

Planning Sub-Committee B

Wednesday 13 December 2017

6.30 pm

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

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Maria Linforth-Hall (Vice-Chair)
Councillor Nick Dolezal
Councillor Darren Merrill
Councillor Damian O'Brien
Councillor Sandra Rhule
Councillor Michael Situ

Reserves

Councillor Evelyn Akoto
Councillor James Coldwell
Councillor Helen Dennis
Councillor Eliza Mann
Councillor Catherine Rose

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

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Contact Beverley Olamijulo on 0207 525 7234 or email:
beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 5 December 2017



Planning Sub-Committee B

Wednesday 13 December 2017
6.30 pm

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

Order of Business

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1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 4
	To approve as a correct record the minutes of the meeting held on 31 October 2017.	
7.	DEVELOPMENT MANAGEMENT ITEMS	5 - 9
	7.1. 38-44 RYE LANE, LONDON, SE15 5BY	10 - 32

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Date: 5 December 2017

Planning Sub-Committee

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

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

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

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

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

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

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

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

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



Planning Sub-Committee B

MINUTES of the Planning Sub-Committee B held on Tuesday 31 October 2017 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
 Councillor Maria Linforth-Hall (Vice-chair)
 Councillor Nick Dolezal
 Councillor Damian O'Brien
 Councillor Sandra Rhule
 Councillor Darren Merrill
 Councillor Michael Situ

OTHER MEMBERS

PRESENT: Councillor Bill Williams

OFFICER SUPPORT: Dipesh Patel (Development Management)
 Patrick Cronin (Development Management)
 Philip Ridley (Development Management)
 Alexander Gillott (Legal Officer)
 Beverley Olamijulo (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

None were received.

3. CONFIRMATION OF VOTING MEMBERS

The members of the committee present were confirmed as voting members.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

None were declared.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7.1 – development management items
- Members' pack

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 11 September 2017 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

The addendum report had not been circulated five clear days in advance of the meeting, nor was it available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation, responses, additional information and revisions.

7.1 10 MIDDLETON DRIVE, LONDON SE16 6RZ

Planning application reference number: 17-AP-2948

Report: see pages 10 to 30 of the agenda pack.

PROPOSAL

Conversion of the existing single dwellinghouse into x1 3-bedroom flat, x1 studio flat and x1 1-bedroom flat; construction of one single-storey rear extension and two single-storey side extensions, all at ground floor level; installation of a window and door on the front elevation at ground floor level; installation of x4 rooflights on the main pyramid roof; installation of x2 rooflights on the roof of the three storey rear wing..

The sub-committee heard an introduction to the report from the planning officer. Members asked questions of the officers.

An objector addressed the meeting. The sub-committee asked questions of the objector.

The applicant or the applicant's agent were not present at the meeting.

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

The ward councillor, Councillor Bill Williams was present to address the sub-committee and respond to questions from Members.

Members debated the application and asked further questions of officers.

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

RESOLVED:

That planning permission be granted subject to the conditions outlined in the report with an amendment to conditions on cycle storage and refuse storage requiring details to be submitted so as not to impede vehicular access to the garage for 8 Middleton Drive.

7.2 THE REAL GREEK, RIVERSIDE HOUSE, 2A SOUTHWARK BRIDGE ROAD, LONDON SE1 9HA

The committee considered items 7.2 and 7.3 together.

Planning application reference number: 17-AP-2071

Report: see pages 31 to 39 of the agenda pack and pages 1 to 2 of the addendum report.

PROPOSAL

Removal of unauthorised external works and reinstatement of 2no.terraces with 5no new umbrellas, new planters and glazed screening.

The sub-committee heard an introduction to the report from the planning officer. Members asked questions of the officers.

There were no objectors present at the meeting.

The applicant or their agent were not present at the meeting.

There were no supporters of the application present that lived within 100 metres of the development site.

There were no ward councillors present at the meeting.

Members debated the application. No further questions were asked of officers.

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

RESOLVED:

That planning permission be granted subject to the conditions outlined in the report.

7.3 THE REAL GREEK, RIVERSIDE HOUSE, 2A SOUTHWARK BRIDGE ROAD, LONDON SE1 9HA

Planning application reference number: 17-AP-2072

Report: see pages 40 to 46 of the agenda pack and pages 2 to 3 of the addendum report.

PROPOSAL

Display of non-illuminated advertisement on x5 umbrella.

The sub-committee heard an introduction to the report from the planning officer. Members asked questions of the officers.

There were no objectors present at the meeting.

The applicant or their agent were not present at the meeting.

There were no supporters of the application present that lived within 100 metres of the development site.

There were no ward councillors present at the meeting.

Members debated the application. No further questions were asked of officers.

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

RESOLVED:

That advertisement consent be granted subject to the conditions outlined in the report and addendum report.

The meeting ended at 7.30 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 13 December 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	4 December 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		4 December 2017

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Wednesday 13 December 2017

Appl. Type Full Planning Application
Site 38-44 RYE LANE, LONDON, SE15 5BY

Reg. No. 16-AP-2051
TP No. TP/2732-44
Ward The Lane
Officer Sonia Watson

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 7.1

Proposal

Refurbishment and extension of existing building, including additional floors above ground floor, ranging in height from four to six storeys, to provide 716 SqM of retail space (use class A1) and 27 residential dwelling (use class C3) (2 x studios, 4 x one bed flats, 17 x 2 bed flats, and 4 x three bed flats), landscaping, associated servicing, refuse storage and bicycle storage

Appl. Type Full Planning Application
Site 269-275 RYE LANE AND 1A PHILIP WALK, LONDON SE15

Reg. No. 16-AP-1896
TP No. TP/2732-269
Ward The Lane
Officer Ciaran Regan

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 7.2

Proposal

Demolition of existing buildings (general industrial units and a derelict end-of-terrace property) and the redevelopment of the site to provide 1x part 3/ part 5 storey building, 1x part 6/ part 5 storey building and 1x two-storey residential dwelling, comprising a total 29 residential units (12 x 1-bed, 11 x 2-bed and 6 x 3-bed) and 534sqm of flexible commercial floorspace (Class A1/B1), plus associated landscaping, plant, car and cycle parking and refuse storage.

Appl. Type Full Planning Application
Site 110 PECKHAM ROAD, LONDON, SE15 5EU

Reg. No. 17-AP-3015
TP No. TP/2282-110
Ward The Lane
Officer Mumtaz Shaikh

Recommendation GRANT PERMISSION

Item 7.3

Proposal

Excavation of land to the front of the hotel and the construction of a four-storey subterranean basement extension to provide 33 new hotel rooms, a swimming pool, gymnasium and associated facilities. Together with internal alterations to the existing building to relocate the restaurant/bar to ground floor level and associated landscaping. Net increase of 24 hotel rooms.

Appl. Type Listed Building Consent
Site SCOTTISH POLITICAL MARTYRS MEMORIAL, NUNHEAD CEMETERY,
 LINDEN GROVE, LONDON, SE15 3LP

Reg. No. 16-AP-3412
TP No. TP/2522-F
Ward Peckham Rye
Officer Philip Ridley

Recommendation GRANT PERMISSION

Item 7.4

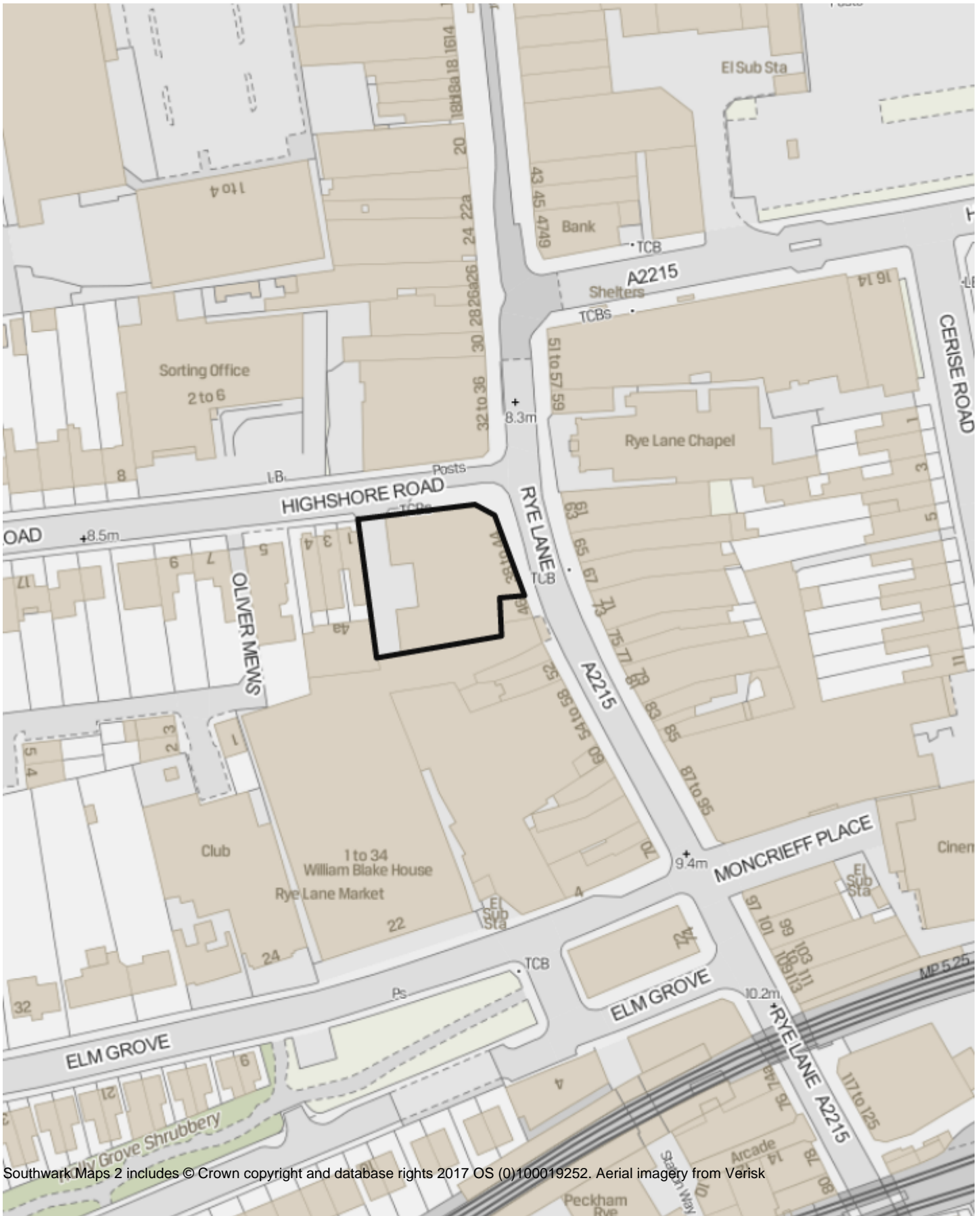
Proposal

AMENDED SCHEME:

Refurbishment works to the area around the Scottish Political Martyrs memorial comprising: Replacement of plinth and granite kerbs around memorial and the retained bench; Excavation of area either side of the memorial to a depth of 300mm to allow for the new road formation; Installation of new resin bonded gravel road formation around memorial and associated drainage.

