF are also relevant as discussed further in the policy context section of the report below.
27. The reason for confirming the Article 4 Direction: Public Houses is because the council recognises the positive economic, social and heritage value public houses bring to the vitality of the borough and in maintaining the strong historic character of local areas. The council wishes to protect these attributes.
28. It should be noted that where submission of a planning application is required as a result of withdrawal of permitted development rights through an Article 4 Direction, the council cannot charge a planning application fee.

KEY ISSUES FOR CONSIDERATION

Why public houses matter

29. Public houses play an important role at the heart of many local communities. Sometimes colloquially referred to as 'the local', pubs have historically been located on the corner of residential streets, in town centres and along key transport routes. Pubs play a role in promoting community cohesion, providing places to eat, drink and socialise and acting as informal meeting spaces for local interest groups. Pubs often host events, games, sports clubs, live music and live sport, contributing to the availability of facilities and community resources in local areas to meet the needs of a wide range of community groups.

Why do public houses close?

30. The London Plan refers to recent research which highlights the rapid rate of closures over the past decade and the factors behind these. The mayor of London's Town Centre SPG (2014) also acknowledges the risk and impact of pub closures and states that local authorities may consider the use of Article 4 Directions to limit the impact of permitted development rights (paragraph 1.2.21).
31. Estimates from IPPR¹ and CAMRA² (2012-2015) range from between 16-29 pub closures per week in Britain. The reasons for pub closures are varied, however the implications of permitted development is one factor which can result in the demolition or conversion of pubs to alternative uses without planning permission. Given the

¹ IPPR, Muir, R. Pubs and Places: The Social Value of Community Pubs (2012)

² Campaign for Real Ale (CAMRA): Pubs Matter, Planning Briefing Note (2015)

importance of local pubs as highlighted within this report, and the strength of national and local policy changes acknowledging the risk to the loss of pubs, it is considered that public houses should be subject to detailed planning analysis before the change of use, alteration or demolition of the pub is accepted.

32. Over the last ten years Southwark has received 68 planning applications (including prior approval applications) in relation to the change of use or demolition of a pub. 49 of these have been implemented and the remainder refused, withdrawn or pending a decision. Out of a total of 79 pubs that have closed over the last ten years, the remaining 30 are presently vacant, or in other uses, with three pubs due to reopen after refurbishment. In total the borough has lost a third of all pubs that were present in the borough ten years ago.

Policy context

33. The London Plan supports the security of 'lifetime neighbourhoods' particularly where local services (including public houses) meet the needs of the local community (Policies 3.1, 4.8 and 7.1). Policy 4.8 encourages local policies to prevent the loss of valued community assets including public houses. The Mayor's Town Centre SPG (2014) also acknowledges the risk and impact of pub closures and supports the protection and enhancement of facilities and services that meet the needs of particular groups and communities³. The figures provided in this report demonstrate that pub closures have affected Southwark over the last ten years. The rate of closure is approximately 8-10 pubs per year and is fairly evenly spread in terms of location across the borough (see Appendix B).
34. The NPPF sets out the three dimensions to achieving sustainable development which lies at the heart of national policy and the purpose of the planning system. Public houses contribute to the economic, social and environmental roles of sustainable development which are at risk from permitted development which could allow demolition or change of use without planning permission or an assessment of the loss of the building or facility.
35. **The economic role:** The NPPF supports the growth of a strong and competitive economy and the vitality of town centres. Pubs support local employment, both on a primary basis and also supporting local businesses such as breweries and local food manufacturing or suppliers. Pubs also support the vitality and vibrancy of town centres, contributing to the evening economy, promoting safety and surveillance in town centres at night. The Southwark Retail Study (2015) states that food and beverage operators including pubs support other major leisure uses (such as cinemas), supporting the demand for other town centre development and growth. The food and beverage expenditure in the borough is expected to increase in real terms (excluding inflation) by 26% between 2014 and 2031.
36. **The social role:** The NPPF promotes inclusive communities including facilitating social interaction and guarding against the unnecessary loss of valued facilities and services. The NPPF supports planning positively for the provision and use of shared space and community facilities (specifically including public houses, para 70). Public houses act as a local meeting place facilitating social interaction and often acting as a community hub. Pubs support a wide range of community activities, including sports, ~~social and members clubs.~~

³ Steve O'Connell A.M. Keeping Local. How to save London's Pubs as community resources. London Assembly Conservative Group, GLA 2013. CAMRA. Greater London Region / Capital Pubcheck, 2012

37. **The environmental role:** The NPPF supports the conservation and enhancement of the historic environment, recognising that heritage assets are an irreplaceable resource. Many local public houses have a unique architectural or historic value, and are often instantly recognisable, acting as local landmarks and contributing to the interesting character and historic fabric of local areas.
38. The council is also preparing the New Southwark Plan to replace the saved policies in the Southwark Plan and to set out the regeneration strategy for the borough. The preferred options version of strategic and development management policies was consulted on in summer 2015. Proposed Policy DM34 (Pubs) sets out a number of criteria when considering development that results in a loss of pub. The proposed policy recognises financial viability, heritage value and ACV status of pubs as material considerations in decision-making. In accordance with the NPPF decision-takers may give weight to relevant policies in emerging plans depending on the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of relevant policies in the emerging plan to the policies in the NPPF. The council received five representations to emerging Policy DM34 in the preferred options consultation in support of the policy, and one requesting a reduction in the length of marketing required. The council also received general support to the previous version of the policy in the issues and options consultation of the New Southwark Plan.

Heritage

39. Southwark has a variety of architectural and historic public house types ranging from early country inns to Victorian and Edwardian public houses, pubs from the inter-war period, and local pubs developed as part of twentieth century housing estates. Many pubs are recognised for their quality of exterior architectural value and sometimes with original interiors, which have been the subject of statutory listing.
40. Other pubs are located in conservation areas, and are often recognised as focal points of the local neighbourhood as a significant local heritage asset or landmark.
41. Some pubs are recognised as buildings of townscape merit, or key unlisted buildings in adopted SPDs or AAPs (e.g. Blackfriars Road SPD, Peckham and Nunhead AAP etc) however the borough also has a number of pubs outside of these areas which can be individually considered of local historic interest and/or heritage merit. The typologies identified below give some indication of the types of pubs that are located within Southwark which are not statutorily listed or recognised formally as a local asset, but which demonstrate unique historic value.

Early coaching inns

42. Public houses as a building type date back to the medieval period where features of alehouses, taverns and inns survive in some examples today. A good example is The George Inn, located off Borough High Street, being the only surviving galleried coaching inn in London and dating back to the seventeenth century.

The George Inn



www.nationaltrust.org.uk
Pre-Victorian

43. Many pubs in the 18th century served specific purposes as coaching inns and taverns and were often located in ground floor shops or the front rooms of houses. They often had multiple purposes, for example the Mayflower in Rotherhithe which doubled up as a post office for seafarers docking at Rotherhithe.

The Mayflower, Rotherhithe Street



The Mayflower pub stands on the site of The Shippe pub that dates back to around 1550.

It is close to where the Mayflower ship set sail for America.

www.mayflowerpub.co.uk

Victorian / Edwardian

44. The majority of pubs in Southwark were built in the mid-nineteenth century following the Beer Act of 1830 which relaxed regulations with regard to the brewing and sale of beer. The elaborate pubs of the late 19th century and early 20th century came to be known as gin palaces. They are characterised by cut or etched glass panels, bold classical motifs, mirrors, decorative plasterwork, ironwork, decorative tiles and timber panelling. They were designed to be prominent and to project an image of comfort mixed with grandeur and sophistication. These were pubs which operated usually for the sole purpose of drinking and were often found in backstreets and contained a myriad of small spaces in the interior.

Royal Oak, Tabard Street



www.harveys.org.uk

The Gladstone, Lant Street



www.deserter.co.uk

Fine examples of later 19th Century public houses, The Gladstone is the sole surviving building to the south side of Lant Street.

Inter-war

45. Inter-war pubs reflect an important period in Britain's history and are generally plainer in architectural design. This reflects the change in the Victoria era separation of saloon and public bars and opening up pubs to the wider community, including a change in the prominence of vertical drinking. These pubs included more facilities for family-orientated recreation, games and food. The predominant styles of inter-war pubs were Neo-Georgian, Neo-Tudor or Tudor Revival and were often located in more prominent positions in the neighbourhood. Ref: Historic England

The Old Nun's Head, Nunhead Green



Constructed in 1935, 2 storeys with attic. Red brick ground floor. Half timbered 1st floor with red brick nogging, some in herring bone pattern, and 3 rendered panels with the pub's name in the central panel. Tiled roof with hipped dormers.

London Pubology

Post-war

46. Pubs constructed in the mid-late twentieth century often accompanied large scale housing estate building as central community hubs, often located in local shopping parades.

Canterbury Arms, Maddock Way



www.whatpub.co.uk

47. These typologies, among others, are evident across Southwark and represent a varied stock of building styles that are important to local historic character. Public houses

were often built as the focal point of the community, both in the middle of residential areas as well as in town centres or local parades. Public houses often represent a deep local significance in the area, particularly where multiple pubs have been demolished and rebuilt over time on the same site, or through the pub name, bearing historical significance and often reflective or representative of local street names.

48. In terms of heritage value, public houses in Southwark have been assessed whether they are statutory listed buildings, whether they are in conservation areas or whether they have been formally identified as a building of local townscape merit or key unlisted building in the council's adopted SPDs and AAPs (i.e. where a characterisation study has been carried out for that area). It is important to note that there are a number of pubs that have not been formally identified for heritage merit using this methodology, but which do not preclude them from being locally important. The typologies identified above give some examples of the unique historical characteristics of pubs which should be judged on an individual basis through the planning application process.
49. Permitted development rights relating to demolition do not apply to listed buildings (as listed building consent would be required). Additionally planning consent is required for the demolition of buildings within a conservation area as required by the Enterprise and Regulatory Reform Act (2013). Therefore the Article 4 Directions need not apply in relation to demolition for pubs which are statutorily listed or within conservation areas.
50. It is recommended that the Article 4 Direction is applied in relation to demolition to the remainder of open and closed public houses based on the typologies identified above and the unique characteristics of pubs across the borough. It is considered that each pub should be considered by thorough assessment of local context and heritage merit, which can be achieved through the planning application process.

Community role

51. The community value of pubs is recognised at national, regional and local levels as an essential part of promoting community cohesion and achieving lifetime neighbourhoods.
52. Pubs often host events, games, sports clubs, live music and live sport, as well as serving as a social hub for residents in the local area. In residential areas, public houses can provide a key focal point to the neighbourhood, acting as a local landmark and meeting place for the local community. They may often be the only type of community facility in the local area, which exacerbates the importance of retaining pubs in these areas, and particularly combined with the potential historical context or architectural/landmark value.
53. The local community and residents of Southwark are keen to identify, support and protect public houses for both their heritage and community value. Many community groups have nominated their local pubs for inclusion as an asset of community value (ACV) and have campaigned strongly where pubs have been at risk from redevelopment or conversion through planning applications. Presently 10 pubs in Southwark are ACVs (or already in community ownership) and a further 3 pubs were nominated by the local community.
54. The Ivy House in Nunhead was the first pub in the UK to be listed as an ACV and the first building to be bought by a community co-operative under the community right to

bid provisions of the Localism Act 2011. The pub is a venue for events, live music, comedy, theatre and food.

The Ivy House, Stuart Road



“The Ivy House owes its rather lonely situation at the brow of Stuart Road's slight hill to a German V1 bomb that crashed into the adjoining row of shops, in the afternoon of July 1st 1944, killing seventeen people. All the shops were destroyed or damaged beyond repair. When the war ended the celebration party was held in the pub, the surviving physical heart of the community.”

www.ivyhouseunhead.com

55. The analysis provided in Appendix C includes assessment of whether the pub provides any of the following five community benefits (based on information available at the time of writing):
- Dart board/pool table
 - Licence to show televised live sport
 - Room/areas available to hire (for meetings, events or parties)
 - Hosts regular events (e.g. music nights, quiz nights, karaoke, poetry recitals)
 - WiFi availability.
56. The analysis (for Southwark borough only) also includes whether the pub is the only public house within 600 metres (which is one of the criteria under policy 1.10 of the Southwark Plan regarding the facility being the only one of its kind within 600m). Additionally, those pubs that have ACV status or have been nominated for an ACV have been identified in Appendix C. However it is acknowledged this is not an exhaustive list of community benefits and the aforementioned benefits of social interactions and pubs acting as a local meeting point must also be given due consideration. This is particularly the case for pubs located outside of town centres and local shopping parades which may be the only community facility in the immediate vicinity of a residential area.

Town centre and local parades

57. Public houses contribute to the vitality and viability of town centres, offering complementary services to the retail environment and the evening economy. Pubs bring footfall to town centres and local parades at different times of the day and night providing opportunities for recreation and social interaction. Pubs often act as an anchor to other types of leisure and retail uses in local areas, promoting vibrancy in town centres and promoting active frontages in local parades. Pubs are a unique part of the retail offer provided in town centres and local parades, which contributes to the

variety of A Class uses in these areas especially beneficial to the evening economy. The potential loss of pubs to other types of retail uses through permitted development rights would have a potential negative impact on the overall function of the town centre or local parade particularly in relation to community meeting places and evening events. Public houses therefore play an important and unique economic role and contribute to sustainable neighbourhoods.

58. In Appendix C, pubs in town centres or local shopping parades are identified.

Methodology

59. The NPPF advises that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where it is necessary to protect local amenity or the wellbeing of the area. This is reiterated in the NPPG which also states local planning authorities should identify clearly the potential harm that the direction is intended to address and that immediate directions can be made where the development presents an immediate threat to local amenity or prejudices the proper planning of an area.
60. The council has undertaken an assessment of all pubs in the borough based on the above criteria. Public houses are unique from most modern bars (other Use Class A4 drinking establishments) therefore the assessment is based on public houses only based on the historical context of pubs, heritage value and community function.
61. On the basis of the above analysis of heritage, community and town centre roles of pubs, and the significance of the number of pubs lost in Southwark over the last 10 years, it is considered that the Article 4 Directions should apply immediately for all identified open public houses in Southwark. The exceptions are where a planning application has been approved for the demolition of an open pub (in the case of The Boatman public house in Jamaica Road). The council has received prior approval applications for pubs whereby no planning assessment applies which means that the loss of a pub cannot be prevented.
62. In relation to closed pubs, those identified which are already subject to a planning application that has been granted (and has not expired), will not be protected by the Article 4 Direction. Five pubs have had planning permission granted already for change of use therefore these pubs will only be protected from demolition or alteration. The remaining closed pubs are considered to have the potential to reopen as public houses and therefore protection is considered appropriate. The Article 4 Directions will not preclude the demolition, alteration or change of use of the pubs however will ensure that assessment of whether these changes would be appropriate can be made through the planning application process. This will include the assessment of material considerations and the application of adopted policy.
63. Based on the above methodology, pubs in Southwark are considered to have unique heritage, retail and community benefits. In some cases pubs will not always be able to remain operational and change of use or redevelopment may offer the best solution for a pub site. However, due to their unique characteristics it is considered all pubs should be considered on their individual merits through the planning application process and judged individually based on applicable planning policies.

Areas affected

64. The NPPG states that an Article 4 Direction to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. For the reasons outlined above it is considered the Article 4 Directions should relate to public houses only (i.e. the Article 4 Directions do not include bars or other drinking establishments) due to their historical and community significance as outlined above. The pubs and the relevant parts of the Article 4 Direction they apply to are listed in Appendix B, for which individual site plans are provided and edged red in Appendix D.

Conclusions

65. An Article 4 Direction can be made if the council is satisfied that it is expedient that development should not be carried out unless planning permission is granted on application and that in the case of immediate directions, development presents an immediate threat to local amenity or prejudices the proper planning of an area. Based on concerns regarding public house closures nationally and locally, the council undertook a detailed analysis of planning applications and licensing data to ascertain the impact of public house closures in Southwark.
66. This report also outlines in detail the unique and special characteristics public houses contribute to local neighbourhoods and communities. The data collected has shown that over a third of public house have been lost in the borough over the last ten years. Based on the rate of public house closures, the historical and community significance of public houses and the impact of amended permitted development rights in relation to their alteration, it is considered appropriate to protect public houses from permitted development by confirming Article 4 Direction: Public Houses as specified by the General Permitted Development Order 2015 (as amended).

Representation period

67. The representation period on the Article 4 Direction: Public Houses complied with the provisions set out under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and ran from 16 March to 27 April 2017. Notice of the direction was made by:
- Local advertisement in Southwark News (local press)
 - Mail-out to 5,000+ email addresses to the council's planning policy consultation notification mailing list.
 - Article 4 Direction council webpages updated with relevant information on the Direction, the representation period, the planning committee report and other supporting documents available to view and download
 - Online Consultation Hub page which provided information on the Direction and a portal for submitting representations
 - Site notices outside each public house affected
 - Letters to occupiers/owners of each public house affected
 - Notice to the Secretary of State.
68. During the representation period 37 representations were received of which 32 respondents expressed their support for the Article 4 Direction. Reasons given in support of the Article 4 Direction included concern at the loss of public houses across the borough and the impact this is having on community cohesion, local distinctiveness and the preservation of local heritage assets.

69. In support of the Article 4 Direction respondents identified impacts due to the loss of public houses as including:
- The loss of public houses resulting in the loss of local community hubs which support social and community cohesion.
 - The loss of public houses contributing to a sense of diminishing local character and distinctiveness.
 - The loss of public houses which in and of themselves are frequently valuable heritage assets offering significant historic value.
70. Points were raised in support of the confirmation of the Direction which cannot be considered in the decision to confirm the Direction; including:
- The council will continue to allow the loss of public houses to redevelopment and demolition to residential or other uses not protected by the Article 4 Direction.
 - The council has powers to revoke permitted development rights by applying an Article 4 Direction. It is not possible to prevent change of use, demolition or alteration to use classes which are not considered by the GDPO, 2015 (as amended).
71. This issue cannot be considered in determining whether to confirm the Direction as it relates to the determination of individual planning applications. However the Article 4 Direction gives the additional layer of protection preventing the change of use and demolition of pubs highlighting the unique historic and community importance of pubs in Southwark.
72. Five respondents objected to the Article 4 Direction. Reasons given include:
- Considers the council unwarranted in protecting pubs, If, as is the case nationally, demand for drinking in pubs is in decline. Raises concerns about the social and health problems arising from drinking in pubs.
 - Considers Article 4 Direction unnecessary. If pubs are unviable then they should be used to fulfil housing needs.
 - Generally Unsupportive. Considers pubs an obsolete relic.
 - Justification for the Article 4 Direction is not particularly strong. It is highlighted that the committee report states 54 pubs have been lost over the past ten years to change of use or demolition although there is no analysis as to the reasons for this, including acknowledgment that this may be due to over supply.
 - Government guidance is clear that Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area. This requires a geographic analysis of availability and type of local house by area which has not taken place.
 - There is no published, in-depth analysis of individual pubs. The report states that this has been undertaken but all that is available as a public document is cursory information provided in a tabulated format with no proper analysis undertaken.
 - By removing PD rights from public houses, there may also be unintended consequences which could cause further difficulties to a sector already facing challenges to operating viability. For example, new operators may be discouraged from taking on struggling establishments if they do not have a fall back option of PD rights.

73. A further detailed summary of representations received during the representation period, along with the council's response, can be found in the consultation report, attached as Appendix F. Paragraphs 26 to 39 discuss the issues raised through representations relevant to the confirmation of the Direction in more detail.

Conclusions

74. Having taken into account the representations made and for the reasons as detailed in this report, the council is satisfied that permitted development rights granted by:
- General Permitted Development Order 2015 (as amended)
 - Schedule 2, Part 2, Class A and Class C (alteration or construction of any means of enclosure or any exterior painting)
 - Schedule 2, Part 3, Class A and Class B (changes of use to shops (A1), financial and professional services (A2), restaurants or cafes (A3))
 - Schedule 2, Part 11, Class B and Class C (demolition of buildings or means of enclosure).

present an immediate threat to the protection of traditional public houses across the borough in recognition of their unique community and historic value and therefore the Direction should be confirmed.

Community impact statement

75. Southwark Council is committed to achieving the best quality of life for its residents. This includes maintaining a strong local economy and revitalised neighbourhoods for the communities within Southwark. It is vital that a strong policy framework ensures the borough's heritage and community values continue to be protected for the benefit of local residents. Confirmation of the Article 4 Directions will protect against the alteration of pubs without a robust analysis through the planning process.
76. The equalities analysis (Appendix E) has concluded that the Article 4 Directions will have a neutral impact on equalities and they will assist the council in implementing its planning policy framework, which has also undergone equalities analysis.

Financial Implications

77. As is noted above, should the local authority refuse planning permission for development that otherwise would have been granted by the GPDO the council has a potential liability for compensation. In the case of Schedule 2, Part 4, Class D this is limited to one year from the date the direction is introduced. Any compensation may relate either to a depreciation in the value of land or buildings which results from failure to gain planning permission or to abortive expenditure. Therefore there is a risk that the proposed directions will make the council liable to compensation claims. Because circumstances vary widely, it is not possible to gauge the magnitude of such claims.
78. Any claim for compensation will be dealt with through the council's official complaints procedure and it is anticipated that any award would be contained within the Planning division's budget. This position will be monitored and any award that cannot be contained within existing departmental revenue budgets will be reflected in the council's revenue budget monitoring arrangements for funding from council.

79. Any potential drawdown from council reserves for the payment of compensation claims will be subject to agreement by the relevant cabinet member, or full cabinet in the case of claims over £50,000.
80. Staffing and any other costs connected with this recommendation will be contained within existing departmental revenue budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

81. Planning Committee is being asked to confirm the directions as detailed in paragraph 1 and 2 of this report and which can be found annexed at Appendix A.
82. Part 3F of the Constitution under the section titled "Matters reserved for decision by the Planning Committee" at paragraph 10 reserves to Planning Committee any authorisations under Article 4 of the Town and Country Planning Permitted Development Order. This therefore confirms that Planning Committee has authority to take these decisions.
83. In regard to compensation matters, section 108 of the Town and Country Planning Act 1990 (as amended) specifies the circumstances under which compensation is payable for the refusal or a conditional grant of planning permission which was formerly granted by a development order or a local development order.
84. In regard to compensation matters, section 108 of the Town and Country Planning Act 1990 (as amended) specifies the circumstances under which compensation is payable for the refusal or a conditional grant of planning permission which was formerly granted by a development order or a local development order.
85. Section 107 of the 1990 Act which sets out the entitlement to compensation where planning permission has been revoked and modified is of relevance here as section 108 of the 1990 Act extends the entitlement for compensation under s107 to circumstances where planning permission granted by a development order has been withdrawn by an Article 4 Direction.
86. In regard to the immediate Article 4 Directions withdrawing rights granted under Schedule 2, Part 4, Class D is a 'prescribed description' development and because it is an immediate direction (the council is not giving more than 12 months notice of the making of the direction) then the council will need to pay compensation for claims made within 12 months of the date of the direction.
87. The value of the claim for compensation would differ in each individual case but in the event that claims are between £5,000 and £50,000 then they would be sanctioned by the relevant cabinet member under Part 3D paragraph 5 of the Constitution. Any compensation claims over that amount would require the approval of full cabinet.

Human rights and equalities

88. Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various Convention rights may be engaged in the process of making, considering and confirming Article 4 Directions such as Article 1 of the First Protocol of the Convention.

The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”. Both public and private interests are to be taken into account in the exercise of the council’s powers and duties as a local planning authority. Any interference with a Convention Right must be necessary and proportionate.

89. The council has carefully considered the balance to be struck between individual rights and the wider public interest. The rights of all of the owners have been considered under the Human Rights Act 1998, in particular those contained within Article 1 of the First Protocol the Convention which relates to the Protection of Property.
90. In consulting upon the confirmation of the immediate Article 4 Directions the council has had regard to its public sector equality duty (PSED) under s.149 of the Equality Act 2010. The updated Equalities Analysis can be found at Appendix E to this report.
91. The PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors. The council also took into account other relevant factors in respect of the decision, including financial resources and policy considerations. In appropriate cases, such countervailing factors may justify decisions which have an adverse impact on protected groups.

Strategic Director of Finance and Governance (CE17/012)

92. This report is requesting the planning committee to authorise the confirmation of the Article 4 Directions (Appendix A) to withdraw the permitted development rights granted by the General Permitted Development Order 2015 (as amended) for changes of use, demolition and alteration of public houses in Southwark in accordance with the methodology outlined in this report in relation to the public houses specified in Appendix C.
93. The report is also requesting the planning committee to note the equalities analysis of the proposed Article 4 Directions (Appendix E) and also delegate to the Director of Planning the arrangements for confirming the Article 4 Direction including compliance with the notification requirements under the Town and Country Planning (General Permitted Development) Order 1995. Full details and background is provided within the main body of the report.
94. The strategic director of finance and governance notes that the proposed directions may make the council liable for compensation claims but it is not possible to gauge the magnitude of such claims as circumstances vary. It is noted that any claim for compensation will be dealt through the council's official complaints procedure and sanctioned by the relevant cabinet member under the council's constitution as reflected in the report.
95. It is also noted that any agreed claims for compensation would be contained within the existing departmental revenue budgets where possible before funding from councils reserves are requested.
96. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Saved Southwark Plan 2007	Chief Executive's Department 160 Tooley Street London SE1 2QH	Email: planningpolicy@southwark.gov.uk
Link: https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan		
New Southwark Plan Preferred Option	Chief Executive's Department 160 Tooley Street London SE1 2QH	Email: planningpolicy@southwark.gov.uk
Link (please copy and paste into your browser): https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=4		
The Core Strategy 2011	Chief Executive's Department 160 Tooley Street London SE1 2QH	Email: planningpolicy@southwark.gov.uk
Link: https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan		
General Permitted Development Order 2015	Chief Executive's Department 160 Tooley Street London SE1 2QH	Email: planningpolicy@southwark.gov.uk
Link (please copy and paste into your browser): http://www.legislation.gov.uk/ukxi/2015/596/pdfs/ukxi_20150596_en.pdf		

APPENDICES

No.	Title
Appendix A	Article 4 Directions to withdraw Permitted Development Rights granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
Appendix B	Map of open and closed pubs in Southwark
Appendix C	Schedule of pubs subject to the Article 4 Direction
Appendix D	Maps of public houses subject to the Article 4 Direction
Appendix E	Equalities analysis
Appendix F	Consultation Report

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Mark Spence, Senior Planning Policy Planner	
Version	Final	
Dated	18 August 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		21 August 2017

Article 4 Directions: Public Houses

No.	Title
Appendix A	Article 4 Directions to withdraw Permitted Development Rights granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
Appendix B	Map of open and closed pubs in Southwark
Appendix C	Schedule of pubs subject to the Article 4 Direction
Appendix D	Maps of public houses subject to the Article 4 Direction
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Article 4 Directions to withdraw Permitted Development Rights Granted by the Town and Country Planning (General Permitted Development Order 2015 (as amended))

August 2017



**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 2015 (AS AMENDED)**

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 6 APPLIES

WHEREAS the London Borough of Southwark being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) are satisfied that it is expedient that development of the descriptions set out in Schedules A-D below should not be carried out on the land shown edged red on the attached plans in Schedule 2, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the descriptions set out in Schedules A-D below.

Schedule 1 of this Direction contains a Table of Sites where it is stated which of the permitted development rights contained in Schedules A, B, C and D are being removed by this Direction. A detailed site plan of each individual site is included within Schedule 2 of this Direction.

SCHEDULE A

General Permitted Development Order 2015 (as amended), Schedule 2, Part 3

Class A – *restaurants, cafes, takeaways or pubs to retail*

Development consisting of a change of use of a building from a use falling within Class A3 (restaurants and cafes), A4 (drinking establishments) or A5 (hot food takeaways) of the Schedule to the Use Classes Order, to a use falling within Class A1 (shops) or Class A2 (financial and professional services) of that Schedule.

Class B – *takeaways or pubs to restaurants and cafes*

Development consisting of a change of use of a building from a use falling within Class A4 (drinking establishments) or Class A5 (hot food takeaways) of the Schedule to the Use Classes Order, to a use falling within Class A3 (restaurants and cafes) of that Schedule.

SCHEDULE B

General Permitted Development Order 2015 (as amended), Schedule 2, Part 4

Class D – *shops, financial, cafes, takeaways, pubs etc to temporary flexible use*

Development consisting of a change of use of a building and any land within its curtilage-

- (a) from-
 - (i) a use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments), Class A5 (hot food takeaways), Class B1 (business), Class D1 (non-residential institutions) and Class D2 (assembly and leisure) of the Schedule to the Use Classes Order, or
 - (ii) a use as a betting office or pay day loan shop,
- (b) to a flexible use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1 (business) of that Schedule,

for a single continuous period of up to 2 years beginning on the date the building and any land within its curtilage begins to be used for the flexible use or on the date given in the notice under paragraph D.2(a), whichever is the earlier.

SCHEDULE C

General Permitted Development Order 2015 (as amended), Schedule 2, Part 11

Class B – demolition of buildings

Any building operation consisting of the demolition of a building.

Class C – demolition of gates, fences, walls etc

Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure.

SCHEDULE D

General Permitted Development Order 2015 (as amended), Schedule 2, Part 2

Class A – gates, fences, walls etc

The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Class C – exterior painting

The painting of the exterior of any building or work.

THESE DIRECTIONS are made under article 4(1) of the said Order and, in accordance with article 4(4), shall remain in force until _____ (being six months from the date of these directions) and shall then expire unless it has been confirmed by the appropriate local planning authority in accordance with paragraph 2(6) of Schedule 3 of the said Order before the end of the six month period.

1. Made under the Common Seal of the London Borough of Southwark this ____ day of ____ 2017

The Common Seal of the Mayor and Burgesses of the London Borough of Southwark was hereto affixed in the presence of

.....
Authorised Signatory

2. Confirmed under the Common Seal of the London Borough of Southwark thisday of.....20.....

The Common Seal of the Mayor and Burgesses of the London Borough of Southwark was hereto affixed in the presence of

.....
Authorised Signatory

SCHEDULE 1

Table of sites

SCHEDULE 2

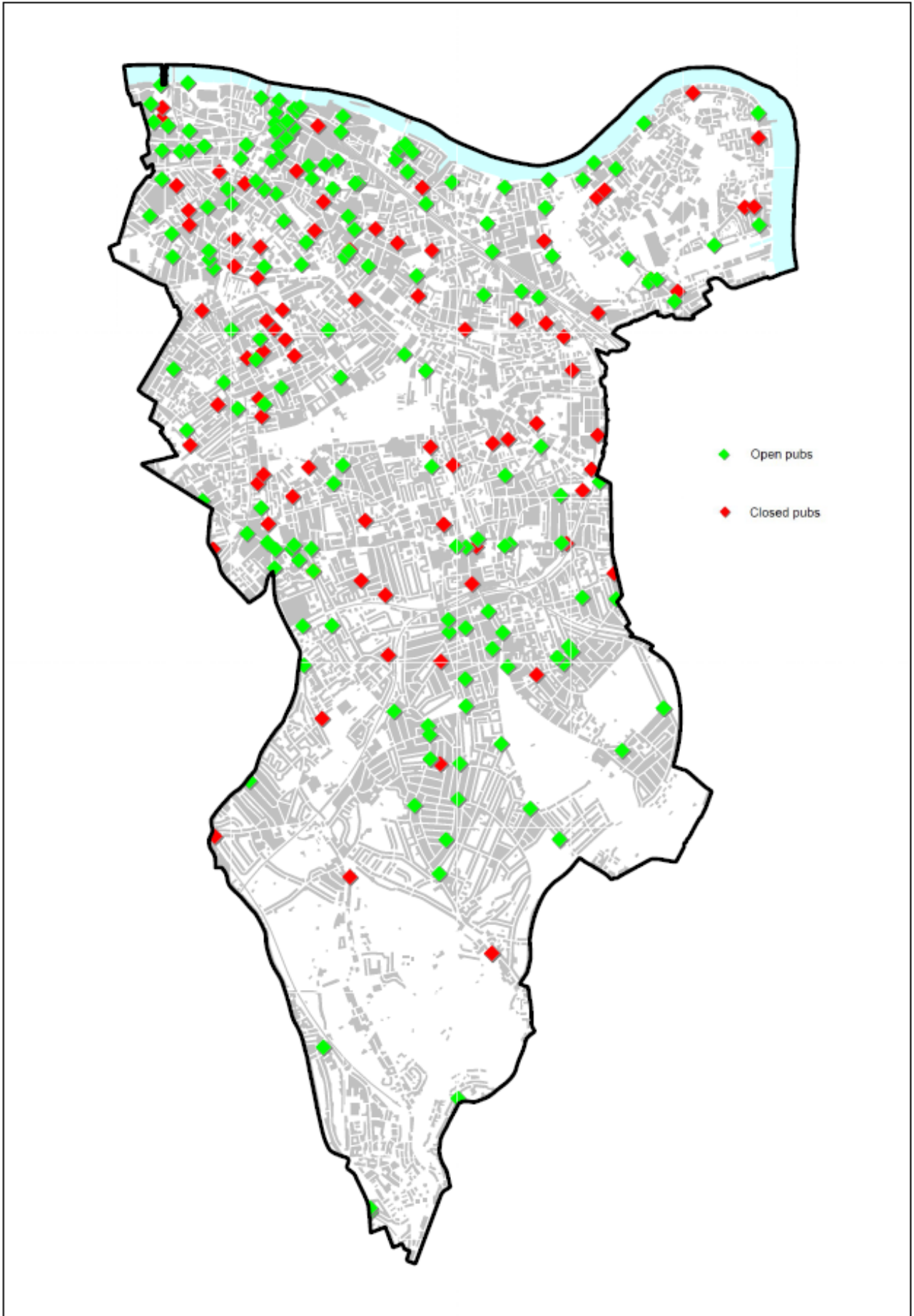
Individual site maps

Article 4 Directions: Public Houses

No.	Title
Appendix A	Article 4 Directions to withdraw Permitted Development Rights granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
Appendix B	Map of open and closed pubs in Southwark
Appendix C	Schedule of pubs subject to the Article 4 Direction
Appendix D	Maps of public houses subject to the Article 4 Direction
Appendix E	Equalities analysis
Appendix F	Consultation Report

Appendix B: Map of open and closed pubs in Southwark

August 2017



Article 4 Directions: Public houses

No.	Title
Appendix A	Draft Article 4 Directions to withdraw Permitted Development Rights granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
Appendix B	Map of open and closed pubs in Southwark
Appendix C	Schedule of pubs subject to proposed Article 4 Direction
Appendix D	Maps of public houses subject to proposed Article 4 Direction
Appendix E	Equalities analysis

OPEN PUBS

Name	Address	Postcode	Listed building?	Conservation area?	Local heritage asset/townscape merit?	Town centre?	Only pub or only pub with specific facility within 600m radius?	Protected shopping frontage?	ACV?	Dart board / Pool table?	Sport TV License?	Rooms/areas for hire (e.g. meetings, parties)?	Hold regular events (e.g. music nights, quiz nights, karaoke, poetry recitals)?	WiFi?	N ^o Community Benefits	Any other specific community benefit? Sources: Pubs websites, CAMRA WhatPub
Article 4 relating to Change of Use and Alteration only																
The Ivy House	40 Stuart Road	SE15 3BE	Yes	No	No	No	No	No	Yes	No	No	Yes	Yes	Yes	4	Traditional pub games (board games), live music, function room, dog/family friendly
The Beehive	60-62 Carter Street	SE17 3EW	No	Yes	No	No	No	No	Yes	No	No	No	No	No	1	Dog friendly / family friendly
The Wheatsheaf	6 Stoney Street	SE1 9AA	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	No	1	Regularly holds live music events and plays major sporting events
Rockingham Arms	119 Newington Causeway	SE1 6DQ	Yes	No	No	Yes	No	No	No	No	No	No	No	Yes	1	Family friendly
Hermits Cave	28 Camberwell Church Street	SE5 8QU	No	Yes	No	Yes	No	Yes	No	No	No	No	No	No	0	Dog friendly. Terrestrial live sport shown. Dates back to 1902
The Nags Head	231-235 Rye Lane	SE15 4TP	No	Yes	Yes	Yes	No	Yes	No	No	Yes	No	No	No	1	Live sport shown
Rose & Crown	65-67 Union Street	SE1 1SG	No	Yes	No	Yes	No	No	No	No	No	No	No	Yes	1	Upper floors provide hostel accommodation. Family friendly. Dog friendly. Traditional pub games.
The Market Porter	9 Stoney Street	SE1 9AA	No	Yes	Yes	Yes	No	No	No	No	No	Yes	No	No	1	Upstairs a restaurant is available for private hire in the evenings.
The Kentish Drovers	71-79 Peckham High Street	SE15 5RS	No	Yes	Yes	Yes	No	Yes	No	No	No	No	No	Yes	1	2 main beer festivals a year plus a cider one and a microbrewery one. Family friendly
The Mug House	1-3 Tooley Street	SE1 2PF	Yes	Yes	No	Yes	No	No	No	No	No	No	No	No	0	
The Duke Of York	47-48 Borough Road	SE1 1DR	Yes	No	Yes	Yes	No	No	No	No	Yes	No	No	No	1	Live sport regularly shown
The Hope	3 Melon Road	SE15 5QW	No	Yes	No	Yes	No	No	No	No	No	No	No	No	0	Dog/family friendly, local street food traders provide fare
The Horniman At Hays	Unit 26, Hays Galleria, Counter Street	SE1 2HD	Yes	Yes	No	Yes	No	No	No	No	No	Yes	No	No	1	Function room
The Globe Tavern	8 Bedale Street	SE1 9AL	Yes	Yes	Yes	Yes	No	No	No	No	No	No	No	Yes	1	Family friendly, separate bar
The Mudlark	Montague Close	SE1 9DA	No	Yes	No	Yes	No	No	No	No	No	No	No	No	0	
The Albert Arms	1 Gladstone Street	SE1 6EY	No	Yes	No	Yes	No	No	No	No	No	Yes	No	No	1	Two upstairs function rooms for hire, family friendly, freeview sports played
The Rake	14 Winchester Walk	SE1 9AG	No	Yes	No	Yes	No	No	No	No	No	No	No	Yes	1	Regular events and beer festivals/sampling nights
Old Dispensary	325 Camberwell New Road	SE5 0TF	No	Yes	No	Yes	No	Yes	No	No	Yes	No	Yes	Yes	3	Family friendly mixed crowd and popular with students. Live music is an emphasis on certain nights, especially jazz, with blues, folk and open mic. Traditional pub games - board games and table football.
John The Unicorn	157-159 Rye Lane	SE15 4TL	No	Yes	No	Yes	No	Yes	No	No	No	No	Yes	No	1	Traditional pub games - board games. DJ on Saturday evenings.
Phoenix	Windsor Walk, Denmark Hill	SE5 8BB	Yes	Yes	No	No	No	No	No	No	No	No	Yes	Yes	2	Freeview sport shown. Family friendly. Listed brick Victorian railway station building with a nice wrought-iron canopy.
The Mad Hatter Hotel	3-7 Stamford Street	SE1 9NY	Yes	No	No	Yes	No	No	No	No	Yes	Yes	No	Yes	3	Family friendly/dog friendly
Slug And Lettuce	32-34 Borough High Street	SE1 1XU	Yes	Yes	No	Yes	No	Yes	No	No	No	Yes	No	Yes	2	
The Beer Shop London	40 Nunhead Green	SE15 3QF	No	Yes	Yes	Yes	No	Yes	No	No	No	No	No	Yes	1	Dog/family friendly. A wall showcases murals or other commissions by local artists.
The Rose	123 Snowfields	SE1 3ST	No	Yes	Yes	No	No	No	No	No	No	No	No	Yes	1	Family friendly / dog friendly
The Hand And Marigold	244 Bermondsey Street	SE1 3UH	No	Yes	No	No	No	No	No	No	Yes	No	No	No	1	A selection of board games to choose from, a table-top arcade game offering a selection of classic arcade games and sports TV
The Roebuck	50 Great Dover Street	SE1 4YG	Yes	No	No	No	No	No	No	No	No	Yes	Yes	Yes	3	Board games
Red Lion	407 Walworth Road	SE17 2AW	No	Yes	No	No	No	No	No	No	No	No	No	No	0	
The Angel at Rotherhithe	101 Bermondsey Wall East	SE16 4NB	Yes	Yes	No	No	No	No	No	No	No	No	No	No	0	
Pommeler's Rest	196-198 Tower Bridge Road	SE1 2UN	No	Yes	No	No	No	No	No	No	No	No	No	No	0	Beer festivals - 2 per year
The Mayflower	117 Rotherhithe Street	SE16 4NF	No	Yes	No	No	No	No	No	No	No	Yes	No	No	1	Function room
The Bridge House	218 Tower Bridge Road	SE1 2UP	No	Yes	No	No	No	No	No	No	No	Yes	No	No	1	Family friendly. Function room.
The George	40 Tower Bridge Road	SE1 4TR	No	Yes	No	No	No	No	No	No	Yes	No	No	No	1	Family friendly. Traditional pub games.
Draft House	206-208 Tower Bridge Road	SE1 2UP	No	Yes	No	No	No	No	No	No	No	No	No	Yes	1	Dog/family friendly, freeview major sporting events shown
Other Room	60 Tower Bridge Road	SE1 4TR	No	Yes	No	No	No	Yes	No	No	No	No	Yes	No	1	Occasional cask events
Kentish Drovers	720-722 Old Kent Road	SE15 1NG	Yes	No	No	No	Yes	No	No	No	No	Yes	No	No	1	

