

Planning Committee

Tuesday 6 March 2018

6.00 pm

Ground Floor Meeting Room G02 - 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 Merrill
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.

Babysitting/Carers allowances

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

Access

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

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 26 February 2018



Planning Committee

Tuesday 6 March 2018

6.00 pm

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

Order of Business

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	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 - 16
	To approve as a correct record the minutes of the open sections of the meetings held on 30 January 2018 and 7 February 2018.	
6.	ARTICLE 4 DIRECTION TO WITHDRAW THE PERMITTED DEVELOPMENT RIGHTS FOR A CHANGE OF USE FROM LIGHT INDUSTRIAL TO RESIDENTIAL	17 - 72

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	To approve the release of £40,000,000 of section 106 funding from the legal agreements detailed in paragraph 16 of the report to deliver affordable housing across Southwark.	
8.	TO RELEASE £4,748,902.34 FROM THE S106 AGREEMENTS ASSOCIATED WITH THE BELOW DEVELOPMENTS, FOR THE PURPOSES OF EMPLOYMENT AND TRAINING IN THE BOROUGH	79 - 91
	To approve the release of £4,748,902.34 S106 funding, from the agreements listed in Appendix 1 of the report, in order to deliver employment and training across the borough.	
9.	DEVELOPMENT MANAGEMENT	92 - 96
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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: 26 February 2018



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 Planning Committee held on Tuesday 30 January 2018 at 7.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Nick Dolezal (Chair)
 Councillor Cleo Soanes (Vice-Chair)
 Councillor Lucas Green
 Councillor Sarah King (Reserve)
 Councillor Lorraine Lauder MBE
 Councillor Hamish McCallum
 Councillor Michael Mitchell
 Councillor Adele Morris

OTHER MEMBERS PRESENT: Councillor David Noakes

OFFICER SUPPORT: Simon Bevan (Director of Planning)
 Jon Gorst (Legal Officer)
 Bridin O'Connor (Development Management)
 Victoria Lewis (Development Management)
 Yvonne Lewis (Development Management)
 Daniel Davies (Development Management)
 Michael Tsoukaris (Design and Conservation)
 Terence McLellan (Development Management)
 Michael Glasgow (Development Management)
 Sally Crew (Transport Policy)
 Jack Ricketts (Development Management)
 Naima Ihsan (Transport Planner)
 Gerald Gohler (Constitutional Officer)

1. APOLOGIES

There were apologies for absence from Councillor Darren Merrill.

2. CONFIRMATION OF VOTING MEMBERS

The chair invited the legal officer to explain which councillors would be voting on items 7.1

and 7.2.

The legal officer explained that as items 7.1 and 7.2 had been deferred from the meeting on 16 January 2018, only councillors who had sat on the committee at that meeting, would be discussing and voting on these items. He went on to clarify that this included Councillor Lorraine Lauder MBE. This was because although she had left the 16 January 2018 meeting at 1am, during the discussion around reasons for refusal, she had heard all the prior discussions.

Following this, 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 informed the meeting that the supplemental agenda No.1 had been circulated before the meeting. This outlined possible reasons for refusal for item 7.1. Two additional documents had been tabled at the meeting: supplemental agenda No.2 and the members' pack.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

The following councillors declared an interest in the item

7.3 Southwark Fire Station, 94 Southwark Bridge Road, London SE1 0EG; Grotto Place and Grotto Podiums

Councillor Adele Morris, non-pecuniary, as she was a ward councillor and had heard from both applicants and residents, but had not expressed a view and approached the application with an open mind.

Councillor Hamish McCallum, non-pecuniary, as he had met with the applicants, but had not expressed a view and approached the application with an open mind.

5. MINUTES

Councillor Adele Morris asked for the minutes to be amended to reflect that a motion to refuse the planning application for item 7.1 had been moved.

RESOLVED:

That the minutes of the meeting held on 16 January 2018, including the above amendment, be confirmed as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT

RESOLVED:

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.

7.1 SHOPPING CENTRE SITE, ELEPHANT AND CASTLE, 26, 28, 30 AND 32 NEW KENT ROAD, ARCHES 6 AND 7 ELEPHANT ROAD, AND LONDON COLLEGE OF COMMUNICATIONS SITE, LONDON SE1

Planning application reference: 16/AP/4458

Report: see pages 44 – 291 of the agenda pack and the addendum report (16 Jan 2018), as well as supplemental agenda No.1 (30 January 2018), and pages 1 to 3 of supplemental agenda No.2 (30 January 2018).

PROPOSAL

Phased, mixed-use redevelopment of the existing Elephant and Castle shopping centre and London College of Communication sites comprising the demolition of all existing buildings and structures and redevelopment to comprise buildings ranging in eight from single storey to 35 storeys (with a maximum building height of 124.5m AOD) above multilevel and single basements, to provide a range of uses including 979 residential units (use class C3), retail (use Class A1-A4), office (Use Class B1), Education (use class D1), assembly and leisure (use class D2) and a new station entrance and station box for use as a London underground operational railway station; means of access, public realm and landscaping works, parking and cycle storage provision, plant and servicing areas, and a range of other associated and ancillary works and structures.

The meeting went on to consider this item deferred from the meeting on 16 January 2018.

The chair reminded the meeting that a motion to refuse had been proposed, before the items had been deferred on 16 January, which was yet to be seconded. He went on to say that he understood from social media and from an email from the applicant, which had been received, that both ward councillors and the applicant had expressed an interest in further discussion to be had and both wished for a deferral to allow for these discussion to go ahead. The chair said in light of this he suggested that:

- If Councillor Morris did not withdraw her motion and the motion succeeded, a recommendation to refuse would stand and officers would take the appropriate action.
- If Councillor Morris agreed to withdraw her motion, the meeting should agree to defer the items.
- If the motion to refuse failed, the meeting should take a motion to defer the items. Officers would then make arrangements for the application to come back to a future meeting.

The chair then asked the legal officer to come in and explain the process.

The legal officer informed the meeting that:

- at the meeting on 16 January 2018, a motion to approve planning application 16/AP/4458 had been moved, seconded, put to the vote and failed
- a motion to refuse planning permission had subsequently been started, but the meeting had deferred the two items under discussion to this meeting
- possible reasons for refusal had been published in supplemental agenda No.1
- That afternoon an email by the developer had been forwarded to members of the committee and broadcast on social media making proposals for further discussions. This constituted new material considerations, both in planning terms and in terms of the equalities duty, which councillors had to take into account. This submission was not a formal amendment, but did address the key concerns discussed at the meeting on 16 January 2018, namely: the amount of social rented units, situation of the traders and leisure provision for groups with protected characteristics. Officers had not had sufficient time to review these proposals, which also did not constitute a formal revision of the application. Members of the public were unlikely to have seen the proposals.

The legal officer went on to sum up that a motion to refuse had been proposed, and that the meeting would return to this motion now.

Councillor Morris stated that she did not wish to withdraw her motion to refuse.

The chair asked for the motion to be seconded. There was no seconder and the motion fell.

A motion to defer this item was proposed, seconded, put to the vote and declared carried.

RESOLVED:

That this item be deferred to a future meeting of the planning committee.

In accordance with paragraph 1.8.4 of the council's committee procedure rules, Councillor Adele Morris asked for her vote against the motion to defer to be recorded.

7.2 METROPOLITAN TABERNACLE CHURCH, ELEPHANT AND CASTLE, LONDON SE1 6SD

Planning application references:16/AP/4525

Report: pages 292 – 300 of the agenda pack dated 16 January 2018.

PROPOSAL

Minor amendments to the northern elevation of the grade II listed Metropolitan Tabernacle building by virtue of the demolition of the immediately adjacent/abutting London College of Communications building (subject to planning application reference: 16-AP-4458).

A motion to defer this item was proposed, seconded, put to the vote and declared carried.

RESOLVED:

That this item be deferred to a future meeting of the planning committee.

In accordance with paragraph 1.8.4 of the council's committee procedure rules, Councillor Adele Morris asked for her vote against the motion to defer to be recorded.

The meeting adjourned at 7.25pm and resumed at 7.40pm to consider item 6.

6. TO RELEASE £377,143.63 FROM THE S106 AGREEMENTS ASSOCIATED WITH THE BELOW DEVELOPMENTS, TO DELIVER IMPROVEMENTS TO THE ACCESSIBILITY ALONG THE FOOTWAYS IN NORTH CAMBERWELL.

An officer introduced the report and members of the committee considered the information contained therein.

RESOLVED:

That the release of of £377,143.63 of Section 106 funding, from the developments outlined in the report, to deliver improvements to the accessibility along the footways in North Camberwell, as set out in paragraphs 3-5 of the report, be approved.

The meeting adjourned 7.45pm and reconvened at 8pm.

7.3 SOUTHWARK FIRE STATION, 94 SOUTHWARK BRIDGE ROAD, LONDON SE1 0EG; GROTTA PLACE AND GROTTA PODIUMS

Planning application references: 17/AP/0367 (full planning application) and 17/AP/0368 (listed building application)

Report: see pages 17 to 68 of the agenda pack and pages 3 to 6 and pages 9 to 25 of supplemental agenda No.2.

PROPOSAL

Redevelopment of the site including alterations and extensions to listed buildings for a mixed use scheme to provide a new secondary school with sixth form (up to 1150 pupils), 199 residential units, 234 sqm of flexible commercial or community use (Class A1, A3, B1, D1, D2), a 139 sqm Gym (D2) associated landscape and public realm works, cycle parking, disabled parking and servicing access; and the redevelopment of land at Grotto Place for the provision of a new sports hall (1,452sqm) and external multi use games facility and landscaping.

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

The objectors addressed the meeting and answered questions by the committee.

The applicant and the applicant's agents addressed the committee, and answered questions by the committee.

Supporters who lived within 100m of the development site addressed the meeting, and responded to questions from councillors.

Councillor David Noakes addressed the meeting in his capacity as a ward councillor, and answered questions by the committee.

The committee put further questions to officers and discussed the application.

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

RESOLVED:

1. That planning permission be granted for application 17/AP/0367, subject to:
 - a. The conditions set out in the report and addendum report, and
 - b. Subject to two additional conditions stipulating that:
 - i. Six-monthly meetings between the school, ward councillors and residents to be organised by Haberdasher Aske for the first 2-3 years of the school's operation. This is to include reviewing the arrangements around the community use of the Grotto Place site.
 - ii. That the opening times of the Grotto Place site to be amended to a 9pm closing time on any day, and a 10am opening time on Sundays. These opening times are to be subject to review by the above meeting
 - c. referral to the Mayor for London, and the applicant entering into an appropriate legal agreement by no later than 27 April 2018.
2. That in the event that the requirements of (a) are not met by 27 April 2018, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 153 of the report;
3. That listed building consent for 17AP0368 be granted, subject to the conditions set out in the report and addendum report, and subject to the decision on the related planning application having been issued.

The meeting adjourned from 10pm to 10.10pm.

7.4 LAVINGTON HOUSE, 25 LAVINGTON STREET, LONDON SE1 0NA

Planning application reference: 16/AP/2668

Report: see pages 69 to 143 of the agenda and pages 5 to 7 of the supplemental agenda No. 2.

PROPOSAL

Demolition of existing buildings and redevelopment of the site to provide a 10 storey (plus basement) commercial building with two flexible A1/A3/B1 units at ground/basement level and B1 floorspace on all upper levels and accessible parking/vehicular access and servicing from Ewer Street; 170 apartments in three residential buildings at 8, 13 and 21 storeys (plus basement, including roof plant) with a flexible A1/A3/B1 unit at basement/ground floor level; parking/vehicular access from Lavington Street; 3 mews houses (3 storeys); new public realm; hard and soft landscaping; pedestrian routes; alterations to the public highways including widened footways, relocated parking and service bays, tree planting, resurfacing and associated works.

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

There were no objectors wishing to address the meeting.

The applicant and the applicant's agent addressed the committee, and answered questions by the committee.

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

Councillor David Noakes addressed the meeting in his capacity as a ward councillor, and answered questions by the committee.

The committee put further questions to officers and discussed the application.

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

RESOLVED:

1. That planning permission for application 16/AP/2668 be granted, subject to:
 - a. The conditions set out in the report and addendum report
 - b. two additional conditions:
 - that Bankside Residents' Forum be granted 50sqm within a flexible unit for 10 years at a peppercorn rent
 - that there be regular residential liaison meetings during the construction phase, which should include representatives of Bankside Residents' Forum and ward councillors
 - c. the applicant entering into an appropriate legal agreement and referral to the Mayor of London.
2. That in the event that the requirements of paragraph 1 above are not met by 31 August 2018, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 153 of the report.

Meeting ended at 10.35 pm

CHAIR:

DATED:



Planning Committee

MINUTES of the Planning Committee held on Wednesday 7 February 2018 at 6.00 pm
at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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

OTHER MEMBERS PRESENT: Councillor Kath Whittam

OFFICER SUPPORT: Simon Bevan (Director of Planning)
Jon Gorst (Legal Officer)
Victoria Crosby (Development Management)
Sarah Parsons (Development Management)
Pip Howson (Transport Policy)
Michael Tsoukaris (Design and Conservation)
Patrick Cronin (Development Management)
Gerald Gohler (Constitutional Officer)

1. APOLOGIES

There were none.

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 had been circulated at the meeting:

- Addendum report relating to items 5.1 - 5.4
- Members' pack relating items 5.1 – 5.4

The chair announced that items 5.1 to 5.3 would be heard together, as they were part of one larger scheme and interdependent.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

The following councillors declared an interest in:

Item 5.4 18-19 Crimscott Street, London SE1 5TE

Councillor Lucas Green, non-pecuniary, as the application site was in his ward, but that he approached the application with an open mind.

5. DEVELOPMENT MANAGEMENT

RESOLVED:

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.

The chair explained that while items 5.1 to 5.3 would be heard as one item, there would a vote on each individual item.

5.1 MAYDEW HOUSE ABBEYFIELD ESTATE, ABBEYFIELD ROAD, LONDON SE16

Planning application reference: 17/AP/0527

Report: see pages 8 to 60 of the agenda pack and pages 1 to 3 of the addendum report.

PROPOSAL

Refurbishment of the existing 144 residential units and erection of a 5 storey extension providing 24 additional residential units (Class C3). Landscape improvements to the front of Maydew House, with a new residential entrance at ground floor and residents amenities at first floor together with a new community facility (Class D1) at ground floor. New pedestrian route and gates into Southwark Park and other associated works incidental to the development.

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

An objector addressed the meeting. Members of the committee asked questions of the objector.

The applicant and the applicant's agent addressed the committee, and answered questions by the committee.

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

Councillor Kath Whittam addressed the meeting in her capacity as a ward councillor, and answered questions by the committee.

The committee put further questions to officers and discussed the application.

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

RESOLVED:

1. That planning application 17/AP/0527 be granted, subject to the conditions set out in the report, and subject to the applicant entering into an appropriate legal agreement, and receipt of the stage 2 comments from the Mayor of London.
2. That in the event that the requirements of 1. are not met by 31 May 2018, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 159 of the report.

5.2 BEDE CENTRE, ABBEYFIELD ROAD, LONDON SE16 2BS

Planning application reference: 17/AP/2908

Report: see pages 61 to 105 of the agenda pack and page 3 of the addendum report.

PROPOSAL

Demolition of existing Bede Centre (D1 use) and construction of a part-9 storey and part-6 storey block providing 87 affordable homes with associated cycle stores, refuse store, car parking, and landscaping and highway improvements along Abbeyfield Road and adjacent to Thaxted Court.

This item was heard jointly with 5.1 and 5.3. (Please see 5.1 for details)

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

RESOLVED:

1. That planning application 17/AP/2908 be granted, subject to the conditions set out in

the report, and subject to the applicant entering into an appropriate legal agreement, and receipt of the stage 2 comments from the Mayor of London.

2. That in the event that the requirements of 1. are not met by 31 May 2018., the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 136 of the report.

5.3 DAMORY HOUSE AND THAXTED COURT, ABBEYFIELD ROAD, LONDON SE16 2BU

Planning application reference: 17/AP/2562

Report: see pages 106 to 163 of the agenda pack and page 3 of the addendum report.

PROPOSAL

Redevelopment of Thaxted Court, entailing;

- *Conversion of the existing ground floor undercroft/garaging area within the northwest wing into x2 self-contained dwellings;*
- *Construction of a two-storey extension to the roof (i.e. at fourth and fifth floor level) of both wings of the building to facilitate the delivery of x12 self-contained dwellings;*
- *Alterations to the existing building, including: the installation of a new glazed facade; re-cladding of existing elevations; the creation of a new covered entrance at ground floor level; and the provision of dedicated cycle and refuse storage spaces;*
- *Delivery of new public realm, hard and soft landscaping, and associated works*

Redevelopment of Damory House, entailing;

- *Construction of a two-storey extension to the roof (i.e. at fourth and fifth floor level) across the full length of the building to facilitate the delivery of x14 self-contained dwellings;*
- *Alterations to the existing building, including: the installation of a new glazed facade; re-cladding of existing elevations; the creation of a new covered entrance at ground floor level; and the provision of dedicated cycle and refuse storage spaces;*
- *Delivery of new public realm, hard and soft landscaping, and associated works*

This item was heard jointly with 5.1 and 5.2. (Please see 5.1 for details.)

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

RESOLVED:

1. That planning application 17/AP/2562 be granted, subject to the conditions set out in the report and subject to the applicant entering into an appropriate legal agreement, and receipt of the stage 2 comments from the Mayor of London.

2. That in the event that the requirements of 1. are not met by 31 May 2018, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 195 of the report.

5.4 18-19 CRIMSCOTT STREET, LONDON SE1 5TE

Planning application reference: 17/AP/3170

Report: see pages 164 to 206 of the agenda pack and pages 3 to 4 of the addendum report.

PROPOSAL

Redevelopment of the site to provide a part 6 / part 9 storey building (plus basement) with 1835sqm GIA of Class B1 office floorspace and 55 residential units (Class C3) and associated car and cycle parking and landscaping.

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

There were no objectors who wished to address the committee.

The applicant and the applicant's agent addressed the committee, and answered questions by the committee.

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

The committee put further questions to officers and discussed the application.

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

RESOLVED:

1. That planning application 17/AP/3170 be granted, subject to:
 - a. the conditions set out in the report
 - b. an amended condition 37 stipulating that the outside terraces shall not be used between the hours of 22:00 and 7:00
 - c. the applicant entering into an appropriate legal agreement.
2. That in the event that the requirements of 1. are not met by 1 March 2018, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 131 of the report.

The meeting ended at 8.25 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 6 March 2018	Meeting Name: Planning Committee
Report title:		Article 4 Direction to withdraw the permitted development rights for a change of use from light industrial to residential.	
Ward(s) or groups affected:		All	
From:		Director of Planning	

RECOMMENDATIONS

That the Planning Committee:

1. Authorises the confirmation of the Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) for the change of use from B1c (Light Industrial) to C3 (Dwelling houses). This Article 4 Direction will cover any property located within South East Bermondsey, Parkhouse Street, Mandela Way and Old Kent Road Strategic Preferred Industrial Locations. The Article 4 Direction will also cover selected sites in the Peckham and Nunhead Area Action Plan (2015) and selected emerging site allocations in the New Southwark Plan Proposed Submission Version (2017) and Old Kent Road Further Preferred Option Version (2017). All areas to which the Article 4 Direction will apply are shown on the table of sites in Appendix B and the maps in Appendix C of this report.
2. Notes the updated equalities analysis of the proposed Article 4 Directions (Appendix D).
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. The council made an immediate Article 4 Direction to remove permitted development rights for light industrial to residential changes of use on 28 September 2017. The council must decide whether to confirm the Direction before the expiry date of 6 months from the date of making the Direction.
5. By Article 8 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016, the government introduced a permitted development right under Class PA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") to allow a change of use of a building and any land within its curtilage from a use falling within Class B1(c) (light industrial) of the Schedule to the Use Classes Order to a use falling within Class C3 (dwelling houses) of that Schedule, to last for three years (from 1 October 2017 until 30 September 2020), for which prior approval is granted before 1 October 2020.
6. According to the GPDO, development is not permitted under Class PA if:

- (a) An application for prior approval is received by the local planning authority on or before 30 September 2017;
 - (b) The building was not used solely for a light industrial use on 19 March 2014 or, in the case of a building which was in use before that date but was not in use on that date when it was last in use;
 - (c) The prior approval date falls on or after 1 October 2020;
 - (d) The gross floor space of the existing building exceeds 500 square metres;
 - (e) The site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;
 - (f) Less than one year before the date the development begins:
 - (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under this class, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes;
 - (g) The site is, or forms part of – (i) a site of special scientific interest; (ii) a safety hazard area; (iii) a military explosives storage area;
 - (h) The building is a listed building or is within the curtilage of a listed building; or
 - (i) The site is, or contains, a scheduled monument.
7. The conditions in relation to the permitted development right are as follows. Before beginning the development, the developer must –
- (a) Submit a statement, which must accompany the application referred to in paragraph (b), to the local planning authority setting out the evidence the developer relies upon to demonstrate that the building was used solely for a light industrial use on 19 March 2014;
 - (b) Apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –
 - (i) transport and highways impacts of development,
 - (ii) contamination risks in relation the building,
 - (iii) flooding risks in relation to the building,
 - (iv) where the authority considered the building to which the development relates is within an area that is important for providing industrial services or storage or distribution services or a mix of those services (which includes, where the development relates to part of a building, services provided from any other part of a building), whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services, and the provisions of prior approval of (Paragraph W of Part 3 of the GDPO) apply in relation to that application.

8. Furthermore development under Class PA is permitted subject to the condition that it must be completed within a period of three years starting with the prior approval date.
9. It is considered that this new permitted development right would have adverse impacts on the proper planning of the borough, with the council being unable to manage the process of change in use class from B1 (c) to C3 and being unable to oversee the quality of new homes as a result. Application of this permitted development right could result in an unmanaged loss of employment space, and consequently jobs, due to the loss of existing and potential floorspace from light industrial sites. The council would have less opportunity to manage land release and support new employment uses in line with adopted and emerging policies with the prospect of negatively impacting the economy.
10. A number of local planning authorities across London have recently implemented similar Article 4 Directions with regard to the withdrawal of permitted development rights for a change of use from B1 (c), light industrial to C3 residential and for similar reasons. Local planning authorities seek to ensure they maintain the ability to manage the release of land and the loss of valuable employment sites to support both local economies and the wider London economy. Southwark Council is aware of the following authorities making similar directions; Camden, Hackney, Islington, Royal Borough of Kensington and Chelsea, Hounslow and Waltham Forest.
11. There was considered an immediate risk that the conversion of light industrial uses to residential would occur in industrial areas when the permitted development rights come into force. The council received applications relating to Class O permitted development rights for the conversion of offices located in industrial areas to residential accommodation. These are not in typical office locations but rather lawful B1a (office) uses situated within industrial areas with high concentration of B1c industrial uses.
12. There are two examples within Preferred Industrial Locations at St James' Road (Old Kent Road area) and Parkhouse Street (Camberwell) for which the council received prior approval applications for conversions to residential use. These applications undermine the ability to achieve re-provision of employment floorspace within comprehensive redevelopment schemes for which the council received prior approval applications for conversions to residential use and undermine the ability to achieve re-provision of employment floorspace within comprehensive redevelopment schemes for which the council is encouraging a range of mixed employment uses (including industrial).
13. They also restrict the ability for the council to ensure a high standard of residential accommodation is achieved, including protecting amenity on existing industrial sites and without any provision of affordable homes. This is similar to the risk of converting railway arches in light industrial uses to residential accommodation for which the restriction of permitted development by way of an Article 4 Direction already applies in Southwark.
14. The Article 4 Direction does not impede the council's ability to deliver borough housing targets. Each of the sites included in this Article 4 Direction have been considered by both existing and emerging development plan documents. The sites identified are predominantly proposed site allocations in the Old Kent Road AAP and the New Southwark Plan. In these areas the council expects to see comprehensive mixed use development, including achieving a significant uplift in housing to address the

borough's housing needs, as well as achieving high quality employment space including an uplift in the number of jobs.

15. The higher land values that can be achieved for residential uses over commercial uses, particularly where the residential use has no affordable element, could also affect the viability of any subsequent residential development and therefore the opportunity to meet Southwark's affordable housing targets.
16. There is a strong need for new affordable housing in Southwark. All major development providing 10 or more homes is required to provide a proportion of homes as affordable homes, subject to viability. Application of the permitted development right would undermine the council's ability to maximize affordable housing contributions. Firstly, any change of use to residential made under the permitted development right would not be required to provide any affordable housing. Secondly, any change of use to residential will potentially increase the land value of the site. This would reduce the viability of any subsequent comprehensive redevelopment and would result in affordable housing obligations being reduced or unviable which would therefore affect Southwark's ability to meet affordable housing targets.
17. The Article 4 Direction is considered to be in compliance with paragraph 200 of the NPPF which states that Article 4 Directions should be limited to "situations where this is necessary to protect local amenity or the well-being of the area". The Article 4 Direction is also considered to be in compliance with NPPF and London Plan policies supporting the provision of viable employment land, as well as the Core Strategy (2011), saved policies in the Southwark Plan (2007) and the emerging New Southwark Plan. Relevant policies are considered by the 'Local evidence of employment land use and demand' section of this report.
18. The permitted development right will be in place for a temporary three year period until 30 September 2020. However, as with the office to residential permitted development right, there may be scope to extend the time period further or to make it permanent. It is considered necessary to confirm the Article 4 Direction now to ensure the council will be able to continue managing development proposals through the planning application process during this period.
19. It is considered that the withdrawal of permitted development rights for change of use from light industrial to residential will reduce risks to the amenity of the borough, including the provision of employment land, employment opportunities and by reducing the council's ability to effectively manage comprehensive mixed-use redevelopment. This position is supported by the policy context, outlined in the Key Issues for Consideration section of this report.
20. The areas that are subject to the Article 4 Direction include all land within South East Bermondsey and Old Kent Road Strategic Preferred Industrial Locations and Parkhouse Street and Mandela Way Local Preferred Industrial Locations. The Article 4 Direction will also apply to selected site allocations in the Peckham and Nunhead Area Action Plan (2015) and selected emerging site allocations in the New Southwark Plan and Old Kent Road Area Action Plan. In addition Vanguard Court has been included.
21. The council's evidence base demonstrates that B1(c) light industrial activity is undertaken at the aforementioned locations. It is the council's intention to ensure comprehensive mixed-use redevelopment of these sites continues to be managed in accordance with emerging policies in the New Southwark Plan and Old Kent Road as

well as existing guidance. All areas to which the Article 4 Direction will apply are illustrated on the map in Appendix C of this report. These sites are also listed in the table of sites shown in Appendix B.

22. Emerging policies in the New Southwark Plan: Preferred Options Version set out a strategy for regeneration from 2018 to 2033. Alongside continued major growth in housing development, there is a focus on ensuring a strong economy. There is a commitment to review these designations, with site specific policies (site allocations) to be set out in the Old Kent Road AAP and the New Southwark Plan. These will aim to intensify development, increase job numbers and promote growth of business uses within new mixed use neighbourhoods.
23. The Article 4 Direction enables the council to ensure the carefully planned release of any industrial land and, in many cases, re-provision of industrial uses. The council also wishes to ensure that any loss through comprehensive development of industrial areas is not undermined, particularly in order to ensure high quality residential development can be achieved as well as the provision of affordable housing.
24. Existing policies recognise the importance of supporting local employment opportunity and protecting employment land including B1(c) floorspace across the borough. It is a strategic objective to ensure a wide range of employment opportunities are supported to aid regeneration. The Southwark Employment Land Review (ELR) (2016) identifies Southwark as one of London's largest and fastest growing employment locations. The ELR notes that just under half (46.5%) of all jobs in Southwark are in B-Space activities, industrial employment represents 5% of this total or 10,622 jobs.
25. The ELR highlights that commercial property in Southwark as elsewhere in London is experiencing severe competitive pressure, particularly from the residential market. It is noted that the extension of permitted development rights has caused a particularly sharp uptick in conversion activity.
26. There are 9,500 jobs within the Old Kent Road Opportunity Area currently and the Old Kent Road Area Action Plan seeks to double the number of jobs within the opportunity area (10,000 additional jobs). Ensuring industrial uses are re-provided within mixed use development is an important component of the AAP to ensure this uplift in jobs and new employment space can be provided.
27. In 2015 the Department for Communities and Local Government (DCLG) (as it was then) published Land value Estimates for Policy Appraisal. In Southwark, post permission residential land value was estimated as being £49,000,000 per hectare. This compares favourably against average industrial land value estimates for the London region at £2,733,000 per hectare. This has a negative impact on the viability of mixed use employment and residential schemes. The higher differential values could lead to increasing development pressure for conversion to higher value residential use.
28. Viability and other matters can be fully addressed through the planning application process. The withdrawal of permitted development rights from light industrial uses would not necessarily mean planning consent would not be granted for any change of use, but will enable the council to subject the any proposed development, including potential impacts on the amenity of the surrounding area, to the planning application process.

29. Given the above, Southwark Council is satisfied that it is expedient. This is in accordance with paragraph (1) of article 4 of the GDPO that development normally benefitting from permitted development rights should not be carried out unless permission is granted for it on application.

Article 4 Directions

30. 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 ensure that development requires planning permission. A planning application would need to be submitted that would then be determined in accordance with the development plan. Article 4 Directions must apply to all uses within the relevant use class and it cannot restrict changes within the same use class.
31. 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).
32. 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 has made an immediate Article 4 Direction for which the process is as follows:
- Stage 1 - 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 the 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 not less than six 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 powers to modify or cancel a Direction.
 - Stage 4 – (the current stage) 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 six months to decide whether to go ahead and confirm the Direction, taking into account any representations which have been received. If confirmation this does not happen within six months, the Direction will lapse.

Compensation

33. 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.
34. 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.
35. 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.
36. 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.
37. Permitted development rights granted by Schedule 2, Part 3, Class PA is prescribed development, which means that compensation will only be payable for 12 months from the date that the immediate Direction comes into force.

Planning applications

38. 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. The development plan includes the London Plan, the Core Strategy (2011), saved policies in the Southwark Plan (2007) and adopted area action plans.
39. Relevant Southwark Plan saved policies relating to change of use from B1(c), light industrial to C3, residential include policy 1.2 (strategic and local preferred industrial locations) and policy 1.4 (employment sites outside the preferred office locations and preferred industrial locations. Relevant Core Strategy policies include Strategic Objective 1A (create employment and link local people to jobs), Strategic Targets

Policy 1 (achieving growth), Strategic Policy 1 (sustainable development), Strategic Policy 10 (jobs and businesses). Policies contained within the London Plan and the NPPF are also relevant as discussed further in the policy context section of the report below.

40. 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 B1 (c), 'Light Industrial' Land Use Matters

41. As is noted above, 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.

Local evidence of employment land use and demand

Southwark Employment Land Study – Part 1 (2016)

42. The Southwark Employment Land Review (ELR) (2016) identifies Southwark as one of London's largest and fastest growing employment locations. Employment in Southwark has grown rapidly since 2000, increasing 41% or 74,000 jobs, from 2000 to 2013.
43. The study outlines that across the borough as a whole employment is under strong pressure for conversion to residential. There is a substantial value differential between commercial and residential property. The ELR states that with forecasts of continued high population growth and a housing-friendly planning regime, pressure for residential development will continue for the foreseeable future. In the absence of protection for employment uses many businesses on developable land may then be faced with the choice of seeking locations outside of Southwark or having to settle for poorer quality space.
44. The ELR identifies that just under half (46.5%) of all jobs in Southwark are in B-class activities. Of this total 5% are in industrial employment. Industrial jobs are more strongly represented in the central activities zone (CAZ) representing 63% of the total. Table 1 below illustrates industrial B-space jobs in Southwark by land-use type.

Table 1: B-Space Jobs in Southwark by Land-Use Type

	CAZ	Hinterland	South	Southwark
Manufacturing	966	614	378	1,951
Other Industrial	2,588	582	330	3,486
Wholesale	3,143	1,598	454	5,185
Total Industrial Jobs	6,697	2,794	1,162	10,622
Manufacturing	49.50%	31.50%	19.40%	100%

Other Industrial	74.20%	16.7%	9.50%	100%
Wholesale	60.60%	30.80%	8.80%	100%
Total Industrial Jobs	63.00%	26.30%	10.90%	100%

Source: Southwark Employment Land Study – Part 1 (2016) (p27)

Commercial to Residential Conversion Activity:

45. The ELR highlights that commercial property in Southwark as elsewhere in London is experiencing severe competitive pressure, particularly from the residential market. It is noted that the extension of permitted development rights has caused a particularly sharp uptick in conversion activity.

Southwark Employment Land Study – Part 2 (2016)

46. The Southwark Employment Land Study – Part 2 sets out an assessment of the future development potential of the Old Kent Road Opportunity Area for employment uses. The Old Kent Road is currently recognised as a Strategic Preferred Industrial Local (PIL) in the saved policies of the Southwark Plan (2007). Such locations are safeguarded to ensure that a range of industrial and storage functions continue in the borough. However, the policy context is changing.
47. The study outlines that in the 2015 London Plan the Old Kent Road was designated as an Opportunity Area. These are the capital's principal reservoir of brownfield land. Opportunity Areas should seek to optimise residential and non-residential development and densities, provide necessary social and other infrastructure to sustain growth and, where appropriate, a mix of uses.
48. The study identifies that the Old Kent Road is probably a unique location in London given its mix of industrial characteristics and proximity to central London. At the time of publication the Old Kent Road supported around 9,500 jobs in a mix of warehouses, industrial estates, high street businesses, retail parks and community use. Around 75% of businesses are independent businesses occupying single sites and these businesses account for 40% of the jobs in the OKR area.

The Southwark Industrial and Warehousing Land Study (2014)

49. The Southwark Industrial and Warehousing Land Study (2014) suggests that there has been strong demand for good quality, flexible industrial space in the borough (e.g. Class B1b, B1c and B8). This is linked to the growth of the CAZ service economy, including activities such as printing and food supplies, both in the CAZ Fringe and CAZ Hinterland. Southwark's central location and proximity to the CAZ are key features of this economy, combined with its good value in property terms. This study emphasises the importance of employment land supply around Old Kent Road, and the important role of railway arch sites in the north of the borough.
50. While traditional manufacturing and industrial activities have been declining rather than growing, some parts of Southwark (including parts of Old Kent Road and the railway arches) provide hard-to-find space for 'dirty' activities close to central London. Some of these activities, such as those which generate sawdust, may relate to relatively light rather than heavy industry. This study suggests that, if these areas are to be redeveloped to encourage more dense employment uses and / or a mix of uses, thought needs to be given to where these activities can be located.

Policy Context

51. The Article 4 Direction is considered to be compliant with national, regional and local planning policy for the provision and protection of viable employment land that is considered to have a reasonable prospect of being used for that purpose. The following policies in particular support the proposal for making this Article 4 Direction.
52. Paragraph 22 of the NPPF warns against the long term protection of employment sites where there is no reasonable prospect of a site being used for that purpose. Alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. As outlined below the council's employment policies are supported by robust evidence.
53. The importance of protecting employment land as being crucial to the growth of the London economy as outlined in the London Plan, namely:
 - Policies 2.10 and 2.11: Central Activities Zone: confirm the importance of this area to the growth of London's economy;
 - Policy 2.13: Opportunity Areas and Intensification Areas: this policy references Annex 1 of the London Plan which sets indicative housing and employment targets for these locations within London.
 - Policy 4.1: Developing London's Economy: strives to ensure the availability of sufficient and suitable workspaces in terms of type size and cost, supporting infrastructure and suitable environments of a range of business types and sizes;
 - Policy 4.4: Managing Industrial Land and Premises: promotes a rigorous, evidence based approach to reconcile demand and supply of industrial land and to take account of the needs of industrial and related uses.
54. Additional to this context the London Industrial Land Study (2017) recommended consideration of Article 4 Directions to preserve light industrial space from being changed to residential use.
55. In support of the NPPF and the London Plan, saved policies in the Southwark Plan (2007), Southwark's Core Strategy (2011) and the emerging New Southwark Plan include the following policies addressing employment land. In addition evidence is supplied via the Southwark Industrial and Warehousing Land Supply Report (2014) and the Southwark Employment Land Review Parts 1 and 2 (2016).

Saved policies in the Southwark Plan (2007)

- Policy 1.2: Strategic and Local Preferred Industrial Locations: Seeks to protect strategic and local preferred industrial locations by only granting planning permission for B Use Classes.
- Policy 1.4: Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations: Protects sites located outside Preferred Industrial Locations which have an established B Class Use and which meet identified criteria. It is also

stated that development would be permitted provided that the proposal would not result in a net loss of floorspace in Class B use.