Agenda Item 7.1

AGENDA 7.1 - 38-44 RYE LANE, LONDON SE15 5BY



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Item No. 7.1	Classification: Open	Date: 13 December 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/2051 for: Full Planning Application Address: 38-44 RYE LANE, LONDON, SE15 5BY Proposal: Refurbishment and extension of existing building, including additional floors above ground floor, ranging in height from three to six storeys, to provide 716 SqM of retail space (use class A1) and 27 residential dwelling (use class C3) (2 x studios, 4 x one bed flats, 17 x 2 bed flats, and 4 x three bed flats), landscaping, associated servicing, refuse storage and bicycle storage		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date	20/05/2016	Application Expiry Date	19/08/2016
Earliest Decision Date	07/07/2016		

RECOMMENDATION

1. That planning permission be granted subject to the completion of a S106 legal agreement.
2. That in the event that a legal agreement is not signed by 31 January 2018, the director of planning be authorised to refuse planning permission for the reasons set out under paragraph 64.

BACKGROUND INFORMATION

3. This item is referred to the planning sub-committee because it is a major application and has received more than five objections.

Site location and description

4. The application site is located on the eastern side of Rye Lane at the junction with Highshore Road. The site is within the Rye Lane Conservation, although the application site itself is a modern 1960s block comprising two separate commercial units on the ground floor plus two storeys above, (lowering to ground plus one on the Highshore Road elevation).
5. The site has a Public Transport Accessibility Level (PTAL) of 6B reflecting its high level of access to a range of public transport networks. The site is also within the Peckham and Nunhead Action Area Plan and the Peckham Core Action Area.

Details of proposal

6. Permission is sought to extend and refurbish the existing building with additional floors ranging in height from three to six floors to provide 716 sq metres of retail floorspace and 27 residential units above comprising;

2x studio units
 4 x 1 bedroom units
 17 x 2 bedroom units
 4 x 3 bedroom units

7. The existing entrance on Highshore Road would be increased both on the street frontage and internally the flats would be served by two stair cores and two lifts. Residential waste storage and cycle storage would be located on the ground level, both would have access from the internal core and the rear yard. There are currently 11 flats over the existing first and second floors, the proposal would reconfigure these units and increase the overall level of accommodation by an additional 16 flats.
8. It is proposed demolish the upper floors and build over the open yard space behind the commercial units at first and second floor levels, adjoining the property at 1 Highshore Road. The proposal would consist of the following unit types.

Unit Type	Floor	Tenure Type	Floor area Sq. m	National Standards Sq. m	Amenity Space Sq. m
2B3P	1	Shared ownership	61	61	
2B3P	1	Private	61	61	
2B3P	1	Private	62	61	
3B5P	1	Private	112	86	
W/C					
3B5P	1	Private	93	86	10
3B5P	1	Private	103	86	28
W/C					
2B4P	1		76	70	26
2B3P	2	Shared ownership	61	61	
2B3P	2	Shared Ownership	61	61	
2B3P	2	Private	62	61	
2B4P	2	Private	76	70	12
Studio	2	Private	40	39	
3B5P	2	Private	93	86	10
1B2P	2	Private	50	50	
1B2P	2	Private	50	50	
2B4P	2	Private	77	70	
2B3P	3	Shared ownership	61	61	
2B3P	3	Shared ownership	61	61	
2B3P	3	Private	62	61	
2B4P	3	Private	75	70	
Studio	3	Private	40	39	
1B2P	3	Private	50	50	
1B2P	3	Private	50	50	
2B4P	3	Private	77	70	
2B3P	4	Private	62	61	
2B3P	4	Private	62	61	
2B4P	5	Private	83	70	40

9. Two communal areas are proposed on the first floor, (85 and 160 sq metres) and a third area measuring 70 sq metres is located on the fourth floor.
10. The extension and existing fenestration would be clad in brick. Photovoltaic panels will be installed on the top floor roof.

Planning history

11.

13/EQ/0088 Application type: Pre-Application Enquiry (ENQ) Redevelopment of site providing a part four, part five storey building. Decision date 21/08/2015 Decision: Pre-application enquiry closed (EQC)
15/AP/3241 Application type: Full Planning Application (FUL) New entrance doors and glazing in lobby Decision date 07/10/2015 Decision: Granted (GRA)
12/EN/0630 Enforcement type: Unauthorised building works (UBW) Unauthorised sub division of Flat 3. Sign-off date 20/03/2017 Sign-off reason: Final closure - breach immune (FCBI)

Planning history of adjoining sites

4A Highshore Road

12. 16/AP/0934 - Planning permission granted 10/08/2016 for the demolition of the existing single storey warehouse building and construction of 2 x 2 storey townhouses.

32 - 36 Highshore Road

13. 15/AP/1744 Prior Approval granted 22/06/2015 for change of use of floors 1-3 from offices B1a to 21 residential units, 12x studio flats and 9 x 1 bed flats.
14. 15/AP/5175 Planning permission granted 15/4/2016 with a legal agreement for the erection of a 4th floor extension to provide 2 x 3 bed flats and a side and rear extension.
15. 16/AP/1239 Planning permission granted 15/05/2016 for a 3 storey extension onto Highshore Road above commercial units and service yard to provide 4 x 2 bed flats and 3 x 3 bed flats.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

16. The main issues to be considered in respect of this application are:
 - a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) Tenure split, affordable housing and financial viability
 - c) Impact of proposed extension upon the amenity of adjoining residents and businesses

- d) Transport impacts
- e) Design, including the impact on the Rye Lane Conservation Area and setting of nearby listed buildings
- f) Impacts on infrastructure and consideration of planning obligations (S.106 undertaking or agreement)
- g) Mayoral and Southwark Community Infrastructure levy
- h) Sustainable development implications

Summary of consultation responses

17. A total of 54 letters have been received over two separate consultations, 50 of those were in objection to the scheme and 4 of which were in support. The main objection to the scheme is that of height, with many expressing that the overall height should be reduced by three storeys. Letters in favour of the development express support for the overall design of the scheme.

Planning policy

18. National Planning Policy Framework (the Framework)

Part 4 Promoting sustainable transport
 Part 6 Delivering a wide choice of high quality homes
 Part 7 Requiring good design
 Part 11 Conserving and enhancing the natural environment
 Part 12 Conserving and enhancing the historic environment
 Para 173 – 177 – Ensuring viability and deliverability
 Para 203-206 Planning obligations and conditions

19. The London Plan 2016

Policy 3.1 Ensuring equal life chances for all
 Policy 3.3 Increasing housing supply
 Policy 3.4 Optimising housing potential
 Policy 3.5 Quality and design of housing developments
 Policy 3.8 Housing choice
 Policy 3.9 Mixed and balanced communities
 Policy 3.10 Definition of affordable housing
 Policy 3.11 Affordable housing targets
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 Affordable housing thresholds
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.14 Improving air quality

20. Core Strategy 2011

Strategic Targets Policy 1 - Achieving growth
 Strategic Targets Policy 2 - Improving places
 Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 5 - Providing new homes
 Strategic Policy 6 - Homes for people on different incomes
 Strategic Policy 7 - Family homes
 Strategic Policy 10 - Jobs and businesses
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards
 Strategic Policy 14 - Implementation

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 3.3: Sustainability Assessment
 Policy 3.6: Air Quality
 Policy 3.7: Waste Reduction
 Policy 3.9: Water
 Policy 3.11: Efficient use of Land
 Policy 3.12: Quality in Design
 Policy 3.13: Urban Design
 Policy 3.14: Designing out Crime
 Policy 3.16: Conservation areas
 Policy 3.18: Setting of listed buildings, conservation areas and World Heritage Sites
 Policy 4.1: Density
 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

Peckham and Nunhead Action Area Plan (PNAAP)
 Rye Lane Conservation Area Appraisal

22. Summary of consultation responses

The comments raised in objection to the scheme are as follows

Too large out of scale
 Lack of social housing
 Visual impact upon the conservation area
 Exceeds planning densities
 Loss of natural light to the street
 Overlooking of gardens
 Strain on local parking
 Impact upon adjoining development
 Offers nothing to the community

Principle of development

23. The principle of residential is accepted provided the proposal provides new homes within this mixed use area making more efficient use of the existing site.

Density

24. Core Strategy Policy 5 sets out that in the urban zone densities should be within the range of 200 - 700 habitable rooms per hectare, (hrph). The density of 941hrph would be in excess of the maximum density levels. In accordance with the Core Strategy, the development must be considered to be of exemplary design quality in order to justify the higher density. Further guidance on the criteria that will be used to assess this are set out in the residential design standards SPD. This is also reflected within paragraph 4.5.8 of the PNAAP.
25. The SPD criteria require that the scheme makes a positive contribution to local context, character and communities, including contribution to the streetscape. In this case, as assessed in the design section of this report below, the scale, massing and detailed design of the scheme are considered to be appropriate to the local townscape and context. In addition the scheme would adequately address policies on mixed and balanced communities in relation to affordable housing.
26. The SPD also says that to be 'exemplary development', the scheme should significantly exceed minimum floor area standards, be predominantly dual aspect, exceed amenity space standards, minimise noise nuisance by having appropriate stacking, minimising corridor lengths by having an increased number of cores, have natural light and ventilation in bathrooms and kitchens and meet good sunlight and daylight standards and maximise the potential of the site.
27. The existing residential accommodation within the building is of poor quality with most units comprising undersized studio rooms, none of which benefit from any external space either private or communal. The proposal seeks to improve the quality of the existing accommodation as well as providing additional new homes making best use of the existing site. The proposed design would be striking and would result in a significant improvement to the streetscene and the wider conservation area.