Simon The Tanner	231 Long Lane	SE1 4PR	Yes	Yes	Yes	No	No	No	No	No	No	No	Yes	Yes	2	Tuesday evening quiz. Dog friendly / family friendly. Live music
Clarendon Arms	225 Camberwell New Road	SE5 0TH	No	Yes	No	No	No	No	No	Yes	Yes	No	No	No	2	
St Christopher's	121 Borough High Street	SE1 1NP	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	Yes	3	Live music every night of the week apart from Sunday and Monday. Quiet basement meeting room has a table-top war games club meeting every Tuesday. Freeview sports
The Greyhound	109 Peckham High Street	SE15 5SE	No	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No	4	Live music
The Sheaf (Formerly Wheatsheaf)	24 Southwark Street	SE1 1TY	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes	Yes	Yes	4	Dog friendly / family friendly. Traditional pub games. Function room
Prince Of Wales	51 St Georges Road	SE1 6ER	No	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	No	4	
Man Of Kent	2 Nunhead Green	SE15 3QF	No	Yes	Yes	Yes	No	Yes	No	No	Yes	No	No	Yes	2	Dog family / Family friendly. Live music every Sunday
The Horseshoe Inn	26 Melior Street	SE1 3QP	No	Yes	No	Yes	No	No	No	Yes	No	Yes	Yes	No	3	Local dart leagues Mondays, Wednesdays and Saturdays. Small upstairs function room
Shipwrights Arms	88 Tooley Street	SE1 2TF	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	No	No	2	
Old Kings Head	45 Borough High Street	SE1 1NA	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	5	Function room has tv and darts, 70 people capacity. Pub quiz
Lord Clyde	27 Clennam Street	SE1 1ER	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	No	No	2	Function room
The Crown	108 Blackfriars Road	SE1 8HW	No	Yes	Yes	Yes	No	No	No	No	Yes	Yes	No	Yes	3	Function room. Dog friendly
The Tankard	178 Walworth Road	SE17 1JL	No	Yes	Yes	Yes	No	No	No	No	Yes	No	No	Yes	2	
Joiners Arms	35 Denmark Hill	SE5 8RS	No	Yes	No	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	5	The pub is split into two bars, there is a small stage for live music. Board games and pool. Family friendly. Function room.
The Libertine	125 Great Suffolk Street	SE1 1PQ	No	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes	2	Live music / DJ, pub quiz. Traditional pub games. Freeview sport shown.
The Anchor Bankside	34 Park Street	SE1 9EF	Yes	No	Yes	Yes	No	No	No	No	Yes	Yes	No	Yes	3	Family friendly, Function room
The Camberwell Arms	65 Camberwell Church Street	SE5 8TR	No	Yes	No	Yes	No	No	No	No	No	Yes	No	Yes	2	Dog/family friendly, Function room
Old Thameside Inn	Pickfords Wharf, Clink Street	SE1 9DG	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes	No	Yes	3	Family friendly. Function room.
The Tiger	18 Camberwell Green	SE5 7AA	No	Yes	Yes	Yes	No	Yes	No	No	Yes	No	Yes	No	2	Pub quiz Tuesday evenings, DJs on Friday nights, singer/songwriters on Sunday evenings.
The Kings Arms	65 Newcomen Street	SE1 1YT	Yes	No	Yes	Yes	No	No	No	No	No	Yes	Yes	No	2	Live music jazz on Saturday evenings. Function room. Family friendly
Bunch Of Grapes	2 St Thomas Street	SE1 9RS	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	No	Yes	2	Function room (upstairs - 60 people). Traditional pub games (board games). Freeview sport played
The Southwark Tavern	22 Southwark Street	SE1 1TU	No	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes	2	Holds a weekly wine club and a quiz night.
The George Inn	75-77 Borough High Street	SE1 1NH	Yes	Yes	No	Yes	No	No	No	No	No	Yes	No	Yes	2	Function room, family friendly
Blue Eyed Maid	173 Borough High Street	SE1 1HR	No	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes	Yes	4	Karaoke, function room
Trinity	202-206 Borough High Street	SE1 1JX	No	Yes	No	Yes	No	No	No	No	No	No	Yes	Yes	2	Major sporting events on terrestrial TV are shown. Quiz night on Mondays. Live music at weekends.
Barrow Boy & Banker	8 Borough High Street	SE1 9QQ	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes	No	Yes	3	Family friendly, function room
The Winnicott (Formerly Old Justice)	94 Bermondsey Wall East	SE16 4TY	No	Yes	No	No	No	No	No	No	No	Yes	Yes	Yes	3	Family friendly / dog friendly
The Ship Aground	33 Wolseley Street	SE1 2BP	No	Yes	Yes	No	No	No	No	Yes	Yes	No	No	No	2	Darts
George Canning	123 Grove Lane	SE5 8BG	No	Yes	No	No	No	No	No	No	Yes	No	Yes	Yes	3	Family friendly, live music, dog friendly.
The Lord Nelson	386 Old Kent Road	SE1 5AA	Yes	Yes	No	No	Yes	No	No	Yes	Yes	No	No	No	2	Pool table
The Leather Exchange	15 Leathermarket Street	SE1 3HN	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	No	Yes	3	Has one main ground floor bar and an upstairs restaurant / function room
Anchor Tap	20A Horselydown Lane	SE1 2LN	Yes	Yes	Yes	No	No	No	No	Yes	No	Yes	No	No	2	Pool table. Function room.
Prince Albert	111 Bellenden Road	SE15 4QY	No	Yes	Yes	No	No	No	No	No	Yes	No	No	Yes	2	Dog/family friendly, Traditional Pub games.
Old Nuns Head	15 Nunhead Green	SE15 3QQ	No	Yes	No	No	No	No	No	No	No	No	Yes	Yes	2	Regularly hosts live comedy acts and a quiz. Freeview sport shown. Dog friendly/family friendly
The Clockhouse	196A Peckham Rye	SE22 9QA	No	Yes	Yes	No	No	No	No	No	No	Yes	Yes	Yes	3	Has an upstairs function room with private bar. Quiz night.
The Woodhouse	39 Sydenham Hill	SE26 6RS	No	Yes	No	No	Yes	No	No	No	No	Yes	Yes	Yes	3	Family friendly
The Woolpack	98 Bermondsey Street	SE1 3UB	No	Yes	Yes	No	No	No	No	No	No	Yes	No	Yes	2	Function room, dog/family friendly
Queen Elizabeth	42 Merrow Street	SE17 2NH	No	Yes	No	No	No	No	No	Yes	Yes	Yes	Yes	No	4	Live music sunday afternoons, darts, separate bar
Dean Swift	32 Lafone Street	SE1 2LX	No	Yes	No	No	No	No	No	No	Yes	Yes	No	Yes	3	Family friendly / dog friendly
The Garrison	101 Bermondsey Street	SE1 3XB	No	Yes	Yes	No	No	No	No	No	No	Yes	No	Yes	2	Function room

The Grand Union	26 Camberwell Grove	SE5 8RE	No	Yes	No	No	No	No	No	No	No	No	Yes	Yes	2	Quiz nights, live music, pub garden
Pyrotechnists Arms	39 Nunhead Green	SE15 3QF	No	Yes	Yes	No	No	No	No	Yes	Yes	No	Yes	Yes	4	There is a separate pool room to the rear. Karaoke.
Article 4 relating to Change of Use, Demolition and Alteration																
The Yellow House (formally Caulkers)	126 Lower Road	SE16 2UF	No	No	No	Yes	No	No	No	No	No	Yes	No	No	1	
Elephant And Castle	121 Newington Causeway	SE1 6BN	No	No	No	Yes	No	No	Yes	No	No	No	No	No	1	Designated as an ACV due to its unique characteristics and special benefit to the community
Thomas A Becket	320-322 Old Kent Road	SE1 5UE	No	No	Yes	No	No	No	Yes	No	No	Yes	Yes	Yes	4	Live music nights
The Grange	103 Grange Road	SE1 3BW	No	No	No	No	No	No	Yes	No	Yes	Yes	No	Yes	4	Family friendly
Huntsman & Hound	70 Elsted Street	SE17 1QG	No	No	No	No	No	No	Yes	No	No	No	No	No	1	Designated as an ACV due to its unique characteristics and special benefit to the community
Nags Head	242 Camberwell Road	SE5 0DP	No	No	No	No	No	No	Yes	No	Yes	Yes	No	No	3	Areas available to hire for the local community
China Hall	141 Lower Road	SE16 2XL	No	No	No	No	No	No	Yes	No	Yes	No	No	Yes	3	Family friendly
Ring	72 Blackfriars Road	SE1 8HA	No	No	No	Yes	No	No	No	No	No	No	No	Yes	1	Family friendly. Freeview sports. Associated with history of British boxing
Flowers Of The Forest	14 Westminster Bridge Road	SE1 7QX	No	No	No	Yes	No	No	No	No	Yes	No	No	Yes	2	Dog friendly / family friendly. Traditional pub games
Rising Sun	98 Harper Road	SE1 6AQ	No	No	No	Yes	No	No	No	No	Yes	Yes	Yes	No	3	Live music venue
Lord Palmerston	91 Lordship Lane	SE22 8EP	No	No	No	Yes	No	Yes	No	No	No	Yes	No	No	1	Family friendly
The Lord Nelson	243 Union Street	SE1 0LR	No	No	No	Yes	No	No	No	No	No	No	No	No	0	Dog friendly, locally valued building
The Gladstone	24-26 King And Queen Street	SE17 1DQ	No	No	No	Yes	No	No	No	Yes	Yes	No	No	No	2	Pool table and darts available
Stormbird	25 Camberwell Church Street	SE5 8TR	No	No	No	Yes	No	Yes	No	No	No	No	No	Yes	1	Locally valued building
Ship	68 Borough Road	SE1 1DX	No	No	No	Yes	No	No	No	Yes	Yes	Yes	No	Yes	4	Table football, darts and a selection of board games available.
Whelan's Free House	11 Rotherhithe Old Road	SE16 2PP	No	No	No	Yes	No	No	No	Yes	Yes	No	Yes	No	3	Traditional pub games (pool and darts), Live music, Family friendly
The Union Jack Nolia Gallery	Union Jack 225 Union Street	SE1 0LR	No	No	No	Yes	No	No	No	No	Yes	No	Yes	No	2	One large bar with a smaller room to the rear. Has piped music. Family friendly
Rose & Crown PH	47 Colombo Street	SE1 8DP	No	No	No	Yes	No	No	No	No	No	Yes	No	No	1	Dog/family friendly. Function room. Traditional pub games
Prince William Henry	217 Blackfriars Road	SE1 8NL	No	No	No	Yes	No	No	No	No	No	Yes	No	Yes	2	Traditional pub games. Family friendly. No separate function room but can reserve an area in the bar. The pub is closed on Sundays but can be booked for private parties.
Doggetts Coat & Badge	1 Blackfriars Bridge	SE1 9UD	No	No	No	Yes	No	No	No	No	No	Yes	No	Yes	2	Family friendly. Function room.
Farriers Arms	214 Lower Road	SE8 5DJ	No	No	No	Yes	No	Yes	No	Yes	Yes	No	No	Yes	3	Traditional pub games (darts and pool). Family friendly
Founders Arms	52 Hopton Street	SE1 9JH	No	No	No	Yes	No	No	No	No	No	Yes	No	Yes	2	Family friendly. No function room but an area in the bar can be reserved
Surrey Docks	185 Lower Road	SE16 2LW	No	No	No	Yes	No	No	No	No	No	No	No	Yes	1	2 main beer festivals a year plus a cider one and a microbrewery one
The Charlie Chaplin	26 New Kent Road	SE1 6TJ	No	No	No	Yes	No	No	No	Yes	Yes	No	No	Yes	3	Pool table
White Hart	22 Great Suffolk Street	SE1 0UG	No	No	Yes	Yes	No	No	No	No	No	No	No	No	0	Dog friendly. Major freeview sport events shown
The Bishop	25-27 Lordship Lane	SE22 8EW	No	No	No	Yes	No	Yes	No	No	Yes	No	Yes	No	2	Dog friendly, family friendly, traditional pub games (board games). Freeview sport played
The Good Intent	24 East Street	SE17 2DN	No	No	No	No	No	Yes	No	No	Yes	No	Yes	No	2	Live music, separate bar
The Blacksmiths Arms	257 Rotherhithe Street	SE16 5EJ	No	No	No	No	Yes	No	No	No	Yes	No	No	Yes	2	Family friendly/dog friendly
Flying Pig	58-60 East Dulwich Road	SE22 9AX	No	No	No	No	No	Yes	No	No	Yes	No	Yes	Yes	3	Family friendly (until 7pm) Live music. Ample forecourt seating available along with table football and board games for rainy days.
Dee Dee's Jazz And The Funk	77 Herne Hill	SE24 9NE	No	No	No	No	No	Yes	No	No	No	No	Yes	No	1	
Canterbury Arms	2-4 Maddock Way	SE17 3NH	No	No	No	No	No	Yes	No	No	Yes	No	No	No	1	This public house regularly televises live sport but also has a separate bar to cater to a variety of tastes.
The Olde Apple Tree	107 Sumner Road	SE15 6JU	No	No	No	No	Yes	No	No	No	Yes	No	No	No	1	Live sport regularly shown
Alleyns Head	Park Hall Road	SE21 8BW	No	No	No	No	Yes	No	No	No	No	No	Yes	No	1	Freeview sport played. Traditional pub games.
The Victoria	68-70 Pages Walk	SE1 4HL	No	No	No	No	No	No	No	No	No	No	No	Yes	1	Family friendly
The Royal British Legion	34-40 Braganza Street	SE17 3RJ	No	No	Yes	No	No	No	No	see description of community benefit					0	The Royal British Legion is a widely known and highly regarded charity which provides lifelong support for the Armed Forces community and their families
Ship & Whale Public House	2 Gulliver Street	SE16 7LT	No	No	No	No	No	No	No	No	No	No	No	Yes	1	Family friendly, dog friendly, traditional pub games
Victoria Inn	77-79 Choumert Road	SE15 4AR	No	No	No	No	No	Yes	No	No	No	No	No	Yes	1	Dog/family friendly. Table football. Has a separate children's play room with a CCTV screen in the rear bar. 18 bedrooms on the upper floors.

Dover Castle PH	6A Great Dover Street	SE1 4XW	No	No	No	No	No	No	No	No	Yes	Yes	No	Yes	No	3	Live music Thursday evenings. Pool.
Moby Dick	6 Russell Place	SE16 7PL	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	2	Family friendly / dog friendly
The Golden Anchor	16 Evelina Road	SE15 2DX	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	No	3	Jazz Jams Sundays, vinyl nights
Ancient Foresters	282 Southwark Park Road	SE16 2HB	No	No	No	No	No	No	No	No	Yes	No	No	Yes	No	2	Popular live music venue (Wed/Sat/Sun), pool and darts.
Sir Robert Peel	7 Langdale Close	SE17 3UF	No	No	No	No	No	No	No	No	Yes	Yes	No	Yes	Yes	4	Live music Sunday afternoons, darts
The Montpellier	43 Choumert Road	SE15 4AR	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	2	Back-room cinema, weekly pub quiz
Miller Of Mansfield	96 Snowsfields	SE1 3SS	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	3	A variety of bands play in the room upstairs and also use the rehearsal space in the basement. Annual ciderdog festival occurs one day in July. Traditional pub games
The Ship	39-47 St Marychurch Street	SE16 4JE	No	No	No	No	No	No	No	No	No	Yes	No	No	Yes	2	Family/dog friendly, Traditional pub games (board games)
Kings Arms	251 Tooley Street	SE1 2JX	No	No	No	No	No	No	No	No	No	No	No	Yes	No	1	Quiz night on Mondays and Live music DJ on Friday evenings.
Black Horse	254 Tabard Street	SE1 4UN	No	No	No	No	No	No	No	No	Yes	No	No	No	No	1	Pool table
Hollydale Tavern	115 Hollydale Road	SE15 2TF	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	2	A large Victorian street corner pub which retains two rooms. The front room has a pool table, dartboard and a big screen for sporting events.
The Salt Quay	163 Rotherhithe Street	SE16 5QU	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	3	Dog/family friendly. Function room. Traditional pub games. Live music
The Copper Tap At The Red Cow	190-192 Peckham High Street	SE15 5EG	No	No	No	No	No	No	No	No	No	Yes	No	Yes	Yes	3	Pub quiz Sunday, DJs Friday and Saturday. Dog/Family friendly.
St Georges Tavern	14 Coleman Road	SE5 7TG	No	No	No	No	No	No	No	No	No	No	No	Yes	No	1	Music every weekend
Duke Of Sussex	77 Friary Road	SE15 1QS	No	No	No	No	No	No	No	No	No	Yes	No	Yes	Yes	3	Quiz nights are on Thursdays at 8pm. Dog/Family friendly.
Spit And Sawdust (Formerly The Beehive)	21 Bartholomew Street	SE1 4AL	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	2	Pub games (shuffleboard). Regular quiz and other events
The Fox On The Hill	149 Denmark Hill	SE5 8EH	No	No	No	No	No	No	No	No	No	No	No	No	Yes	1	2 main beer festivals a year plus a cider one and a microbrewery one. Family friendly
Flying Dutchman	156 Wells Way	SE5 7SY	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	2	Dog/Family Friendly. Function room
Asylum Tavern	40-42 Asylum Road	SE15 2RL	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	2	Has pool table and a dart board
The Lordship	211 Lordship Lane	SE22 8HA	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No	2	Function room, live music, dog/family friendly
The White Horse	20 Peckham Rye	SE15 4JR	No	No	No	No	No	No	No	No	Yes	No	Yes	Yes	Yes	4	Live music Mondays, Function room, Dog/family friendly, traditional pub games (darts/pool/cribbage), freeview sport played
Marquis Of Wellington	21 Druid Street	SE1 2HH	No	No	No	No	No	No	No	No	No	No	No	No	Yes	1	Dog friendly, family friendly
Beer Rebellion	126 Gipsy Hill	SE19 1PL	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	2	Live Music. Quiz night on Mondays.
The Beer Rebellion	129 Queens Road	SE15 2NB	No	No	No	No	No	No	No	No	No	No	No	Yes	No	1	Occasional Meet the Brewer evenings, BBQ food in summer, tap takeovers.
The Hour Glass	131 Beaconsfield Road	SE17 2BX	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	2	Pool table, Juke Box
Clayton Arms (Formerly Dolls House)	1 Clayton Road	SE15 5JA	No	No	No	No	No	No	No	No	No	No	Yes	No	No	1	
The Britannia	44 Kipling Street	SE1 3RU	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	2	Pub quizzes held / Dog friendly
East Dulwich Tavern	1 Lordship Lane	SE22 8EW	No	No	Yes	Yes	No	No	No	No	No	Yes	Yes	Yes	Yes	4	Jazz nights / theatre events / monthly film nights. Function room, dog friendly / family friendly, traditional pub games
The Blue Anchor	251 Southwark Park Road	SE16 3TS	No	No	No	Yes	No	No	No	No	Yes	Yes	Yes	Yes	Yes	5	Live music Friday and Saturday nights. Function room. Family friendly
Charles Dickens	160 Union Street	SE1 0LH	No	No	No	Yes	No	No	No	No	No	Yes	No	No	Yes	2	Dog friendly.
Gowlett Arms	62 Gowlett Road	SE15 4HY	No	No	Yes	No	No	No	No	No	No	Yes	Yes	Yes	No	3	Thursday vinyl night. Traditional Pub Games (bar billiards), function room, Sunday DJ
Stanley Arms	418 Southwark Park Road	SE16 2ET	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	No	3	Live music or DJ Friday and Saturday night. The pub frequently holds fundraising events. Function room upstairs
Royal Oak	44 Tabard Street	SE1 4JU	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No	2	Impromptu live music sessions. Upstairs room for private parties and functions. Traditional pub games.
Queen Victoria	148 Southwark Park Road	SE16 3RP	No	No	Yes	No	No	No	No	No	Yes	Yes	No	Yes	Yes	4	Weekends feature Karaoke, disco or live music
The Waverley Arms	202 Ivydale Road	SE15 3BU	No	No	Yes	No	No	No	No	No	No	No	Yes	No	Yes	2	Dog friendly
The Great Exhibition	193 Crystal Palace Road	SE22 9EP	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	2	Dog/family friendly. Live music.
The Gregorian	96 Jamaica Road	SE16 4SQ	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	3	Quiz night. Dog/family friendly. Function room. Traditional pub games (board games).
The Herne Tavern	2 Forest Hill Road	SE22 0RR	No	No	No	No	No	No	Yes	No	No	No	Yes	Yes	No	2	Occasional beer festivals are held. Popular sporting events (freeview) are shown on TV; board games are on offer and sometimes live music. Function room. Family friendly
The Plough	381 Lordship Lane	SE22 8JJ	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	2	Live music. Family friendly. Freeview sport shown
The Colby Arms	132 Gipsy Hill	SE19 1PW	No	No	No	No	Yes	No	No	No	Yes	Yes	No	Yes	Yes	4	Traditional pub games (pool table), live music, family friendly

St James Of Bermondsey	72 St James Road	SE16 4QZ	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	2	Family friendly
The Cherry Tree	31-33 Grove Vale	SE22 8EQ	No	No	No	No	No	Yes	No	No	Yes	No	Yes	No	No	2	Hosts a DJ at weekends.
Watson's General Telegraph	108 Forest Hill Road	SE22 ORS	No	No	No	No	No	Yes	No	No	No	Yes	Yes	Yes	Yes	3	Function room in a separate room at rear in garden. Live music. Dog/family friendly. Freeview sport played
The Brunel	47 Swan Road	SE16 4JN	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	2	Dog friendly, family friendly, live music. Freeview sport played
The Rye	31 Peckham Rye	SE15 3NX	No	No	No	No	No	No	No	No	Yes	No	Yes	No	No	2	Quiz night. Family friendly, dog friendly, traditional pub games (board games and table tennis). Live music
The Castle	280 Crystal Palace Road	SE22 9JJ	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	4	Family friendly, live music sundays, function room.
The Actress	90 Crystal Palace Road	SE22 9EY	No	No	No	No	No	No	No	No	Yes	No	Yes	No	No	2	Dog friendly
Crooked Well (Formerly Kerfield)	16 Grove Lane, Camberwell	SE5 8SY	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	2	Live music. Family friendly.
The Windsor	888 Old Kent Road	SE15 1NQ	No	No	No	No	No	No	No	No	Yes	No	Yes	No	No	2	Live music events on Saturday nights. Dog friendly
The Bear (Formerly Jack Beards Station)	296a Camberwell New Rd	SE5 0RP	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	3	Traditional pub games. Upstairs space available to hire, swing dancing lessons. Sport is shown occasionally.

CLOSED PUBS

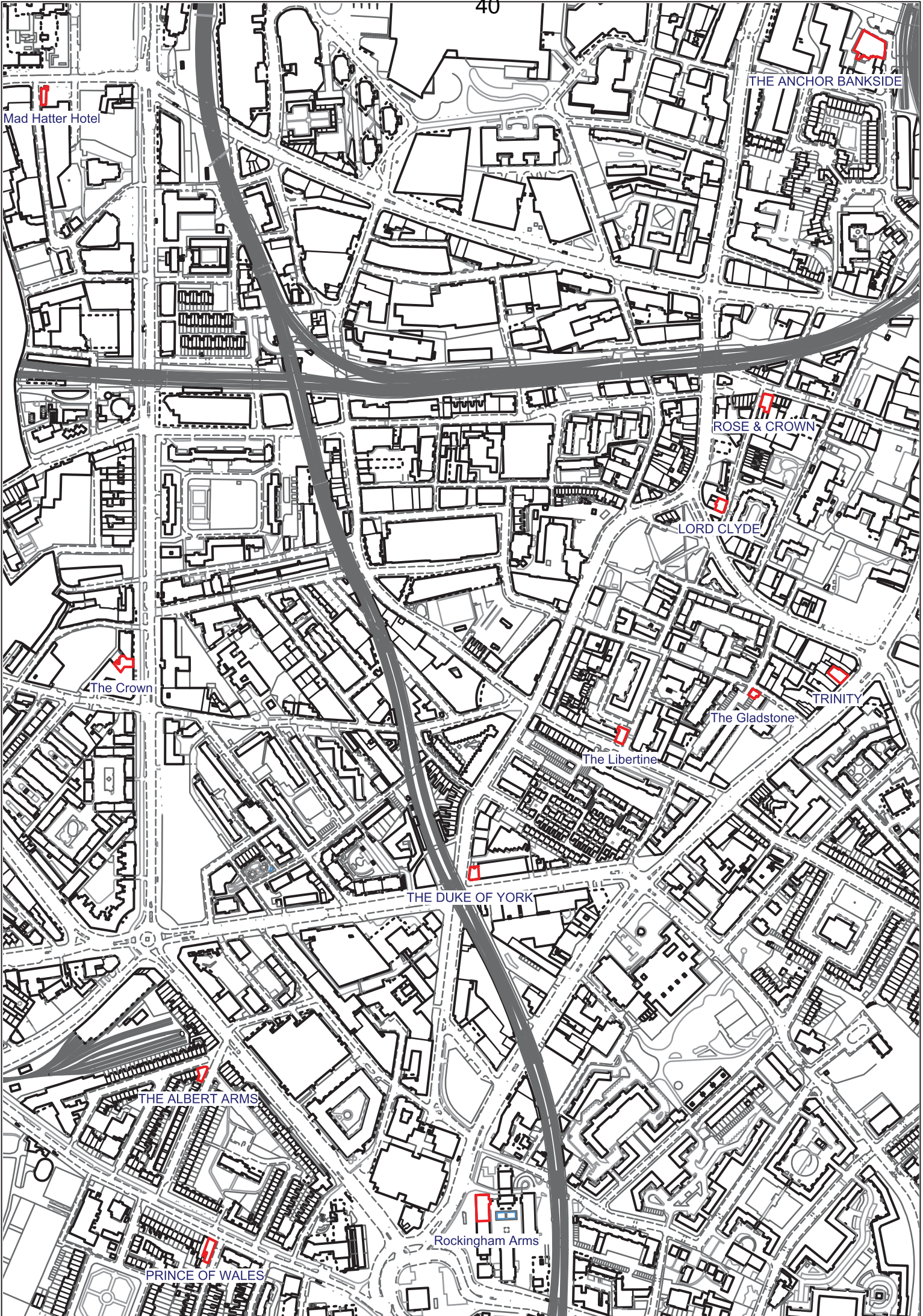
Name	Address	Postcode	ACV	Listed building?	Conservation area?	Local heritage asset/townscape merit?	Town centre?	Only pub or only pub with specific facility within 600m radius?	Protected shopping frontage?
Article 4 relating to Change of Use, Demolition and Alteration									
The Goldsmith (due to reopen)	96 Southwark Bridge Road	SE1 0EF	No	No	No	No	Yes	No	No
Rose & Crown (due to reopen)	96 Rodney Road	SE17 1BG	No	No	No	Yes	Yes	No	No
Crown And Anchor	116 New Kent Road	SE1 6TU	No	No	No	Yes	Yes	No	No
Masons Arms	109 East Street	SE17 2SB	No	No	No	No	Yes	No	No
Ship And Camel	146 Tanner Street	SE1 2HG	No	No	No	No	No	No	No
British Queen	34 Picton Street	SE5 7QH	No	No	No	No	No	No	No
The Deal Porter	346-352 Rotherhithe Street	SE16 5EF	No	No	No	No	No	No	No
The Ship York	375 Rotherhithe Street	SE16 5LJ	No	No	No	No	No	No	No
The Cadeleigh Arms	43 Lyndhurst Grove	SE15 5AN	No	No	No	No	No	No	No
Little Crown	56 Albion Street	SE16 7JQ	No	No	No	No	No	No	No
The Drum	49 North Cross Road	SE22 9ET	No	No	No	No	Yes	No	Yes
Canterbury Arms	871 Old Kent Road	SE15 1NX	No	No	No	No	No	No	No
Duke Of Edinburgh	57 Nunhead Lane	SE15 3TR	No	No	No	No	No	No	No
The Brewers	54 Southampton Way	SE5 7TT	No	No	No	No	No	No	No
Article 4 relating to Change of Use and Alteration only									
The Half Moon	10 Half Moon Lane	SE24 9PU	Yes	Yes	Yes	No	Yes	Yes	No
The Gladstone	64 Lant Street	SE1 1QN	Yes	No	Yes	Yes	Yes	No	No
Crown & Greyhound (due to reopen)	73 Dulwich Village	SE21 7BJ	Yes	Yes	No	Yes	Yes	Yes	Yes
Liam Ogs	374 Walworth Road	SE17 2NF	No	No	Yes	No	Yes	No	No
The Hope	66 Rye Lane	SE15 5BY	No	No	Yes	No	Yes	No	Yes

Duke Of Sutherland	51 Lorrimore Road	SE17 3LX	No	No	Yes	No	No	No	No
The Planet Nollywood (formerly Father Red Cap)	319 Camberwell Road	SE5 0HQ	No	No	Yes	Yes	No	No	No
The Grove Tavern	520 Lordship Lane	SE22 8LF	Nom	No	Yes	No	No	Yes	No
The Albion	20 Albion Street	SE16 7JQ	Nom	No	No	No	No	No	No
Article 4 relating to Demolition and Alteration only									
The Bell	51 East Street	SE17 2DJ	No	No	No	No	Yes	No	Yes
Hampton Court Palace	35 Hampton Street	SE17 3AN	No	No	No	Yes	Yes	No	No
Carlton Tavern	45 Culmore Road	SE15 2RQ	No	No	No	No	No	No	No
Queens Arms	78 Spa Road	SE16 3QT	No	No	No	No	No	No	No
The Bramcote Arms	58 Bramcote Grove	SE16 3BW	No	No	No	No	No	Yes	No
Article 4 relating to Alteration only									
The Hartley	64 Tower Bridge Road	SE1 4TR	No	No	Yes	No	No	No	Yes

Article 4 Directions: Public houses

No.	Title
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1. Pubs subject to Article 4 Change of Use and Alteration



Mad Hatter Hotel

THE ANCHOR BANKSIDE

ROSE & CROWN

LORD CLYDE

The Crown

The Gladstone

TRINITY

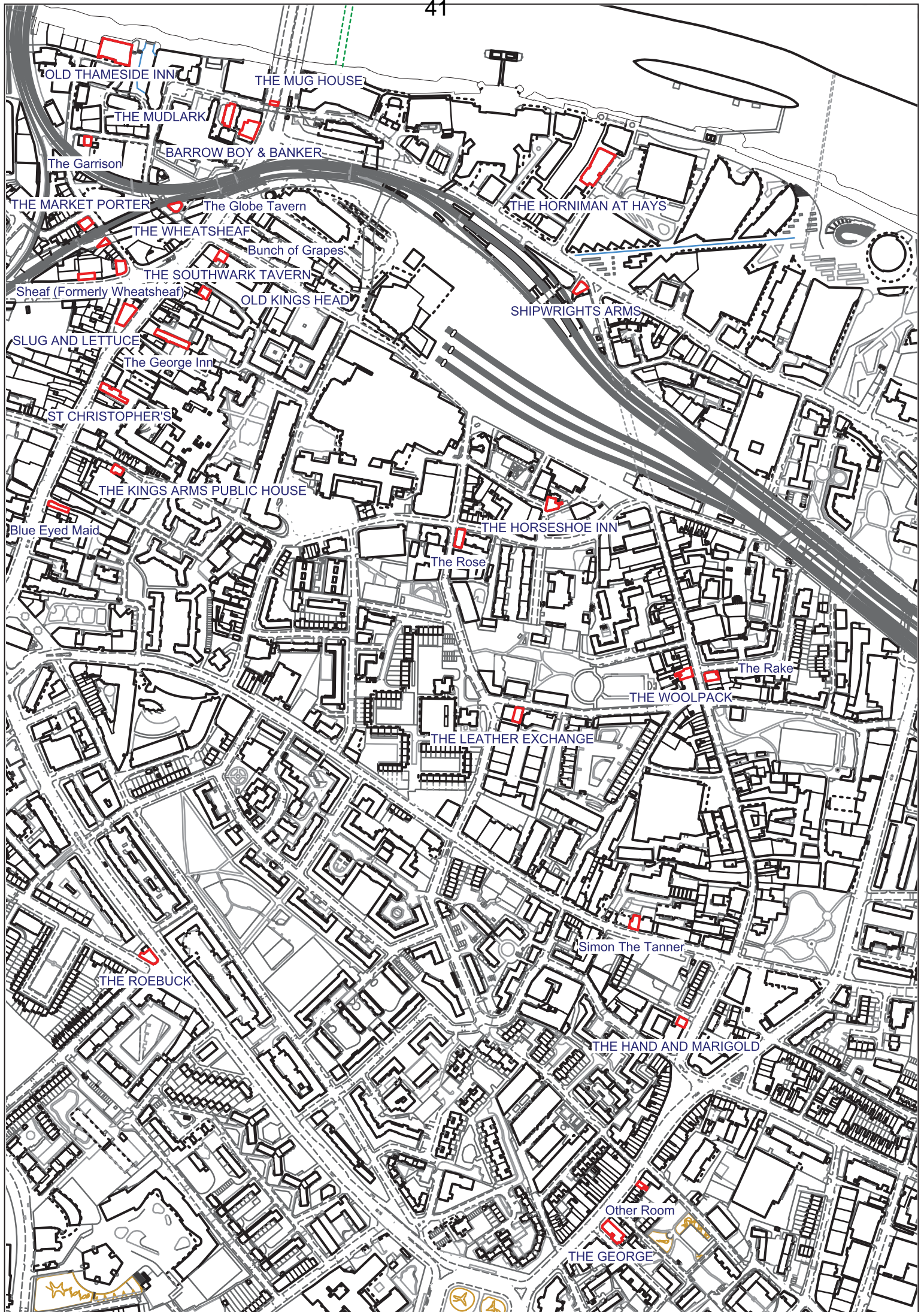
The Libertine

THE DUKE OF YORK

THE ALBERT ARMS

Rockingham Arms

PRINCE OF WALES



OLD THAMESIDE INN

THE MUG HOUSE

THE MUDLARK

BARROW BOY & BANKER

The Garrison

THE MARKET PORTER

The Globe Tavern

THE HORNSHIE AT HAYS

THE WHEATSHEAF

Bunch of Grapes

THE SOUTHWARK TAVERN

Sheaf (Formerly Wheatsheaf)

OLD KINGS HEAD

SHIPWRIGHTS ARMS

SLUG AND LETTUCE

The George Inn

ST CHRISTOPHER'S

THE KINGS ARMS PUBLIC HOUSE

Blue Eyed Maid

THE HORNSHIE INN

The Rose

The Rake

THE WOOLPACK

THE LEATHER EXCHANGE

THE ROEBUCK

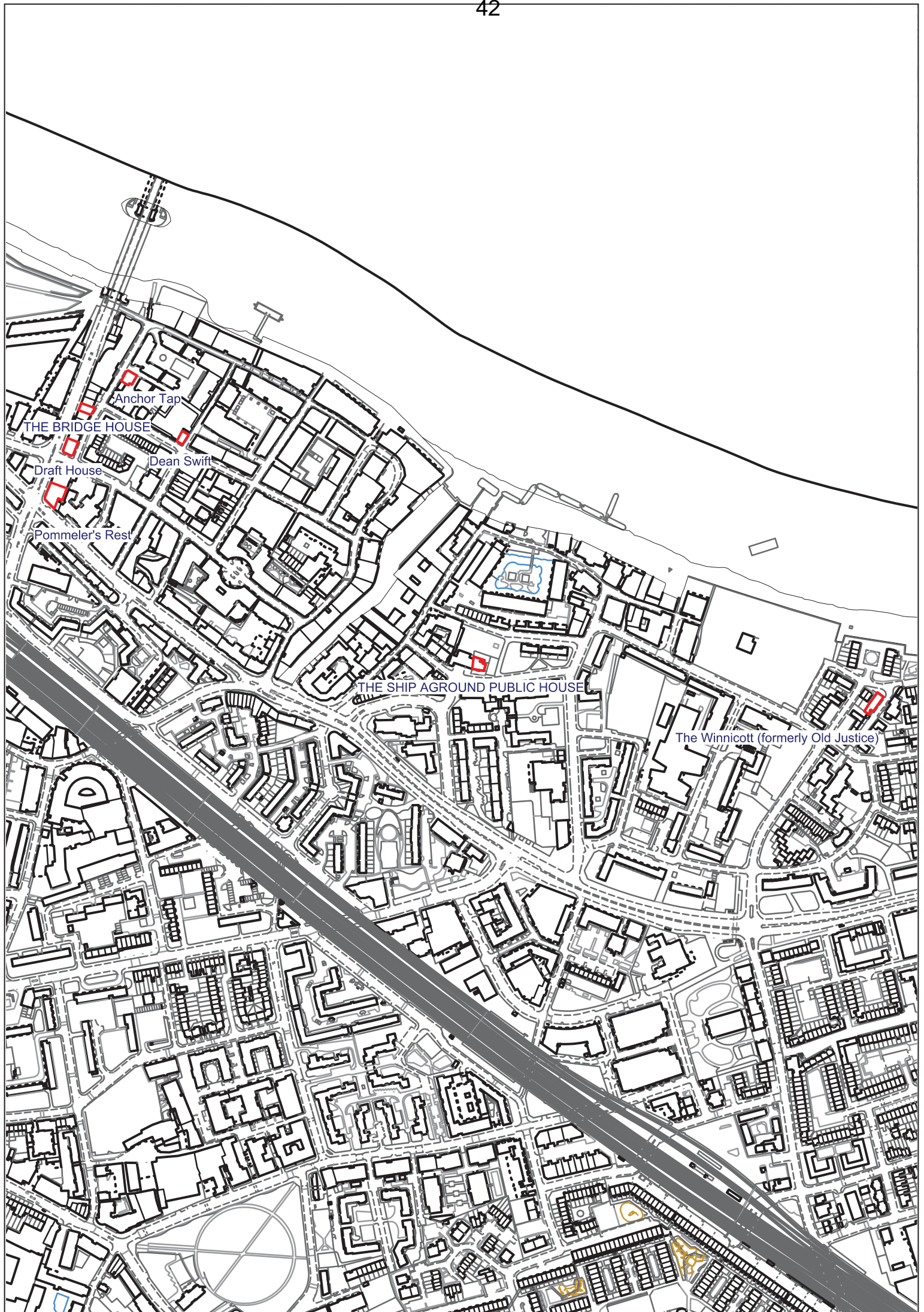
Simon The Tanner

THE HAND AND MARGOLD

Other Room

THE GEORGE





Anchor Tap

THE BRIDGE HOUSE

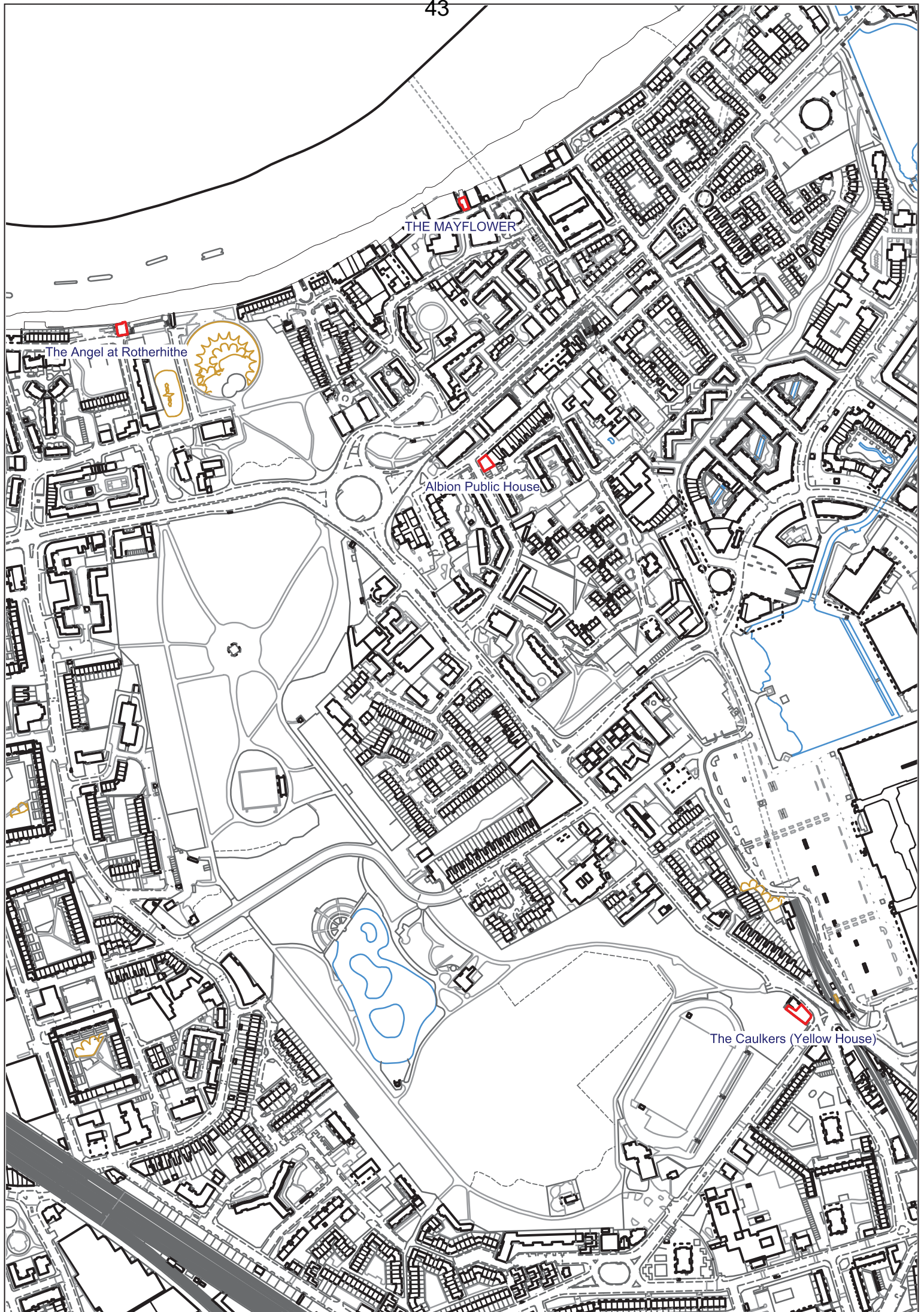
Draft House

Dean Swift

Pommeler's Rest

THE SHIP AGROUND PUBLIC HOUSE

The Winnicott (formerly Old Justice)



THE MAYFLOWER

The Angel at Rotherhithe

Albion Public House

The Caulkers (Yellow House)