56. It is also considered important to protect land for industrial and warehousing purposes so that businesses which require segregation from other uses can operate without adversely affecting the amenity of surrounding sensitive land uses, such as residential uses. Furthermore, sites located outside preferred industrial locations which have an established B Class Use and which meet identified criteria are protected although development would be permitted provided the proposal would not result in a net loss of floorspace in Class B use. A number of exceptions are also identified.
57. The council can use these policies to support refusal of planning applications for change of use from B1(c) light industrial use to C3 residential use both within and outside Preferred Industrial Locations. This flexible approach has been effective in protecting preferred industrial locations while also allowing mixed use development to come forward on sites located outside these areas when suitable.

Core Strategy (2011)

- Strategic Objective 1A: Create Employment and Link Local People to Jobs: Seeks to ensure Southwark is a prosperous borough providing a wide range of employment opportunities that facilitate regeneration. It is outlined that the Central Activities Zone will contain a mix of tourism, cultural and creative industries, finance and office jobs. Local centres will provide retail, services and local employment whilst of greatest relevance to this report preferred industrial locations provide places for small businesses and industry. It is noted that Southwark will be without concentrations of poverty and with good opportunities because there is good access to jobs and residents will have the training and skills needed by businesses.
- Strategic Targets Policy 1: Achieving Growth: Seeks to ensure development improves the places in which people live and work and enable a better quality of life for Southwark's diverse population. The council sets out that it will work with partners, local communities and developers to ensure developments achieve the required growth and improvements to achieve targets.

Targets of relevance to this report include:

- o 32,000 net new jobs; and
- o 425,000 - 530,000 sqm additional business floorspace between 2011 and 2026.
- Strategic Policy 1: Sustainable Development: Seeks to ensure development improves the places people live and work in and enable a better quality of life for Southwark's diverse population. This policy states that it will help meet the needs of a growing population in a way that respects the limits of the planet's resources and protects the environment.
- The supporting text outlines that new development should contribute to sustainable development rather than building for building's sake. A wide range of factors are considered to this end including helping people into jobs.

- Strategic Policy 10: Jobs and Businesses: Seeks to increase the number of jobs in Southwark and create an environment in which businesses can thrive. The council also wish to ensure that local people and businesses benefit from opportunities which are generated from development. The council will do this by:
 - o Protecting industrial and warehousing floorspace and enabling growth in new sectors such as green manufacturing and technology in the following strategic and local preferred industrial locations:
 - South East Bermondsey;
 - Old Kent Road;
 - Parkhouse Street; and
 - Mandela Way.
 - o Protecting small units in the locations listed above and encouraging provision of flexible space.
 - o Targeting new jobs and training opportunities which arise from development towards local people.

New Southwark Plan: Proposed Submission Version

58. The New Southwark Plan will replace Saved policies in the Southwark Plan (2007) and the Core Strategy (2011). The Preferred Option Version of the New Southwark Plan, containing development management policies and area visions, was published in October 2015. The Preferred Option Version of the New Southwark Plan containing Area Visions and Site Allocations was published in January 2016, after consultation amendments to both documents were published in June 2017. The Proposed Submission version was published in December 2017. Although not yet adopted, under the NPPF, decision-takers may also give weight to relevant policies in emerging plans such as this.
59. The plan sets out a strategy for regeneration from 2018 to 2033. Alongside continued major growth in housing development, including new affordable housing, there is a focus on ensuring a strong local economy.
- Strategic Policy 4: Strong local economy: Seeks to make sure that Southwark has a strong economy, beneficial to all residents.
 - Specific policies are proposed for the promotion of small business units and the Plan includes a commitment to ensure delivery of 500 new affordable business units within the borough. The plan also proposes site allocations which require the re-provision of employment space on a number of sites which currently provide light industrial space.

Policy Summary

60. Southwark's adopted and emerging policies recognise the importance of supporting local employment opportunities and protecting employment land including B1(c) floorspace across the borough. It is a strategic objective to ensure a wide range of employment opportunities are supported to aid regeneration. It is also recognised that preferred industrial locations provide places for small businesses and industry. The policy outlines that 32,000 net new jobs and 425,000 to 530,000 sqm of additional

business floorspace, including B1(c) floorspace, should be provided between 2011 and 2026. Helping people into jobs is seen as a priority with new opportunities arising in green manufacturing, biosciences and the knowledge economy. Policies seek to protect industrial and warehousing floorspace and support growth in new sectors such as green manufacturing and technology.

61. Furthermore, the council is committed to maximize the delivery new high quality homes including affordable. The permitted development right would limit the council's ability to ensure new homes built under the right are high quality. The permitted development right also enables the delivery of new housing that need not contribute towards the borough's much needed affordable housing supply. Furthermore, any changes of use made under the provisions of the permitted development right could ratchet up land values thereby reducing the viability of any subsequent comprehensive redevelopment to comply with the council's affordable housing requirements for reasons of viability.

Consultation

62. The representation period on the Article 4 Direction: B1c Light Industrial to residential 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 28 September 2017 to 14 December 2017. Notice of the direction was made by:

- Local advertisement in the local press;
- Mail out to over 7,000 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 placed in visible locations at the sites affected, including at the entrance and at each junction for a period of at least 6 weeks;
- Written notification sent to every owner/occupier of properties within the affected areas specifying a period of at least 21 days in which representations can be made.
- Notification to the Secretary of State.

Summary of representations received

63. During the representation period, 27 representations were received of which:
- 19 representations expressed their support for the Article 4 Direction.
 - 6 representations have made comments which did not directly support or object to the direction.
 - 2 representations have objected to the inclusion of certain sites but no representations have objected to the Direction itself.

Supporting representations summary

64. Of the 19 representations received the reasons given for supporting the Article 4 Direction include:

- Concern for the loss of light industrial spaces and the recognition of the positive effects that light industrial uses/employment spaces have which necessitate their retention, with specific mentions of Tower Workshops and the Old Kent Road.
- Permitted development rights undermine the successful implementation of planning strategies and comprehensive redevelopment where emerging policies promote mixed use developments.
- Restrictions on permitted development rights are necessary to maintain adequate and diverse employment land.
- The Article 4 Direction will enable the Council to make judgements as to whether the proposed changes will cause significant harm to both the local economy and the character of the historic environment the site lies within.
- The Article 4 Direction schedule should be maintained as these sites should be redeveloped in a coordinated way which includes being able to secure the aspirations of mixed use development as set out in the Old Kent Road Area Action Plan/Opportunity Area Framework.
- Welcomes the council's desire to provide a balanced mix of uses.
- Concerns that light industrial uses are becoming increasingly sparse.
- Light industrial uses provide job opportunities for local residents and young startup companies.
- Manufacturing uses should be brought back to increase productivity.

Comments on boundaries and site inclusion

65. Two representations received were on behalf of two sites included within Appendix C which the Article 4 Direction applies to: Burgess Business Park and Croft Street Depot. Whilst the representations did not object to the Direction, these consider that the inclusion of the sites within the Article 4 Direction Schedule 1 and Schedule 2 would be inappropriate for the following reasons:
- The majority of office uses within Burgess Business Park have already been converted to residential under the permitted development right, the remaining buildings are of poor quality and at the end of their natural lifespan. The Direction will not bring about any meaningful employment uses and their protection through an Article 4 Direction is therefore considered unnecessary.
 - The second objection to the area boundary relates to Croft Street Depot as the respondent considers that the data centre floorspace in connection with its existing telecommunications functions should be considered as non-employment generating data centre uses rather than B1c and should be removed from the Article 4 Direction.
66. Regarding Burgess Business Park, the council considers that as light industrial units exist on the site, the reasons for the Article 4 Direction to protect existing light industrial uses and ensure inclusion of these uses in future redevelopment is justified. Regarding

Croft Street Depot, the site is unlikely in B1c use and is therefore it is recommended this site is removed from the Article 4 Direction Schedule of sites and the accompanying schedules have been updated accordingly.

Other issues raised:

67. Several representations received did not explicitly express support or object to the Article 4 Direction. The commentary received include:
- Three responses were received regarding the food delivery service Deliveroo on the Valmar Estate and its negative impacts on the adjoining residences. One respondent has commented that light industrial uses should be protected provided that these are for businesses that benefit the neighbourhood and provide safe and secure conditions for employees. Another comments that Deliveroo should not be considered light industrial because of the noise, pollution, impact on the traffic and waste disposal practices. Two of the three representations subsequently addressed the need for the well-being of residents living in proximity to industrial estates to be considered and consulted should any changes occur.
 - That the maps provided were of poor quality.
 - The Tower Workshops would be retained and improved rather than lost.
 - Rooney's boxing gym which is located at 42 Newington Causeway should be protected as an important community hub.
68. The sites mentioned above at Valmar Trading Estate, Tower Workshops and the Newington Triangle are all proposed as site allocations in the New Southwark Plan. The comments are noted however do not relate specifically to the Article 4 Direction.

Conclusions

69. The consultation responses received have been fully considered in the recommendation to confirm the Article 4 Direction. It is noted from the representation regarding Croft Street Depot that the present use is not considered to be light industrial (B1c). It is recommended this site is removed from the Article 4 Direction and Schedule 1 and 2 are updated accordingly. With respect to the comments made regarding the exclusion of Burgess Business Park, the council considers that development should not be carried out on the sites illustrated in the updated Appendix C unless planning permission is granted on application. The existing policies recognise the importance of supporting local employment opportunities and protecting employment land including B1(c) floorspace across the borough. It is a strategic objective to ensure a wide range of employment facilities are sustained.
70. The council considers that in the case of permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1(c) (Light Industrial) to C3 (Dwelling houses), these present a threat to local amenity and prejudices the proper planning of the area, particularly those in Appendix C. As mentioned prior in the background information of this report, commercial property in Southwark is experiencing severe competitive pressure, particularly from the residential market. It is the council's intention to ensure that these sites are comprehensively redeveloped and continue to be managed in accordance with the emerging policies in the New Southwark Plan and Old Kent Road Area Action Plan.

The removal of the permitted development rights would not restrict development altogether but instead ensure that development can be assessed against the relevant policies through the planning application process.

Community impact statement

71. Southwark Council is committed to achieving the best quality of life for its residents. This includes maintaining a strong local economy and supporting housing growth for communities across Southwark. It is vital that the aims of Southwark's emerging policy framework are robustly defended, including: intensifying development, increasing job numbers and promoting growth of business uses within mixed use neighbourhoods to ensure the council's commitments to local communities are met.
72. The equalities analysis (Appendix D) has concluded that the Article 4 Directions will have a positive impact on equalities and they will assist the council in implementing its planning policy framework, which has also undergone equalities analysis.

Financial Implications

73. 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 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1 (c) (Light Industrial) to C3 (Dwelling Houses) 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.
74. 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 reserves.
75. 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.
76. 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 (KC19/02/2018)

77. Planning committee is being asked to authorise the confirmation of the Article 4 Direction as detailed in paragraph 1 and 3 of this report and which can be found at annexed at Appendix A.

78. 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.
79. 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.
80. Section 108 has been recently amended to deal with those circumstances where permission granted under a development order has been withdrawn for development of a ‘prescribed description’ which is defined in section 2 of the Town and Country Planning (Compensation) (England) Regulations 2015. The effect of these new provisions is to limit the circumstances where compensation is payable for “prescribed description” development. In cases where notice of the withdrawal of the permitted development rights was published at least 12 months before the direction took effect NO compensation will be payable, even if the claim was made within 12 months of the direction coming into effect. Therefore, compensation may be payable where the claim is brought within 12 months of the date that the Direction came into force as explained in the above paragraphs 33-37.

Strategic Director of Finance and Governance (CE17/024)

81. The report is requesting planning committee to authorise the confirmation of the Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) for the change of use from B1c (Light Industrial) to C3 (Dwelling houses). Areas covered by this Article 4 are reflected in paragraph 1.
82. The report is also requesting planning committee to note updated equalities analysis of the proposed Article 4 Directions (Appendix D) and 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. Full details are provided within the main body of the report.
83. The strategic director of finance and governance notes that the proposed Direction 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.
84. 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.
85. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

Human rights and equalities

86. 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.
87. 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.
88. In consulting on the 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 D to this report
89. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Saved Southwark Plan 2007	Southwark Council Planning Policy Team Hub 2, 5th Floor PO Box 64529 London SE1P 5LX	020 7525 5471 planningpolicy@southwark.gov.uk
Link: https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan		
The Core Strategy 2011	Southwark Council Planning Policy Team Hub 2, 5th Floor PO Box 64529 London SE1P 5LX	020 7525 5471 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 Proposed Submission Version	Southwark Council Planning Policy Team Hub 2, 5th Floor	020 7525 5471 planningpolicy@southwark.gov.uk

Background Papers	Held At	Contact
	PO Box 64529 London SE1P 5LX	
Link: https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=4		
Old Kent Road Area Action Plan Further Preferred Option	Southwark Council Planning Policy Team Hub 2, 5th Floor PO Box 64529 London SE1P 5LX	020 7525 5471 planningpolicy@southwark.gov.uk
Link: www.southwark.gov.uk/oldkentrodaap		
Southwark Industrial and Warehousing Land Supply Report (2014)	Southwark Council Planning Policy Team Hub 2, 5th Floor PO Box 64529 London SE1P 5LX	020 7525 5471 planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/evidence-base/economy-employment-and-business		
Southwark Employment Land Study – Parts 1&2 (2016)	Southwark Council Planning Policy Team Hub 2, 5th Floor PO Box 64529 London SE1P 5LX	020 7525 5471 planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/evidence-base/economy-employment-and-business		
General Permitted Development Order 2015 (also see amendments)	Southwark Council Planning Policy Team Hub 2, 5th Floor PO Box 64529 London SE1P 5LX	020 7525 5471 planningpolicy@southwark.gov.uk
Link (copy and paste into your browser): http://www.legislation.gov.uk/uksi/2015/596/pdfs/uksi_20150596_en.pdf		

APPENDICES

No.	Title
Appendix A	Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1 (c) (Light Industrial) to C3 (Dwelling houses).
Appendix B	Schedule 1: Table of Sites
Appendix C	Schedule 2: Maps area subject to Article 4 Direction
Appendix D	Equalities analysis

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Alicia Chaumard, Graduate Planner	
Version	Final	
Dated	20 February 2018	
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 February 2018	



**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 Schedule A below should not be carried out on the land shown edged red on the attached plan, 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 description(s) set out in the Schedule below:

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

SCHEDULE A

Development consisting of use of a building and any land within its curtilage from a use falling within Class B1 (c) (light industrial) of the Schedule to the use Classes Order to a use falling within Class C3 (dwelling houses) of that Schedule being development comprised within Class PA of Part 3 of Schedule 2 to the Order and not being development comprised within any other Class.

THESE DIRECTIONS are made under article 4(1) of the said Order and, in accordance with article 4(4), shall remain in force until 28 March 2017 (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 28 day of September 2017

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



.....
Authorised Signatory *KAREN MOORE*



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

Article 4 Directions: B1c to C3

No.	Title
Appendix A	Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1 (c) (Light Industrial) to C3 (Dwelling houses).
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Appendix D	Equalities analysis

Appendix B Schedule 1: Table of Sites

February 2018

Schedule 1: Table of Sites

Strategic Preferred Industrial Locations	
SIL 1	South East Bermondsey
SIL 2	Old Kent Road
Local Preferred Industrial Locations	
LIL 1 / NSP24	Parkhouse Street / Burgess Business Park
LIL 2	Mandela Way
New Southwark Plan - Preferred Option - Area Visions and Site Allocations B1 (c) Sites:	
NSP08	Biscuit Factory and Campus
NSP09	Tower Workshops
NSP26	Valmar Trading Estate
NSP29	Land Between Camberwell Station Road and Warner Road
NSP33	Camberwell Business Centre, Lomond Grove
NSP41	Newington Triangle
NSP43	63-85 Newington Causeway
NSP50	Bath Trading Estate
NSP57	Copeland Road Industrial Estate
New Southwark Plan Options Version Consultation	
NSP89	Vanguard Court
Peckham & Nunhead Area Action Plan	
PNAAP2	Print Village Industrial Estate, Chadwick Road
PNAAP3	Land between the Railway Arches (East of Rye Lane including Railway Arches)
PNAAP4	Copeland Industrial Park and 1-27 Bournemouth Road
Old Kent Road Area Action Plan	
OKR10	Former Southern Railway Stables
OKR12	Admiral Hyson Trading Estate

Article 4 Directions: B1c to C3

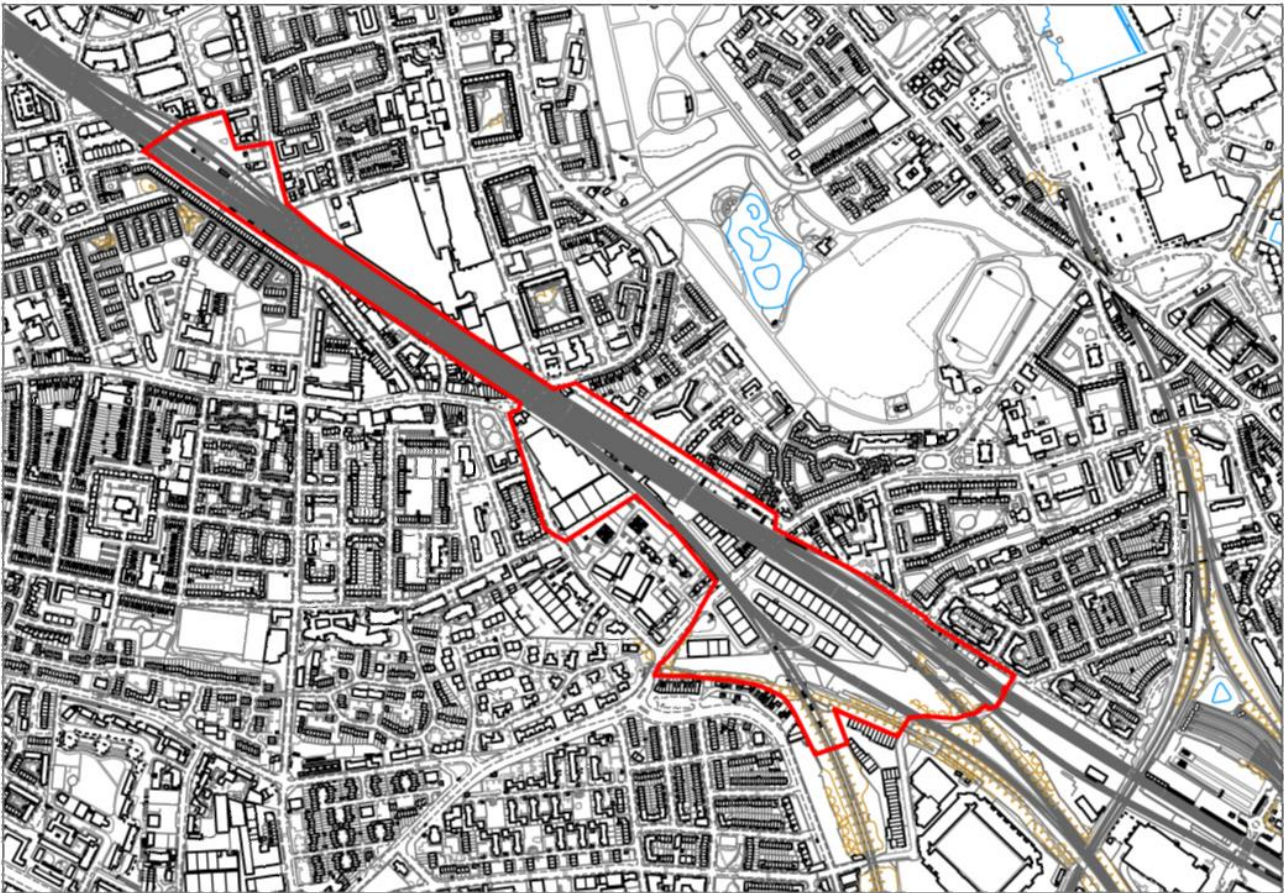
No.	Title
Appendix A	Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1 (c) (Light Industrial) to C3 (Dwelling houses).
Appendix B	Schedule 1: Table of Sites
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Appendix D	Equalities analysis

Appendix C Schedule 2: Maps Area Subject to Article 4 Direction

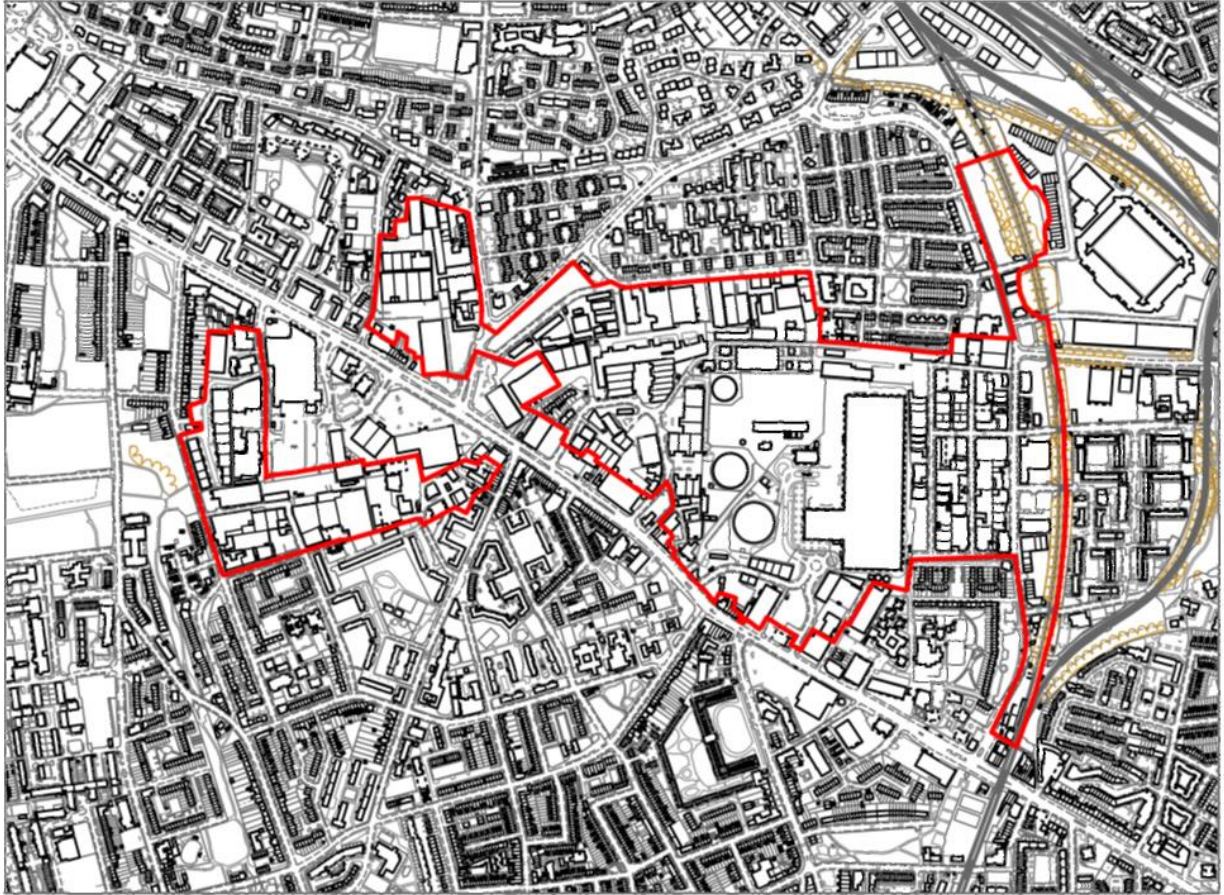
February 2018

Schedule 2: Maps Area Subject to Proposed Article 4 Direction

SIL 1: South East Bermondsey



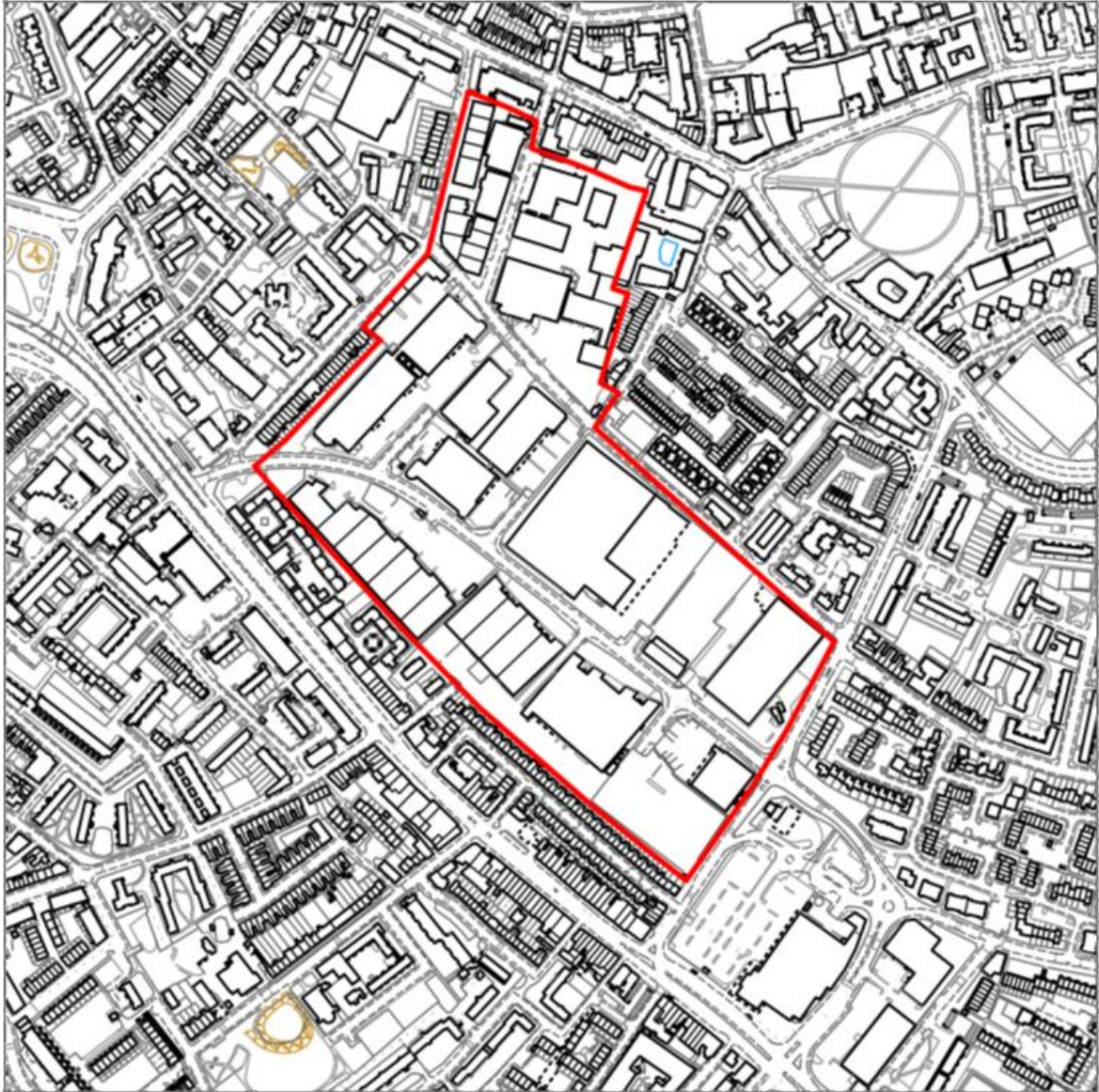
SIL 2: Old Kent Road



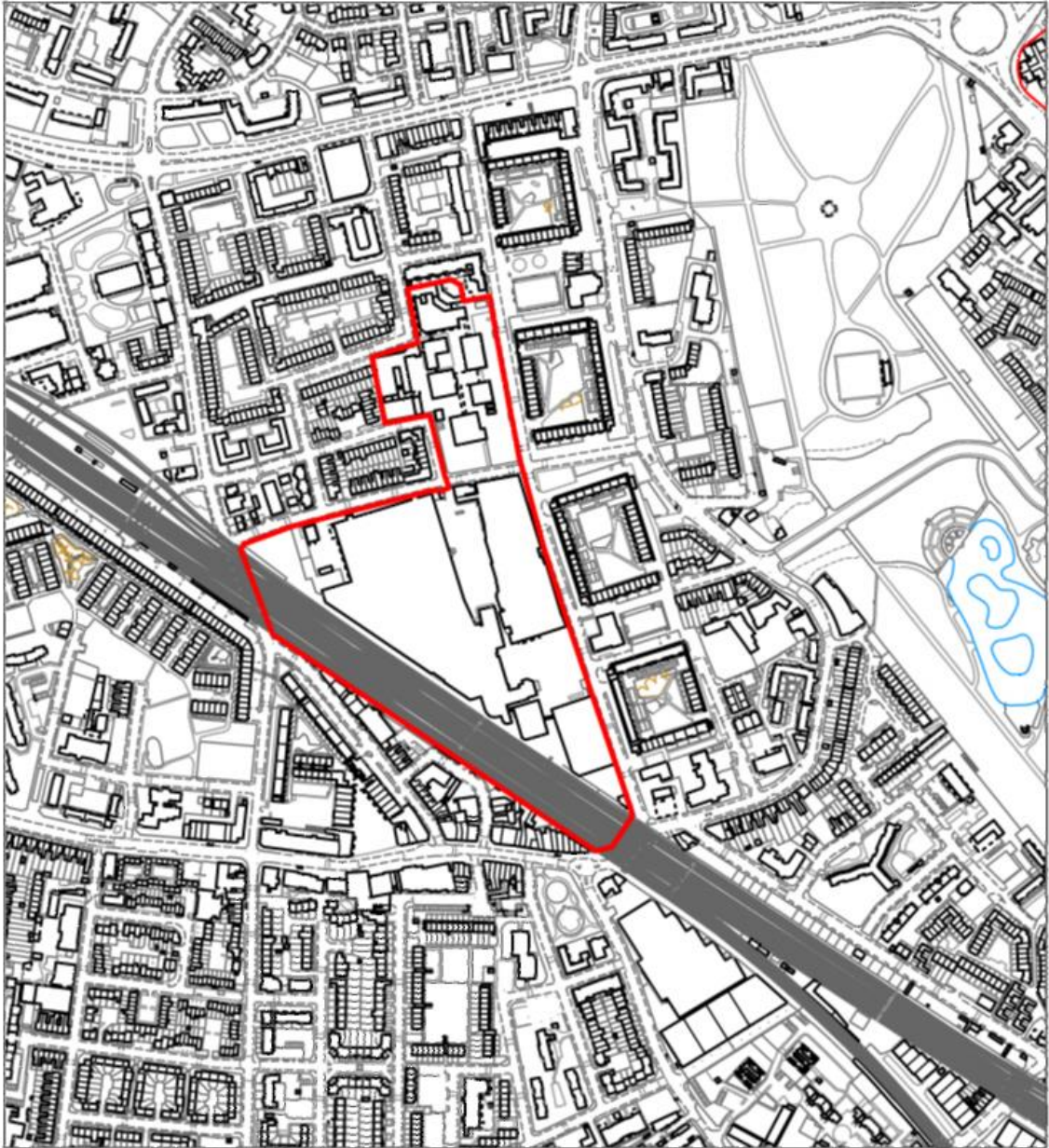
LIL 1 / NSP24: Parkhouse Street / Burgess Business Park