Quality of accommodation

28. In terms of the quality of the units themselves, the majority (71%) would be dual aspect and whilst only 6 of the units would have access to private space, they would all have access to communal space, neither of which is available within the existing building. For a scheme of this size 50 sq metres of communal space is required. The proposal provides 315 sq metres of communal space which is excess of this

requirement. It is noted that the majority of units (21) would not have direct access to private space the SPD requires 10 sq metres per unit to be added to the communal space. This equates to an additional 210sq metres. The proposal would provide an additional 55 sq metres of communal space thus complying with the current standards. The amenity areas were tested for overshadowing and the results confirm that well over 50% of the amenity area would received 2 hours of sunlight on 21 March in compliance with the BRE standards.

29. Levels of daylight and sunlight to the proposed units would be good, all but 3 of the living rooms would be north facing and these would also benefit from a westerly outlook.

Affordable housing

30. The proposal would increase the number of dwellings on site from 11 to 27, but would improve the overall quality of the existing units which are largely undersized studios.
31. The application has been subject to a viability assessment as the applicants were not able to meet the minimum 35% level of affordable units. The council's viability consultants have assessed the viability of the scheme, which had to take account of the quality and value of the existing retail and residential units. Because the site is in commercial and residential use, the Existing Use Value of it is high, meaning that fewer affordable homes can viably be provided. The council's consultants conclude that the development could provide 20% affordable housing on the site. The applicant has agreed to provide 5 units of affordable housing, which equates to 19.5% in terms of habitable rooms. In addition to this an affordable housing contribution of £40,000 is offered to offset the 0.5%. This would comply with the development plan in that it would deliver as much affordable housing as is financially viable.
32. For a modest proposal of this size the introduction of two affordable tenure types for such a small number of units would be difficult to manage and would not be attractive to a registered provider. The provision of shared ownership units only is therefore considered acceptable in this instance.

Accommodation mix

33. The proposal would comprise the following mix of units;

Unit Type	Total	Percentage	Policy Requirement
Studio	2	7%	5%
1 bed	4	15%	40%
2 bed	17	63%	60%
3 bed	4	15%	20%

34. The proposal would not be strictly compliant with Core Strategy 7 in terms of dwelling mix, however it is noted that the proposal would improve the current unit mix and the overall quality of the proposed units in terms of their general amenity and size.
35. Saved Southwark Plan Policy 4.4 states that 10% of the homes should be provided as wheelchair accessible dwellings. The proposal would provide 2 x 3 bed wheelchair units, in terms of habitable rooms this would equate to 10% in compliance with policy.
36. The proposed wheelchair units would be designed to M4(3) and a condition is suggested to ensure that this is undertaken.

Dwelling sizes

37. The overall unit sizes achieve the Nationally described space standards. In addition room sizes are compliant with the individual room sizes set out in the Council's Residential Design Standards SPD.

Layouts

38. The existing entrance on the ground floor would be increased in width along Highshore Road, the block would be served by two cores, one which would provide access to units to the front of Rye Lane and the other would provide access to the units to the rear.

Environmental impact assessment

39. The scale of development proposed does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) that would otherwise trigger the need for an EIA.

Impact of proposed development on amenity of adjoining residents, businesses and the surrounding area

1 and 3 Highshore Road

40. No.1 Highshore Road property adjoins the existing service yard of the site and has a blank flank wall onto the site. Whilst the proposal would physically adjoin this property it is noted that there is already a high brick built wall along the boundary, the impact to this property and the adjoining property is therefore limited. The daylight, sunlight results demonstrate that the proposal would not breach the BRE guidelines.
41. The proposal plans indicate screening proposed to the outdoor amenity areas on the first floor, these will mitigate against any potential overlooking to the rear of the site. No details have been provided it is therefore considered that this should be made a condition of any planning permission.

4A Highshore Road

42. This is the site of the former warehouse building which lies to the rear of nos. 1 -3 and shares a boundary wall with the existing access yard. As part of the consideration of this application officers took account of this planning application. The approved scheme demonstrates two houses with outlook onto the existing boundary wall. The proposal would retain this wall as this would now form the boundary for one of the amenity areas on the first floor together with screening mentioned above.

32-36 Rye Lane

43. This property lies to the north of the application site and has similarly been granted permissions to allow its extension to the front and rear over the existing service yard. Highshore Road separates the two sites and the applicant has assessed the impact of the proposal in respect of daylight and sunlight against the upper floors of the former office building. The report demonstrates that the Average Daylight Factor would meet the requirements of the BRE guidelines.

46 Rye Lane

44. This property adjoins the site to the south and has a commercial use over all floors.

The application site extends up to the rear boundary of this property, which demonstrates one high level window on the first floor and two blocked up windows on the second floor. The proposed scheme would not build across the flat roof area beneath these windows, but does propose to use the space as part of one of its amenity areas. The design of the amenity area along this boundary is key to ensure that this site is not compromised should the owner wish to install windows on the first floor. It is considered that within the landscaping condition specific details of this boundary are provided.

48 and 50 Rye Lane

45. The majority of properties are in commercial use with few windows looking onto the site. The daylight report has tested some of these windows and confirms that they are well above the vertical sky component (VSC) benchmark figure within the BRE of 27%.

Oliver Mews

46. Oliver Mews is a block of flats to the west of the site, the closest windows with a view have been tested, the daylight to these windows demonstrate that the proposal would either meet the 27% VSC level or be above 0.8 times its former value. It is not envisaged that there would be any harmful impacts to these properties.
47. The area is mixed commercial and residential, the impacts of the scheme in terms of use are considered to be minimal. It is acknowledged that there would be the temporary impact resulting from construction and the requirement for a construction management plan is suggested as a condition.

Transport issues

Car Parking

48. The site is located within a CPZ benefits from a high PTAL (6B) and is located within the town centre. The applicant has proposed a car free development this is welcomed, and a condition will be imposed to ensure that all occupiers of the new units within the development will be ineligible from obtaining on street parking permits.

Cycle parking

Cycle parking for the scheme would be provided on the ground floor, a total of 48 cycle parking spaces are provided in two groups of 24. In accordance with the London Plan Standards there is a requirement for 46 spaces, the proposal would therefore meet the required quantum.

Servicing

49. Servicing for the existing retail units will continue to be undertaken from the service yard to the rear of the shops. The yard space in terms of width would be largely the same, the main difference would be that the yard space would be covered rather than open. Sufficient headroom has been provided to allow service vehicles to pass under, it is suggested however that a condition is added to require vehicles exiting the site to do so using a forward gear.

Refuse

50. Separate refuse storage is provided for the commercial and residential elements of the scheme. Currently there is no formal enclosure for the commercial refuse. The

proposal would provide an allocated area within the loading bay to serve the commercial units. Residential waste would also be stored in an area adjoining the service yard and this would also be accessed from the internal cores. It is considered that the storage areas and the proposed collection method would be satisfactory.

Design issues and Impact on the Rye Lane Conservation Area and setting of nearby listed buildings

51. The main concerns raised as a consequence of the application have centred around the proposed massing and height, and whilst this has been reduced during the course of the application these concerns have continued to be the focus of the objections.
52. The chair of the Peckham heritage regeneration partnership, The Peckham society and historic England have responded to both the original submission and the revision, whilst they accept that the reduction in mass of the 6th floor has improved streetscape views they remain concerned that the proposed development would not respond to the prevailing building heights within the area, in the interests of the Rye Lane Conservation Area. Historic England have however stated that the application should be determined on the basis of the council's specialist conservation advice.
53. The building at the prominent junction of Rye Lane and Highshore Road. The site does not include a listed building but it is within the setting of a number of listed buildings including the Baptist Chapel on Rye Lane, Nos 7,9 and 11 and the Sorting Office on Holly Grove, all of which are Listed Grade II. The site abuts the Holly Grove Conservation Area to the west.
54. The proposed scheme has been carefully arranged to respond to the prevailing height and rhythm of the two conservation areas. On Highshore Road it is set at 3-storeys in height to reflect the residential character and narrow plot-width of Holly Grove Conservation Area. Beyond that and as it enters into the Rye Lane Conservation Area the proposal steps up to 4-storeys in height. This height establishes a strong parapet and a consistent block height that reflects the more substantial town centre scale of Rye Lane. On the Rye Lane frontage is a set-back fifth storey. This picks up on the more civic character of Rye Lane. Finally, and set-back further on the corner, is a roof-top pavilion structure (6th floor).
55. The council's Design and Conservation team advise that this carefully articulated and sculpted architectural mass ensures that the proposal not only respects the historic setting of the two Conservation Areas but also avoids any harm to the setting of the nearby Listed Buildings. The design retains the established building lines both on Rye Lane and Highshore Road. The views submitted with the application demonstrate that the upper floors are well set back and do not detract from the listed buildings. In particular the view of, the Baptist Chapel.
56. The proposal is generally clad in brick to reflect the materiality and tones of the conservation areas. In contrast, the 6th floor roof-top pavilion is designed to be clad in glass and aluminium in a simple pavilion-like design. The aluminium cladding is appropriate to give the roof-top structure a lightness that contrasts appropriately with the more solid brick base. The proposed choice of fabric is appropriate and this is reserved by condition.