The Tankard

THE BEEHIVE

Queen Elizabeth PH

Liam Ogs

RED LION

Duke Of Sutherland

CLARENDON ARMS

Father Red Cap

Old Dispensary

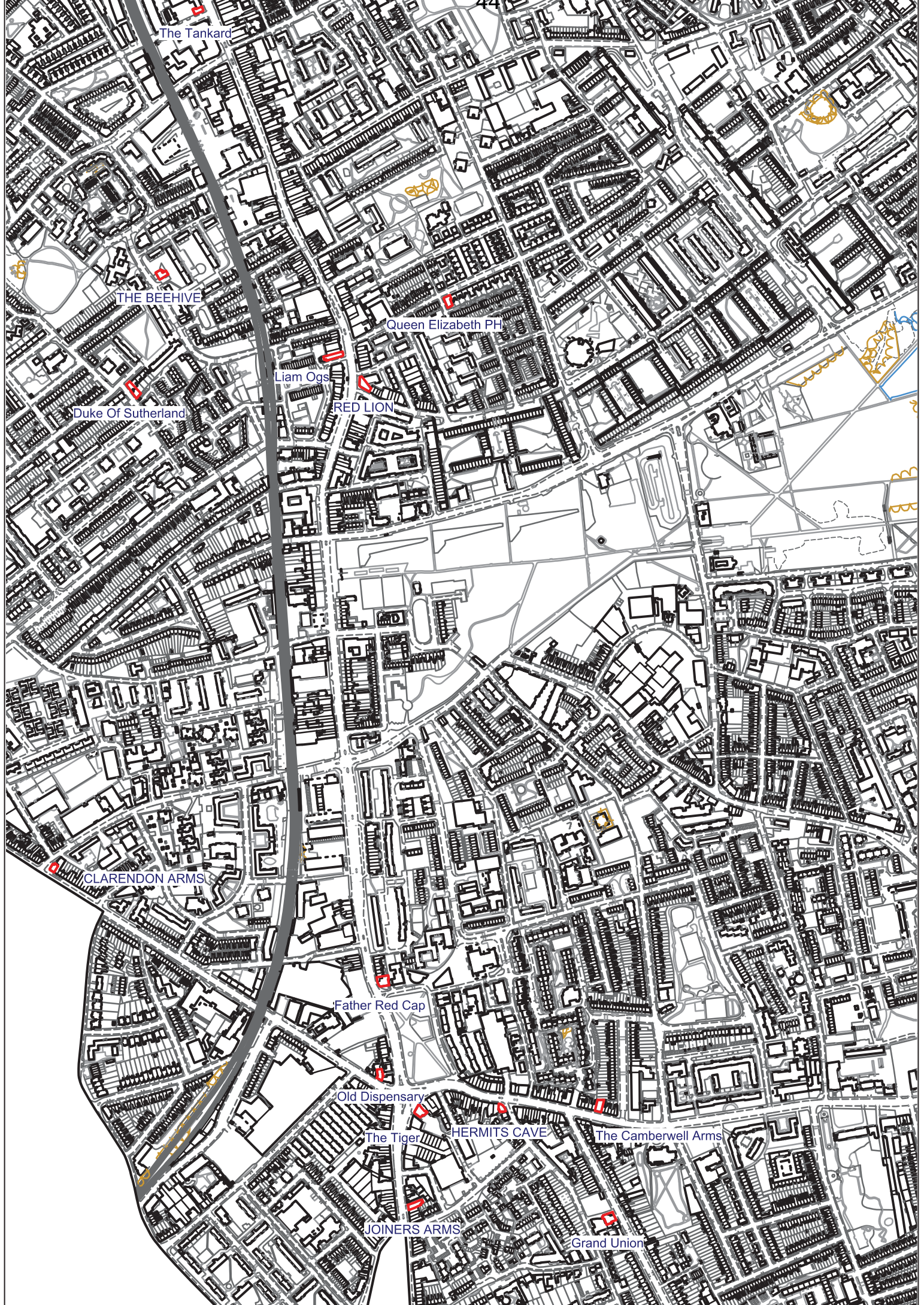
HERMITS CAVE

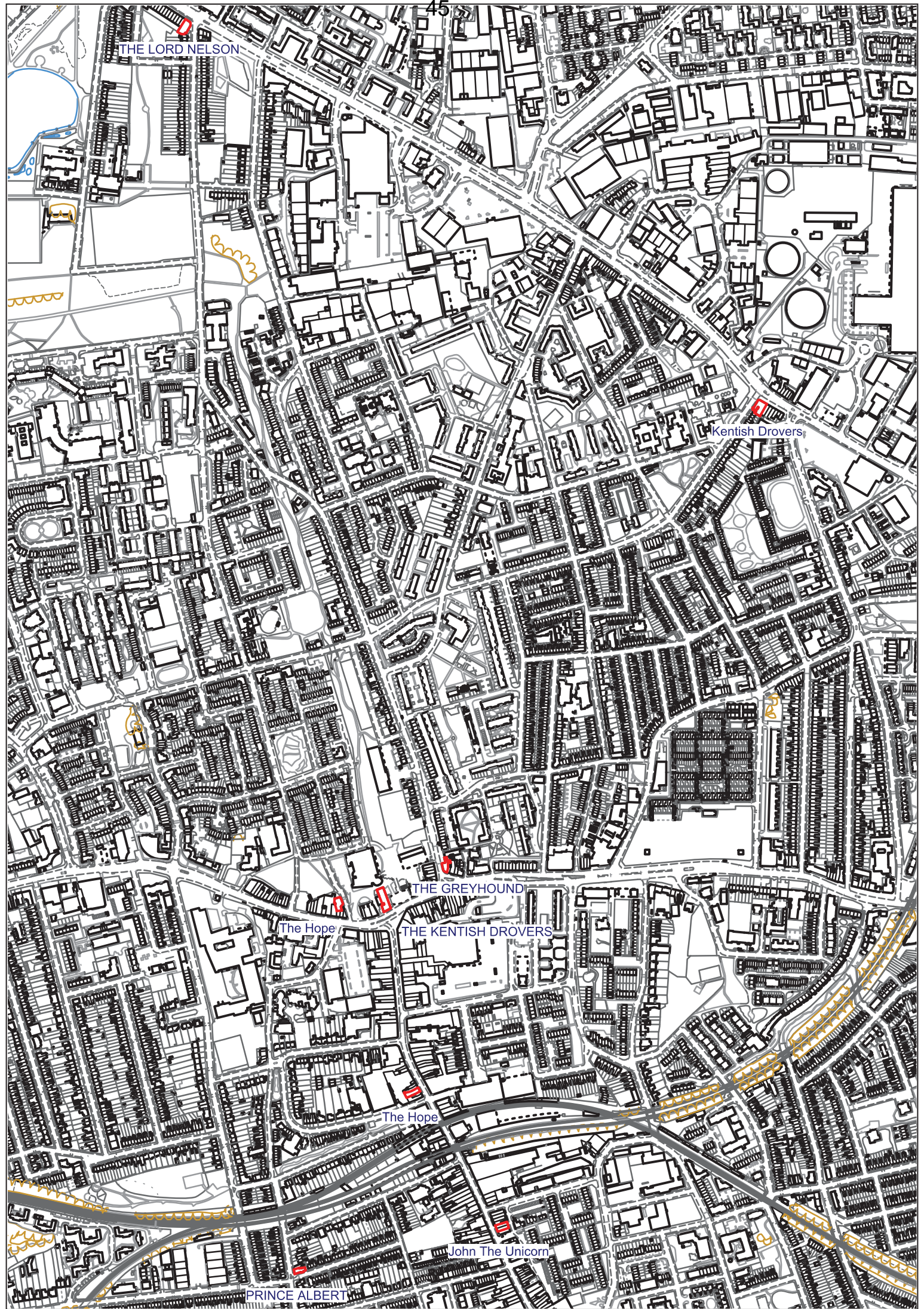
The Camberwell Arms

The Tiger

JOINERS ARMS

Grand Union





45

THE LORD NELSON

Kentish Drovers

THE GREYHOUND

The Hope

THE KENTISH DROVERS

The Hope

John The Unicorn

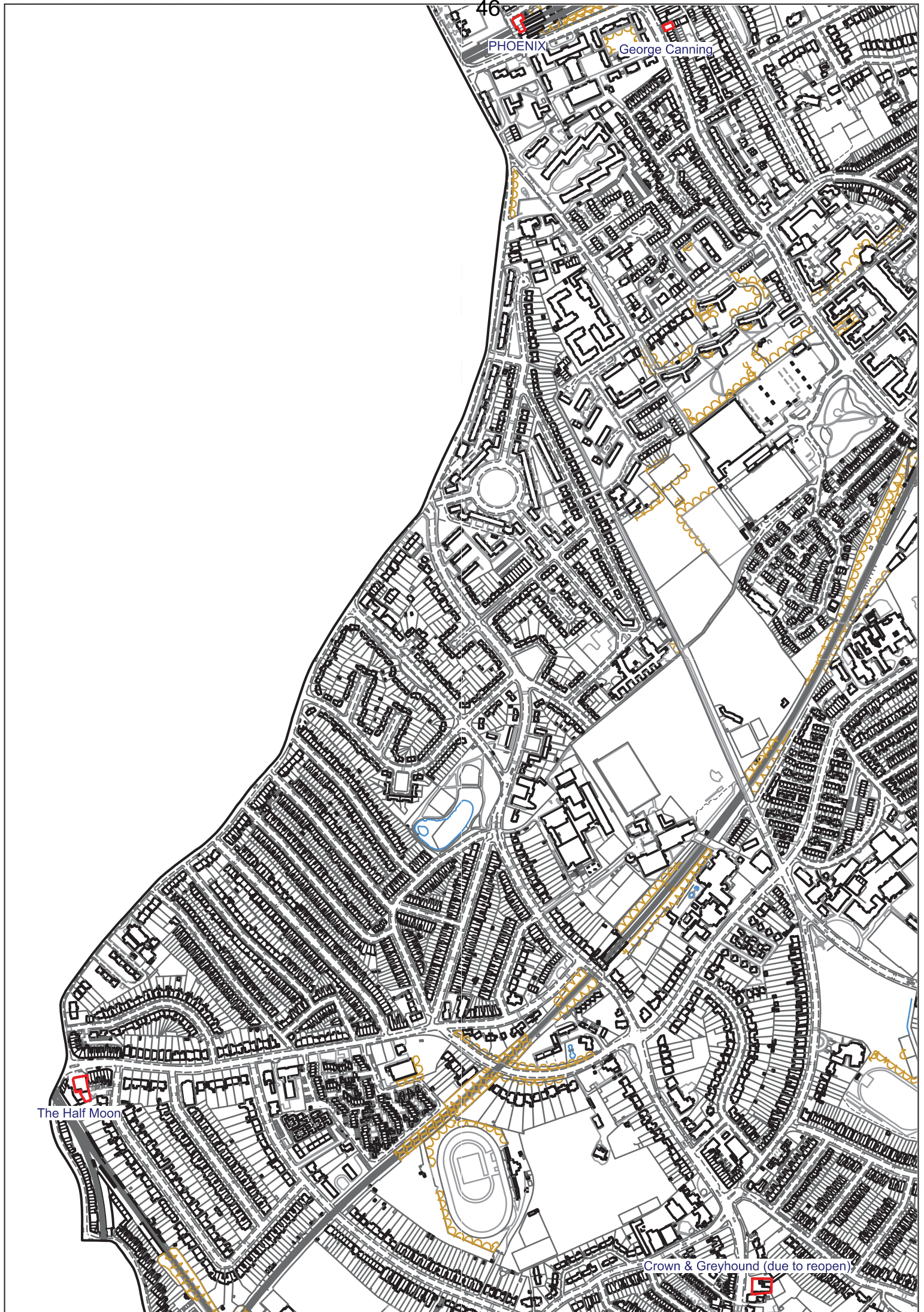
PRINCE ALBERT

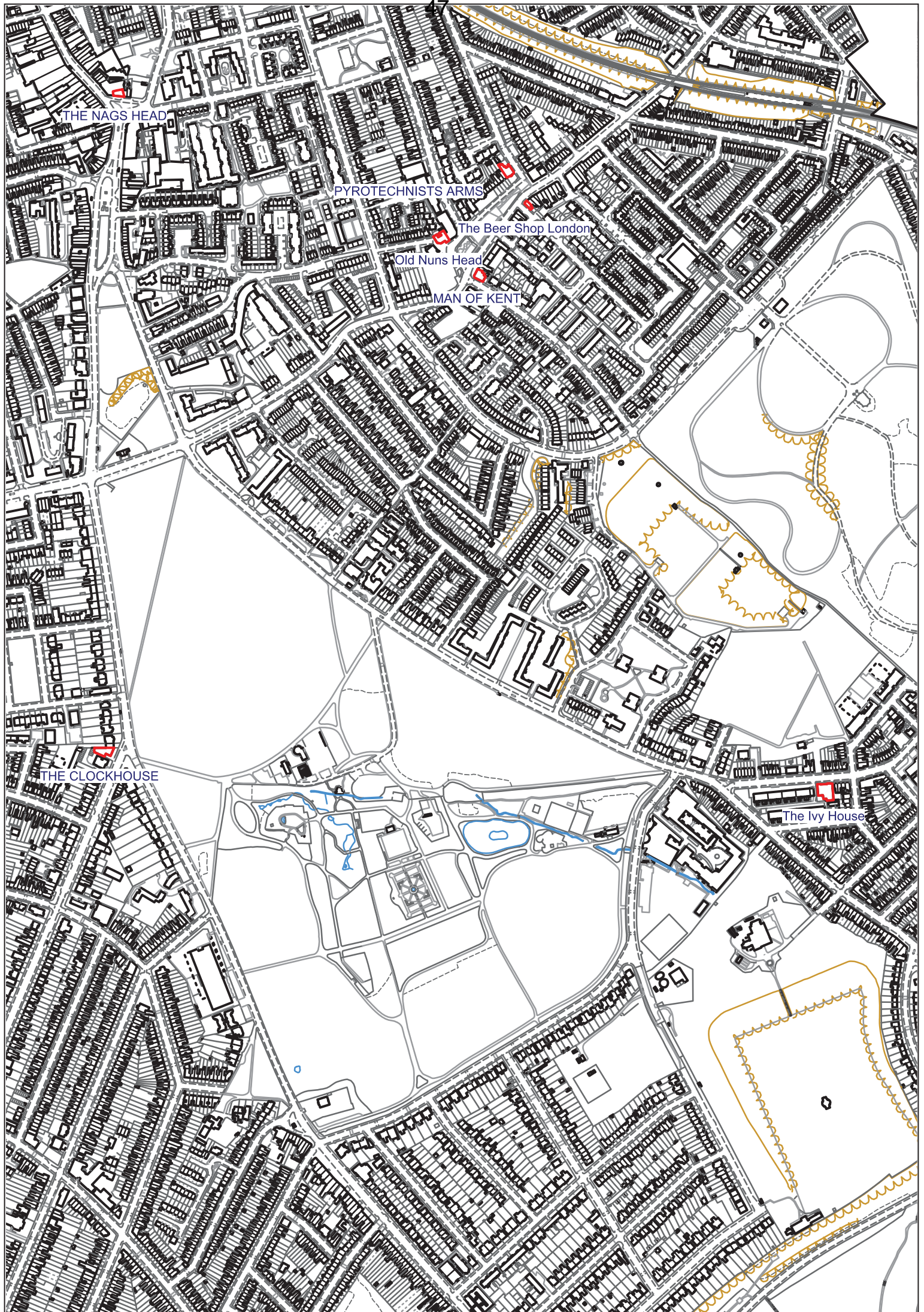
PHOENIX

George Canning

The Half Moon

Crown & Greyhound (due to reopen)





THE NAGS HEAD

PYROTECHNISTS ARMS

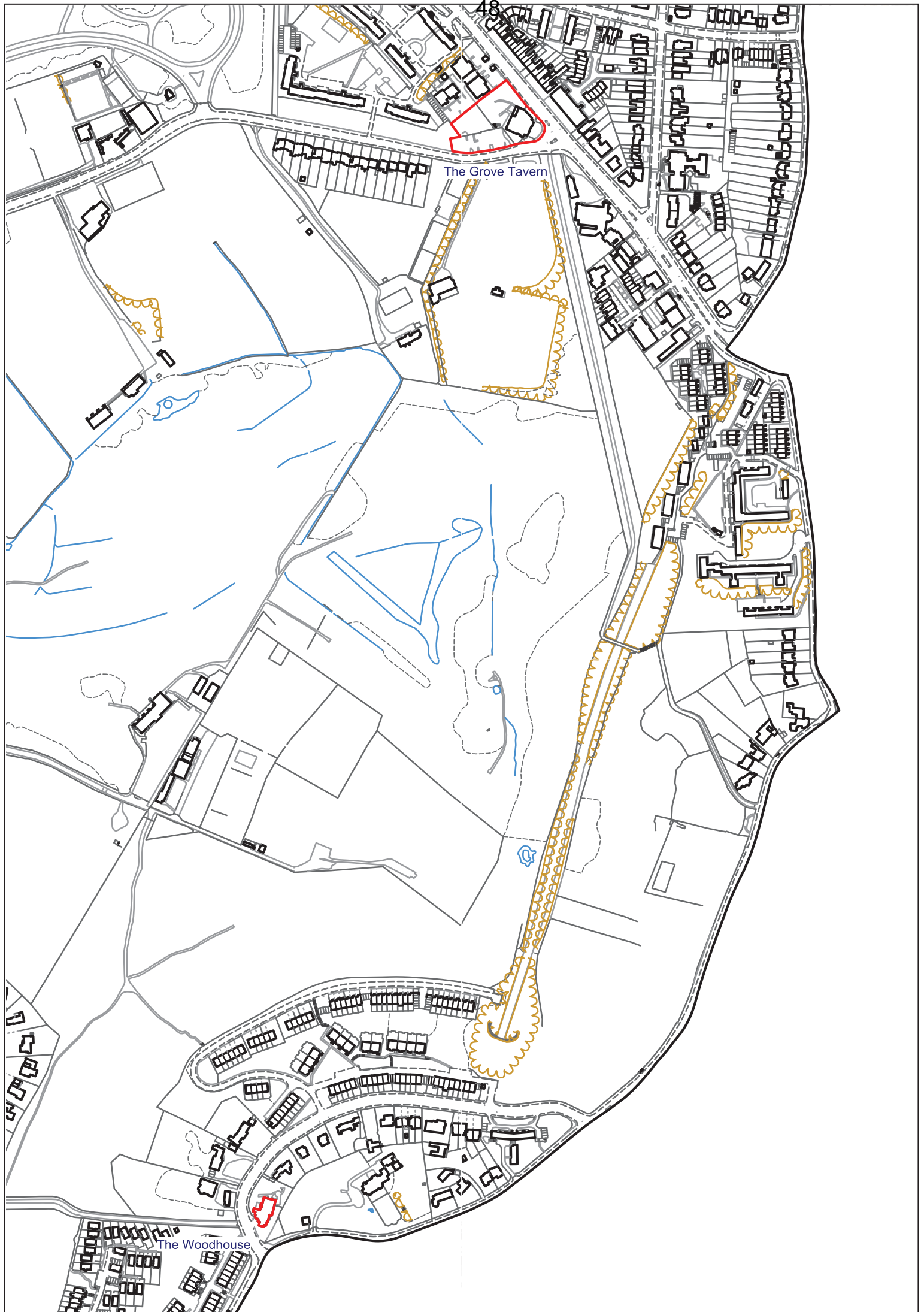
The Beer Shop London

Old Nuns Head

MAN OF KENT

THE CLOCKHOUSE

The Ivy House



The Grove Tavern

The Woodhouse

48

Article 4 Directions: Public houses

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2. Pubs subject to Article 4 Alteration only

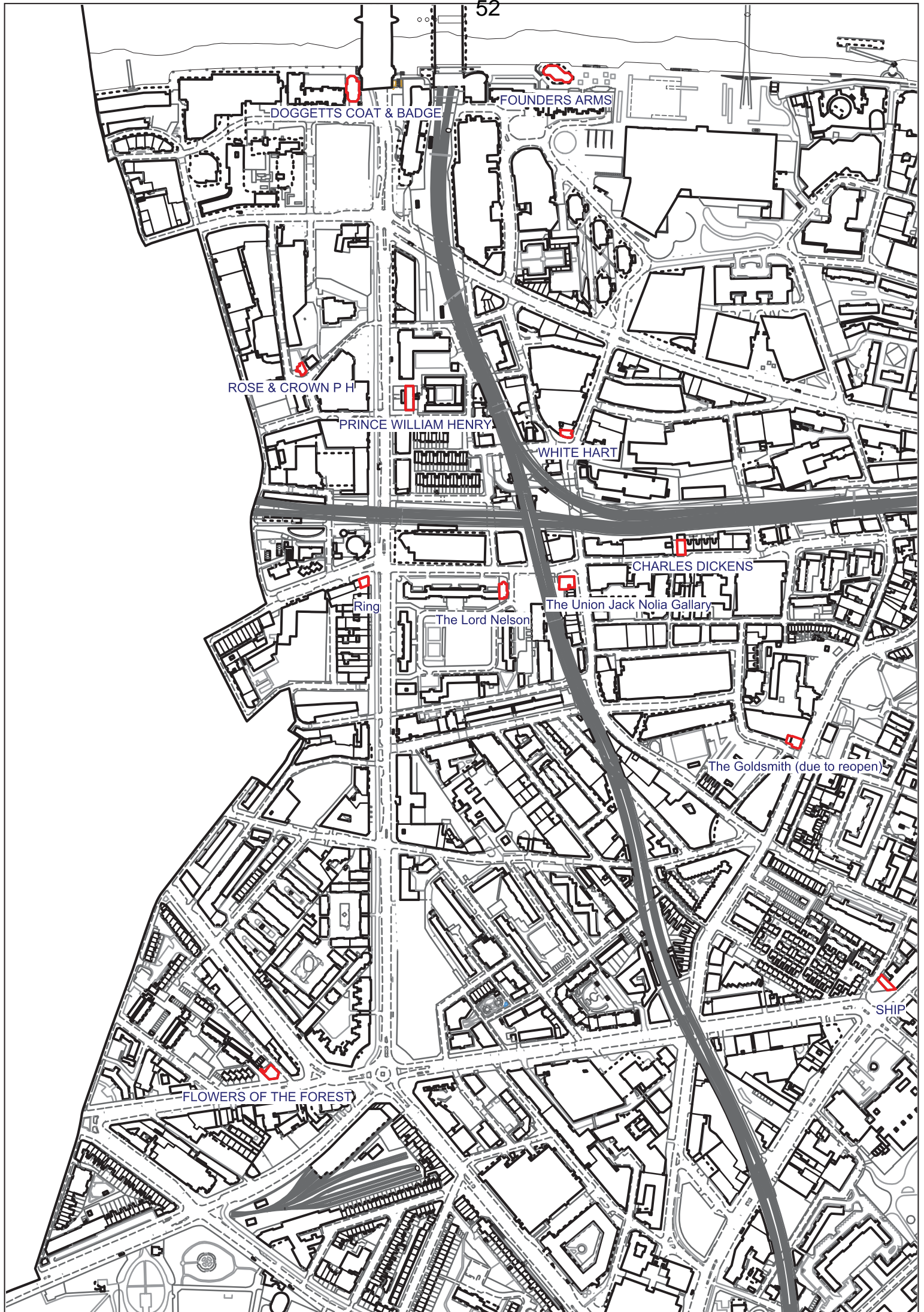


The Hartley

Article 4 Directions: Public houses

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3. Pubs subject to Article 4 Change of Use, Demolition and Alteration



DOGGETTS COAT & BADGE

FOUNDERS ARMS

ROSE & CROWN P H

PRINCE WILLIAM HENRY

WHITE HART

CHARLES DICKENS

Ring

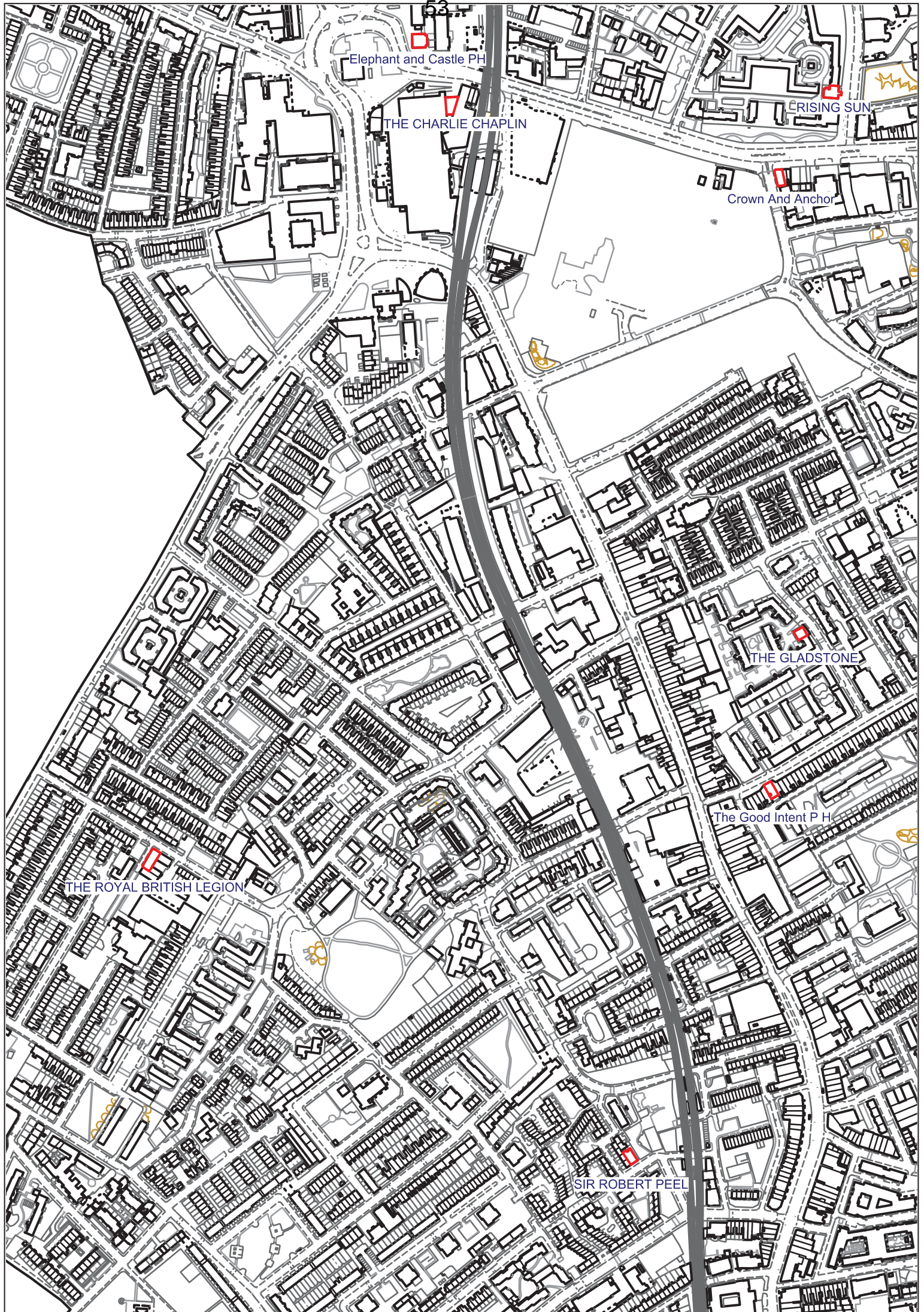
The Lord Nelson

The Union Jack Nolia Gallery

The Goldsmith (due to reopen)

FLOWERS OF THE FOREST

SHIP



53

Elephant and Castle PH

THE CHARLIE CHAPLIN

ERISING SUN

Crown And Anchor

THE GLADSTONE

The Good Intent P H

THE ROYAL BRITISH LEGION

SIR ROBERT PEEL

CANTERBURY ARMS

British Queen

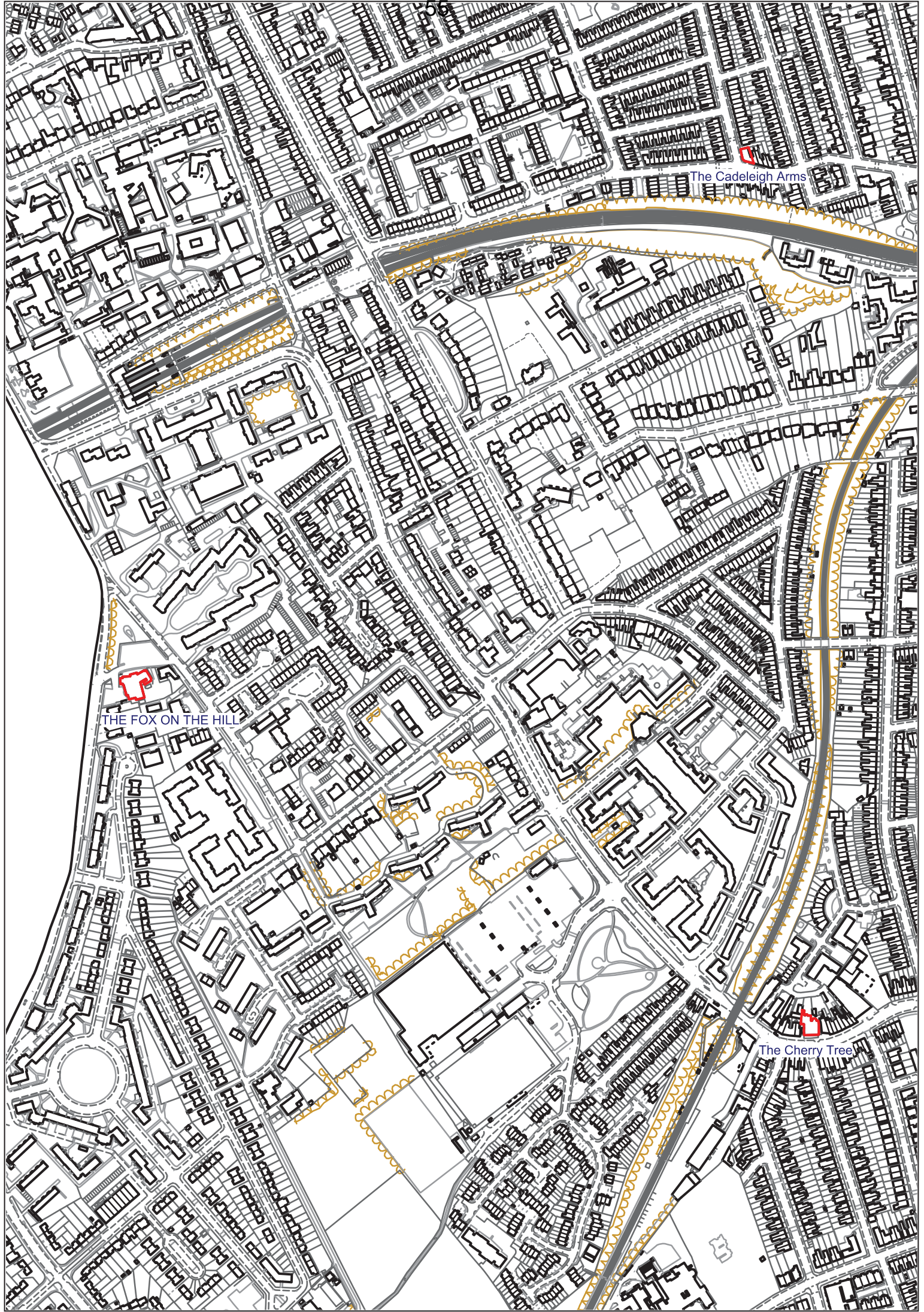
Nags Head PH

Bear (formerly Jack Beards; Station)

Stormbird

Crooked Well (formerly Kerfield)





The Cadeleigh Arms

THE FOX ON THE HILL

The Cherry Tree

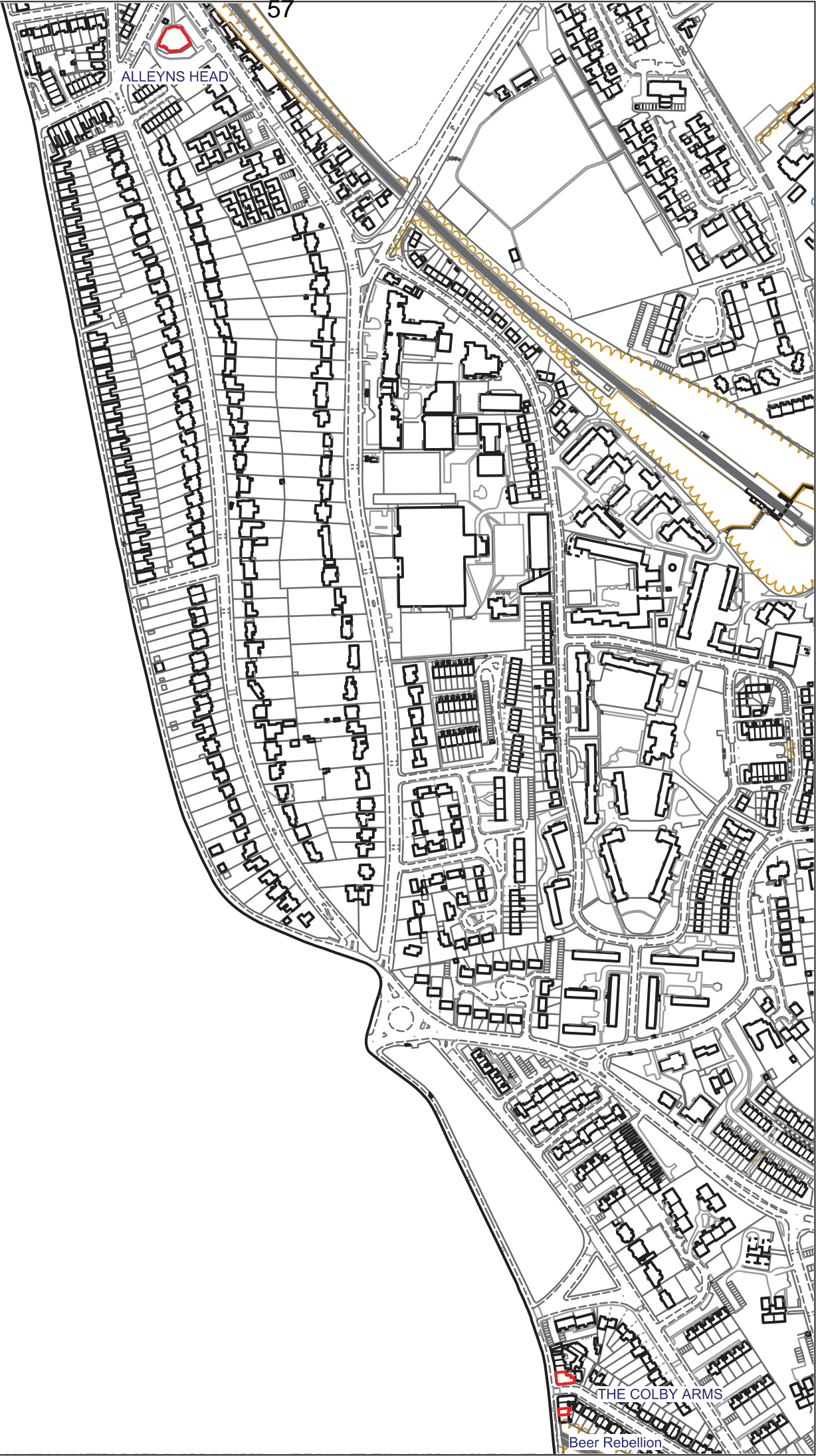


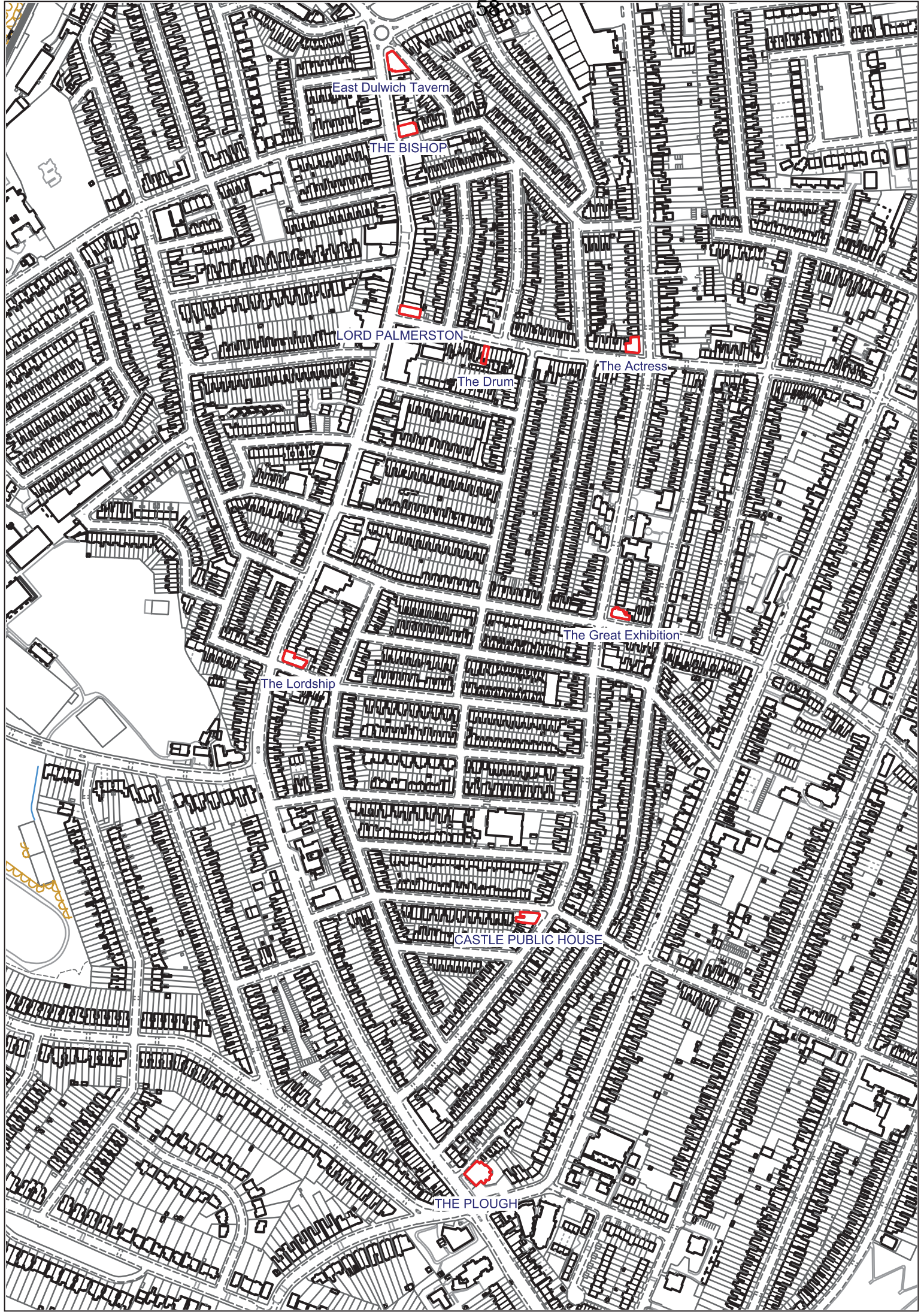
Dee Dee's Jazz and the Funk

ALLEYNS HEAD

THE COLBY ARMS

Beer Rebellion





East Dulwich Tavern

THE BISHOP

LORD PALMERSTON

The Drum

The Actress

The Great Exhibition

The Lordship

CASTLE PUBLIC HOUSE

THE PLOUGH

Clayton Arms (formerly Dolls House)

The Copper Tap at the Red Cow

THE MONTEPELIER

Victoria Inn

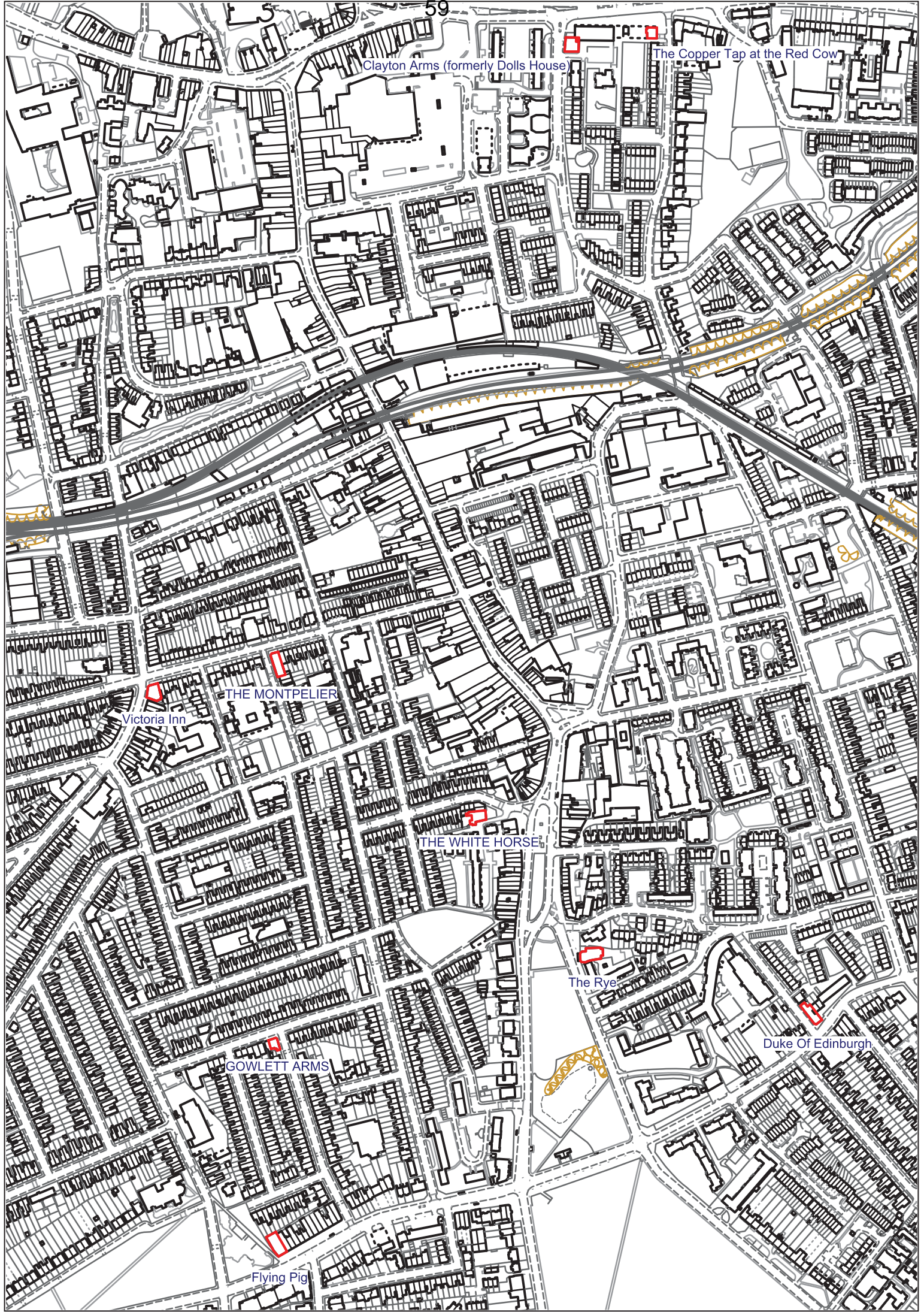
THE WHITE HORSE

The Rye

Duke Of Edinburgh

GOWLETT ARMS

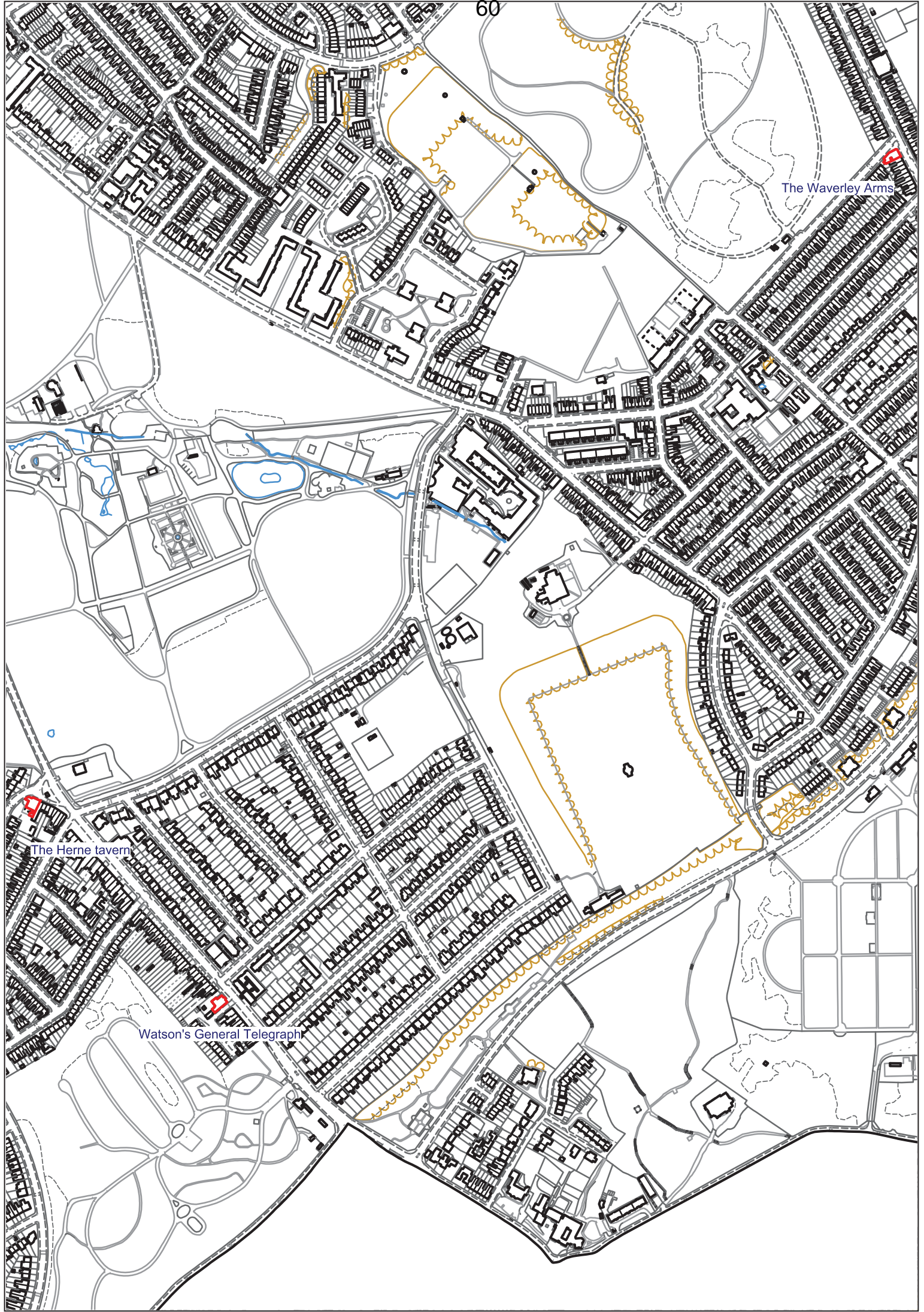
Flying Pig

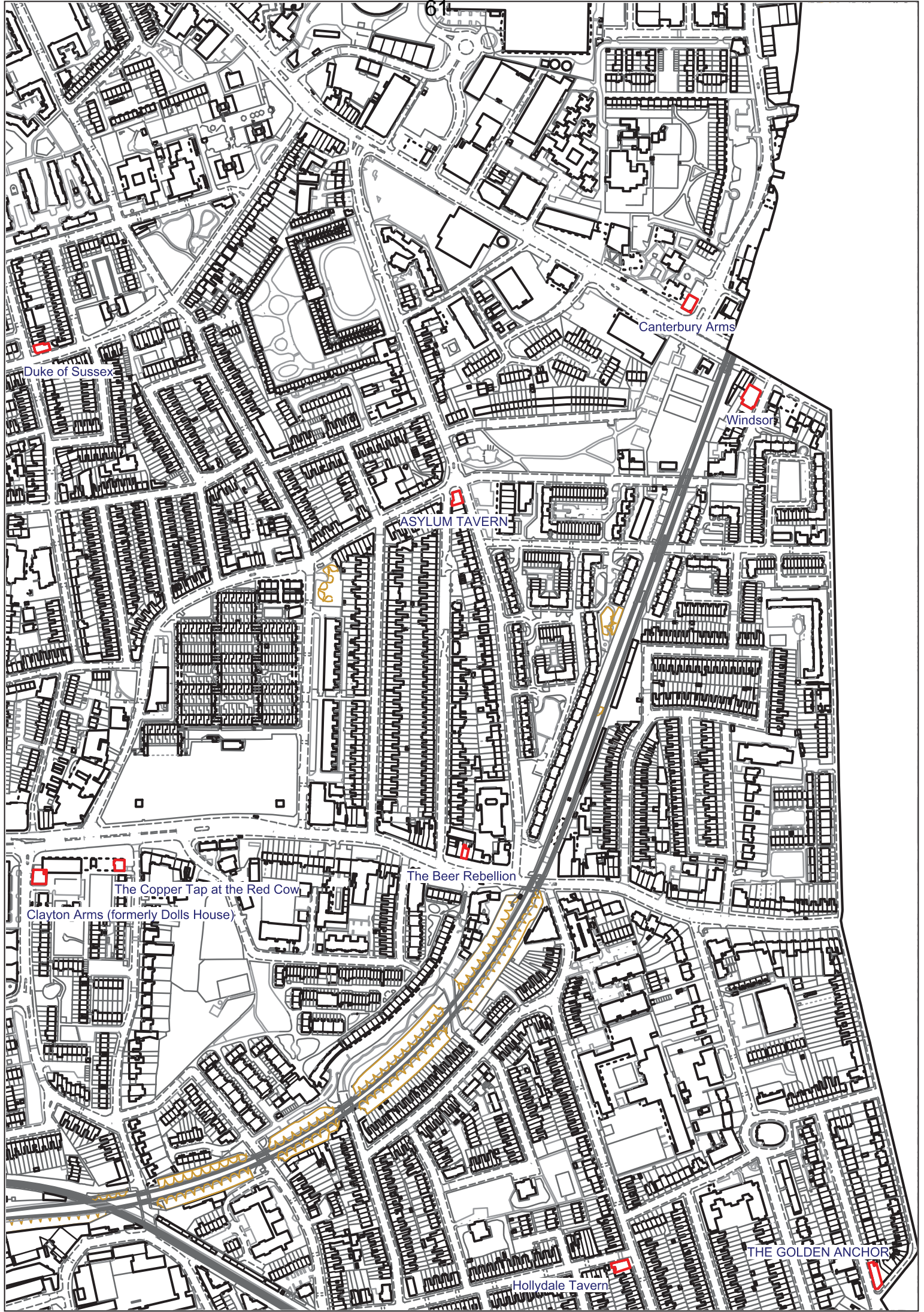


The Waverley Arms

The Herne tavern

Watson's General Telegraph





61

Canterbury Arms

Duke of Sussex

Windsor

ASYLUM TAVERN

The Copper Tap at the Red Cow

The Beer Rebellion

Clayton Arms (formerly Dolls House)