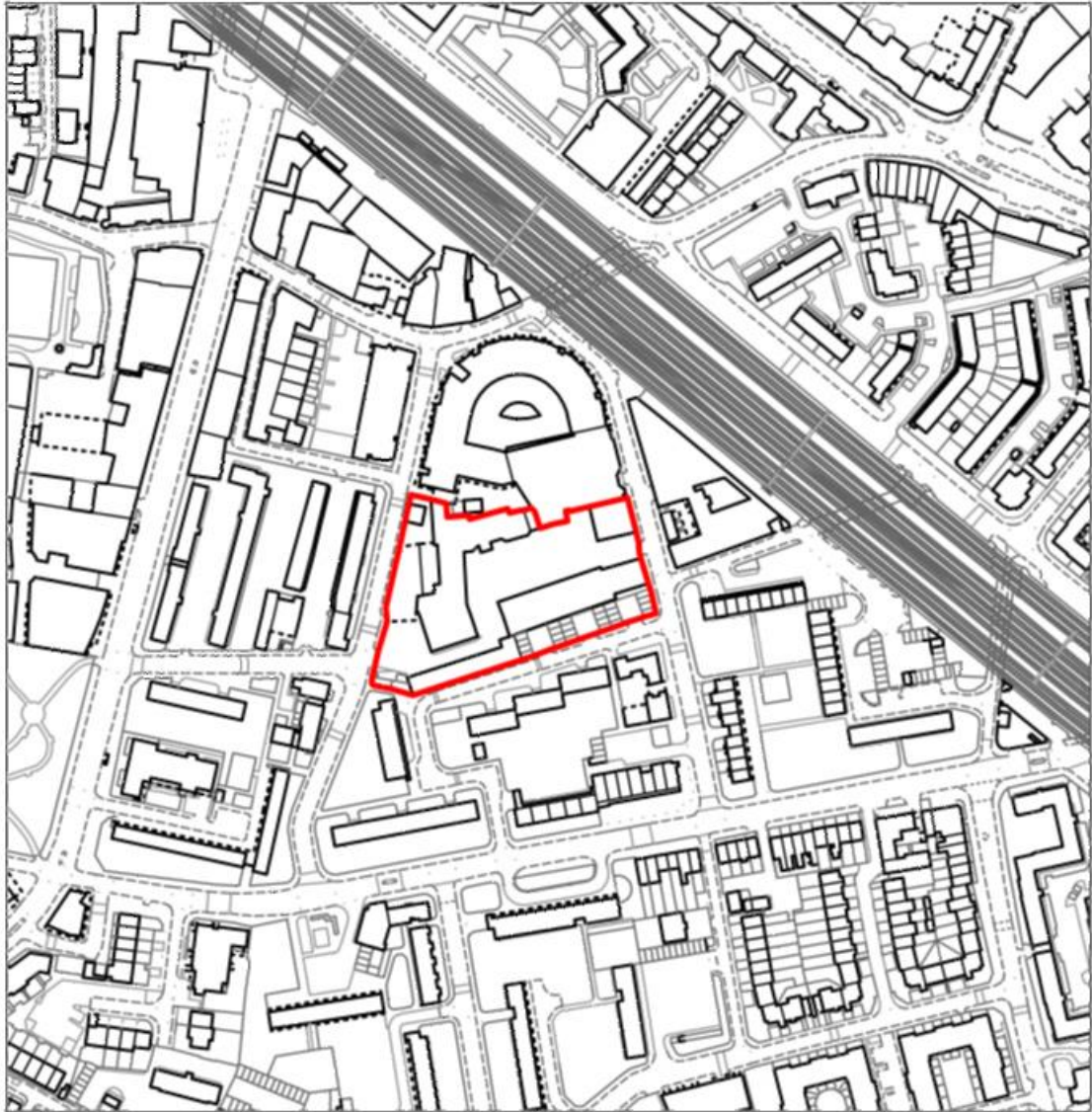


LIL 2: Mandela Way

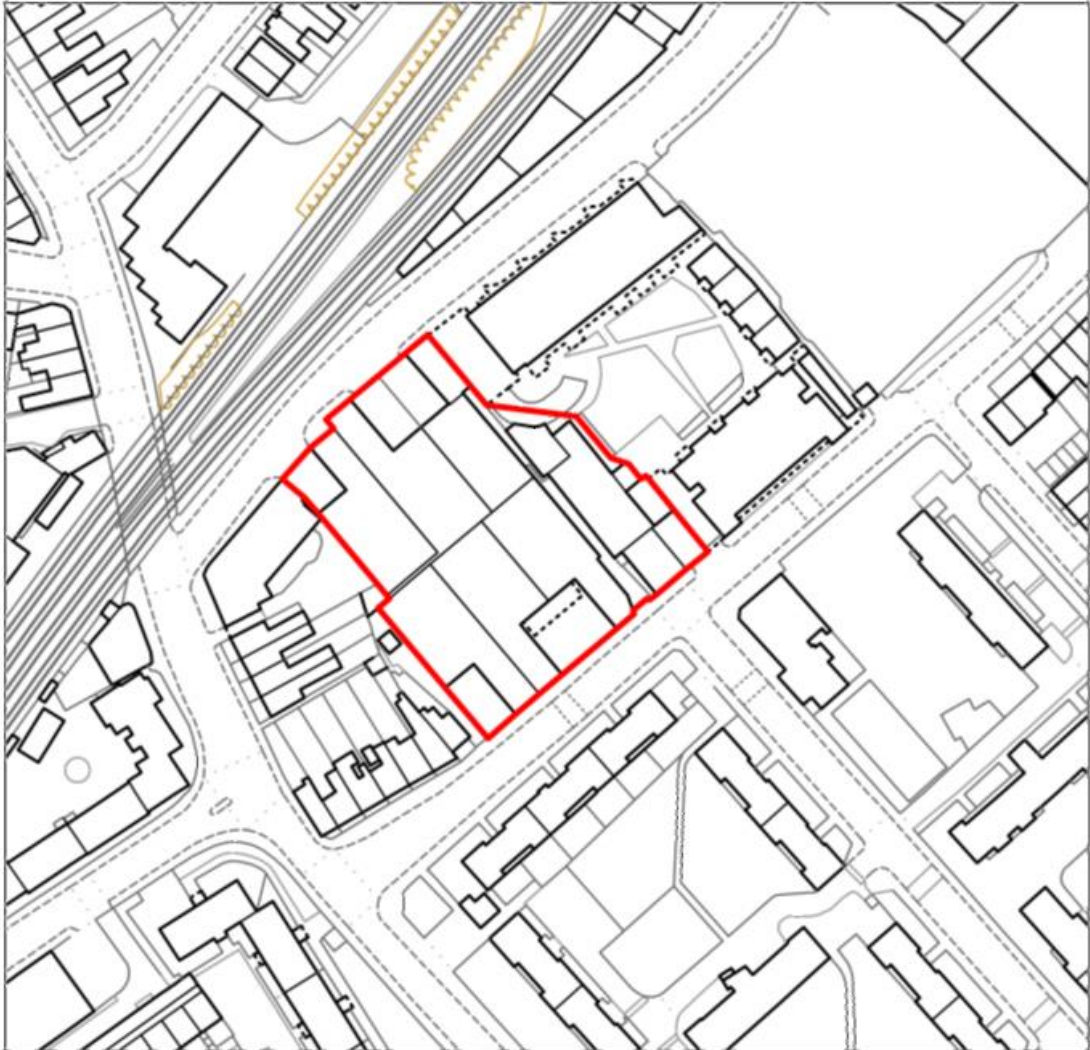


NSP08: Biscuit Factory and Campus

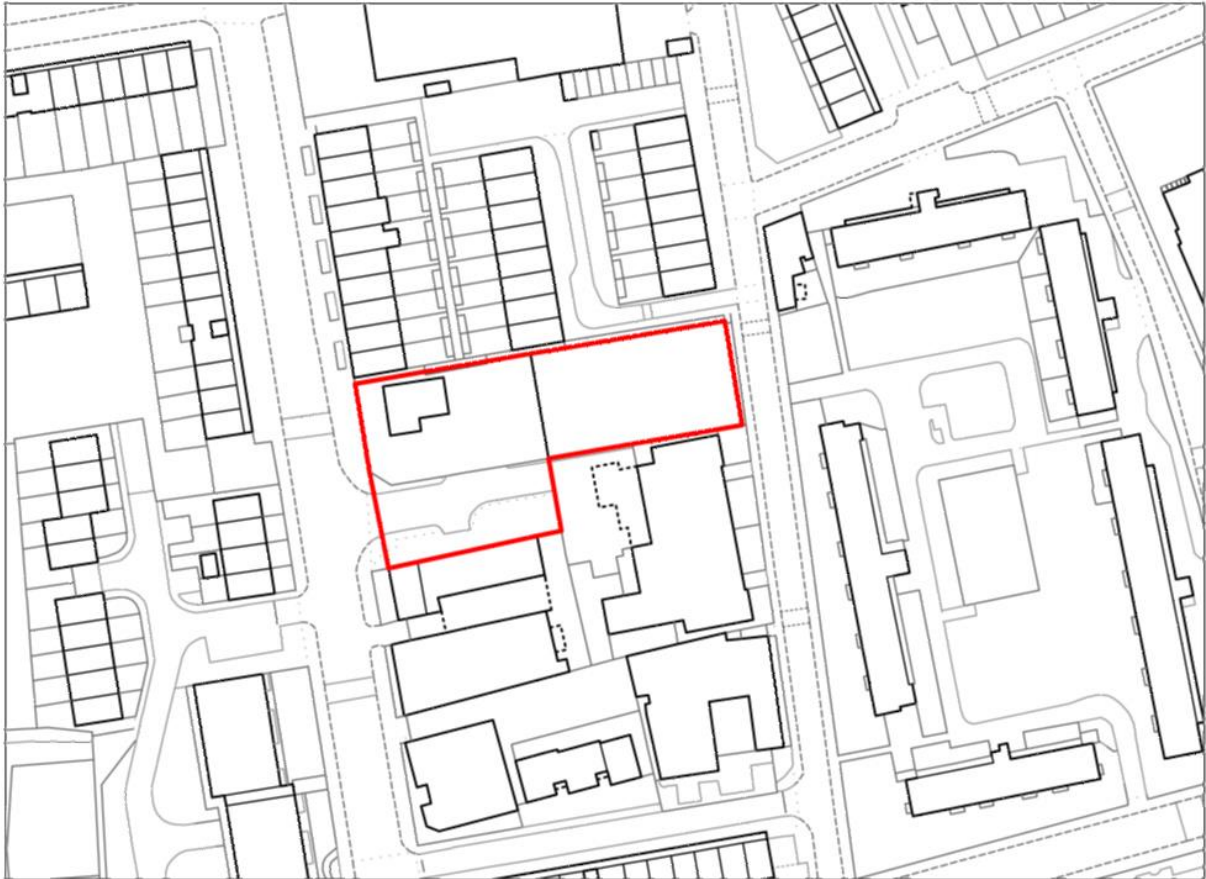


NSP09: Tower Workshops

NSP26: Valmar Trading Estate

NSP29: Land Between Camberwell Station Road and Warner Road

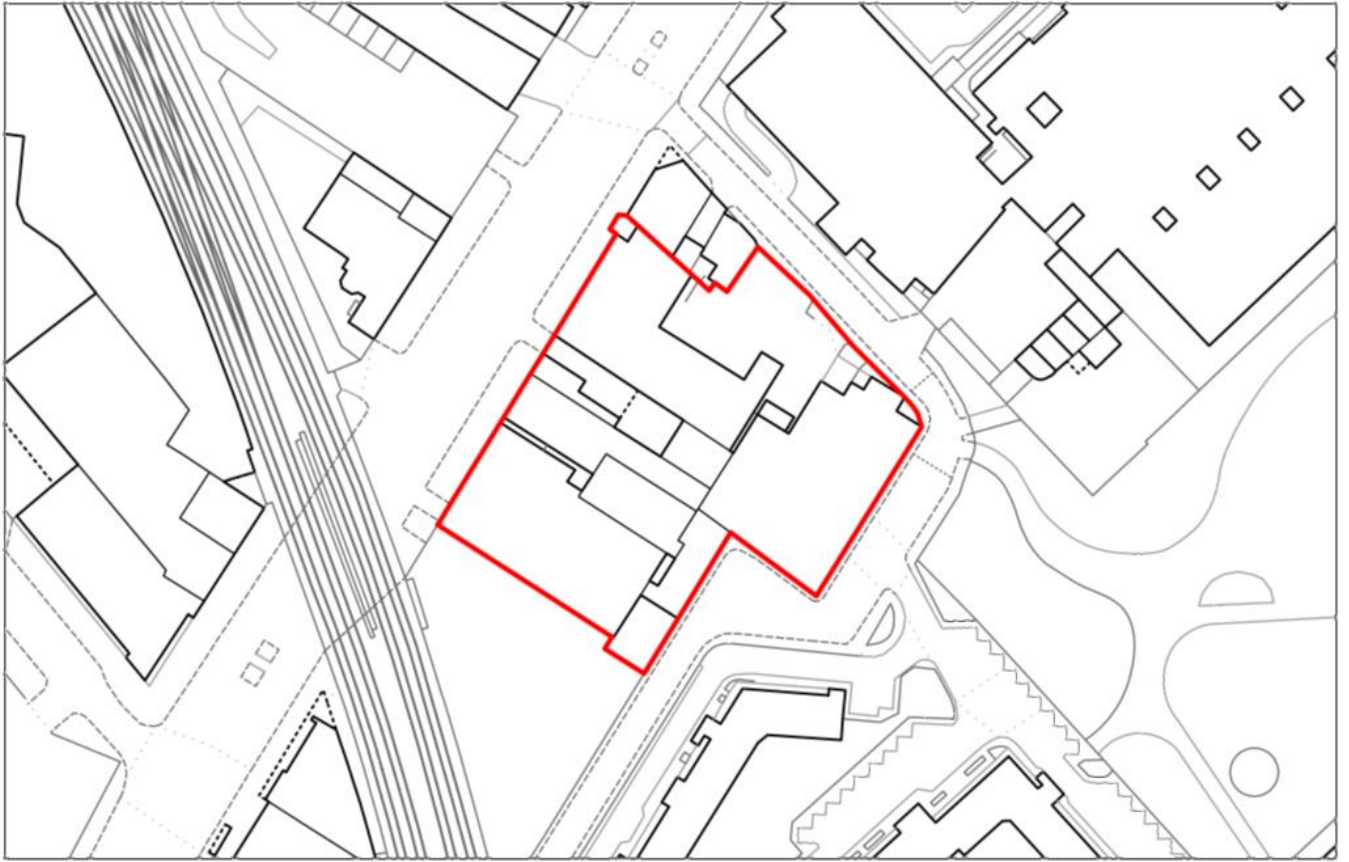
NSP33: Camberwell Business Centre, Lomond Grove



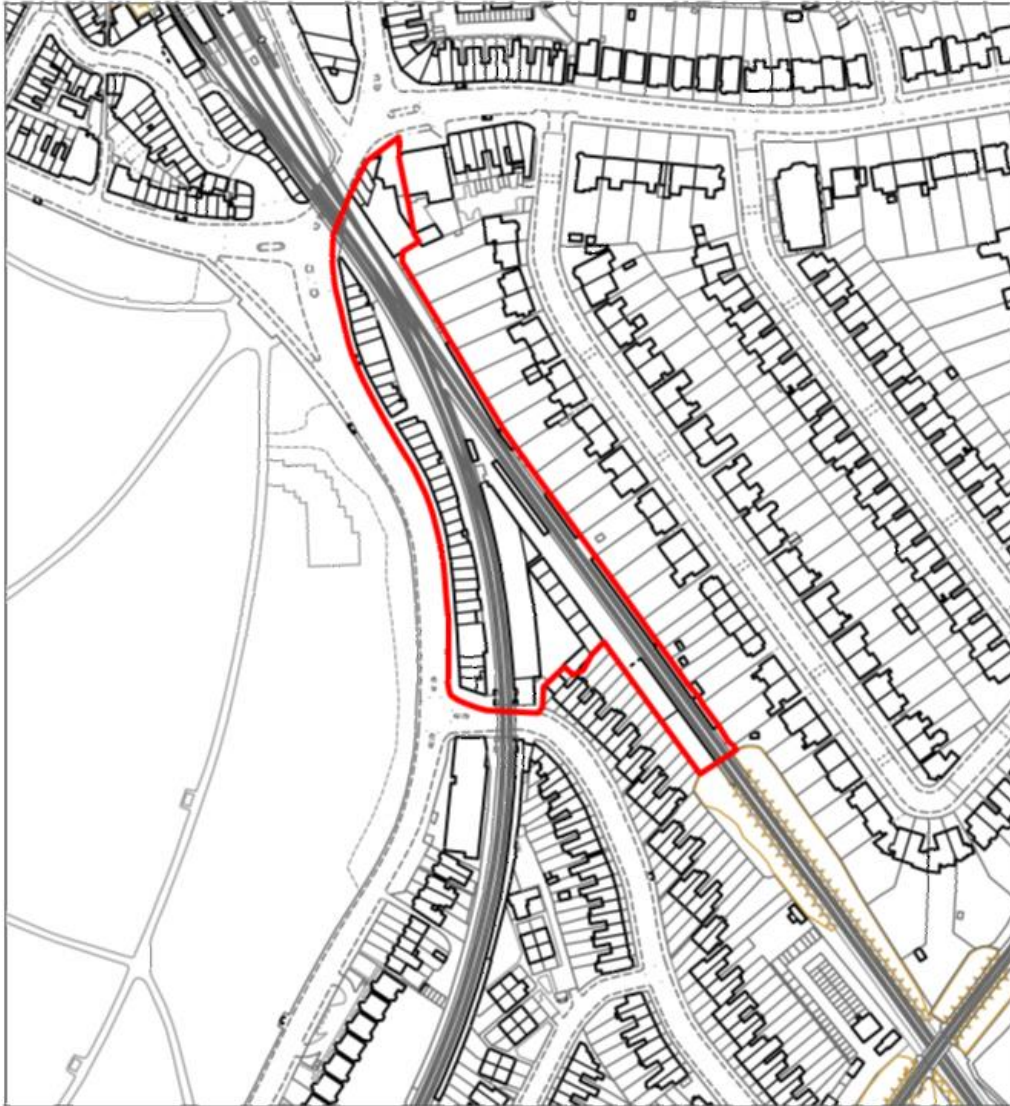
NSP41: Newington Triangle



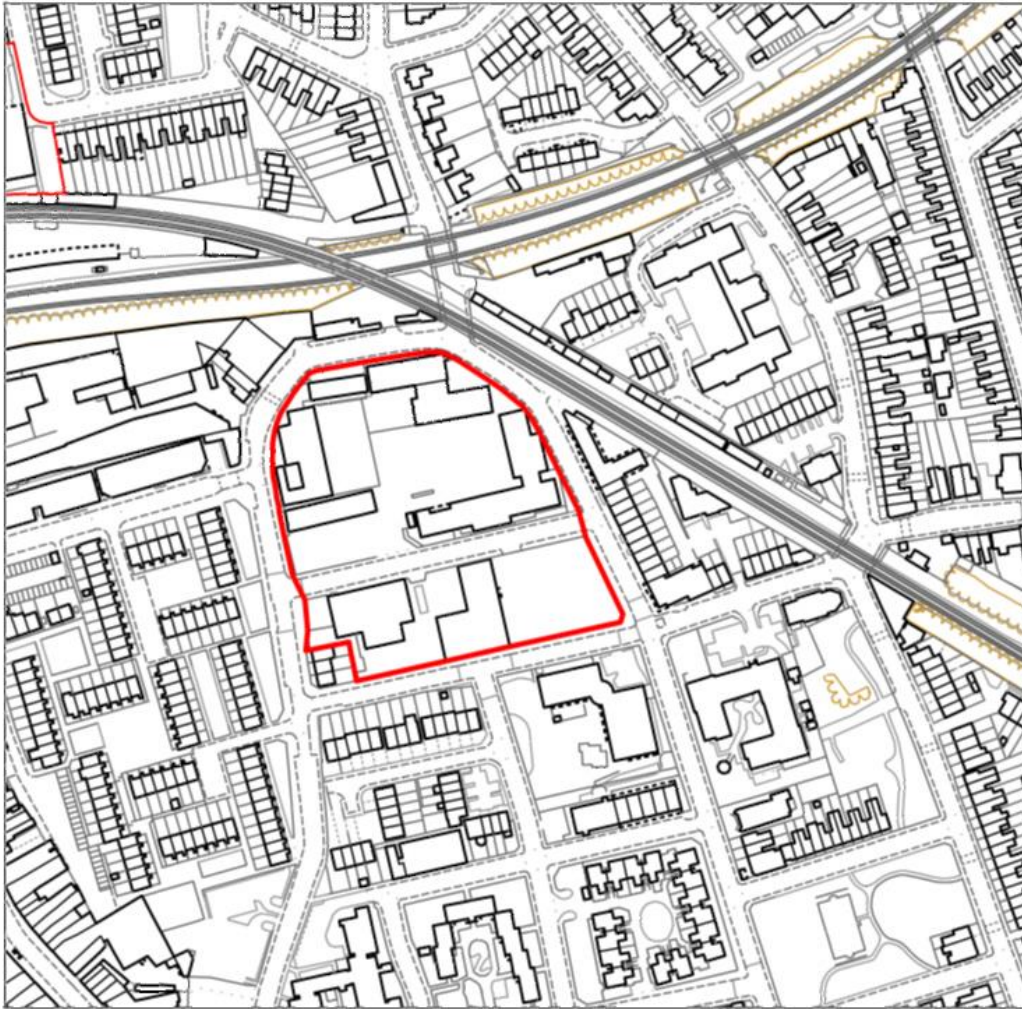
NSP43: 63-85 Newington Causeway



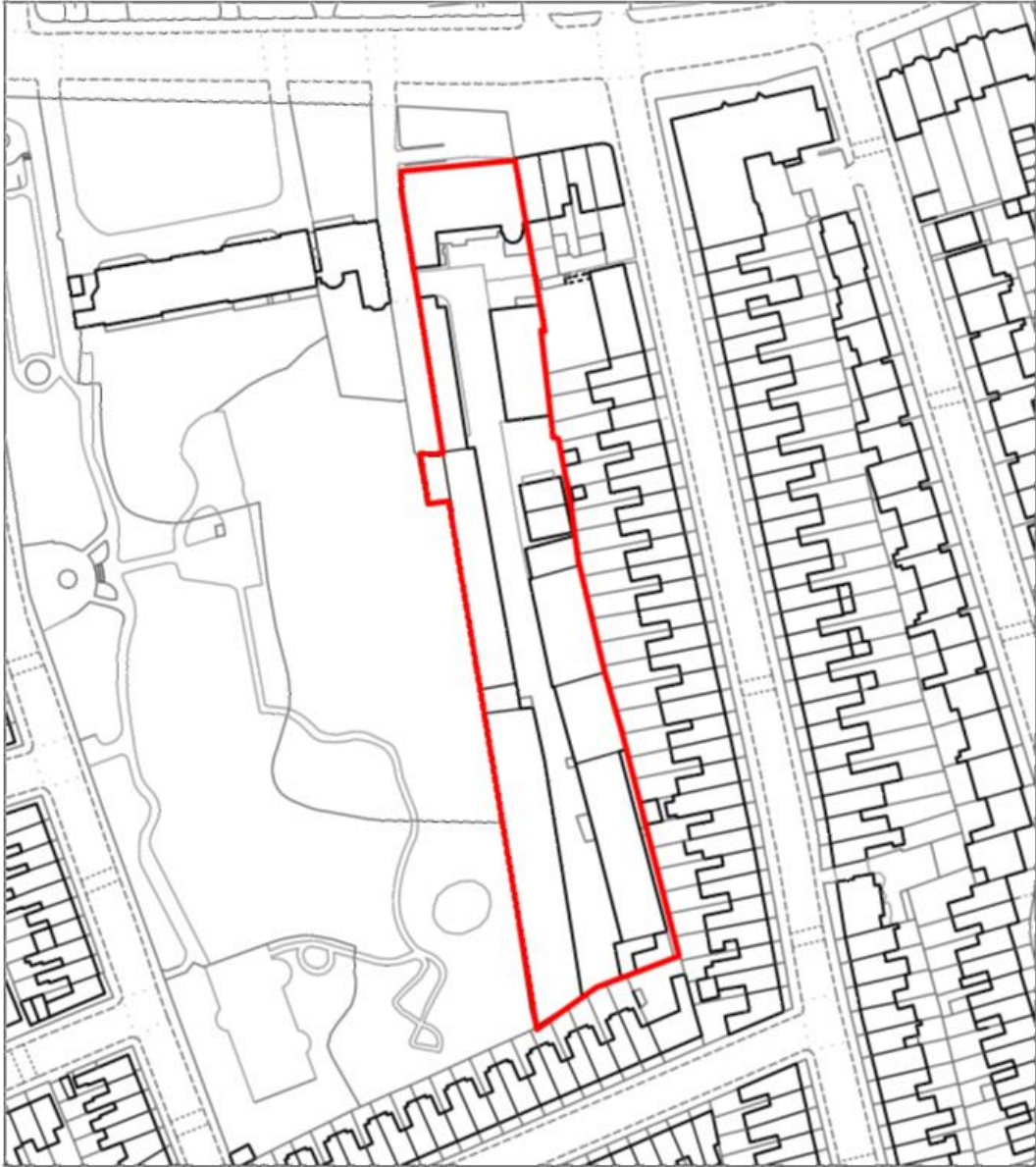
NSP50: Bath Trading Estate



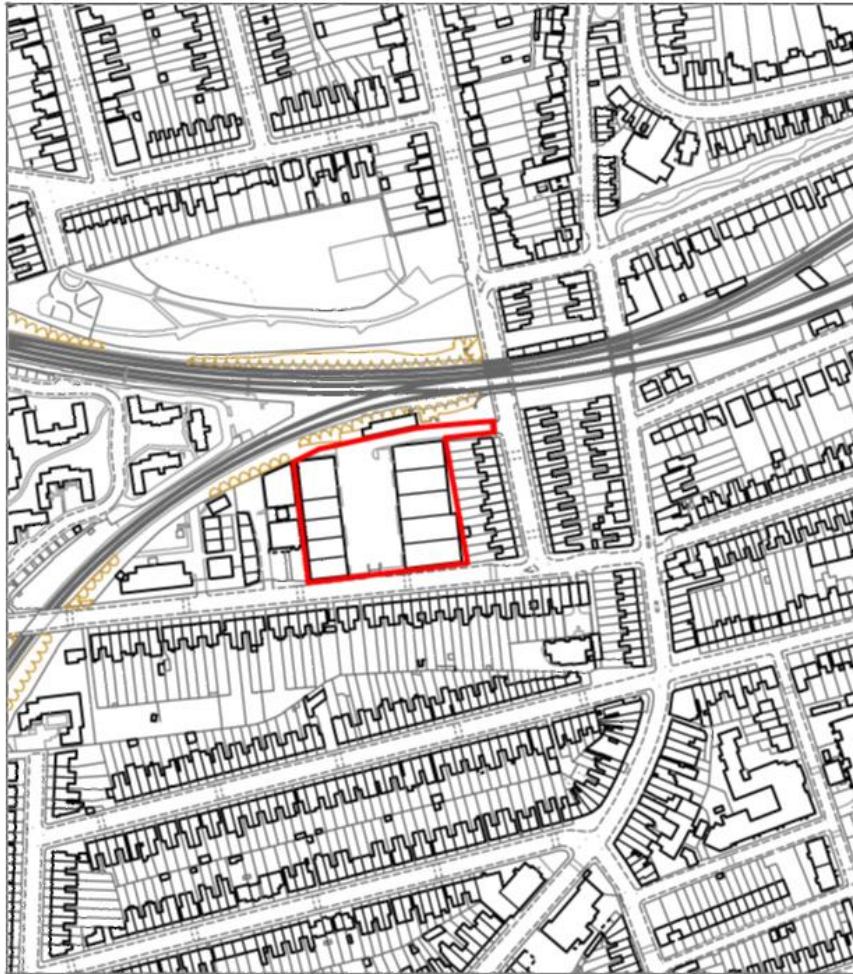
NSP57: Copeland Road Industrial Estate



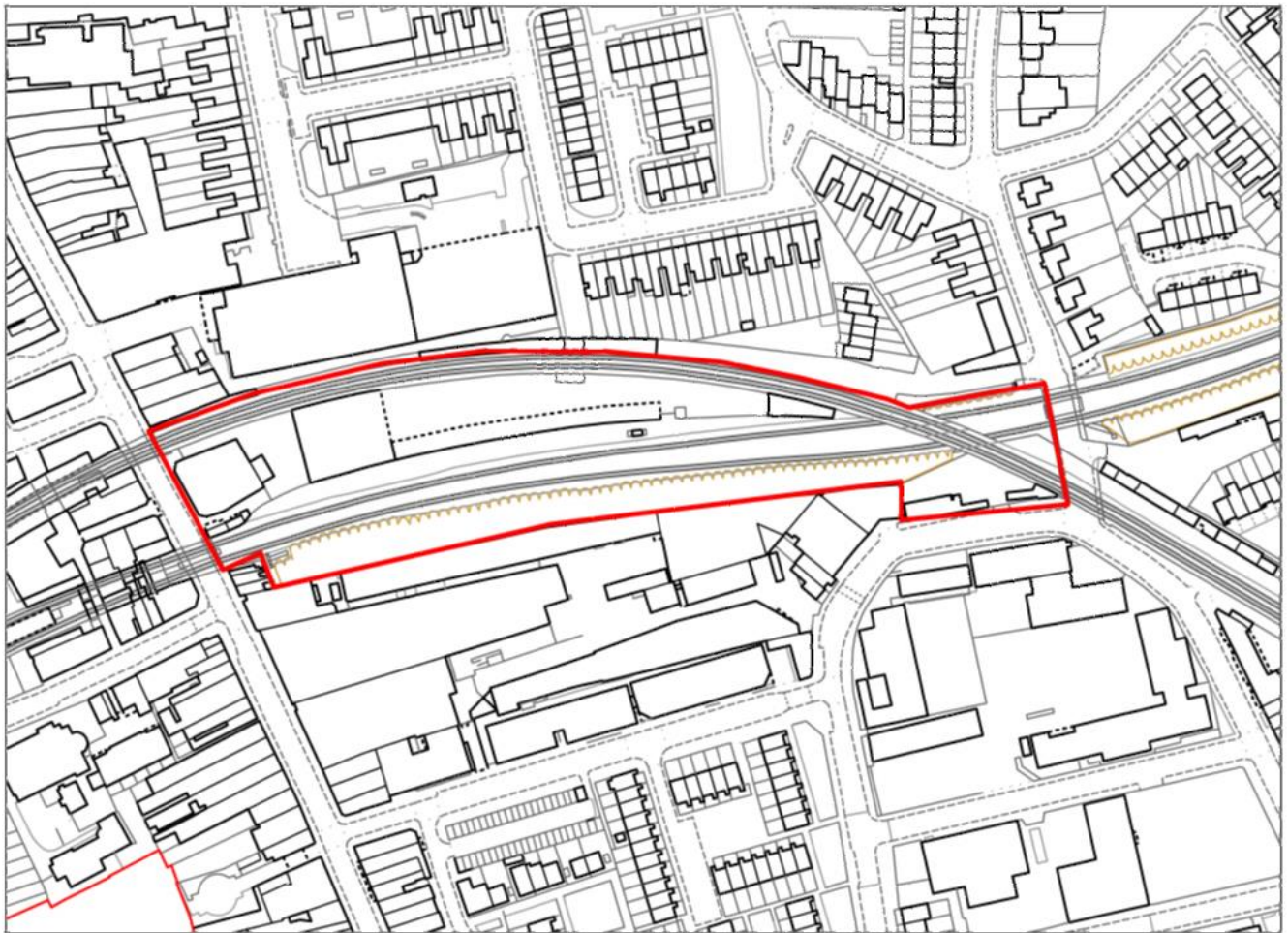
NSP89: Vanguard Court



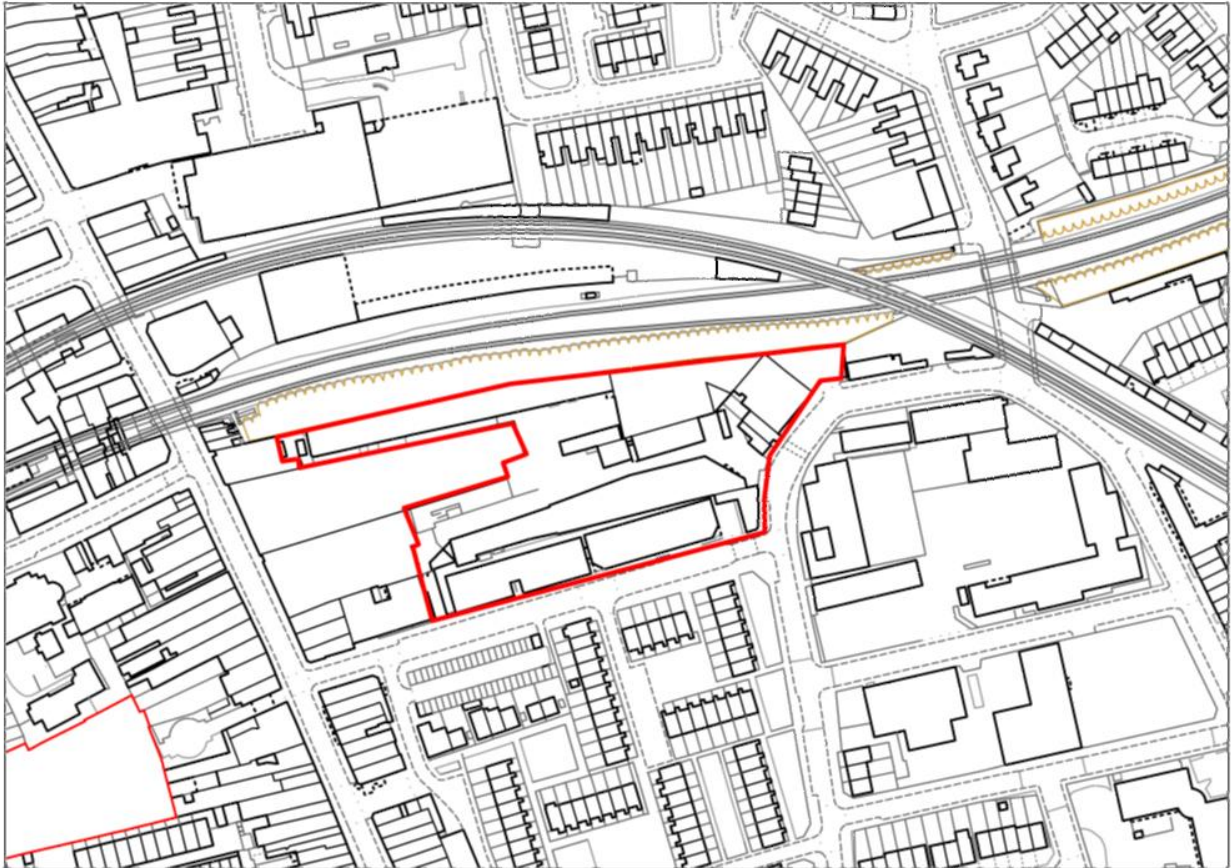
PNAAP2: Print Village Industrial Estate, Chadwick Road



PNAAP3: Land between the Railway Arches (East of Rye Lane including Railway Arches)



PNAAP4: Copeland Industrial Park and 1-27 Bournemouth Road



OKR10: Former Southern Railway Stables



OKR12: Admiral Hyson Trading Estate



Article 4 Direction: B1c to C3

No.	Title
Appendix A	Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1 (c) (Light Industrial) to C3 (Dwelling houses).
Appendix B	Schedule 1: Table of Sites
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Appendix D	Equalities Analysis

Equalities Analysis

February 2018

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Confirm Article 4 Direction to withdraw the permitted development rights for a change of use from light industrial to residential.
---------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------

Equality analysis author	Alicia Chaumard				
Strategic Director:	Simon Bevan				
Department	Chief Executive	Division	Planning Policy		
Period analysis undertaken	February 2018				
Date of review (if applicable)	Tbc. A review could take place at the time when the Article 4 Direction is confirmed.				
Sign-off	Laura Hills	Position	Team Leader	Date	20 February 2018

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

1.1 Brief description of policy/decision/business plan

This equalities analysis report supports the report to Planning Committee on 6 February 2018 which requests confirmation of an immediate Article 4 Direction to remove permitted development rights granted Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from B1 (c) (Light Industrial) to C3 (Dwelling houses).

By Article 8 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016, the government introduced a permitted development right under Class PA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") to allow a change of use of a building and any land within its curtilage from a use falling within Class B1(c) (light industrial) of the Schedule to the Use Classes Order to a use falling within Class C3 (dwelling houses) of that Schedule, to last for three years (from 1 October 2017 until 30 September 2020), for which prior approval is granted before 1 October 2020.

According to the GPDO, development is not permitted under Class PA if:

- (a) an application for prior approval is received by the local planning authority on or before 30th September 2017;
- (b) the building was not used solely for a light industrial use on 19th March 2014 or, in the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (c) the prior approval date falls on or after 1st October 2020;
- (d) the gross floor space of the existing building exceeds 500 square meters;
- (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;
- (f) less than one year before the date the development begins:
 - (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under this class, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes;
- (g) the site is, or forms part of – (i) a site of special scientific interest; (ii) a safety hazard area; (iii) a military explosives storage area;
- (h) the building is a listed building or is within the curtilage of a listed building; or
- (i) the site is, or contains, a scheduled monument.

Further, development under Class PA is permitted subject to the condition that it must be completed within a period of three years starting with the prior approval date.

It is considered that this new permitted development right would have adverse impacts on the proper planning of the borough, with the council being unable to manage the

process of change in use class from B1(c) to C3 and being unable to oversee the quality of new homes as a result. Application of this permitted development right could result in a loss of jobs due to the loss of existing and potential floorspace from light industrial sites, with less opportunity to manage land release and support new employment uses in line with adopted and emerging policies with the prospect of negatively impacting the economy.

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 ensure 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.

Article 4 Directions can either be immediate or non-immediate depending upon whether notice is given of the date on which they come into force. In the case of this report, the council is proposing to confirm the Article 4 Direction to withdraw the permitted development rights for the changes of use listed above.

Section 3: Overview of service users and key stakeholders consulted

2. 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>The key stakeholders involved in this proposal include: Cabinet Member for Regeneration and New Homes, Southwark Councillors, Development Management and Planning Policy officers, Property division.</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 Direction 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.

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

The confirmation of the Article 4 Direction and the requirement for planning permission is to help ensure amenity is protected within the borough. It is considered that the permitted development rights to be withdrawn would have adverse impacts on the proper planning of the borough, with the council unable to manage the process of change in use class from B1(c) to C3 and being unable to oversee the quality of new homes as a result.

The permitted development rights to be withdrawn could also potentially result in the loss of jobs due to the loss of existing and potential floorspace from light industrial sites.

The Article 4 Direction will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for people of all ages. The Article 4 Direction is considered to have a positive impact.

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 Direction will largely give rise to positive impacts.

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

The confirmation of the Article 4 Direction and the requirement for planning permission is to help ensure amenity is protected within the borough. It is considered that the permitted development rights to be withdrawn would have adverse impacts on the proper planning of the borough, with the council unable to manage the process of change in use class from B1(c) to C3 and being unable to oversee the quality of new homes as a result.

The permitted development rights to be withdrawn could also potentially result in the loss of jobs due to the loss of existing and potential floorspace from light industrial sites.

The Article 4 Directions will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for those with disabilities. The Article 4 Direction is considered to have a positive impact.

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 Direction 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 have been identified on this group as a result of the confirmation of the Article 4 Direction.

The Article 4 Direction will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact overall.

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'. Same-sex couples can 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 have been identified on this group as a result of the implementation of the Article 4 Direction. The Article 4 Direction will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact.
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 Direction 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 have been identified on this group as a result of the implementation of the Article 4 Direction.

The Article 4 Direction will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact.

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 Direction 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.

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

No identifiable impacts have been identified on this group as a result of the implementation of the Article 4 Direction.

The Article 4 Directions will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact.

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 Direction will largely give rise to positive impacts.

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.
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>No identifiable impacts have been identified on this group as a result of the implementation of the Article 4 Direction.</p> <p>The Article 4 Directions will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact.</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>

Sex - A man or a woman.
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>No identifiable impacts have been identified on this group as a result of the implementation of the Article 4 Direction.</p> <p>The Article 4 Directions will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact.</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

The above analysis highlights that the implementation of the Article 4 Direction 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

No identifiable impacts have been identified on this group as a result of the implementation of the Article 4 Direction.

The Article 4 Direction will help to ensure that good quality residential accommodation is provided in the borough and help to protect employment opportunities suitable for all groups across the Borough. The Article 4 Direction is considered to have a positive impact.

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 Direction 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 Article 1 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	This equalities analysis assesses the impact of confirming the Article 4 Direction on protected characteristics. The decision to introduce the Direction was made in September 2017. No issues relating to equalities have been raised during consultation. 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	tbc	Ongoing

at this stage.

Item No. 7.	Classification: Open	Date: 6 March 2018	Meeting Name: Planning Committee
Report title:		The release of £40,000,000 from two S106 agreements to deliver affordable housing.	
Ward(s) or groups affected:		Borough wide	
From:		Director of Asset Management	

RECOMMENDATION

1. That Planning Committee approves the release of £40,000,000 of section 106 funding from the legal agreements detailed in paragraph 16 to deliver affordable housing across Southwark.

BACKGROUND INFORMATION

2. Planning obligations under Section 106 of the Town and Country Planning Act 1990 are used to address the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agrees to provide planning obligations. These obligations can take the form of financial contributions and can cover a range of facilities including contributions toward affordable housing.
3. The council expects affordable housing to be provided by developers on-site. In exceptional circumstances where a developer has justified, in accordance with both the council's planning policy requirements and the London Plan, that the affordable housing cannot be built on-site, the affordable housing should be provided off-site. If this is not possible then the council may allow a contribution to be secured by way of an in-lieu payment. All in-lieu payments received by the council in this way are combined to form the Affordable Housing Fund. As required in paragraph 3.74 of the London Plan, this fund is ring-fenced to help finance new affordable housing schemes in the borough.
4. The planning committee considered a report on the council's direct delivery housing programme in September 2013 and noted the proposals for building new council homes. The report identified a number of sites for inclusion in the first phase of the programme; including some of the schemes noted in this report. These units will deliver new affordable homes and contribute towards the council's commitment to build 11,000 new council homes by 2043 and the initial target of delivering 1,500 of these homes by 2018.

