

Planning Sub-Committee B

Wednesday 5 July 2017

7.00 pm

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

Membership

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

Reserves

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

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Access

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Contact

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 27 June 2017



Planning Sub-Committee B

Wednesday 5 July 2017
7.00 pm
Ground Floor Meeting Room G01 – 160 Tooley Street
London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	
	To approve as a correct record the minutes of the meeting held on 25 April 2017.	
7.	DEVELOPMENT MANAGEMENT ITEMS	1 - 5

Item No.	Title	Page No.
7.1.	PECKHAM RYE PARK CAFE, STRAKERS ROAD, PECKHAM RYE COMMON, LONDON SE15 3UA	6 - 17
7.2.	RUSSIA DOCK WOODLAND, DOWNTOWN ROAD, ROTHERHITHE, LONDON SE16 6QN	18 - 26

Date: 27 June 2017

Planning Sub-Committee

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

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

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

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

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

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

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

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

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

Item No. 7.	Classification: Open	Date: 5 July 2017	Meeting Name: Planning Sub-Committee B
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F 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	Beverley Olamijulo 020 7525 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, Constitutional Manager (Acting)	
Report Author	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	26 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		26 June 2017

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Wednesday 05 July 2017

Appl. Type Full Planning Application

Site PECKHAM RYE PARK CAFE, STRAKERS ROAD, PECKHAM RYE COMMON,
LONDON SE15 3UA

Reg. No. 17-AP-1298

TP No. TP/2614-A

Ward Peckham Rye

Officer Lasma Putrina

Recommendation GRANT PERMISSION

Proposal

Construction of a single storey ground floor extension to the rear of the existing cafe including the installation of a timber decked walkway around the north and western elevations