THE GOLDEN ANCHOR

Hollydale Tavern

Huntsman & Hound

Thomas A Becket

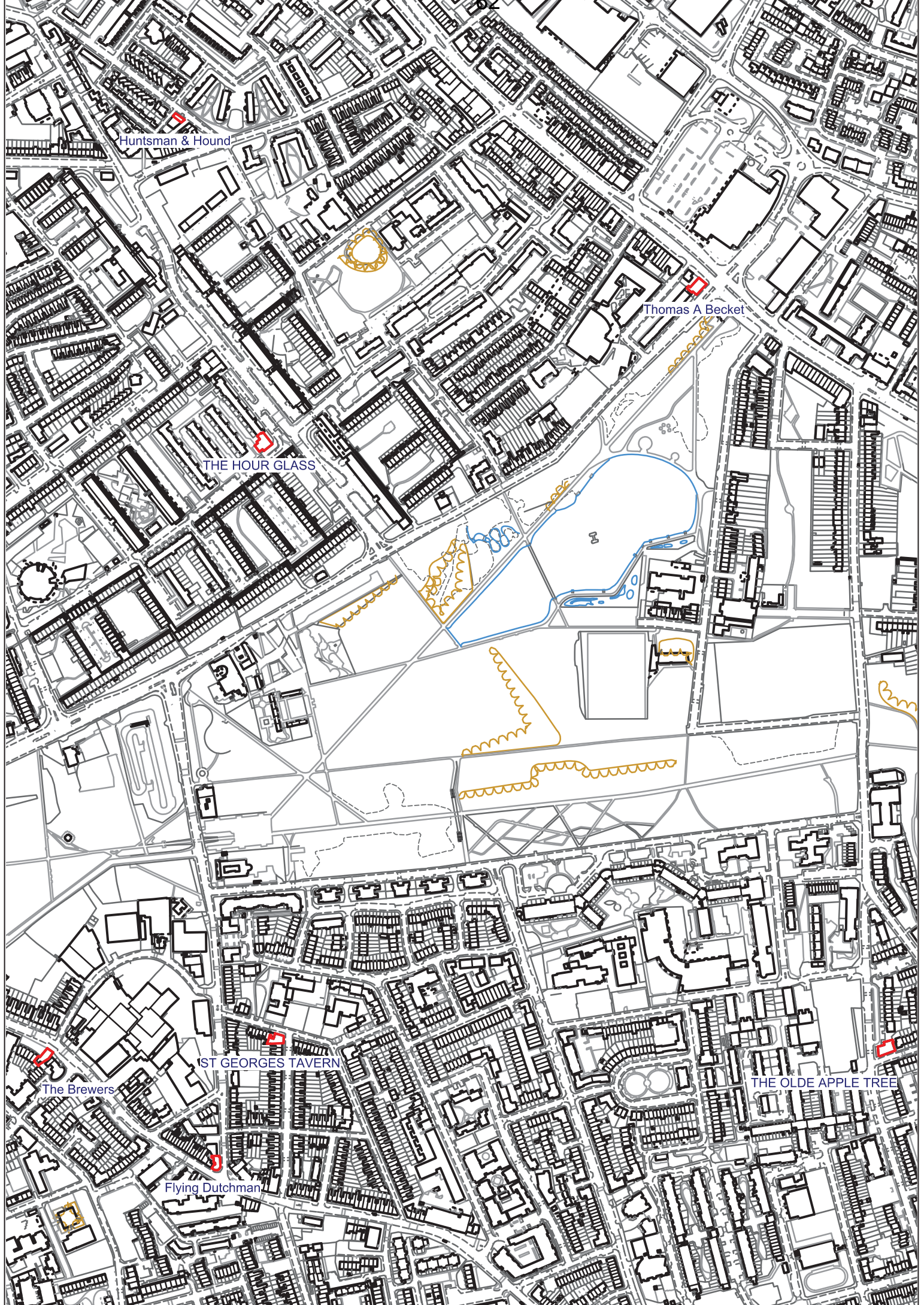
THE HOUR GLASS

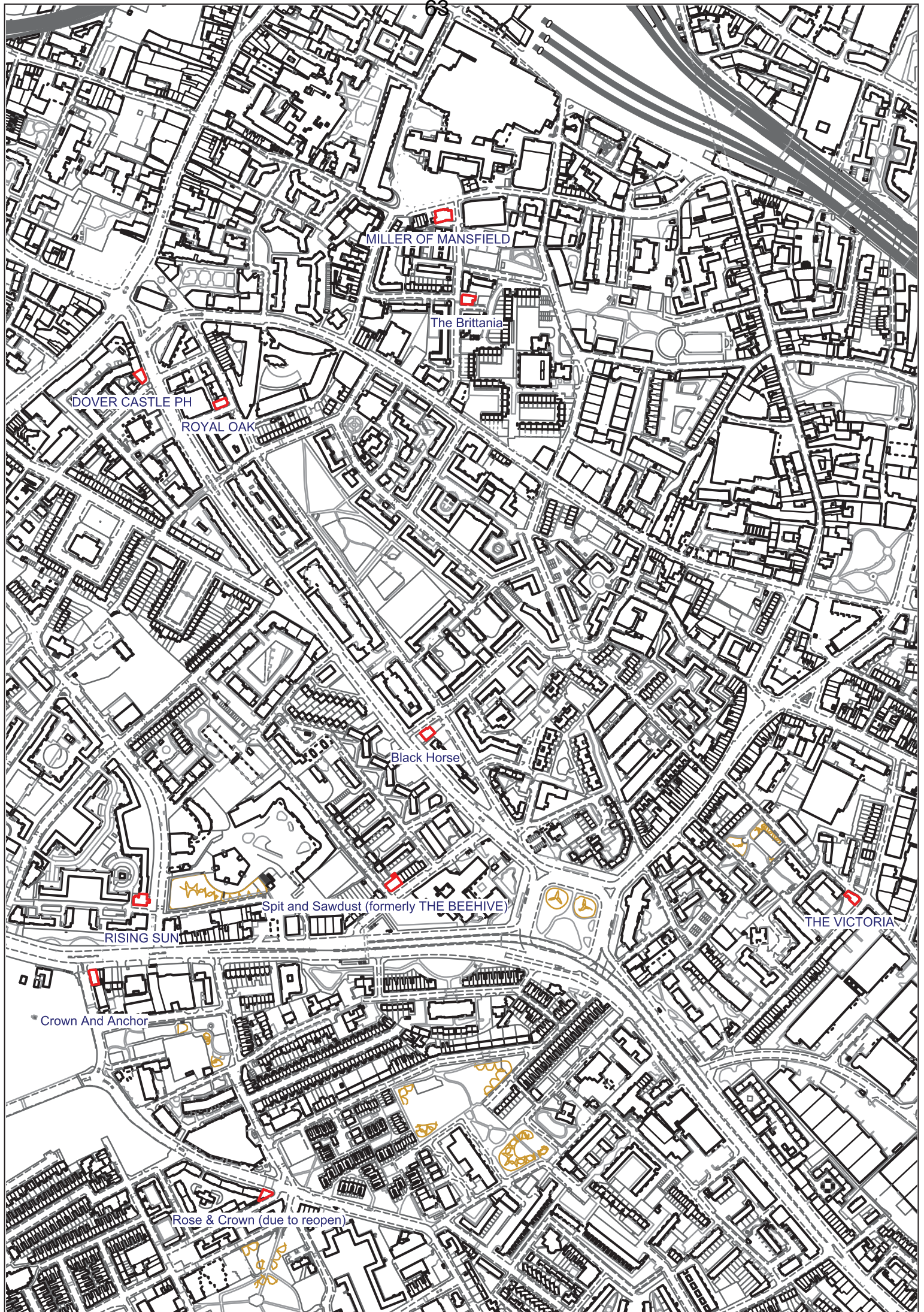
ST GEORGES TAVERN

The Brewers

Flying Dutchman

THE OLDE APPLE TREE





MILLER OF MANSFIELD

The Britannia

DOVER CASTLE PH

ROYAL OAK

Black Horse

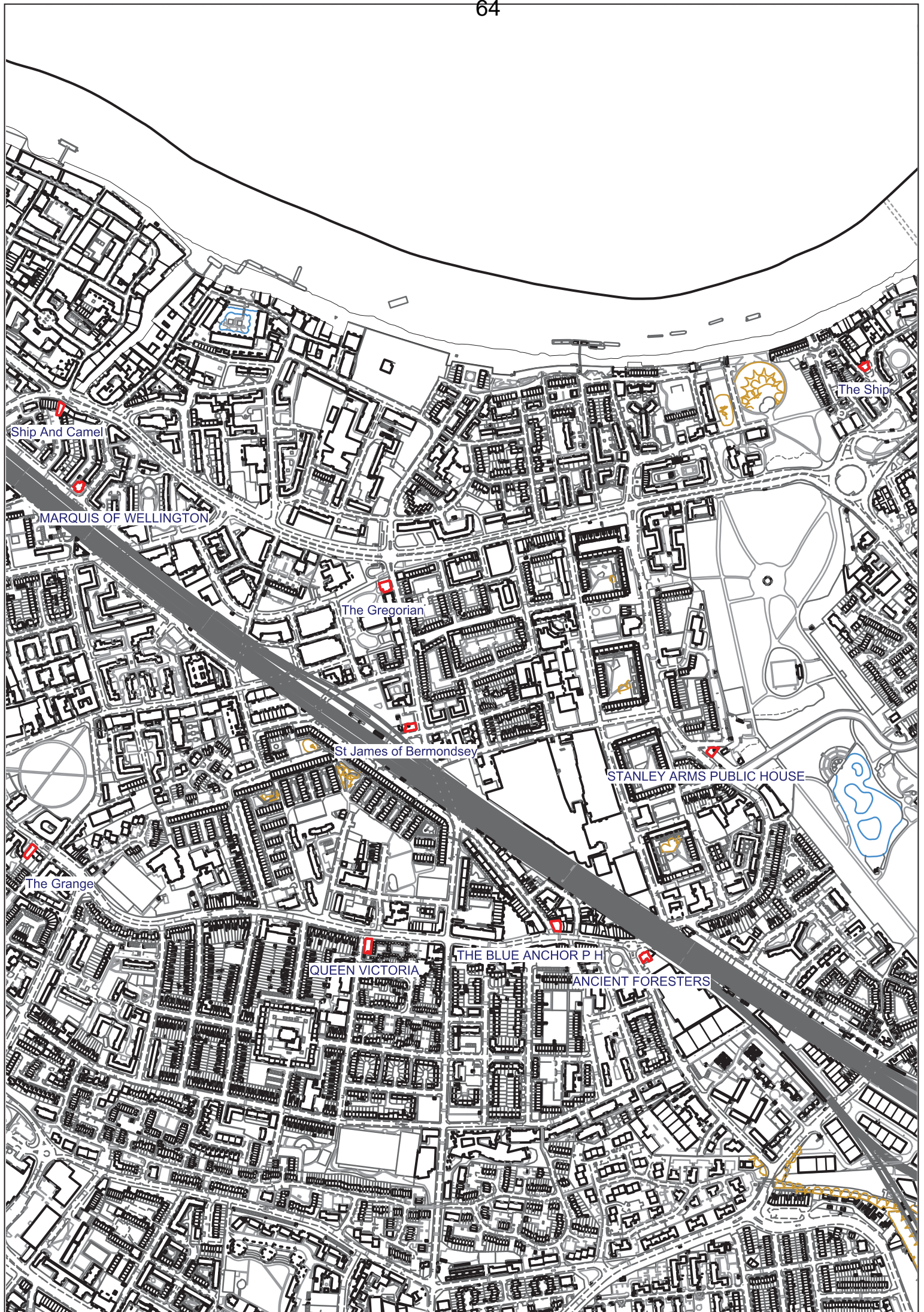
Spit and Sawdust (formerly THE BEEHIVE)

RISING SUN

THE VICTORIA

Crown And Anchor

Rose & Crown (due to reopen)



Ship And Camel

MARQUIS OF WELLINGTON

The Gregorian

St James of Bermondsey

STANLEY ARMS PUBLIC HOUSE

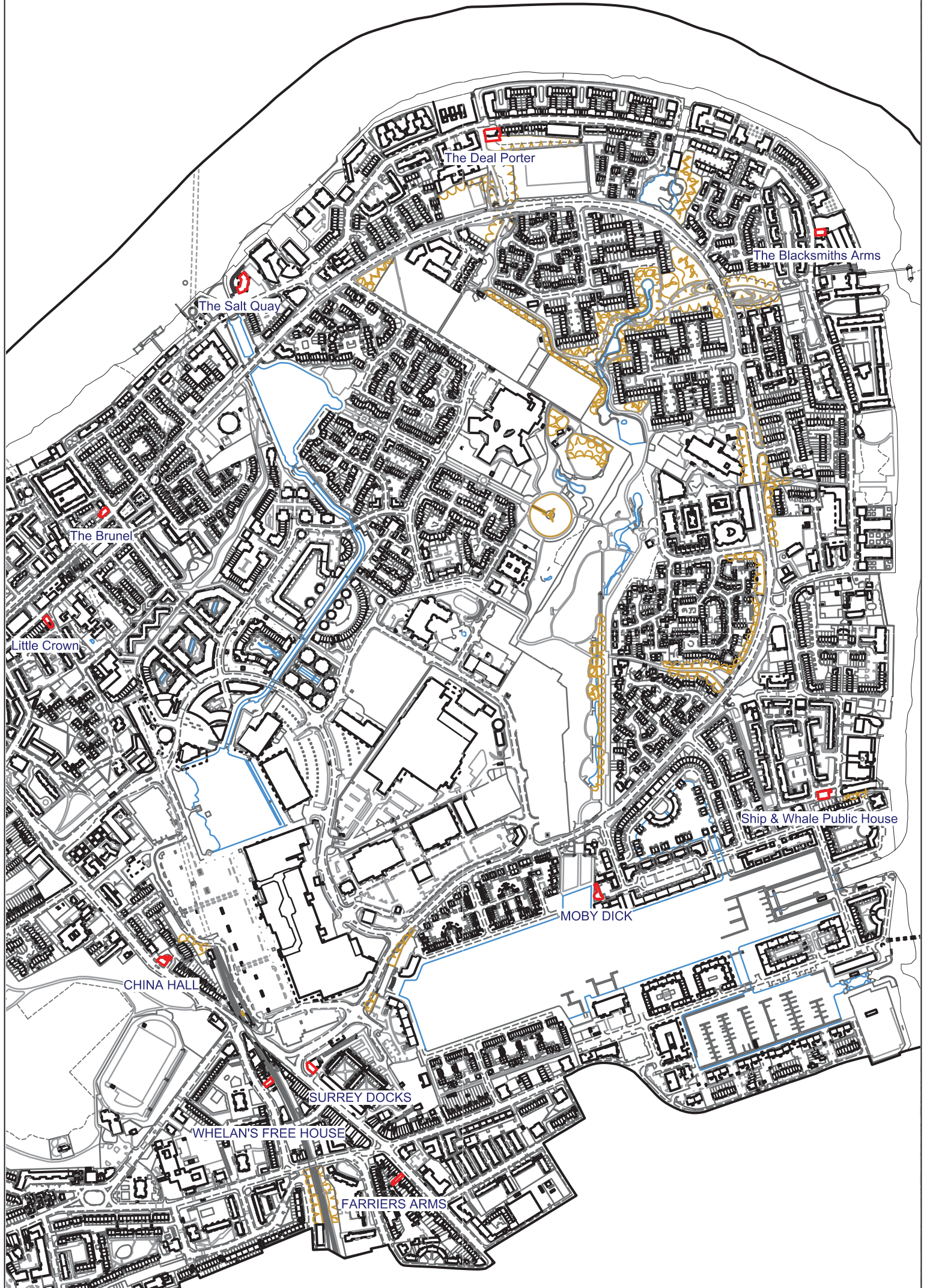
The Grange

QUEEN VICTORIA

THE BLUE ANCHOR P H

ANCIENT FORESTERS

The Ship



The Deal Porter

The Blacksmiths Arms

The Salt Quay

The Brunel

Little Crown

Ship & Whale Public House

MOBY DICK

CHINA HALL

SURREY DOCKS

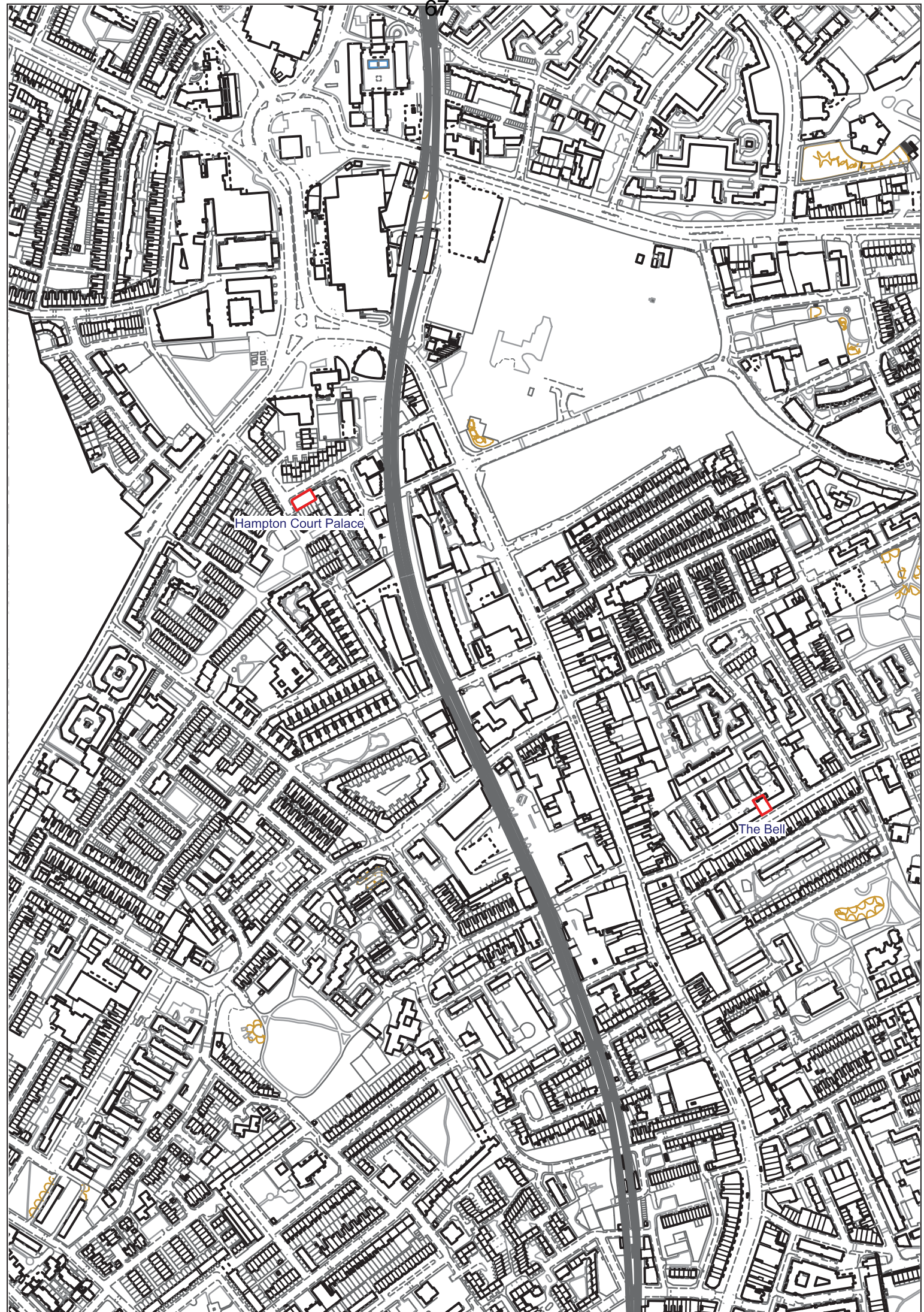
WHELAN'S FREE HOUSE

FARRIERS ARMS

Article 4 Directions: Public houses

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Appendix E	Equalities analysis

4. Pubs subject to Article 4 Demolition and Alteration only



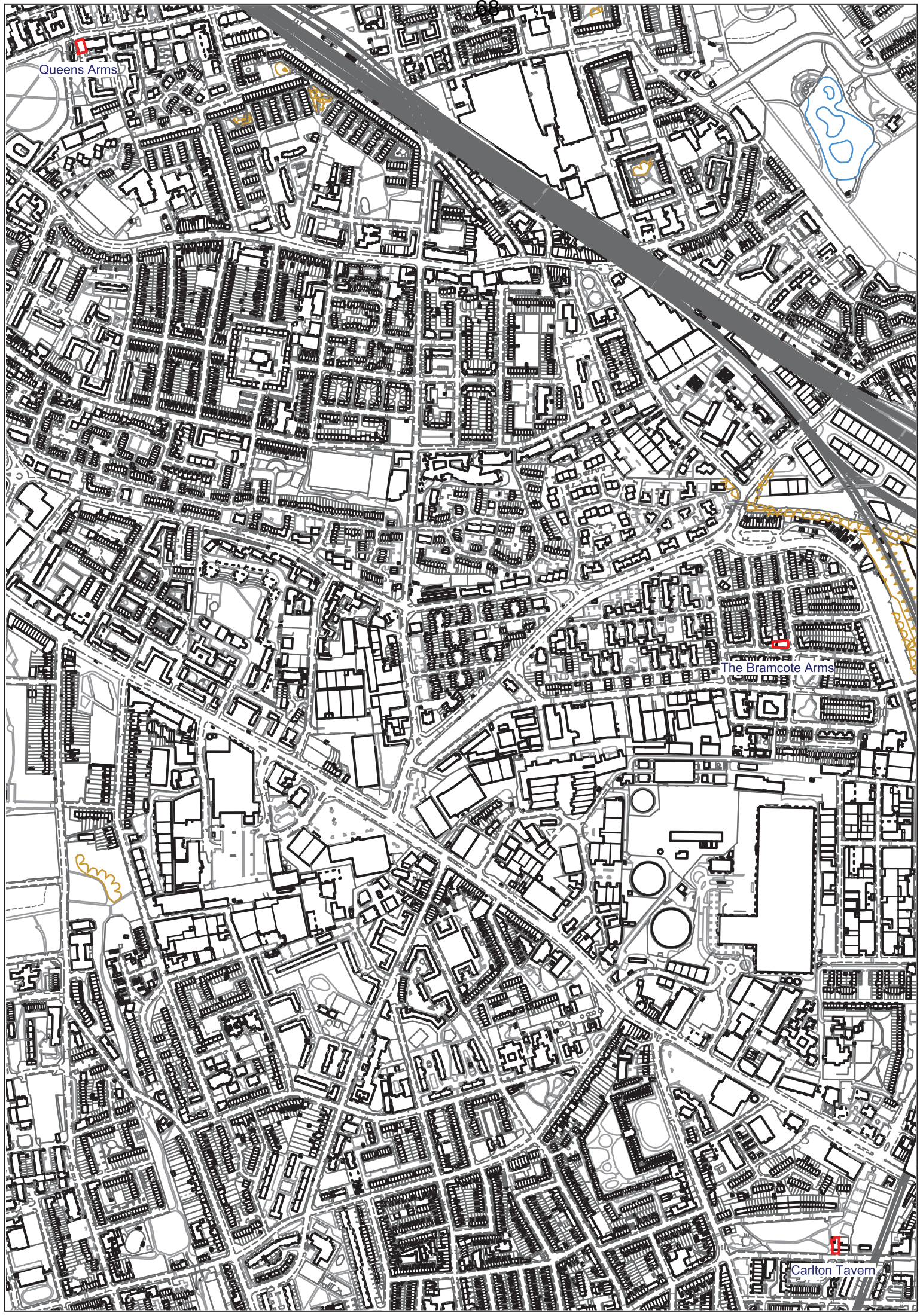
Hampton Court Palace

The Bell

Queens Arms

The Bramcote Arms

Carlton Tavern





Article 4 Directions: Public Houses

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Appendix E	Equalities Analysis
Appendix F	Consultation Report

Appendix E: Equalities Analysis

August 2017

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates		Article 4 Direction to withdraw permitted development rights associated with the change of use, demolition and alteration of public houses in Southwark			
Equality analysis author		Mark Spence			
Strategic Director:		Simon Bevan			
Department		Chief Executive	Division	Planning Policy	
Period analysis undertaken		August 2017			
Date of review (if applicable)		This updated Equalities Analysis Constitutes are review of the Equalities Analysis prepared when making the direction.			
Sign-off	Simon Bevan	Position	Director of Planning	Date	August 2017

Section 2: Brief description of policy/decision/business plan

2.1 Brief description of policy/decision/business plan

This equalities analysis report supports the report to Planning Committee on 4th September 2017 which requests confirmation of the immediate Draft Article 4 Direction introduced on 17th March 2017 to withdraw the permitted development rights granted by the General Permitted Development Order 2015 (as amended) for changes of use, demolition and alteration of public houses in Southwark.

Public houses play an important role in the community and have unique historic characteristics which should be recognised as key social, cultural and heritage assets within local neighbourhoods. Nationally, the rate of public house closure has risen steadily. This increase has been exacerbated by a number of factors including the introduction of permitted development rights which allowed public houses to be changed to alternative uses or demolished.

The Council completed an assessment of all public houses across the borough based on an analysis of licensing data and planning applications relating to public houses. There are currently 164 public houses open in Southwark today (excluding bars / other Use Class A4 drinking establishments).

In total the borough has lost a third of all public houses that were present in the borough ten years ago. Over the last ten years 79 public houses in the borough have closed down and 54 of these have subsequently been lost to demolition or change of use (see Appendix B). The council now have ten public houses which are designated as Assets of Community Value (ACVs) reflecting the aspiration from the local community to protect local public houses from redevelopment or change of use.

A Local Planning Authority (LPA) may introduce an Article 4 Direction to remove permitted development rights where the impact of development brought forward under provisions in the General Permitted Development Order (GDPO) (2015) (as amended) cause harm.

The Planning Committee resolved to make an Immediate Article 4 Direction to protect traditional public houses across the borough in recognition of their unique community and historic value. The Immediate Article 4 Direction: Public Houses; came into effect on 13th March 2017 and relates to development consisting of the change of use, demolition or alteration of public houses in respect of:

- General Permitted Development Order 2015 (as amended)
- Schedule 2, Part 2, Class A and Class C (alteration or construction of any means of enclosure or any exterior painting)
- Schedule 2, Part 3, Class A and Class B (changes of use to shops (A1), financial and professional services (A2), restaurants or cafes (A3))
- Schedule 2, Part 11, Class B and Class C (demolition of buildings or means of enclosure).

Section 3: Overview of service users and key stakeholders consulted

3. Service users and stakeholders	
Key users of the department or service	Planning is a statutory function carried out by local authorities. The development of planning policies and the impacts of planning decisions can affect everyone with an interest in land in the borough. This can include residents, landowners, developers, local businesses and their employees, community organisations, statutory consultees and interest groups.
Key stakeholders were/are involved in this policy/decision/business plan	<p>Key stakeholders involved in this proposal include:</p> <p>Cabinet Member for Regeneration and New Homes, Southwark Councillors, Overview and Scrutiny Committee, Development Management and Planning Policy officers, Property division, Southwark Health and Well-being Working Group.</p> <p>The Development Management team will be responsible for monitoring the Article 4 Directions and to determine any subsequent planning applications submitted for change of use.</p> <p>The Planning Policy team have received corporate equalities training and Equalities Analysis report writing training. A number of the service deliverers within the Council will also have received corporate equalities training.</p>

Section 4: Pre-implementation equality analysis

This section considers the potential impact (positive and negative) of the proposals on the key 'protected characteristics' in the Equality Act 2010 and Human Rights Act. The Planning Committee report sets out detail on the local data and other equality information on which the analysis is based and mitigating actions to be taken.

The confirmation of the Article 4 Directions does not have a direct impact on any groups with protected characteristics. Decisions on planning applications made as a result of the direction may have a potential impact on certain protected characteristics.

It is considered however that the effect of the direction will promote good relations between people who do not share the protected characteristic and those who do, in that it is likely to result in a more balanced and mixed community.

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Potential impacts (positive and negative) of proposed policy/decision/business plan
<p>The confirmation of the Article 4 Directions and the requirement for planning permission is to help prevent the loss of public houses as heritage and community assets in the borough.</p> <p>Public houses often provide a number of community benefits and act as a social hub for residents in the local area. Pubs often host events, games, sports clubs, live music and live sport. They act as landmark buildings in the neighbourhood context and often have a rich history and architectural value. Public houses contribute to the vitality and viability of town centres, offering complementary services to the retail environment and the evening economy.</p> <p>Whilst drinking alcohol in public houses is legal only for those over the age of 18, many pubs now focus on family friendly dining, private family functions, children's play areas and outside terraces suitable for all ages. Additionally adults benefit from the sense of community and social interactions that pubs can offer, particularly where they host sports clubs, games, events and live music.</p> <p>The Article 4 Directions will help to ensure that a key part of community infrastructure is maintained in the borough which supports the needs of all age groups in society. Overall there will be a positive impact on for all age groups.</p>
Equality information on which above analysis is based
<p>This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.</p>
Mitigating actions to be taken
<p>The above analysis highlights that the implementation of the Article 4 Direction will largely give rise to positive impacts.</p>

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>The confirmation of the Article 4 Directions and the requirement for planning permission is to help prevent the loss of public houses as heritage and community assets in the borough. Local pubs, particularly those in neighbourhood focal points, act as local community facilities which benefit all groups, including those with physical or mental disabilities.</p>
Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Gender reassignment - The process of transitioning from one gender to another.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No identifiable impacts are identified on this group as a result of confirmation of the Article 4 Directions.

The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.

Equality information on which above analysis is based.

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman' or between two persons of the same sex. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**

Possible impacts (positive and negative) of proposed policy/decision/business plan

No identifiable impacts are identified on this group as a result of the confirmation of the Article 4 Directions.

The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.

Equality information on which above analysis is based
This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
Mitigating actions to be taken
The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Possible impacts (positive and negative) of proposed policy/decision/business plan
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 Directions.
The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.
Equality information on which above analysis is based
This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
Mitigating actions to be taken
The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

<p>Possible impacts (positive and negative) of proposed policy/decision/business plan</p>
--

<p>Public houses often provide a number of community benefits and act as a social hub for residents in the local area. Public houses contribute to the vitality and viability of town centres, offering complementary services to the retail environment and the evening economy. Some public houses celebrate particular sectors of the community through food menus, music or events, open to all, and may be popular with specific ethnic groups. The loss of pubs as community assets or meeting places may have a negative impact on particular community or ethnic groups.</p>
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<p>The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.</p>
--

<p>Equality information on which above analysis is based</p>

<p>This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.</p>

<p>Mitigating actions to be taken</p>
--

<p>The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.</p>
--

<p>Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</p>
--

<p>Possible impacts (positive and negative) of proposed policy/decision/business plan</p>
--

<p>No identifiable impacts are identified on this group as a result of the confirmation of the Article 4 Directions.</p>
--

<p>The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.</p>
--

<p>Equality information on which above analysis is based</p>

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Sex - A man or a woman.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No identifiable impacts are identified on this group as a result of the confirmation of the Article 4 Directions.

The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.

Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Possible impacts (positive and negative) of proposed policy/decision/business plan

Public houses often provide a number of community benefits and act as a social hub for residents in the local area. Public houses contribute to the vitality and viability of town centres, offering complementary services to the retail environment and the evening economy. Some public houses celebrate particular sectors of the community which may include the LGBTQ+ community. The loss of pubs as community assets or meeting places may have a negative impact on people with this protected characteristic.

The Article 4 Directions will help to ensure that public houses offering heritage and community assets in the borough are maintained. Overall there will be a positive impact on for all equality groups.

Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

The above analysis highlights that the implementation of the Article 4 Directions will largely give rise to positive impacts.

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

Possible impacts (positive and negative) of proposed policy/decision/business plan

The Council has carefully considered the balance to be struck between individual rights and the wider public interest. The rights of those affected by the proposed Article 4 Directions have been considered under the Human Rights Act 1998 and it has been determined that none of the Articles will be triggered.

Information on which above analysis is based

Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various Convention rights may be engaged in the process of making and considering the Article 4 Directions, including under Articles 1 and 8 of the First Protocol. The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”. Both public and private interests are to be taken into account in the exercise of the Council’s powers and duties as a local planning authority. Any interference with a Convention Right must be necessary and proportionate.

Mitigating actions to be taken

N/A

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key areas identified as requiring more detailed analysis or key mitigating actions.			
Number	Description of Issue	Action	Timeframe
1	<p>This equalities analysis assesses the impact of confirming the Article 4 Direction on protected characteristics. The decision to introduce the Direction was made in March 2017. No issues relating to equalities have been raised during consultation.</p> <p>Guidance suggests that the need and effectiveness for Article 4 Directions should be monitored at regular intervals. This would be subject to committee approval but would suggest a yearly review is appropriate. This does not need to be reflected in any recommendations at this stage.</p>	Tbc	Tbc

Appendix F: Consultation Report

August 2017

Article 4 Direction: Public Houses

Consultation Report

No.	Title
Appendix A	Article 4 Directions to withdraw Permitted Development Rights granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
Appendix B	Map of open and closed pubs in Southwark
Appendix C	Schedule of pubs subject to the Article 4 Direction
Appendix D	Maps of public houses subject to the Article 4 Direction
Appendix E	Equalities analysis
Appendix F	Consultation Report

Consultation report on the representation period for the Article 4 Direction to remove Permitted Development rights associated with public houses.

For:

Confirmation of Article 4 Direction to withdraw the permitted development rights granted under the General Permitted Development Order 2015 (as amended)

August 2017

Introduction

1. This report sets out the consultation the council undertook as a result of introducing the Immediate Article 4 Direction to remove permitted development rights associated with public houses with respect to:
 - General Permitted Development Order 2015 (as amended)
 - Schedule 2, Part 2, Class A and Class C (alteration or construction of any means of enclosure or any exterior painting)
 - Schedule 2, Part 3, Class A and Class B (changes of use to shops (A1), financial and professional services (A2), restaurants or cafes (A3))
 - Schedule 2, Part 4, Class D (change of use to business (B1) for 2 years)
 - Schedule 2, Part 11, Class B and Class C (demolition of buildings or means of enclosure).
2. Permitted development rights fall under the General Permitted Development Order 2015 (as amended).

Background information

3. The Article 4 Direction: Public Houses was introduced on 17th March 2017. The Direction was introduced as an “immediate” Direction which meant that following the decision to introduce the Direction at planning committee, as soon as practicable the Directions would be introduced. This would enable the impacts of the previously permitted development right to be curtailed as soon as possible.
4. Introduction of the Direction curtails impacts brought about by the change of use, demolition or alteration to public houses carried out under permitted development. These applications must then be assessed against the policies in the development plan and any supporting guidance. Policies in the development plan and any supporting guidance.
5. The Council completed an assessment of public houses across the borough based on an analysis of licensing data and planning applications relating to public houses. There are currently 164 public houses open in Southwark today (excluding bars / other Use Class A4 drinking establishments).
6. Public houses play an important role in the community and have unique historic characteristics which should be recognised as key social, cultural and heritage assets. In total the borough has lost a third of all public houses that were present in the borough ten years ago. Over the last ten years 79 public houses in the borough have closed down and 54 of these have subsequently been lost to demolition or change of use. Negative impacts resulting from the loss of public houses are explored in further detail below.
7. The Planning Committee resolved to make an Immediate Article 4 Direction to protect traditional public houses across the borough in recognition of their unique community and historic value. The Direction came into effect on the 17th March 2017.
8. Any Article 4 Direction introduced by a Local Planning Authority (LPA) requires a minimum 21 days statutory representation period to enable representations to be submitted and considered by the council in making the Direction. For immediate Article 4 Directions the representation period happens alongside the introduction of the Direction itself, and representations received are considered when deciding to “confirm” the

Direction. Introducing an immediate Direction has other implications related to compensation claims. These implications are explored in the committee report to which this consultation report is appended. Following the statutory 21 days minimum representation period the council is obliged to consider all responses received during the period and make a decision as to whether “confirm” the direction. This decision must be taken within six months of the Direction being introduced. Should a decision not be taken to do this the immediate Direction introduced will lapse.

Consultation undertaken

9. The representation period on the Article 4 Direction: Public Houses complied with the provisions set out under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and ran from 16th March to 27th April. Notice of the direction was made by:
 - Local advertisement in Southwark News (local press) on the 16th March 2017.
 - Mail-out to 4,000+ email addresses to the council’s planning policy consultation notification mailing list.
 - Article 4 Direction council webpages updated with relevant information on the Direction, the representation period, the planning committee report and other supporting documents available to view and download
 - Online Consultation Hub page which provided information on the Direction and a portal for submitting representations.

10. Initial communications for the representation period expressed a deadline for 27th April 2017, equating to a six week period from when the Direction was introduced on 13th March 2017. In practice, however, the council accepted late representations.

Summary of responses received

11. Across the representation period the council received 37 responses to the introduction of the Article 4 Direction. Of these:
 - 32 were in support of the Direction (see paras 13 – 18 below)
 - Five objected to the Direction (see paras 19 – 22)
 - None have been discounted as N/A

12. The responses mainly comprised of issues and points which are relevant in deciding whether to confirm the Direction. The issues and points raised have been carefully considered and have informed the recommendation to confirm the Direction in the planning committee report to which this consultation report is appended. Where an issue raised through a representation was not considered relevant to the confirmation of the Direction it has not informed the recommendation. These instances have been noted within this report, including in section 17 below, in the summary tables in Appendices F1-F2, as well as within section 67 of the planning committee report.

Supporting representations - Summary

13. Of the 32 supporting representations received during the period 28 were received by individuals acting on their own behalf. Four representations were received from organisations.
14. Reasons given in support of the Article 4 Direction include concern at the loss of public houses across the borough and the impact this is having on community cohesion, local distinctiveness and the preservation of local heritage assets. 17 responses were generally supportive of the Article 4 Direction: Public Houses.
15. In support of the Article 4 Direction respondents identified impacts due to the loss of public houses as including:
- The loss of public houses resulting in the loss of local community hubs which support social and community cohesion.
 - The loss of public houses contributing to a sense of diminishing local character and distinctiveness.
 - The loss of public houses which in and of themselves are frequently valuable heritage assets offering significant historic value.
16. Each of these points have been duly noted and considered in the report to planning committee recommending confirmation of the Direction. A further, more detailed breakdown of the supporting responses received can be found in Appendix C1 starting on page 10.

Issues raised by supporters – not considered

17. Points in the supporting representations were raised which are potentially related to and/or associated with the Article 4 Direction: Public houses. However, the issues described arise as a result of activity outside of the scope of the Article 4 Direction: Public houses. Therefore they cannot be considered in the decision to confirm the Direction. These include:
- Suggestion that the council will not prevent the loss of public houses to residential or other uses not protected by the Article 4 Direction: Public houses.
 - Response: The Council has powers to revoke permitted development rights by applying an Article 4 Direction. It is not possible to prevent the change of use, demolition or alteration to use classes which are not considered by the GDPO, 2015 (as amended).
18. Other issues not considered to be relevant to any of the above, nor in informing the recommendation to confirm the Direction itself, are noted in the “Other” column within Appendix C1.

Objecting representations – Summary

19. During the representation period there were five responses which objected to the introduction of the Article 4 Direction: Public Houses. The following is a summary of the

points raised by the objectors. The council's response to each point raised by objectors can be found Appendix C2 on page 15.

20. Four of the objections were received from individuals:

- Considers the council unwarranted in protecting pubs, if, as is the case nationally, demand for drinking in pubs is in decline. Raises concerns about the social and health problems arising from drinking in pubs.
- Concerned that the Council should not be spending tax money on a form of positive discrimination.
- Considers Article 4 Direction unnecessary. If pubs are unviable then they should be used to fulfil housing needs.
- Generally Unsupportive. Considers pubs an obsolete relic.

21. The fifth objection was submitted on behalf of Rocco Homes. The points raised in their representation can be summarised as follows:

- Justification for the Article 4 Direction is not particularly strong. It is highlighted that the committee report states 54 pubs have been lost over the past ten years to change of use or demolition although there is no analysis as to the reasons for this, including acknowledgment that this may be due to over supply.
- Government guidance is clear that Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area. This requires a geographic analysis of availability and type of local house by area which has not taken place.
- There is no published, in-depth analysis of individual pubs. The report states that this has been undertaken but all that is available as a public document is cursory information provided in a tabulated format with no proper analysis undertaken.
- By removing PD rights from public houses, there may also be unintended consequences which could cause further difficulties to a sector already facing challenges to operating viability. For example, new operators may be discouraged from taking on struggling establishments if they do not have a fall back option of PD rights.

22. Each of the above points raised relevant to the confirmation of the Direction have been carefully considered in the planning committee report to which this consultation report is appended and responded to in Appendix C2.