KEY ISSUES FOR CONSIDERATION

5. The release of S106 funding will enable the council to support the cost of delivering affordable homes included within the council's housing investment programme which are currently at various stages of development. The projects on site and with planning approval are as follows:

Development	Stage	Expected number of affordable homes
Sumner Road	On site	50
Lakanal shops new build	Planning approval	7
Daniels Road car park	Planning approval	19
Ivy Church Lane garages	Planning approval	21
Pelier Street	Planning approval	17
Meeting House Lane	Planning approval	29
Haddonfield garages	Planning approval	14
Tenda Road car park	Planning approval	12
35-41 Nunhead Lane	Planning approval	12
Goschen estate	Planning approval	17

6. The programme of delivery also comprises 'Hidden Homes'. This element is aimed at providing new residential units for social rent in redundant or underused spaces within blocks on existing housing estates. To date 28 new units have been completed and let. Ten of these units were funded through a mix of S106 AHF monies and GLA Building the Pipeline Grant funding.
7. The next wave of 13 units to be delivered through the Hidden Homes Programme and for which S106 funding is sought is as follows:
- 23a Bew Court, Lordship Lane Estate (14/AP/1569) – a ground floor 2 bed/4 person flat
 - 210a Jamaica Road, New Place Square Estate SE16 (14/AP/4102) – a 3 bed/5 person flat
 - 28-33 Falcon House, Pelican Estate, SE5 (15/AP/0915) – six units comprising of 3 x 1 bed/two person units and 3 x 3 bed/5 persons units.
 - 5a Greystoke House, Priory Estate, SE15 (15/AP/0661) – a ground floor 1 bed/2 person flat
 - 61a Rowland Hill House, Nelson Square Gardens, SE1 (15/AP/0595) – a ground floor, 1 bed/2person flat
 - 45 Mortlock Close, Cossall Estate SE15 (15/AP/2389) – a ground floor 3 bed/4 person flat
 - 10 Swan Mead, Swan Mead Estate, SE1 (15/AP/3271) – a ground floor 3 bed/4 person flat
 - 1 Juniper House, Pomeroy Street, SE14 (15/AP/2833)– a ground floor 3 bed/5 person flat
 - 28-33 Falcon House, Pelican Estate, SE15 (15/AP/0915) – 3 x 1 bed/3 persons flats and 3 x 3 bedroom/5 persons flats.
8. It is anticipated that all of the S106 funds released through this report will be fully utilised in contributing towards the cost of delivering projects already approved by Cabinet for new affordable homes within the Housing Investment Programme.

Policy implications

9. Paragraph 3.10 of the Affordable Housing SPD provides that all in-lieu payments received by the council are pooled together to form an Affordable Housing Fund (AHF). This fund is ring-fenced to help fund the provision of affordable housing in the borough.

10. These projects will help deliver our Fairer Future Promises by making Southwark a more connected and sustainable borough to live in.
11. The projects meet specifically the following Fairer Future Promises:
 - Promise 1: Value for money.
 - Promise 3: Quality affordable homes
 - Promise 9: Revitalised neighbourhoods.

Community impact statement

12. The proposal to increase the supply of affordable homes in the borough will benefit households in housing need from all Southwark's communities.
13. All of the social rent units will be subject to a local letting policy which will ensure that 50% of all new homes on an individual site will be available for letting to tenants on the estate or nearby, and the remainder released generally to other housing applicants within the borough, through Homesearch.
14. The provision of this housing is in line with community needs and will create stronger communities. This in turn will improve the quality of life of people in Southwark and encourage community cohesion.
15. For projects not yet underway, a full equalities impact assessment will be carried out with the development partner prior to commencement of works. This is to ensure that there is no disproportionate or discriminatory impact on groups with protected characteristics.

Resource implications

16. The development agreements shown below were secured towards the provision of affordable housing of which £40,000,000 is currently unallocated and available.

Account	App Ref	Ward	Balance
560	10/AP/1935	Riverside	£11,000,000
665	12/AP/1784	Cathedrals	£29,000,000
Total			£40,000,000

17. The use of S106 funds included in this report and approved for release will contribute towards projects for the delivery of affordable homes already approved by Cabinet and contained within the Housing Investment Programme. The delivery of affordable homes will be funded through the housing investment fund which is a combination of S106 funds, right-to-buy receipts and other capital resources.
18. The released S106 funds can only be spent on affordable housing in accordance with the terms and conditions of the associated development agreements.
19. The expenditure of all the S106 funds will be subject to Gateway Reports under the council's procurement processes.

Consultation

20. Depending on its stage of development, each site has or will be subject to the usual planning consultation process and assessed as being acceptable, with planning permission being granted for each site. Similarly, the chair and vice-chair of the local community council and the local ward councillors will be consulted.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

21. The proposal is to utilise a total of £40,000,000 (Forty Million Pounds) from two section 106 Agreements. The first relates to One Tower Bridge and the second at One Blackfriars.
22. The Agreement at One Tower Bridge was entered into on 21 April 2011. A payment of £10,510,000 subject to indexation was required which was paid once occupation of 77 dwellings had been reached. The contribution was made for the construction, provision, or delivery of affordable housing within the Borough.
23. The section 106 Agreement for One Blackfriars was entered into on 14 December 2012. There was an Affordable Housing Contribution of £29,000,000 subject to indexation which was to provide residential accommodation on attainable terms for those households who could not afford to buy or rent anywhere in the Borough. The monies were to be used for the construction of affordable housing or paid into a managed pool of funds for the construction, provision or delivery of new affordable housing in the Borough. The Contribution was paid in four equal annual instalments with the first being on the implementation date.
24. Section 106 monies must be expended in accordance with the terms of the specific planning agreements and in accordance with the tests set out in regulation 122 of the Community Infrastructure Levy Regulations. In these cases the relevant obligations relate to projects which make the original developments acceptable in planning terms in that they secure the delivery of new affordable housing within the Borough.
25. The individual section 106 Agreements have been carefully checked to ensure that the contributions are being spent in accordance with the CIL tests.
26. The decision to approve the expenditure of section 106 monies exceeding £100,000 is reserved to members of the Planning Committee in accordance with the council constitution. Members are advised that if they consider the releases to be appropriate, the expenditure would be consistent with the section 106 Agreements and also the CIL tests.

Strategic Director of Finance and Governance (CAP17/110)

27. This report requests the planning committee to approve the release of £40,000,000 Section 106 Affordable Housing Fund (AHF) from the agreements listed at paragraph 16, towards the delivery of council's affordable housing programme.
28. The director of planning confirms the agreements have been checked, and the proposed allocation accords with the terms of the agreements.

29. The strategic director of finance and governance notes the resource implications at paragraphs 16-19, confirms the council has received the related funds, and they are available for the purposes outlined in the body of this report.
30. Staffing and any other costs associated with this recommendation are to be contained within existing budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1 2QH	Jack Ricketts 020 7525 5464
New Homes Delivery Programme Item 14 – 9 May 2017	Housing and Modernisation, 160 Tooley Street, London SE1 2QH	Tim Bostridge, Development Delivery Manager 020 7525 1222
Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s68306/Report%20New%20Homes%20Delivery%20Programme.pdf		
Capital Monitoring Report Item 13 – 6 February 2018	Finance and Governance 160 Tooley Street London SE1 2QH	Jennifer Seeley, Director of Finance Finance and Governance
Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s73745/Report%20Policy%20and%20Resources%20Strategy%20Capital%20Monitoring%20report%20including%20Capital%20Programme%20Update.pdf		

APPENDICES

No.	Title
None.	

AUDIT TRAIL

Lead Officer	Dave Markham, Director of Asset Management	
Report Author	Alistair Huggett, Planning Projects manager	
Version	Final	
Date	19 Feb 2018	
Key Decision?	Yes	
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	No	No
Date final report sent to Constitutional Team		22 February 2018

Item No. 8.	Classification: Open	Date: 6 March 2018	Meeting Name: Planning Committee
Report title:		<u>Employment and Training Programme</u> To release £4,748,902.34 from the S106 agreements associated with the below developments, for the purposes of employment and training in the borough.	
Ward(s) or groups affected:		Project: All Wards Funds: All Wards	
From:		Director of Planning	

RECOMMENDATION

1. That planning committee approves the release of £4,748,902.34 S106 funding, from the agreements listed in Appendix 1, in order to deliver employment and training across the borough.

BACKGROUND INFORMATION

2. Planning obligations under S106 of the Town and Country Planning Act 1990 are used to address the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agrees to provide planning obligations. These obligations can take the form of financial contributions and can cover a range of purposes.
3. The council's 2007 S106 Supplementary Planning Document (SPD) placed obligations on developers to provide local benefits in-kind by setting up their own Workplace Coordinator scheme on-site. Workplace Co-ordinators are employees provided by the developer to identify suitable vacancies on-site and in their supply chain and to facilitate access to those jobs for unemployed Southwark residents through outreach, skills training and job brokerage. Where the developer elects not to appoint a Workplace Coordinator on site, or fails to achieve a minimum level of job and training outputs for local people, a financial contribution is made to the council to enable the council to support residents into training and employment. Similar obligations are provided for in the 2015 S106 and CIL SPD, for the express purpose of ensuring that the people of Southwark benefit from jobs created through development taking place in the borough.
4. The council also seeks contributions which can be used to support residents into employment and training, based on the jobs created by these developments once completed.
5. The costs of project management and monitoring of this activity are supported by management contributions. These are the management fees received from each site, which mitigate the costs incurred by the council, in terms of officer time and resources

used to manage and monitor employment and training initiatives put in place to support sites to meet their S106 employment and training obligations.

6. The contributions detailed in Appendix 1 have accrued from ongoing development in Southwark and are currently held by the council.
7. On 13 December 2016, Cabinet approved a refresh of the council's [Economic Wellbeing Strategy](#) from 2017 to 2022, which reinforced the council's commitment supporting local people into employment and mitigating financial challenges, specifically in the sections regarding *employment and skills*, and *promoting financial wellbeing and independence*.
8. Employment and skills are key strategic priorities for the council which supports frontline programmes to maintain the high employment rate in the borough and promote a strong local economy. The council's aspiration is that all Southwark residents have work that is fairly paid, underpinned by the council's lead on promoting the London Living Wage. The council also aspires that Southwark residents have secure employment and the skills to progress beyond entry-level, insecure, low-paid work.
9. The Economic Wellbeing Strategy also emphasises that the council will continue to use S106 and CIL obligations to ensure new developments bring sustained jobs to the borough and training opportunities.
10. The strategic ambitions for Southwark on this theme include:
 - Southwark is a full employment borough with a job opportunity for every resident who wants to work
 - Southwark employers offer top quality apprenticeships, from entry to advanced-level roles, and Southwark residents are at the front of the queue to access them
 - Regeneration and development continues to provide lasting jobs for residents in construction and related industries and in competed developments.
11. To achieve this the council will:
 - Support 5,000 residents into work by May 2018, through investment in Southwark Works and other targeted programmes, prioritising those residents furthest from the labour market
 - Create 2,000 apprenticeships by May 2018, through support for employers to create quality apprenticeships under the Southwark Apprenticeship Standard, promotion of opportunities to residents, and pre-apprenticeship support
 - Work with employers to encourage and support accessible, fairly-paid and sustainable job opportunities by promoting the London Living Wage and helping businesses remove barriers to recruiting local people
 - Work with developers and the wider construction sector to create and promote opportunities for careers in construction for residents and provide the skills required by employers through the construction skills centre.

12. The cabinet has agreed a new [Skills Strategy](#) and a delivery plan is currently under development for presentation to cabinet later in 2018. The strategy sets out a vision that by 2022 Southwark will have a high quality, local skills offer that is accessible and responsive to learner and employer needs.
13. The strategic objectives for skills in Southwark include:
 - Residents have the opportunity to equip themselves with the type and level of skills they need to access local opportunities and progress in the labour market.
 - Employers invest in their workforce and have access to training provision that responds to their needs and allows them to recruit locally.
 - Providers are able to work in partnership to develop a local skills offer that is responsive to the needs of the economy.

The use of S106 contributions

14. Since 2013 the council has adopted a strategic approach to the management and use of employment and skills S106 contributions. Funds from contributions for employment and skills outcomes are assigned across council programmes to support delivery of key Council Plan commitments including supporting 5000 residents into jobs and creating 2000 apprenticeships. This report details the next stage in this strategic approach, which is concerned with supporting local residents into work across a range of sectors, whilst also addressing skills shortages, and the ongoing support provided by the council to ensure effective project delivery and monitoring of this activity.
15. The excellent progress made towards meeting the council plan targets of supporting 5,000 local people into jobs and creating 2000 apprenticeships by 2018 illustrates the scale of delivery the council can achieve through the commissioning of services and through contributions via S106 agreements. Over the past 4 years, council-commissioned employment and training projects have supported over 5,000 people into work. Over 1,500 of these have been supported into jobs created directly as a result of development taking place in the borough and secured through S106 agreements. An additional 2,000 have been supported through wider projects that have drawn from S106 contributions as part of their funding mix. The ongoing use of S106 contributions will provide additional resources to the council's programme of employment and training support under the Economic Wellbeing Strategy, to build on these achievements and further increase the numbers of Southwark residents securing jobs and sustaining employment.

KEY ISSUES FOR CONSIDERATION

16. The contributions released through this report will be used to deliver employment and skills programmes for Southwark that will offer pathways to sustainable, good quality employment across a range of sectors including construction. These programmes will support residents from all backgrounds to overcome barriers, acquire skills and benefit from the economic opportunities that development brings to Southwark. Projects supported by the S106 funds will include those that have been established for some time, have previously contributed in recent years to employment and skills outcomes for residents on development sites and in completed developments, and will continue to do so with the support of additional S106 funds. In addition, the council will develop and commission new interventions that respond to the emerging strategic needs and

priorities identified in the council's Economic Wellbeing Strategy, Skills Strategy and council plan. Together the funded interventions will contribute to the council's vision of social regeneration, supporting people to have better lives, in stronger communities, and achieve their potential by creating new opportunities, promoting wellbeing and reducing inequalities.

17. The following paragraphs, while not exhaustive, set out three ongoing priority programmes that will be supported by the contributions detailed in this report.

Employment support for Southwark residents

18. The council's Southwark Works programme currently operates as a framework under which specialist organisations work together providing support to residents outside mainstream provision, such as Jobcentre Plus or the Work and Health Programme. Southwark Works delivers targeted support through contracts with specialist agencies with expertise in helping unemployed people into both entry level and higher-skilled employment. Services are typically provided by organisations with strong connections to local communities who specialise in supporting people with particular barriers to employment. In addition, specialist employer-facing organisations with expertise in engaging with particular business sectors work within Southwark Works to open out job opportunities to the local labour market.
19. Under this model, one specialist area for Southwark Works is preparing Southwark residents for opportunities in the construction sector. This expertise has been developed in response to the significant volume of construction jobs in the borough and the high demand for local labour as a result of S106 obligations negotiated by the council with developers. Where sites have elected to provide local jobs on site under their S106 agreement, Southwark Works engages with the contractors to open up the opportunities to local people. Where a development makes a financial contribution instead, Southwark Works is well placed to draw on these funds to prepare local people for employment, provide training and secure job outcomes for residents, thereby converting the financial contributions into local benefits as intended under the S106 regime. Southwark Works supports around 100 local people per year into construction employment through this route, many of whom face particular barriers to employment.
20. In addition to the Southwark Works programme, the council will work with partners to develop and commission wider projects which often act as testing grounds for innovative models of employment support. Some may involve working across borough boundaries in partnership with other local authorities to deliver greater value for money, test new collaborative ways of working and remove barriers to securing the best outcomes for residents.

Developing the skills of Southwark residents

21. The council's new Skills Strategy sets out the need for a local response to the skills shortages which can limit residents' earning capacity market and the growth and productivity of local businesses. With Southwark's economic base already made up of over 15,000 businesses and over a quarter of a million jobs with further growth expected, there is a need to meet skills gaps in all sectors. Over half the skills shortages vacancies reported by employers in central London are in high skilled occupations.
22. Since 2014 Southwark has led London in promoting apprenticeships as a route to skills development. The council will continue to invest resources to support Southwark

residents to access high quality apprenticeships in line with the Southwark Apprenticeship Standard as it closes on the target to create 2000 apprenticeships.

23. Looking towards future developments at the Old Kent Road and Canada Water, there is a need to prepare residents now for the higher skill, higher paid roles in modern construction methods that these developments will generate. The current level of demand for construction skills and anticipated growth within the sector has created a considerable skills shortage, both within the borough and across London.
24. In response, the council has partnered with Lendlease to commission the Southwark Construction Skills Centre at Elephant and Castle. This centre is now operational and supporting residents to access pre-employment training, gain employment and progress in their careers by up-skilling. The Southwark Construction Skills Centre directly supports developers to fulfil their section 106 employment and skills obligations on sites across the borough, offering a site for engaging local people with the construction industry and providing residents with the skills they need to enter and progress in the sector. Since July 2016 over 700 Southwark residents have received training at the centre.
25. The Southwark Skills Strategy also addresses the growing skills shortages in sectors that will be well represented among the jobs created in completed developments in coming years, including hospitality, retail, health and care, business and financial services, tech and creative industries. Programmes to better equip residents to meet future skills needs in growth sectors are being developed, taking the lead from the Southwark Construction Skills Centre model and exploring new partnerships to improve access to higher level skills for residents.

Project management and monitoring

26. Southwark Council, through the Local Economy Team as part of the Chief Executive's Office, has responsibility for procuring, awarding, managing and monitoring employment support and training projects delivered using S106 funds.
27. The provision of the management contribution is designed to mitigate the costs incurred by the council in carrying out this work. The selected funds have accrued since 2008. Up until this point the council has been able to absorb the costs of monitoring and management employment and training interventions related to the S106 contributions as part of its core funding from the staff budget allocation. However, the significantly increased volume of development activity means that resource demands on the council has increased, and it is important to draw upon this resource to ensure maximum value is gained from local regeneration investment.
28. To ensure that the council has resources available to effectively project manage and monitor S106 related employment skills and training projects, S106 funds identified for this purpose will be used to ensure that the council has the necessary capacity to support and deliver employment and skills activity in pursuit of the objectives set out in the Council Plan, Economic Well-being Strategy, Skills Strategy and other such plans that deliver outcomes that support a strong local economy. This includes ensuring management and monitoring of developments delivering in-kind s106 local employment obligations, commissioning sector specific skills training, job brokerage and local employment support, initiatives to support the creation and take up of apprenticeships and related opportunities boroughwide and influencing the skills market where best appropriate to help direct residents into quality skills, training and employment outcomes.

Community impact statement

29. The funds will enable the council to specifically target unemployed and disadvantaged residents in the borough - providing support, advice and guidance to assist local people to move into sustained employment. The primary impact on local people will therefore be increased opportunity for employment. A secondary impact of the project is to better engage local people with appropriate existing training and advice provision situated in their local area.
30. Key target groups will be the unemployed and economically inactive, focusing particularly on those who would be unlikely to secure employment without such specialist assistance and who face a range of difficulties in seeking and sustaining employment.
31. The work will augment, and not replace, mainstream employment support provision and will therefore not adversely affect any communities or groups by reducing in any way the support available to them. Further, as a voluntary scheme, while the opportunity to find work and achieve financial independence is a strong incentive for the long term unemployed to seek support through the council's schemes, they are not obliged to use these services if other sources of assistance are more appropriate to their needs. Instead, it will target support at the particular groups that are experiencing disproportionately poor outcomes in the labour market to counteract the barriers to employment that they face. Beneficiaries will be monitored for ethnicity, sex, age, gender, disability, lone parents, length of unemployment, type of benefits claimed and level of qualifications. Postcodes and other details will also be monitored to ensure the service is being effectively targeted and delivered to all communities and groups.
32. The projects funded through Southwark Council S106 contributions provide a fair and equal service targeted at supporting the diverse local population into employment and training. Targets are set to monitor that the project beneficiaries and outputs reflect the make up of the local workless population.
33. The programme has been designed to be fully accessible to all, without prejudice or discrimination.
34. The proposals have no negative impacts on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
35. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

Consultation

36. The proposals presented in this report set out how Section 106 funds can be directed to ensure the delivery of outcomes set out in the Council Plan, the Economic Wellbeing Strategy and the emerging Skills Strategy. In bringing together the Economic Wellbeing Strategy and Skills Strategy, there was a wide consultation process across key partners, including local businesses, Jobcentre Plus, the three business improvement districts and Southwark Chamber of Commerce and Industry.
37. The Lambeth, Southwark and Lewisham Transforming Construction Skills partnership completed a research project in February 2015 to ascertain where the gaps in skills provision lie across the three boroughs, and identify the demand for skills across the various construction sites over the next 10 years. This evidence has informed the

development of the Southwark Construction Skills Centre as part of a wider action plan to intervene in skills provision across the area.

Resource implications

38. The developments mentioned in Appendix 1 secured £4,748,902.34, combined, towards employment during and after construction, employment opportunities and managing these services.
39. All £4,748,902.34 is unallocated and available. The proposed allocation accords with the associated agreements and would provide appropriate mitigation for the impacts of the specific and future developments.
40. All costs arising from implementing the recommendations above will be met from the S106 agreements attached to the planning permissions for the development sites.
41. The project will be managed by the local economy team, which sits within the Chief Executive's department and has extensive experience of delivering employment and training in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Policy implications

42. These projects will help deliver the Fairer Future Promises by supporting people to have better lives, in stronger communities, and achieve their potential.
43. The projects meet the following Fairer Future Promises:
 - Promise 1: Value for money.
 - Promise 7: Safer communities.
 - Promise 8: Education, employment and training.
 - Promise 9: Revitalised neighbourhoods.
 - Promise 10: Age friendly borough.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

44. Paragraph 3 of this report sets out the objectives of this proposed release of section 106 monies which will both fund the programmes to support Southwark residents into training and employment and also enable effective monitoring of employment projects within the Borough. Paragraph 15 sets out some of the successes in recent years of the programme.
45. The proposal is for the release of £4,748,902.34 from 153 legal agreements which are listed in Appendix 1 below. Some of these Agreements are relatively recent and post date the introduction of the Community Infrastructure Levy Regulations 2010 and in particular Regulation 123 which applies to planning obligations. As a consequence, they are a little more straightforward to allocate.
46. Many of the Agreements are, however, older. Paragraph 27 of the report explains that the costs of monitoring and the management of employment and training opportunities have to date been met out of the Council's core funding. The purpose of this report is therefore

to some extent to allow these funds to be reimbursed and therefore this report does provide for charges already incurred to be off-set.

47. Any section 106 monies must be expended in accordance with the terms of the specific agreements and also the tests as set out in regulation 122 of the Community Infrastructure Levy regulations. The report refers to the Council's 2007 section 106 Supplementary Planning Document and the similar requirements in the 2015 section 106 and CIL SPD. Accordingly, the obligations in these Agreements meet the CIL tests as they were considered necessary to make the development acceptable in planning terms as they ensured compliance with the Council's planning requirements.
48. There are a considerable number of agreements contained within the schedule to this report. They have been checked as far as possible and it is confirmed that the proposed expenditure is consistent with the terms of the individual agreements. Since the council constitution delegates the decision to approve the expenditure of planning obligations, Members are advised that they are entitled to approve this proposed release of funds.

Strategic Director of Finance and Governance CAP17/101

49. This report seeks approval from the planning committee to release the sum of £4,748,902.34 from the various agreements listed in Appendix 1, for the delivery of employment and training programme in the borough.
50. The director of planning confirms the section 106 receipts associated with the agreements listed in appendix 1 of this report have not been allocated to other projects, and the proposed allocation accords with the terms of the agreements.
51. The strategic director of finance and governance notes the resource implications at paragraphs 43-46, confirms the council has received the related section 106 funds, and they are available for the purposes outlined in this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464
Economic Wellbeing Strategy	Local Economy Team, 160 Tooley Street, London SE1	Nick Wolff 020 7525 5676
Link: http://www.southwark.gov.uk/business/economic-wellbeing-strategy		
Skills Strategy	Local Economy Team, 160 Tooley Street, London SE1	Nick Wolff 020 7525 5676
Link: http://moderngov.southwark.gov.uk/ielssueDetails.aspx?IId=50014462&PlanId=0&Opt=3#AI46792		

AUDIT TRAIL

Lead Officer	Stephen Gaskell, Head of Chief Executive's Office	
Report Author	Nick Wolff, Principal Strategy Officer	
Version	Final	
Dated	18 February 2018	
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
Date final report sent to Constitutional Team		22 February 2018

APPENDIX 1**Employment and Training**

Number	Account No	Permission Ref	Amount
1	087	98/AP/1865	75,252.41
2	291	05/AP/2502	10,730.00
3	320	11/AP/0914	53.77
4	324	05/AP/2530	39,481.47
5	330	06/AP/2183	63,375.00
6	336	07/AP/1124	17,919.00
7	352	07/AP/0650	30,000.00
8	359	07/AP/2267	99,440.54
9	370	08/AP/0685	13,253.57
10	377	08/AP/0564	12,357.00
11	381	08/AP/1330	35,887.00
12	382	07/AP/2200	36,701.46
13	385	07/AP/2075	5,736.00
14	395	08/AP/0351	10,111.00
15	400	08/AP/1563	94,699.00
16	401	06/AP/0521	100,160.34
17	414	08/AP/3078	15,054.00
18	416	09/AP/0068	13,045.00
19	419	08/AP/0813	42,993.00
20	420	06/AP/2188	34,261.00
21	423	08/AP/1744	1,040.00
22	436	09/AP/1749	18,000.00
23	437	09/AP/0717	23,870.00
24	440	08/AP/1480	15,054.00
25	441	09/AP/1874	18,769.00
26	442	09/AP/1769	4,874.47
27	444	08/AP/2409	10,752.00
28	445	08/AP/2427	27,240.00
29	446	08/AP/2411	22,222.00
30	447	09/AP/1342	9,247.00
31	448	08/AP/2440	12,903.00
32	451	07/AP/2801	51,516.00
33	453	08/AP/2209	9,247.00
34	455	09/AP/1098	2,581.00
35	462	09/AP/0841	16,488.00
36	476	09/AP/1069	12,473.00
37	481	10/AP/1255	175.00
38	488	10/AP/0521	815.41

Number	Account No	Permission Ref	Amount
39	491	09/AP/2388	68,816.00
40	493	10/AP/1394	24,720.84
41	494	10/AP/1676	29,500.58
42	498	10/AP/0614	10,036.00
43	499	10/AP/1831	26,081.00
44	510	10/AP/2081	51,613.00
45	511	10/AP/1860	16,488.00
46	517	10/AP/2623	20,969.00
47	521	10/AP/2725	3,150.74
48	524	07/AP/0962	28,699.00
49	526	10/AP/3131	14,335.00
50	527	10/AP/3232	16,869.00
51	528	10/AP/3239	700.41
52	530	09/AP/1089	14,839.00
53	531	10/AP/2824	16,488.00
54	535	10/AP/3010	11,021.00
55	541	10/AP/3458	12,770.00
56	543	06/AP/1293	14,783.00
57	547	09/AP/1917	178,878.32
58	548	10/AP/3173	9,765.00
59	551	10/AP/2849	1,021.00
60	557	11/AP/0139	95,397.00
61	558	10/AP/3803	17,191.79
62	559	11/AP/0196	5,968.00
63	560	10/AP/1935	12,817.47
64	562	11/AP/0138	49,086.38
65	565	11/AP/0217	27,792.00
66	566	09/AP/2320	6,119.00
67	567	11/AP/1180	118,743.56
68	568	10/AP/3372	21,696.93
69	570	11/AP/0963	12,594.46
70	572	11/AP/1390	2,043.00
71	579	11/AP/1071	13,081.37
72	580	10/AP/1923	2,312.00
73	589	11/AP/1955	242,316.00
74	590	11/AP/2851	9,979.00
75	591	11/AP/2577	11,334.82
76	595	11/AP/3251	31,098.81
77	596	11/AP/2320	19,341.00
78	602	11/AP/3963	14,122.00
79	611	11/AP/0024	15,897.53

Number	Account No	Permission Ref	Amount
80	614	10/AP/1966	753.00
81	616	11/AP/2565	6,559.00
82	617	11/AP/4297	3,718.29
83	618	11/AP/1987	127,149.89
84	620	11/AP/4309	15,000.00
85	621	12/AP/0164	34,547.63
86	627	12/AP/1423	2,416.68
87	628	12/AP/1455	8,558.78
88	629	12/AP/1485	17,469.13
89	632	12/AP/2702	63,725.00
90	635	11/AP/3529	36,583.93
91	641	11/AP/2242	21,121.00
92	645	10/AP/2091	12,903.00
93	646	12/AP/2550	5,440.00
94	654	12/AP/1066	31,971.25
95	655	12/AP/3563	2,623.00
96	656	12/AP/3255	2,331.00
97	658	12/AP/2797	13,939.05
98	659	12/AP/2859	15,529.17
99	661	12/AP/2942	22,537.00
100	662	12/AP/2062	35,515.84
101	663	12/AP/1092	33,770.88
102	664	12/AP/2239	18,666.00
103	665	12/AP/1784	25,065.88
104	666	11/AP/0868	13,994.83
105	667	12/AP/3201	38,014.61
106	668	12/AP/3127	3,000.57
107	670	12/AP/1630	15,543.00
108	676	12/AP/4049	30,139.78
109	679	13/AP/0561	55,518.83
110	680	12/AP/2444	3,847.00
111	681	11/AP/2012	140,125.11
112	683	13/AP/0943	7,218.00
113	686	12/AP/1308	27,858.71
114	690	13/AP/0966	5,085.13
115	692	13/AP/0568	11,423.78
116	693	12/AP/4126	132,542.21
117	699	11/AP/4251	8,788.13
118	700	09/AP/0343	52,434.60
119	701	12/AP/2332	8,862.97
120	702	13/AP/1235	15,499.30

Number	Account No	Permission Ref	Amount
121	706	13/AP/1738	37,694.00
122	707	13/AP/1714	18,774.89
123	708	13/AP/1767	1,282.00
124	709	13/AP/4266	2,231.00
125	710	13/AP/3322	128,745.00
126	713	12/AP/3860	14,916.00
127	716	13/AP/1864	30,800.59
128	720	13/AP/3059	29,675.00
129	725	13/AP/4094	74,252.81
130	728	14/AP/0309	89,180.29
131	729	13/AP/3815	45,567.00
132	732	14/AP/0257	1,830.29
133	733	13/AP/3791	50,361.00
134	734	14/AP/2102	9,734.00
135	737	14/AP/0764	33,881.64
136	742	14/AP/0830	3,905.00
137	747	14/AP/2992	15,387.00
138	749	14/AP/1302	39,908.95
139	750	14/AP/0075	3,322.00
140	751	14/AP/1872	101,075.00
141	753	13/AP/2901	2,448.00
142	754	14/AP/2948	195,133.38
143	756	14/AP/4905	291.00
144	757	14/AP/2709	3,240.98
145	758	14/AP/3277	73,734.00
146	759	14/AP/3276	46,114.33
147	763	14/AP/3550	62,115.46
148	772	14/AP/1862	47,210.00
149	774	11/AP/1139	10,880.00
150	785	15/AP/1330	81,075.40
151	320A	11/AP/0914	697.39
152	380A	13/AP/3225	55,624.26
153	579A	14/AP/2627	1,770.27
TOTAL			£4,748,902.34

Item No. 9.	Classification: Open	Date: 6 March 2018	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	020 7525 7240/7234
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, Head of Constitutional Services	
Report Author	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	22 February 2018	
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	22 February 2018	

ITEMS ON AGENDA OF THE PLANNING COMMITTEE
on Tuesday 6 March 2018

Appl. Type Full Planning Application
Site BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH

Reg. No. 17-AP-3070
TP No. TP/2345-41
Ward College
Officer Alex Cameron

Recommendation GRANT PERMISSION

Item 9.1

Proposal

Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with 3 No. residential units. Creation of new Gate House and a detached house within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and, ground floor extension.

A comprehensive landscape strategy comprising communal and private spaces and gardens for use by residents. Car parking for 17 cars for residents and visitors.

Provision of new refuse and cycle storage structures. Creation of new vehicular access on to Sydenham Hill from the south-east of the site to serve one new dwelling (new Gate House).

Appl. Type Listed Building Consent
Site BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH

Reg. No. 17-AP-3071
TP No. TP/2345-41
Ward College
Officer Tracy Chapman

Recommendation GRANT PERMISSION

Item 9.2

Proposal

Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with 3 No. residential units. Creation of new Gate House and a detached house within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and, ground floor extension.



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Item No. 9.1	Classification: Open	Date: 6 March 2018	Meeting Name: Planning Committee
Report title:	<p>Development Management planning application: Application 17/AP/3070 for: Full Planning Application</p> <p>Address: BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH</p> <p>Proposal: Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with 3 No. residential units. Creation of new Gate House and a Pavilion House within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and ground floor extension. A comprehensive landscape strategy comprising communal and private spaces and gardens for use by residents. Car parking for 17 cars for residents and visitors. Provision of new refuse and cycle storage structures. Creation of new vehicular access on to Sydenham Hill from the south-east of the site to serve one new dwelling (new Gate House).</p>		
Ward(s) or groups affected:	College		
From:	Director of Planning		
Application Start Date 14/08/2017		Application Expiry Date 13/11/2017	
Earliest Decision Date 21/10/2017			

RECOMMENDATION

1. a. That planning permission be granted subject to the completion of a legal agreement.
- b. That in the event that a satisfactory legal agreement is not signed by 30 May 2018, the director of planning be authorised to refuse planning permission for the reason given in paragraph 115 of this report.

BACKGROUND INFORMATION

Site location and description

2. The application site is Beltwood House, 41 Sydenham Hill, a large Grade II listed house set in the middle of 1.2 hectares of garden grounds with an outlying stables/garage and workers cottage and gate house. Beltwood House was statutorily listed Grade II in May 1995. It is a Victorian villa remodelled in the early twentieth century in a renaissance manner with neo-classical detailing.
3. Beltwood House is one of the oldest houses in the area, constructed in 1851 for Edward Saxton. It was originally surrounded by woodland and formed part of the

Great North Wood. The surroundings became further developed with the arrival of the railway during the 1860s. The grounds in which the house sits are mature and comprise a gate house, stable block and worker's cottage. The gate house is a modest Arts and Crafts building which stands at the driveway entrance to the house and is visible from the street. The stables, a simple utilitarian building with some later alterations, is next to the house to the east. The worker's cottage, another simple building, is to the south of this. These buildings are part of the historic estate of Beltwood. The historic form of landscaping is still visible within the site. Originally built as a residence, from historical maps, the house appears to have been a YMCA hostel (1960-70), Dental Hostel and the Sydenham Hill Invalid Babies Hospital before that. The house is currently vacant. Despite several changes in use the plan form of the building has been little altered since early twentieth century re-modelling.

4. Access to the site is by way of a driveway in the western corner of the site off Sydenham Hill. Double gates set back from the edge of the pavement enclose a driveway which sweeps past the single storey Gate House at the entrance to the site to the main house which is situated in the middle of the site. To the north of Beltwood House are three listed buildings: Six Pillars, Nos. 2 and 4 Crescent Wood House. Six Pillars is listed Grade II* with the other two buildings designated Grade II.
5. The main house is surrounded by lawns and woodland. To the side (south) and rear (west) of the house are landscaped lawns and to the north is a wooded area which includes a former tennis court. There is dense tree coverage on the western side of the site and along the site boundaries. The entire site is covered by a tree preservation order (Tree Preservation Order No. 98 (1985)) covers all of the grounds. After several trees were removed from the site and cut back without permission, the Council obtained an injunction on 20 May 2016 preventing the owner from cutting down or wilfully damaging or destroying any further trees within the site. The injunction is still in effect and the council is likely to only agree to lift it providing the owner submits a tree mitigation strategy to avoid further harm and the submission of a landscaping strategy. These documents and subsequent compliance will be ensured through the section 106 agreement.
6. Buildings within the Dulwich Wood Conservation Area tend to be around the perimeters of a central large open space, including some good quality Victorian dwellings set within substantial grounds. The large areas of open space and generous garden grounds within the conservation area are an important factor which has created its sense of place and character.
7. Historic England has placed Beltwood House on their Heritage Risk Register due to it being vacant and in a deteriorating condition. Whilst permission was granted in 1999, this was for conversion of the main house into 3 town houses and development within the grounds. The decision pre-dates more recent national and local planning policy changes, for example the requirement to assess the impact of a proposal on the significance of the listed building. The Council's view regarding the significance of the Beltwood Estate to this and future generations is because of the heritage interest of the constituent parts, physical presence and setting.
8. When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must 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. Preservation in this context means not harming the interest in the building as opposed to keeping it unchanged.