57. The proportions of the building generally reflect the scale and character of the conservation areas. On Highshore Road, the more modest proportions have been reflected in the lower-scaled block at this western end of the site. The remainder of the development is defined by a stronger and deep-set double order at the top and civic order of the shopping parade at the ground floor. The base seeks to maximise active frontages on Rye Lane and Highshore Road. The quality of this design will rely to a large degree on the quality of detailing and this is reserved by condition.
58. The design and access statement suggests that the inclusion of the roof-top pavilion was inspired by the bank building at the corner of Hanover Park. This is an appropriate contextual reference and the design is appropriate. Communal amenity has been incorporated at roof-top level on Highshore Road and is appropriate given the constrained nature of the site.
59. The existing building is of limited architectural merit and the proposal would improve and enhance it. The scale and mass respects the two street elevations with the greatest mass being suitably set back as to avoid harm. The scheme would not cause harm to heritage assets, indeed it would enhance the Rye Lane Conservation Area, whilst providing new homes including 5 new affordable homes.

Impact on trees

60. There are no trees within the site, however there are three street trees on the Highshore Road frontage, it is considered that these are at a sufficient distance from the building that they will not be impacted, nonetheless a condition is added to ensure that should they be damaged as a result of the proposed works, they should be replaced.

Planning obligations (S.106 undertaking or agreement)

61. Both the Southwark Plan and the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations. The NPPF advises that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Strategic Policy 14 – Implementation and delivery of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The proposal is liable for Southwark and Mayoral CIL on the private housing the calculations given below do not take account of the relief from the affordable element.
62. Based on measurements above, CIL as per CIL Reg.40:

MCIL Chargeable Area = $Gr - Kr - (Gr \times E/G) = 3147 - 484 - (3147 \times 1056/3147) = 1607\text{sqm}$

MCIL (pre-relief) = 1607 sqm x £35/sqm x 286/223 = £72,135

SCIL Retail chargeable area = $Gr - Kr - (Gr \times E/G) = 858 - 484 - (858 \times 1056/3147) = 86.09\text{ sqm}$

SCIL (Zone 3 Retail) = $86.09\text{ sqm} \times £125/\text{sqm} \times 286/259 = £11,883$

SCIL Resi chargeable area = $Gr - Kr - (Gr \times E/G) = 2289 - 0 - (2289 \times 1056/3147) = 1520.9\text{ sqm}$

SCIL (Zone 3 Resi) = $1520.9\text{ sqm} \times £50/\text{sqm} \times 286/259 = £83,973$

SCIL (pre relief) = £95,856

63. In addition to the CIL contributions given above the proposal is required to provide the following additional contributions by way of mitigation.

5 x 2-bed intermediate housing units
 Affordable housing contribution £40,000
 Carbon off-set contribution £45, 684

64. Should a Section 106 Agreement not be completed by 31 January 2018 there would be no mechanism in place to avoid or mitigate the impact of the proposed development in relation to the provision of the necessary infrastructure. In the absence of a completed s106 the proposal would be contrary to Saved policy 2.5 Planning obligations of the Southwark Plan 2007 and Strategic Policy 14 Implementation of the Core Strategy, and Policy 8.2 Planning obligations of the London Plan, and should be refused for this reason.

Viability

65. In line with the Viability SPD a viability assessment was undertaken as part of the assessment of the scheme to ensure a fair level of affordable housing would be delivered from the site.
66. The council's independent valuers advised that 20% of affordable units would still allow the scheme to be viable. The applicant has made an offer of 19.5% based on habitable rooms. This together with the offer of £40,000 towards affordable housing is considered to be acceptable given that the monetary contribution is only in respect of 0.5%.

Sustainable development implications

67. Policy 5.1 of the London Plan requires that major development schemes should provide an assessment of their energy demands and demonstrate how they have taken steps to apply the Mayor's energy hierarchy. Policies 5.2 and 5.7 require a demonstration that the scheme has applied the Mayor's energy hierarchy and that a reduction in carbon dioxide emissions targeting at least 35% can be gained from on-site renewable energy generation, with major developments now required to meet a zero carbon target, with contributions made to mitigate against any shortfalls in carbon offset.
68. The proposal would employ the use of passive and high energy efficiency standards to provide a combined reduction of a 35% reduction in CO2 emissions. This is achieved using passive design methods, low U- values, low air permeability, a high efficiency gas heating system and photovoltaic panels. To make up the shortfall a contribution will be made as set above.

Conclusion on planning issues

69. Planning permission is sought for the redevelopment of the existing site retaining the retail uses on the ground floor and reconfiguring and extending the first and second floors and increasing the overall height of the building to a maximum of 6 storeys.
70. The proposed works would provide a more efficient use of the land increasing both the quality and quantity of existing residential accommodation from 11 to 27. The proposed units would be in compliance with the National Standards and would have access to a number of communal amenity spaces. The mix of accommodation would not be in strict compliance with policy with 2% over the required level of studio units and 5% under the required level of 3+ units. Nonetheless it is acknowledged that the

overall mix is an improvement upon the existing situation which comprised of studio rooms and undersized 1 - bed room flats. The proposal also allows for the provision of wheelchair units which was not previously possible due to the flat layouts and the lack of lifts.

71. The level of affordable units provided together with the monetary contribution would equate to 20%. The level of affordable provision has been through a vigorous viability assessment and represents an acceptable resolution.
72. The overall design of the proposal in particular the massing and height have been raised as matters of concern. These have been taken into account, but with the changes made to the top floor it is considered that the proposal would be an improvement upon the existing building and would make a positive contribution within the Rye Lane Conservation Area.

Community impact statement

73. 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) No issues relevant to particular communities/groups likely to be affected by the proposal have been identified.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Human rights implications

76. 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.
77. This application has the legitimate aim of providing new residential flats. 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/2732-44 Application file: 16/AP/2051 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 5434 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	Sonia Watson, Team Leader	
Version	Final	
Dated	30 November 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	1 December 2017	

APPENDIX 1

Consultation undertaken

Site notice date: 10/06/2016

Press notice date: 02/06/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 07/06/2016

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

5 Constance Court 47 Blenheim Grove SE15 4QR	Unit 44 Rye Lane Market SE15 5BY
Flat 16, Churchill Court, 3a Blenheim Grove SE15 4QW	Unit 40 Rye Lane Market SE15 5BY
6 Quantock Mews London SE154RG	Unit 34 Rye Lane Market SE15 5BY
Flat 3, 76-8 Montpelier Road London SE15 2HE	Unit 42 Rye Lane Market SE15 5BY
13 Highshore Road London SE15 5AA	Unit 35 Rye Lane Market SE15 5BY
14 Highshore Road London SE15 5AA	Unit 30 Rye Lane Market SE15 5BY
15 Highshore Road London SE15 5AA	Unit 29 Rye Lane Market SE15 5BY
12 Highshore Road London SE15 5AA	Unit 36 Rye Lane Market SE15 5BY
51-57 Rye Lane London SE15 5EY	Unit 31 Rye Lane Market SE15 5BY
10 Highshore Road London SE15 5AA	Unit 49 Rye Lane Market SE15 5BY
11 Highshore Road London SE15 5AA	Unit 33 Rye Lane Market SE15 5BY
16 Highshore Road London SE15 5AA	Unit 32 Rye Lane Market SE15 5BY
21 Highshore Road London SE15 5AA	Units 6 And 8 Rye Lane Market SE15 5BY
23 Highshore Road London SE15 5AA	Flat 3 38-44 Rye Lane SE15 5BY
25 Highshore Road London SE15 5AA	Flat 4 38-44 Rye Lane SE15 5BY
20 Highshore Road London SE15 5AA	Flat 5 38-44 Rye Lane SE15 5BY