Responses not considered

23. All of the responses received have been considered in paragraphs 17-22.

Conclusions

24. As a result of the representation period which followed the introduction of the Article 4 Direction on 17th March 2017, the council received 37 responses. 32 supporting representations raised issues around the need to protect public houses including:

25. The loss of public houses resulting in the loss of local community hubs which support social and community cohesion.
26. The loss of public houses contributing to a sense of diminishing local character and distinctiveness.
27. The loss of public houses which in and off themselves are frequently valuable heritage assets offering significant historic value.
28. The objectors raise points which, where relevant, the planning committee report considers carefully in informing the recommendation. Responses are provided in Appendices C1 and C2 below.

Appendix A – Press advertisement scan published in Southwark News

38 PUBLIC NOTICES www.southwarknews.co.uk

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 2015 (AS AMENDED)**

NOTIFICATION OF ARTICLE 4 DIRECTIONS: PUBLIC HOUSES

Southwark Council made Article 4 Directions on 13 March 2017 under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The Article 4 Directions apply to public houses in the London Borough of Southwark.

The Directions come into effect immediately and relate to development consisting of the change of use, demolition or alteration of public houses in respect of:

General Permitted Development Order 2015 (as amended)
 Schedule 2, Part 2, Class A and Class C (alteration or construction of any means of enclosure or any exterior painting)
 Schedule 2, Part 3, Class A and Class B (changes of use to shops (A1), financial and professional services (A2), restaurants or cafes (A3))
 Schedule 2, Part 4, Class D (change of use to business (B1) for 2 years)
 Schedule 2, Part 11, Class B and Class C (demolition of buildings or means of enclosure)

Development of the description set out above (as applicable to each site in accordance with Schedule 1 of the Directions) should not be carried out on the land shown edged red on the maps annexed to the Directions, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

A copy of the Article 4 Directions and the maps defining the public houses can be downloaded from the Council's website:

<http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/article-4-directions>

They can also be viewed by appointment at the council offices at 160 Tooley Street, London SE1 2QH, between the following hours: 9am – 4.30pm Monday to Friday. Telephone 0207 525 5471.

Representations concerning the Article 4 Directions can be made between **16 March 2017** and **27 April 2017**.

You can comment by:

Visiting our Consultation Hub and filling in our online form:

<https://consultations.southwark.gov.uk/planning-and-regeneration/article-4-directions-public-houses>

Send an e-mail to planningpolicy@southwark.gov.uk or send comments to: FREEPOST SE1919/14 Planning Policy, Chief Executive's Department, London SE1P 5EX

Appendix B – Copy of site notice put up on Bywater Place

PLANNING

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER
2015 Notice of Article 4 Directions

Article 4 Directions: Public houses

Southwark Council made Article 4 Directions on 13 March 2017, under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The Article 4 Directions apply to public houses in the London Borough of Southwark.

The Directions come into effect immediately and relate to development consisting of the change of use, demolition or alteration of public houses in respect of:

General Permitted Development Order 2015 (as amended):

Schedule 2, Part 2, Class A and Class C (alteration or construction of any means of enclosure or any exterior painting)

Schedule 2, Part 3, Class A and Class B (changes of use to shops (A1), financial and professional services (A2), restaurants or cafes (A3))

Schedule 2, Part 4, Class D (change of use to business (B1) for 2 years)

Schedule 2, Part 11, Class B and Class C (demolition of buildings or means of enclosure)

Development of the description set out above (as applicable to each site in accordance with Schedule 1 of the Directions) should not be carried out on the land shown edged red on the maps annexed to the Directions unless

Display date	16/03/2017	Expiry date	27/04/2017
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A copy of the Article 4 Directions can be downloaded from the Council's website:

<http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/article-4-directions?chapter=5>

They can also be viewed by appointment at the council offices at 160 Tooley Street, London SE1 2QH, between the following hours: 9am – 4.30pm Monday to Friday. Telephone 0207 525 5471.

Representations concerning the Article 4 Directions can be made between **16 March 2017** and **27 April 2017**.

You can comment by visiting our Consultation Hub and filling in our online form:

<https://consultations.southwark.gov.uk/planning-and-regeneration/article-4-directions-public-houses>

Alternatively send an e-mail to planningpolicy@southwark.gov.uk or send comments to: FREEPOST SE1919/14 Planning Policy, Chief Executive's Department, London SE1P 5EX

Appendix C – Consultation responses summary tables

The following tables provide a detailed breakdown of the comments received alongside the council's response.

- **Appendix C1** shows a summary of each **supporting response** with each issue identified and responded to by the council (**pages 11 – 14**)
- **Appendix C2** shows a summary of each of the **objecting responses** received with each point raised responded to by the council (**pages 15 – 16**)

Appendix C1 – Supporting responses summary table

Responder No.	Response	Concern about loss of community hubs which support social and community cohesion	Sense of diminishing local character and distinctiveness	Loss of public houses, themselves valuable heritage assets offering significant historic value	Generally Supportive	Other	Officer response (and comment on "other")
1	Generally supportive of the Article 4 Directive				Y		
2	Generally supportive of the Article 4 Directive				Y		
3	Suggestion that the council will not prevent the loss of public houses to residential or other uses not protected by the Article 4 Direction: Public houses.					Y	The Council has powers to revoke permitted development rights by applying an Article 4 Direction. It is not possible to prevent the change of use, demolition or alteration to use classes which are not considered by the GDPO, 2015 (as amended).

4	Supportive of the Article 4 Direction to withdraw permitted development rights. To protect remaining pubs for the community and stop the destruction of much loved old buildings.	Y		Y			
5	Supportive of the Article 4 Direction. Asserts pubs are community assets. Recognises that the business model of the traditional pub is under threat but points out there are very good examples of pubs being turned around if they adopt a different model.	Y			Y		
6	Supportive of the Article 4 Direction to reduce the closure of pubs.				Y		
7	Generally supportive of the Article 4 Direction.				Y		
8	Supportive of the Article 4 Direction. Concerned about loss of local distinctiveness and character.		Y				
9	Supportive of the Article 4 Direction to protect meeting spaces for local people.	Y					
10	Supportive of the Article 4 Direction. Concerned about loss of local pubs to housing.				Y		
11	Supportive of the Article 4 Direction to strengthen and enhance community spirit and protect Southwark's heritage.	Y		Y			

12	Supportive of the Article 4 Direction to help protect community areas.	Y					
13	Supportive of the Article 4 Direction to protect valuable assets to the community and local history.	Y		Y			
14	Supportive of the Article 4 Direction to protect social and historical value.	Y		Y			
15	Generally Supportive of the Article 4 Direction.				Y		
16	Supportive of the Article 4 Direction to protect historical value.			Y			
17	Generally Supportive of the Article 4 Direction.				Y		
18	Supportive of the Article 4 Direction to protect a sense of place, community cohesion, local heritage , architecture and townscape.	Y		y			
19	Supportive of the Article 4 Direction, considers pubs to be part of the local fabric.	y					
20	Supportive of the Article 4 Direction to prevent further loss and conversion of pubs.				y		
21	Supportive of the Article 4 Direction to protect remaining pubs and the communities they serve.	Y					
22	Supportive of the Article 4 Direction to protect pubs as valuable community hubs.	Y					
23	Supportive of the Article 4 Direction to protect community pubs.	Y					

24	Generally Supportive of the Article 4 Direction.				Y		
25	Supportive of the Article 4 Direction to protect pubs from closure.				Y		
26	Generally Supportive of the Article 4 Direction.				Y		
27	Generally Supportive of the Article 4 Direction.				Y		
28	Generally Supportive of the Article 4 Direction to protect pubs.				Y		
29	Supportive of the Article 4 Direction to protect pubs as social hubs and drivers of economic activity in local areas and local distinctiveness.	Y	Y		Y		
30	Supportive of the Article 4 Direction to protect local pubs and communities.	Y					
31	Supportive of the Article 4 Direction to protect local pubs and communities particularly where protecting local distinctiveness and promoting the local economy is concerned.	Y	Y		Y		
32	Generally Supportive of the Article 4 Direction. Wishes to protect against the loss of pubs.				Y		

Appendix C2 – Objecting response summary table

Objector No.	Objection Representation Summary:	Council Response:
1	Considers the council unwarranted in protecting pubs, If, as is the case nationally, demand for drinking in pubs is in decline. Raises concerns about the social and health problems arising from drinking in pubs.	The Council accepts that alcohol consumption may adversely affect health outcomes. However, the representation has not provided evidence which demonstrates the existence of pubs is related to harmful alcohol consumption that would not otherwise occur (for example in other public places or in the home). Many respondents supported the Article 4 Direction because pubs provide a space for social interaction. For many people this is important to enhance wellbeing and reduce isolation and loneliness.
2	Concerned that the Council should not be spending tax money on a form of positive discrimination.	For many residents pubs function as a place of social interaction. They also represent an important part of the local economy. Southwark has experienced a significant loss of pubs over a ten year period and this has raised local concerns about the future of Southwark pubs. The Council has introduced an Article 4 to ensure any future loss of pubs is properly managed. Any proposals for works to a pub which come under the scope of the Article 4 Direction will be assessed in accordance with the policies of the plan.
3	Considers Article 4 Direction unnecessary. If pubs are unviable then they should be used to fulfil housing needs.	In many cases a pub could command a higher value in an alternative use. This does not mean it is unviable in its current use. The Article 4 Direction protects p against the loss of pubs which are not genuinely unviable through requiring a full planning application.
4	Generally Unsupportive. Considers pubs an obsolete relic.	The historic nature of pubs, for many people, adds to their appeal. A large number of Southwark residents and visitors appreciate their continued operation.

5	<p>Justification for the Article 4 Direction is not particularly strong. It is highlighted that the committee report states 54 pubs have been lost over the past ten years to change of use or demolition although there is no analysis as to the reasons for this, including acknowledgment that this may be due to over supply.</p>	<p>The evidence demonstrates the scale of loss has been significant. Due to the permitted development rights enjoyed by pubs prior to the introduction of the Article 4 Direction the Council has limited evidence of the reason why so many pubs have been lost. The Council considers the Article 4 necessary to ensure that any future losses are justified by evidence.</p>
	<p>Government guidance is clear that Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area. This requires a geographic analysis of availability and type of local house by area which has not taken place. There is no published, in-depth analysis of individual pubs. The report states that this has been undertaken but all that is available as a public document is cursory information provided in a tabulated format with no proper analysis undertaken.</p>	<p>The Council undertook a thorough and consistent review of all pubs in A4 use affected by the Article 4 Direction. This is presented in tabulated format.</p>
	<p>By removing PD rights from public houses, there may be unintended consequences which could cause further difficulties to a sector already facing challenges to operating viability. For example, new operators may be discouraged from taking on struggling establishments if they do not have a fall-back option of PD rights.</p>	<p>The Council will consider the viability of a pub in any application resulting in the loss of a pub. The Council considers the benefits of ensuring any future losses of pubs are fully justified outweigh any uncertainty associated with the need to evidence any applications for the loss of pubs. Furthermore, applications which are necessitated by virtue of the Article 4 Direction will be processed for no fee. This reduces the impact of the Article 4 Direction on pub operators.</p>

Agenda Item 7

Item No. 7.	Classification: Open	Date: 4 September 2017	Meeting Name: Planning Committee
Report title:		Release of £128,358.50 from S106 agreements to deliver improvements to the park on the Manor Estate	
Ward(s) or groups affected:		South Bermondsey	
From:		Chief Executive	

RECOMMENDATION

1. To authorise the release of £128,358.50 of Section 106 funding, from the below developments, to deliver improvements to the park on Manor Estate, as set out in paragraph 9.

Permission Ref	Account No	Address	Amount
07/AP/1304	334	Falcon Works, 262-302 Lynton Road, London, SE1 5DE	£14,110.00
12/AP/1485	629	16-20 Roseberry Street , London SE16 3LZ	£8,630.86
12/AP/3860	713	Estate Office, Avondale Square, London, SE1 5PD	£35,269.06
12/AP/4049	676	27-29 Blue Anchor Lane, London, SE16 3UL	£34,816.77
13/AP/1864	716	525-539 Old Kent Road, London, SE1 5XQ	£35,531.81
TOTAL			£128,358.50

BACKGROUND INFORMATION

2. Planning obligations are used to mitigate the negative impacts caused by a development and contribute towards providing infrastructure and facilities necessary to achieve sustainable communities. In order to achieve this, the council enters into a legal agreement with a developer whereby the developer agrees to provide planning contributions and/or enters into various planning obligations.
3. A programme of works on the Manor Estate has supported healthier lifestyles and helped build communities, by providing new play opportunities and sports facilities, community gardens and food growing projects. Fencing and lighting projects have created safer environments and problem spaces prone to anti-social behaviour have been transformed with innovative ideas and designs.
4. Many of these ideas have been proposed by local residents through our Community infrastructure projects list (CIPL) and Cleaner Greener Safer (CGS) application processes. In June 2017, this project was suggested as an addition to the community infrastructure project list (CIPL), the old project bank, as was. Funding this by available

S106 will allow CIPL funding for other community projects.

5. The programme wishes to continue this work by revitalising the dilapidated play area on the Manor estate which fulfils the ambitions of the Southwark Play Strategy.
6. The Southwark Play Strategy, summarised below, sets out Southwark Council's commitment to support and develop play opportunities for children and young people in policy development, planning and service delivery.
7. The Play Strategy aims to promote the creation and maintenance of stimulating and challenging play environments that enable children and young people to develop their physical and social abilities.
8. Play opportunities are supported and enhanced by being integrated within the structure of the whole outdoor environment. The strategy promotes engagement with local children and young people to ensure that the right type of facilities are provided to meet their specific needs. It is important that such play facilities are accessible and are of a suitable quality and quantity to encourage children and young people to utilise them.
9. Draft proposals are depicted in Appendix 1, but they include resurfacing and seating, with a picnic table; planting, trees and turfing; new play equipment. The new play equipment is proposed to be a swing line (a junior version of a 'zip-line', suitable for 0-12 years), climbing trees, a cantilever swing, climbing frame and a slide.

Principles of the Play Strategy

10. The council has adopted six principles that will govern the development of play activities. These are:
 1. **Offered for its own sake** - there does not always need to be an obvious end product or outcome.
 2. **Child-centred** - children and young people are empowered to make choices about their engagement in play.
 3. **Designed around children and young peoples expressed need** – children and young people should be actively involved in consultation and service design.
 4. **Provided in stimulating environments** - play opportunities need to be challenging within the parameters of acceptable risk.
 5. **Inclusive** - all children's needs should be respected and inequalities should be challenged.
 6. **Facilitated and supported by adults** - adult intervention should be targeted at **extending** a child's opportunity to benefit from play, for example, through balancing risk with the developmental benefit and well-being for the child.
11. The cost of development and implementation of a new playground for the Manor Estate is estimated at approximately £170,000.00.
12. An application for funding was made by the tenants and residents association to begin

addressing the issues at the play area as part of the 2016-17 Cleaner Greener Safer (CGS) programme.

13. Bermondsey and Rotherhithe Community Council awarded £29,000 CGS funding to the project on 27 January 2016.
14. A further £16,000 of CGS funding was awarded on 20 February 2017.

KEY ISSUES FOR CONSIDERATION

Community impact statement

15. This project will support the council's commitment to meet the needs of Southwark's diverse community. Providing an upgraded, modern and safe playground will encourage children to embrace an active lifestyle and combat obesity, whilst showing the council's understanding of the value of play in developing life skills.
16. The proposed works have been designed to enhance the attractiveness of the area, a place in which people choose to live and work. By implementing these playground improvements, the council is improving the environment and social sustainability of the community council area, providing high quality public places which local residents and workers can use and which promotes the potential for interaction.
17. All small projects within the area will be designed to be fully accessible to all, without prejudice or discrimination.
18. The proposal has no impact on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
19. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

Consultation

20. This play area was brought to the attention of the Cleaner Greener Safer (CGS) team initially through an application by the Tenants and Residents Association for funds in the 2014-15 funding round. The application was refused on the grounds of cost.
21. A second application was made for funding from the 2016-17 programme was successful in securing funding to undertake design, consultation and seed funding for the works.
22. Regular and on-going consultation is underway for the project. This includes but is not limited to:
 - Ward councillors
 - The tenants and resident's association
 - Local residents
 - Schools.
23. There will be three stages of consultation: on the aspirations for the play area; initial design proposal; and on final designs. There will be particular emphasis on ensuring that any proposal addresses the needs of those with mobility, sight or other issues ensuring that accessibility is at the heart of the refurbishment of the playground.

24. The proposal would also be subject to final internal consultation with the relevant housing officer, housing and grounds maintenance staff, and the council's arboriculture officer.

Resource implications

25. All costs arising from implementing the recommendations above will be met from the S106 agreements attached to the planning permissions for the development sites.
26. The project will be managed by the CGS team, which has extensive experience of delivering projects in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Policy implications

27. The project will help deliver our Fairer Future Promises in making our borough a greener borough to live in.
28. The proposal(s) meet the following Fairer Future Promise:
- Promise 1: Value for money.
 - Promise 6: A greener borough.
 - Promise 7: Safer communities.
 - Promise 9: Revitalised neighbourhoods.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Planning

Permission Ref	Account No	Purpose	Principle Amount	Indexation/Interest
07/AP/1304	334	CDEV	£14,110.00	N/A
12/AP/1485	629	CDEV	£4,171.00	£90.79
		LPI	£4,276.00	£93.07
12/AP/3860	713	PPOS	£20,383.00	£833.81
		PRI	£13,500.00	£552.25
12/AP/4049	676	CDEV	£6,286.02	N/A
		PRI	£28,530.75	N/A
13/AP/1864	716	CDEV	£6,689.41	N/A
		PRI	£28,842.40	N/A
Totals			£126,788.58	£1,569.92
TOTAL				£128,358.50

29. The above mentioned developments secured £499,583.88, combined, in contributions towards community development, local playground, public realm and parks and public open space improvements. All £128,358.50 is currently unallocated and available.
30. The proposed allocation accords with the above mentioned agreements and would provide appropriate mitigation for the impacts of the specific and future developments.

Director of Law and Democracy

31. The report seeks the release of an amount of £128,358.50 towards improvements to

the park within the Manor Estate. All the section 106 Agreements listed at paragraph 1 of this report, have been checked to ensure that the contributions identified are being spent in accordance with the terms of the relevant agreement and also in accordance with Regulation 122, Community Infrastructure Levy Regulations.

32. The decision to consider and approve expenditure of section 106 monies exceeding £100,000 is reserved to a Planning Committee in accordance with paragraph 9, Part 3F of the council constitution. Members are advised that the expenditure would be in accordance with the terms of the relevant agreements and consistent with the legal tests relating to the validity and expenditure of section 106 contributions.

Strategic Director of Finance and Governance CAP17/37

33. This report requests the planning committee to approve the release of £128,358.50 section 106 funds from the legal agreements listed at paragraph 1 of this report, towards improvement works to the park on Manor Estate.
34. The director of planning has confirmed the section 106 funds required to deliver this project are available, and the proposed allocation accords with the terms of the relevant section 106 agreements.
35. The strategic director of finance and governance notes the council has received the related s106 funds and they are available for the improvement works outlined at paragraph 9 of this report.
36. The s106 allocation of £128,368.50 represents an increase in council's capital expenditure programme and will be reflected in the capital budget monitoring report to Cabinet.
37. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets.

BACKGROUND DOCUMENTS

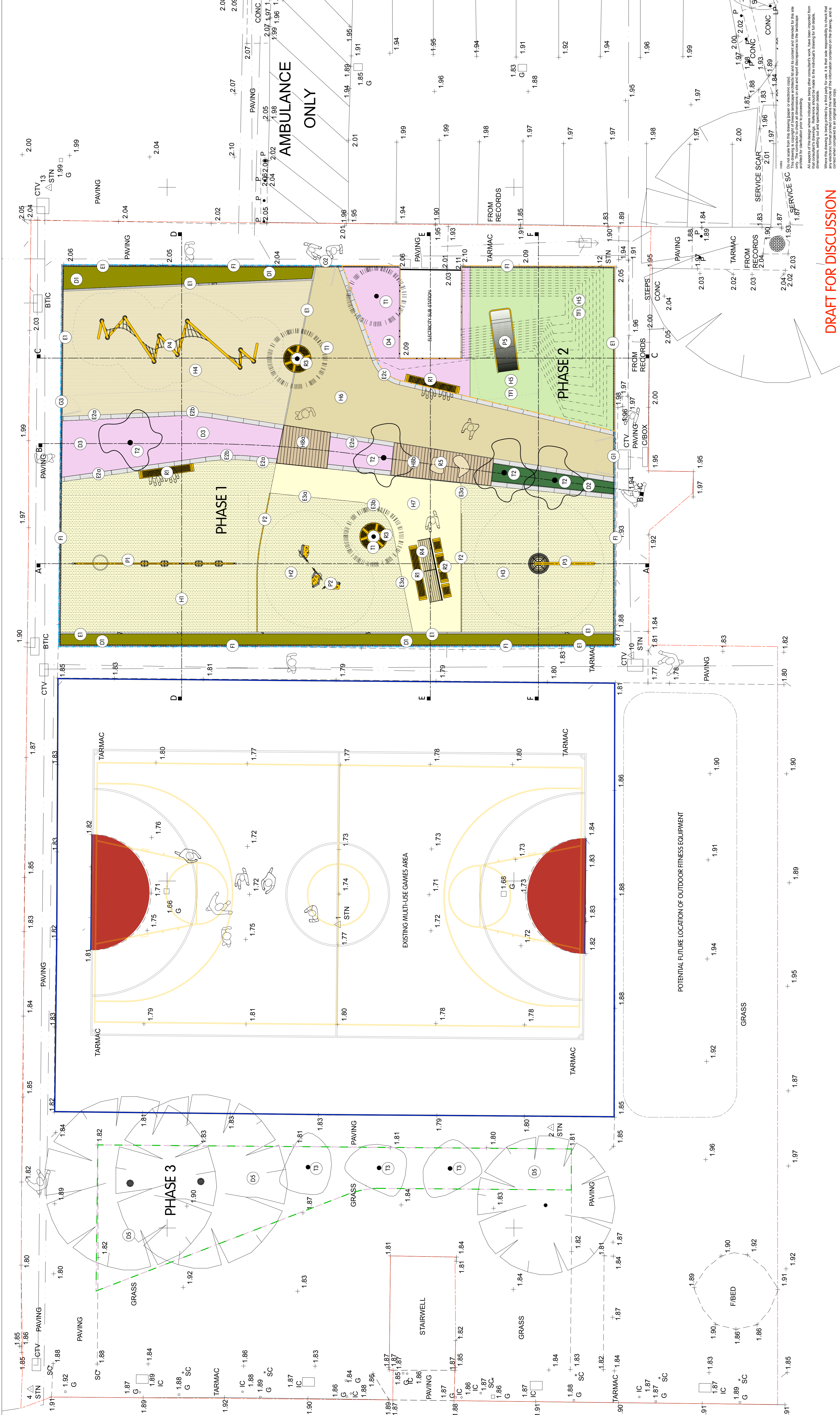
Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464
Bermondsey and Rotherhithe Community Council meeting held on Wednesday 27 January 2016 minutes agreement form item 11	Environment and Leisure / Highways 160 Tooley Street	Michelle Normanly 020 7525 0862
Link: http://moderngov.southwarksites.com/ieListDocuments.aspx?CId=349&MId=5302&Ver=4		

APPENDICIES

No.	Title
Appendix 1	Design proposals

AUDIT TRAIL

Lead Officer	Matt Hill, Head of Highways		
Report Author	Craig Dove, Project Manager, Highways		
Version	Final		
Dated	20 June 2017		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Director of Planning	Yes	Yes	
Cabinet Member	N/A	N/A	
Date final report sent to Constitutional Team			21 August 2017



- FENCING AND GATES**
- (F) 1.1m high metal vertical bar railings
 - (G) Galvanised and powder coated, 3.16m length
 - (H) 1.1m high metal vertical bar railings
 - (I) Hot dipped galvanised and powder coated, 450mm width, 456mm height
 - (J) 1.1m high metal double leaf gate opening, 450mm width, 456mm height
 - (K) Hot dipped galvanised and powder coated, 1.1m high metal single leaf gate opening
 - (L) Hot dipped galvanised and powder coated, 1.1m high metal single leaf gate opening
 - (M) Hot dipped galvanised and powder coated, 1.1m high metal single leaf gate opening
- FURNITURE AND ACCESSORIES**
- (N) SINUS LSN130 Metal Bench Seating (Straight)
 - (O) Galvanised and powder coated, 3.16m length, 450mm width, 456mm height
 - (P) SINUS LSN130 Metal Bench Seating (Straight)
 - (Q) Galvanised and powder coated, 0.8m length, 450mm width, 456mm height
 - (R) SINUS SNI210-03 Metal Tree Seating
 - (S) Galvanised and powder coated, 1.6m diameter, containing 6no seating units
 - (T) SINUS US971 External Plastic Table
 - (U) Galvanised and powder coated frame with 700mm x 700mm top, 1.62m length, 720mm high, 700mm wide
 - (V) CALEDONIAN STONE BOULDERS
 - (W) Various sizes and shapes
- HARD SURFACE EDGES**
- (E1) 50x150mm precast concrete pin kerb edging
 - (E2) 255mm wide, 145mm straight section deep silver grey granite conservation kerb edging laid flush
 - (E3) 255mm wide, 145mm 11m external radius section deep silver grey granite conservation kerb edging laid flush
 - (E4) 255mm wide, 145mm 2.98m external radius section deep silver grey granite conservation kerb edging laid flush
 - (E5) 5mm thick aluminium edging, straight section
 - (E6) 5mm thick aluminium edging, radiused section
- HARD SURFACES**
- (H1) Wet pour rubber surfacing (COLOUR 1) 60mm thick to suit CH of Metal Climbing Frame
 - (H2) Wet pour rubber surfacing (COLOUR 1) 130mm thick to suit CH of Boer Climbing Trees
 - (H3) Wet pour rubber surfacing (COLOUR 1) 70mm thick to suit CH of Cantilever Swing
 - (H4) Wet pour rubber surfacing (COLOUR 2) 100mm thick to suit CH of Twist Climbing Frame
 - (H5) Rubber grass safety matting to new turf as laid
 - (H6) TECH-NAK 500x500mm or equivalent
 - (H7) Pedestrian tarmac construction
 - (H8) Pedestrian tarmac construction with gravel top dressing to match COLOUR 1 wet pour rubber
 - (H9) Millboard Deck Bridge 01
 - (H10) Millboard Deck Bridge 02
 - (H11) Millboard Deck Boards on millboard framing
- PLAY EQUIPMENT**
- (P1) METRO SWING LINE
 - (P2) Russell Play, including: 2no cradle seats, 2no flat seats, 1no basket swing
 - (P3) Age Range 0 to 12 years including inclusive play
 - (P4) ZIG ZAG CLIMBING TREES
 - (P5) Boer Play, including: these number climbing trees
 - (P6) Age range 6-8 years
 - (P7) CANTILEVER SWING WITH BASKET
 - (P8) Massey & Harris, Age range 2-14 years
 - (P9) TWIST CLIMBING FRAME
 - (P10) Russell Play 'twist 001'
 - (P11) Age range 5-16 years
 - (P12) STAINLESS STEEL EMBANKMENT SLIDE
 - (P13) Steeling bespoke construction to meet earthwork gradient of design proposal
 - (P14) Age range: 4-11 years
- PLANTING AND TURFING**
- (T1) REINFORCED HARD WEARING TURF
 - (T2) HEDGE SPECIES ONE MAINTAINED AT 1.1M
 - (T3) HEDGE SPECIES TWO MAINTAINED AT 0.7M
 - (T4) GRASS/PERENNIAL GARDEN PLANTING
 - (T5) GARDEN WITH CLIMBING PLANTS
 - (T6) TO SUB-STATION FACILITES
 - (T7) MIXED SPRING AND AUTUMN BULB PLANTING
 - (T8) TO EXISTING LAWN AREA
- TREE PLANTING**
- (TI) PINUS SYLVESTRIS 5-6m HEIGHT/CLAS STEM 2.0m
 - (T2) Root balled tree with below ground guying
 - (T3) BETULA PENDULA 16-18cm GRTH
 - (T4) Container grown tree with below ground guying
 - (T5) PRUNUS AVIUM 16-18cm GRTH
 - (T6) Container grown tree with below ground guying
- PLAY EQUIPMENT**
- (P1) METRO SWING LINE
 - (P2) Russell Play, including: 2no cradle seats, 2no flat seats, 1no basket swing
 - (P3) Age Range 0 to 12 years including inclusive play
 - (P4) ZIG ZAG CLIMBING TREES
 - (P5) Boer Play, including: these number climbing trees
 - (P6) Age range 6-8 years
 - (P7) CANTILEVER SWING WITH BASKET
 - (P8) Massey & Harris, Age range 2-14 years
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 - (P12) STAINLESS STEEL EMBANKMENT SLIDE
 - (P13) Steeling bespoke construction to meet earthwork gradient of design proposal
 - (P14) Age range: 4-11 years

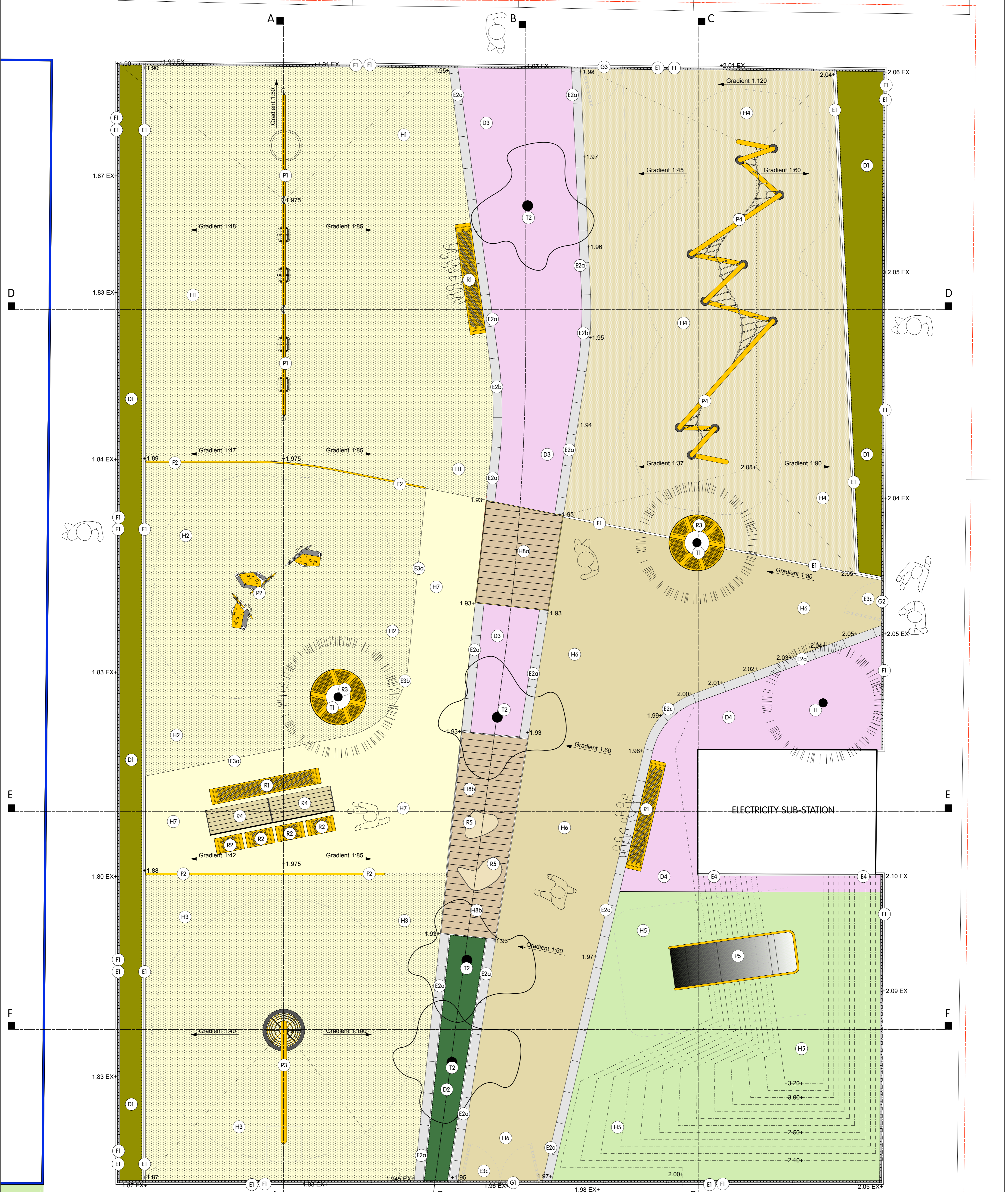
DRAFT FOR DISCUSSION

breaze
 Unit 414 Screenworks 22 Highbury Grove London N5 2EA 1+44(0)20 3176 4247 e contact@breaze-lands.co.uk

Southwark Council
 Proposed Site Plan
 December 2016
 1_100 @ A1
 799_SK_015

Manor Estate Playground
 Sketch Design

breaze
 Unit 414 Screenworks 22 Highbury Grove London N5 2EA 1+44(0)20 3176 4247 e contact@breaze-lands.co.uk



FENCING AND GATES

- (F1) 1.1m high metal vertical bar railings
Hot dipped galvanised.
- (F2) 1.1m high metal vertical bar railings
Hot dipped galvanised and powder coated.
- (G1) 1.1m high metal double leaf gate opening.
Hot dipped galvanised and powder coated.
- (G2) 1.1m high metal single leaf gate opening.
Hot dipped galvanised and powder coated.
- (G3) 1.1m high metal single leaf gate opening.
Hot dipped galvanised and powder coated.

FURNITURE AND ACCESSORIES

- (R1) SINUS LSN130 Metal Bench Seating (Straight)
Galvanised and powder coated, 3.18m length,
450mm width, 456mm height.
- (R2) SINUS LSN130 Metal Bench Seating (Straight)
Galvanised and powder coated, 0.8m length,
450mm width, 456mm height.
- (R3) SINUS SNS210-03 Metal Tree Seating
Galvanised and powder coated, 1.6m diameter,
containing 3no seating units
- (R4) SINUS (V5911) External Picnic Table
Galvanised and powder coated frame with
metal top. 1.82m length, 720mm high,
710mm width.
- (R5) CALEDONIAN STONE BOULDERS
Various sizes and shapes

HARD SURFACE EDGES

- (E1) 50X150mm precast concrete pin kerb edging
- (E2a) 255mm wide, 205mm straight section deep silver
grey granite conservation kerb edging laid flush.
- (E2b) 255mm wide, 205mm 11m external radius section deep
silver grey granite conservation kerb edging laid flush.
- (E2c) 255mm wide, 205mm 2.98m external radius section deep
silver grey granite conservation kerb edging laid flush.
- (E3a) 5mm thick aluminium edging, straight section
- (E3b) 5mm thick aluminium edging, radiused section

HARD SURFACES

- (H1) Wet pour rubber surfacing (COLOUR 1) 60mm thick to suit
CFH of Metro Swings
- (H2) Wet pour rubber surfacing (COLOUR 1) 130mm thick to suit
CFH of Boer Climbing Trees
- (H3) Wet pour rubber surfacing (COLOUR 1) 70mm thick to suit
CFH of Canilever Swing
- (H4) Wet pour rubber surfacing (COLOUR 2) 100mm thick to suit
CFH of Twist Climbing Frame
- (H5) Rubber grass safety matting to new turf as laid
TECHNIX 500x500mm or equivalent
- (H6) Pedestrian tarmac construction
- (H7) Pedestrian tarmac construction with gravel top dressing
to match COLOUR 1 wet pour rubber.

TREE PLANTING

- (T1) PINUS SYLVESTRIS 5-6m HEIGHT/CLEAR STEM 2.0m
Root balled tree with below ground guying
- (T2) BETULA PENDULA 16-18cm GIRTH
Container grown tree with below ground guying
- (T3) PRUNUS AVIUM 16-18cm GIRTH
Container grown tree with below ground guying

PLANTING AND TURFING

- (TF1) REINFORCED HARD WEARING TURF
- (D1) HEDGE SPECIES ONE MAINTAINED AT 1.1M
- (D2) HEDGE SPECIES TWO MAINTAINED AT 0.7M
- (D3) GRASS/PERENNIAL GARDEN PLANTING
- (D4) GARDEN WITH CLIMBING PLANTS
TO SUB-STATION FACADES
- (D5) MIXED SPRING AND AUTUMN BULB PLANTING
TO EXISTING LAWN AREA

PLAY EQUIPMENT

- (P1) METRO SWING LINE
Russell Play
Including: 2no cradle seats, 2no flat seats
1no basket swing
Age Range 0 to 12 years including inclusive play
- (P2) ZIG ZAG CLIMBING TREES
Boer Play
Including: three number climbing trees
Age range 6-18 years
- (P3) CANTILEVER SWING WITH BASKET
Massey & Harris
Age range 2-14 years
- (P4) TWIST CLIMBING FRAME
Russell Play
Twist 001
Age range 5-16 years
- (P5) STAINLESS STEEL EMBANKMENT SLIDE
Gradient bespoke construction to meet earthwork
gradient of design proposal.
Age range: 4-11 years

DRAFT FOR DISCUSSION

notes
Do not scale from this drawing (paper or electronic copy).
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only. The contractor to check all dimensions on site and report discrepancies to the landscape
architect for clarification prior to proceeding.

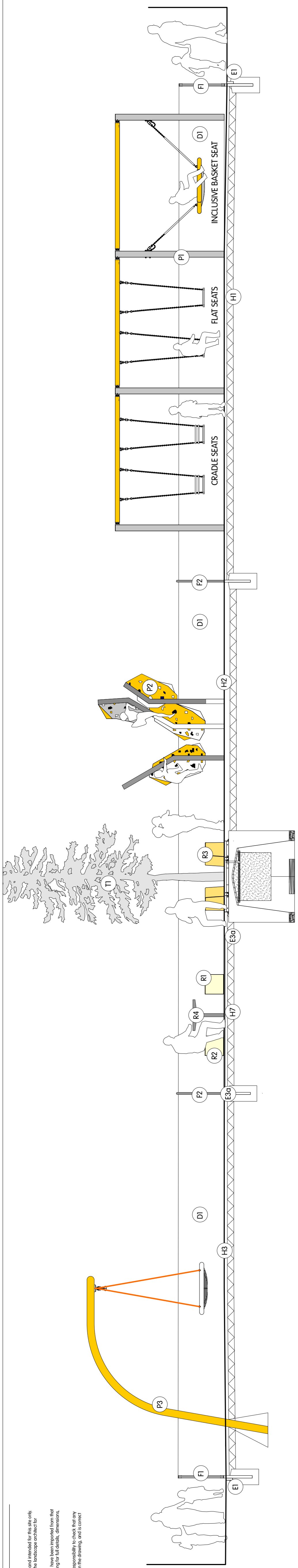
All aspects of the design where indicated as being other consultant's work, have been imported from
that consultant's drawings. Reference should be made to the individual's drawing for full details,
dimensions, setting out and specification details.

Where this drawing is being printed by a third party for use, it is their sole responsibility to check that
any electronic format printed contains the whole of the information contained on the drawing, and is
correct when compared to an original paper copy.

revision	date	notes	checked	approved	
client		Southwark Council		Manor Estate Playground	
drawing title		Proposed Site Plan Detail		Sketch Design	
date	December 2016	scale	1_50 @ A1	number	799_SK_016

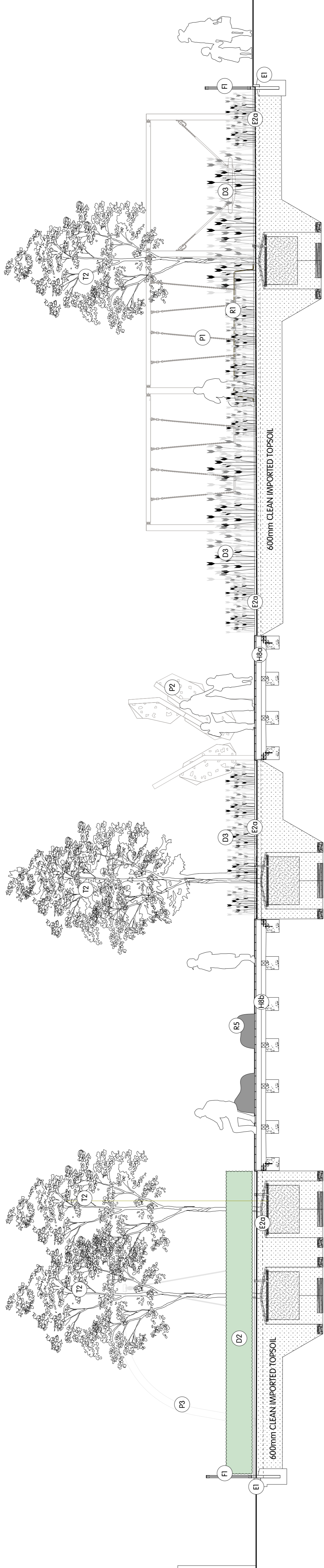
breeze landscape architects limited
Unit 414 Screenworks 22 Highbury Grove London N5 2EA t +44(0)20 3176 4247 e contact@breeze-landscape.co.uk

Notes:
 Do not scale from this drawing (paper or electronic copy).
 The contractor to check all dimensions on site and report discrepancies to the landscape architect for confirmation prior to proceeding.
 The contractor to ensure that all materials are of the correct specification and to ensure that all materials are of the correct specification and to ensure that all materials are of the correct specification.
 When this drawing is being printed by a third party for use, it is their sole responsibility to check that any of the information contained on this drawing, and is correct when compared to an original paper copy.