This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings.

A recent court case has made it clear that in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the intention was that decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.

9. Decision-making policies in the National Planning Policy Framework and in the local development plan are also to be applied, but they cannot directly conflict with or avoid the obligatory consideration in these statutory provisions.
10. Furthermore, when considering any planning application that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
11. The statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed.
12. Policies in the NPPF do however seek positive improvement in conservation areas. Most explicitly paragraphs 126 and 131 require that local planning authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness". Paragraph 9 says that pursuing "sustainable development involves seeking positive improvements in the quality of the...historic environment...". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..." (paragraph 64).

Details of proposal

13. The proposal is for:-
 - Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance;
 - Demolition of curtilage outbuildings to the east of Beltwood House and their replacement with 3 residential units;
 - Creation of new Gate House and a Pavilion House within the site curtilage. - Alterations including underpinning of the existing Gate Lodge (a curtilage listed building) and ground floor extension;
 - A comprehensive landscape strategy comprising communal and private spaces and gardens for use by residents;
 - Car parking for 17 cars for residents and visitors;
 - Provision of new refuse and cycle storage structures; and
 - the creation of new vehicular access on to Sydenham Hill from the south-east of the site to serve one new dwelling.

Amendments to the application:

14. The proposal initially included a block of flats referred to as 'wooded flats'; a two storey building including basement for 4 flats. This has now been omitted and replaced by a

two storey (plus basement) dwellinghouse on a much smaller footprint. Other alterations also included the addition of a flat within the main Beltwood House building as well as a revision to the landscaping strategy, which included a tree planting programme and reduction in parking. Additional information on development viability has also been provided.

Planning history

15.

<p>04/AP/0280 Application type: Listed Building Consent (LBC) Renewal of Listed Building Consent dated 22/02/99 (ref. 9700598A) for the conversion of Beltwood House to 3 residential units and associated internal works; part demolition of rear outbuildings and erection of new buildings to provide eight 2-storey houses and single storey ground floor extension to lodge building. Decision date 19/10/2004 Decision: Grant (GRA)</p>
<p>11/EQ/0138 Application type: Pre-Application Enquiry (ENQ) Conversion of Beltwood House into a single dwelling and the extension of the gate house and the erection of 5 new detached dwellings on the site to enable the conversion and works to the listed building. Decision date 07/11/2011 Decision: Pre-application enquiry closed (EQ)</p>
<p>11/EQ/0065 Application type: Pre-Application Enquiry (ENQ) Construction of eight new 3 bedroom houses within the grounds, restoration of Beltwood House with alterations to the vehicular access from Sydenham Hill and within the site. Decision date 02/12/2011 Decision: Pre-application enquiry closed (EQ)</p>
<p>12/EQ/0267 Application type: Pre-Application Enquiry (ENQ) Conversion and restoration of existing building to single family home (Beltwood House) and construction of 8 new 3 bedroom houses within the grounds. Decision date 16/04/2013 Decision: Pre-application enquiry closed (EQ)</p>
<p>13/AP/3032 Application type: Listed Building Consent (LBC) Extension to gatehouse building comprising construction of basement and underpinning of existing structure underneath and to the west of the existing building, two storey extension above basement and alterations to the roof and internal layout, together with alterations to the front entrance gate and walls to Beltwood House. Decision date 06/01/2015 Decision: Refused (REF) Reasons for refusal:</p> <p>1 The loss of historic fabric and plan form would cause harm to the architectural and historic significance of the Grade II listed building, and therefore is contrary to Saved Policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings) of the Southwark Plan 2007; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011; Policy 7.8 (Heritage Assets and Archaeology) of the London Plan 2013; and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.</p> <p>2 The Structural Report provided is insufficient in detail and contradictory information has been provided by the applicant to justify that no harm to the heritage asset will be caused by the proposed internal works and excavation works as required under paragraphs 128 and 133 of the NPPF. The proposal therefore is not in accordance with: Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF; Policy 7.8 (Heritage Assets and Archaeology) of the London Plan 2013; Strategic policy 12 (Design and Conservation), the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the</p>

Southwark Plan 2007.

3 The proposed rear extension, due to its excessive height, bulk, mass and detailed design would cause harm to the architectural and historic significance of the Grade II listed building, and will be overly dominant causing harm to the character and appearance of the Dulwich Wood Conservation Area, which is contrary to Saved Policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings), 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

4 The proposed basement extension and lightwell, due to its extent into the garden, depth and detailed design would cause harm to the architectural and historic significance of the Grade II listed building and its setting contrary to Saved Policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings), 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

13/AP/3031 Application type: Full Planning Application (FUL)

Extension to gatehouse building comprising construction of basement and underpinning of existing structure underneath and a two storey extension above basement to west of the building and alterations to the roof and internal layout, together with alterations to the front entrance gate and walls to Beltwood House.

Decision date 06/01/2015 Decision: Refused (REF)

Reasons for refusal:

1. The proposed basement extension, associated lightwell and rear extension due to the height, bulk, mass, detailed design, and the extent of the basement excavation would fail to appear subservient to the host building; result in substantial harm to the architectural and historic significance of the Grade II listed building and adversely impact upon the setting of the listed building and harm the character and appearance of the Dulwich Wood Conservation Area. As such, the proposal is contrary to Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings) and 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

2. The proposed development will result in the removal of trees adjacent to the lodge which would be harmful to the setting of the listed building and the character and appearance of this part of the Dulwich Wood Conservation Area. The development has also failed to demonstrate sufficient mitigation planting through appropriate landscaping. The development is therefore contrary to policies 7.19 (Biodiversity and Access to Nature) and 7.21 (Trees and Woodland) of the London Plan 2013; Strategic policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policies 3.1 (Environmental Effects), 3.2 (Protection of Amenity), 3.13 (Urban Design), 3.16 (Conservation Areas) and 3.28 (Biodiversity) of the Southwark Plan 2007.

3. The development has failed to demonstrate that the retained vegetation in the vicinity of the Lodge will be adequately protected from construction impacts; in particular from level changes and other basement excavation, all of which affect the tree and woodland protected by a TPO, and furthermore from post development

pressure arising from potential future overshadowing and maintenance issues. As such the development is contrary to policy 7.21 (Trees and Woodland) of the London Plan 2013, Strategic policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policy 3.1 (Environmental Effects) of the Southwark Plan 2007.

13/AP/3031 Application type: Full Planning Permission (FUL)

Extension to gatehouse building comprising construction of basement and underpinning of existing structure underneath and a two storey extension above basement to west of the building and alterations to the roof and internal layout, together with alterations to the front entrance gate and walls to Beltwood House.

Decision date 06/01/2015 Decision: Refused (REF)

Reasons for refusal:

1. The proposed basement extension, associated lightwell and rear extension due to the height, bulk, mass, detailed design, and the extent of the basement excavation would fail to appear subservient to the host building; result in substantial harm to the architectural and historic significance of the Grade II listed building; and adversely impact upon the setting of the listed building and harm the character and appearance of the Dulwich Wood Conservation Area. As such, the proposal is contrary to Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings) and 3.18 (Setting of listed buildings, conservation areas and world heritage sites) of the Southwark Plan 2007; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

2. The proposed development will result in the removal of trees adjacent to the lodge which would be harmful to the setting of the listed building and the character and appearance of this part of the Dulwich Wood Conservation Area. The development has also failed to demonstrate sufficient mitigation planting through appropriate landscaping. The development is therefore contrary to policies 7.19 (Biodiversity and Access to Nature) and 7.21 (Trees and woodland) of the London Plan (2013); Strategic Policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policies 3.1 (Environmental Effects), 3.2 (Protection of Amenity), 3.13 (Urban Design), 3.16 (Conservation Areas) and 3.28 (Biodiversity) of the Southwark Plan 2007.

3. The development has failed to demonstrate that the retained vegetation in the vicinity of the Lodge will be adequately protected from construction impacts; in particular from level changes and other basement excavation, all of which affect the tree and woodland protected by a TPO, and furthermore from post development pressure arising from potential future overshadowing and maintenance issues. As such the development is contrary to policy 7.21 (Trees and Woodland) of the London Plan (2013), Strategic policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policy 3.1 (Environmental Effects) of the Southwark Plan 2007.

13/AP/3341 - Full Planning Permission - A planning application was made for "Conversion of vacant building to ten self-contained apartments including external works comprising the addition of basement light wells. Demolition of ancillary buildings and the construction of 6 x 5 bedroom three storey houses with 9 lower ground parking spaces and 15 surface level parking spaces and associated vehicular and pedestrian access routes".

The Council gave the following reasons for the refusal of the application:

1. Due to the footprint, bulk, massing and detailed design of the new curtilage development and the proposed external alterations to the main house the proposal would detract from the setting of the Listed Building and the character and appearance

of the wider Dulwich Wood Conservation Area. It would therefore be contrary to saved policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas) and 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011; policy 7.9 (Heritage led regeneration) of the London Plan (2013, and Section 12 (Conserving the Built Environment) of the NPPF.

2. The proposal would fail to provide adequate sunlight and daylight to habitable rooms within the basement units and it would therefore fail to provide a satisfactory living environment for future occupiers contrary to saved policy 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007; Strategic policy 13 (High Environmental Standards) of the Core Strategy 2011 and the Council's Residential Design Standards SPD 2011.

3. The proposal would fail to provide sufficient and satisfactory wheelchair standard housing. The proposed wheelchair units would fail to meet the standards prescribed in the Council's Residential Design Standards 2011. Additionally the proposal would fail to provide safe, convenient and equal access to the proposed wheelchair units. The proposal would therefore be contrary to saved policies 4.2 (Quality of Residential Accommodation) and 4.3 (Mix of Dwellings) of the Southwark Plan 2007.

4. The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and 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 2013 and the Council's Planning Obligations SPD 2007.

5. The proposal has failed to comprehensively assess the existing biodiversity of the site, and as such the full impact of the development on ecological habitats and species, and any adequate mitigation measures, is unable to be accurately assessed. The development therefore fails to sufficiently protect existing species and their habitats and as such is contrary to saved policies 3.1 (Environmental Effects) and 3.28 (Biodiversity) of the Southwark Plan 2007; Strategic Policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011; policy 7.19 (Biodiversity and Access to Nature) of the London Plan 2013, the Council's Sustainable Design and Construction SPD and the Council's Work for Wildlife Southwark Biodiversity Action Plan.

6. The development has failed to demonstrate that the retained vegetation will be adequately protected from construction impacts; in particular from the proposed development within the woodland, level changes and other basement excavation associated with the curtilage development, all of which affect the tree and woodland protected by TPO ref. no. 98, and furthermore from post development pressure arising from potential future overshadowing and maintenance issues. As such the development is contrary to policy 7.21 (Trees and Woodlands) of the London Plan 2013, Strategic policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policy 3.1 (Environmental Effects) of the Southwark Plan 2007.

7. The proposed development will result in the removal of an excessive amount of mature trees and those which would develop to sustain the site's continued wooded character, in particular trees within the wooded area adjacent to the former tennis courts, trees adjacent to the lodge and other boundary specimens. The volume of trees removed and the extent of hard landscaping for car parking would harm the open, green and intrinsic nature of the woodland area, the amenity of adjoining properties and both the character and setting of the wider Conservation Area and Listed Building. The development has also failed to demonstrate sufficient mitigation

planting through appropriate landscaping. The development is therefore contrary to policies 7.19 (Biodiversity and Access to Nature) and 7.21 (Trees and Woodlands) of the London Plan 2013, Strategic policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policies 3.1 (Environmental Effects), 3.2 (Protection of Amenity), 3.13 (Urban Design), 3.16 (Conservation Areas) and 3.28 (Biodiversity) of the Southwark Plan 2007.

8. The proposed size, siting and design of the proposed curtilage development would be overbearing to and would result in increased overlooking of adjoining rooms and private gardens at the nearest dwellings within Crescent Wood Road. The proposal would therefore be contrary to saved policy 3.2 (Protection of Amenity) of the Southwark Plan 2007 and Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011.

This application was subsequently appealed against non-determination of the application. The following is a summary of the Inspectors decision:

External Alterations to Beltwood House:

The Inspector did not raise concern with the majority of these works to the Listed Building, however the Inspector did agree with the Council in relation to all of the lightwells proposed to the building as this would make the basement accommodation various obvious and introduce a feature to the building that otherwise would not have been there.

Internal alterations:

The Inspector raised concerns with the works at ground floor, including the internal stair core which would undermine the singular character of the room and that the corridor link to the service wing and secondary staircase would be lost. The Inspector also raised concerns about the works at first floor level including the impacts on the south-western room and adjacent room which would reduce the size of these rooms, harming the character of both.

Basement and underpinning:

Concerns were raised by the Inspector for these works as they noted that the applicants had not justified full underpinning of the building. The Inspector also noted that changes to the basement layout would represent change to the existing fabric and harm the significance of the listed building.

Demolition of curtilage listed buildings:

The Inspector noted that no harm would arise from the loss of the cottage and garage to the north east of the house if a new development would stand comfortably in the context.

Development in the grounds:

Concerns were raised with the size and scale of the buildings at three stories proposed to replace the cottage and garage. The design would also create an uncomfortable contrast between the proposed new buildings and main house.

Trees and landscaping:

The Inspector did not raise any significant concerns regarding the tree loss, however outlined that suitable replanting would be required. The Inspector also noted that the level of hard surfacing was also acceptable.

Viability:

The Inspector noted that there would be significant public benefits from bringing the building into a more effective use. However they noted that the information submitted did not lead to a clear conclusion whether the proposal was the optimum viable use.

Daylight:

The Inspector reasoned that the original proposed light wells would provide sufficient amounts of daylight into the basement flats.

Overlooking:

The Inspector agreed with the Council that concerns about overlooking, in particular with no.6 Crescent Wood Road would be sufficient grounds to refuse the application.

16/AP/0446 Application type: Tree Preservation Order - works related (TPO)

T1: Sycamore - reduce crown by reducing branches by a maximum 3m and remove dead wood

T2: Sycamore - Fell

T3: Sycamore - Crown lift to clear property by 2m

G4: Lawson Cypress (x3) - Fell

T5: Black Pine - Dead. Fell

G6: Mixed Species - Crown lift all roadside trees to 4m over road

T7: Beech False - Reduce west bound fork by reducing branches by a maximum 4m, fit non-invasive cable brace.

T8: Acacia - Fell

T9: Holm Oak - Crown lift to 3m

G10: Mixed Species - Crown lift all to 3m

T11/ T12: Lawson Cypress Fell

T13: goat Willow - Fell

T14: Sycamore - Fell

G15: Mixed Species - Coppice 2x hazel, fell laurel

Decision date 21/03/2016 Decision: TPO consent granted (TPOG)

16/EN/0188 Enforcement type: Change of use (COU)

Change of use of the site from hostel (Sui Generis) to a mixed use comprising a large house in multiple occupation shared by property guardians and individuals and a family in residence in the Gate Lodge.

Sign-off date 20/07/2016 Sign-off reason: Final closure - no breach of control (FCNB)

16/AP/3455 Application type: Tree Preservation Order - works related (TPO)

List of comprised/structurally unsound trees to remove and mitigate with new planting

- Reasons: in the interests of safety and to allow future planting to create a diverse landscape. T2 Beech, Common, T0894 Sycamore T0893 Sycamore T0890 Sycamore T0888 Oak, Holm T0882 Oak, Holm T0881 Sycamore T0880 Ash T0879 Sycamore T0864 Holm Oak T0865 Sycamore T0866 Sycamore T0867 Sycamore T0868 Sycamore T0869 Sycamore T0870 Sycamore T0871 Sycamore T0872 Sycamore T0873 Sycamore T0855 Oak, pedunculate T0826 Sycamore T0828 Sycamore T0831 Oak, Holm T0829 Sycamore T0805 Oak, pedunculate T0807 Leylandii T0810 Sycamore T0811 Oak, Holm T0792 Lime, Common T0793 Pine, Corsican T0794 Cypress, Lawson T0795 Cypress, Lawson T0796 Leylandii T0784 Sycamore T0797 Leylandii T0771a Holly, Common T0771b Viburnum T0772 Oak, pedunculate T0772a Oak, Holm T0769 Beech, Copper T0736 Plum T0751 Leylandii

Decision date 19/10/2016 Decision: TPO consent refused (TPOR)

Reasons for refusal:

1. Insufficient information has been provided to substantiate the need for removal of the TPO trees nor why alternative works such as pruning may not be appropriate in order to avoid the need for felling of TPO trees.

Beech T2 has already undergone significance crown reduction and limb removal work. Such a significant loss of canopy would adversely impact upon the character of the conservation area and habitat for protected species.

The proposed work to remove the trees and the substantial loss of canopy are therefore contrary to the NPPF Parts 7, 8, 11 & 12; the following policies of the Core Strategy 2011: SP11 (Open Spaces and Wildlife), SP12 (Design and Conservation), SP13 (High Environmental Standards); London Plan policy 5.10 (Urban greening), 7.19 (Biodiversity), 7.21 (Trees and Woodlands) and the following Saved Policies of the Southwark Plan 2007: Policy 3.2 (Protection of Amenity), Policy 3.15 (Conservation of the Historic Environment), Policy 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) and Policy 3.28 (Biodiversity).

16/AP/3877 Application type: Listed Building Consent (LBC)

Conversion of existing hostel building to 8 self-contained apartments including external works comprising the alteration of existing dormers and rooflights and creation of two half-storey light wells to the rear of the building. Works also to include underpinning to the existing basement and creation of basement car parking to the north of the building. Refurbishment of the existing stable block and single storey extension to the east to create a four-bedroom dwelling house. Facade retention to west-facing facade of existing Hunting Lodge, with demolition of the remaining building and construction of new replacement dwelling on the existing footprint, with single-storey extensions to the east and south, to create a four-bedroom dwelling house. Underpinning to the existing Gate Lodge and extension to the west to create a four-bedroom dwelling.

Decision date 07/12/2016 Decision: Refused (REF)

Reasons for refusal:

1 The loss of historic fabric including the removal of the secondary staircase and the adjustments to the plan form would cause significant harm to the architectural and historic significance of the Grade II listed Beltwood House, and therefore is contrary to Saved Policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011; Policy 7.8 (Heritage Assets and Archaeology) and 7.9 (Heritage-Led Regeneration) of the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

2 The proposed new rooflights on the west and south elevations by virtue of their location and size would be overly dominant and unduly harmful to the form and appearance of Beltwood. The proposed rooflight on the south elevation would be visually intrusive on the principal elevation. The proposal would therefore fail to preserve or enhance the special architectural or historic significance of the Grade II listed building. As such, the proposal is contrary to saved policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011; the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

3 Insufficient supporting documentation and detail has been provided and therefore the application fails to justify the harm to the heritage asset (Beltwood House) that will be caused by the proposed internal works (including installation of services, damp and rot treatment, repairs/ replacement of windows, structural works on upper floors) and excavation of the basement car park and associated structural works, plus introduction of lightwells (north elevation) as required under paragraphs 128 and 133 of the NPPF. The proposal therefore is not in accordance with: Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF 2012; Policy 7.8 (Heritage Assets and Archaeology) of the London Plan 2016; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007.

4 The loss of historic fabric and plan form would cause harm to the architectural and historic significance of the Grade II Gate Lodge, and therefore is contrary to Saved Policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011, Policy 7.8 (Heritage Assets and Archaeology) of the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

5 Insufficient supporting documentation and detail has been provided by the applicant in relation to the proposed internal works and excavation works to the Gate Lodge. No supporting documents have been provided showing how the proposals will be undertaken or illustrating the extent of fabric that is proposed to be demolished. No structural engineer's report together with a recent Japanese Knotweed survey has been provided to justify the proposed basement extension. Therefore the application fails to justify the harm to the heritage asset, as required under paragraphs 128 and 133 of the NPPF. The proposal therefore is not in accordance with Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF; Policy 7.8 (Heritage Assets and Archaeology) of the London Plan 2016; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007.

6 The proposed rear extension to the Gate Lodge, due to its excessive height, bulk, mass and detailed design would cause harm to the architectural and historic significance of the Grade II listed building, and will be overly dominant causing harm to the character and appearance of the Dulwich Wood Conservation Area, which is contrary to Saved Policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings), 3.18 (Setting of listed buildings, conservation areas and world heritage sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation of the Core Strategy 2011); the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

7 The replacement of all the original windows to the Gate Lodge has not been adequately justified in the application and the visual impact of the 'sandwich-depth' double-glazing would have a harmful impact on the significance of the listed building. The proposal is therefore not in accordance with Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF 2012; the London Plan 2016; Policy 7.8 (Heritage Assets and Archaeology); Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas) and 3.17 (Listed Buildings) of the Southwark Plan 2007.

8 Insufficient supporting documentation and detail has been provided by the applicant in relation to the proposed internal works and excavation works to the Hunting Lodge and Stables. No supporting documents have been provided showing how the proposals will be undertaken or illustrating the extent of fabric that is proposed to be demolished. Therefore the application fails to justify the harm to the heritage asset, as required under paragraphs 128 and 133 of the NPPF. The proposal therefore is not in accordance with Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF 2012; policy 7.8 (Heritage and Archaeology) of the London Plan 2016; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007.

9 The proposed extensions to the curtilage listed structures, due their detailed design

and the associated works resulting in loss of plan form and historic fabric would cause harm to the architectural and historic significance and setting of the Grade II listed building, and will be overly dominant causing harm to the character and appearance of the Dulwich Wood Conservation Area, which is contrary to Saved Policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings), 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011, the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

10 The installation of: sprinklers, fire protection and acoustic measures and other service intrusions will have an adverse visual impact on the interior of the listed buildings. The proposed works will harm those parts of the building considered to be of high significance. The proposal is therefore not in accordance with Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF 2012;; Policy 7.8 (Heritage Assets and Archaeology) of the London Plan 2016; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007.

11 Insufficient supporting information, in the form of a costed condition survey, has been provided in order to justify the proposed subdivision of Beltwood House into multiple units together with the alteration and extension of the curtilage listed buildings, and therefore the application fails to justify the harm to the heritage assets as required under paragraphs 128 and 133 of the NPPF. The proposal therefore is not in accordance with Section 12 (Conserving and Enhancing the Historic Environment) of the London Plan 2016; Policy 7.8 (Heritage Assets and Archaeology); Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011 and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007.

16/AP/3876 Application type: Full Planning Application (FUL)

Provision of 13 residential dwellings within the site consisting of the conversion of existing hostel building to 8 self-contained apartments including external works comprising the alteration of existing dormers and rooflights (no increase in number) and creation of two half-storey light wells to the rear of the building.

Works also to include underpinning to the existing basement and creation of basement car parking to the north of the building.

Refurbishment of the existing stable block and single storey extension to the east to create a four-bedroom dwelling house.

Facade retention to west-facing facade of existing Hunting Lodge, with demolition of the remaining building and construction of new replacement dwelling on the existing footprint, with single-storey extensions to the east and south, to create a four-bedroom dwelling house.

Construction of a new two storey Kitchen Garden House to the east of the main house, one storey above ground, one storey below, with sunken patio to create new four-bedroom dwelling, with new kitchen garden wall running along the south.

Construction of a new three-bedroom gate lodge dwelling to the south-east of the site, and new access from the highway.

Underpinning to the existing Gate Lodge and extension to the west to create a

four-bedroom dwelling. Reinstatement of historic tennis courts, tennis pavilion and formal gardens, and soft landscaping throughout site. Provision of car parking, refuse and recycling stores and cycle stores.

Decision date 10/02/2017 Decision: Refused (REF)

Reasons for refusal:

1 The proposed extensions to the curtilage listed structures, due their detailed design would cause harm to the architectural and historic significance and setting of the Grade II listed building, and will be overly dominant causing harm to the character and appearance of the Dulwich Wood Conservation Area, which is contrary to Saved Policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings), 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011, the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

2 The proposed basement extension and rear extension to the Gate Lodge, due to the height, bulk, mass, detailed design, and the extent of the basement excavation would fail to appear subservient to the host building; result in substantial harm to the architectural and historic significance of the Grade II listed building; and adversely impact upon the setting of the listed building and harm the character and appearance of the Dulwich Wood Conservation Area. As such, the proposal is contrary to Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), 3.17 (Listed Buildings) and 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic policy 12 (Design and Conservation) of the Core Strategy 2011, the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

3 Due to the number, detailed design, footprint and cumulative impact of this quantum of development within the grounds of Beltwood House the proposal would detract from the setting of the Listed Building and the character and appearance of the wider Dulwich Wood Conservation Area. It would therefore be contrary to Saved Policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas) and 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, policy 7.9 (Heritage Led Regeneration) of the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

4 The proposed new rooflights on the west and south elevations by virtue of their location and size would be overly dominant and unduly harmful to the form and appearance of Beltwood. The proposed rooflight on the south elevation would be visually intrusive on the principal elevation. The proposal would therefore fail to preserve or enhance the special architectural or historic significance of the Grade II listed building. As such, the proposal is contrary to saved policies 3.15 (Conservation of the historic environment) and 3.17 (Listed Buildings) of the Southwark Plan 2007; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011; the London Plan 2016 and Section 12 (Conserving and Enhancing the Historic Environment) of the NPPF.

5 The proposed development will result in the removal of an excessive amount of mature trees and those which would develop to sustain the site's continued wooded character, in particular trees within the wooded area adjacent to the former tennis courts, trees adjacent to the wooded lodge and other boundary specimens. The volume of trees removed and the extent of hard landscaping would harm the open, green and intrinsic nature of the woodland area, the amenity of adjoining properties

and both the character and setting of the wider Conservation Area and Listed Building. The development has also failed to demonstrate sufficient mitigation planting through appropriate landscaping. The development is therefore contrary to policies 7.19 (Biodiversity and Access to Nature) and 7.21 (Trees and Woodlands) of the London Plan 2016; Strategic Policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policies 3.1 (Environmental Effects), 3.2 (Protection of Amenity), 3.13 (Urban design), 3.16 (Conservation Areas) and 3.28 (Biodiversity) of the Southwark Plan 2007.

6 The development has failed to demonstrate that the retained vegetation will be adequately protected from construction impacts; in particular from the proposed development within the woodland, level changes and other basement excavation associated with the curtilage development, all of which affect the tree and woodland protected by TPO ref. no. 98, and furthermore from post development pressure arising from potential future overshadowing and maintenance issues. As such the development is contrary to policy 7.21 (Trees and Woodlands) of the London Plan 2016; Strategic policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011 and saved policy 3.1 ('Environmental Effects) of the Southwark Plan 2007.

7 The application fails to provide sufficient and satisfactory wheelchair standard housing. The proposal would therefore be contrary to saved policies 4.2 (Quality of Residential Accommodation) and 4.3 (Mix of Dwellings) of the Southwark Plan 2007.

8 The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing 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 2016 and the Council's S106 and Community Infrastructure Levy SPD 2015.

9 The proposal fails to provide a sufficient justification for the proposed level of parking within the development and thus fails to promote sustainable modes of transport and thus is contrary to saved policy 5.6 (Parking) of the Southwark Plan 2007; Strategic policy 2 (Sustainable Transport) of the Core Strategy 2011 and the NPPF.

10 The proposed siting and design of the proposed 'wooded lodge' would result in increased overlooking of the adjoining property and private gardens at the nearest dwelling at 75 Sydenham Hill. The proposal would therefore be contrary to saved policy 3.2 (Protection of Amenity) of the Southwark Plan 2007 and Strategic policy 13 (High Environmental Standards) of the Core Strategy 2011.

17/AP/0063 Application type: Tree Preservation Order - works related (TPO)
Tree Removals List: Reason for removals the following specimen is in a poor structural condition overall. Pruning is not an option the overall poor structural defects identified and low potential amenity in the future.

T0736 Plum

T0751 Leylandii

T0769 Copper Beech

T0771a Holly

T0772 Oak

T0772a Holm Oak

T0784 Sycamore

T0789 Lime

T0792 Lime

T0793 Corsican Pine

T0794 - Cypress

T095 - Cypress
 T096 - Leylandii
 T097 - Leylandii
 T0805 - Leaning Oak
 T0807 - Leylandii
 T0810- Sycamore
 T0811 - Holm Oak
 T0829 - Sycamore
 T0831 Holm Oak
 T0864 Holm Oak
 T065, T0866, T0867, T0868, T0869, T0870, T0871, T0872, T0873, T0879, T0881 -
 11 no. Sycamores
 T0880 - Ash
 T0882 -Holm Oak
 T0888 - Holm Oak
 T0890 - Sycamore
 T0893 - Sycamore
 T0894 - Sycamore
 T2 - Beech Monolith
 Decision date 20/02/2017 Decision: TPO consent refused (TPOR)
 Reason for refusal:

Insufficient information has been provided to substantiate the need for removal or why alternative works such as pruning may not be appropriate in order to avoid the need for felling. Beech T2 has recently undergone significant crown reduction and limb removal work. Such a significant loss of canopy would adversely impact upon the character of the conservation area and habitat for protected species. No replacement planting is proposed, nor provided as required as a condition of consent for application ref 16/AP/0446. The reasons stated for removal are therefore not considered sufficient to give approval.

The proposed work to remove the trees is therefore contrary to the NPPF Parts 7, 8, 11 & 12; the following policies of the Core Strategy 2011: Strategic policy 11 (Open Spaces and Wildlife), 12 (Design and Conservation), 13 (High Environmental Standards); London Plan policy 5.10 (Urban greening), 7.19 (Biodiversity), 7.21 (Trees and Woodlands) and the following Saved Policies of the Southwark Plan 2007: Policy 3.2 (Protection of Amenity), Policy 3.15 (Conservation of the Historic Environment), Policy 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) and Policy 3.28 Biodiversity.

16/EN/0190 enforcement investigation into alleged: Unauthorised works to listed building - Deterioration of and unauthorised works to the main house, servants' wing and outbuildings. The main building which is listed has deteriorated and as such the Council are currently in the process of considering issuing notices to require repair works to be undertaken.

16/EN/0149 enforcement investigation into alleged: Unauthorised building works - Alleged breach of planning control: Alterations to the entrance gates, erection of new close-boarded timber fence around the perimeter of the site, CCTV cameras along the front boundary and brick pavements adjacent to the Gate Lodge.
 The fencing subject to this enforcement investigation is not sought to be retrospectively granted within this planning application, however the alterations to the entrance do form part of the application. The high close board fencing that has been installed around the perimeter of the site has replaced low picket fencing to the front of the site and open fencing to the rear of the site, where it adjoins the surrounding residential properties. The Council has issued an enforcement notice requiring the removal of the fencing and reinstatement of the original boundary treatment.

17/AP/3071 - An application for Listed Building Consent has been made along side this application for alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Workers' cottage') and replacement with 3 No. residential units. Creation of new Gate House and a detached house within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and, ground floor extension. This application is to be determined alongside the application subject to this report.

Planning history of adjoining sites

16. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

17. The main issues to be considered in respect of this application are:
- a) The principle of the development
 - b) The effects on the amenity of neighbours.
 - c) Parking and highway issues
 - d) Design issues and impact on setting of listed buildings and character and appearance of conservation area
 - e) Arboricultural implications; loss of and harm to significant irreplaceable trees
 - f) Ecological implications
 - g) The quality of the proposed accommodation/compliance with design and accessibility standards
 - h) Affordable housing
 - i) Planning obligations (S.106 undertaking or agreement)
 - j) Community Infrastructure Levy
 - k) Sustainable development implications.

Planning policy

National Planning Policy Framework (the Framework)

18. Section 6 - Delivering a Wide Choice of Family Homes
 Section 7 - Requiring Good Design
 Section 12 – Conserving and Enhancing the Historic Environment
 Section 13 – Conserving and Enhancing the Natural Environment

The London Plan 2016

19. Policy 3.3 - Increasing housing supply
 Policy 3.4 - Optimising housing potential
 Policy 3.5 - Quality and design of housing developments
 Policy 3.7 - Large residential developments
 Policy 3.8 - Housing choice
 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 5.2 - Minimising carbon dioxide emissions
 Policy 5.3 - Sustainable design and construction
 Policy 5.7 - Renewable energy
 Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure
 Policy 6.9 - Cycling
 Policy 6.10 - Walking
 Policy 7.8 - Heritage assets and archaeology
 Policy 7.9 - Heritage-led regeneration
 Policy 7.19 - Biodiversity and Access to Nature
 Policy 7.21 - Trees and Woodlands
 Policy 8.1 - Implementation
 Policy 8.2 - Planning Obligations
 Policy 8.3 - Community Infrastructure Levy

Core Strategy 2011

- 20.
- SP1 - Sustainable development
 - SP2 - Sustainable transport
 - SP5 - Providing new homes
 - SP6 - Homes for people on different incomes
 - SP7 - Family homes
 - SP12 - Design and conservation
 - SP13 - High Environmental standards
 - SP14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

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

Policy 2.5 – Planning obligations
 Policy 3.1 – Environmental effects
 Policy 3.2 – Protection of amenity
 Policy 3.4 – Energy efficiency
 Policy 3.6 – Air quality
 Policy 3.7 – Waste management
 Policy 3.9 – Water
 Policy 3.11 – Efficient use of land
 Policy 3.12 – Quality in design
 Policy 3.13 – Urban design
 Policy 3.14 – Designing out crime
 Policy 3.15 – Conservation of the historic environment
 Policy 3.16 – Conservation areas
 Policy 3.17 – Listed buildings
 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

Supplementary planning documents
 Affordable Housing 2008
 Draft Affordable Housing 2011
 2015 Technical Update to the Residential Design Standards 2011
 Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015
 Sustainable Design and Construction 2009
 Development Viability SPD March 2016
 Dulwich 2013

Consultations

Summary of consultation responses

Statutory responses

22. Met Police - Recommend that the proposal should be secure by design compliant.
23. London Fire and Emergency Planning Authority - Note that pump appliance access and water supplies for the fire service were not specifically addressed in the supplied documentation; however they do appear adequate. In other respects this proposal should conform to the requirements of part B5 of Approved Document B.
24. Environment Agency - No comments.
25. Natural England - Note that part of the site is a priority habitat site and advise that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. The scheme, if approved would improve biodiversity on the site (please see the ecology section below).
26. Historic England – Note that Beltwood House has been partially vacant or underused for a number of years and is on their Heritage at Risk Register for London. While they welcome the repair and reuse of the house, they have concerns about the proposed development within the grounds entitled the 'Wooded Apartments'. They urge the Council to consider this harm in relation to the policies set out within the NPPF. Following the revision, which omitted the wooded flats they note that despite the Pavilion House being smaller than the Wooded Flats, they still consider the proposals to cause harm to the historic environment. They maintain however that the local planning authority should be determined on the basis of the council's specialist conservation advice.
27. Victorian Society – The two most concerning aspects of the scheme were the proposed new block of four apartments west of Beltwood House and the three residential units proposed directly to the east. While they previously conceded the principle of demolishing the curtilage-listed buildings to the east of the house, they maintain the view that their preservation - or the preservation of their more interesting parts - would be preferable.
28. TfL - No objections as the proposal is unlikely to impact on the wider TfL network.
29. Thames Water - Note that they would expect the developer to demonstrate what

measures he will undertake to minimise groundwater discharges into the public sewer. They would also recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities.

Internal consultee responses

30. Environmental Protection - No objections; recommend a number of conditions.
31. Transport - No objections; however note that the level of parking proposed is high.
32. Ecology Officer – Advised that the issue of the bat survey has been resolved via an addendum which rates the site as having negligible potential for bat roosts. To avoid risk the applicant will retain an ecologist on a watching brief during the works. The grounds contain mature trees which can provide valuable habitat. The area around the gatehouse has a bat roost close by because of the emergence times recorded in the bat survey. Lighting around this area should be kept to a minimum. Japanese Knotweed is still present on site. This should be treated appropriately. The ecology and bat survey reports make a number of recommendations. These are best dealt with through conditions or agreed actions.
33. Flood and drainage team - no objections; request a drainage strategy submitted.
34. Highways - The proposed low brick wall must not be higher than 600mm. There should be no obstruction within the visibility splay. Vehicle waiting area at both entrances should be set back at least 6m from the site boundary.