Item 7.1

Appl. Type Full Planning Application

Site RUSSIA DOCK WOODLAND, DOWNTOWN ROAD, ROTHERHITHE, LONDON
SE16 6QN

Reg. No. 17-AP-0234

TP No. TP/417-A

Ward Surrey Docks

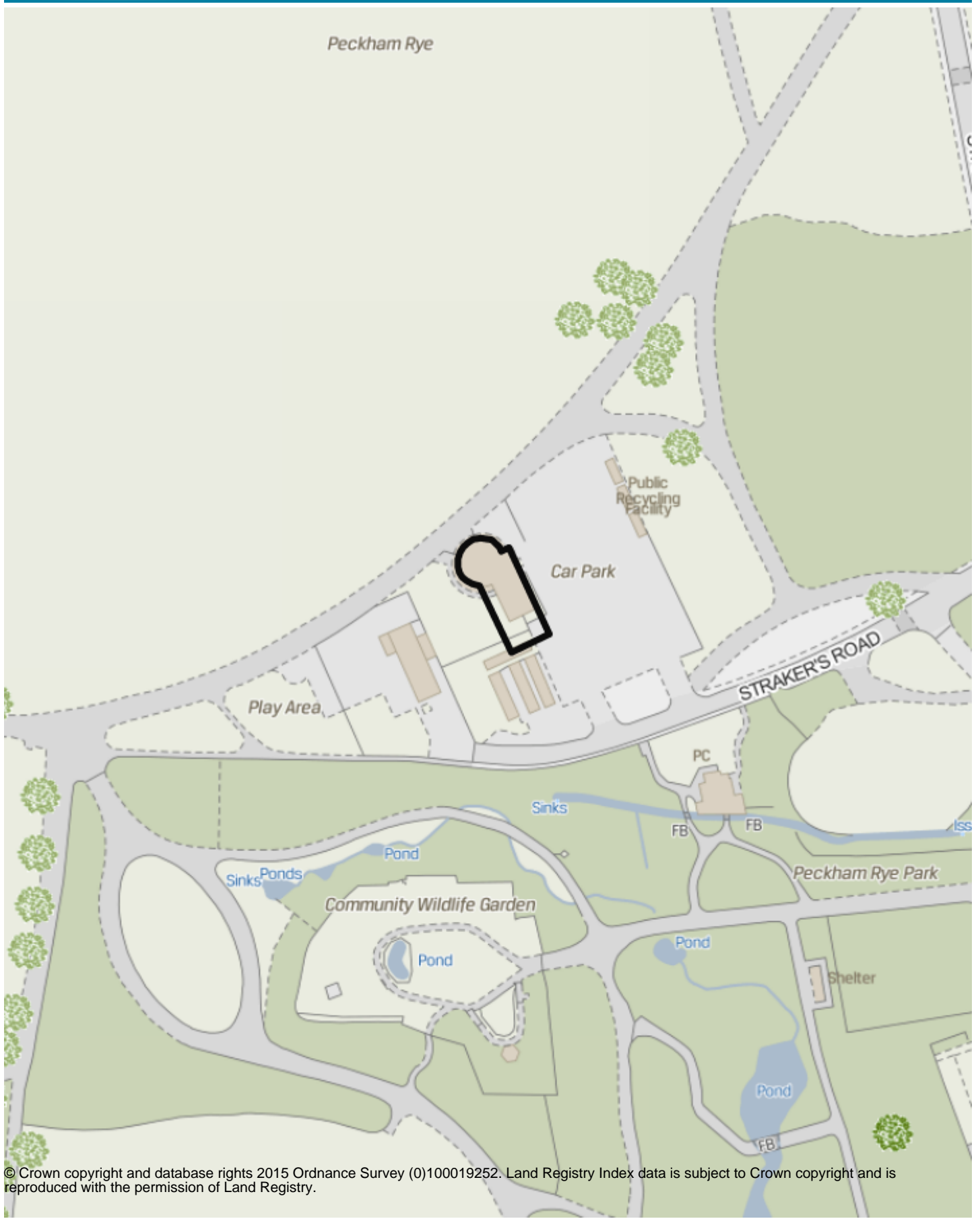
Officer Lasma Putrina

Recommendation GRANT PERMISSION

Proposal

Construction of a community rain shelter.

Item 7.2



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Item No. 7.1	Classification: Open	Date: 5 July 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 17/AP/1298 for: Full Planning Application Address: PECKHAM RYE PARK CAFE, STRAKERS ROAD, PECKHAM RYE COMMON, LONDON SE15 3UA Proposal: Construction of a single storey ground floor extension to the rear of the existing cafe including the installation of a timber decked walkway around the north and western elevations		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 04/04/2017		Application Expiry Date 30/05/2017	
Earliest Decision Date 09/06/2017			

RECOMMENDATION

1. That Members of Planning Sub-Committee B consider this application for development on Metropolitan Open Land (MOL).
2. That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

3. The site is a single storey building comprising cafe and changing rooms and is located in Peckham Rye Common to the north of Strakers Road. The cafe is a fully glazed circular building overlooking the common with the changing rooms and kitchen/stores housed in a wing extending behind. There is outside seating located to the north (front), north east and west of the cafe with a mixture of permanent benches and removable tables and chairs being set of both hard and soft landscaping.
4. To the east of the site is the car park which serves the common and the park; to the south are four large containers that are used as changing rooms for sports teams and storage of their equipment; to the west is an area of grass used for seating.
5. The site sits north of the Grade II listed Peckham Rye Park but is located within Metropolitan Open Land (MOL), a site of importance for nature conservation (SINC), air quality management area, Green Chain Park and the Peckham and Nunhead action area.
6. The area forms part of the Revitalisation of Peckham Rye and Common project.