17 Highshore Road London SE15 5AA
 18 Highshore Road London SE15 5AA
 19 Highshore Road London SE15 5AA
 Peckham Delivery Office 2-4 Highshore Road SE15 5AU
 Rye Lane Baptist Chapel Rye Lane SE15 5BY
 Room 1 5 Highshore Road SE15 5AA
 Room 2 5 Highshore Road SE15 5AA
 Unit 2 Adjacent To 4a SE15 5AA
 Market Office Rye Lane Market SE15 5BY
 Unit 1 Adjacent To 4a SE15 5AA
 Room 3 5 Highshore Road SE15 5AA
 Unit 37 Rye Lane Market SE15 5BY
 Unit 38 Rye Lane Market SE15 5BY
 38-40 Rye Lane London SE15 5BY
 Room 7 5 Highshore Road SE15 5AA
 Room 4 5 Highshore Road SE15 5AA
 Room 5 5 Highshore Road SE15 5AA
 Room 6 5 Highshore Road SE15 5AA
 3 Highshore Road London SE15 5AA
 71-73 Rye Lane London SE15 5EX
 65 Rye Lane London SE15 5EX
 36 Rye Lane London SE15 5BS
 30 Rye Lane London SE15 5BS
 Flat A 71-73 Rye Lane SE15 5EX
 Flat B 71-73 Rye Lane SE15 5EX
 34-34a Rye Lane London SE15 5BS
 Flat B 1 Highshore Road SE15 5AA
 First Floor 36a Rye Lane SE15 5BS
 42 Rye Lane London SE15 5BY
 Flat A 1 Highshore Road SE15 5AA
 75a Rye Lane London SE15 5EX
 First Floor And Second Floor Flat 52 Rye Lane SE15 5BY
 67-69 Rye Lane London SE15 5EX
 32 Rye Lane London SE15 5BS
 38-44 Rye Lane London SE15 5BY
 46 Rye Lane London SE15 5BY
 9 Highshore Road London SE15 5AA
 4 Highshore Road London SE15 5AA
 7 Highshore Road London SE15 5AA
 8 Highshore Road London SE15 5AA
 50 Rye Lane London SE15 5BY
 59a Rye Lane London SE15 5EX
 Third Floor 36a Rye Lane SE15 5BS
 61-63 Rye Lane London SE15 5EX
 4a Highshore Road London SE15 5AA
 52 Rye Lane London SE15 5BY
 59 Rye Lane London SE15 5EX
 3a Highshore Road London SE15 5AA
 Market Cafe Rye Lane Market SE15 5BY
 Unit 52 Rye Lane Market SE15 5BY
 Unit 51 Rye Lane Market SE15 5BY
 Unit 50 Rye Lane Market SE15 5BY
 Unit 53 Rye Lane Market SE15 5BY
 Unit 41 Rye Lane Market SE15 5BY
 Unit 47 Rye Lane Market SE15 5BY
 Unit 45 Rye Lane Market SE15 5BY
 Unit 48 Rye Lane Market SE15 5BY
 Units 2 And 3 Rye Lane Market SE15 5BY
 Unit 4 Rye Lane Market SE15 5BY
 Unit 5 Rye Lane Market SE15 5BY
 Unit 1 Rye Lane Market SE15 5BY
 Unit 46 Rye Lane Market SE15 5BY
 Unit 43 Rye Lane Market SE15 5BY
 Unit 27 Rye Lane Market SE15 5BY
 Unit 28 Rye Lane Market SE15 5BY
 Unit 39 Rye Lane Market SE15 5BY
 Units 37 And 38 Rye Lane Market SE15 5BY
 Flat 2 38-44 Rye Lane SE15 5BY
 Unit 21 Rye Lane Market SE15 5BY
 Unit 20 Rye Lane Market SE15 5BY
 Flat 1 38-44 Rye Lane SE15 5BY
 Flat 6 38-44 Rye Lane SE15 5BY
 Flat 11 38-44 Rye Lane SE15 5BY
 Flat 12 38-44 Rye Lane SE15 5BY
 5 Highshore Road London SE15 5AA
 Flat 10 38-44 Rye Lane SE15 5BY
 Flat 7 38-44 Rye Lane SE15 5BY
 Flat 8 38-44 Rye Lane SE15 5BY
 Flat 9 38-44 Rye Lane SE15 5BY
 Unit 14 Rye Lane Market SE15 5BY
 Unit 25 Rye Lane Market SE15 5BY
 Unit 12 Rye Lane Market SE15 5BY
 Unit 26 Rye Lane Market SE15 5BY
 Unit 11 Rye Lane Market SE15 5BY
 Unit 7 Rye Lane Market SE15 5BY
 Unit 9 Rye Lane Market SE15 5BY
 Unit 10 Rye Lane Market SE15 5BY
 Unit 24 Rye Lane Market SE15 5BY
 Unit 17 Rye Lane Market SE15 5BY
 Unit 16 Rye Lane Market SE15 5BY
 Unit 15 Rye Lane Market SE15 5BY
 Units 18 And 19 Rye Lane Market SE15 5BY
 Unit 23 Rye Lane Market SE15 5BY
 Unit 22 Rye Lane Market SE15 5BY
 Unit 13 Rye Lane Market SE15 5BY
 207 Bellenden Road Peckham SE15 4DG
 33 Highshore Road London SE15 5AF
 64 Embleton Road London SE13 7DG
 Flat 3 London SE15 5BY
 20 Highshore Road London SE15 5AA
 Flat 41 Pilgrims Cloisters 116 Sedgmoor Place London se5 7rq
 1 Handforth Road London SW9 0LL
 1 Handforth Road London SW9 0LL
 3 Highshore Road London Se155aa
 118 Cooperative House 263 Rye Lane se15 4ur
 53 Thurlow Hill London SE21 8JW
 241a Barry Road East Dulwich SE22 0JU
 2 Ashleigh Mews London Se154bf
 24 Burnley Rd London sw9 0sj
 52 Ansdell Road Peckham SE15 2DS
 10 Lyndhurst Square London SE15 5AR
 23 Aura Court 163 Peckham Rye SE15 3GW
 44 Caulfield Road Peckham SE15 2DE
 25 Highshore Road SE15 5AA
 Flat 3 5 Campden Road CR2 7EQ
 3a London se15 5by
 162 Peckham Rye London SE229QH
 84 Oglander Road London se154EN
 Flat 7 London Se15 5by
 18 Highshore Road Peckham se15 5aa
 9 Highshore Road London SE155AA
 104 Copleston Road London SE15 4AG
 7 Lyndhurst Square 7 Lyndhurst Square SE15 5AR
 11 Blenheim Grove London SE15 4QS
 60 Nutbrook St Peckham SE15 4LE
 12b Therapia Rd London SE220SE
 186 Bellenden Road London SE15 4BW
 36a Marmont Road London SE15 5TE
 61 Harberton Road London N19 3JT
 45 Northfield Hse Peckham Park Rd se15 6tl
 178 Peckham Rye London SE22 9QA
 12 Highshore Rd Peckham Rye SE155AA
 79 Eliot Bank se233xd

Re-consultation: 24/04/2017

Consultation responses received

Internal services

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

Statutory and non-statutory organisations

Environment Agency
 Historic England
 London Fire & Emergency Planning Authority
 London Underground Limited
 Natural England - London Region & South East Region
 Network Rail (Planning)
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Flat 16, Churchill Court, 3a Blenheim Grove SE15 4QW
 Flat 3 London SE15 5BY
 Flat 3 5 Campden Road CR2 7EQ
 Flat 3, 76-8 Montpelier Road London SE15 2HE
 Flat 41 Pilgrims Cloisters 116 Sedgmoor Place London se5 7rq
 Flat 7 London Se15 5by
 1 Handforth Road London SW9 0LL
 1 Handforth Road London SW9 0LL
 10 Highshore Road London SE15 5AA
 10 Lyndhurst Square London SE15 5AR
 104 Copleston Road London SE15 4AG
 11 Blenheim Grove London SE15 4QS
 118 Cooperative House 263 Rye Lane se15 4ur
 12 Highshore Rd Peckham Rye SE155AA
 12 Highshore Road London SE15 5AA
 12 Highshore Road London SE15 5AA
 12b Therapia Rd London SE220SE
 13 Highshore Road London SE15 5AA
 13 Highshore Road London SE15 5AA
 15 Highshore Road London SE15 5AA
 162 Peckham Rye London SE229QH
 178 Peckham Rye London SE22 9QA
 18 Highshore Road London SE15 5AA
 18 Highshore Road London SE15 5AA
 18 Highshore Road Peckham se15 5aa
 186 Bellenden Road London SE15 4BW
 2 Ashleigh Mews London Se154bf
 20 Highshore Road London SE15 5AA
 20 Highshore Road London SE15 5AA
 207 Bellenden Road Peckham SE15 4DG
 207 Bellenden Road Peckham SE15 4DG
 23 Aura Court 163 Peckham Rye SE15 3GW
 23 Highshore Road London SE15 5AA
 23 Highshore Road London SE15 5AA

24 Burnley Rd London sw9 0sj
241a Barry Road East Dulwich SE22 0JU
25 Highshore Road SE15 5AA
25 Highshore Road SE15 5AA
25 Highshore Road SE15 5AA
25 Highshore Road London SE15 5AA
25 Highshore Road London SE15 5AA
3 Highshore Road London Se155aa
3a Highshore Road London SE15 5AA
3a London se15 5by
33 Highshore Road London SE15 5AF
36a Marmont Road London SE15 5TE
38-44 Rye Lane London SE15 5BY
44 Caulfield Road Peckham SE15 2DE
45 Northfield Hse Peckham Park Rd se15 6tl
5 Constance Court 47 Blenheim Grove SE15 4QR
52 Ansdell Road Peckham SE15 2DS
53 Thurlow Hill London SE21 8JW
6 Quantock Mews London SE154RG
60 Nutbrook St Peckham SE15 4LE
61 Harberton Road London N19 3JT
61 Harberton Road London N19 3JT
64 Embleton Road London SE13 7DG
7 Lyndhurst Square 7 Lyndhurst Square SE15 5AR
79 Eliot Bank se233xd
84 Oglander Road London se154EN
84 Oglander Road London se154EN
84 Oglander Road London se154EN
9 Highshore Road London SE15 5AA
9 Highshore Road London SE155AA
9 Highshore Road London SE155AA

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 Atif Riaz Reality Holdings Limited	Reg. Number	16/AP/2051
Application Type	Full Planning Application	Case	TP/2732-44
Recommendation	Grant subject to Legal Agreement	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Refurbishment and extension of existing building, including additional floors above ground floor, ranging in height from four to six storeys, to provide 716 SqM of retail space (use class A1) and 27 residential dwelling (use class C3) (2 x studios, 4 x one bed flats, 17 x 2 bed flats, and 4 x three bed flats), landscaping, associated servicing, refuse storage and bicycle storage

At: 38-44 RYE LANE, LONDON, SE15 5BY

In accordance with application received on 18/05/2016 16:01:52

and Applicant's Drawing Nos. Existing

276/P201; 276/P/202; 276/203; 276/P204; 276/P/211; 276/P212;

Proposed

276_A_301 REV A; 276_P_302; 276_P_303; 276_P_304; 276_A_305 REV A; 276_A_306 REV A; 276_0361 REV A_VISUALISATIONS; 276_A_311 REV A; 276_A_312 REV A; 276_A_321 REV A; 276_A_322 REV A; 276_A_331 REV A

Documents

Design and access statement including Heritage Statement; Planning Statement including Statement of Community Involvement; Daylight and Sunlight Assessment; Energy Statement; Transport Statement, Visibility Report Summary, Commercial Rent Analysis Report

Subject to the following twelve 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:

276_A_301 REV A; 276_P_302; 276_P_303; 276_P_304; 276_A_305 REV A; 276_A_306 REV A; 276_0361 REV A_VISUALISATIONS; 276_A_311 REV A; 276_A_312 REV A; 276_A_321 REV A; 276_A_322 REV A; 276_A_331 REV A

Reason:

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

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

commenced.

- 3 Prior to the commencement of works, a Construction Method Statement detailing measures to protect the trees on Highshore Road and to measures to avoid highway conflict shall be submitted to the local planning authority for approval.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area and to protect highway safety in accordance with The National Planning Policy Framework 2012 strategic policies 1 sustainable transport, 11 open spaces and wildlife, 12 design and conservation and 13 High environmental standards of the Core Strategy 2011; saved policies 3.2 protection of amenity, 3.28 biodiversity and 5.2 transport impacts 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.

- 4 Before any above grade work hereby authorised begins, details of the screen wall to the first floor amenity areas 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.