Neighbour consultee responses:

35. A total of 27 responses have been received with the application, 13 in support of the application and 14 against. The concerns raised are as follows:

Amenity impacts

36.
 - Overlooking and high roofs of the New Gatehouse.
 - Concerns about the proposed terrace of properties introducing a large near 3-storey building in close proximity to neighbouring properties.
 - The proposal will bring more noise.
 - Concerns about noise from construction.
 - Daylight and sunlight into adjoining properties.
 - Concerns about the use of roof gardens of new terraced houses.

Transport Impacts

37.
 - Danger in terms of transport and traffic presented by the location of the proposed new development to the South East known as The New Gatehouse.
 - Concerns raised about increased traffic on a busy corner.

Design and Heritage Impacts

38.
 - Proposed new development to the south east of Beltwood House has significant negative impact on the setting of Beltwood House.
 - Temporary fencing surrounding the site should be removed.
 - Inappropriate architectural design of the south east development
 - The design of the proposed properties seems out of keeping with the main Grade 2 listed stately home.
 - The number of properties that are to be built within the grounds is excessive and will detract from the setting of Beltwood House.

- Concerns regarding the demolition of the buildings within the site.
- Negative impact on historical and heritage perspectives, entailing permanent loss of historically-intended visual access along the length of the house's southern perimeter with Sydenham Hill.
- Concerns regarding squeezing the number of flats into the main dwelling.

Viability

39. - Absence of financial evidence that the three proposed new building developments are essential for Enabling Development of the Listed Site No evidence is presented by the Applicant.

Tree Impacts/Biodiversity

40. - Failure to produce a sensible tree plan or to plan with consideration and consultation.
- The construction of a new Gate House to the southeast of the Beltwood site together with a new access road would necessitate the wholesale removal of many sound trees in a Conservation Area.
 - The applicant's destruction of trees and shrubs has a detrimental effect on the local ecosystem which is very rich in wildlife.

Flood and Drainage implications

41. - Digging a large basement for three homes close to our site gives us concern that the water table may be affected and that such variation may damage trees and shrubs.

Other Comments

42. - The proposal does not serve the community.

Re-consultation

43. The application was re-consulted on as a revised scheme was received which involved the removal of a block of flats referred to as 'wooded flats'; a two storey building including plus basement for 4 flats. This has now been omitted and replaced by a two storey (plus basement) dwellinghouse on a much smaller footprint. Other alterations also included the addition of a flat within the main Beltwood House building as well as a revision to the landscaping strategy, which included a tree planting programme and reduction in parking. Additional information on development viability has also been provided Concerns have continued to be raised in relation to the above comments as residents have outlined that the revised scheme does not overcome the concerns raised previously.
44. The comments in support of the application raise the following points as positives for the site:
- The site will long overdue bring Beltwood House back into use.
 - It will provide a range of quality homes for different people.
 - The quality of architecture is of a high standard and would not detrimentally impact on the key features of Beltwood House.
 - Provides high quality and careful landscaping.
 - Improvements to the fencing and gates are of a high quality.

Principle of development

45. The site lies in a residential area and it is not designated for alternative uses.

Additionally, while the main dwelling has been used as a hostel in the past, this use appears to have been abandoned, a residential land use at the site is established and is acceptable.

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

46. The proposals consist of the conversion of Beltwood House to provide seven flats; the erection of three terraced properties to the east of the main house; a new gate lodge to the southeast of the site; conversion of the existing gate lodge and the erection of a new pavilion house to the west of the main house.



Beltwood House

47. The conversion of Beltwood House into seven flats would not significantly affect the residential amenity of neighbours as the windows within the main building are existing; no further overlooking would ensue. No additional daylight or sunlight impacts would occur. The proposed new entrance would also not result in any further impacts on the neighbours as it would be a sufficient distance from apertures within the proposed dwellings and properties outside the site. There are some windows within the eastern elevation of the main house that would be approximately 9m away from the end terrace house, however there is an established pattern of overlooking between the main house and worker's cottage and thus this would not worsen any overlooking. Furthermore, the rooms within the main dwelling are bedrooms that are less sensitive to overlooking as these rooms are generally used at night time. Overall the amenity for the future occupiers is considered acceptable.

Terraced properties

48. In terms of the buildings within the grounds of the site, the proposed terraced properties would be close to the neighbouring 6 Crescent Wood Road; it would be approximately 8m to the site boundary at its closest point and 16m to the main building. When undertaking the 25 degree test as outlined within the BRE guidance, the proposal would not intersect this line and as such it is considered that there would

be no noticeable impacts on daylight or sunlight on this property. Furthermore, the large garden would receive significant levels of sunlight and thus the proposal would not detrimentally impact on the use of the outdoor amenity space. All other properties are further away and would not be affected.

49. Two windows are shown in the side elevation facing no. 6 Crescent Wood Road, however these serve hallways; a condition requiring these windows to be obscure glazed is recommended to prevent overlooking. All other windows would be well in excess of the required 21m separation distances recommended in the Residential Design Standards SPD to prevent unnecessary problems of overlooking and loss of privacy. One objector refers to the use of the roofs of these properties as terraced areas, however this is not proposed, access to the roofs is proposed for maintenance only; a condition ensuring this area is not used for sitting out is recommended.

Pavilion House

50. The proposed pavilion house is located within the area that was previously a tennis court and would be well in excess of 21m from all surrounding properties; as such no overlooking would occur. Given the distance from the neighbouring properties, the proposal would not intersect the 25 degree line test, as outlined within the BRE guidance and as such no daylight/sunlight issues arise from this property.

Existing gate lodge

51. The existing gate lodge is again located well in excess of 21m from all surrounding properties and as such no overlooking would occur. Given the distance from the neighbouring properties, the proposal would not intersect the 25 degree line test, as outlined within the BRE guidance and as such no daylight/sunlight issues arise from this property.

Proposed gate lodge

52. The proposed gate lodge would be approximately 8m from the property at 75 Sydenham Hill, however the scale of the dwelling is not such that it would impact on the daylight or sunlight within this property. The only window on the upper floor of this building would be within the rear elevation facing back into the site and thus would not result in any overlooking. Some windows are proposed within the side elevation at ground floor, however suitable planting and screening from boundary treatment would ensure that no overlooking would arise from this property.
53. The development would result in an increase of vehicular and general activity at the site but the quantum of development and availability and layout of gardens/communal space should not result in excessive noise or disturbance to surrounding properties over and above that which might be experienced in the Suburban Density Zone.
54. The issue of noise and disturbance during construction has been raised by residents. For a development of this scale, it is more appropriate to deal with any noise and disturbance through legislation that Environmental Health use than planning.
55. Overall the scheme would not result in significant amenity impacts on neighbours and the application complies with saved policy 3.2 of the Southwark Plan 2007.

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

56. The surrounding properties are within residential use and as such would not conflict with the proposed residential uses within the site. Whilst there is a public house

situated to the west of the site, this will be adequate distance from properties to ensure that there are no significant impacts of additional residential use within the site.

Transport issues

Access

57. Previous concerns were raised in relation to highways and access relating to the provision of a new access to the wooded lodge and in relation to the level of parking proposed and access and egress into the basement car park.
58. The main vehicular access proposed is making use of the existing entrance/exit, albeit with a greater set back to allow space for vehicles to wait off street, which is an improvement on the existing access arrangements and thus is welcomed. However it is still proposed to provide a secondary access and egress to the new Gate Lodge for which a new dropped kerb is proposed. Detailed visibility splays have been provided and indicate that there would be acceptable levels of visibility into and out of the site. The Council's transport team have reviewed these and are satisfied that the existing and proposed access would not result in any significant highways implications. The basement car park to which there was some objection from neighbours has been omitted; an improvement to the scheme. Tracked drawings are also provided which indicate that refuse and emergency vehicles can enter and exit the site in a forward gear. Overall the previous access issues have been overcome by the new application.

Cycle parking

59. To satisfy the London Plan requirements, for this development of 13 dwellings, a total of 22 cycle parking spaces need to be provided. The applicant has proposed 20 spaces within the main communal cycle store and two in a separate store for the wooded lodge dwelling, as well as sufficient space for cycle storage within the existing gate lodge and proposed lodge. This provision is considered acceptable as it would exceed the requirements of the London Plan.

Car parking

60. With the basement car park now omitted, and a further reduction in the level of parking above ground, the proposal is for 17 car parking spaces; a reduction of nine.
61. The level of parking at 17 spaces is acceptable as it would meet the requirements outlined within the London Plan 2016. The London Plan sets out that up to 2 per unit of 4 or more bedrooms would be allowed, up to 1.5 per unit for 3 beds and less than 1 per unit for 1-2 beds (17 spaces). The site has a relatively low PTAL of 2 and as such officers accept that there is scope to provide parking at the maximum end of the parking standards. Given the nature of the proposed units, with many large family dwellings, it is considered that the proposed level of parking is acceptable. There are six charging points that will provide charging for 50% of the cars on site, encouraging electric car use for residents and future-proofing the site. This is considered acceptable and would help encourage more sustainable transport methods.

Service access

62. The applicant has provided a swept-path analysis that identifies any vehicle entering/exiting the site can do so in forward gear. The transport statement says that the expected levels of servicing and delivery associated with the site should be one to two a day. Space has been provided for smaller vehicles to wait off the highway with a key pad access into the site. Further details would be required to identify

arrangements for refuse and servicing vehicles gaining access to the site through the video controlled entry system. A condition is recommended that details of this be provided through a delivery and servicing strategy.

Refuse storage

63. The proposed refuse store is located at the north of the site, close to the boundary with the property at no. 6 Crescent Wood Road. Separate bin stores are also proposed for the existing and proposed gate lodge buildings. Objections have been received from residents to note that the location would not be suitable due to the noise and potential for vermin. The refuse stores have been located within this area in order to provide convenient access for the refuse vehicles where they can manoeuvre without obstructing the access road within the site provided that the enclosures are provided and effectively maintained; it is not considered that this would result in a significant impact that would warrant refusal. The level of provision is considered acceptable, provided further details can be provided in relation to service access as above.
64. Overall the information submitted is acceptable to fully assess the transport implications of the development. As such it would accord with saved policies policy 5.2 (Transport impacts) and 5.6 (Car parking).

Mix of Dwellings

65. Southwark Plan policy requires a mix of dwellings sizes and types to be provided within major new developments in order to cater for a range of housing needs. There is a particular need for family units in the borough and therefore policy requires that the majority of units should have two or more bedrooms and at least 10% three or more bedrooms with direct access to private outdoor amenity space. The number of studio flats should not exceed 5% and at least 10% of the units should be suitable for wheelchair users. Strategic policy 7 (Family homes) of the Core Strategy requires at least 20% of new schemes in the urban density zone, as here, to be of 3 or more bedrooms.
66. The proposed development comprises 13 dwellings consisting of 1 x studio (over two floors) (7.7%), 2 x 1 bed (15.4%), 2 x 2 bed (15.4%), 7 x 3 bed units (53.8%) and 1 x 4 bed unit (7.7%). The proposed mix therefore meets the requirement for the majority of units to have two or more bedrooms (69.2%). The scheme will provide a good proportion of three bedroom (or more) units with a provision of 53.8% family sized units which is well in excess of the minimum 20% requirement of the Core Strategy, which is a positive element of the scheme. Whilst the one studio unit would amount to more than 5% provision, this layout is proposed in order to ensure that the key features of the listed building are maintained. As such, overall the mix of units is appropriate.

Quality of accommodation

67. All of the units located within the main Beltwood House are of a good quality in terms of size with each of the units significantly exceeding the minimum requirements for the overall flat sizes. Generally all of the rooms significantly exceed the minimum size standards. While most of the units would not have direct access to private amenity space, there would be a generous communal amenity space located within the grounds of the site and as such this is considered acceptable.
68. All of the units proposed are dual aspect, although the basement flat would have some limited outlook from the two bedrooms. In the basement flat, all rooms would have vertical windows and given the sensitivity of the heritage asset and the need to have

as little intervention as possible, this is considered reasonable.

69. In terms of each of the buildings located within the grounds of the main Beltwood House, the terraced dwellings would overall exceed the size requirements within the Residential Design Standards SPD, as well as each room also meeting these standards. In terms of the proposed pavilion house, again the overall dwelling and individual room sizes would be met. All of these dwellings would be at least dual aspect and have access to private garden space with low planted edges to the openness of the gardens within the site is retained.
70. The existing gate lodge would also meet the overall unit size with all rooms complying with the required standards. The proposed pavilion house would also meet the overall floorspace and minimum room standards. As such the overall level of accommodation would be acceptable.
71. The proposed new gate lodge would be provided as a wheelchair accessible unit and would exceed the requirements as outlined within the National Housing Standards. The overall size is generous and would be provided with level access and an internal lift. This is considered acceptable.
72. Overall the accommodation of the dwellings proposed is considered to be of a high quality and would accord with the guidance within the Residential Design Standards SPD and Saved Policy 4.2 (Quality of accommodation) of the Southwark Plan 2007.

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

73. The refurbishment and alteration works proposed to the heritage assets are considered in more detail under the associated Listed Building Consent application 17/AP/3071. The impact on the setting of the heritage assets as a consequence of the proposed development within the grounds is discussed below.

External Alterations to Beltwood House

74. A number of external alterations are proposed to the main listed building. These are restricted largely to the servants' wing which is of less architectural significance. On the north side (rear elevation) a new light well will be introduced, with a glazed balustrade. Two existing openings in this location will be increased in size by 300mm and new timber windows installed. The existing store double doors will be replaced with a timber window. A new stepped access down into the basement will also be created on the north side. On the eastern elevation an existing opening will be uncovered and a new timber window installed. Proposed on the north elevation is a new formal entrance to Units 3, 4, 5 and 6 in the form of a stone colonnade. The classical form of the colonnade has been derived from arched features around Beltwood and will replace a series of mis-matched outriggers. The over-riding stone colonnade is steps forward of a series of glazed infills and stone arches, to give order and depth to the facade.
75. At second floor level on the southern side, currently there is an awkward junction between the servants' wing and main house. The servants' wing will be cut back at this level and re-built in line with the existing chimney breast. The existing window will be relocated in the new wall, a blind window re-opened and a new timber window installed. At roof level the only change proposed is the introduction of a rooflight over living area of the second floor apartment. The proposed rooflight would not be visible in the principal view of the building. Conditions have been recommended for the associated Listed Building Consent for material samples and detailed drawings of the colonnade, rooflight, glass balustrade, stepped access and for all new windows and

doors. The impacts of the architectural and historic significance of these external changes are dealt with in more detail under the associated Listed Building Consent application (17/AP/3071).

Gate House

76. The proposal is to extend the gate house with a modest single storey extension expressed in an Arts and Craft style. The proposed extension is considered to be proportionate in scale and will match the existing building in terms of detailed design and materials. Overall, it is considered that due to the design and location, the proposed extension will not result in an incongruous addition, would preserve and enhance the curtilage listed building and not result in significant harm to recognised heritage assets and Dulwich Wood Conservation Area. Given the distance between the gate house and main house, the proposed extension will not harm the appreciation of Beltwood House.

New Gate House

77. The proposed new gate house is located on the south-eastern corner of the site. The two bedroom house will employ high quality materials and detailing. Being modest in scale there will be a similar proportional relationship between the height of the new and existing gate houses. In contrast to the existing Arts and Crafts styled gate house the new dwelling will be contemporary in architectural form. However, the massing with the steep pitch to the roof, window to solid ratio and single storey outrigger to the rear have all been influenced by the existing gate house.

Terraced Houses

78. The refused schemes had proposed a mock Arts and Craft and Victorian language for the new dwellings, which had been considered an inappropriate design response. Whereas the 2016 scheme had sought a facade retention of the stable and worker's cottage and large pastiche extensions and basements, the 2015 refusal was for wholesale demolition of the buildings, as is the case here. In the 2015 appeal decision, the inspector considered that the demolition of these buildings would only be acceptable if the new development sat comfortably in the context of mass, scale, orientation and style of the listed building. The current scheme seeks again to demolish the buildings and replace them with a terrace of three, two storey houses with basements. The footprint for these demolitions has dictated the area covered by the new dwellings. Similarly the height of the new development is comparable to the stables they are to replace. A courtyard area or buffer is retained between the new houses and the servants' wing. This buffer also acts as a break between the new houses and Beltwood in views from Sydenham Hill, thus avoiding a continuous frontage. As with the other proposed houses, the design will be a high quality contemporary build. The terraced houses will have a clear hierarchy of base, middle and top, ensuring comfortable proportions. The base will ground the building at the back edge of the new courtyard. The middle will feature a strong reconstituted stone banding course. The top will also be well articulated with a clear rhythm windows and balconies, broken up by changes in massing, hit and miss brickwork and reconstituted stone detailing in order to terminate the building. The entrances to all three dwellings will be generously proportioned within the facade and clearly legible from the courtyard. The overall mass of the terrace will be broken down by staggering the individual dwellings and planter beds facing onto the courtyard. To the rear the individual gardens are to be demarked by low hedges.

Pavilion House

79. The revised scheme has seen the omission of the 3 storey wooded apartment block

and its replacement with a 3 bedroom 2 storey house with basement, in the same location albeit a reduced footprint. The house has been designed in such a way as to keep the height to a minimum above ground level, with the roof set lower than the ridge of the existing gate house. Once again a contemporary styled masonry building is proposed. The house will have a clear hierarchy, ensuring comfortable proportions. Each floor will feature a clear rhythm of windows and balconies, broken up by changes in massing, and reconstituted stone detailing. The top will be well articulated with a reconstituted limestone banding in order to terminate the building. Overall it is thought that the simplicity of form will contrast and complement the richness of the Arts and Crafts and neo-classical detailing of the listed building.

Materials

80. Across the wider conservation area there is a variety of brick colours and bonds. On the Beltwood Estate, brick is confined to the gate house, the garden end of the servants' wing, stables and worker's cottage. The tone of the gate house is a much brighter yellow stock than the other buildings. A masonry language is proposed for the new buildings, in response to the character of the surrounding area and to complement the heritage assets. This will consist predominantly of brick, with reconstituted stone or timber features. With the proposed terrace of houses a textural handmade brick is proposed, in a Flemish bond to reflect the un-rendered end of the servants' end of Beltwood House.
81. The set-back entrances and first floor terrace will be highlighted in a herringbone bond. The first floor elevation has hit and miss brickwork in front of the timber framed glazing. The roofs of the terraced houses are to have a wildflower living roof. The same materials have been selected for the new pavilion house; with reconstituted limestone that would provide a termination to the walls. With the new gate house the same brick has been chosen, in contrast the fenestration will be PPC aluminium framed units in a dark grey. To add texture to the façade of the new gate house, the brickwork is rusticated to the bottom 900mm and chimney. The roof of the new gate house will be a blue/black slate. The use of reconstituted stone and buff brick have been carried through to the alterations proposed to the main house and the introduction of a new entrance. The single storey extension to the gate house is to match the existing materials: render, slate and timber. In summary, this soft palette of materials is considered an appropriate response to reflect the character of the surrounding area. In order to ensure the quality of the final scheme, material samples and detailed drawings should be secured by condition.

Entrance gates and boundary treatment

82. The existing access onto the Beltwood Estate will be maintained and upgraded. The existing gates will be replaced with reclaimed wrought iron gates and new pillars constructed. The existing brick piers and wall date from the later twentieth century and not considered to be curtilage listed. A new entrance will be created by the proposed gate house, as a secondary entrance to serve just the one dwelling. This new access will be subservient in character to the main entrance. No objection is raised to this approach subject to detailed design. Along the Sydenham Hill boundary a brick wall with metal railings is proposed. This will replace the existing and unauthorised closed board fencing. However, originally a picket fence, which is a characteristic boundary treatment of the wider Dulwich area, ran along this southern edge. Officers would wish to see a return to this historic boundary treatment and a notwithstanding condition is suggested for further details of the proposed replacement fencing and access gates to the new dwelling.
83. The Local Planning Authority is required by section 72(1) of the Planning (Listed

Buildings and Conservation Areas) Act 1990 to pay special regard to the desirability of preserving the character or appearance of the Dulwich Wood Conservation Area. There is a strong presumption against the grant of permission for development that would harm the character and appearance of the conservation area. This is reinforced by both local and national planning policy. In terms of listed buildings and their setting section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 puts a similar duty on Local Planning Authorities.

84. Paragraph 129 of the NPPF requires that Local Planning Authorities take the significance of the heritage asset into consideration when determining applications. Paragraph 131 requires that the LPA also takes 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.
85. Paragraph 132 of the NPPF requires "great weight" to be given to the asset's conservation in decision making. Core Strategy Strategic policy 12 (Design and Conservation) expects development to preserve or enhance the significance of the borough's heritage assets and their settings. Southwark Local Plan policy 3.15 (Conservation of the historic environment) requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Policy 3.16 (Conservation areas) asserts that within conservation areas, development should preserve or enhance the character or appearance of the area.
86. The Historic England guidance document "Historic Environment Good Practice Advice in Planning 3 - The Setting of Heritage Assets - 2017" sets out a methodology for assessing the impact of development within the setting of heritage assets as part of the planning process.

Broadly, the guidance outlines that the extent of setting embraces all of its surroundings from which an asset can be experienced. It also makes clear that settings of heritage assets do not have fixed boundaries, and elements of a setting may have a positive or negative contribution to the significance of the asset.

87. Identification of the heritage assets and their settings which would be affected: Beltwood House, a grade II listed Victorian villa, remodelled in the early twentieth century in a "renaissance" manner with neo-classical detailing. The list description states:

"The three-bay west elevation has a large semi-circular hooded porch with a dentilled cornice, carried on paired Ionic columns with stylised squared volutes (a recurrent motif in the interior). A flight of stone steps leads to an open-pedimented doorcase. To the left of the entrance is a large mullion-and-transom window; the right-hand bay is blind. The upper floor has tripartite bow windows. The south elevation is a symmetrical composition of seven bays arranged 2-3-2; the central pilastered bays break forward under a pediment with an oculus and swagged Adamesque decoration. The ground floor has triple semi-circular arches with keystones and imposts, the outer arches have timber bow windows, the central one a door; each has a leaded patterned fanlight. To either side is a large bow French window with a dentil cornice, lead roof and lead patterned transom lights (the left window reinstated c1993 after fire damage). Upper windows are cross-framed. The frieze is decorated with paterae. The north elevation has a two-bay projection to the left, and irregular fenestration including a Venetian

stair window. The service wing is an irregular, accretive two-storey range built in brick, largely rendered, with hipped roofs. The terrace to the south is enclosed by a stone balustraded wall, the piers embellished with urns"

88. Within the grounds, the gate lodge is a simple Arts and Crafts building which stands at the driveway entrance to the house and is visible from the street. The stables, a simple utilitarian building with some later alterations located adjacent to the house to the east, and the worker's cottage another simple building within the grounds. The buildings sit within mature gardens with some remnants of formal gardens including terraces and tree planting. The setting of the house is considered to be the experience of these buildings within a planned hierarchy, and their location within an extensive mature garden. There are glimpses of the house from the street, and the immediate part of Sydenham Hill is considered to be within the wider setting of the asset. Beltwood was designed and conceived to stand in its own grounds and appreciated from its own landscaped garden setting. Originally there would have been two entrances onto the estate and the existing lodge accentuates the importance of the southern and western elevations of the main house, upon arrival from Sydenham Hill.
89. Immediately outside the grounds the heritage assets in Crescent Wood Road turn their back on Beltwood. Historically there has never been a strong relationship between these buildings and the Beltwood Estate. Beltwood was never intended to be appreciated from Crescent Wood Road and vice versa. All three listed buildings in Crescent Wood Road, including the II* listed Six Pillars address the street frontage. The views between Beltwood and the Crescent Wood heritage assets are of back elevations rather than principal frontages.

How and to what degree these settings make a contribution to the significance of the heritage assets?

90. The significance of the house is positively contributed to by the simple subservient experience of the gate lodge, stables and worker's cottage within the landscape garden setting. The size, character and appearance of these buildings forms part of the experience of the house as a large detached villa of 19th and early twentieth century construction. The landscaped gardens, while overgrown in some parts, also form a positive part of the experience of the asset. Together the cumulative experience of the outbuildings and extensive gardens sitting around the house has remained unchanged since the late 19th and early twentieth century. This setting positively contributes to the significance of the house.
91. The setting is considered to enhance the listed building and it contributes to the significance of the asset. It is considered that the supporting documents have adequately assessed the impact of the new development on the setting of the listed building and whether the proposal accords with both national and local planning policies. An assessment has been provided on the impact on setting proportionate to the significance of the asset and degree to which proposed changes enhance or detract from that significance and ability to appreciate it. Furthermore, this current application is supported by information on views looking towards the house, but also neighbouring heritage assets such as the Grade II* Six Pillars.
92. Officers consider that the setting of Beltwood House extends into Sydenham Hill and it is an integral part of the character and appearance of the Dulwich Wood Conservation Area. Whilst the listed buildings in Crescent Wood Road have been designated for their individual architectural and historic interest, the reasons were not for a perceived spatial relationship with Beltwood or contribution to its setting.
93. Given that the proposed scheme does not meet the requirements of Historic England's guidance in relation to Enabling Development as such, any proposed development

would be required to meet planning policy in relation to assessment of harm of the development on the heritage assets. The harm arising out of the proposed demolition of the worker's cottage and stables and the impact of the terrace of three houses, new gate house and pavilion requires the additional justification set out in the NPPF.

94. The NPPF requires Local Planning Authorities to consider whether a proposal would result in harm to the significance of a heritage asset and to decide whether that harm would be 'substantial' or 'less than substantial'. Paragraphs 133 and 134 of the NPPF also require Local Planning Authorities to weigh any harm against the public benefits of the development proposed, including securing the optimal viable use of the heritage asset. The harm to the Beltwood and the gate house in terms of the proposed internal works and external alterations are discussed in detail under the associated Listed Building Consent application (17/AP/3071). The demolition of the stables and worker's cottage, considered not to be of significance themselves, will give rise to less than substantial harm within the meaning of paragraph 134 of the NPPF.
95. Officers acknowledge that the proposed development within the grounds will have an impact on the setting of Beltwood and character and appearance of the wider Dulwich Wood Conservation Area. Officers concur with the applicant's analysis of significance in that the most important and sensitive area within the setting of Beltwood lies between the gate house and the south and west elevations. The proposal under consideration here seeks to preserve these views by the quality of the design, scale of the development and landscape strategy. With regard to the proposed new gate house, given its location and distance from Beltwood, it is considered that the new dwelling will have no more of an impact on the setting of the house or wider conservation area than the existing building to the east (No. 75 Sydenham Hill). The pavilion house to the west of Beltwood will have little impact on the setting of the heritage assets located on Crescent Wood Road due to the distance to these properties and the scale of this building being modest. While there will be some impact on views from the south west towards the main house, given the scale of the proposed dwelling and landscape strategy to provide a comprehensive planting programme, the harm is considered less than substantial. The terrace of three houses to the north east will have no impact on the setting of the listed buildings on Crescent Wood Road. However, there will be an impact on the setting of the main house from views from the west and south, but this is considered to be comparable to the impact of existing structures. Again, this harm is considered to be less than substantial.
96. The primary heritage benefit of the application under consideration here is the repair and renovation of Beltwood and the gate house, thereby preserving its physical fabric and the most important parts of the internal floor plans and external appearance. Unlike the previous refusals, this current application has been supported with detailed documents setting out the extensive works required to the heritage assets and how the buildings will be sensitively restored and converted into flats in the case of the main house.
97. The applicant has demonstrated that the proposal represents a viable and deliverable scheme, one which will secure the future of Beltwood and seek its removal from the Heritage at Risk Register. Furthermore, officers are satisfied that the proposal would involve the least level of development that would be commercially deliverable and would deliver the optimum viable use for Beltwood House and its surrounding grounds. The proposal would lead to less than substantial harm to the significance of Beltwood House, and the public benefits of the proposal, would outweigh the harm to the setting of the listed building.
98. Overall, the level of development and its siting within the grounds of the listed building would result in less than substantial harm on the setting of the listed building. Any harm perceived will be outweighed by the wider benefits of the scheme and therefore

in accordance with saved policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation areas), 3.17 (Listed buildings) and 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007, policy SP12 (Design and Conservation) of the Core Strategy 2011, policy 7.8 (Heritage assets and archaeology) and 7.9 (Heritage led regeneration) of the London Plan 2016 and 'Conserving the Built Environment' within the National Planning Policy Framework 2012.

Impact on trees

99. The entire site is covered by a Tree Preservation Order (TPO no. 98) with the schedule referring to 'mixed hardwoods consisting mainly of beech, holly, oak, lime, maple, cedars, mulberry, cupressus, yew and willow'.
100. The applicant has provided an Arboricultural Impact Assessment and this notes that a number of trees are proposed to be removed: within the wooded area, adjacent to the former tennis court, to the north of the site, and towards the eastern end of the site.
101. The woodland character of the rear garden is a significant contributor to the setting of the conservation area and listed building. The applicants have worked closely with the Councils Urban Forester and the London Wildlife Trust in order to ensure that any tree loss is minimised and that all tree replacement would be of suitable species and size in order to ensure that the wooded character can be reinstated and maintained for future generations.
102. Following revisions to the proposed development during the application, sufficient details within the tree survey and proposed tree planting programme have now been provided identifying the number and location of trees to be removed, together with mitigation for any losses.
103. The total number of trees proposed to be removed under this application is 24 - all U category trees. This classification is used for trees that have short life expectancy have little amenity benefit or are diseased. It is good practice for these trees to be removed and replaced with healthy specimens, and as such the principle of their loss is accepted. In addition to these trees, a number of other trees were removed without authorisation. Tree Plan ref: 006 Rev C outlines the overall planting programme which indicates that 82 trees are proposed to be replanted to mitigate both the unauthorised and proposed removals.



104. Details of tree protection will be secured by way of legal agreement to ensure that the trees to be retained would not be damaged.
105. Overall, previous comments regarding excessive intrusion and harm to the woodland character have subsequently been overcome following detailed negotiations to provide a reduced sized building within the wooded area, as well as suitable replanting programme and reduction in tree loss. As part of the legal agreement, officers propose to secure the replanting programme as well as management plan that would help ensure the reinstatement of the historic woodland and provide an improved canopy cover throughout the site which is welcomed.

Landscaping

106. A landscaping strategy has been developed which incorporates the above mentioned planting programme and additional landscaping measures, including the addition of formal planting, ecological enhancement through fallen log piles and a pond as well as new paving and permeable greenscrete to the parking and turning areas. The broad principles of this landscape strategy are acceptable, however a condition is proposed to gain further details of the proposed materials to be used within the final landscaping plan.

Planning obligations and viability (S.106 undertaking or agreement)

107. The proposal constitutes a form of development for which planning obligations are applicable in accordance with London Plan policies and Southwark Plan 2007 Policy 2.5 (Planning Obligations). These policies indicate the need for developments to contribute to social infrastructure commensurate with the level of development. The Councils S106 and CIL SPD outlines the requirements for planning obligations on major applications. The Core Strategy details a requirement of 35% of all new dwellings to be as affordable housing.
108. The applicant has submitted a development Viability Appraisal to report upon the financial implications of the proposal. The appraisal does not include any affordable housing and this has been rigorously analysed by the Council's surveyor.
109. Previous applications submitted at Beltwood House have not provided an adequate assessment of viability and the provision of affordable housing. The previous submission made a case for enabling development as which Historic England outline is for development that would usually be considered harmful but is considered acceptable because the resulting benefits outweighing the harm.
110. The applicant discussed with Historic England whether the proposal would meet the Enabling Development guidance. The problem which enabling development typically seeks to address occurs when the cost of maintenance, major repair or conversion to the optimum viable use of a building is greater than its resulting value to its owner or in the property market. This means that a subsidy to cover the difference – the 'conservation deficit' – is necessary to secure its future. Following a conservation deficit assessment, Historic England advised the applicants that in this instance, there was no conservation deficit and as such the requirements for Enabling Development were not met.
111. To support the applicant's contention that the proposal is the minimum amount of development required to restore and secure the future of Beltwood House, the applicants have submitted a viability appraisal and associated documents which looked at various schemes and their deliverability, one of which was the use of Beltwood House as one dwelling. The evidence has been assessed by the Council's

Surveyor who has confirmed that the current scheme represents the least development that would be commercially deliverable. Any less development than that proposed would result in a scheme that would not be viable, calling into question whether it would in fact be delivered. As noted above, officers are now satisfied that the level of development proposed is acceptable and it would not result in substantial harm to the Beltwood House and the wider setting.

112. As part of the viability assessment, an appraisal has been provided that looks at whether the development could viably provide affordable housing within the site. The appraisal noted that the current scheme in order to be commercially viable could not provide any affordable housing. Based on the other significant public benefits that the scheme brings, including the full refurbishment of the building at risk, the improved woodland, as well as new market housing provided, officers are satisfied that in this instance it is not deliverable to provide affordable housing for this scheme.
113. In terms of other contributions, the viability appraisal takes full account of the Mayoral and Southwark CIL liabilities as well as providing other contributions where required. In this instance, the other required contributions are as follows:
- Carbon offset - £1,800 x 10.31 Tonnes - £18,558 (27.73% saving).
 - Child play space - £6,251.40

The Council's Highways team have also requested the following details as part of a section 278 agreement:

S278 agreement to complete the following works:

- Construct new vehicle access for New Gate House to current SSDM standards.
 - Reconstruct existing vehicle access at the main site entrance to current SSDM standards.
 - Repair any damages to the highway within the vicinity of the development resulting from.
114. A legal agreement will be provided that will take into account of these contributions. It is also proposed that a phasing programme for the site is included within the legal agreement in order to ensure that the works to Beltwood House are completed before development in the wider grounds being occupied. This will ensure that the works to the main house are prioritised and brought forward at the earliest opportunity.
115. Finally, as noted above, it is proposed that the tree replacement programme and a woodland management plan are also included within the agreement so that the unauthorised and proposed tree losses mitigated at the earliest opportunity.
116. In the event that an acceptable legal agreement is not completed by 30 May 2018, the director of planning shall be authorised to refuse the application for the following reason:
- The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate mitigation 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 2016 and the S106 and Community Infrastructure Levy SPD 2015.

Sustainable development implications

117. The applicant has provided an energy statement that looks at the level of carbon savings that can be provided within the site. As the application is a major

development, the London Plan requires development to be carbon neutral, however the Councils S106 and CIL SPD outlines that where this is not possible, any shortfall can be offset by way of a financial contribution. In this instance, given the sensitive heritage matters, the applicants have identified that a carbon saving of 27.73% can be achieved. As noted above, this will thus require a contribution of £18,558 to offset the shortfall.

Other matters

Ecology

118. An ecology assessment and addendum rate the site as having negligible potential for bat roosts. To avoid risk the applicant will retain an ecologist on a watching brief during the works which is supported.
119. The report also notes that the proposed landscape plan incorporates native woodland trees and plants which will re-instate native habitats away from formal gardens which would result in a net gain in biodiversity for the grounds and provide an increase in foraging resources for wildlife locally. The Council's Ecology Officer found that the proposal would result in an overall gain in biodiversity and as such raised no objections.
120. The grounds contain mature trees which can provide valuable habitat. The area around the gatehouse has a bat roost close by because of the emergence times recorded in the bat survey. Lighting around this area is to be kept to a minimum in order to ensure that the bats migration routes are not impacted upon. A condition is proposed to require further details of the lighting strategy for this unit.
121. Japanese Knotweed is still present on site however the applicant is continuing to treat it. A condition is proposed requiring details of the long term management or eradication of the knotweed to be submitted for approval.
122. The ecology and bat surveys make a number of recommendations and these are best dealt with through conditions. As such a condition requiring 2 Bat boxes to be installed as well as 2 bird boxes installed on trees and 3 house sparrow boxes installed on the new buildings. Landscaping conditions are also proposed to ensure that further habitat improvements can be made within the site. With these enhancements proposed within the site, as well as the significant level of replanting, would provide a significant ecological enhancement to wildlife within the site which is welcomed.

Archaeology

123. The application site is not within an Archaeological Priority Zone (APZ), but Beltwood House is a Grade II Listed Building, of striking architectural interest with an impressive suite of principal rooms, staircase and many fittings and decorative features. To the north and east of the house are a service wing, mews lodge and stables/garage. The house is surrounded on all sides by a substantial designed garden and is approached via a driveway accessed from Sydenham Hill, at which point there is a gatehouse.
124. In support of this application an archaeological desk based assessment (DBA), by Archaeology Collective and dated August 2017, has been submitted. The desk based assessment conforms to current standards and guidance and is considered acceptable.
125. Officers noted in earlier applications that the Heritage Statement makes reference to an historical assessment of the building and site prepared by Bob Zeepvat, in July 2011, and states that this provides the most definitive assessment of the site's history.

The Heritage Statement also notes that 'a photographic record of the interior of the building is also supplied as part of this application', photographs are supplied but they are not sufficient in detail to record this building and its landscape setting in accordance with current guidance.