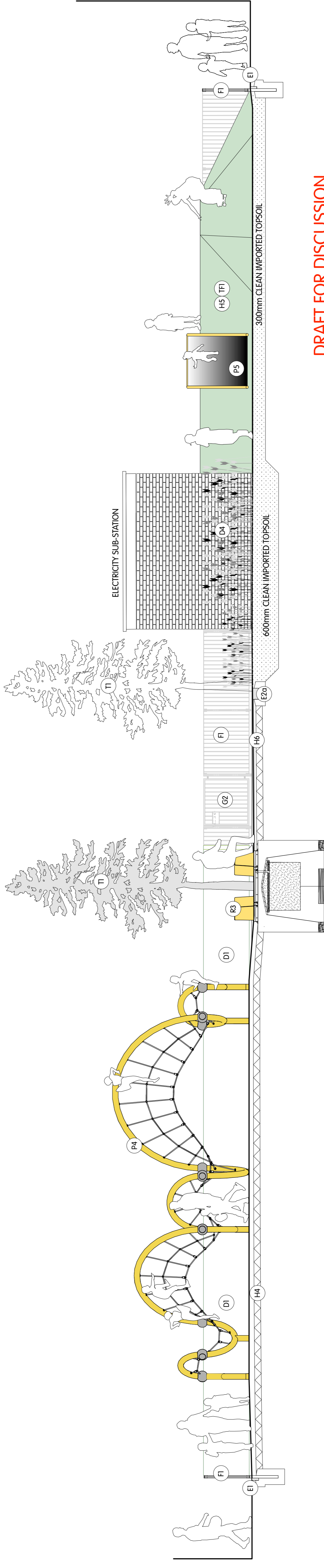
Section A

DATUM LINE 0.00



Section B

DATUM LINE 0.00



Section C

DATUM LINE 0.00

FENCING AND GATES

- (F1) 1.1m high metal vertical bar railings
- (F2) Hot dipped galvanised
- (F3) 1.1m high metal vertical bar railings
- (F4) Hot dipped galvanised and powder coated
- (F5) 1.1m high metal double leaf gate opening
- (F6) Hot dipped galvanised and powder coated
- (F7) 1.1m high metal single leaf gate opening
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- (F10) Hot dipped galvanised and powder coated

FURNITURE AND ACCESSORIES

- (R1) SINUS LNI30 Metal Bench Seating (Straight) Galvanised and powder coated, 3.18m length, 450mm width, 456mm height
- (R2) SINUS LNI30 Metal Bench Seating (Straight) Galvanised and powder coated, 0.8m length, 450mm width, 456mm height
- (R3) SINUS SNS210-03 Metal Tree Seating Galvanised and powder coated, 1.6m diameter, containing 6no seating units
- (R4) SINUS LVS911 External Picnic Table Galvanised and powder coated frame with metal top, 1.82m length, 720mm high, 710mm width
- (R5) CALEDONIAN STONE BOULDERS Various sizes and shapes

HARD SURFACE EDGES

- (E1) 50x150mm precast concrete pin kerb edging
- (E2a) 255mm wide, 205mm straight section deep silver grey granite conservation kerb edging laid flush
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- (E2c) 255mm wide, 205mm 2.98m external radius section deep silver grey granite conservation kerb edging laid flush
- (E3a) 5mm thick aluminium edging, straight section
- (E3b) 5mm thick aluminium edging, radiused section

HARD SURFACES

- (H1) Wet pour rubber surfacing (COLOUR 1) 60mm thick to suit CH- or Metro Swings
- (H2) CH- or rubber surfacing (COLOUR 1) 130mm thick to suit CH- or Twister Climbing Trees
- (H3) Wet pour rubber surfacing (COLOUR 1) 70mm thick to suit CH- or Cantilever Swing
- (H4) Wet pour rubber surfacing (COLOUR 2) 100mm thick to suit CH- or Twister Climbing Frame
- (H5) Rubber grass safety matting to new turf as laid TECHNIK 500x500mm or equivalent
- (H6) Pedestrian tarmac construction
- (H7) Pedestrian tarmac construction with gravel top dressing to match COLOUR 1 wet pour rubber
- (H8a) Millboard deck boards on millboard framing
- (H8b) Millboard deck boards on millboard framing

TREE PLANTING

- (T1) PINUS STYVESTRIS 5-6m HEIGHT/CLEAR STEM 2.0m Root balled tree with below ground guying
- (T2) BETULA PENDULA 16-18cm GRTH Container grown tree with below ground guying
- (T3) PRUNUS AVALUM 16-18cm GRTH Container grown tree with below ground guying

PLANTING AND TURFING

- (I1) REINFORCED HARD WEARING TURF
- (D1) HEDGE SPECIES ONE MAINTAINED AT 1.1M
- (D2) HEDGE SPECIES TWO MAINTAINED AT 0.7M
- (D3) GRASS/PERENNIAL GARDEN PLANTING
- (D4) GARDEN WITH CLIMBING PLANTS
- (D5) MIXED SPRING AND AUTUMN BULB PLANTING TO EXISTING LAWN AREA

PLAY EQUIPMENT

- (P1) METRO SWING LINE Russell Play, Including: 2no cradle seats, 2no flat seats, 1no basket swing Age Range 0 to 12 years including inclusive play
- (P2) ZIG ZAG CLIMBING TREES Boer Play, Including: three number climbing trees Age range 6-18 years
- (P3) CANTILEVER SWING WITH BASKET Mossey & Harris, Age range 2-14 years
- (P4) TWIST CLIMBING FRAME Russell Play Twist 001 Age range 5-16 years
- (P5) STAINLESS STEEL EMBANKMENT SLIDE Alternative bespoke construction to meet earthwork gradient of design proposal. Age range: 4-11 years

DRAFT FOR DISCUSSION

client: Southwark Council
 project: Manor Estate Playground Improvements
 drawing no: Proposed North-South Sections
 sketch Design
 date: December 2016
 scale: 1_50 @ A1
 number: 799_SK_022

breeze
 landscape architects limited
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Item No. 8.	Classification: Open	Date: 4 September 2017	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

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

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

12. A resolution to grant planning permission shall mean that the director of planning 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 director of planning 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 director of planning 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 law and democracy, and which is satisfactory to the director of planning. 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 law and democracy. 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	Victoria Foreman 020 7525 5485
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 the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidi Agada, Constitutional Manager (Acting)	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	11 July 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		11 July 2017

ITEMS ON AGENDA OF THE PLANNING COMMITTEE
on Monday 04 September 2017

Appl. Type	Council's Own Development - Reg. 3	Reg. No.	17-AP-1234
Site	REAR OF ALBION PRIMARY SCHOOL, (SOUTHERN END) ALBION STREET, LONDON SE16 7JD	TP No.	TP/250-58
		Ward	Rotherhithe
		Officer	Victoria Crosby

Recommendation GRANT WITH UNILATERAL UNDERTAKING

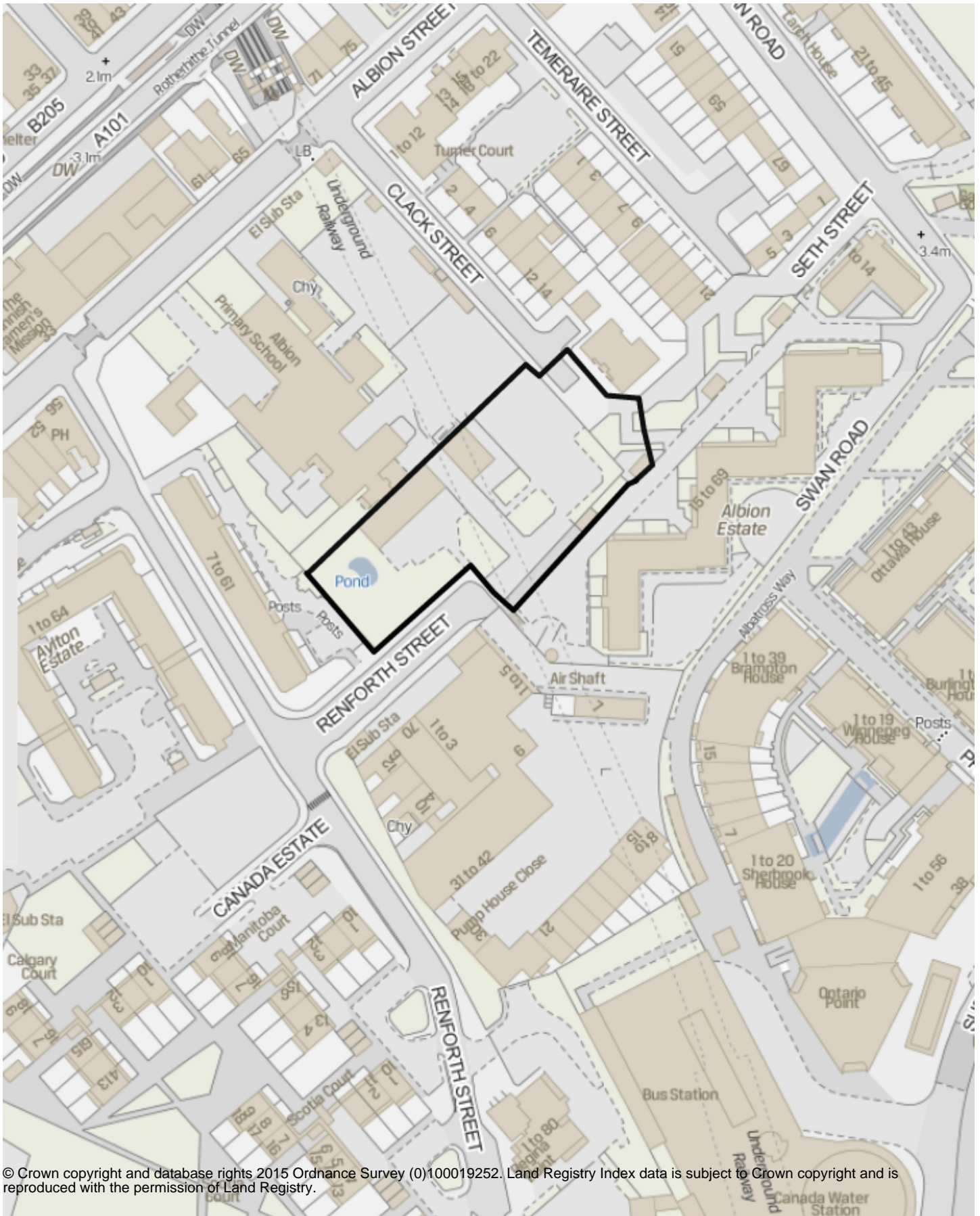
Proposal

Construction of a 6-storey building to provide 50 residential units (25 x social rented, 12 x intermediate and 13 x private), with associated car and cycle parking, landscaping and highway works.

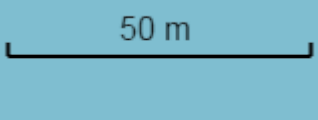
Item 8.1



REAR OF ALBION PRIMARY SCHOOL, (SOUTHERN END) ALBION STREET, LONDON SE16 7JD



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21-Aug-2017

Scale = 1 : 1250

Item No. 8.1	Classification: Open	Date: 4 September 2017	Meeting Name: Planning Committee
Report title:	Development Management planning application: Council's own development Application 17/AP/1234 for: Council's own development - Reg. 3 Address: REAR OF ALBION PRIMARY SCHOOL, (SOUTHERN END) ALBION STREET, LONDON SE16 7JD Proposal: Construction of a 6-storey building to provide 50 residential units (25 x social rented, 12 x intermediate and 13 x private), with associated car and cycle parking, landscaping and highway works.		
Ward(s) or groups affected:	Rotherhithe		
From:	Director of Planning		
Application Start Date 03/04/2017		Application Expiry Date 03/07/2017	
Earliest Decision Date 16/08/2017			

RECOMMENDATIONS

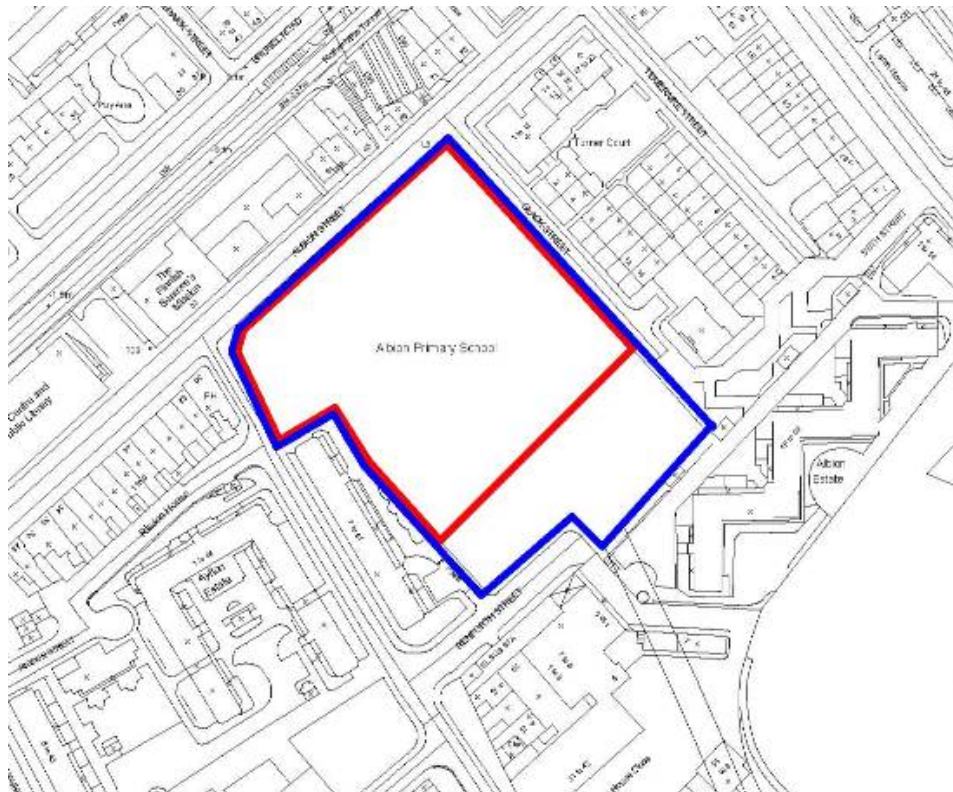
1. That planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement.
2. That in the event that the requirements of (a) are not met by 29 December 2017, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 164.

BACKGROUND INFORMATION

3. This proposal forms part of Southwark Council's home building programme where the ambition is to deliver 11,000 new council homes by 2043 and the first 1,500 by 2018. The programme is seeking to deliver homes through a combination of in-fill development and development on land owned by the council as well as making use of under-used or vacant sites. There will be a mix of social rent, intermediate and private sale homes across the whole project.

Site location and description

4. The application site forms the southern part of the Albion Primary School site, facing onto Renforth Street to the south and Clack Street to the east. This part of the school site has an area of 0.23 hectares and includes two-storey school buildings, temporary school buildings, playground area, several mature trees and landscaped play area. All of these buildings will be redundant following the completion of the new school building which is currently under construction across the northern and central parts of the wider site.



Site plan for the Albion Primary School planning application in 2015, showing the whole school site within the blue line, and area of the new school within the red line. It is the south-eastern part outside the red line that is now the application site for this current planning application.



Ground floor layout of the new school building under construction, with the current application site below (outside the red line shown at the bottom).



Remaining school building to be demolished



View from the west along Renforth Street – application site includes the trees and the wall in the centre of the photo. The former pumping station is on the right hand side.

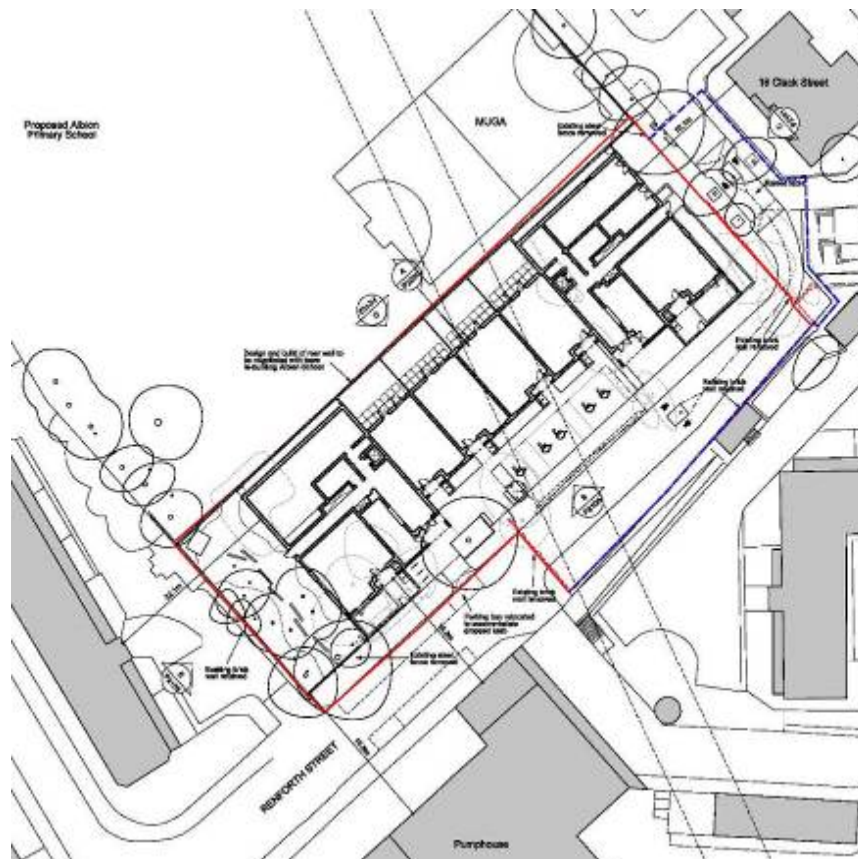
5. The immediate and wider context of the site is predominately residential in nature, with a more diverse mix of uses along Albion Street. To the east are two-storey houses on Clack Street, to the west are four-storey blocks of flats which make up the Aylton Estate on Renforth Street. To the south at a raised ground level (approximately 2m higher than the site) are the four-storey buildings of the Albion Estate.
6. The London Hydraulic Power Company former pumping station also lies to the south of application site on the southern side of Renforth Street. It is a grade II listed building that has been converted into flats known as The Pump House, with an octagonal chimney, brickwork arches and red-painted cast iron settling tanks that has been converted to residential use.
7. The Finnish Church (no. 33 Albion Street) is a grade II listed building 80m to the north-

west of the school site. The nearest conservation area is the St Mary's Rotherhithe Conservation Area, 185m to the north-west.

8. The London Overground lines pass under the centre of the site. Rotherhithe station is 130m to the north, and the Canada Water Overground, Underground and bus stations are 130m-180m to the south.
9. The site is within the core area designated in the Canada Water Area Action Plan (CWAAP) wherein the whole Albion Primary School site is identified as proposal site CWAAP4.
10. The site is within flood zone 3, a controlled parking zone, air quality management area and has a PTAL rating of 6a, which indicates excellent access to public transport. It is not within a conservation area, nor an archaeological priority area. There are trees within the site, none of which are protected by tree preservation orders.

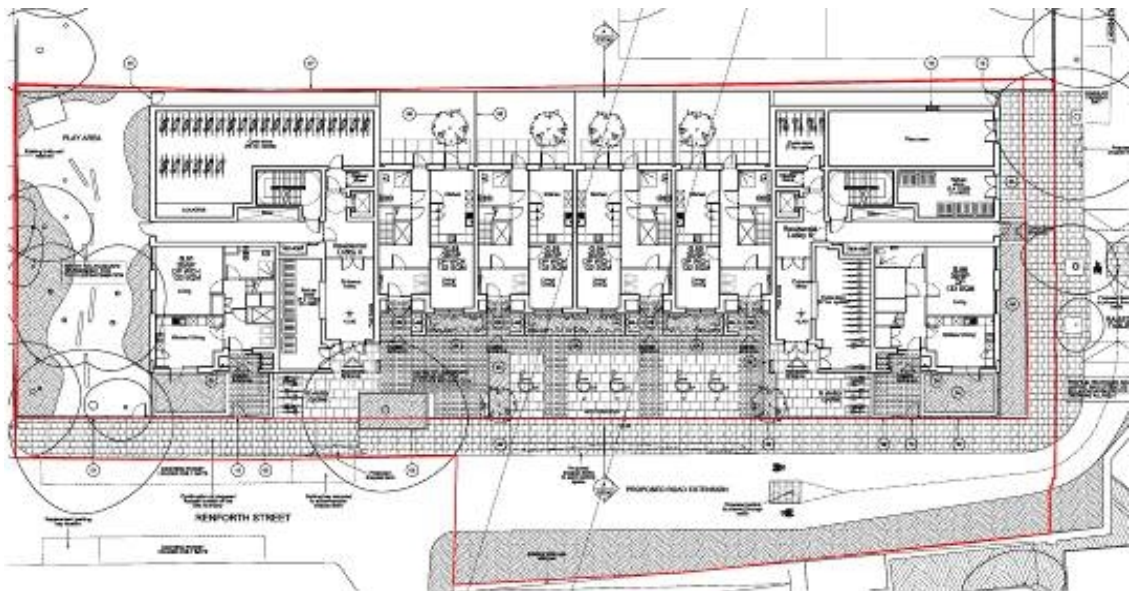
Details of proposal

11. This application seeks to develop the southern part of the school site with a six-storey building (20.0m high) to provide 50 residential units.



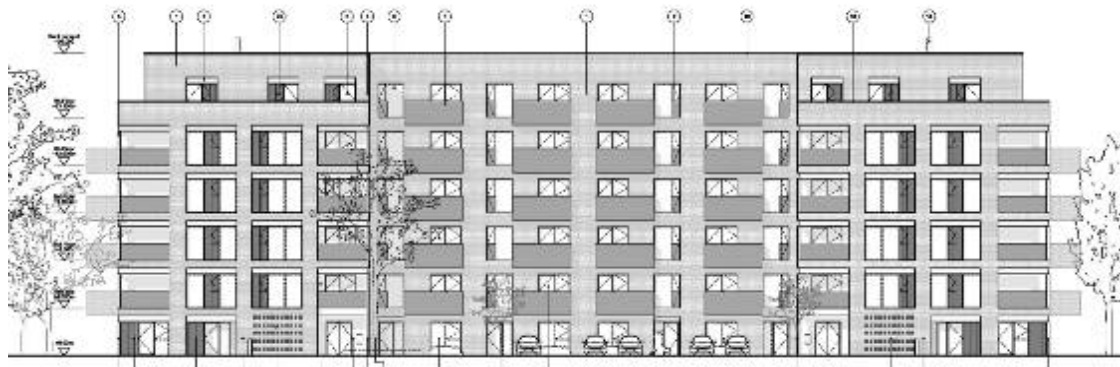
Site plan

12. The 50 units are in a mix of flats and maisonettes, 25 of which would be social rent, 12 intermediate, and 13 private units.



Proposed ground floor

13. Six maisonettes are proposed with their own ground floor entrances and each with a garden to the front or rear, and a first floor balcony. The 44 flats on the first floor and above would be accessed through two entrance cores and would have cycle parking and refuse stores on the ground floor. The existing landscaped area at the west of the site would be used as an amenity and play area for the development. A green roof and PV panels are proposed.

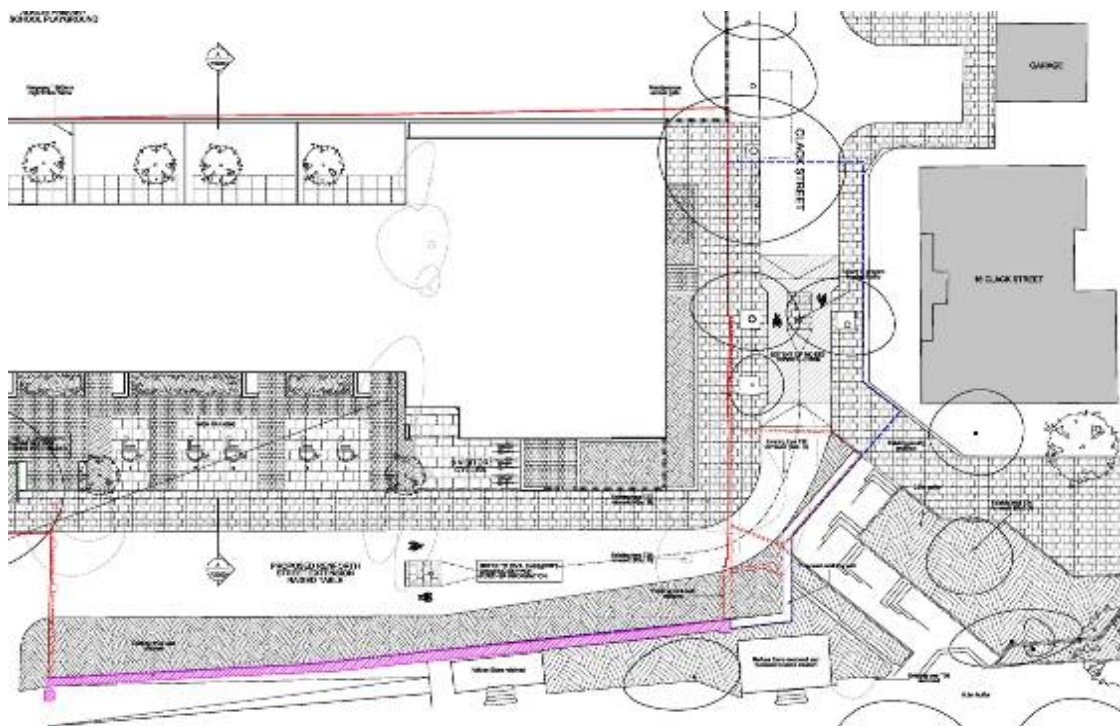


Proposed south elevation

14. The scheme has been designed by Bell Phillips Architects. The design intends to reference the industrial character and materials of the former pumping station. The building would be constructed in a warm grey brick, with “hit and miss” textured brickwork to parts of the ground floor level on the front elevation. The large steel lintels, balcony reveals, balustrades, cut metal panels, and corner columns would be in powder-coated steel, and with the anodised aluminium window frames are intended to act as a contextual link to the architecture of the pumping station and the area’s industrial heritage.



15. Visitor cycle stands and five disabled parking spaces are proposed within the front of the site, accessed from the extended Renforth Street highway. Refuse stores, cycle stores and a plant room are proposed within the ground floor.
16. The application drawings show highway works to be undertaken both inside the application site and outside to the east. The highway works within the site are a raised table roadway to provide access to the disabled car parking spaces on the site would extend Renforth Street to the north-east, alongside the retaining wall for the Albion Estate. A pavement on the northern side and tapering pavement on the southern side would also be created. This would lead into highway works outside the application site to extend Clack Street to the south-east for pedestrians and cyclists (with a bollard preventing cars from using the route), linking Clack Street and Renforth Street at ground level.



Proposed highway works on- and off-site

17. This application is part of the Southwark Regeneration in Partnership Programme which together with other programmes within the council seeks to deliver more affordable housing in the borough. A concurrent planning application (17/AP/1255) has been submitted for the Rotherhithe Civic Centre site, located on the north side Albion Street, for the construction of part 4-storey, part 5-storey development consisting of commercial space (Class A1/A3/A5/B1/D1) at ground floor and 26 residential units above (7 x1 bed, 11 x 2 bed, 8 x 3 bed) including 14 social rented tenure and 12 intermediate units, and re-landscaping of the public square to the east of the site.

Amendments

18. The application was amended from its original form in the following ways:
- The proposed fifth floor originally had the same footprint and dimensions as the floors below, but was amended to be set 2m back from the front and side elevations.
 - As a consequence, the original housing mix was amended to replace 4 x 3-bedroom flats with 2 x 1-bedroom and 2 x 2-bedroom flats.
 - The originally proposed highway works included creating a 10m long and 5.5m wide turning head for the refuse vehicles serving the site which would have removed the existing steps, ramps and landscaping that link Clack Street and the Albion Estate. The highway works have been changed to remove this turning head from the proposal so that more of the landscaping and the stepped link can remain.

Planning history

- 19.

<p>12/AP/1164 Application type: Council's Own Development - Reg. 3 (REG3) Erection of a single storey prefabricated extension to provide additional classroom, staff prep. room and storage. Decision date 30/05/2012 Decision: Granted (GRA)</p>
<p>13/AP/0998 Application type: Full Planning Application (FUL) Installation of a modular classroom as temporary expansion accommodation for a period of 2 years from September 2013. Decision date 06/06/2013 Decision: Granted (GRA)</p>
<p>14/AP/1564 Application type: Council's Own Development - Reg. 3 (REG3) New temporary classroom block with toilets, hall and ramped and stepped access Decision date 07/07/2014 Decision: Granted (GRA)</p>
<p>14/EQ/0308 Application type: Pre-Application Enquiry (ENQ) The proposal revolves around 2 key elements of work. 1) Construction of new school facilities to allow for the expansion from 1FE to 2FE. 2) Construction of external play areas to provide additional teaching and stimulating play environments. Decision date 16/03/2015 Decision: Pre-application enquiry closed (EQC)</p>
<p>15/AP/0647 Application type: Council's Own Development - Reg. 3 (REG3) Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 06/05/2015 Decision: Granted (GRA) Conditions have been discharged on this permission in subsequent approval of</p>

<p>details applications, and the construction is underway.</p>
<p>15/AP/1561 Application type: Full Planning Application (FUL) Erection of a two-storey temporary cabin with four classrooms, male & female toilets and storage, and the erection of a temporary single-storey toilet block, all to be used during the demolition and new build development of Albion Primary School. Decision date 10/08/2015 Decision: Granted for Limited Period (GFLP)</p>
<p>15/AP/2973 Application type: Approval of Details - Article 30 DMPO (AOD) Partial discharge of Condition 3 - Site Contamination (parts (a) and (b)) as required by planning permission 15/AP/0647 for the demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 11/09/2015 Decision: Granted (GRA)</p>
<p>15/AP/3260 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a surface water drainage scheme pursuant to Condition 4 of planning permission 15-AP-0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 23/09/2015 Decision: Refused (REF) Reason(s) for refusal:</p>
<p>15/AP/3661 Application type: Full Planning Application (FUL) Installation and erection of new sprinkler tank and pump house. Decision date 30/10/2015 Decision: Granted (GRA)</p>
<p>15/AP/4740 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a surface water drainage scheme pursuant to Condition 4 of planning permission 15-AP-0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 23/12/2015 Decision: Granted (GRA)</p>
<p>15/EQ/0390 Application type: Pre-Application Enquiry (ENQ) Redevelopment of site for residential use. Demolition of existing buildings and the erection of a 6 storey block with partial set back to upper floor, to provide 49 units (14x1 bed, 13x2 bed, 21x3 bed and 1x4 bed) at 100% social rent and associated road/highway works connecting Crack Street and Renforth Street. Decision date 25/01/2016 Decision: Pre-application enquiry closed (EQC)</p>
<p>16/AP/4716 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Condition 5 - External Facing Materials, pursuant to planning permission 15/AP/0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 02/03/2017 Decision: Granted (GRA)</p>
<p>17/AP/2565 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Condition 9 'Cycle Parking' pursuant to planning permission 15/AP/0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA,</p>

landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north.

Decision date 02/08/2017 Decision: Granted (GRA)

17/AP/2563 Application type: Approval of Details - Article 30 DMPO (AOD)
 Details of Condition 7 'Bird and Bat Boxes' pursuant to planning permission 15/AP/0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north.

Decision date 02/08/2017 Decision: Granted (GRA)

Planning history of nearby sites

20. Civic Centre, Albion Street

Concurrent planning application ref. 17/AP/1255 for - Construction of part 4-storey, part 5-storey development consisting of commercial space (A1/A3/A5/B1/D1) at ground floor and 26 affordable residential units above (14 x Social Rented Flats and 12 x Intermediate flats with the following mix: 7 x1 bed, 11 x 2 bed, 8 x 3 bed). Re-landscaping of the public square to the east of the site.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

21. The main issues to be considered in respect of this application are:

- a) Principle of the proposed development in terms of land use and conformity with planning policies and designations
- b) Environmental Impact Assessment
- c) Design including layout, height and massing
- d) Impact on local views and the setting of nearby listed buildings
- e) Density
- f) Affordable housing
- g) Housing mix and quality
- h) Impact on the amenities of occupiers of neighbouring properties
- i) Transportation, highways and pedestrian movement
- j) Trees and Ecology
- k) Sustainability (including energy, flood risk, site contamination, air quality and archaeological matters)
- l) Planning obligations and Community Infrastructure Levy (CIL)

Planning policy

22. National Planning Policy Framework (the Framework)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

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

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment.

23. The London Plan 2016

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 3.18 Education facilities
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and waste water infrastructure
- Policy 5.15 Water use and supplies
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands
- Policy 8.2 Planning obligations
- Policy 8.3 Community Infrastructure Levy.

24. Greater London Authority Supplementary Guidance

- Housing SPG (March 2016)
- Play and Informal Recreation SPG (September 2012)
- Sustainable Design and Construction SPG (April 2014)

25. Core Strategy 2011

- Strategic policy 2 – Sustainable transport
- Strategic policy 4 – Places for learning, enjoyment and healthy lifestyles
- Strategic policy 5 – Providing new homes

Strategic policy 6 – Homes for people on different incomes
 Strategic policy 7 – Family homes
 Strategic policy 11 – Open spaces and wildlife
 Strategic policy 12 – Design and conservation
 Strategic policy 13 – High environmental standards
 Strategic policy 14 – Implementation and delivery.

26. Southwark Plan 2007 (July) - saved policies

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

Policy 2.1 Enhancement of Community Facilities
 Policy 2.3 Enhancement of Educational Establishments
 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 in Design
 Policy 3.13 Urban Design
 Policy 3.14 Designing Out Crime
 Policy 3.15 Conservation of the Historic Environment
 Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites
 Policy 3.28 Biodiversity
 Policy 4.2 Quality of residential accommodation
 Policy 4.3 Mix of Dwellings
 Policy 4.4 Affordable Housing
 Policy 4.5 Wheelchair Affordable Housing
 Policy 5.1 Locating Developments
 Policy 5.2 Transport Impacts
 Policy 5.3 Walking and Cycling
 Policy 5.6 Car Parking
 Policy 5.7 Parking Standards for Disabled People and the Mobility Impaired.

27. Canada Water Area Action Plan (CWAAP - November 2015)

The CWAAP was adopted in November 2015 and sets out the planning framework for delivering development in the area over the period up to 2026, and the measures needed to help the area fulfil its redevelopment potential. The site is within the Action Area Core and the whole Albion Primary School site is designated proposal site CWAAP4. The site specific designated includes education use (Class D1) as its required use in order to expand the school to two forms of entry, with community and residential uses as other acceptable land uses. No estimated capacity is stated as the amount of homes would depend on the amount of non-residential floorspace provided on site.

Policy 6: Walking and cycling
 Policy 8: Vehicular traffic
 Policy 10: Parking for residential development in the Core Area
 Policy 14: Streets and public spaces
 Policy 15: Building blocks
 Policy 17: Building heights in the core area
 Policy 18: Open spaces and biodiversity
 Policy 19: Children's play space
 Policy 20: Energy
 Policy 21: New homes
 Policy 22: Affordable homes
 Policy 23: Family homes
 Policy 24: Density of developments
 Policy 26: Schools
 Policy 31: Albion Street
 Policy 33: Proposals sites
 Policy 24: S106 planning obligations and the community infrastructure levy.

28. Southwark Supplementary Planning Documents

2015 Technical Update to the Council's Residential Design Standards (SPD, 2011)
 Draft Affordable Housing (SPD, 2011)
 Design and Access Statements (SPD, 2007)
 Development Viability (SPD, 2016)
 Section 106 Planning Obligations and CIL (SPD, 2015)
 Sustainability Assessment (SPD, 2009)
 Sustainable Design and Construction (SPD, 2009)
 Sustainable Transport (SPD, 2010).

Principle of the proposed development in terms of land use and conformity with planning policies and designations

29. The application site forms the southern part of the wider Albion Primary School site and is in education use (Class D1). The application proposes to change the use of this part of the school site from education to residential (Class C3). The policies relating to school use and residential use are summarised below.
30. London Plan policy 3.16 "Protection and enhancement of social infrastructure" states that additional and enhanced social infrastructure provision is required to meet the needs of London's growing and diverse population. London Plan policy 3.18 "Education facilities" supports proposals which enhance education facilities through new build, expansion or change of use schemes, and resists proposals which result in the net loss of education facilities.
31. At the borough level, Core Strategy policy 4 "Places for learning, enjoyment and healthy lifestyles" protects schools where there is a long-term local need, and encourages new schools and improvements to existing schools to provide improved education opportunities. Policies 2.1 "Enhancement of community facilities" and 2.3 "Enhancement of educational establishments" of the Southwark Plan seek to retain Class D community facilities and educational establishments, unless it can be demonstrated that it is surplus to requirement and that similar or enhanced provision within the catchment area is secured.
32. Policies 3.3, 3.4 and 3.11 of the London Plan, 5 and 6 Core Strategy, and 3.11 and 4.2 Southwark Plan seek to provide new housing, affordable housing, and make efficient use of land.

33. The whole Albion Primary School site is within the core area of the Canada Water Area Action Plan (CWAAP, November 2015) and is an identified proposal site. Policies within the CWAAP are therefore a material consideration in the determination of this planning application.
34. Policy 26 “Schools” of the CWAAP states that the anticipated demand for additional school places will be met by keeping the need to expand existing primary schools under review, and the potential provision of new schools. At the northern part of the Albion Primary School site, the new two-storey school is currently under construction (as approved by planning permission ref. 15/AP/0647). This will be a two form entry primary school, with a MUGA, landscaping and parking area. The temporary buildings and old school building on the southern part of the school site will no longer be required once the new school building is opened.
35. Policy 21 “New homes” of the CWAAP states that a minimum of 4,500 new homes will be provided between 2011 and 2026, and that across the AAP area most of these homes will be delivered on proposal sites.
36. The CWAAP sets area policies and specific detail for particular sites within the wider Canada Water area. Policy 31 “Albion Street” states that the regeneration of Albion Street will be promoted through:
- *Improving pedestrian and cycle links between Albion Street and the town centre, St Mary’s Conservation Area and Rotherhithe Station.*
 - *Reinforcing the viability of the shopping parade by making sure that no more than two units are used as hot-food takeaways.*
 - *Working with leaseholders to improve the appearance of shop fronts.*
 - *Continuing to investigate the potential for a market on Albion Street.*
 - *Seeking funding to provide public realm improvements.*
 - *Working with local stakeholders to create a pocket park on St Olav’s Square in front of the Norwegian Church.*
 - *Using the library site as an opportunity to help improve the street.*
 - *Working with governors and staff to explore the potential to provide mixed use development on a part of Albion Primary school.*
37. It is the last bullet point that is relevant to the current proposal as it identifies the potential for introducing new uses onto the school site, and this wording is replicated in Figure 14 in the CWAAP for the Albion Street area.
38. In terms of site-specific policy, policy 33 “Proposals sites” of the CWAAP states that planning permission will be granted for proposals in accordance with the adopted policies map and schedule of proposals sites (contained within appendix 4 of the CWAAP). The Albion Primary School is a designated proposal site, named “CWAAP4”, and is designated with education use as the “required land use”, with community use (Class D) and residential use (Class C3) as “other acceptable land uses”. No estimated approximate capacity is given as it states “The amount of homes would depend on the amount of non-residential floorspace provided on the site.”
39. The CWAAP therefore establishes that the Albion Primary School should be redeveloped to provide a new school facility, and that other uses could be accommodated on the site, with the suggested other uses being community and/or residential use.
40. The “required land use” for the proposal site is being provided through the construction of the new school building. In designing the new Albion Primary School building which expands the school from a single form entry to a two-form entry school (a total of 420 pupils) for nursery through to year 6, the council as the applicant had

regard to the current demand for school places and future growth. The application documents submitted with the application in 2015 (ref. 15/AP/0647) are explicit that the expanded school could be properly accommodated on the northern part of the site, and since this could be achieved the southern part of the site could then be released for residential development. In considering the 2015 planning application, the Planning Committee was satisfied that the retained school site would provide the expanded school with suitable amenity space provision and a good design quality in the new building. It is therefore concluded that the use of the southern portion of the site for residential has not compromised the quality of the expanded school.

41. As residential is one of the “other acceptable land uses” under CWAAP4, the proposal is in accordance with the designation for this site. The residential units proposed would contribute towards the borough housing targets, the minimum target of 4,500 new homes in the Canada Water core area between 2011 and 2026, and the affordable housing target of CWAAP policies 21 and 22.
42. Objections have been received which refer to the need for the Secretary of State to approve the subdivision of the site and the planning application. This application does not require consultation with Sport England under the Town and Country Planning (Development Management Procedure)(England) Order 2010, as the application site does not include a “playing field” which encompasses at least one “playing pitch” (defined as a delineated area of 0.2 hectares or more and which is used for a list of certain sports). Therefore, Sport England is not a statutory consultee on the application, and the application does not require referral to the Secretary of State. The legislation regarding the disposal of school land (section 77 of the Schools Standards and Framework Act 1998) is separate to the planning system, however officers note that the Secretary of State approved the release of the Albion School land in August 2016 for the change of use of the site from education to residential.
43. The redevelopment of the wider Albion Primary School site for a mixed use scheme was anticipated by the CWAAP. The earlier planning application for the new school did not utilise the whole school site and excluded the southern part which now forms the current application site. The current application proposes a residential development, and Class C3 (residential) is identified in the AAP as an “other acceptable land use”. The proposal is therefore in conformity with the adopted planning policies for the area there is no objection in principle to its redevelopment for residential use.

Environmental impact assessment

44. The scale of development does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2015 that would trigger the need for an environmental impact assessment. The proposal’s location and nature do not give rise to significant environmental impacts in this urban setting, nor does the cumulative development with the new school under construction exceed the indicative threshold for an urban development project.

Design including layout, height and massing

45. Core Strategy policy 12 “Design and conservation” requires development to achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Policies 3.12 “Quality in design” and 3.13 “Urban design” of the Southwark Plan seek a high quality of architectural and urban design, and policy 3.14 “Designing out crime” states that development should be designed to improve community safety and crime prevention.

Site layout

46. The orientation of the proposed block to address an extended Renforth Street is a logical layout, and would be the only building on the northern side to face onto the extended road. Its siting enables the retention of the area of landscaping and trees on the western side and some of the trees on the Clack Street side. The building would be set back from the pavement behind the proposed wheelchair parking spaces and landscaping and set behind a retained tree at the front.
47. Policy 14 in the CWAAP “Streets and public spaces” requires development in the core area to create clearly defined streets and spaces which make connections into the surrounding street network, provide convenient, direct, safe and attractive pedestrian and cycle links etc.
48. The highway works proposed would provide a new at grade link between the southern end of Clack Street and north-eastern end Renforth Street for pedestrians and cyclists. This has been amended during the application to remove the turning head which was originally proposed to accommodate the weekly refuse vehicle servicing the site and would have required seven additional trees to be removed in the landscaped area at the end of Clack Street and the stepped and ramped path up to the Albion Estate. The revisions to the scheme to link Renforth Street and Clack Street would improve connectivity for pedestrians and cyclists by providing a shorter, at grade route (compared with the longer route up to the Albion Estate and back down), and retain the existing link to the Albion Estate.
49. This element of the proposal through the highway works within the application site and the off-site works would comply with policy 14 by providing an attractive pedestrian and cycle link at grade, and would be secured by a planning obligation.

Scale, height and massing

50. The CWAAP at policy 17 states that *“Prevailing building heights in the core area should be between 4 and 8 storeys. Heights will generally be at the lower end of the range on sites on the periphery of the core area. Developments should contain variations in height to add interest and variety to the development, help signify places which are more important and help them relate more effectively to surrounding development.”* This site is within the core area of the CWAAP (with the boundary of the core area some 115m to the north of the application site) and therefore a height of between 4- and 8-storeys is anticipated by the policy for this site.
51. The proposal is designed as a linear block with bookend-type projections at either end. These give the block a strong urban form which addresses Renforth Street. Existing trees would be retained at the eastern and western edges (and one tree to the southern side) to provide some screening of the block from its immediate residential neighbours.
52. The scheme proposes a building of six storeys, although the changes to the top-most storey mean it would be set back substantially at the front and flanks of the bookend wings of the block which gives it a “shoulder” height of five floors where it abuts the existing townscape, and have resulted in a more varied roof line when viewed from ground level. It would be taller than the four-storeys of the Albion Estate to the south, although the 2m change in ground levels and the pitched roof of the Albion Estate reduce the real height difference to the south to 3.8m. In urban design terms, the proposal responds appropriately to the existing four-storey buildings on Renforth Street. The new building would be similar in scale to the recently completed 6-storey

residential buildings on Albatross Way (Brampton House and Ottawa House) which are 60m to the south of the application site, on the other side of the Albion Estate. A six-storey building is considered acceptable in this location and could make a positive contribution to the street scene, and reflects its location within the CWAAP core area.

53. More could be achieved at the two parapets which are currently simply extruded brickwork to provide protection for the roof terraces of the fifth floor and roof-top space above the fifth floor. This simple extrusion increases the perceived bulk and scale of the block and could benefit from further refinement; a reduction in the height of the brick and instead using railing where necessary could add visual interest and slightly reduce the massing at these upper levels of the building. It is recommended that this detail should be reserved by condition.
54. The northern elevation facing onto the playground would be visible in longer views from Albion Street and would be particularly prominent in the approach from Clack Street. The scheme has been revised to introduce a greater variety in the fenestration and design, providing greater interest on this prominent facade. The southern elevation creates interest by the use larger windows and decorative screens. Careful consideration has been given to the legibility of entrances.

Detailed design

55. The proposed design is intended to take industrial references from the former pumping station and historic warehouse buildings by being primarily in brick with the use of metal lintels and columns to the windows and balconies. The warm colours of the proposed brick and powder-coated steel are intended to tie in with surrounding brick colours and the red metalwork on the pumping station. Detailing such as the patterned brickwork next to the two communal entrances, and the patterning to the panels on the front would help in lifting the design quality of the block. It is noted that one single brick type has been proposed; the scheme would benefit from a contrasting brick at ground floor level to define the base or the greater use of textured or ribbed brickwork.
56. The quality of design would rely to a large degree on the quality of materials chosen, the brick cladding, windows frames and railings and therefore these should be reserved by condition. In addition to requiring samples of the external materials and sample panels of brickwork, detailed drawings of the windows, screening patternation, railings, and lintels would be secured by condition to ensure a high quality finish to these elements of the building.
57. The design has been informed by comments from a crime prevention officer for the Metropolitan Police, and a condition is recommended to ensure the "Secured by Design" certification is achieved.