Details of proposal

7. Planning consent is sought for enlargement of the cafe by way of a single storey ground floor extension to the south. The main part of the building (containing changing rooms, bathrooms and cafe kitchen) would be extended by 7.7m with an increase in width of 2.7m.
8. A new timber decked walkway would be installed along the perimeter of the building facing west.
9. A roof terrace for the cafe was originally proposed and was the subject of a number of objections; it has now been removed from the application.
10. **Planning history**

<p>99/AP/0954 Application type: Full Planning Application (FUL) Construction of a single storey building to be used as a cafe Decision date 16/03/2000 Decision: Grant (GRA)</p>
<p>10/AP/2633 Application type: Council's own development - Reg. 3 (REG3) The enlargement of an existing play area with partial closure of Strakers Road, relocation of lamp posts, new railings and gate and new play equipment including water feature. Decision date 03/03/2011 Decision: Granted (GRA)</p>
<p>12/AP/1635 Application type: Council's Own Development - Reg. 3 (REG3) Relocation of existing portacabin buildings comprising 3 changing units and 1 storage unit to permanent location within the maintenance yard in Peckham Rye Park. Decision date 14/09/2012 Decision: Granted (GRA)</p>
<p>15/AP/4297 Application type: Council's Own Development - Reg. 3 (REG3) Construction of a new car-park facility on the South side of Strakers Road. Decision date 12/02/2016 Decision: Granted (GRA)</p>
<p>16/AP/4014 Application type: Council's Own Development - Reg. 3 (REG3) The proposal seeks to revitalise Peckham Rye through a phased set of interventions: Phase 1: Establishment of a new car park (Previous application 15/AP/4297). Phase 2: Creation of new playground and associated landscape works on the site of the existing car park. Phase 3: Construction of new changing rooms, store, plant, public toilets and play room facilities with associated landscape works. Phase 4: Demolition of existing portacabins, PoW hut and tarmaced playgrounds and landscape works to return area to the common. Decision date 26/01/2017 Decision: Granted (GRA)</p>
<p>17/AP/0871 Application type: Variation: non-material changes (VNMC) Non-material amendment to planning permission 16-AP-4014 for 'The proposal seeks to revitalise Peckham Rye through a phased set of interventions: Phase 1: Establishment of a new car park (Previous application 15/AP/4297). Phase 2: Creation of new playground and associated landscape works on the site of the existing car park. Phase 3: Construction of new changing rooms, store, plant, public toilets and play room facilities with associated landscape works. Phase 4: Demolition of existing portacabins, PoW hut and tarmaced playgrounds and landscape works to return area to the common.' consisting of: Change the cladding to the pavilion building from decorated acetylation modified timber to black (anthra) coloured zinc cladding. Large rooflight replaced with two</p>

smaller rooflights.
Decision date 05/05/2017 Decision: Agreed - for app types VLA & VNMC (AGR)

Summary of main issues

11. The main issues to be considered in respect of this application are:
- a. The principle of the development and its impact on Metropolitan Open Land;
 - b. The impact of the development on the Grade II registered Peckham Rye Park;
 - c. Impact on the park and common users;
 - d. Environmental impacts.

Planning policy

12. National Planning Policy Framework (the Framework)

Section 8 - Promoting healthy communities
Section 9 - Protecting green belt land
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Section 11 - Conserving and enhancing the natural environment
Section 12 - Conserving and enhancing the historic environment

13. The London Plan 2016

Policy 3.19 - Sports facilities
Policy 5.3 - Sustainable design and construction
Policy 5.12 - Flood risk management
Policy 7.4 - Local character
Policy 7.5 - Public realm
Policy 7.6 - Architecture
Policy 7.8 - Heritage assets and archaeology
Policy 7.17 - Metropolitan open land
Policy 7.19 - Biodiversity and access to nature
Policy 7.21 - Trees and woodlands

14. Core Strategy 2011

Strategic Policy 2 - Sustainable Transport
Strategic Policy 11 - Open Spaces and Wildlife
Strategic Policy 12 - Design and Conservation
Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

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

Saved Policy 3.1 - Environmental effects
Saved Policy 3.2 - Protection of Amenity
Saved Policy 3.12 - Quality in Design
Saved Policy 3.15 - Conservation of the Historic Environment

Saved Policy 3.25 - Metropolitan Open land
 Saved Policy 3.28 - Biodiversity
 Saved Policy 5.2 - Transport Impacts
 Saved Policy 5.6 - Car parking