126. Appraisal of this planning application using the Greater London Historic Environment Record (GLHER) and information submitted with the application indicates that, in this instance, it can be concluded that the buried archaeological resource would not be compromised by these works, however, there is a requirement for a programme of historic building recording. This can be secured by condition as part of the associated listed building consent application (ref 17/AP/3071).

Basement impact assessment

127. The applicant has provided a BIA which assesses the proposal's impact on surface flow and flooding, groundwater flow and the impact of proposals on structural stability of the existing buildings within the site. The Councils Flood and Drainage team have assessed this and are satisfied with the assessment. The basements proposed occupy a small footprint on the site and as they are distributed across the site they will not interfere with the flow of ground water to any noticeable extent. However, they have requested that a drainage strategy is provided, this is proposed to be secured by way of condition.

Conclusion on planning issues

128. After careful consideration, the harm arising to the heritage assets, the listed Beltwood House itself and the surrounding curtilage listed buildings, through the sub-division and addition of additional dwellings are considered to cause less than substantial harm to the heritage asset of Beltwood House and its setting and as such would not warrant refusal of planning permission. The proposal would provide additional residential accommodation, preserve the significance of the heritage assets and bring this long-term vacant listed building back into beneficial use. There are no significant impacts arising from the development in terms of neighbour amenity. The principle of this development is acceptable as it raises no substantial conflict with planning policy or guidance, the proposal will secure the long term future of the property and this is considered to be sustainable development as set out in the NPPF. As such it is recommended that planning permission is granted subject to conditions and the completion of a satisfactory legal agreement.

Community impact statement

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

Consultations

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

Consultation replies

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

Human rights implications

132. This planning application engages certain human rights under the Human Rights Act 1998 (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.

133. This application has the legitimate aim of providing alterations to a listed building on the buildings at risk register and new dwellings within the grounds. 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/2345-41 Application file: 17/AP/3070 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Alex Cameron, Team Leader	
Version	Final	
Dated	22 February 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		22 February 2018

APPENDIX 1**Consultation undertaken****Site notice date:** 28/09/2017**Press notice date:** 31/08/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 24/08/2017**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

Environment Agency
 Historic England
 London Fire & Emergency Planning Authority
 Metropolitan Police Service (Designing out Crime)
 Natural England - London Region & South East Region
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Flat 4 2 Crescent Wood Road SE26 6RU
 Flat 3 2 Crescent Wood Road SE26 6RU
 18 Crescent Wood Road London SE26 6RU
 22 Crescent Wood Road London SE26 6RU
 20 Crescent Wood Road London SE26 6RU
 Flat 2 2 Crescent Wood Road SE26 6RU
 77 Sydenham Hill London SE26 6TQ
 Living Accommodation 39 Sydenham Hill SE26 6RS
 79 Sydenham Hill London SE26 6TQ
 Flat 1 2 Crescent Wood Road SE26 6RU
 81 Sydenham Hill London SE26 6TQ
 24 Crescent Wood Road London SE26 6RU
 Six Pillars Crescent Wood Road SE26 6RU
 Dulwich Wood House 39 Sydenham Hill SE26 6RS
 75 Sydenham Hill London SE26 6TQ
 4 Crescent Wood Road London SE26 6RU
 6 Crescent Wood Road London SE26 6RU
 4a Crescent Wood Road London SE26 6RU
 26 Crescent Wood Road London SE26 6RU
 40 Crescent Wood Road London SE26 6RU
 44 Crescent Wood Road London SE26 6RU
 42 Crescent Wood Road London SE26 6RU
 Flat 16 High Trees Mansions SE26 6RU
 Flat 15 High Trees Mansions SE26 6RU
 Flat 17 High Trees Mansions SE26 6RU
 Flat 19 High Trees Mansions SE26 6RU
 Flat 18 High Trees Mansions SE26 6RU
 Flat 14 High Trees Mansions SE26 6RU
 Flat 10 High Trees Mansions SE26 6RU

Basement Flat 4 Crescent Wood Road SE26 6RU
 Managers Flat Dulwich Wood House SE26 6RS
 Flat 6 High Trees Mansions SE26 6RU
 Flat 21 High Trees Mansions SE26 6RU
 Flat 20 High Trees Mansions SE26 6RU
 Flat 3 High Trees Mansions SE26 6RU
 Flat 5 High Trees Mansions SE26 6RU
 Flat 4 High Trees Mansions SE26 6RU
 6 Woodsyre, Sydenham Hill SE26 6SS
 7 Canbury Mews, Sydenham Hill, SE26 6TJ
 4 Crescent Wood Road London SE26 6RU
 20 Crescent Wood Road London SE26 6RU
 24 Crescent Wood Road London SE26 6RU
 6 Crescent Wood Road London SE26 6RU
 6 Harrogate Court Sydenham Hill SE26 6TL

30 Crescent Wood Road SE26 6RU

The Old College Gallery Road SE21 7AE

25 Kingsthorpe Road London SE26 4PG
 52 De Frene Road Sydenham SE26 4AG
 39 Sydenham Hill Sydenham SE26 6RS
 39 Sydenham Hill London SE26 6RS
 39 Sydenham Hill The Wood House SE26 6RS
 11a Tintagel Crescent East Dulwich SE22 8HT
 42 Great Brownings London SE21 7hp
 8 Little Brownings London SE23 3XJ

Flat 1 High Trees Mansions SE26 6RU
Flat 11 High Trees Mansions SE26 6RU
Flat 13 High Trees Mansions SE26 6RU
Flat 12 High Trees Mansions SE26 6RU
Flat 2 High Trees Mansions SE26 6RU
Flat 8 High Trees Mansions SE26 6RU
Flat 7 High Trees Mansions SE26 6RU
Flat 9 High Trees Mansions SE26 6RU

7 Longhedge House High Level Drive SE26 6XS
No2 Vigilant Close SE26 6YA
22 Crescent Wood Road London SE266RU
46 Crescent Wood Road Sydenham Hill
12 Shackleton Court Acacia Grove SE21 8RS

39 Homildon House Sydenham Hill SE26 6AH
12 Shackleton Court SE21 8RS

Re-consultation: 18/12/2017

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

None

Statutory and non-statutory organisations

Environment Agency
 Historic England
 London Fire & Emergency Planning Authority
 Metropolitan Police Service (Designing out Crime)
 Natural England - London Region & South East Region
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Email representation
 Email representation
 Flat 14 High Trees Mansions SE26 6RU
 Flat 21 High Trees Mansions SE26 6RU
 No2 Vigilant Close SE26 6YA
 No2 Vigilant Close SE26 6YA
 No2 Vigilant Close SE26 6YA
 11a Tintagel Crescent East Dulwich SE22 8HT
 12 Shackleton Court Acacia Grove SE21 8RS
 12 Shackleton Court SE21 8RS
 18 Crescent Wood Road London SE26 6RU
 20 Crescent Wood Road London SE26 6RU
 22 Crescent Wood Road London SE26 6RU
 22 Crescent Wood Road London SE266RU
 26 Crescent Wood Road London SE26 6RU
 39 Homildon House Sydenham Hill SE26 6AH
 39 Sydenham Hill London SE26 6RS
 39 Sydenham Hill Sydenham SE26 6RS
 39 Sydenham Hill The Wood House SE26 6RS
 4 Crescent Wood Road London SE26 6RU
 4 Crescent Wood Road London SE26 6RU
 4 Crescent Wood Road London SE26 6RU
 4 Crescent Wood Road London SE26 6RU
 4 Crescent Wood Road London SE26 6RU
 42 Great Brownings London Se21 7hp
 52 De Frene Road Sydenham SE26 4AG
 52 De Frene Road Sydenham SE26 4AG
 6 Harrogate Court Sydenham Hill SE26 6TL
 6 Harrogate Court Sydenham Hill SE26 6TL
 7 Longhedge House High Level Drive SE26 6XS
 75 Sydenham Hill London SE26 6TQ
 75 Sydenham Hill London SE26 6TQ
 77 Sydenham Hill London SE26 6TQ
 8 Little Brownings London SE23 3XJ

RECOMMENDATION

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

Applicant	Mr Coram Beltwood Park Place Limited	Reg. Number	17/AP/3070
Application Type	Full Planning Application	Case Number	TP/2345-41
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with 3 No. residential units. Creation of new Gate House and a detached house within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and, ground floor extension.

A comprehensive landscape strategy comprising communal and private spaces and gardens for use by residents. Car parking for 17 cars for residents and visitors.

Provision of new refuse and cycle storage structures. Creation of new vehicular access on to Sydenham Hill from the south-east of the site to serve one new dwelling (new Gate House).

At: BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH

In accordance with application received on 08/08/2017 08:01:10

and Applicant's Drawing Nos. Existing

000 REV A - SITE LOCATION PLAN
 001 REV C - EXISTING SITE PLAN
 010 REV B - EXISTING SOUTH & WEST SITE ELEVATIONS
 011 REV B - EXISTING NORTH & EAST SITE ELEVATIONS
 100 REV C - MAIN HOUSE EXISTING PLANS - BASEMENT
 101 REV C - MAIN HOUSE EXISTING PLANS - GROUND FLOOR
 102 REV C - MAIN HOUSE EXISTING PLANS - FIRST FLOOR
 103 REV C - MAIN HOUSE EXISTING PLANS - SECOND FLOOR
 104 REV C - MAIN HOUSE EXISTING PLANS - ROOF
 120 REV C EXISTING BELTWOOD HOUSE SOUTH ELEVATION
 121 REV C - EXISTING BELTWOOD HOUSE WEST ELEVATIONS
 122 REV C - EXISTING BELTWOOD HOUSE NORTH ELEVATIONS
 123 REV C - EXISTING BELTWOOD HOUSE EAST ELEVATIONS
 200 REV B - EXISTING OUTBUILDINGS PLANS
 201 REV B - EXISTING OUTBUILDINGS ELEVATIONS
 202 REV B - ORIGINAL GATE HOUSE EXISTING

Proposed:

002 REV G - PROPOSED SITE PLAN
 003 REV C - PROPOSED SITE PLAN BASEMENT
 004 REV C - PROPOSED LANDSCAPING NORTH OF BELTWOOD HOUSE
 005 REV D - PROPOSED LANDSCAPE STRATEGY
 006 REV C - PROPOSED TREE REMOVALS AND MITIGATION PLAN
 012 REV B - PROPOSED SOUTH & WEST SITE ELEVATIONS
 013 REV B - PROPOSED NORTH & EAST SITE ELEVATIONS
 020 REV B - PROPOSED MAIN ENTRANCE GATE 11/08/2017
 021 REV A - PROPOSED NEW GATE HOUSE ENTRANCE GATE
 110 REV E - MAIN HOUSE PROPOSED PLANS - BASEMENT
 111 REV E - MAIN HOUSE PROPOSED PLANS - GROUND FLOOR

112 REV E - MAIN HOUSE PROPOSED PLANS - FIRST FLOOR
 113 REV E - MAIN HOUSE PROPOSED PLANS - SECOND FLOOR
 114 REV E MAIN HOUSE PROPOSED PLANS - ROOF
 130 REV B - PROPOSED BELTWOOD HOUSE SOUTH ELEVATIONS
 131 REV B - PROPOSED BELTWOOD HOUSE WEST ELEVATIONS
 132 REV D - PROPOSED BELTWOOD HOUSE NORTH ELEVATION
 133 REV B - PROPOSED BELTWOOD HOUSE EAST ELEVATIONS
 140 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G.01
 141 REV B - EXISTING & PROPOSED FLOOR AND REFELCTED CEILING PLANS ROOM G.01
 142 REV C - EXISTING & PROPOSED INTERIORS ROOM G02
 143 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G03
 144 REV B - EXISTING & PROPOSED FLOOR AND CEILING PLANS ROOM G03
 145 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G04
 146 REV B - EXISTING & PROPOSED FLOOR AND CEILING PLANS ROOM G04
 147 REV B - EXISTING & PROPOSED INTERIORS ROOM G14
 148 REV B - EXISTING & PROPOSED INTERIORS ROOMS 1.15 & 1.16
 203 REV A - ORIGINAL GATE HOUSE PROPOSED
 205 REV B - PROPOSED NEW GATE HOUSE PLANS
 206 REV B - PROPOSED NEW GATE HOUSE ELEVATIONS
 207 REV C - TERRACE HOUSES PROPOSED BASEMENT PLAN
 208 REV B - TERRACE HOUSES PROPOSED GROUND FLOOR PLAN
 209 REV B - TERRACE HOUSES PROPOSED FIRST FLOOR PLAN
 210 REV B - TERRACE HOUSES PROPOSED ROOF PLAN
 211 TERRACE HOUSES WEST & SOUTH ELEVATIONS
 212 TERRACE HOUSES NORTH & EAST ELEVATIONS
 213 REV B - PAVILION HOUSE: PROPOSED BASEMENT PLAN
 214 REV B - PAVILION HOUSE: PROPOSED GF PLAN
 215 REV B - PAVILION HOUSE: PROPOSED 1F PLAN
 216 REV B - PAVILION HOUSE: PROPOSED ROOF PLAN
 217 REV C - PAVILION HOUSE: PROPOSED ELEVATIONS
 250 REV B - PROPOSED MAIN CYCLE STORE & REFUSE (STORE F)
 251 REV B - PROPOSED REFUSE & CYCLE STORES A - E

Documents

Archaeology assessment (including addendum)
 Daylight/Sunlight assessment (including addendum)
 Design and access statement (including addendum)
 Basement Impact Assessment (including addendum)
 Structural Condition Survey
 Outline Schedule of works
 Energy statement (including addendum)
 Heritage statement
 Nature conservation/ecology assessment (including addendum)
 Planning Statement
 Transport statement (including addendum)
 Tree survey and assessment
 Tree survey and assessment - Tree Removal List
 Viability Report
 Verified Views document (Not including the removed 'Wooded Flats')

Subject to the following twenty-four 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:

002 REV G - PROPOSED SITE PLAN
 003 REV C - PROPOSED SITE PLAN BASEMENT
 004 REV C - PROPOSED LANDSCAPING NORTH OF BELTWOOD HOUSE
 005 REV D - PROPOSED LANDSCAPE STRATEGY

006 REV C - PROPOSED TREE REMOVALS AND MITIGATION PLAN
 012 REV B - PROPOSED SOUTH & WEST SITE ELEVATIONS
 013 REV B - PROPOSED NORTH & EAST SITE ELEVATIONS
 020 REV B - PROPOSED MAIN ENTRANCE GATE 11/08/2017
 021 REV A - PROPOSED NEW GATE HOUSE ENTRANCE GATE
 110 REV E - MAIN HOUSE PROPOSED PLANS - BASEMENT
 111 REV E - MAIN HOUSE PROPOSED PLANS - GROUND FLOOR
 112 REV E - MAIN HOUSE PROPOSED PLANS - FIRST FLOOR
 113 REV E - MAIN HOUSE PROPOSED PLANS - SECOND FLOOR
 114 REV E MAIN HOUSE PROPOSED PLANS - ROOF
 130 REV B - PROPOSED BELTWOOD HOUSE SOUTH ELEVATIONS
 131 REV B - PROPOSED BELTWOOD HOUSE WEST ELEVATIONS
 132 REV D - PROPOSED BELTWOOD HOUSE NORTH ELEVATION
 133 REV B - PROPOSED BELTWOOD HOUSE EAST ELEVATIONS
 140 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G.01
 141 REV B - EXISTING & PROPOSED FLOOR AND REFELCTED CEILING PLANS ROOM G.01
 142 REV C - EXISTING & PROPOSED INTERIORS ROOM G02
 143 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G03
 144 REV B - EXISTING & PROPOSED FLOOR AND CEILING PLANS ROOM G03
 145 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G04
 146 REV B - EXISTING & PROPOSED FLOOR AND CEILING PLANS ROOM G04
 147 REV B - EXISTING & PROPOSED INTERIORS ROOM G14
 148 REV B - EXISTING & PROPOSED INTERIORS ROOMS 1.15 & 1.16
 203 REV A - ORIGINAL GATE HOUSE PROPOSED
 205 REV B - PROPOSED NEW GATE HOUSE PLANS
 206 REV B - PROPOSED NEW GATE HOUSE ELEVATIONS
 207 REV C - TERRACE HOUSES PROPOSED BASEMENT PLAN
 208 REV B - TERRACE HOUSES PROPOSED GROUND FLOOR PLAN
 209 REV B - TERRACE HOUSES PROPOSED FIRST FLOOR PLAN
 210 REV B - TERRACE HOUSES PROPOSED ROOF PLAN
 211 TERRACE HOUSES WEST & SOUTH ELEVATIONS
 212 TERRACE HOUSES NORTH & EAST ELEVATIONS
 213 REV B - PAVILION HOUSE: PROPOSED BASEMENT PLAN
 214 REV B - PAVILION HOUSE: PROPOSED GF PLAN
 215 REV B - PAVILION HOUSE: PROPOSED 1F PLAN
 216 REV B - PAVILION HOUSE: PROPOSED ROOF PLAN
 217 REV C - PAVILION HOUSE: PROPOSED ELEVATIONS
 250 REV B - PROPOSED MAIN CYCLE STORE & REFUSE (STORE F)
 251 REV B - PROPOSED REFUSE & CYCLE STORES A - E

Reason:

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

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

- 3 Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 4 a) Prior to the commencement of 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. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The 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 would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
- d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

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

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

No less than 2 Bat boxes, 2 bird boxes installed on trees and 3 house sparrow boxes installed on buildings shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes/bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

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

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

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 6 Prior to the commencement of development a drainage strategy detailing any on and or off site drainage works shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public systems until drainage works referred to in the strategy have been completed and the development shall not be carried out otherwise than in accordance with any such approval given. The Drainage Strategy should incorporate the use and principals of Sustainable Drainage Systems, and aiming for greenfield runoff rates for all critical storms up to and including the 100 year Return Period (PR) plus the NPPF upper end estimation for climate change which is currently 40%.

Reason

The development may lead to sewage flooding and to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance

with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 3.9 Water of the Southwark Plan 2007.

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

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

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

Reason

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

- 8 Detailed drawings sections and elevations (scale 1:5/ 10) for all fenestration to the new build elements (to include details of the reveals) external doors, balustrading, parapets, timber screens shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the adjoining listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.17 Listed Buildings; 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan 2007.

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

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

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is

later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

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

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

Reason:

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

- 11 Before any above grade work hereby authorised begins, a detailed method statement for the removal or long-term management /eradication of Japanese Knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of (plant name) during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reasons:

Japanese Knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

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

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

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

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

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

- 13 Notwithstanding details indicated on drawing nos. 020 Rev B and 021 Rev A, before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries (including internal garden separation, boundary treatment to Sydenham Hill and access to the New Gate House) shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

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

- 14 The completed schedule of site supervision and monitoring of the arboricultural protection measures shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason

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

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.

- 15 Before the first occupation of the development the car parking shown on the drawings hereby approved, or approved subsequently in accordance with any condition of this permission, shall be made available, and retained for the purposes of car parking for vehicles of residents of the development and no trade or business shall be carried out thereon.

Reason

To ensure the permanent retention of the parking areas, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, Policy 5.2 Transport Impacts and 5.6 Car Parking of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

- 16 The proposed dwellings shall 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

Terraced Houses and pavilion house

M4(2)

M4(3a)

Proposed Gate Lodge

M4(3b)

Reason

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

- 17 Before the first occupation of the residential unit/s in this development hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced Drawings no. 002 rev G, 205 rev B, 214 rev B 208 rev B, 250 rev B and 251 rev B shall be provided and made available for use by the occupiers of the residential units and the facilities provided shall thereafter be retained for waste storage and shall not be used for any other purpose.

Reason

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

- 18 Before the first occupation of the building/extension the cycle storage facilities as shown on drawings 002 rev G, 205 rev B, 214 rev B 208 rev B, 250 rev B and 251 rev B, shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

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

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

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

Living rooms - 30dB LAeq, T **

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

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

Reason

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

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

Reason

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

- 21 Notwithstanding the provisions of Schedule 2, Part 1, classes A,B,C,D,E,F,G and H of the Town and Country Planning General Permitted Development Order 2015 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellings hereby approved without planning permission.

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 22 The windows on the north elevation of the terraced building shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 6 Crescent Wood Road from undue overlooking 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.

- 23 The roof of the terraced houses and pavilion house hereby permitted shall not be used other than as a means of escape or for maintenance and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason

In order that the privacy of the surrounding residents may be protected from overlooking from use of the roof area 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.

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

- 24 Details of the external lighting [including design, power and position of luminaries] of external areas surrounding the Gate Lodge building shall be submitted to and approved by the Local Planning Authority in writing before any such lighting 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 biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan (2007) and Strategic Policy 11 of the Southwark Core strategy (2011).

Statement of positive and proactive action in dealing with the application

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

The applicant was advised of amendments needed to make the proposed development acceptable. Although the applicant submitted some amendments to the scheme they were not considered sufficient to make the proposal acceptable.

Informatives

Out of Hours Site Works S61 CoPA'74 - informative

All developers and contractors working on this development are given notice that standard site hours are:

Monday to Friday - 08.00 - 18.00hrs

Saturday - 09.00 - 14.00hrs

Sundays & Bank Hols - no works

Any programmed/expected work required outside the standard site hours will require permission from Southwark's Environmental Protection Team under S61 of the Control of Pollution Act 1974 (e.g. regular extensions for set-up and clean down periods, extended concrete pours, the delivery and collection of abnormal loads, etc.). An application form can be found on the Southwark website - the link is:-

<http://southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>

Follow the instructions on the web page to the form, complete it and submit it on-line. Forms need to be submitted a minimum of 28 working days before permission is needed to be in place for regular extended site hours and 5 working days before permission is needed to be in place for a short, temporary extension to site hours.

Emergency/Unanticipated Out-of-hours Works - informative

Should a site manager require an un-foreseen emergency extension of site hours (for emergency engineering or health & safety reasons) they will require express permission from Southwark's Noise & Nuisance Team who can be contacted 24/7 via a call centre on 0207 525 5777. An officer will call back to address the issue verbally as soon as they are available.

Emergency/Unanticipated Out-of-hours Works - informative

Should a site manager require an un-foreseen emergency extension of site hours (for emergency engineering or health & safety reasons) they will require express permission from Southwark's Noise & Nuisance Team who can be contacted 24/7 via a call centre on 0207 525 5777. An officer will call back to address the issue verbally as soon as they are available.

Asbestos - Informative

A pre-demolition Asbestos Survey must be carried out before any demolition or refurbishment commences. The developer must have evidence that the building was built post 2000 or undertake an intrusive asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future

occupiers. The scheme should identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use.
NB it should be noted that a management survey report is unlikely to meet the requirements of the Guidance

Construction Environmental Management Plan (CEMP) NRMM regs & environmental pollutant limits - informative

All construction sites should have a Construction Environmental Management Plan. It details good construction practice for a specific site. Guidance on preparing CEMPs, current best construction practice the NRMM regulations and acceptable environmental pollutant limits can be found at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>

Agenda Item 9.2



Agenda item 9.2 - BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH



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22-Feb-2018

Scale = 1 : 1250

Item No. 9.2	Classification: Open	Date: 6 March 2018	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 17/AP/3071 for: Listed Building Consent Address: BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH Proposal: Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with 3 No. residential units. Creation of new Gate House and a detached house within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and, ground floor extension.		
Ward(s) or groups affected:	College		
From:	Director of Planning		
Application Start Date 31/08/2017		Application Expiry Date 26/10/2017	
Earliest Decision Date 07/10/2017			

RECOMMENDATION

1. a. That listed building consent be granted, subject to legal agreement.
- b. In the event that a satisfactory legal agreement is not concluded by 30 May 2018, listed building consent be refused.

Site location and description

2. The application site is Beltwood House, 41 Sydenham Hill, a large Grade II listed house set in the middle of 1.2 hectares of garden grounds with an outlying stables/garage and workers cottage and gate house (lodge). Beltwood House was statutorily listed Grade II in May 1995. It is Victorian villa, remodelled in the early twentieth century in a "renaissance" manner with neo-classical detailing.
3. Beltwood House is one of the oldest houses in the area, constructed in 1851 for Edward Saxton. It was originally surrounded by woodland and formed part of the Great North Wood. The surroundings became further developed with the arrival of the railway during the 1860s. The house was remodelled in the early twentieth century. The grounds in which the house sits are mature and compromise a gate house, stable block and worker's cottage. The gate house is a modest Arts and Crafts building which stands at the driveway entrance to the house and is visible from the street. The stables, a simple utilitarian building with some later alterations located adjacent to the house to the east, and the worker's cottage another simple building within the grounds. These buildings are part of the historic estate of Beltwood and are also

located within the conservation area. While the estate buildings individually are not considered exceptional enough to warrant listing individually, their cumulative significance, together with the large mature gardens forms a positive part of one of the oldest estates within the Dulwich Wood Conservation Area. The historic form of landscaping is still visible within the site. Originally built as a residence, from historical maps, the house appears to have been a YMCA (1960-70) and the Sydenham Hill Invalid Babies Hospital before that. The house is currently vacant. Despite several changes in use the plan form of the building has been little altered since early twentieth century re-modelling.

4. Access to the site is by way of a driveway in the western corner of the site off Sydenham Hill. Double gates set back from the back edge of the pavement enclose a driveway which sweeps past the single storey Gate House at the entrance to the site to the main house which is situated in the middle of the site. On the northern boundary of Beltwood House are three listed buildings: Six Pillars and nos. 2 and 4 Crescent Wood House. Six Pillars is listed Grade II* with the other two buildings designated Grade II.
5. The main house is surrounded by lawns and woodland. To the side (south) and rear (west) of the house are landscaped lawns and to the north is a wooded area which includes a tennis court. There is dense tree coverage on the western side of the site and along the site boundaries and a Tree Preservation Order No. 98 (1985) covers all of the grounds. The site is located on the southern edge of the Dulwich Wood Conservation Area within the London Borough of Southwark. The Dulwich Wood Conservation Area is the largest conservation area in Southwark and was designated on 30 September 1985. Buildings within the Dulwich Wood Conservation Area tend to be around the perimeters of a central large open space, including some good quality Victorian dwellings set within substantial grounds. The large areas of open space and generous garden grounds within the conservation area are an important factor which has created its sense of place and character.
6. Historic England has placed Beltwood House on their Heritage Risk Register, due to being vacant and in a deteriorating condition. Whilst permission was granted in 1999 and renewed in 2004, this was for conversion of the main house into 3 town houses and development within the grounds. The decision pre-dates more recent national and local planning policy changes, for example the requirement to assess the impact of a proposal on the significance of the listed building. The significance being the value of the Beltwood Estate to this and future generations because of the heritage interest of the constituent parts, physical presence but also its setting.

Details of proposal

7. Extensive restoration of Beltwood House (a Grade II listed building) and refurbishment and alterations to enable a change of use of the house from a Class C2 residential institution to provide seven apartments. External works to the house comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with three No. residential units. Associated works include the creation of new gate house and a detached house within the site curtilage. Alterations including underpinning of the existing gate house (curtilage listed building) and, ground floor extension. The associated planning application LBS Reg: 17/AP/3070 is being considered separately.

Condition of heritage assets

8. A detailed structural condition survey by a conservation accredited engineer and a

specialist timber and damp survey of the heritage assets on the site, have been provided in support of the application. The documents set out the package of structural and conservation work required to these buildings. The recommendations made within these reports for the main house and gate house have informed the outline schedule of works provided in support of the application. The intention is to retain and sensitively repair as much of the historic fabric to the main and gate houses as possible.

9. The structural condition survey identifies the key defects with the main house, which include the following:
 - Structural cracking throughout the property, thought to be recent in origin. The majority of cracking has manifested along the south elevation is due to foundation movement caused by tree root shrinkage. At basement level there is evidence of movement (presence of inverted arches) which occurred at the time of re-construction of the house. Leaking drainage and fluctuating ground water levels have exasperated the movement.
 - Damp ingress which has led over time to timber decay of floors, joists and embedded timbers. The reasons for this include: defective roof coverings, flashings, rainwater goods and internal plumbing.
 - Timber decay particular to the south elevation due to inadequate level change between internal/ external ground levels and fall on paved surfaces.
 - Evidence of wood worm in the basement.
 - Evidence of rising damp at basement level and ground floor.
10. The structural condition survey identifies the key defects with the gate house, which include the following:
 - Structural cracking and subsidence throughout the property due to long-term ground movement caused by tree root shrinkage.
 - Defective surface water rainwater goods.
11. The structural condition survey identifies the key defects with the stables and worker's cottage, which include the following:
 - The worker's cottage and stables are suffering from damp ingress in several rooms, with evidence of active wet rot infestation and mould growth. This is due defective roof coverings, flashings and rainwater goods.
 - Evidence of rising damp.
 - Significant structural cracking identified throughout due to localised foundation movement. A significant lean to the chimney of the cottage has been noted. Other structures such as the canopy and store to the rear are in a dilapidated condition.

Conversion of Main House

12. During the application the scheme has been amended (refer to paragraph 25) and now proposes the conversion of the main house into seven apartments. The principal part of the house will be subdivided into four flats, one on each floor, with the former servants' wing converted into three further residential units. Amenity issues, unit sizes

and the proposed residential mix are discussed in more detail under the associated planning application. The approach to the conversion of the house has been influenced by previous planning refusals and the 2015 inspector's decision as well as the specialist condition surveys prepared following the refusal in 2016.

13. At basement level the proposal seeks to retain a significant part of the historic plan form and fabric, to create a communal gym and two bedroom flat. As identified above extensive works are required at this level to stabilise the building structurally. In comparison to the previously refused schemes, where wholesale demolition was proposed, main structural walls will largely be retained with only localised underpinning. In the basement evidence of an earlier historic house, discovered during the course of this application, is preserved and incorporated into the current proposal. Where complete retention of walls is not possible new openings will be created with wall nibs retained, so that the plan form remains legible. A redundant secondary staircase from ground floor level will be removed. On the north side (rear elevation) a new light well will be introduced, with a glazed balustrade. In the 2015 inspector's decision, the Planning Inspectorate had advised that a modestly sized light well in this location would not harm the significance of the listed building. Two existing openings in this location will be increased in size by 300mm and new timber windows installed. The existing store double doors will be replaced with a timber window. A new stepped access down into the basement will also be created on the north side. On the eastern elevation an existing opening will be uncovered and a new timber window installed. Conditions have been suggested for detailed drawings of the glass balustrade, stepped access and for all new windows and doors. Internally at basement level, other works include the installation of a damp proofing system and a condition has been suggested for the provision of further details.
14. The ground floor of the main house is the most architecturally significant. The application seeks to preserve as much of the historic fabric and plan form as possible. The historic fabric will be restored as part of the works at this level. Whilst the principles of repair have been provided, conditions have been suggested for further details of the specialists who will be undertaking these works and their proposed methodology. This is to ensure that, for example, as much of the parquet flooring is preserved as possible. A condition has also been suggested for details of the proposed protection measures for important features, such as the fireplaces, during the construction works. Other works proposed at ground floor level include structural repairs to the porch and a condition has been suggested for further details. During the course of the application the scheme has been amended to increase the number of units in the main part of the house to two. This has led to a re-ordering of the proposed accommodation at ground floor to create a communal entrance hall for the ground and first floor flats. The redundant openings into the principal room at the front and into the servants' wing will be fixed shut. A new jib door in the panelling will connect the front rooms. Detailed drawings of the fixing shut of doors, the jib door and proposed glazed screen have been provided in support of the application. The new reversible glazed and bronze screen is required to meet the fire regulations.
15. At first floor level, as with the ground floor the architecturally significant parts of the main house remain largely unaltered and restored. The exception being the creation of two new openings from the corridor into the front bedroom. This is due to the retention of the secondary servants' staircase up to second floor level. The existing redundant openings around the secondary staircase will be fixed shut. The differences in level between the main part of the house and the servants' wing have dictated the internal arrangement of the flats at this level. This has led to the rear bedroom (1.14) of the servants' wing becoming isolated and cannot be connected to any of the other rooms at this level. A new spiral staircase will be inserted into this room to link the room to the remainder of the duplex flat at ground floor level. The introduction of the staircase is the only new penetration through floors and a condition has been suggested for

further details of the structural works required and design of the new stairs. Other works in this part of the building include the refurbishment of the existing bathrooms by the installation of modern suites and removal of modern partitioning. A freestanding kitchen island will be installed to the front room. The kitchen is fully reversible and the services capped if no longer required. It is noted that the unsympathetic modern casement window to the servants' wing is to be retained. However there is an opportunity here with the creation of a new entrance to enhance the listed building by replacing the fenestration with a more sympathetic design. It is therefore suggested that a condition be attached for detailed drawings of a new first floor window.

16. At second floor level the walls, fabric and fittings proposed for removal date from the later twentieth century. The proposal is to install a small number of partitions to create a 3 bedroom flat. The removal of a modern partition will allow the oculus window to regain a central position in the room as originally conceived. Other works at second floor level include the introduction of a kitchen and a family bathroom. Existing service runs from the former toilet cubicles will be utilised for the new kitchen and bathroom.
17. At roof level in addition to the fabric repairs to the roof, dormers and existing roof light the only change proposed is the introduction of a rooflight over living area of the second floor apartment. Vertical outlook through the existing oculus window is limited and the introduction of rooflights into the roofslopes would have a detrimental impact on the character and appearance of the building. Therefore, to increase the level of daylight, a large rooflight in the flat section of roof is proposed. The proposed rooflight should not be visible in principal views of the building. However, to ensure that the up stand is kept to a minimum a condition has been suggested for detailed drawings.

Conversion of servants' wing to main house

18. The proposal is to sub-divide the servants' wing into three residential units, using one room from the main part of the house. The majority of the walls will be retained and redundant openings filled in. However, the existing plan form will remain legible. The proposed works include the demolition of rear entrance steps and outriggers currently housing toilet facilities. Proposed on the north elevation is a new formal entrance to Units 3, 4, 5 and 6 in the form of a stone colonnade. At ground floor level there will be some alteration to the plan with the closing of some existing openings and opening up of others, to facilitate the change. At second floor level on the southern side there is an awkward junction between the servants' wing and the main house. This is proposed to restore the relationship of the extension to the main house. The servants' wing will be cut back at this level and re-built in line with the existing chimney breast. The existing window will be relocated in the new wall and a blind window re-opened and a new timber window installed. The alterations to the servants' wing will enable the creation of a private roof terrace for the occupants of Unit 4. A condition is suggested for details of the new glass balustrade to the roof terrace. Other alterations to the servants' wing at second floor level include the removal of modern partitions to the communal bathrooms and an existing open plan kitchen/ living area.

Mechanical and electrical services

19. Drawn details have been provided of the service routes proposed in the main house. The drawings confirm that flues and pipework will be kept clear of the principal elevations. A mechanical and electrical services strategy has been devised whereby existing service routes will be utilised and new routes run between joists in such a way as not to impact on important historic fabric. At basement level the mechanical in take and extract will be located in the existing basement air raid shelter ventilation shaft. A condition has been suggested on the associated planning application for further details in relation to mechanical in take and extract system proposed at basement level.

Fireproofing and acoustic measures

20. Fireproofing and acoustic separation strategies have been devised for the new residential units. The number of flats and their layouts have been dictated by the requirement to keep fire and acoustic separation to an absolute minimum, whilst ensuring compliance with the regulations. Typical details of the treatment to doors and between floors have been provided in support of the application. The existing panels to the door will be split and an intumescent board inserted in between the panels. Additionally intumescent sealant will be applied to linings, the head and base of the existing doors where fire resistance is required. In between floors the fire resistance and acoustic separation will be provided by the installation of insulation between joists. The existing timber floor will be retained and acoustic flooring placed over. The works will require the trimming back of isolated areas of joinery by 15mm, however new sections of timber could be pieced back in the future should the acoustic separation measures no longer be required.
21. The amended scheme for the main house proposes that the architecturally significant areas on the ground and first floors are to be subdivided into two separate units with a communal entrance. In order to comply with the Fire Regulations a bespoke glazed and bronze screen to separate the new one bed apartment from the main lobby is proposed. Similarly at first floor level, a glazed screen will provide separation between the landing and the new private lobby. Drawn details of the proposed screens and their relationship with the existing fabric has been provided in support of the application.

Stables and worker's cottage

22. The application seeks the demolition of the stables and worker's cottage to the east of the main house. The proposal is to replace these buildings with three contemporary styled terraced houses. The statutory list description makes it clear that these buildings are 'not of special interest'. The 2015 inspector's decision had advised that the demolition of these buildings would only be acceptable if the new development sat comfortably in the context of mass, scale, orientation and style of the listed building. The impact on the setting of the replacement buildings, the viability and deliverability of the overall scheme are discussed under the associated planning application LBS Reg: 17/AP/3070. A pre-commencement building recording condition prior to demolition has also been suggested.