Landscaping and public realm

58. The application proposes to retain the category A (high quality) tree within the site and all but two of the category B (moderate quality) trees on site and in the adjoining highway area. Category C trees of lower quality within and adjacent to the site for the highway works are to be removed, and there would be an overall reduction in tree cover (see the later assessment paragraph 146 for further information). The retention of the better quality trees is welcomed as part of the development.
59. The proposed landscaping has been designed by Anna French Associates. The scheme shows planted beds along the eastern side of the building and in front of the maisonettes, sett paving for the entrance paths, flag paving to demarcate the parking, and another planter around the retained tree at the front. The rear gardens for the

central maisonettes would have lawn and tree planting.

60. The landscaped area of trees at the western end of the site around the retained trees would be remodelled with bark surfacing, wildflower planting, seating, small play house and play equipment to provide a 220sqm communal garden including play space for the residents.
61. Further detail on the materials and planting would be required by a proposed condition to ensure the quality demonstrated in the application documents is continued through the construction.

Conclusion on design

62. At five storeys plus a recessed sixth storey, this block would be taller than the immediate neighbours. However, the amendments to the scheme to set back the top floor have reduced the massing and result in a varied roof line in views from ground level across the front of the site, and the height reflects the expectations for the CWAAP core area, and the Canada Water Opportunity Area. The quality of the detailed design would be secured (and improved by) recommended conditions requiring detailed drawings and samples. The height, massing and design of the proposal are considered to be acceptable and accord with policies in the CWAAP, Core Strategy and London Plan.

Impact on local views and the setting of nearby listed buildings

63. The site is not in a conservation area but is within the setting of a grade II listed building.
64. In considering the impact of a proposal on a heritage asset such as a listed building, the local planning authority must have regard to planning legislation in its determination of a planning application. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm. Court cases have confirmed that, in order to give effect to the statutory duty under section 66(1), a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This gives rise to a strong presumption against granting planning permission where harm to a listed building or its setting is identified, although the presumption can be rebutted by material considerations powerful enough to do so.
65. The National Planning Policy Framework states at paragraph 131 that in determining a planning application, the local planning authority should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
66. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

67. Southwark Plan policy 3.15 “Conservation of the historic environment” requires development to preserve or enhance the special interest or historic character or appearance of buildings and areas of historical or architectural significance, and this is repeated in Core Strategy policy 12 “Design and conservation”. Saved policy 3.18 “Setting of listed buildings, conservation areas and world heritage sites” states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building, and important view of a listed building or the setting of a conservation area.
68. The site is opposite the converted London Hydraulic Power Company former pumping station which is a grade II listed building on the southern side of Renforth Street. It has a tall octagonal chimney, red-painted cast-iron tanks set above parts of the retained brick buildings, and large arched windows. The different elements of the former pumping station have varying heights and floor levels but the overall appearance is of a three- to four-storey building with a strong industrial character. The impact of the proposal on the setting of this listed building is a statutory planning consideration.
69. The immediate setting of this listed building within the complex called The Pump House currently comprises to the south a car park and the four storey terrace of Pump House Close, a detached 2-storey house to the east, and grassed area on the western side. Around the pumping station complex are the 4-storey terraced block on Renforth Street and the current application site (with the school playground, trees, and the two-storey school buildings) to the north; the 4-storey Albion Estate to the east; the recent 4-, 5- and 6-storey development on Albatross Way and Canada Water station to the south; and the 4-storey blocks in the Canada Estate and its parking area to the west. The setting of the listed pumping station comprises a variety of building ages, heights and open grassed or tarmacked areas.
70. The Design and Access Statement and Heritage Statement include visuals to show the resulting views from the east of the site, and west along Renforth Street with the proposed roadway and building. The warm colours of the proposed brick and use of powder-coated steel for elements of the proposed building are intended to tie in with surrounding brick colours and the red metal tanks on the pumping station.
71. In terms of height, the impact on the setting of the listed building has been considered carefully. The proposal would complete the urban enclosure of Renforth Street and provide a fitting backdrop to this important heritage asset, particularly when viewed from the west. At five storeys with a set-back sixth, the proposal would relate appropriately to the buildings on Renforth Street. It would enhance the setting of the listed building and with a well-detailed and constructed block that utilises high quality, carefully chosen materials.
72. It is important that the quality of design carries through to construction and these aspects of the scheme should be reserved by conditions for sample panels and detailed section drawings, as set out in the recommendation.
73. The site is not within the London Plan viewing corridors or assessment areas. Due to the distance of the application site from the St Mary’s Rotherhithe Conservation Area (185m away), and the grade II listed Finnish Church (80m away), the proposal would not affect the setting of these heritage assets.
74. The proposal would preserve the setting of the listed buildings and conservation areas in accordance with sections 66 of the Planning (Listed Building and Conservation Areas) Act, the NPPF and saved policies 3.15 and 3.18 of the Southwark Plan.

Density

75. London Plan policies 3.3 and 3.4 seek to increase housing supply and optimise housing potential through intensification and mixed use redevelopment. The Canada Water Area Action Plan at policy 24 states that development within the core area should be in the urban density range of 200-700 habitable rooms, and that the only exception to this should be when the development has an exemplary design standard. Policy 3.11 “Efficient use of land” of the Southwark Plan requires developments to ensure they maximise efficient use of land while protecting amenity, positively responding to local context and have acceptable transport impacts. Emerging policy DM8 of the draft New Southwark Plan states that within the Canada Water Opportunity Area Core the permitted residential density range would be 650-1100 habitable rooms per hectare, further increasing the expected density in this area.
76. With a total application site area of 2330sqm and 158 habitable rooms proposed, the density is 678 habitable rooms per hectare, which is within the 200-700 habitable rooms per hectare for the Canada Water Core Area. However it is noted that several objectors have referred to the scheme as being over-dense. When a calculation of density is carried out omitting the Renforth Street road extension, cycle link and pavements (thereby reducing the site area by 25%) then the density would be 912 habitable rooms per hectare. In that case, the density would appear as higher than the range for the Canada Water Core Area. In these circumstances, consideration whether the scheme is of sufficient quality to justify this high density.
77. The Residential Design Standards SPD sets out 14 expected design elements to demonstrate it is of an exemplary standard. The proposal demonstrates an exemplary standard of design by its high percentage (96%) of dual aspect units, the 2.6m high ceiling heights, good levels of daylight and sunlight to the units, and storage provision. The cumulative internal area of the 50 units is 390sqm larger than the minimum internal space standards. The proposed private amenity space across the scheme in balconies, gardens and the communal garden totals over 800sqm and exceeds the minimum external amenity space standards.
78. Each core would serve a maximum of five units per floor, and 22 units in total. Five maisonettes would be wheelchair units built to Building Regulations M4(3) standard and all units on the upper floors would be accessible by lift. In terms of stacking, the ground and first floor are mainly covered by the maisonettes and the first floor flats being sited over the ground floor cycle, refuse and plant rooms. The second, third and fourth floors have the same repeated floor plan stacked above each other which should assist in reducing noise between the units.
79. For these reasons the high density proposed by the scheme is considered to be acceptable as an exceptional design quality has been demonstrated. The proposal is considered to accord with the aims of policies the Canada Water Area Action Plan and Residential Design Standards SPD.

Affordable housing

80. London Plan policy 3.8 states that the provision of affordable family housing should be a strategic priority for borough policies, and policy 3.9 promotes mixed and balanced communities (by tenure and household income). Further detail on the definition of affordable housing, targets, and requiring the maximum reasonable amount of affordable housing on major schemes are included in policies 3.10, 3.11, 3.12, and 3.13 of the London Plan.
81. Core Strategy policy 6 “Homes for people on different incomes” requires as much

affordable housing on developments of 10 or more units as is financially viable, of at least 35%. Saved policy 4.4 “Affordable housing” of the Southwark Plan seeks at least 35% of all new housing as affordable. The Canada Water Area Action Plan policy 22 “Affordable homes” requires in schemes of 10 or more homes at least 35% of homes to be affordable.

82. This scheme will be delivered through the Southwark Regeneration in Partnership Programme where a number of sites have been packaged together to be delivered by a development partner.
83. The proposal would provide 74% affordable housing of which 50% would be for social rent, 24.2% for intermediate and 25.8% for private market (when measured by habitable rooms). This accords with Core Strategy policy 6 by significantly exceeding the required 35% minimum affordable provision.

Tenure	Social rent habitable rooms (units)	Intermediate habitable rooms (units)	Private habitable rooms (units)	Total
1 bedroom	24 (10)	12 (5)	12 (5)	48 (20)
2 bedroom	15 (5)	6 (2)	9 (3)	30 (10)
3 bedroom	50 (10)	25 (5)	25 (5)	100 (20)
Total habitable rooms (units)	89 (25)	43 (12)	46 (13)	178 (50)

84. The scheme provides a total of 74% of the units in a form of affordable tenure, and 26% as private. The affordable provision would be a 68%-32% split between affordable rent and intermediate in terms of dwelling numbers or a 67%-33% split in terms of habitable rooms. This is close to the 70-30 split sought by policy 4.4 of the Southwark Plan, and in view of the overall 74% affordable provision is considered to be acceptable. The on-site affordable provision of social rent and intermediate units would be secured by the unilateral undertaking, with the associated eligibility criteria and income thresholds.
85. The executive summary of the viability statement shows that the residual land value is a negative value of £7.9m, far below the benchmark land value of £575,000. Therefore this scheme would not be viable for a developer, however it forms one of nine sites the council is developing with a development partner as part of the Southwark Regeneration in Partnership Programme (SRPP). In order to address the deficit, funding would be used by the council from the Housing Zone Grant for sites in the Canada Water Area, and Right to Buy funds, to make the scheme viable.
86. The proposal would create 37 affordable homes, 25 of which would be for social rent and is a positive aspect of the scheme which should be given weight in the determination of the application. The 25 social rent homes would be truly affordable by households in the greatest housing need and includes ten 3-bedroom social rent units. It would contribute towards the wider SRPP and council targets for affordable housing provision.

Housing mix and quality

87. London Plan policy 3.5 requires housing developments to be of the highest quality internally, externally and in relation to their context, and policy 3.8 encourages a choice of different sizes and types of dwellings. CWAAP policy 23 “Family homes” requires a minimum of 60% of units with two or more bedrooms, and a minimum of 20% of units with 3, 4 or 5 bedrooms with directly accessible amenity space in the core area.

88. Saved policy 4.2 of the Southwark Plan provides guidance on what constitutes good residential development and states that planning permission will be granted for mixed use schemes where they achieve good quality living conditions by including high standards of accessibility, privacy and outlook, natural daylight, ventilation, amenity space, safety and security and protection from pollution. The Residential Design Standards and Sustainable Design and Construction SPDs provide detailed guidance, and the amenity space requirements.

Mix and unit size

89. This application proposes the following unit size mix:

Unit size	Number of units	Percentage
One bedroom	20	40%
Two bedroom	10	20%
Three bedroom	20	40%
Total	50	100

90. The proposed mix therefore meets the minimum 60% 2-bedrooms or larger requirement, and the significantly exceeds the minimum 20% 3-bedrooms or larger policy requirement for the Canada Water core area. Each proposed flat and maisonette meets or exceeds the minimum internal size standard set out in the Residential Design Standards SPD.

Accessibility

91. London Plan policy 3.8 provides specific targets for inclusive accessibility requiring 90% of new housing to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings and 10% should meet Building Regulation requirement M4(3) 'wheelchair user dwellings', that is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
92. Five of the 3-bedroom maisonettes are to be wheelchair accessible housing designed to meet the SELHP standards each with their own internal lift, representing 10% of the number of units, and complying with policy. This would be secured by a proposed condition. The detail of the marketing of the wheelchair units would be set out in the unilateral undertaking.

Aspect, orientation and privacy

93. Of the 50 units proposed, 48 would be dual aspect. The two single aspect units would be on the top floor, facing south-east. There are no proposed north-facing single aspect units. The very high proportion of dual aspect units is a positive aspect of the scheme.
94. There would be some mutual overlooking within the proposed development between the projecting and recessed balconies across the front elevation, and from the rear windows over the proposed private rear gardens of the maisonettes. This is typical on a residential development and would not result in a poor standard of amenity for future residents.

Daylight and sunlight

95. All rooms would exceed the minimum ADF value indicating a good level of daylighting to all of the proposed units. The submitted "no sky line" contours in the daylight

assessment show that the habitable rooms would receive a good distribution of daylight, except for one first floor kitchen due to its long, thin layout. All other rooms to this flat would have a good distribution of daylight. The daylight and sunlight provision to the proposed homes is considered acceptable.

Noise and vibration

96. The eastern part of the site lies over the London Overground rail lines, close to Rotherhithe station. Following comments from the Environmental Protection Team, additional information regarding the foundation design (and bearings to be included) has been provided by the applicant, which would form part of the approved documents on any permission. A condition is proposed requiring noise and vibration testing of the completed building prior to occupation to ensure sufficient mitigation is included in the construction.

Amenity space

97. Each dwelling would have a private amenity space of at least 6sqm. Each 3-bedroom flat would have a private amenity space of a 10sqm balcony. Each 3-bedroom maisonette would have a balcony and garden area totalling over 10sqm; the three proposed rear gardens would be 36sqm which is a good size, although it is acknowledged that these north-facing gardens would not receive direct sunlight. The front balconies and gardens to these maisonettes would receive good sunlight provision although they would have more limited privacy.
98. The 88sqm shortfall in amenity space for the one- and two-bedroom units plus the 50sqm minimum for a communal garden would be more than met by the size of the communal garden (223sqm) on the western side of the site.

Playspace

99. Policy 3.6 of the London Plan and Core Strategy policy 11 set out the requirement for children's play space. Using the GLA's child yield calculator, 130sqm of playspace would be required for 0-5 year olds, 110sqm for 5-11 year olds and 70sqm for 12 years and over.
100. There is not sufficient space on the site to provide the 310sqm total playspace for all age groups. Once the shortfall in private amenity space and 50sqm communal garden area is accounted for, the western landscaped area within the site can provide 85sqm of the 130sqm playspace for 0-5 year olds, with the inclusion of a play house, balance logs and wooden animals. The scheme would not provide 180sqm of playspace for 5-11 year olds, and those of 12 years and over. A contribution of 225sqm x £151 = £33,975 (indexed) is therefore required to mitigate this on-site shortfall for all age groups and improve play provision in the area.

Impact on the amenities of occupiers of neighbouring properties

101. Core Strategy policy 13 "High environmental standards" seeks to avoid amenity and environmental problems. Policy 3.1 "Environmental effects" of the Southwark Plan seeks to prevent development from causing material adverse effects on the environment and quality of life. Policy 3.2 "Impact on amenity" of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of amenity, to present and future occupiers in the surrounding area or on the application site.
102. The below sections assess the impact of the proposal in terms of the daylight and sunlight impacts, privacy and outlook, and pollution to surrounding properties.

Daylight and sunlight

103. A daylight and sunlight report has been submitted which assesses the impact on the daylight and sunlight to the windows and assumed habitable rooms of neighbouring properties in accordance with the Building Research Establishment's 2011 guidance. Non-habitable rooms to residential properties such as hallways and bathrooms have not been assessed. The calculations are based on computer models of the massing of existing and proposed buildings; they do not attempt to model the impact of trees and boundary walls/fences. The BRE guidance states that it is intended as advisory guidance for building designers and planners, but is not mandatory and should not be seen as an instrument of planning policy. Although it gives quantitative guidelines these should be interpreted flexibly as daylight and sunlight levels are only one aspect of site layout design. However the council's Residential Design Standards SPD does refer to the BRE methodology for daylight and sunlight tests as the appropriate means of assessing impacts on neighbouring properties.
104. The properties assessed for daylight and sunlight impacts are:
- The western end of the Albion Estate block
 - 7-61 Renforth Street
 - 16 Clack Street
 - 6-14 Clack Street
 - The Pump House.
105. Three tests were applied to the windows and assumed room arrangements of the properties; the vertical sky component (VSC), the no sky line (NSL) and annual probable sunlight hours (APSH).
106. Overshadowing tracking diagrams have been provided for the surrounding area on the 21 March in the existing and proposed arrangements, including the new school to the north of the application site.

Assessment of daylight and sunlight impacts

107. Daylight impacts to windows (vertical sky component VSC)

Address	Number of windows assessed	Passes VSC test	Fails VSC test with 20-30% loss	Fails VSC test with 30+% loss
Albion Estate	31	25 (81%)	5 (16%)	1 (3%)
7-61 Renforth Street	34	16 (47%)	3 (9%)	15 (44%)
16 Clack Street	11	3 (27%)	5 (46%)	3 (27%)
6-14 Clack Street	10	10 (100%)	0	0
The Pump House	15	15 (100%)	0	0
Totals	101	69 (68%)	13 (13%)	19 (19%)

108. Daylight distribution test (no sky contour NSC)

Address	Number of rooms assessed	Pass NSL test	Fails NSC test by 20-30%	Fails NSC test by 30+%
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Albion Estate	31	31	0	0
7-61 Renforth Street	33	33	0	0
6-14 Clack Street	10	10	0	0
16 Clack Street	7	4	1	2
The Pump House	0 (as internal room layouts not known)	-	-	-
Totals	81	78	1	2

109. Sunlight impacts to windows (annual probable sunlight hours APSH)

Address	Number of windows assessed	Total retaining >25% APSH or more than 80% of existing value	Total retaining <25% APSH or less than 80% of existing
Albion Estate	31	26 (84%)	5 (16%)
7-61 Renforth Street (no windows facing onto the site face within 90 degrees of south)	-	-	-
16 Clack Street	11	11 (100%)	0
6-14 Clack Street	10	10 (100%)	0
The Pump House (no windows facing the site face within 90 degrees of south)	-	-	-
Total	52	47 (90%)	5 (10%)

Albion Estate

110. Six windows of the 31 assessed would experience a noticeable reduction in VSC (i.e. more than a 20% reduction where the resulting VSC is less than 27%). Four affected windows are on the ground floor and two on the first floor, and all six are set below the projecting walkway on the floor above which affects their existing daylight provision. The proposal does not affect the daylight distribution of the rooms that these windows serve (i.e. the rooms pass the NSL test). Overall, the impact of the proposal on the daylight to these rooms is considered not to cause significant harm to the amenity of these units, which have windows on the other side of the building that would not be affected by the current proposal.
111. The proposal would cause a significant loss of annual sunlight hours to five windows which are assumed to serve five rooms. These windows receive low annual probable sunlight levels (of between 14 and 20 hours of sunlight per year) as these windows face west. The reduction in annual probable sunlight hours to between 8 and 14 hours is considered not to be a material reason to refuse the application, particularly when these units have windows facing south-east on the other side of the building that would receive better sunlight levels.
112. Only the western arm of the Albion Estate block has been assessed in the submitted report, which is the closest part to the application site and faces on to it. The adjoining section of the Albion Estate block faces north onto the eastern-most corner of the application site; due to this orientation, the proposed block would have less daylight impacts to these windows than those described above and would not affect the sunlight levels. Carrying along the Albion Estate block, the next section (which is parallel to the western arm) is set far enough away from the proposed building so that

the proposed massing passes the initial BRE test and would not cause a significant loss of daylight nor sunlight.

16 Clack Street

113. Two ground floor windows serving two rooms within this care home would experience a noticeable reduction in VSC (one room would also experience a significant reduction in daylight distribution) however the remaining values of 22.6% and 24.1% VSC are relatively good daylight levels for an urban location.
114. Two other ground floor windows are recessed behind the overhanging eaves of the first floor and would experience a significant reduction in VSC from 29.8% and 30.3% VSC to 18.8% VSC and 19.0% VSC respectively, and the two rooms they serve would experience a 33% reduction in their NSC daylight distribution as well. Due to the overhanging eaves in front of these two windows, the existing VSC levels are some 5-6% VSC below those of the adjacent windows that are not recessed. The portion of sky providing daylight to these recessed rooms is at relatively low level, hence any building on the opposite side of the road in front of these windows would have a disproportionate impact on the VSC and NSC results.
115. Four first floor windows would experience a noticeable reduction in VSC, however the resulting values of 24.4% to 25.2% VSC are considered to be acceptable for an urban area. Two of the rooms served by these windows would experience a significant reduction in daylight distribution of up to 40%.
116. All rooms would retain APSH above the BRE suggested minimum.
117. The remaining VSC levels, daylight distribution and sunlight to these rooms, and the impact on these affected rooms and the amenity of this care home are considered on balance not to be so adverse as to warrant the refusal of the application.

6-14 Clack Street

118. The proposal would not cause a significant loss of daylight, daylight distribution nor sunlight to these properties.

7-61 Renforth Street

119. There would be a noticeable loss of daylight to nine ground floor windows and nine first floor windows. These 18 windows are set below the projecting walkway of the floor above which limits the existing daylight to between 9% and 12.3% VSC. The proposed VSC levels would be between 4.3% and 8.1%. The rooms served by these would retain good levels of daylight distribution however.
120. The properties in nos. 7 – 61 Renforth Street have a second aspect facing to the west, and these windows would not be affected by the proposed building. The proposal is considered to not cause significant harm to the overall amenity of these Renforth Street properties.
121. Only one of the windows assessed faces within 90 degrees of south and would not be affected by the proposal.

Pump House

122. All windows pass the VSC daylight test, and the sunlight provision would not be affected as the windows face north onto the application site.

New Albion Primary School building

123. The proposal would not cause a noticeable loss of daylight to the ground and first floor windows of the southern elevation of the new school building due to the distance of 30m between the buildings. The overshadowing drawing shows that the windows on the southern elevation would be overshadowed by the proposed building in the early morning until 10am, and would continue to receive sunlight until approximately 3pm. The school's windows across the southern elevation (serving classrooms and the hall) would receive good sunlight during most of the normal school hours. This is considered to be an acceptable relationship in daylight and sunlight terms.

Overshadowing of amenity spaces

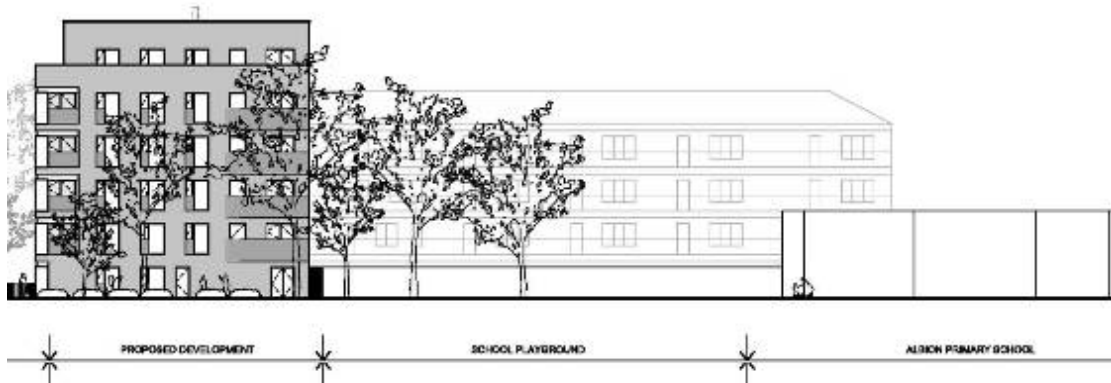
124. The overshadowing diagrams show the shadow cast by the proposed building at different hourly intervals on 21 March, which is the key date set by the BRE guidance. These diagrams model the massing of the surrounding buildings (and approved school under construction) but do not attempt to replicate the shading from low boundary walls or trees.
125. The proposal would not cause a significant loss of sunlight to the front gardens of the Clack Street properties, nor to the rear of nos. 7-61 Renforth Street. Being to the north of the converted Pump House and Albion Estate, the proposal would not cause a significant loss of sunlight to the outdoor areas of these developments.
126. The playground areas of the new primary school form an E shape around the wings of the new building and the proposal would overshadow parts of these playground areas in the morning and early afternoon on 21 March:
- It would overshadow part of the play area for the nursery (which is to the west of the new school building) at the beginning of the day until 10am.
 - The shadow of the proposal during the morning would fall across most of the main playground area for Key Stage 1 and 2 pupils, which will be on the southern side of the new school building. As the sun moves around through the day the shadow would reduce so that parts of the main playground would receive sunlight from 11am onwards.
 - The closest part of the school site in the south-eastern corner would provide a new multi-use games area (MUGA); this would be overshadowed in the morning and early afternoon on 21 March, until approximately 3pm near the end of the school day.
 - It would not overshadow the play area for Key Stage 1 pupils on the eastern side of the new building.
 - The proposal would not overshadow the outdoor learning area on the roof of the Albion Street frontage during school hours.
127. The transient overshadowing by the proposed building of the main playground areas during the school day is considered not to cause demonstrable harm to the quality of the school's amenity space. The overshadowing of the MUGA in the corner closest to the proposed building would be longer and a significant proportion of the school day however, this overshadowing is considered not to undermine the usability of this games area.

Conclusion on daylight and sunlight

128. The proposed massing would impact on the daylight and sunlight provision to surrounding properties, however these adverse impacts are not severe and would not warrant the refusal of this application nor its significant redesign.

Privacy

129. The Residential Design Standards SPD requires developments to achieve a minimum of 12m at the front of the building and any elevation that fronts onto a highway, and a minimum of 21m at the rear of the building.
130. The proposed windows on the north-eastern elevation would be 16m from the facing windows of no. 16 Clack Street on the other side of the road; the proposed projecting balconies on this elevation would reduce the separation distance to 14m.
131. The proposed windows and balconies on the south-eastern elevation would be 16m from the windows of the converted Pump House, and further from the windows in the Albion Estate.
132. The proposed windows on the south-western elevation would be 22m from the rear balconies of nos. 7-61 Renforth Street; the proposed projecting balconies would reduce this separation distance to 20m. The retained trees within the western end of the application site would provide some screening.
133. The distances across Renforth Street and Clack Street exceed the 12m distance sought by the Residential Design Standards SPD for elevations fronting a highway. The 22m separation provided at the south-western side of the building for most of the elevation, and 20m separation where the balconies are located is close to the 21m distance sought by the SPD at the rear of buildings. It is considered to be an acceptable relationship that would not materially reduce the privacy of existing residential properties around the site.
134. In terms of the overlooking of the Albion Primary School, the council must have regard to its safeguarding duty of protecting children and vulnerable adults. The boundaries of the original school contained many trees which reduced the overlooking from the facing windows of properties on Clack Street, Albion Street and Renforth Street. The new school building is sited much closer to the Albion Street and Clack Street frontages so many of the trees were removed, and relocated the playground and games area to the southern part of the site. The proposed residential building includes windows, and external deck accesses across the rear elevation, set 1m-5.6m from the boundary that would face the school playground and new school building. Views over the school would be possible from the proposed side balconies and roof terraces.
135. The revised layout of the school once completed would not be completely private, with overlooking possible from the upper level windows of houses on Clack Street and the four-storey Renforth Street, particularly in winter when the trees screening reduces, and views from the Clack Street pavement. The proposed building would be adding to the overlooking currently possible, particularly by adding new views from the south of the school. The school has not provided an objection comment to the application. Overlooking of playgrounds is not unusual in urban areas, and many new schools are being delivered across London as part of mixed-use developments which integrate housing and school buildings. Playgrounds are often overlooked from the street, just as Albion Primary School's original playground was, and its future ground level playground will be. The overlooking from the proposed building is considered not to cause significant harm to the amenity of the school.



Eastern elevation of the proposal in relation to the new playground and new primary school building.

Outlook

136. The proposed building would be separated from neighbouring residential buildings by Renforth Street, Clack Street and the retained landscaped area on the western part of the application site. The massing of the proposed building with these separation distances is considered to have an acceptable impact on the outlook of these surrounding residential properties.
137. The proposed building would be 30-32m from the new school building under construction, which is sufficient distance to prevent the proposed building from being overbearing and intrusive to the rooms within the school. The proposal would be sited 1m from the boundary with the school and therefore very close to the new MUGA in the eastern corner of the school site, and the wider playground. The proposed building would extend across nearly all the southern boundary of the school and be highly visible from within the playground. With the dimensions of playground area (29m by 65m), the trees in the “forest school area” on the south-western side of the playground, and outlook from the playground in other directions, the proposal is considered not to be so overbearing to the outdoor areas of the school as to cause significant harm to its overall amenity.

Noise and pollution

138. The site is surrounded by residential uses and the primary school, and its redevelopment from school use (Class D1) to residential use (Class C3) is considered to be a neighbourly relationship. The proposal does not raise noise or disturbance concerns for neighbouring properties when compared with the existing uses of the application site. Future residents of the proposed units would be aware of the adjacent primary school when considering moving to/buying a unit at the site, and the associated potential noise during the school day from children using the playground and MUGA, and comings and goings at the start and end of the school day.
139. Conditions are recommended regarding land contamination, boiler NOx emissions, lighting, and a construction environmental management plan to protect future and neighbouring occupiers from pollution during the construction and operational phases. Subject to these conditions the proposal would comply with policies 7.14 and 7.15 of the London Plan, 13 of the Core Strategy, and 3.1, 3.2, and 3.6 of the Southwark Plan.

Transportation, highways and pedestrian movement

140. The London Plan policies in chapter 6 seek to ensure major developments are located in accessible locations, and support improvements to sustainable transport modes. Core Strategy policy 2 “Sustainable transport” encourages sustainable transport to

reduce congestion, traffic and pollution. Policies 5.1 “Locating developments”, 5.2 “Transport impacts”, 5.3 “Walking and cycling”, 5.6 “Car parking” and 5.7 “Parking standards for disabled people and the mobility impaired” seek to direct major developments towards transport nodes, provide adequate access, servicing, facilities for pedestrians and cyclists, and to minimise car parking provision while providing adequate parking for disabled people. Policy 31 “Albion Street” of the CWAAP sets out measures to improve the regeneration of Albion Street including the public realm, and improving pedestrian and cycle links between Albion Street, the town centre, St Mary’s Conservation Area and Rotherhithe Station.

141. The connectivity improvement with the proposed pedestrian and cycle link between Clack Street and Renforth Street is set out in paragraph 47 above. In doing so, the proposal is considered to comply with policy 14 of the CWAAP by providing a convenient, direct, safe and attractive link at ground level. These works are to be secured by a planning obligation associated with any permission.

Car parking

142. Policy 10 of the CWAAP “Parking for residential development in the Core Area” sets a maximum parking provision of 0.3 spaces per home, and promotes car free development for a site within a CPZ.
143. The site is located within a CPZ and benefits from being within a high PTAL (6a). Therefore a car free development with the exception of disabled parking would be expected. The submitted scheme includes five off-street disabled parking spaces for the five wheelchair units proposed. This is welcomed and the detail of the cross-over and surfacing material(s) would be secured by a recommended condition. A further condition would prevent future residents from obtaining on street parking permits unless a blue badge space is required. A planning obligation would require the scheme to provide three years free car club membership for each eligible adult within the residential scheme.

Cycle parking

144. The proposal includes 84 cycle spaces in three ground floor stores, as well as the four central maisonettes having their own cycle store each, and 12 visitor cycle spaces. This provision exceeds the requirements of the London Plan and is acceptable.

Servicing

145. Policy 8 “Vehicular traffic” of the CWAAP requires developments to make sure they can be adequately and safely serviced.
146. Due to the site constraints on-site servicing can not be accommodated, and the proposed on-street servicing arrangement is considered to be acceptable in this case. The original proposal included highway works to create a turning space for servicing vehicles, and for the proposed on-site parking spaces; this has now been removed from the proposal, and the site would need to be serviced from Renforth Street for one core and Clack Street for the other refuse store. The applicant has proposed to relocate an on-street parking bay to accommodate a dropped kerb to access the proposed bin storage which is acceptable.

Trees and Ecology

147. Policies 5.10 and 5.11 of the London Plan encourage urban greening, and green walls and roofs, and policy 7.19 seeks positive contributions to biodiversity. Core Strategy policy 11 “Open spaces and wildlife” requires new developments to avoid harming

protected species and to improve habitat. Policy 3.28 “Biodiversity” of the Southwark Plan encourages the inclusion of features which enhance biodiversity, and does not permit developments that would damage habitats or populations of protected species.

148. None of the trees on the site are the subject of tree preservation orders. The development requires the removal of semi-mature trees of moderate value to screening and amenity for the proposed building, access road and highway works to the east. The submitted arboricultural report shows these to be 2 x B category and 17 x C category Maple, Hornbeam, Lime, Cherry and Cedar trees, including a number of street and other council-owned trees, totalling 2,318cm stem girth. Some replacement tree planting is proposed in the gardens and one on the Renforth Street side of the building but this is insufficient to replace the canopy cover of the existing trees, and so additional mitigation would be required off-site.
149. A sum of £31,218 (indexed) would provide sufficient replacement planting to off-set the net loss of canopy cover as a result of the proposed development. Payment of this contribution would be secured through a planning obligation.
150. There are trees in the Pump House site that are subject to a TPO, however these are located towards the centre and southern part of the pumping station site and so would not be affected by the proposed development.
151. The ecological assessment has been assessed by the ecology officer and is considered acceptable, with no further surveys required. Conditions are recommended requiring a biodiverse brown roof across the whole building, bat bricks and bird boxes to ensure ecological habitat enhancements are included in the constructed scheme.

Sustainability (including energy, flood risk, site contamination, air quality and archaeological matters)

152. Core Strategy policy 13 “High environmental standards” requires developments to meet the highest possible environmental standards, to minimise greenhouse gas emissions, increase recycling, minimise water use, mitigate flood risk and reduce air and land pollution. Southwark Plan policies 3.3 “sustainability assessment”, 3.4 “energy efficiency”, 3.6 “air quality”, 3.7 “waste reduction” and 3.9 “water” similarly relate to sustainability measures in developments, and the London Plan policies in chapter 5 address the same topics. The Sustainability Assessments SPD, and Sustainable Design and Construction SPD provide further information.

Energy

153. An Energy and Sustainability Statement has been provided with the application which details how through the use of energy efficiency measures, centralised boilers, gas-fired combined heating and power, and photovoltaic panels to the roof, the carbon emissions of the building would be reduced by 35.5% over Building Regulations Part L 2013. In order to achieve the zero carbon target of the London Plan, a contribution to the Carbon Off-set Fund (of £53,820 for the 29.9 tonnes of carbon emissions per year from the development) would be secured by a planning obligation.
154. The site is within the strategic district heating area identified in the CWAAP (policy 20), therefore the proposal should be future proofed and designed for connection to any future district heating network, to assist in reducing carbon emissions. This would be secured through the unilateral undertaking.

Flooding

155. A flood risk assessment was included in the application as the site is within flood zone

3, and benefits from flood defences. The assessment sets out the flood mitigation measures (flood warning, and flood resistance and resilience) and surface water drainage. It was updated to include detail on the finished floor level following the objection from the Environment Agency and is now acceptable. The proposed development would not be at significant risk of flooding, nor would it increase flooding risk elsewhere.

156. A condition for a surface water drainage strategy has been recommended by the flood and drainage team. Thames Water raises no objection in terms of sewerage infrastructure capacity nor water infrastructure capacity, and the suggested condition regarding the piling method is included in the recommendation.

Site contamination

157. The submitted contamination assessment considers the hazard risk of the site to be low, unlikely to require remediation, and not to have unacceptable risks from pollution and land instability. To address the comments from statutory consultees, conditions regarding further contamination investigation (and any necessary mitigation and validation), unexpected contamination, drainage, and piling method statement are included in the recommendation.

Air quality

158. The submitted air quality assessment finds that air quality objectives are met and that the development is in compliance with air quality neutral requirements. A condition regarding the NO_x emissions from the domestic gas boilers is proposed, and the construction management plan would need to include dust control measures to eliminate or mitigate the environmental impacts from the construction phase.

Archaeology

159. The site is not within an archaeological priority zone. The Heritage Statement provided with the application displays the historic maps to show the development of the site, and the nearby heritage assets. No further survey work is to be required by condition, and the proposal would comply with Core Strategy policy 12 "Design and conservation" and 3.19 "Archaeology" of the Southwark Plan.

Planning obligations (S.106 undertaking or agreement) and community infrastructure levy

160. Section 143 of the Localism Act states that any financial contribution received as 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. In this instance it is estimated that a Mayoral CIL payment and Southwark CIL payment would be payable in the event planning permission is granted and payment of the Mayoral CIL would accord with policy 8.3 of the London Plan and policy 34 of the CWAAP.
161. The development would be delivered by a private developer pursuant to a development agreement with the council. As the council owns the land, it is necessary for the council to enter into a unilateral undertaking confirming that the planning obligations will be paid and/or provided. A unilateral undertaking is a type of planning agreement that will bind the land in the same way that a section 106 agreement does. It is considered appropriate here because the council cannot covenant with itself,

which would be necessary if a section 106 agreement was required. Should the land be disposed of in the future, the unilateral undertaking to be provided would require any successor in title to enter into a section 106 agreement in the usual way. This is the approach the council has adopted on all Hidden Home, Direct Delivery and SRPP schemes.

162. The following table sets out the required site specific mitigation and the applicant's position with regard to each point:

Planning obligation	Mitigation	Applicant's position
Affordable housing	Provision of 37 affordable units to be provided on site: <ul style="list-style-type: none"> • 25 social rent tenure units as 10 x 1-bedroom, 5 x 2-bedroom and 10 x 3-bedroom • 12 intermediate tenure units as 5 x 1-bedroom, 2 x 2-bedroom and 5 x 3-bedroom. Income thresholds and eligibility criteria would be included.	Agreed
Carbon offset Green Fund	Payment of £53,820 (indexed) based on the shortfall of 29.9 tones of carbon per year over a 30 year period.	Agreed
Car club	Provision of three years membership for each eligible resident	Agreed
Car parking	A car parking management plan detailing the management and allocation of the proposed off-street wheelchair parking bays	Agreed
Children's play space	Payment of £33,975 (indexed) to address the 225sqm shortfall of play space for children.	Agreed
District heat network	To make provision for connection to a future district heating network.	Agreed
Employment and enterprise	Target jobs (11 jobs), training (11 people) and 3 apprenticeships during construction period (or the equivalent contribution in line with the S106 SPD). Local procurement and supply chain measures during the construction phase.	Agreed
Public realm/highway works	A combined section 38/278 agreement for the s38 adoptable highway works to create the route through the site to link Clack Street and Renforth Street, with the new pavements, surfacing, kerb lines, bollard(s), signage and lining and s278 works to tie in to the adopted Renforth Street and Clack Street	Agreed
Tree planting	Payment of £31,218 (indexed) to provide replacement tree planting off-site.	Agreed
Wheelchair housing	Provision of 5 wheelchair units and marketing period for the market and affordable units.	Agreed
Administration charge (2%)	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum £119,013 = £2,380.26	Agreed

163. These obligations are necessary in order to make the development acceptable in

planning terms, and to ensure the proposal accords with policies 2.5 of the Southwark Plan, Core Strategy policy 14 and London Plan policy 8.2, and the Section 106 Planning Obligations and CIL SPD.

164. In the event that a satisfactory legal agreement has not been entered into by 29 December 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).”

Other matters

165. None

Conclusion on planning issues

166. The Canada Water Area Action Plan designates the Albion Primary School site for redevelopment with a new expanded school (currently under construction) and the southern part of the site for redevelopment with a community and/or residential use. The principle of a proposed residential development is supported by the planning policy for this site.
167. The scheme proposes a very high percentage of affordable housing (at 74%) including ten family sized units (3-bedroom) for social rent which would be of benefit to households in the greatest housing need. This is a significant positive element of the scheme which should be given weight in the determination.
168. The siting, layout, height and detailed design of the proposal and its resulting high density are acceptable for a site within the core area of the CWAAP. Taking the whole site area into the calculation, the proposed density is within the expected habitable room range for a site within the core area of the CWAAP. However in recognition of the area of public realm and highway to be created within the site, the density was also calculated on a reduced area resulting in a habitable room density in excess of the range; the quality of architecture and living accommodation demonstrated in the application is considered to be exceptional. The proposal would preserve the setting of the former pumping station listed building.
169. The proposed building would cause a noticeable loss of daylight to some rooms in neighbouring residential properties, but is considered not to be overbearing, nor to result in a material loss of privacy due to the separation distances. The loss of daylight to neighbouring residential properties is not considered to significantly harm the overall amenity of these properties. The proposal would cause overshadowing of the school's future multi use games area to be constructed for the school during most of the school day but the wider school playground areas and building would retain good levels of daylight and sunlight.
170. Subject to the proposed conditions and planning contributions (to be secured in a unilateral undertaking), the proposal is acceptable in terms of sustainability, trees and ecology, archaeology, flooding risk and drainage, contamination, and transport and highway impacts. The proposed residential development makes efficient use of land of an identified AAP proposal site within an Opportunity Area, with good access to public

transport and an excellent quality of design.

Community impact statement

171. 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

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

Consultation replies

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

Summary of consultation responses

174. Following neighbour consultation and reconsultation on the amended scheme, objections were received from 24 households raising the following summarised issues:

The principle of development:

175. **Objection:** Adequate and necessary land for the school's needs has not been secured, and the site is not surplus to requirement. The proposal will prohibit the future expansion of the school in an area that will experience population increase and should not be allowed for financial gain. With population growth in the AAP area to at least 2026, and the council's legal duty to secure sufficient primary and secondary school places, the land should not be developed. The site is playground land, woodland playspace and open space for children. Impact on children's and local residents' health by removing the playground area and mature trees in an area of high pollution next to the Rotherhithe tunnel. Children would have to walk and cross busy roads to reach Southwark Park instead of being able to use the school playground. There is no need for housing to go on this playground, and plenty of other sites in the AAP area, such as the council owned gasometer site. The site should be re-landscaped with soft surfacing, trees, and playspace to improve children's health and well-being, or for a community hall/healthcare instead. The proposal does not contribute to achieving sustainable development.

Response: The Albion Primary School site is identified in the CWAAP as a proposal site for a new two form entry school and development of community and/or residential development. The new school building under construction accommodates an expanded school, with its playground areas and external roof area considered sufficient play space without the southern part of the site being needed. The proposed residential development accords with the CWAAP for this designated proposal site.

Impact on the new school:

176. **Objection:** Overshadowing of the playground area (especially the MUGA) until the end of the school day, increased risk of injury from frost/ice on the playground without sunlight to melt it. The daylight and sunlight report does not consider the school. In an area of planned high density there is an increased expectation that a school and playgrounds will provide sufficient light for the duration of the school day. Loss of the

school's privacy from the windows and balconies. Dangers from its location opposite a half-way house for convicted criminals. The proposed building has balconies and windows looking directly into the playground, with a risk of child exploitation and safety from potential residents that may wish to harm children. Concern at the air quality and fire safety of the new school building and roof top play area, and the fire evacuation route for the school.

Response: The new school building would retain good levels of sunlight and daylight and being over 30m from the proposed block would retain its privacy. The future main playground area would be overshadowed by varying amounts through the school day, and be overlooked by the proposed block of flats. The relationship between proposed housing and a school playground is not unusual for an urban location. The overshadowing would not affect the usability of the MUGA. The new school building has been granted permission and is not proposed to be revised by this current application.

Density

177. **Objection:** Overdevelopment of the site. The proposal exceeds the urban density zone and policy 24 of the CWAAP without having an exemplary standard of design, amenity, and landscaping. PTAL for the site is between 4 and 6a, and links to Canada Water transport are not direct. Insufficient resources in the area to accommodate additional residential units.

Response: The proposed density is within the urban zone density range and CWAAP range for the core area when the whole application site area is used in the calculation. When the site area is reduced to take out the proposed highway and public realm works, the density exceeds that for the urban zone but for the reasons set out in the assessment section above the design is considered to be exemplary, and the proposed density does not cause harm. The scheme would be liable for the Southwark Community Infrastructure Levy (on the private element) to contribute towards borough infrastructure.

Height

178. **Objection:** Proposed 6-storeys would be higher than surrounding 4- and 2-storey buildings (even where the ground level is higher) in an already very densely populated area. The site is not within the Canada Water town centre (where tall buildings should be focused). The low-rise character of Albion Street should be retained. The building is too tall for the context and the tall building policy should apply as it is significantly higher than surrounding buildings. Four storeys should be the maximum. The applicant should not be allowed to flout its own planning policies.