16. Peckham and Nunhead Area Action Plan 2014

Policy 19 - Open space and sites of importance for nature conservation (SINC)
 Policy 34 - Natural environment (Peckham Rye, Nunhead and Honor Oak)

Summary of consultation responses

17. Thirteen objections have been received in response to the proposal. The main concerns are:
1. Addition of a roof terrace would be visually intrusive;
 2. Enlargement of cafe on Metropolitan Open Land would reduce its openness;
 3. Unnecessary provision of changing rooms;
 4. No information regarding deliveries and waste collection;
 5. The dark painted timber cladding would be intrusive and less sensitive than current cladding;
 6. Cafe should not be extended as poor service is provided.
18. Two comments supporting the application have been submitted, alluding to the fact that the cafe can get busy and enlargement would be welcome.
19. *Assessment:* Issues regarding impact on amenity of park users and appearance of the area are discussed below. Comments regarding the cafe provider and their quality of service are not material planning considerations. It is also noted that the proposal for a roof terrace has been removed from the application.

Principle of development

20. Peckham Rye Common and Park are afforded a significant degree of protection, being Metropolitan Open Land (MOL). Paragraph 7.56 of the London Plan states that paragraphs 79-92 of the NPPF on Green Belts apply equally to MOL. Paragraph 89 of the NPPF, in reference to buildings, states that certain forms of development are not inappropriate on Green Belt as long as they preserve the openness of it. The list includes appropriate facilities for outdoor sport and recreation as provided it does not conflict with the purpose of including land within the Green Belt.
21. Policy 7.17 'Metropolitan Open Land' of the London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
22. Strategic Policy 11 Open spaces and wildlife of the core strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.
23. Saved policy 3.25 of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes including essential facilities for outdoor sport and recreation and importantly, for other uses that preserve the

openness of MOL.

24. Though the existing building would be enlarged to the rear and its footprint would increase, the extension would not affect the openness of the MOL, because of its modest size with a footprint of just over 20sqm. The extension is essentially for an improvement of facilities for the cafe, a use that is an appropriate facility for outdoor recreation.
25. A part of the building would remain in use as changing rooms. The changing rooms are important for outdoor sport and appropriate development on MOL. Some objectors refer to the fact that new changing facilities would be created as part of the wider regeneration project at Peckham Rye Park and Common. These new facilities would replace the changing rooms and storage space currently housed within the storage containers to the south of the cafe. The changing rooms that would be provided within the extension are facilities already on the site; facilities that are appropriate on MOL. The timber deck, set against the backdrop of the cafe would have no impact on the openness of the MOL.
26. As referred to above, the proposals would preserve the openness of the common and park and would retain some outdoor recreation equipment and sports facilities. The proposal is appropriate development on MOL and the principle of the development acceptable in accordance with the policies in London Plan 2016; Core Strategy 2011; Peckham and Nunhead Area Action Plan 2014 and the saved Southwark Plan 2007, as well as guidance in the NPPF.

Impact on for park and common users

27. The proposal would result in the enlargement and refurbishment of the existing cafe building. The proposed extension would be located to the rear and would retain changing rooms that currently exist on site. The extension, because of its location and size would not affect the recreational opportunities available to park users.

Design issues and impact on character and setting of the listed Peckham Rye Park

28. The application site is located within the Peckham Rye Common part, which is not listed. Peckham Rye Park is located to the south of it across from Strakers Road and it is a Grade II Listed Park.
29. Though the extension would result in the cafe building envelope being closer to the listed park, there is sufficient separation and foliage between the two parts to visually disconnect them and ensure that there is no negative impact on the setting of the listed park.
30. The proposed materials would be similar to existing - the main part of the extension would have painted render to reflect existing treatment, while the circular cafe part of the building would be formed of full-height glazed openings with timber frames painted in dark grey. The appearance of the cafe would therefore not significantly differ from the existing building and would thus be acceptable. The timber deck would relate well to the building and provide a covered area for users to enjoy the park.