- 5 1:5/10 section detail-drawings through the building proposed:
the facades;
parapets;
roof edges;
junctions with existing buildings; and
heads, cills and jambs of all openings;
to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority before any work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with part 7 of the NPPF (2012); Policy SP12 Design & Conservation of the Core Strategy (2011); and saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (July 2007) .

- 6 1m x 1m sample panels of the brick and glass and aluminium cladding as well as samples of all external facing materials, to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before any work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with part 7 of the NPPF (2012); Policy SP12 Design & Conservation of the Core Strategy (2011) and saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (July 2007).

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

- 7 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 276_P_301 REV A] 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.

- 8 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced 276_P_301 REV A shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

- 9 Prior to the commencement of use a scheme of sound insulation shall be submitted to the local planning authority to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90,5min 1m from the facade of the nearby residential premises at all third octave bands between 31.5Hz and 8kHz. The plant and equipment shall be installed and constructed in accordance with any such approval given and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with the National Planning Policy Framework 2012, Strategic Policy 13 'High environmental standards' of the Core Strategy (2011) and saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

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

- 10 With the exception of existing flats numbered 1 to 11 inclusive no developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

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

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

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

Living rooms- 35dB LAeq T **

Dining room - 40 dB LAeq T **

* 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.

- 12 The specifications for each dwelling identified in the detailed construction plans shall be constructed in accordance with the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body

Unit reference numbers

Access to and use of building standard

All other units

M4(2)

Units 14 and 16

M4(3a)

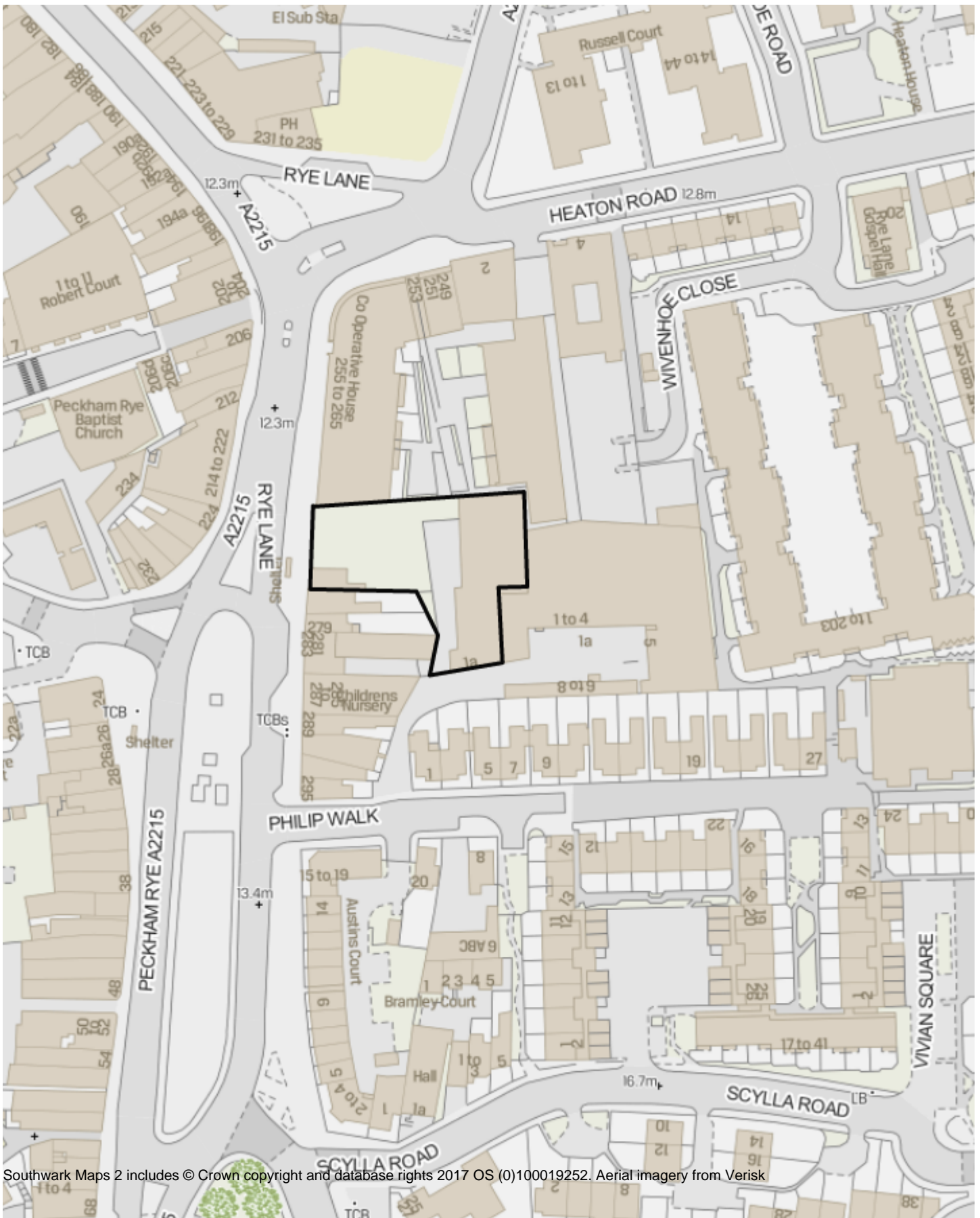
Reason

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

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

AGENDA 7.2 - 269-275 RYE LANE AND 1 A PHILIP WALK, LONDON SE15



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Item No. 7.2	Classification: Open	Date: 13 December 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/1896 for: Full Planning Permission Address: 269-275 RYE LANE AND 1A PHILIP WALK, LONDON SE15 Proposal: Demolition of existing buildings (general industrial units and a derelict end-of-terrace property) and the redevelopment of the site to provide 1x part 3/ part 5 storey building, 1x part 6/ part 5 storey building and 1x two-storey residential dwelling, comprising a total 29 residential units (12 x 1-bed, 11 x 2-bed and 6 x 3-bed) and 534sqm of flexible commercial floorspace (Class A1/B1), plus associated landscaping, plant, car and cycle parking and refuse storage.		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date: 13/05/2016		Application Expiry Date: 12/08/2016	
Earliest Decision Date: 01/07/2016		Target Decision Date: 31/03/2018	

RECOMMENDATIONS

1. a) That planning permission be granted, subject to conditions and the applicant entering into a satisfactory legal agreement.
- b) That in the event that a satisfactory legal agreement is not entered into by 31 March 2018 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reason set out in paragraph 116 of this report.

BACKGROUND INFORMATION

Site location and description

2. The site is located in Peckham Major Town Centre and is on the east side of Rye Lane between the junction with Heaton Road to the north and Philip Walk to the south. The area comprises a mix of development types and uses and a range of building heights generally between two and six storeys. The site is not in a conservation area (but it does share a boundary with Rye Lane Conservation Area to the north). There are no Listed Buildings in the immediate vicinity.
3. The front part of the site is open and overgrown presenting a gap in the streetscene between Co-operative House on the north side and a short terrace of three, 3-storey Victorian properties at No. 275-279 Rye Lane on the south side. The site has lain empty with No. 275 remaining derelict for more than a decade after suffering fire damage.
4. The rear part of the site contains a couple of single-storey industrial buildings set side-by-side occupied by a commercial laundry business (Class B1 or B2) which form part

of larger industrial estate of similar buildings.

5. Immediately to the north of the site is Co-operative House, a development of flats with commercial properties at street level fronting onto Rye Lane and continuing around the corner into Heaton Road. The front block of Co-operative House next to the application site is five-storeys high, this then increases to seven storeys where, further to the north, it curves around the corner into Heaton Road, before dropping back to six storeys for the rear block. It has car parking at ground-level with an internal communal courtyard on a podium deck above.
6. Immediately to the east of the site is a collection of single-storey pitched roofed industrial buildings arranged around a courtyard (the industrial estate referred to above). These are host to small commercial enterprises such as a commercial printers and a picture framing business.
7. Immediately to the south of the application site is Philip Walk which runs west from Rye Lane. Along its north side are a row of semi-detached Victorian villas in London stock brick with shallow hipped roofs and modest rear gardens.
8. Part of the site is located within Proposal Site 23 (269-273 Rye Lane) of the Peckham and Nunhead Area Action Plan (PNAAP).
9. The following development plan designations apply to the site:
 - Peckham Major Town Centre
 - Peckham Action Area Core
 - PNAAP Proposal Site 23
 - Protected Shopping Frontage
 - Urban Density Zone (200-700HR/Ha)
 - Air Quality Management Area
 - Fronts onto a Classified A Road (Rye Lane)
 - Public Transport Accessibility Level (PTAL) - 6a (Excellent)
 - Flood Zone 1
 - Critical Drainage Area

Details of proposal

10. The proposal consists of three buildings which are referred to as Block A, Block B and Block C.
11. Block A would be five storeys high and fronts onto Rye Lane. It would contain two floors of commercial floorspace, at ground and basement level, to be used either as a shop or office. In particular the applicant has indicated that they consider the space capable of facilitating a co-working hub (office use) and are willing to make all reasonable endeavours to try to secure this. The four floors above would contain 11 flats (7no. 1beds and 4no. 3beds). This building would be clad with a combination of brass cladding (weathered and perforated), galvanised steel (perforated) cladding, grey fibre-cement panelling and have dark-grey aluminium window frames
12. Block B ranges in height from four to six storeys and is itself arranged as two conjoined but distinct blocks of a similar depth with the northern part set back behind the southern part by 6.5m. From Philip Walk to the south Block B gradually steps up from four to five and then to six storeys before dropping back down to five storeys at its northernmost part nearest to the rear block of Cooperative House. It would contain a total of 17 residential units (5no. 1beds, 10no. 2beds and 2no. 3beds). Four of the ten 2bed units would be ground-floor duplex units. This building would be finished with a painted white brick with living wall panels randomly interspersed within the west

(courtyard) and south elevations.