Response: The sixth floor has been recessed from the front and sides in the amended scheme, although the building would remain taller than those immediately surrounding the site. The context of the site contains a variety of building styles, heights and ages, ranging from the 2-storey terrace houses on Clack Street and the new school building, the 4-storey blocks of the Aylton Estate and Albion Estate, to the taller developments next to Canada Water station and the 21-storey Regina Point further to the south. The height is considered acceptable for its context and for a site within the core area of the CWAAP. The two-storey height difference is considered not to result in a building significantly taller that would trigger the tall building assessment.

Scale, massing and detailed design

179. **Objection:** The area's character would be harmed by the scale, mass and bulk of the proposal. It would harm the Albion Street regeneration and the amenity of the new school. Design does not reflect the dock heritage of the area and harms the local cluster of heritage assets. It does not include an interesting and varied roofline.

Response: The proposal would be a substantial, detached block as the only building

on the northern side of this spur of Renforth Street. The context of the site contains a variety of building styles, heights and ages and the proposed detailed design and massing is considered appropriate. The roofline of the amended scheme would appear at ground level to be more varied than the original scheme due to the set back of the upper floor.

Harm to listed buildings

180. **Objection:** The setting of the listed pumphouse building will be harmed, de-emphasising and obscuring the pump house and its chimney, and local views, failing to enhance the skyline. The views of the listed church from the Albion estate will be obscured and spoiled.

Response: The proposal is considered to preserve the setting of the former pumping station, which already has a range of building styles and heights within its setting. The public views from the Albion Estate of the Finnish Church are limited by the existing tree screening on the application site, and the loss of the views are considered not to cause such harm to the street scene nor historic value of the area as to require a redesign or refusal of the scheme.

Unit mix

181. **Objection:** The unit mix does not accord with policy. The scheme should be redesigned to meet housing need for small units (not 3-bed units) and provide at council rents.

Response: The unit mix of the revised scheme does comply with policy.

Quality of accommodation

182. **Objection:** Noise and vibration from the railway underneath can leave to disturbance, ill health and harmful psychological effects. Potentially high levels of contamination in the site.

Response: The design has included mitigation for the railway vibration and noise, and further details would be secured by a recommended condition. A condition relating to contamination and remediation is also proposed to ensure a suitable quality of accommodation.

Affordable housing

183. **Objection:** The scheme is not viable with a negative residual land value of £7m, and so contrary to planning policy. Cheaper to build elsewhere or by not building over the railway tunnel. Any new homes should be 100% affordable and social rent rates. Question the intermediate rent levels. Not all of the 3-bedroom affordable dwellings would have self-contained kitchens (separate to the living room) which is a requirement of the Residential Design Standards SPD.

Response: The scheme is not viable without the council adding funding from the Housing Zone grant and Right to Buy funds being used. The scheme proposes 74% affordable housing, far in excess of the 35% minimum, and includes social rent and intermediate tenure types. The income thresholds would be set out in the planning obligation. The SPD states that "*all affordable dwellings with three or more bedrooms should have a kitchen that is separate from the living room*": of the 17 three-bedroom affordable units proposed, 5 would have separate kitchens, 6 would have a kitchen accessed off the living/dining room (with kitchen doors), and 6 would have shared kitchen/living/dining rooms. As all the affordable units have an excellent quality of accommodation, the lack of a separate kitchen to 6 of the 17 affordable 3-bedroom units is considered acceptable.

Neighbour amenity

184. **Objection:** Loss of privacy to the Pumphouse complex, Alyton Estate across Renforth Street, Temeraire Street and Clack Street from the proposed multiple balconies and windows providing direct views into neighbouring windows and gardens.
Response: The separation distances across the roads meet those set out in the Residential Design Standards SPD elevations fronting a highway, and would be 20m from the rear of the Renforth Street block to the west which is close to the 21m separation sought by the SPD.
185. **Objection:** Loss of daylight and sunlight to residential properties on Albion Estate, Clack Street, Renforth Street, Pumphouse complex and Temeraire Street.
Response: The proposal would not cause a significant loss of daylight nor sunlight to most neighbouring properties, and where there are noticeable impacts to particular windows or rooms, the overall amenity of that unit would remain acceptable. The site is to the north of the Albion Estate and so would not cause overshadowing to the balconies and gardens. The overshadowing by the block would not cause a significant loss of sunlight to gardens in Temeraire Street, which are 28m from the closest part of the site. The site is to the north of the Pumphouse complex so would not affect sunlight provision to this neighbouring complex.
186. **Objection:** Significant daylight loss to an NHS funded, residential care home for severely disabled people (no. 16 Clack Street). These vulnerable people should not be deprived of their right to daylight (and the associated health benefits). The loss of daylight would increase electricity costs. Object to the misleading way in which the results have been presented in the Calford Seadon report.
Response: Paragraph 106 onwards of the assessment above sets out the test results in terms of pass/fail of the BRE tests. There would be a noticeable daylight loss to 8 windows of this care home. Six rooms would retain VSC values of 22.6%-25.2% which is considered a good level of daylight for an urban location. Two ground floor windows are recessed behind the deep eaves of the first floor above; this means the upper portion of the sky is already restricted so that daylight reaching the windows comes from a relatively low level. Any proposed building on the opposite side of the road will have a larger impact on these two recessed windows. The proposal is on balance considered to have an acceptable impact upon the care home.
187. **Objection:** Quiet enjoyment of residents' homes is directly and severely threatened.
Response: A construction environmental management plan would be required to minimise impacts during the construction phase on surrounding properties, and environmental health legislation would apply.
188. **Objection:** The noise, dust, pollution and disruption to a quiet cul de sac with the building will be unbearable, especially with the cumulative impact of the school building and other construction sites in the area that has been going on for years. Lorry damage, and blocking the roads has been stressful.
Response: A construction environmental management plan would be required by a proposed condition to try to minimise impacts on surrounding properties. Environmental health controls would also apply.
189. **Objection:** Loss of views towards the Shard.
Response: The planning system cannot protect specific views from private properties.

Transport – parking:

190. **Objection:** Parking spaces are already limited in the immediate area and plans for parking spaces would not be sufficient for 100-plus residents, visitors and servicing.

Additional noise and disruption from cars being parked in Renforth Street and traffic. Changing parking restrictions to be 24hr controls in order to prevent 'new' residents is not fair. The road design will need enlarging and redesigning to allow for additional traffic and emergency vehicle access. Car parking should be within buildings/basements; a playground should not be developed for parking.

Response: A condition is proposed to prevent the future residents from being able to apply for on-street parking permits in the CPZ; this does not affect the current parking controls in place. The only car parking proposed are the blue badge spaces. The amended scheme has removed the originally proposed turning area.

Transport – connectivity:

191. **Objection:** Public permeability from Canada Water Station to this site and other imminent sites in Albion Street to support the regeneration has not been addressed. Removing the pedestrianised area to create the turning head would not enhance pedestrian access. The application fails to provide convenient, direct, safe and attractive pedestrian and cycle links, especially to the Canada Water station and town centre, and no CCTV has been installed. Other applications have come forward and no progress has been made on the link.

Response: The amended scheme removes the proposed turning head and retains the existing link up to the Albion Estate. The proposal provides a pedestrian and cycle link at grade between Renforth Street and Clack Street. Further connectivity improvements are not necessary to make the scheme acceptable in planning terms. With the massing of the Albion Estate block to the south, gated access of The Pump House complex and change in levels, the application site alone would not be able to improve the link to Canada Water station.

Transport – fire access

192. **Objection:** Fire risk with restricted access for emergency services.

Response: The proposed building would be accessible from the extended Renforth Street and existing Clack Street roads, and would be built in accordance with the relevant Building Regulations.

Transport – public transport

193. **Objection:** Public transport services are already overloaded with no capacity in peak times to cope with more residents

Response: The CWAAP states that the council will work with TfL to improve the frequency, quality and reliability of public transport as part of the redevelopment of the Canada Water action area. This planning application forms part of the development anticipated by the AAP, but no specific public transport mitigation has been identified as necessary to make the proposal acceptable.

Air quality

194. **Objection:** Air quality will worsen and has not been given sufficient consideration by the applicant across the whole school development.

Response: An air quality assessment was provided with the application which has been reviewed by the council's Environmental Protection Team and found to be acceptable.

Loss of trees

195. **Objection:** Loss of a valued landscaped area and trees to create the road. No replacement landscaping proposed. Loss of trees can be prevented with a redesign of the scheme. Cumulative impact of other trees removed in the area.

Response: The proposal would require the removal of category C (lower quality) trees, and two category B trees. There is not sufficient space on site to provide planting to replace the full amount to be lost, so a planning contribution for off-site provision will be required. The school redevelopment includes replacement tree planting to reflect the trees lost for that scheme.

Public space and play space:

196. **Objection:** The proposal does not provide high quality open space, nor a publicly accessible children's play area and actually takes away playground space. Does not comply with policy on public realm, and makes no contribution to environmental improvements in the area nor pedestrian movement. Shortfall of play space in the scheme in an area of poor provision, when the high density is likely to put pressure on the existing local facilities.

Response: The scheme does not provide sufficient playspace on site for all age groups and a planning contribution would be sought for off-site provision and improvements for the wider public. The proposed public realm provision with the new pavements and link between Renforth Street and Clack Street is proportionate for a 50 unit scheme.

Limited amendments

197. **Objection:** The amendments made during the application are insufficient to address the earlier reasons for objections. The applicant did not discuss the changes with the local community.

Response: The amendments made are considered to result in an acceptable scale and design of the building, and better arrangement of the highway and linking route through. There is no requirement for the applicant to discuss changes with the local community before submitting them to the planning division; reconsultation was undertaken by the planning division.

Missing information and ownership:

198. **Objection:** Insufficient detail in the application e.g. turning head area not included in the bat survey, further unexploded bomb survey work needed. The surveys undertaken do not include the land at Albion Estate, over which leaseholders have contractual rights. Questioning the applicant's ability to build the scheme as the applicant does not own the access in front of the Pump House entrance so the proposed highway works cannot link up. The pavement on the north side of the street is within the housing estates falling under the Mayflower Tenants Association (who were not properly involved in the pre-application consultation).

Response: Sufficient information has been provided with the application to enable it to be determined. Other legislation relating to wildlife protection, safe working practice etc would also apply to works carried out during the construction of any approved scheme. Ownership is not a material planning consideration: the council as applicant has completed certificate A to indicate it is the owner of the land. If this is found not to be the case, then the council/developer/future owner would need to go through the appropriate civil proceedings between any other freeholder/leaseholder, separate to the planning process.

Processes, conflict of interests, political decisions and pre-application engagement

199. **Objection:** The pre-application community engagement was very poor. Resident concerns were flagged to senior council officials, Members and steering panels but sensible mediation was rebuked. The choice of land parcel and subsequent progression was neither transparent nor consistent with the time line published on the council's website. The scale and density has been massively increased from that

shown in the school's redevelopment application. Leaflets to Pump House residents at pre-application stage were not received. The Statement of Community Involvement includes inaccuracies in how the pre-application consultation events and the feedback recorded. Residents and housing forum not invited to the events.

Response: Pre-application discussions with the local community are always encouraged by the planning department, and the applicant carried out pre-application consultation with public exhibitions in July 2015, February 2016, September 2016, November 2016 and February 2017. How the applicant invited residents and responded to the public feedback, the decisions made by other council departments in forming the proposed scheme do not affect the planning division's assessment of the submitted application. The consultation undertaken by the planning division for the planning application has exceeded the statutory requirements for an application of this scale.

200. **Objection:** Probably the most outrageous planning application in Rotherhithe's and Southwark's entire history by building on school playgrounds while at the same time selling off public land to the highest bidder. It is morally wrong. Politicians should hang their heads in shame for not only supporting this outrageous application but also pushing for the "deal" to happen. Abuse of role and remit: party political motivation greatly drove this proposal in a quite shameful manner, when the wider community is seeking to establish a clearer pre-application consultation process and a more transparent review of delivering the publicised 'Albion Street quarter' regeneration zone. Conflicts of interest within Southwark Council with investigations into a councillor and a chief officer. Question why the council is prepared to accept an £7m+ economic loss in connection with the development of the scheme if undue influence is not being used to move the scheme along. The Planning Committee must conduct a thorough, independent and unbiased evaluation of the scheme as a council own application.

Response: The decisions and behaviour of the council, members and officers in the background to this application are not material planning considerations for the determination of this planning application. The scheme has been assessed by the planning department in the same way that a proposal from any other applicant would have been. The council would be funding the scheme using money from the Housing Zone Grant for the Canada Water area and from Right to Buy funds in order to make the scheme viable.

Summary of responses from local groups

201. Mayflower Tenants Association - The association represents 489 properties and objects as the proposal does not comply with planning policies. The school playground must be retained for future growth and future generations of school children. The applicant did not discuss the amendments with the Association. Would prefer the application be withdrawn, and the applicant work with neighbours towards a better use of land than forcing through infill onto a playground against the wishes of neighbours and other residents in the area. Overshadowing of the playground from the proposal. It would not be possible to redevelop the council blocks to the west (otherwise playground would be in shade all day) so the proposal is short-sighted and the council could not optimise its own land holdings. The block should be 100% council homes at council rents using commuted sums from other sites. Welcome the amendments to the highway works, ground floor, top floor and rear elevation but fall short of anything that would change the Association's stance to one of support. The large roof terraces may lead to noise and other anti-social behaviour, so ask that conditions be made to control use, and controls written into leases. Concerns on whether the roof playspace on a clad school building will be safe, in an area of high air pollution from the Rotherhithe Tunnel, it is not clear if the school can use Southwark Park.

202. Rotherhithe Area Housing Forum - Objects as the site is playground that needs to be retained for growth. The application does not comply with planning policies.

Summary of responses from statutory consultees

203. Environment Agency - No objection subject to conditions regarding unexpected contamination, sustainable drainage and piling method.
204. London Fire Brigade - Request an undertaking that access will be provided for fire appliances and adequate water supplies for fire fighting. The applicant has confirmed this will be provided.
205. London Overground - Recommends conditions requiring further information in a demolition and construction environment plan, construction works, foundation methodology, cranes, heavy plant, and compaction machinery.
206. London Underground - Has no comment
207. Metropolitan Police - Recommend a condition to require the development to follow the principles and physical security requirements of Secured by Design.
208. Thames Water - Has no objection in terms of water infrastructure capacity, nor sewerage infrastructure capacity. Recommends a condition requiring a piling method statement, and other comments as informatives on any permission (regarding surface water drainage, ownership of pipes, water pressure).

Human rights implications

209. 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.
210. This application has the legitimate aim of providing additional homes, including affordable homes. 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/250-58 Application file: 17/AP/1234 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 1412 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	Victoria Crosby, Senior Planner	
Version	Final	
Dated	21 August 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, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		21 August 2017

APPENDIX 1**Consultation undertaken**

Site notice dates: 13/04/2017 and 24/7/17

Press notice date: 13/04/2017

Case officer site visit date: 13/04/2017

Neighbour consultation letters sent: 11/04/2017 and 24/7/17

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

EDF Energy
 Environment Agency
 London Fire & Emergency Planning Authority
 London Underground Limited
 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:

14 Swan Road London SE16 7DT	19 Renforth Street London SE16 7JJ
16 Swan Road London SE16 7DT	33 Renforth Street London SE16 7JJ
34 Albion Street London SE16 7JQ	35 Renforth Street London SE16 7JJ
22 Turner Court Albion Street SE16 7JU	37 Renforth Street London SE16 7JJ
10 Swan Road London SE16 7DT	27 Renforth Street London SE16 7JJ
12 Swan Road London SE16 7DT	29 Renforth Street London SE16 7JJ
42 Albion Street London SE16 7JQ	31 Renforth Street London SE16 7JJ
44 Albion Street London SE16 7JQ	77 Albion Street London SE16 7JA
46 Albion Street London SE16 7JQ	61 Albion Street London SE16 7JA
36 Albion Street London SE16 7JQ	63 Albion Street London SE16 7JA
38 Albion Street London SE16 7JQ	30-32 Albion Street London SE16 7JQ
40 Albion Street London SE16 7JQ	Flat 3 77 Albion Street SE16 7JA
13 Turner Court Albion Street SE16 7JU	33 Albion Street London SE16 7HZ
14 Turner Court Albion Street SE16 7JU	75 Albion Street London SE16 7JA
15 Turner Court Albion Street SE16 7JU	11 Renforth Street London SE16 7JJ
10 Turner Court Albion Street SE16 7JU	13 Renforth Street London SE16 7JJ
11 Turner Court Albion Street SE16 7JU	65 Albion Street London SE16 7JA
12 Turner Court Albion Street SE16 7JU	71 Albion Street London SE16 7JA
19 Turner Court Albion Street SE16 7JU	73 Albion Street London SE16 7JA
20 Turner Court Albion Street SE16 7JU	39 Renforth Street London SE16 7JJ
21 Turner Court Albion Street SE16 7JU	12 Albion Estate Swan Road SE16 7DL
16 Turner Court Albion Street SE16 7JU	13 Albion Estate Swan Road SE16 7DL
17 Turner Court Albion Street SE16 7JU	14 Albion Estate Swan Road SE16 7DL
18 Turner Court Albion Street SE16 7JU	1 Albion Estate Swan Road SE16 7DL
48 Albion Street London SE16 7JQ	10 Albion Estate Swan Road SE16 7DL
61 Swan Road London SE16 7DY	11 Albion Estate Swan Road SE16 7DL

63 Swan Road London SE16 7DY
 65 Swan Road London SE16 7DY
 55 Swan Road London SE16 7DY
 57 Swan Road London SE16 7DY
 59 Swan Road London SE16 7DY
 5 Seth Street London SE16 7HA
 11 Temeraire Street London SE16 7JE
 13 Temeraire Street London SE16 7JE
 67 Swan Road London SE16 7DY
 1 Seth Street London SE16 7HA
 3 Seth Street London SE16 7HA
 62 Albion Street London SE16 7JY
 64 Albion Street London SE16 7JY
 66 Albion Street London SE16 7JY
 50 Albion Street London SE16 7JQ
 58 Albion Street London SE16 7JY
 60 Albion Street London SE16 7JY
 Little Crown 56 Albion Street SE16 7JQ
 51 Swan Road London SE16 7DY
 53 Swan Road London SE16 7DY
 68 Albion Street London SE16 7JY
 70 Albion Street London SE16 7JY
 72 Albion Street London SE16 7JY
 9 Turner Court Albion Street SE16 7JU
 28 Aylton Estate Renforth Street SE16 7JW
 29 Aylton Estate Renforth Street SE16 7JW
 30 Aylton Estate Renforth Street SE16 7JW
 25 Aylton Estate Renforth Street SE16 7JW
 26 Aylton Estate Renforth Street SE16 7JW
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 34 Aylton Estate Renforth Street SE16 7JW
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 31 Aylton Estate Renforth Street SE16 7JW
 32 Aylton Estate Renforth Street SE16 7JW
 33 Aylton Estate Renforth Street SE16 7JW
 58 Aylton Estate Renforth Street SE16 7JN
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 55 Aylton Estate Renforth Street SE16 7JN
 56 Aylton Estate Renforth Street SE16 7JN
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 61 Aylton Estate Renforth Street SE16 7JN
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 37 Aylton Estate Renforth Street SE16 7JW
 9 Temeraire Street London SE16 7JE
 1 Turner Court Albion Street SE16 7JU
 2 Turner Court Albion Street SE16 7JU
 3 Temeraire Street London SE16 7JE
 5 Temeraire Street London SE16 7JE
 7 Temeraire Street London SE16 7JE
 6 Turner Court Albion Street SE16 7JU
 7 Turner Court Albion Street SE16 7JU
 8 Turner Court Albion Street SE16 7JU
 3 Turner Court Albion Street SE16 7JU
 4 Turner Court Albion Street SE16 7JU
 5 Turner Court Albion Street SE16 7JU
 41 Aylton Estate Renforth Street SE16 7JW
 2 Clack Street London SE16 7JT
 4 Clack Street London SE16 7JT
 38 Aylton Estate Renforth Street SE16 7JW
 39 Aylton Estate Renforth Street SE16 7JW
 40 Aylton Estate Renforth Street SE16 7JW
 12 Clack Street London SE16 7JT
 14 Clack Street London SE16 7JT
 1 Temeraire Street London SE16 7JE
 6 Clack Street London SE16 7JT
 8 Clack Street London SE16 7JT
 10 Clack Street London SE16 7JT
 15 Temeraire Street London SE16 7JE
 29 Pump House Close London SE16 7HS
 30 Pump House Close London SE16 7HS
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 26 Pump House Close London SE16 7HS
 27 Pump House Close London SE16 7HS
 18 Albion Estate Swan Road SE16 7DL
 19 Albion Estate Swan Road SE16 7DL
 2 Albion Estate Swan Road SE16 7DL
 15 Albion Estate Swan Road SE16 7DL
 16 Albion Estate Swan Road SE16 7DL
 17 Albion Estate Swan Road SE16 7DL
 49 Renforth Street London SE16 7JJ
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 61 Renforth Street London SE16 7JJ
 7 Renforth Street London SE16 7JJ
 9 Renforth Street London SE16 7JJ
 55 Renforth Street London SE16 7JJ
 57 Renforth Street London SE16 7JJ
 59 Renforth Street London SE16 7JJ
 Flat 2 77 Albion Street SE16 7JA
 Flat 12 Brampton House SE16 7EB
 Flat 13 Brampton House SE16 7EB
 Flat 14 Brampton House SE16 7EB
 Flat 9 Brampton House SE16 7EB
 Flat 10 Brampton House SE16 7EB
 Flat 11 Brampton House SE16 7EB
 Flat 18 Brampton House SE16 7EB
 Flat 19 Brampton House SE16 7EB
 Flat 20 Brampton House SE16 7EB
 Flat 15 Brampton House SE16 7EB
 Flat 16 Brampton House SE16 7EB
 Flat 17 Brampton House SE16 7EB
 Living Accommodation 56 Albion Street SE16 7JQ
 Flat 1 Brampton House SE16 7EB
 Flat 2 Brampton House SE16 7EB
 43 Renforth Street London SE16 7JJ
 Finnish Church 33 Albion Street SE16 7HZ
 Flat 6 Brampton House SE16 7EB
 Flat 7 Brampton House SE16 7EB
 Flat 8 Brampton House SE16 7EB
 Flat 3 Brampton House SE16 7EB
 Flat 4 Brampton House SE16 7EB
 Flat 5 Brampton House SE16 7EB
 Flat 21 Brampton House SE16 7EB
 Flat 37 Brampton House SE16 7EB
 Flat 38 Brampton House SE16 7EB
 Flat 39 Brampton House SE16 7EB
 Flat 34 Brampton House SE16 7EB
 Flat 35 Brampton House SE16 7EB
 Flat 36 Brampton House SE16 7EB
 13 Albatross Way London SE16 7EA
 15 Albatross Way London SE16 7EA
 Flat 1 77 Albion Street SE16 7JA
 7 Albatross Way London SE16 7EA
 9 Albatross Way London SE16 7EA
 11 Albatross Way London SE16 7EA
 Flat 25 Brampton House SE16 7EB
 Flat 26 Brampton House SE16 7EB
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 Flat 24 Brampton House SE16 7EB
 Flat 31 Brampton House SE16 7EB
 Flat 32 Brampton House SE16 7EB
 Flat 33 Brampton House SE16 7EB
 Flat 28 Brampton House SE16 7EB
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 Flat 30 Brampton House SE16 7EB
 20 Albion Estate Swan Road SE16 7DL
 1 Aylton Estate Renforth Street SE16 7JL
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 Flat 7 Risdon House SE16 7JH
 Flat 8 Risdon House SE16 7JH
 Flat 9 Risdon House SE16 7JH
 15 Aylton Estate Renforth Street SE16 7JL
 16 Aylton Estate Renforth Street SE16 7JL
 17 Aylton Estate Renforth Street SE16 7JL
 12 Aylton Estate Renforth Street SE16 7JL
 13 Aylton Estate Renforth Street SE16 7JL

28 Pump House Close London SE16 7HS
 35 Pump House Close London SE16 7HS
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 38 Pump House Close London SE16 7HS
 Flat 11 70 Renforth Street SE16 7JZ
 Flat 12 70 Renforth Street SE16 7JZ
 Albion Primary School Albion Street SE16 7JD
 Flat 8 70 Renforth Street SE16 7JZ
 Flat 9 70 Renforth Street SE16 7JZ
 Flat 10 70 Renforth Street SE16 7JZ
 Flat 12 Manitoba Court Canada Estate SE16 7AY
 Flat 2 Manitoba Court Canada Estate SE16 7AY
 Flat 3 Manitoba Court Canada Estate SE16 7AY
 Flat 1 Manitoba Court Canada Estate SE16 7AY
 Flat 10 Manitoba Court Canada Estate SE16 7AY
 Flat 11 Manitoba Court Canada Estate SE16 7AY
 42 Pump House Close London SE16 7HS
 7 Pump House Close London SE16 7HS
 Flat 1 70 Renforth Street SE16 7JZ
 39 Pump House Close London SE16 7HS
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 Flat 5 70 Renforth Street SE16 7JZ
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 Flat 7 70 Renforth Street SE16 7JZ
 Flat 2 70 Renforth Street SE16 7JZ
 Flat 3 70 Renforth Street SE16 7JZ
 Flat 4 70 Renforth Street SE16 7JZ
 13 Pump House Close London SE16 7HS
 Flat 13 Laburnum Court SE16 7LN
 Flat 14 Laburnum Court SE16 7LN
 Flat 15 Laburnum Court SE16 7LN
 Flat 10 Laburnum Court SE16 7LN
 Flat 11 Laburnum Court SE16 7LN
 Flat 12 Laburnum Court SE16 7LN
 Flat 19 Laburnum Court SE16 7LN
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 69 Albion Estate Swan Road SE16 7DL
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 Flat 1 Risdon House SE16 7JH
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6 Pump House Close London SE16 7HS
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9 Pump House Close London SE16 7HS
Flat 26 Laburnum Court SE16 7LN
Flat 27 Laburnum Court SE16 7LN
Flat 28 Laburnum Court SE16 7LN
Flat 23 Laburnum Court SE16 7LN
Flat 24 Laburnum Court SE16 7LN
Flat 25 Laburnum Court SE16 7LN
Flat 32 Laburnum Court SE16 7LN
Flat 33 Laburnum Court SE16 7LN
School House Albion Street SE16 7JF
Flat 29 Laburnum Court SE16 7LN
Flat 30 Laburnum Court SE16 7LN
Flat 31 Laburnum Court SE16 7LN
54 Aylton Estate Renforth Street SE16 7JN
21 Renforth Street London SE16 7JJ
23 Renforth Street London SE16 7JJ
25 Renforth Street London SE16 7JJ
15 Renforth Street London SE16 7JJ
17 Renforth Street London SE16 7JJ

44 Albion Estate Swan Road SE16 7DL
45 Albion Estate Swan Road SE16 7DL
46 Albion Estate Swan Road SE16 7DL
52 Albion Estate Swan Road SE16 7DL
53 Albion Estate Swan Road SE16 7DL
54 Albion Estate Swan Road SE16 7DL
5 Albion Estate Swan Road SE16 7DL
50 Albion Estate Swan Road SE16 7DL
51 Albion Estate Swan Road SE16 7DL
Apartment 1, The Pumphouse 70 Renforth Street SE16 7JZ
56 Columbia Point Canada Est SE16 7BG
5 Somerford Way Rotherhithe SE16 6QN
10 Clack Street London SE16 7JT
70 Renforth Street London SE16 7JZ
Pump House Close London SE16 7HS
Flat 6 70 Renforth St SE16 7JZ
16 Pumphouse Close Rotherhithe SE16 7HS
Mayflower Community Hall The Assembly Hall SE16 7JP
49 John Kennedy House Rotherhithe Old Road SE16 2QE
6 Lynton Road SE1 5QR
101 Adams Gardens Brunel Road SE16 4JQ

Re-consultation: 24/07/2017

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

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

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

Neighbours and local groups

Mayflower Community Hall The Assembly Hall SE16 7JP
 Rotherhithe Area Housing Forum

Apartment 1, The Pumphouse 70 Renforth Street SE16 7JZ
 Flat 6 70 Renforth Street SE16 7JZ
 10, 70 Renforth Street, SE16 7JZ
 13 Pump House Close London SE16 7HS
 10 Clack Street London SE16 7JT
 11 Temeraire Street London SE16 7JE
 13 Temeraire Street London SE16 7JE
 14 Clack Street London SE16 7JT
 16 Pump House Close London SE16 7HS
 20 Pump House Close London SE16 7HS
 35 Renforth Street London SE16 7JJ
 49 John Kennedy House Rotherhithe Old Road SE16 2QE
 5 Somerford Way Rotherhithe SE16 6QN
 54 Albion Estate Swan Road SE16 7DL
 56 Columbia Point Canada Estate SE16 7BG
 6 Clack Street London SE16 7JT
 6 Lynton Road SE1 5QR
 61 Albion Street London SE16 7JA
 70 Renforth Street London SE16 7JZ
 43 Renforth Street London SE16 7JJ
 49 Renforth Street London SE16 7JJ
 53 Renforth Street London SE16 7JJ
 57 Renforth Street London SE16 7JJ
 101 Adams Gardens, Brunel Road, SE16 4SQ

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Ms Deborah Battiste Southwark Council	Reg. Number	17/AP/1234
Application Type	Council's Own Development - Reg. 3	Case Number	TP/250-58
Recommendation	Grant With Unilateral Undertaking		

Draft of Decision Notice

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

Construction of a 6-storey building to provide 50 residential units (25 x social rented, 12 x intermediate and 13 x private), with associated car and cycle parking, landscaping and highway works.

At: REAR OF ALBION PRIMARY SCHOOL, (SOUTHERN END) ALBION STREET, LONDON SE16 7JD

In accordance with application received on 25/03/2017

and Applicant's Drawing Nos.

Existing:

A2_P1000 P1 Albion Primary School Existing Location Plan
 A2_P1001 P1 Albion Primary School Topographical Survey
 A2_P2103 P1 Albion Primary School Existing West Elevation
 A2_P1050 P1 Albion Primary School Existing South Elevation
 A2_P1052 P1 Albion Primary School Existing North Elevation
 Two Utility Survey drawings ref. 15469/T/01-01 (March 2016)

Proposed:

A1_P1100 P4 Albion Primary School Site Plan
 A2_P1110 P4 Albion Primary School Ground Floor Plan
 A2_P1111 P4 Albion Primary School First Floor Plan
 A2_P1112 P4 Albion Primary School Second Floor Plan
 A2_P1113 P4 Albion Primary School Third Floor Plan
 A2_P1114 P4 Albion Primary School Fourth Floor Plan
 A2_P1115 P4 Albion Primary School Fifth Floor Plan
 A2_P1116 P4 Albion Primary School Roof Plan

A2_P1200 P1 Flat type 1 (Duplex 1) 3B5P WCH
 A2_P1201 P1 Flat type 2 (Duplex 2) 3B5P WCH
 A2_P1202 P1 Flat type 3 (3B5P)
 A2_P1203 P1 Flat type 4 (1B2P)
 A2_P1204 P1 Flat type 5 (3B4P)
 A2_P1205 P1 Flat type 6 (3B5P)
 A2_P1206 P1 Flat type 7 (1B2P)
 A2_P1207 P1 Flat type 8 (2B3P)
 A2_P1208 P1 Flat type 9 (duplex 3) 3B6P
 1371/01C DE 020 P1 Ground Floor Sections and Details Sheet 1

A2_P2050 P4 Albion Primary School Proposed Site Elevations
 A2_P2100 P4 Albion Primary School South Elevation
 A2_P2101 P4 Albion Primary School Proposed East Elevation
 A2_P2102 P4 Albion Primary School Proposed North Elevation
 A2_P2103 P4 Albion Primary School Proposed West Elevation
 A2_P2200 P4 Albion Primary School Proposed Section A-A

P4001 P1 Albion Primary School Detail Material Study

Documents

Planning Statement version 4 and addendum,
 Design and Access Statement July 2017
 Air quality assessment (MLM 21 February 2017)
 Arboricultural Impact Assessment and Method Statement, tree constraints plan, impact assessment plan, tree protection plan and tree schedule (Crown Consultants 16 February 2017)
 Bat surveys (The Ecology Consultancy)
 Daylight and Sunlight Report (Calford Seaden February 2017), letters dated 19 July 2017 and 4 August 2017
 Preliminary ecological appraisal (The Ecology Consultancy)
 Energy and Sustainability Strategy Rev 3 February 2017 (Hoare Lea)
 Flood Risk Assessment (Herrington Consulting Limited May 2017)
 Heritage Statement (Bell Phillips Architects July 2017)
 Preliminary Investigation Report (Soiltechnics)
 Noise Survey and Noise Impact Assessment Report (Hann Tucker Associates 28 October 2016)
 Residential Travel Plan Statement (Motion)
 Train induced Vibration and Assessment Report (Hann Tucker Associates)
 Transport Statement (Motion)
 Unexploded Ordnance (UXO) Threat and Risk Assessment (Alpha Associates November 2015)
 Viability Summary executive summary.

Subject to the following twenty-seven conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

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

Proposed:

A1_P1100 P4 Albion Primary School Site Plan
 A2_P1110 P4 Albion Primary School Ground Floor Plan
 A2_P1111 P4 Albion Primary School First Floor Plan
 A2_P1112 P4 Albion Primary School Second Floor Plan
 A2_P1113 P4 Albion Primary School Third Floor Plan
 A2_P1114 P4 Albion Primary School Fourth Floor Plan
 A2_P1115 P4 Albion Primary School Fifth Floor Plan
 A2_P1116 P4 Albion Primary School Roof Plan

 A2_P1200 P1 Flat type 1 (Duplex 1) 3B5P WCH
 A2_P1201 P1 Flat type 2 (Duplex 2) 3B5P WCH
 A2_P1202 P1 Flat type 3 (3B5P)
 A2_P1203 P1 Flat type 4 (1B2P)
 A2_P1204 P1 Flat type 5 (3B4P)
 A2_P1205 P1 Flat type 6 (3B5P)
 A2_P1206 P1 Flat type 7 (1B2P)
 A2_P1207 P1 Flat type 8 (2B3P)
 A2_P1208 P1 Flat type 9 (duplex 3) 3B6P
 1371/01C DE 020 P1 Ground Floor Sections and Details Sheet 1

 A2_P2050 P4 Albion Primary School Proposed Site Elevations
 A2_P2100 P4 Albion Primary School South Elevation
 A2_P2101 P4 Albion Primary School Proposed East Elevation
 A2_P2102 P4 Albion Primary School Proposed North Elevation
 A2_P2103 P4 Albion Primary School Proposed West Elevation
 A2_P2200 P4 Albion Primary School Proposed Section A-A

 P4001 P1 Albion Primary School Detail Material Study

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below

must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3
- a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.
 - i) The Phase 1 (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.
 - ii) Any subsequent Phase 2 (site investigation and risk assessment) shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
 - b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
 - c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.
 - d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation 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 off-site receptors in accordance with saved policy 3.2 Protection of amenity of the Southwark Plan 2007, Strategic Policy 13 High environmental standards of the Core Strategy 2011, and the National Planning Policy Framework 2012.

- 4
- No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and demonstrate no resultant unacceptable risk to groundwater) and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water and the Environment Agency. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason

The proposed works will be in close proximity to underground sewerage utility infrastructure and piling has the potential to impact on local underground sewerage utility infrastructure. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. Where soil contamination is present, a risk assessment should be carried out in accordance with the Environment Agency guidance "Piling into Contaminated Sites". Piling activities will not be permitted on parts of a site where an unacceptable risk is posed to Controlled Waters. This condition is required to ensure compliance with Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.9 Water of the Southwark Plan 2007.

- 5
- No works of excavation, demolition or construction are to be carried out until full details of such works, including design and methodology have been submitted to and approved in writing by the Local Planning Authority (in consultation with London Overground). These details should comprise;
- a. Geotechnical report for the site
 - b. Superstructure design and construction methodology (including verified calculations and any lift pits)
 - c. An impact assessment setting out predicted ground and structure movements
 - d. Emergency preparedness plan
 - e. Ground and structure movement monitoring regime
 - f. Risk assessments and method statements for all structural works, excavation and installation of services in the land

- g. Details of the design and construction methodology for the foundations
- h. A Traffic Management Plan and RAMS evidence for any heavy plant proposed to move near or over the line of the tunnel below during the construction of the development to ensure those plant movements do not impact the railway tunnel below
- i. Details of any vibro-compaction machinery to be used in the development and a method statement.
- j. A Crane / Lifting Management Plan for any cranes and other lifting equipment are to be used during the construction of this development - for cranes (assuming tower crane) this would include crane base design (including certification), Risk Assessment and Method Statement for siting, erection, lifting arrangements, operational procedure (including any radio communications), derigging in addition to plans for elevation, loads, radius, slew restrictions and collapse radius. For mobile craneage similar requirements would apply.

Thereafter, the works, machinery, plant, erection and dismantling of craneage shall only be carried out in accordance with the approved details in a manner that does not endanger the safe operation of the railway.

No part of the development shall be commenced unless a minimum of 6 weeks' notice of the commencement date has been given in writing to London Overground.

Reason

To ensure that the proposed works do not pose a risk to the safe and effective operation of the railway and ensure that the lifting operations are carried out safely, and to prevent anything falling or being installed that would impact upon on to the railway infrastructure underneath and adjacent to the site, compromising the safety of the Overground network.

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

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

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted or 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, Strategic Policies SP11 Open spaces and wildlife, SP12 Design and conservation, SP13 High environmental standards of the Core Strategy 2011, and saved policies 3.2 Protection of amenity, 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of the Southwark Plan 2007.

- 7 No demolition or development shall take place, including any works of demolition, until a written Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London (London Overground). All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, to prevent access onto the railway and protect the safe operation of the railway, 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.

- 8 No below ground works shall commence until a surface water drainage strategy, incorporating sustainable drainage principles, which aims to achieve greenfield runoff rates, as detailed in the Strategic Drainage Report (Conisbee, 2016), up to and including a 1% Annual Exceedance Probability (AEP) event, including a 40% allowance for climate change (residential accommodation development lifetime 100 years), for the critical storm durations, has been submitted to and approved in writing by the Local Planning Authority. The site drainage must be constructed to the approved details and retained as such.

Reason

To minimise potential for the site to contribute to flooding in accordance with saved policy 3.9 Water of the Southwark Plan, the London Plan, Strategic Policy 13 of the Core Strategy 2011, guidance in the Sustainable Design and Construction SPD 2009 and guidance in the GLA Sustainable Design and Construction, Supplementary Planning Guidance 2014.

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.

- 9 Sample panels of all external facing materials at the ground floor including 1 sq. m panels of the brick/s and patterned brick/s and mortar to be used in the carrying out of this permission shall be presented on site and approved by the Local Planning Authority before any work in connection with this permission is carried out; 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.

- 10 Before any above grade work hereby authorised begins, and notwithstanding the detail shown on the approved drawings, detailed drawings at a scale of 1:5 or 1:10 or 1:20 to show the elevations and sections of;
- the facades;
 - patterned brick panels;
 - balconies and railings/balustrade;
 - custom powder-coated cut panels;
 - parapets and copings edges;
 - roof edges;
 - privacy screens between the roof terraces of the fifth floor;
 - and lintels, heads, cills and jambs of all openings,
- to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out other than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the high quality of the design and detailing in accordance with saved policies 3.12 Quality in Design and 3.15 Urban Design of the Southwark Plan 2007.

- 11 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, roadway, pavements, access, pathways layouts, materials and edge details), 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, Strategic Policies SP11 Open spaces and wildlife, SP12 Design and conservation, SP13 High environmental standards of the Core Strategy 2011, and saved policies 3.2 Protection of amenity, 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of the Southwark Plan 2007.

- 12 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof across the whole roof shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof 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 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 shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason

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

- 13 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.

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.

- 14 Prior to first occupation of the development, a validation noise and vibration assessment shall be conducted on a minimum of 10% of the new dwellings, and the assessment shall be submitted to and approved by the Local Planning Authority. The assessment shall demonstrate that the following standards have been met in the constructed development:
- Re-radiated noise shall not exceed 35dB L(S)MAX in any habitable room
 - Vibration shall not exceed a VDV of 0.13 m/s² (23.00-07.00) in any habitable room
 - Environmental noise shall not exceed:
- Bedrooms - 35dB LAeq T#, 30 dB LAeq T*, 45dB LAFmax T *
- Living rooms- 35dB LAeq T #
- Dining rooms - 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 and vibration 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.

- 15 Before the development hereby permitted is occupied, 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

1.01, 1.02, 1.03, 1.04, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 3.07, 3.08, 3.09, 3.10, 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10

M4(2)

G.01, G.02, G.06

M4(3a)

G.03, G.04, G.05

M4(3b)

Reason

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

- 16 Details of the exact location, specification and design of at least three bird boxes/bricks and at least two bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

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, saved policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Core Strategy 2011.

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.

- 17 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater, so this condition is required to ensure compliance with Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

- 18 Any domestic gas boilers shall meet 'ultra-low NOx' criteria such that the dry NOx emission rate does not exceed 40mg/kWh, unless air quality details are submitted to and approved in writing by the Local Planning Authority prior to the installation of the boiler.

Reason

To minimise the impact of the development on local air quality within the designated Air Quality Management Area in accordance with policy 7.14 of the London Plan.

- 19 The main roof of the building hereby permitted shall not be used other than as a means of escape or for maintenance reasons 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 the interest of neighbour amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 20 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.

- 21 Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance for the Reduction of Obtrusive Light (January 2012).

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with The National Planning Policy Framework 2012, Strategic Policies 12 Design and Conservation and 13 High environmental standards of the Core Strategy 2011, and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

- 22 Details of any external lighting and security surveillance equipment to be attached to the exterior of the building or within the external areas shall be submitted to and approved in writing by the Local Planning Authority before any such lighting or security equipment is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with Strategic Policy 12 Design Standards, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved policies 3.2 Protection of amenity and 3.14 Designing Out Crime of the Southwark Plan 2007.

- 23 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment prepared by Herrington Consulting Limited with project reference Land on Albion Primary School, Albion Street, Rotherhithe dated May 2017.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.9 Water of the Southwark Plan 2007.

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

Reason

There is always the potential for unexpected contamination to be identified during development groundworks. The Environment Agency should be consulted should any contamination be identified that could present an unacceptable. This condition is required to ensure compliance with Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.9 Water of the Southwark Plan 2007.

- 25 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 as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure of any building 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.

- 26 No meter boxes, flues, vents or pipes or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevations of the building.

Reason

To ensure such works do not detract from the 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.

- 27 Notwithstanding the provisions of Part 16 The Town & Country Planning [General Permitted Development] Order 2015 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof 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 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The application was submitted following pre-application advice. The applicant was given the opportunity to respond to the consultation comments resulting in revisions to the proposal during the course of the application to allow a positive recommendation to be made.

Informatives

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

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

The application site lies within a flood risk zone and you are advised that a flood plan, for implementation in the event of a flood or likelihood of a flood, should be prepared by the property owners/occupiers as to how they will manage their own flood risk before the premises are occupied. Further information about flood risk zones and how to prepare a flood plan can be found at www.environment-agency.gov.uk/flood.

Construction Environmental Management Plan

The CEMP required by a condition above shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic – Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;

- Site waste Management – Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
- The plan should also include measures to ensure the boundary fence is maintained between the site and the adjoining London Overground Railway, the applicant's Health and Safety Plan and plans for traffic management.

To follow current best construction practice, including the following:-

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>
- 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',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards <http://nrmm.london/>
- The Party Wall Act 1996
- Relevant CIRIA practice notes, and
- BRE practice notes.

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OPEN		MUNICIPAL YEAR 2017-18	
COMMITTEE:	PLANNING COMMITTEE		
NOTE:	Original held in Constitutional Team; all amendments/queries to Gerald Gohler, Constitutional Team, Tel: 020 7525 7420		
OPEN			
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List Updated: July 2017			