Transport issues

31. Amended plans have been provided to include two Sheffield stands, capable of providing cycle parking for 4 bikes. This accords with the cycle parking standards set out in the London Plan (which would require 2 short stay and 1 long stay space). The cycle parking is conveniently located for users of the cafe and, given the number of

stands and their location, would not harm the openness of the MOL.

32. The existing provision for servicing would be acceptable as the cafe would not be enlarged to a significant amount. Dedicated space for storage of refuse bins has been allocated to the rear of the building.

Impact on trees

33. No trees would be removed to give way to proposed development.

Conclusion on planning issues

34. The proposed development would be acceptable in land use terms as it would not significantly reduce the openness of the Peckham Rye Park and Common and it would retain some of the community facilities on site. The proposal would be visually acceptable and would not have a negative impact on the amenity of park users or adjoining occupiers. The application is therefore recommended for approval.

Community impact statement

35. 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.

Consultations

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

Consultation replies

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

Human rights implications

38. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
39. This application has the legitimate aim of providing enlarged cafe space. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2614-A Application file: 17/AP/1298 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 7708 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Lasma Putrina, Planning Officer	
Version	Final	
Dated	16 June 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		23 June 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 25/04/2017**Press notice date:** n/a**Case officer site visit date:** 26/04/2017**Neighbour consultation letters sent:** 17/05/2017**Internal services consulted:**

Ecology Officer

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

SE15 3UA
 11a Waveney Ave Peckham Rye se15 3uf
 140 Peckham Rye London SE22 9QH
 32 Tresco Road London SE15 3PX
 176 Choumert Road London SE15 4AB
 45 Stuart Road London SE15 3BE
 12b Therapia Road London SE220SE

17 Adys Road Peckham Se15 4dx
 195 Underhill Road London SE22 0PD
 174 Peckham Rye London SE22 9QA
 43 Colyton Road London SE22 0NP
 By Email
 By Email
 By Email
 66 Forest Hill Road London SE22 0RS

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

SE15 3UA

By Email

By Email

By Email

11a Waveney Ave Peckham Rye se15 3uf

12b Therapia Road London SE220SE

140 Peckham Rye London SE22 9QH

17 Adys Road Peckham Se15 4dx

174 Peckham Rye London SE22 9QA

176 Choumert Road London SE15 4AB

195 Underhill Road London SE22 0PD

32 Tresco Road London SE15 3PX

43 Colyton Road London SE22 0NP

45 Stuart Road London SE15 3BE

66 Forest Hill Road London SE22 0RS

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 Jonathan Mizzi Mizzi Studios	Reg. Number	17/AP/1298
Application Type	Full Planning Application	Case	TP/2614-A
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a single storey ground floor extension to the rear of the existing cafe including the installation of a timber decked walkway around the north and western elevations

At: PECKHAM RYE PARK CAFE, STRAKERS ROAD, PECKHAM RYE COMMON, LONDON SE15 3UA

In accordance with application received on 03/04/2017 16:01:15

and Applicant's Drawing Nos. CPR-MS-EX-AL-001 Rev D, CPR-MS-EX-AL-002 Rev D, CPR-MS-EX-AL-003 Rev A, CPR-MS-EX-AL-004 Rev A, CPR-MS-EX-AL-101 Rev D, CPR-MS-EX-AL-102 Rev D, CPR-MS-EX-AL-103 Rev D, CPR-MS-EX-AL-201 Rev D, CPR-MS-EX-AL-202 Rev D, CPR-MS-PR-AL-301 Rev D, CPR-MS-PR-AL-104 Rev D, CPR-MS-PR-AL-105 Rev E, CPR-MS-PR-AL-106 Rev E, CPR-MS-PR-AL-107 Rev E, CPR-MS-PR-AL-108 Rev F; CPR-MS-PR-AL-203 Rev F, CPR-MS-PR-AL-204 Rev E, CPR-MS-PR-AL-302 Rev E;
Design and access statement.