13. Block C is a standalone two-storey 2xbed dwellinghouse positioned to abut the northern boundary of the site with Cooperative House and between Block A and Block B. It would be clad with a green glazed brick with elements of brass cladding (weathered and perforated) in places.
14. This arrangement of buildings around the periphery of the site allows for the creation of quite a generous internal courtyard providing communal amenity space for the development as well as accommodating a single blue badge parking space. Vehicular access to the courtyard would be provided through the site's existing access which in turn is accessed via the existing shared private access route leading from Philip Walk. This access would be gated for security but would be accessible to the emergency services.
15. A separate undercroft pedestrian access under Block A, also gated for security, would provide a convenient direct link between the development and Rye Lane.
16. The development would include areas of sedum green roof over the single-storey elements of the development, i.e., either side of the house (Block C) and over the commercial unit at the rear of Block A.

Relevant Planning history

15/EQ/0089

17. Pre-application Enquiry: Redevelopment of brownfield site fronting Rye Lane, for a residential-led mixed-use development comprising 43 residential units and 366sqm of commercial floor space.

ADVICE ISSUED AND CASE CLOSED: 17/07/2015

14/EN/0112

18. Enforcement type: Land adversely affecting amenity (S215)
Untidy land

CASE CLOSED (NOT EXPEDIENT TO ENFORCE): 02/06/2014

07/EN/0155

19. Enforcement type: Unauthorised advertisement (ADV)
Unauthorised display of two externally illuminated advertising display panels, one measuring approximately 3m high by 12.1m wide (96 sheet) and one measuring approximately 3m high by 6.1m wide (48 sheet)

CASE CLOSED (BREACH CEASED): 09/02/2010

03/AP/2103

20. Full Planning Permission: Construction of a 4-storey building on vacant site at Nos.269-273 consisting of ground floor Class A1 Retail use and 8 residential flats on upper floors with car parking and service access at rear (via Philip Walk), together with refurbishment of No. 275 for use as part of supermarket (with ancillary offices on upper floors).

GRANTED: 31/08/2004

02/AP/0933

21. Full Planning Permission: Part demolition of existing buildings retaining front facade to Rye Lane and reconstruction of a four storey building to provide restaurant on the

ground floor and 15 self-contained flats on the upper floors.

REFUSED: 15/08/2002

Reasons for refusal:

1. The proposal, by virtue of its height, bulk and appearance, fails to relate to the retained façade or the remainder of the terrace (277 and 279 Rye Lane) and therefore would be a discordant and unattractive alteration to the streetscape, and would be detrimental to the visual amenity of the area as viewed from both Rye Lane, and Philip Walk. This is contrary to E.2.3: Aesthetic Control, Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan and PPG3 Housing.
2. The dwelling mix and tenure proposed fails to provide for larger households or affordable housing units and does not create a varied residential environment, and in this respect fails to comply with Policy H.1.5: Dwelling Mix of New Housing and Policy H.1.4: Affordable Housing and SPG Affordable Housing of Southwark's UDP.
3. The proposal, by virtue of its height and projection to the rear of the site would unacceptable compromise the outlook from the neighbouring flat at 277 Rye Lane, introducing a long, high blank wall immediately beside their rear facing windows. It would also potentially compromise the amount of natural daylight available to the second floor bedroom window of this flat. This is contrary to Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan.

00/AP/1591

22. Full Planning Permission: Change of use of 1st and 2nd floors from vacant storage areas to three self-contained residential units.

GRANTED: 11/01/2001

Planning history of relevant neighbouring sites

Land at 249- 267 Rye Lane, SE15 4UA (Co-operative House)

03/AP/1228

23. Full Planning Permission: Construction of 3 buildings in blocks of 5, 6 and 7 storeys around a landscaped courtyard comprising retail/financial & professional services/cafe/wine bar/offices (Class A1/A2/A3 B1) on the ground floor, 122 flats on the upper floors and 56 basement car parking spaces and 122 bicycle spaces, with access from Heaton Road.

GRANTED WITH A LEGAL AGREEMENT: 30/03/2005

KEY ISSUES FOR CONSIDERATION

Summary of main issues

24. The main issues to be considered in respect of this application are:
- a) The principle of development in terms of land use and conformity with strategic policies;
 - b) The impact of the development on the amenity of neighbouring properties
 - c) The design of the development and its impact on the character and appearance of the local area.

- d) Dwelling mix
- e) Affordable housing
- f) Quality of residential accommodation
- g) Transport impacts
- h) Flood risk
- i) Energy
- j) Ecology
- k) Planning obligations
- l) Community Infrastructure Levy (CIL)
- m) All other relevant material planning considerations

Planning policy

National Planning Policy Framework

25. The National Planning Policy Framework was published in March 2012 and established the Government's strategy for the delivery of sustainable development. Whilst not policy in itself, all local planning policies must be in general conformity with the NPPF and it is a material consideration in the determination of planning applications.
26. In addition to the core planning principles enshrined in the NPPF, the following sections are most relevant to the proposed development:
- 2. Ensuring the vitality of town centres
 - 4. Promoting sustainable transport
 - 6. Delivering a wide choice of high quality homes
 - 7. Requiring good design.
 - 10. Meeting the challenge of climate change, flooding and coastal change
 - 11. Conserving and enhancing the natural environment
 - 12. Conserving and enhancing the historic environment
27. National Planning Policy Framework
- Policy 3.1: Ensuring equal life chances for all
 - Policy 2.15: Town centres
 - Policy 2.18: Green infrastructure: the network of open and green spaces
 - Policy 3.3: Increasing housing supply
 - Policy 3.5: Quality and design of housing developments
 - Policy 3.7: Optimising housing potential
 - Policy 3.8: Housing choice
 - Policy 3.9: Mixed and balanced communities
 - Policy 3.10: Definition of affordable housing
 - Policy 3.11: Affordable housing targets
 - Policy 3.12: Negotiating affordable housing on individual private residential and mixed use schemes
 - Policy 3.13: Affordable housing thresholds
 - Policy 4.12: Improving opportunities for all
 - Policy 5.2: Minimising carbon dioxide emissions
 - Policy 5.3: Sustainable design and construction
 - Policy 5.10: Urban greening
 - Policy 5.11: Green roofs and development site environs
 - Policy 5.12: Flood risk management
 - Policy 5.13: Sustainable drainage
 - Policy 5.17: Waste capacity
 - Policy 6.3: Assessing the impacts of development on transport capacity
 - Policy 6.9: Cycling

Policy 6.10: Walking
 Policy 6.13: Parking
 Policy 7.1: Building London's neighbourhoods and communities
 Policy 7.2: An inclusive environment
 Policy 7.3: Designing out crime
 Policy 7.4: Local character
 Policy 7.5: Public realm
 Policy 7.6: Architecture
 Policy 7.8: Heritage assets and archaeology
 Policy 7.14: Improving air quality
 Policy 7.15: Reducing and managing noise, etc
 Policy 7.19: Biodiversity and access to nature
 Policy 8.3: Community infrastructure levy

28. Mayor of London Supplementary Planning Guidance

Affordable Housing and Viability 2017
 Housing 2016
 Sustainable Design and Construction 2014
 Accessible London: Achieving an Inclusive Environment 2014
 Town Centres 2014
 Shaping Neighbourhoods: Character and Context 2014
 Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy 2013

29. Southwark Core Strategy 2011

Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 3 - Shopping Leisure and Entertainment
 Strategic Policy 4 - Places to learn and enjoy
 Strategic Policy 5 - Providing New Homes
 Strategic Policy 6 - Homes for people on different incomes
 Strategic Policy 7 - Family Homes
 Strategic Policy 11 - Open spaces and wildlife
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards
 Strategic Policy 14 - Implementation

Southwark Unitary Development Plan 2007 - Saved Policies

30. 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 1.4: Employment sites outside the Preferred Office Locations and Preferred Industrial Locations
 Policy 1.7: Development within Town and Local Centres
 Policy 2.5: Planning Obligations
 Policy 3.1: Environmental Effects
 Policy 3.2: Protection of Amenity
 Policy 3.3: Sustainability Assessment

Policy 3.4: Energy Efficiency
 Policy 3.6: Air Quality
 Policy 3.7: Waste Reduction
 Policy 3.9: Water
 Policy 3.11: Efficient use of Land
 Policy 3.12: Quality in Design
 Policy 3.13: Urban Design
 Policy 3.14: Designing out Crime
 Policy 3.18: Setting of Listed Buildings, Conservation Areas and World Heritage Sites
 Policy 5.1: Locating Developments
 Policy 5.2: Transport Impacts
 Policy 5.3: Walking and Cycling
 Policy 5.6: Car Parking

31. Southwark Council Development Plan Documents

Peckham and Nunhead Action Area Plan 2014

32. Southwark Council Supplementary Planning Documents

2015 Technical Update to the Residential Design Standards 2011
 Affordable Housing 2008
 Affordable Housing (draft) 2011
 Sustainable Design and Construction 2009
 Development Viability 2016
 Section 106 Planning Obligations and CIL 2015
 Sustainable Transport 2010
 Sustainable Construction and Design 2009
 Rye Lane Conservation Area Character Appraisal 2011

Summary of issues raised:

33. A total of 72 representations were received over the course of the two public consultations, the first on the proposal as initially submitted and the second a re-consultation on the revised proposal now before Members. 65 of the comments are objections, 6 comments in support of the proposal were received and one neutral comment. The main issues raised are:

Objections.

- Loss of daylight and sunlight
- Will exacerbate the lack of parking in the local area
- Lack of affordable housing
- Loss of privacy
- Overshadowing of community gardens and children's play area
- Overbearing sense of enclosure
- Design including scale, massing and height
- Noise and disturbance
- Loss of historic properties along Rye Lane.

Support:

- Redevelopment of derelict land
- Additional housing and commercial space

Summary of other statutory and non-statutory consultation responses

Transport for London

34. No objection, recommend conditions.

Local Highways Authority (Southwark)

35. Expressed concern about the refuse storage area but no objection and recommended conditions.

Southwark Environmental Protection Team

36. No objection, recommend conditions.

Southwark Flood and Drainage Team

37. No objections (on the basis of the understanding that no sleeping accommodation would be located on the ground floor).