Gate house

23. The existing gate house is a modest two storey Arts and Crafts style building standing at the entrance to the Beltwood Estate. The building is currently in a fair condition but suffering from settlement and cracking of the external wall render. The floor subsidence and wall cracking are the result of ground movement due to nearby trees. The building is also suffering from damp due to defective rainwater goods. The proposal under consideration is to repair the fabric of the building and construct a single storey Arts and Crafts styled extension to the west to accommodate a larger kitchen. The existing small kitchen will be remodelled to create a shower room. The works will involve the relocation of an existing window and removal of the adjacent window in the western elevation in order to create a new opening. In addition to the fabric repairs, part of work to the structure includes the strengthening of the floor slab/ foundations so that the foundations extend below the root activity area. The impact of the proposed extension to the gate house and the wider Dulwich Wood Conservation Area is covered in more detail under the associated planning application (LBS Reg: 17/AP/3070).

Amended scheme

24. During the course of the application the scheme has been amended to introduce an additional flat in the main house, to increase the number of units from six (originally) to seven. The proposed wooded flats has been replaced by a two storey (plus basement) detached dwelling. The viability assessment for the proposed quantum of development on the site and the impact on the setting of the heritage assets is dealt with under the associated planning application (LBS Reg: 17/AP/3070). The amendments to this Listed Building Consent application include:

Ground Floor

- Insertion of a bespoke glazed screen to separate the new one-bed apartment from the main lobby.
- The creation of a secret jib door, to connect front principal rooms at ground floor (G.02 and G03).
- Installation of freestanding kitchen island to room G03 (proposed extract within floor).

First Floor

- Insertion of a bespoke glazed screen to separate the landing from the private lobby.
- Installation of freestanding kitchen island to room 1.03 (proposed extract within floor).

Comparison with previously refused schemes

25. Following the refusal of permission in 2016 an extensive condition survey of the heritage assets on the site was undertaken by a conservation accredited structural engineer. A specialist damp and timber survey of the buildings was also undertaken. The issues identified with the built fabric and the recommendations made have informed the scheme under consideration here. Also additional information has been provided on the viability of the scheme and the wider landscaping proposals, which are considered in detail under the associated planning application.

Stables and worker's cottage

26. The 2013 scheme (13/AP/3342) had sought for the demolition of the stables and worker's cottage to the east of the main house. The inspector considered that the demolition of these buildings would only be acceptable if the new development sat comfortably in the context of the listed building. The 2016 scheme (16/AP/3877) sought to retain the facades to both buildings rather than wholesale demolition. Large single storey pastiche extensions and basement extensions were proposed to both properties. Both the previously refused scheme had adopted a pastiche approach to the new development in the grounds. The current scheme seeks once again to demolish the buildings and replace them with three new contemporary styled terraced houses to the east of the main house.

Gate house

27. The 2013 scheme (13/AP/3342) had sought substantial demolition of the building whilst the subsequent refused scheme (16/AP/3877) proposed a two storey extension, extensive underpinning and basement accommodation. Those works also involved the removal of the historic floor plan and installation of double glazed windows. The current proposal seeks to retain the plan form and windows, repair the building fabric and proposes a modest single storey extension designed in the Arts and Craft style.

main house

28. The 2013 scheme (13/AP/3342) proposed the conversion of the existing house into ten self contained apartments, with the construction of 6 x 5 bedroom three storey houses with 9 lower ground parking spaces. The subsequent refused scheme (16/AP/3877) proposed eight self contained units and works to the basement as per the 2013 scheme. With both applications the conversion of the main house was considered to harm the plan and inadequate supporting documentation was provided in terms of the works required, repairs and the fire/ acoustic measures proposed. With the 2016 scheme it was also considered that the proposed basement car park would also have a harmful impact on the structural integrity of the listed building.

Planning history

29.

	Please refer to the Planning history in the associated planning application LBS Reg: 17/AP/3070 - considered separately
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Planning policy

30. Listed building consent is considered under the terms of the Listed Building and Conservation Areas Act (1991) [the Act] as amended and updated. The main principles of the Act are repeated in the NPPF (2012), and reinforced by the council's policies, and associated guidance documents. The main issue in these cases is the effect of the proposal on the special architectural and historic interest of the listed building.
31. The Act places great weight on the 'special interest' of heritage assets and their settings, and stresses the importance of preserving and enhancing their architectural and historic significance. The NPPF reinforces these principles stressing that heritage assets are irreplaceable and once lost can never be recovered. It requires Local Planning Authorities to avoid harm to heritage assets and to ensure that development conserves and enhances heritage assets and their settings.

National Planning Policy Framework (NPPF)

32. Chapter 12: Conserving and Enhancing the Historic Environment.

The London Plan 2016

33. Policy 7.8: Heritage Assets and Archaeology.

Core Strategy 2011

34. Strategic Policy 12: Design and Conservation

Southwark Plan 2007 (July) - saved policies

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

- 3.15 Conservation of the Historic Environment,
- 3.16 Conservation areas,
- 3.17 Listed Buildings; and
- 3.18 Setting of listed buildings, conservation areas and world heritage sites

Summary of consultation responses

36.	Total number of representations:	25			
	In favour:	11	Against:	15	Neutral: 1
	Petitions in favour:	0	Petitions against:	0	

Issues raised by neighbours and statutory consultees

37. The issues raised by consultees are addressed in the report and raise the following additional planning matters:

Two statutory consultations received from Historic England and The Victorian Society.

Historic England

38. In their letter dated 14 September 2017, in response to the consultation on this Listed Building Consent application they wrote:

Thank you for your letter of 6 September 2017 notifying Historic England of the application for listed building consent relating to the above site. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

39. In response to the associated planning application Historic England wrote, Beltwood House has been partially vacant or underused for a number of years and is an entrant on our Heritage at Risk Register for London. Whilst we welcome the repair and reuse of the house, they have concerns about the proposed development within the grounds entitled the 'Wooded Apartments'. We would urge the Council to consider this harm in relation to the policies set out within the NPPF. Following the revised scheme, which omitted the wooded flats they note that despite the Pavilion House being smaller in dimensions than the Wooded Flats, they still considered the proposals to caused harm to the historic environment.

Victorian Society

40. In relation to this listed building consent application (email dated 10 October 2017) and in particular the conversion of Beltwood into flats and extension and refurbishment of the gate house, The Victorian Society raised no objection subject to detailing being of the highest quality.

41. In relation to the associated planning application (17/AP/3070), The Victorian Society raised no objection to the construction of a new gate house in the south-eastern corner of the site. For The Victorian Society, the two most concerning aspects of the scheme are the proposed new block of four apartments west of Beltwood House and the three residential units proposed directly to the east. The new block west of the house would seriously erode the verdant and heavily wooded character of the site and detract from its sense of being a well-preserved historic suburban estate, which is a defining aspect of the property's special character. It should be omitted from the proposals. While we have previously conceded the principle of demolishing the curtilage-listed buildings to the east of the house, we maintain the view that their

preservation - or the preservation of their more interesting parts - would be preferable. In the event of their being replaced, we stand by our previous advice, which advocated appropriating a scale, form and style that might reflect subservience to the principal listed building, perhaps in the manner of an ancillary estate structure. The terrace idiom adopted, particularly their architectural manner, in addition to the subdivision of the garden plots, would be alien to the special qualities of the site and should, we advise, be reconsidered.

42. Following re-consultation in their response (dated 17 January 2018) The Victorian Society considered that the amendments demonstrated some positive moves in the right direction, particularly the downscaling of the proposed apartment range to a single dwelling on a reduced footprint. However, The Victorian society still objected to the principle of a building in any sizeable form in the western part of the house grounds and also to the terraced form of the eastern range of proposed new houses, which they consider fundamentally inappropriate for their location within the setting of the house. The Victorian Society have not withdrawn their recommendation to refuse the proposal.

Southwark Conservation Area Advisory Group (CAAG)

43. At the meeting on 18 September 2017, the comments made related largely to planning issues and the new development within the grounds, which they considered to be an inappropriate choice of style that would not preserve nor enhance the conservation area. CAAG made no comments on the conversion but felt the arcade to the main house was inappropriate in scale and style.

Neighbour consultee responses:

44. A total of 24 responses have been received with the application including the re-consultation, 11 in support of the application and 13 against. The majority of the issues raised relate to the associated planning application and are a duplicate to those received under LBS Reg: 17/AP/3070. In relation to listed building issues the following comments were made:
- Proposed new development to the south east of Beltwood House has significant negative impact on the setting of Beltwood House.
 - Absence of financial evidence that the three proposed new building developments are essential for Enabling Development of the listed site. No evidence is presented by the Applicant.
 - Inappropriate architectural design of the south east development
 - Concerns about the proposed terrace of properties introducing a large near 3 storey building.
 - The design of the proposed properties seems out of keeping with the main Grade II listed stately home.
 - The number of properties that are to be built within the grounds is excessive and will detract from the setting of Beltwood House.
 - Concerns regarding the demolition of the buildings within the site. ...
 - Negative impact on historical and heritage perspectives, entailing permanent loss of historically-intended visual access along the length of the house's southern perimeter with Sydenham Hill.

- Concerns regarding squeezing the number of flats into the main dwelling.

Re-consultation:

45. Concerns have continued to be raised in relation to the above comments as residents have outlined that the revised scheme does not overcome the concerns raised previously.
- The comments in support of the application raise the following points as positives in relation to the listed building.
 - The site will long overdue bring Beltwood House back into use.
 - It will provide a range of quality homes for different people.
 - The quality of architecture is of a high standard and would not detrimentally impact on the key features of Beltwood House.

How the application addresses these

46. They are addressed in the application as follows:

The Listed Building Consent application under consideration due to the Grade II listing of Beltwood and the nature of the works proposed, is not notifiable to Historic England, However, Historic England in response (dated 20 January 2017) to the associated planning application they advised that they consider that the pavilion house still causes harm but they did not categorically state that they were objecting to the application, nor asked to be consulted again. Historic England go on to say that the application should be determined in accordance with the NPPF and current guidance which allows the Local Planning Authority to balance harm against the public benefits which may be wider than the heritage benefits alone. Similarly The Victorian Society raised no objection to the works which are the subject of this application, but instead the appropriateness of the proposed development, with the exception of the new gate lodge, in terms of scale, location and architectural language. Comments from neighbours were mainly in relation to planning issues and the impact and justification for this quantum of development within the grounds. These comments are considered in more detail under the associated planning application (17/AP/3070). Officers acknowledge that the heritage assets within the site require extensive structural and restoration works due to longstanding building defects and that the proposed development within the grounds will cause some harm to the setting of Beltwood House. However, the current application presents a deliverable scheme which will result in the sensitive restoration of the main house and gate house, as set out below.

Understanding the significance and the proposal

47. Paragraph 129 of the NPPF requires Local Planning Authorities to identify the architectural or historic significance of a designated heritage asset and to record the effect of any proposal on that architectural or historic significance.
48. The architectural or historic significance of any heritage asset includes its internal and external historic features and its setting. In addition to the facades of a Listed Building its features of significance could include its roof, its plan form, decorative internal features like original cornices, skirtings and fireplaces and important structures like floor beams, staircases or chimneys.

49.

In addition to the features described or noted in the Listing Description, are there features of architectural or historic significance that this property currently retains?	Yes
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Details

50. Beltwood House as a substantial remodelled Victorian Villa in what is considered to be in a “Adamesque” manner with largely surviving neo-classical detailing and plan form, is considered to be of high significance. In the review of the site and statutory listing of Beltwood House in 2012, English Heritage re-evaluated the remodelling building, interior fabric and plan form, to be of considerable significance.
51. The Gate Lodge is a modest two bedroom house, with an attic storey in the Arts and Crafts style, which stands at the driveway entrance to the house and is visible from the street. The building is proportionate vernacular building which retains the period detailing and plan form as originally conceived. These are integral to its architectural composition and contribute to its heritage interest. As a pre-1948 curtilage structure, the gate house at the entrance to Beltwood is considered statutorily listed. The building appears to date from the remodelling of the main house in the early twentieth century and is of both historic and architectural significance in itself. Therefore the significance of the building lies with the surviving fabric, plan form and the well proportioned unaltered Arts and Crafts vernacular facades and its group value with the main Beltwood House, worker's cottages and stable block. The buildings sit within mature gardens, with some remnants of formal planning including terraces and tree planting. The setting of the main house is considered to be the experience of these buildings within a planned hierarchy, and there location within an extensive mature garden. It is considered that the Gate Lodge, in its present form, contributes positively to the setting of Beltwood itself.
52. In contrast the existing 1930s stables and nineteenth century cottage are both curtilage listed, however Historic England considered them to be of a lower heritage significance than the main house. The 2015 Inspector's Decision advised in relation to the worker's cottage and stables, that the demolition of these buildings would be acceptable if the new development sat comfortably in the context of mass, scale, orientation and style of the listed building.

Assessment of harm to significance

53. The NPPF requires Local Planning Authorities to consider whether a proposal would result in harm to the significance of a heritage asset and to decide whether that harm would be 'substantial' or 'less than substantial'.
54. Paragraphs 133 and 134 of the NPPF also require Local Planning Authorities to weigh any that harm against the public benefits of the development proposed, including securing the optimal viable use of the heritage asset.
55. Harm can arise from the loss of historic fabric or features of significance as well as impact on the setting of a heritage asset. Whether 'substantial' or 'less than substantial', any harm should be avoided unless it can be justified by what is proposed by the application.

56.

Does the proposal cause harm to the architectural or historic significance of the heritage asset or its setting?	Yes
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Details

57. The previous applications for the conversion of the main house and works to the gate house had been refused in part due to the loss of historic fabric and plan, as well as inadequately detailed supporting documentation. Following the refusal of permission in 2016 the applicant appointed a conservation accredited engineer who undertook a detailed condition survey of the buildings and his recommendations have informed the application under consideration here. The current scheme seeks to retain and repair as much of the plan and historic fabric of the main house and gate house as possible.
58. The specialist condition survey provided in support of the current application demonstrates that there are inherent structural issues with the main house and the curtilage listed structures. The structural movement identified has been on going for many years and is the result of ground conditions and trees around the wider estate. The buildings all require extensive works to their foundations but also the walls to rectify the movement and prevent future issues. The specialist timber/ damp surveys also set out the longstanding issues with the fabric of the buildings, which largely go back prior to the applicants ownership of site. Whilst the applicant has undertaken reactive maintenance it is recognised by all parties that substantial investment and refurbishment works are required to safeguard the future of these heritage assets.
59. The proposed alterations internally to the main house would have some impact on the historic plan form, result in the minimal loss of important original fabric and alteration of important joinery and plasterwork. However, the plan form would remain legible and the works would lead to restoration of the building. Where external alterations to the main house are proposed, these are limited to the servants' wing which is considered to be of lesser significance. Due to the need to retain the plan and important historic fabric in the main part of the house, a separate entrance for those units within the servants' wing is required. The new stone entrance will be located on the northern side, away from the principal elevation and will involve the demolition of two outriggers. These extensions were added to the building at different periods in time and their demolition, or the alterations to provide a separate access to the basement and new lightwell to the rear will not harm the architectural or historic significance of the building. The alterations proposed to the south elevation of the servants' wing will have minimal impact on the appreciation of the main house from Sydenham Hill. The works mainly involve the setting back of the wall of a later first floor extension. This will improve the interface between the bay window of the main house and servant's wing. The existing window will be reused and together with the opening up of a blind window will preserve the character and appearance of the listed building. A condition has been suggested to ensure that the proposed balustrade to the roof terrace will not have a detrimental impact in views of Beltwood from the south. Overall, the servants' wing is considered to be of comparatively lesser architectural and historic interest than the main building and therefore the proposed alterations will not harm the significance of the Beltwood.
60. The previous applications for the gate house had been refused in part due to the size of the proposed basement and rear extensions. The current scheme to extend the gate house with a small, single storey rear extension, is considered to be proportionate in scale and will match the existing building in terms of detailed design and materials. The proposed changes internally will have minimal impact upon the plan form and historic fabric. Subject to approval of details the associated proposed refurbishment works will safeguard the historic fabric and sensitively repair the building. Overall, it is considered that due to the design and location of the proposed extension, the proposal would not result in an incongruous addition and would preserve and enhance the curtilage listed building and not result in significant harm to recognised heritage assets and Dulwich Wood Conservation Area. Given the distance between the gate house and main house, the proposed extension would not harm the

appreciation of in Beltwood easterly views.

61. The design and impact of the proposed development, the introduction of a terrace of three houses, new gate lodge and pavilion house within the grounds of Beltwood and on the setting of this listed building is considered separately in the associated planning application (17/AP/3070). Officers acknowledge that the introduction of this quantum of development within the grounds will have an impact on the setting of the listed building but also the wider Dulwich Wood Conservation Area. However, the beneficial effect of the restoration of Beltwood and the gate house, the bringing of the main listed building back into beneficial use and the planned works to the landscape, will be significant and on balance outweigh the harm.

62. Is there sufficient information to show the public benefits of the proposal or improved usability of the heritage asset?	Yes
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Details

63. The primary heritage objection of the application under consideration here is to repair and renovate Beltwood and the gate house, thereby preserving its physical fabric and the most important parts of the internal floor plans and external appearance. Unlike the previous refusals, this current application has been supported with detailed documents setting out the extensive works required to the heritage assets and how the buildings will be sensitively restored and converted into flats in the case of the main house. The associated planning application (17/AP/3070) considers in more detail the viability and deliverability of the scheme. A development Viability Appraisal to report upon the financial implications of the proposal has been provided in support of the application.
64. Previous applications submitted at Beltwood House have not provided an adequate assessment in terms of viability or the condition of the properties. The applicant's previous submission seemed to make a case for enabling development in order to allow development at Beltwood House in order to make it viable to return the main listed house back into viable use. The applicant explored with Historic England through their pre-application process, prior to the submission of this application, to assess whether the proposals met the Historic England guidance and whether Enabling Development policy could be applied for this site. It was agreed that the proposed development did not meet the requirements of Historic England's guidance and as such, any proposed development would be required to meet planning policy in relation to assessment of harm of the development on the heritage assets.
65. In order to ensure that any scheme within the grounds of Beltwood would result in the minimum amount of development that could viably be delivered within the site, the applicants have submitted a robust viability appraisal and associated documents which looked at various schemes in order to assess the deliverability of these schemes (including assessing the deliverability of converting Beltwood House into a single residence). The evidence has been rigorously tested by the Council's valuers who have confirmed that the current scheme is considered the least level of development that would be commercially deliverable. The viability appraisal has been supported by specialist condition surveys and schedules of works required to repair and bring the buildings back into beneficial use. As noted above, officers are now satisfied that the level of development proposed is acceptable, would sensitively restore, extend and convert the heritage assets. Overall it is considered that the development would lead to less than substantial harm to the Beltwood House and the wider setting.

66. In summary, officers consider that the 'public benefits' of the scheme, the sensitive restoration of the heritage assets and provision of a mix of residential units sufficiently outweighs the harm caused as to warrant refusal of Listed Building Consent.

67.	Do you consider that harm to be 'less than substantial'?	Yes
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Details

68. Whilst there would be some loss of original arrangement by the conversion and harm to the significance of the Grade II listed building, the historic plan form will remain legible and historic fabric restored. It is therefore considered that any perceived harm is less than substantial. Furthermore, the 'public benefits' of the scheme, the proposal will provide additional residential accommodation, preserve the significance of the heritage assets and bring this long-term vacant listed building back into beneficial use, would outweigh the harm as to comply with paragraph 134 of the NPPF.

Conclusion on planning and other issues

69. The NPPF requires local planning authorities to balance the harm against the benefits of the proposed development and to conclude whether the proposed harm is outweighed by the public benefits of the development. The greater the harm the greater the justification necessary.

70.	Is any harm to the heritage asset outweighed by public benefits arising from the proposal including securing an optimal viable use?	Yes
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Details

71. After careful consideration, the harm arising to the heritage assets, the curtilage listed structures, the main listed house itself and the Dulwich Wood Conservation Area, through the sub-division of Beltwood and associated development within the grounds, is not considered to be significant as to warrant refusal of Listed Building Consent. The proposal will provide additional residential accommodation to the borough, preserve the significance of the gate house and main house and bring this long-term vacant listed building back into beneficial use. The principle of this development is acceptable as officers are satisfied that it raises no substantial conflict with planning policy or guidance, the proposal will secure the long term future of the property and this is considered to be sustainable development as set out in the NPPF.

Conclusion

72. The proposal demonstrates that it conforms with the Listed Building and Conservation Areas Act (1991) [the Act] as amended and updated. It complies with current policy to: preserve and enhances the heritage asset and its setting; provide good design; and address issues raised by statutory consultees and should therefore be granted Listed Building Consent.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2345-41 Application file: 17/AP/3071 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 1948 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	Tracy Chapman, Team Leader	
Version	Final	
Dated	6 March 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		22 February 2018

APPENDIX 1**Consultation undertaken****Site notice date:** 07/09/2017**Press notice date:** 14/09/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 07/09/2017**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

Council for British Archaeology
 Historic England
 The Victorian Society

Neighbour and local groups consulted:

Flat 4 2 Crescent Wood Road SE26 6RU
 Flat 3 2 Crescent Wood Road SE26 6RU
 18 Crescent Wood Road London SE26 6RU
 22 Crescent Wood Road London SE26 6RU
 20 Crescent Wood Road London SE26 6RU
 Flat 2 2 Crescent Wood Road SE26 6RU
 77 Sydenham Hill London SE26 6TQ
 Living Accommodation 39 Sydenham Hill SE26 6RS
 79 Sydenham Hill London SE26 6TQ
 Flat 1 2 Crescent Wood Road SE26 6RU
 81 Sydenham Hill London SE26 6TQ
 24 Crescent Wood Road London SE26 6RU
 Six Pillars Crescent Wood Road SE26 6RU
 Dulwich Wood House 39 Sydenham Hill SE26 6RS
 75 Sydenham Hill London SE26 6TQ
 4 Crescent Wood Road London SE26 6RU
 6 Crescent Wood Road London SE26 6RU
 4a Crescent Wood Road London SE26 6RU
 26 Crescent Wood Road London SE26 6RU
 40 Crescent Wood Road London SE26 6RU
 44 Crescent Wood Road London SE26 6RU
 42 Crescent Wood Road London SE26 6RU
 Flat 16 High Trees Mansions SE26 6RU
 Flat 15 High Trees Mansions SE26 6RU
 Flat 17 High Trees Mansions SE26 6RU
 Flat 19 High Trees Mansions SE26 6RU
 Flat 18 High Trees Mansions SE26 6RU
 Flat 14 High Trees Mansions SE26 6RU
 Flat 10 High Trees Mansions SE26 6RU
 Flat 1 High Trees Mansions SE26 6RU
 Flat 11 High Trees Mansions SE26 6RU
 Flat 13 High Trees Mansions SE26 6RU
 Flat 12 High Trees Mansions SE26 6RU
 Flat 2 High Trees Mansions SE26 6RU
 Flat 8 High Trees Mansions SE26 6RU
 Flat 7 High Trees Mansions SE26 6RU

Flat 9 High Trees Mansions SE26 6RU
 Basement Flat 4 Crescent Wood Road SE26 6RU
 Managers Flat Dulwich Wood House SE26 6RS
 Flat 6 High Trees Mansions SE26 6RU
 Flat 21 High Trees Mansions SE26 6RU
 Flat 20 High Trees Mansions SE26 6RU
 Flat 3 High Trees Mansions SE26 6RU
 Flat 5 High Trees Mansions SE26 6RU
 Flat 4 High Trees Mansions SE26 6RU
 6 Woodsyre, Sydenham Hill SE26 6SS
 7 Canbury Mews, Sydenham Hill, SE26 6TJ
 4 Crescent Wood Road London SE26 6RU
 20 Crescent Wood Road London SE26 6RU
 24 Crescent Wood Road London SE26 6RU
 6 Crescent Wood Road London SE26 6RU
 6 Harrogate Court Sydenham Hill SE26 6TL

30 Crescent Wood Road SE26 6RU

The Old College Gallery Road SE21 7AE

25 Kingsthorpe Road London SE26 4PG
 46 Crescent Wood Road Sydenham Hill SE26 6RU
 52 De Frene Road, Sydenham SE26 4AG
 39 Sydenham Hill London SE26 6RS
 39 Sydenham Hill London SE26 6RS
 39 Sydenham Hill The Wood House SE26 6RS
 11a Tintagel Crescent London SE22 8HT
 42 Great Brownings London SE21 7hp
 No2 Vigilant Close SE26 6YA
 129 Sydenham Hill London SE26 6LW
 35 Dulwich Village London SE21 7bn
 35 Dulwich Village London SE21 7bn
 Email
 22 Crescent Wood Road London SE26 6RU
 The Office Marylebone 12 Melcombe Place, NW1 6JJ

Re-consultation: 18/12/2017

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

None

Statutory and non-statutory organisations

Historic England
The Victorian Society

Neighbours and local groups

Email representation

Flat 3 2 Crescent Wood Road SE26 6RU
Flat 3 2 Crescent Wood Road SE26 6RU
No2 Vigilant Close SE26 6YA
No2 Vigilant Close SE26 6YA
No2 Vigilant Close SE26 6YA
11a Tintagel Crescent London SE22 8HT
129 Sydenham Hill London SE26 6LW
18 Crescent Wood Road London SE26 6RU
18 Crescent Wood Road London SE26 6RU
20 Crescent Wood Road London SE26 6RU
20 Crescent Wood Road London SE26 6RU
22 Crescent Wood Road London SE26 6RU
22 Crescent Wood Road London SE26 6RU
22 Crescent Wood Road London SE26 6RU
26 Crescent Wood Road London SE26 6RU
35 Dulwich Village London se217bn
35 Dulwich Village London se217bn
35 Dulwich Village London se217bn
39 Sydenham Hill London SE26 6RS
39 Sydenham Hill London SE26 6RS
39 Sydenham Hill The Wood House SE26 6RS
4 Crescent Wood Road London SE26 6RU
4 Crescent Wood Road London SE26 6RU
4 Crescent Wood Road London SE26 6RU
4 Crescent Wood Road London SE26 6RU
4 Crescent Wood Road London SE26 6RU
4 Crescent Wood Road London SE26 6RU
4 Crescent Wood Road London SE26 6RU
40 Crescent Wood Road London SE26 6RU
42 Great Brownings London Se21 7hp
46 Crescent Wood Road Sydenham Hill SE26 6RU
52 De Frene Road,Sydenham SE26 4AG
52 De Frene Road,Sydenham SE26 4AG
6 Crescent Wood Road London SE26 6RU
6 Harrogate Court Sydenham Hill SE26 6TL
6 Harrogate Court Sydenham Hill SE26 6TL
75 Sydenham Hill London SE26 6TQ
75 Sydenham Hill London SE26 6TQ

RECOMMENDATION

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

Applicant	Mr Coram Beltwood Park Place Limited	Reg. Number	17/AP/3071
Application Type	Listed Building Consent	Case	TP/2345-41
Recommendation	Grant permission	Number	

Draft of Decision Notice

Listed Building CONSENT was given to carry out the following works:

Alterations to enable a change of use of Beltwood House (a Grade II listed building) from a Class C2 residential institution to provide 7 apartments with external works comprising demolition of the service wing outriggers and replacement with a new communal entrance. Demolition of curtilage outbuildings to the east of Beltwood House ('Stables and Worker's cottage') and replacement with 3 No. residential units. Creation of new Gate House and a detached house within the site curtilage. Alterations including underpinning of the existing Gate Lodge (curtilage listed building) and, ground floor extension.

At: BELTWOOD, 41 SYDENHAM HILL, LONDON SE26 6TH

In accordance with application received on 08/08/2017

and Applicant's Drawing Nos. Existing

000 REV A - SITE LOCATION PLAN
 001 REV C - EXISTING SITE PLAN
 010 REV B - EXISTING SOUTH & WEST SITE ELEVATIONS
 011 REV B - EXISTING NORTH & EAST SITE ELEVATIONS
 100 REV C - MAIN HOUSE EXISTING PLANS - BASEMENT
 101 REV C - MAIN HOUSE EXISTING PLANS - GROUND FLOOR
 102 REV C - MAIN HOUSE EXISTING PLANS - FIRST FLOOR
 103 REV C - MAIN HOUSE EXISTING PLANS - SECOND FLOOR
 104 REV C - MAIN HOUSE EXISTING PLANS - ROOF
 120 REV C EXISTING BELTWOOD HOUSE SOUTH ELEVATION
 121 REV C - EXISTING BELTWOOD HOUSE WEST ELEVATIONS
 122 REV C - EXISTING BELTWOOD HOUSE NORTH ELEVATIONS
 123 REV C - EXISTING BELTWOOD HOUSE EAST ELEVATIONS
 200 REV B - EXISTING OUTBUILDINGS PLANS
 201 REV B - EXISTING OUTBUILDINGS ELEVATIONS
 202 REV B - ORIGINAL GATE HOUSE EXISTING

Proposed:

002 REV G - PROPOSED SITE PLAN
 003 REV C - PROPOSED SITE PLAN BASEMENT
 004 REV C - PROPOSED LANDSCAPING NORTH OF BELTWOOD HOUSE
 005 REV D - PROPOSED LANDSCAPE STRATEGY
 006 REV C - PROPOSED TREE REMOVALS AND MITIGATION PLAN
 012 REV B - PROPOSED SOUTH & WEST SITE ELEVATIONS
 013 REV B - PROPOSED NORTH & EAST SITE ELEVATIONS
 020 REV B - PROPOSED MAIN ENTRANCE GATE 11/08/2017
 021 REV A - PROPOSED NEW GATE HOUSE ENTRANCE GATE
 110 REV E - MAIN HOUSE PROPOSED PLANS - BASEMENT
 111 REV E - MAIN HOUSE PROPOSED PLANS - GROUND FLOOR
 112 REV E - MAIN HOUSE PROPOSED PLANS - FIRST FLOOR
 113 REV E - MAIN HOUSE PROPOSED PLANS - SECOND FLOOR
 114 REV E - MAIN HOUSE PROPOSED PLANS - ROOF
 130 REV B - PROPOSED BELTWOOD HOUSE SOUTH ELEVATIONS
 131 REV B - PROPOSED BELTWOOD HOUSE WEST ELEVATIONS
 132 REV D - PROPOSED BELTWOOD HOUSE NORTH ELEVATION
 133 REV B - PROPOSED BELTWOOD HOUSE EAST ELEVATIONS

140 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G.01
 141 REV B - EXISTING & PROPOSED FLOOR AND REFELCTED CEILING PLANS ROOM G.01
 142 REV C - EXISTING & PROPOSED INTERIORS ROOM G02
 143 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G03
 144 REV B - EXISTING & PROPOSED FLOOR AND CEILING PLANS ROOM G03
 145 REV C - EXISTING & PROPOSED INTERIOR ELEVATIONS ROOM G04
 146 REV B - EXISTING & PROPOSED FLOOR AND CEILING PLANS ROOM G04
 147 REV B - EXISTING & PROPOSED INTERIORS ROOM G14
 148 REV B - EXISTING & PROPOSED INTERIORS ROOMS 1.15 & 1.16
 203 REV A - ORIGINAL GATE HOUSE PROPOSED
 205 REV B - PROPOSED NEW GATE HOUSE PLANS
 206 REV B - PROPOSED NEW GATE HOUSE ELEVATIONS
 207 REV C - TERRACE HOUSES PROPOSED BASEMENT PLAN
 208 REV B - TERRACE HOUSES PROPOSED GROUND FLOOR PLAN
 209 REV B - TERRACE HOUSES PROPOSED FIRST FLOOR PLAN
 210 REV B - TERRACE HOUSES PROPOSED ROOF PLAN
 211 TERRACE HOUSES WEST & SOUTH ELEVATIONS
 212 TERRACE HOUSES NORTH & EAST ELEVATIONS
 213 REV B - PAVILION HOUSE: PROPOSED BASEMENT PLAN
 214 REV B - PAVILION HOUSE: PROPOSED GF PLAN
 215 REV B - PAVILION HOUSE: PROPOSED 1F PLAN
 216 REV B - PAVILION HOUSE: PROPOSED ROOF PLAN
 217 REV C - PAVILION HOUSE: PROPOSED ELEVATIONS
 250 REV B - PROPOSED MAIN CYCLE STORE & REFUSE (STORE F)
 251 REV B - PROPOSED REFUSE & CYCLE STORES A - E

Documents

Archaeology assessment (including addendum)
 Daylight/Sunlight assessment (including addendum)
 Design and access statement (including addendum)
 Basement Impact Assessment (including addendum)
 Structural Condition Survey
 Outline Schedule of works
 Energy statement (including addendum)
 Heritage statement
 Nature conservation/ecology assessment (including addendum)
 Planning Statement
 Transport statement (including addendum)
 Tree survey and assessment
 Tree survey and assessment - Tree Removal List
 Viability Report
 Verified Views document (Not including the removed 'Wooded Flats')
 Gate House Room Methodology Schedule
 Heritage Collective Letter (dated 6/2/2018)

Subject to the following eleven conditions:

Time limit for implementing this permission and the approved plans

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

Reason:

As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.

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.

- 2 Prior to commencement of work on site, the applicant or successors in title, shall undertake a programme of archaeological building recording of those parts of the main house, stables and worker's cottages which are to be demolished. The recording document shall be submitted to and approved in writing by the Local Planning Authority prior to the demolition works commencing.

Reason

In order that the building recording is undertaken to a suitable standard in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved

Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 3 Prior to commencement of works on site, a Method Statement(s) and Schedule of Works (to include structural engineers calculations where applicable) shall be submitted to the Local Planning Authority for approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given.
- i) Demolition of sections of the former servants quarter of the main house, including method of support and protection of those parts of the building to be retained.
 - ii) Structural repairs to the main house and gate house, including works to floor slabs and entrance porch.
 - iii) Excavation of the new basement accommodation to the main house including the creation of new access and lightwell.
 - iv) Damp proofing works
 - vi) New openings through walls
 - vii) New openings through floors for the installation of the spiral staircase.

Reason:

In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 4 Precautions shall be taken to secure and protect the existing fireplaces, historic joinery (including parquet), historic plasterwork and green tiles against accidental damage during building works. Before commencing the works the applicant must submit, and have approved by this Local Planning Authority in writing, drawn details (1:5/10) of the protection works; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 5 The following samples shall be made available on site for inspection by the Local Planning Authority, and approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given.
- i) 1m² sample panel of brickwork, mortar and pointing
 - ii) Natural slate
 - iii) Render repairs and repainting
 - iv) Reconstituted stone
 - v) Glass balustrade
 - vi) Parquet
 - vii) Green tiles

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 6 Prior to commencement of works, a scheme of restoration (name of specialist, room by room Method Statement, Schedule of Works and Specification) for the repair of the plasterwork shall be submitted to and approved by this Local Planning Authority in writing; the development shall not be carried out otherwise than in accordance with any such approval given. The existing decorative plaster cornices must be retained and protected during the course of the works. The details of the remaining cornices recorded used to create new sections. Repairs to the ceiling must be undertaken in lath and plaster where it exists currently, the use of plasterboard is not permitted. New partitions to be scribed around existing plasterwork.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 7 Prior to commencement of works, a scheme of restoration (name of specialist, room by room Method Statement, Schedule of Works and Specification) for the repair and alteration (including fire protection measures) of the joinery and flooring shall be submitted to and approved by this Local Planning Authority in writing; the development shall not be carried out otherwise than in accordance with any such approval given. The existing historic joinery must be retained, including parquet flooring (extent to be agreed) and protected during the course of the works.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 8 Detailed drawings (sections, elevations and plans) at a scale 1:5/10 for all new fenestration, rooflights and doors shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given. New windows to main house and gate house to match existing in terms of detailed design and glazing.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 9 Detailed drawings (sections, elevations and plans) at a scale 1:5/10 for the new spiral staircase, lightwell balustrading, basement access (steps and handrails) and colonade (including first floor window) shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

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

- 10 All new internal/external works and finishes and works of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition(s) attached to this consent.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 11 All repairs to rainwater goods and new pipework runs are to be in cast iron and to match existing historic profiles and details. No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building unless approved by this Local Planning Authority in writing before commencement of the works on site.

Reason:

In order to ensure that the materials and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

Informative

Please note:

This listed building consent only applies to the works specified here, including the drawings and schedules on this notice.

Any additional fire, sound and other structural works that may be necessary for building regulations approval and which are not shown on the drawings and schedules on this notice are likely to require an additional application for Listed Building Consent (LBC). Please bear in mind that unauthorised works to a Listed Building could constitute a criminal offence.

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COMMITTEE:

PLANNING COMMITTEE

MUNICIPAL YEAR 2017-18

NOTE:

Original held in Constitutional Team; all amendments/queries to Gerald Gohler, Constitutional Team, Tel: 020 7525 7420

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