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

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

CPR-MS-PR-AL-104 Rev D, CPR-MS-PR-AL-105 Rev E, CPR-MS-PR-AL-106 Rev E, CPR-MS-PR-AL-107 Rev E, CPR-MS-PR-AL-108 Rev F, CPR-MS-PR-AL-203 Rev F, CPR-MS-PR-AL-204 Rev E, CPR-MS-PR-AL-302 Rev E

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

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

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.

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

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

The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be

maintained as such thereafter.

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

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 511 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

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

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

Reason

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

Statement of positive and proactive action in dealing with the application

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.

Agenda Item 7.2



ITEM 7.2 - RUSSIA DOCK WOODLAND



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Item No. 7.2	Classification: Open	Date: 5 July 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 17/AP/0234 for: Full Planning Application Address: RUSSIA DOCK WOODLAND, DOWNTOWN ROAD, ROTHERHITHE, LONDON SE16 6QN Proposal: Construction of a community rain shelter.		
Ward(s) or groups affected:	Surrey Docks		
From:	Director of Planning		
Application Start Date 26/04/2017		Application Expiry Date 21/06/2017	
Earliest Decision Date 14/06/2017			

RECOMMENDATION

1. Grant planning permission, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site is Russia Dock Woodland near the Downtown Road entrance on the east side of the woodland. Russia Dock Woodland is not listed, nor is it located within a conservation area. It is, however, designated as Metropolitan Open Land (MOL) and a site of importance for nature conservation. It is also located within the Canada Water action area, suburban density zone and air quality management area.

Details of proposal

3. Planning consent is sought for installation of a rain shelter within the Russia Dock Woodland near the entrance from Downtown Road. The proposed shelter would have a footprint of approximately 12sqm, it would be 2.4m high to eaves and 2.6m high at maximum height.
4. The shelter would be constructed of prefabricated wooden supports and timber (marine ply) roof with the addition of green roof.

Summary of main issues

5. The main issues to be considered in respect of this application are:
 - a) Acceptability of development in land use terms and impact on Metropolitan Open Land;
 - b) Impact on amenity of adjoining occupiers and users of the woodland;
 - c) Impact on appearance of the woodland;

Planning policy

6. National Planning Policy Framework (the Framework)

Section 7 - Requiring good design

Section 9 - Protecting green belt land

Section 11 - Conserving and enhancing the natural environment

7. The London Plan 2016

Policy 7.4 - Local character

Policy 7.5 - Public realm

Policy 7.17 - Metropolitan open land

Policy 7.19 - Biodiversity and access to nature

Policy 7.21 - Trees and woodlands

8. Core Strategy 2011

Strategic policy 11 - Open spaces and wildlife

Southwark Plan 2007 (July) - saved policies

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

Policy 3.1 - Environmental effects

Policy 3.2 - Protection of amenity

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.25 - Metropolitan open land

Policy 3.28 - Biodiversity

Canada Water Area Action Plan 2015

10. Policy 14 - Streets and public spaces
Policy 18 - Open spaces and biodiversity

Principle of development

11. Russia Dock Woodland is afforded a significant degree of protection, being Metropolitan Open Land (MOL). Paragraph 7.56 of the London Plan states that paragraphs 79-92 of the NPPF on Green Belts apply equally to MOL. Paragraph 89 of the NPPF, in reference to buildings, states that certain forms of development are not inappropriate on Green Belt as long as they preserve the openness of Green Belt. The list includes appropriate facilities for outdoor sport and recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.

12. Policy 7.17 'Metropolitan Open Land' of the London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
13. Strategic Policy 11 Open spaces and wildlife of the Core Strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.
14. Saved policy 3.25 of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes such as essential facilities for outdoor sport and recreation and importantly, for other uses that preserve the openness of MOL.
15. Installation of a rain shelter within the Russia Dock Woodland would enhance the community use of the area without significantly affecting the openness of the woodland due to its relatively small scale. It would not be a self-contained use and would operate only in connection with the woodland.
16. As referred to above, the proposal would preserve the openness of the Russia Dock Woodland and would provide a new facility for community use. The proposal is therefore considered to be appropriate development on MOL and the principle of the development acceptable in accordance with the policies in the London Plan 2016; Core Strategy 2011; Canada Water Area Action Plan 2015, saved Southwark Plan 2007 and guidance in the NPPF 2012.

Summary of consultation responses

17. None received.

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

18. The proposed development would be a positive addition to the woodland area as it would provide space to escape rain and it would not displace any other structures currently located in the park. It would be relatively small in scale and easily accessible from nearby established paths within the woodland.

Design issues

19. The proposed structure would be relatively small in scale and would be constructed in materials that would be in keeping with the character of Russia Dock Woodland. It would be placed in a location that is not too far from outdoor seating areas and would thus not be the only structure within the woodland area.
20. It has been suggested on the proposed plans that the roof of the shelter would be a green roof, though no further details have been submitted to show how this effect would be achieved. A condition requiring further information regarding planting and maintenance of the green roof is therefore recommended.

Impact on trees and biodiversity

21. No trees would be removed or displaced to give way for proposed development. The Council's Ecology Officer has not raised any objections and considers that the rain

shelter would be a positive addition to the area.

Conclusion on planning issues

The proposed development would be a small scale addition to the Russia Dock Woodland that would enhance its community use without having a negative impact on the amenity or appearance of the area and without compromising the openness of designated Metropolitan Open Land. The application is therefore consistent with policies in the Development Plan and is recommended for approval subject to conditions.

Community impact statement

22. 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.

Consultations

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

Consultation replies

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

Human rights implications

25. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
26. This application has the legitimate aim of providing a rain shelter. 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/417-A	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 17/AP/0234		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 0207 525 7708
		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	Lasma Putrina	
Version	Final	
Dated	14 June 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and 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 June 2017

APPENDIX 1**Consultation undertaken**

Site notice date: 22/05/2017

Press notice date: n/a

Case officer site visit date: 23/05/2017

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

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 S Cornish Friends of Russia Dock Woodlands	Reg. Number	17/AP/0234
Application Type	Full Planning Application	Case Number	TP/417-A
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a community rain shelter in Russia Dock Woodland

At: RUSSIA DOCK WOODLAND, DOWNTOWN ROAD, ROTHERHITHE, LONDON SE16 6QN

In accordance with application received on 06/01/2017

and Applicant's Drawing Nos. Site location plan, 1623-01, 1623-02, 1623-03, Documents setting out funding confirmation for the Cleaner Greener Safer project.

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

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

1623-01/Rev0, 1623-02/Rev0, 1623-03/Rev0

Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

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

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.

- 3 Before any above grade work hereby authorised begins, details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity green roof shall be:

biodiversity based with extensive substrate base (depth 80-150mm);
laid out in accordance with agreed plans; and
planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity roof shall be installed 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 roof and Southwark Council agreeing the submitted plans, and once the green roof is 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.

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Reason

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

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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.

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PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18

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

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Cleo Soanes (Chair) Councillor Maria Linforth-Hall (Vice-Chair) Councillor Nick Dolezal Councillor Octavia Lamb Councillor Damian O'Brien Councillor Sandra Rhule Councillor Catherine Rose	1 1 1 1 1 1 1	Environmental Protection Team Communications Louise Neilan, media manager Total:	1 By email 22
(Reserves to receive electronic versions only)		Dated: 17 February 2017	
Councillor Evelyn Akoto Councillor Anne Kirby Councillor Eliza Mann Councillor Darren Merrill Councillor Leo Pollak			
Officers			
Constitutional Officer, Hub 2 (2 nd Floor), Tooley Street	10		
Jacquelyne Green/Selva Selvaratnam, Hub 2 (5 th Floor), Tooley Street	2		
Margaret Foley /Jon Gorst, Legal Services, Hub 2 (2 nd Floor), Tooley Street	2		