Ecologist (Southwark)

38. Demolition of the existing buildings should be undertaken outside of the bird nesting season (March-August inclusive) to avoid harm to any active starling nests. The development proposes ecological enhancement. These are best dealt with through the following conditions;

- AG03 (Green roof details to be submitted)
- AG13 (Living wall details to be submitted)
- PC39 (Bird and bat boxes, details to be submitted) (4 swift bricks and 6 mixed-nest boxes are recommended)

Southwark Waste Contract and Strategy Manager

39. The size and location of the bin stores is considered to be acceptable, no objection.

Southwark Transport Planning Team

40. Expressed concern about the refuse storage. This is dealt with below.

Urban Forester (Southwark)

41. No objection as no trees or existing landscape are affected.

The principle of development

42. As a large part of the site is currently occupied by an employment use the proposal requires assessment against saved policy 1.4 of the Southwark Plan (as revised following the adoption of the Core Strategy in 2011).

43. The policy applies to existing B1 floorspace found within any of the following locations in the Borough (excluding the borough's single Preferred Industrial Location). In these locations and in exceptional circumstances the council will permit a loss of employment floorspace in order to ensure that redundant employment land is re-used and to facilitate the provision of active uses in town centres.

- I. Where a site fronts onto or has direct access to a classified road
- II. Within the CAZ (Central Activities Zone)
- III. Within a Strategic Cultural Area

- IV. Within Town and Local centres
- V. Within Action Area Cores
- VI. Within Camberwell Action Area

44. The exceptional circumstances, of which there are three, are as follows:
- a) Where the applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful; or
 - b) Where the site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints; or
 - c) Where the site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses.'
45. The site falls into three of the relevant location criteria, i.e., it fronts onto a classified road (Rye Lane), is located in a town centre (Peckham) and is within an action area core (Peckham and Nunhead Area Action Plan).
46. Since the pre-application enquiry in 2015 it has been established that the amount of existing employment space on the site is not as great as the applicant had first thought. It has been established that the existing employment floorspace on the site amounts to 603sqm.
47. The proposal incorporates a 534sqm commercial unit for either retail (A1) or business (B1) use within the ground-floor and basement of Block A. In accordance with saved policy 1.4, the provision of a retail use for the existing business use on the site is acceptable in principle given the site's location in a town centre.
48. The proposed provision would fall short of the existing by 69sqm, i.e., the provision would represent 89% of the existing commercial floorspace on the site. The replacement floorspace would be modern and of a higher quality; as such, the shortfall is considered to be acceptable.
49. Furthermore, in support of this view, regard should also be had toward the likely greater intensity of employment opportunities that the new commercial unit would be able to offer in comparison to the existing commercial launderette business that operates from the site. In this respect and with reference to the Homes and Communities Agency's Employment Density Guide (November, 2015) it is estimated that the retail use of the proposed commercial unit could generate between 27-37 jobs while its use as offices (including a potential co-working hub) could generate between 37-57 jobs. These therefore compare favourably to an estimate of just 15 jobs for the existing commercial launderette business on the site.
50. Having regard to saved policy 1.7, it is considered that the scale and nature of the proposed A1/B1 commercial uses would be appropriate to its location and would not harm the vitality and viability of the centre or, subject to necessary planning conditions, the amenities of surrounding occupiers. The proposal is thus considered to be compliant with saved policy 1.7 of the Southwark Plan.
51. Consideration of the principle of development must also have regard to the council's ambitions for part of the site through its allocation as a redevelopment opportunity in the adopted Peckham and Nunhead Action Area Plan (PNAAP) (2014).

52. Proposal Site 23 in the PNAAP identifies that any future proposals for the redevelopment of the vacant site at 269-273 Rye Lane (which forms a part of the larger site now proposed) should provide approximately 340sqm of Class A floorspace (A1-A4) at street level fronting onto Rye Lane as well as new homes on the upper floors. It also suggests that consideration will be given to a ground-floor community use (D Class) or business use (B Class) as an alternative to the A Class uses sought. The allocation also set out an indicative capacity of 8 dwellings on the site.
53. The proposal responds well to this site specific policy as Block A would present an 'active' commercial frontage onto Rye Lane with appropriate uses (Class A1 or B1) and the ground-floor (313sqm) and basement (221sqm) would exceed the recommended 340sqm provision. It would also provide 11 residential units within the upper four floors, slightly greater than the 8 envisioned.
54. Officers are satisfied that the land uses proposed make a satisfactory response to site specific requirements set out in the Peckham and Nunhead Area Action Plan and the borough-wide saved policies in the Southwark Plan and as such, the principle of development is acceptable.

Environmental impact assessment

55. The proposal lies outside the scope of the Town and Country Planning (Environmental Impact Assessment Regulations) 2017 and as such there is no requirement for an EIA.

The impact of the development on the amenity of neighbouring properties

56. Saved policy 3.2 (Protection of amenity) of the Southwark Plan (2007) seeks to ensure that new development does not compromise the amenities enjoyed by existing neighbours, for example, by protecting adequate daylight and sunlight, privacy, immediate outlook and a reasonable degree of peace and quiet.

Daylight and sunlight impacts

57. Many of the representations received in response to the consultation on the application have come from residents living in Cooperative House, which lies immediately to the north of the site; a recurring theme among the objections outlined in these responses is the impact of the development on the amount of daylight and sunlight that its residents currently enjoy.
58. The application was accompanied by a daylight and sunlight report and this was subsequently revised to reflect the reduction in the height and mass of the Block B buildings at the rear of the site.
59. The report examines the effects of the proposed development on the amount daylight and sunlight currently received by neighbouring residential properties and on the extent of shading of neighbouring outdoor amenity areas, e.g., private gardens, communal courtyards, etc.

Daylight impacts

60. The primary test for assessing the extent to which neighbouring dwellings may or may not incur a loss of daylight as a result of a proposed new development is known as the Vertical Sky Component (VSC) test. Vertical Sky Component is a 'spot' measure of the skylight reaching the mid-point of a window from an overcast sky. It represents the amount of visible sky that can be seen from that reference point, from over and around an obstruction in front of the window.

61. For existing buildings, the Building Research Establishment (BRE) guidelines state that if the VSC at the centre of a window is more than 27% (or if not, then if it at least remains not less than 80% of its former value), then the diffuse daylighting of the existing building will not be adversely affected. The submitted report undertook the VSC test on the following neighbouring properties:

Peckham Rye:	24, 25, 26 and 26A
Rye Lane:	214-216, 220-222, 224, 226, 228, 230, 232, 259-267 (Co-operative House), 277, 279, 281-283, 285-287 and 289
Philip Walk:	1, 3, 5, 7, 9, 11, 13 and 15

62. The report also explains that Wivenhoe House, a low-rise sheltered housing development to the east and residential properties in Sternhall Lane to the west was not included within the VSC test as it far enough away from the development to ensure that they would not experience any noticeable.
63. The results of the first VSC test found that 268 out of the 284 windows tested complied with the BRE guidelines for there not to be a noticeable decrease in daylight. 16 windows (5.6%) would have a noticeable decrease.

Windows failing VSC test (Before height of Block B reduced)	
277 Rye Lane	4 (out of 5 windows)
7 Philip Walk	1 (out of 7 windows)
Building B Cooperative House	9 (out of 38 windows)
Building D Cooperative House	2 (out of 50 windows)
Total	16 (out of 284) (5.6%)

64. The results of the second VSC test, following the reduction in height of Block B (the current proposal), found that 272 out of the 284 windows tested would have no noticeable decrease leaving only 12 windows (4.2%) with a noticeable chance.. With reference to Appendix I (Environmental Impact Assessment) of the BRE guide which describes three 'scale of impact' categories ranging from 'minor' to 'moderate' to 'major', it is considered that the daylight impacts of the development on the most affected neighbouring buildings, i.e. 277 Rye Lane and Blocks B and D of Cooperative House meet the description of a 'minor adverse impact' and are therefore acceptable.

Windows for which there would be a noticeable decrease in VSC (After height of Block B reduced)	
277 Rye Lane	4 (out of 5 windows)
7 Philip Walk	0 (out of 7 windows)
Building B Cooperative House	6 (out of 38 windows)
Building D Cooperative House	2 (out of 50 windows)
Total	12 (out of 284) (4.2%)

65. Furthermore, in respect of the impacts on Blocks B and D of Cooperative House the report legitimately points out that the effect of the proposed development on these blocks is exacerbated by the nature of their design, i.e., their internal courtyard elevations are adorned with projecting balconies overhanging windows directly underneath thereby already restricting the amount of daylight that they currently receive. The BRE guidelines are clear that the effects of such existing conditions within neighbouring buildings can magnify the daylight impact of a proposed building and it therefore permits a theoretical 'no balcony' assessment to be undertaken. This assessment, if undertaken, would therefore show an even more benign impact on the above properties.

Sunlight impacts

66. The sunlight impacts of the proposed development on neighbouring properties are assessed using the BRE's recommended Annual Probable Sunlight Hours (APSH) test. Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year, and windows facing eastwards or westwards will only receive sunlight for some of the day. Therefore, BRE guidance states that only windows with an orientation within 90 degrees of south need be assessed. The following properties have been assessed:

Rye Lane:	214-216, 220-222, 224, 226, 228, 230, 232, 259-267 (Co-operative House), 277, 279, 281-283, 285-287 and 289
Philip Walk:	1, 5, 7, 9, 11 and 15

67. This test involves analysing the number of hours in which windows facing due south will receive sunlight at different points in the year. The BRE guidance advises that a dwelling will appear reasonably sunlit if at least one main window falls within 90 degrees of due south and can receive 25% annual probable sunlight hours, including at least 5% during the winter months.

Windows failing APSH test (Before height of Block B reduced)	
Building B Cooperative House	5 (out of 39 windows)
Building D Cooperative House	4 (out of 50 windows)
Total	9 (out of 211) (4.2%)

Windows failing APSH test (After height of Block B reduced)	
Building B Cooperative House	3 (out of 39 windows)
Building D Cooperative House	4 (out of 50 windows)
Total	7 (out of 211) (3.3%)

68. The results of the first APSH test found that 202 out of the 211 windows passed the test (95.8%) leaving only 9 windows (4.2%) which would fail. When assessed again following the reduction in the height of Block B (the current proposal) it was found that two more windows would pass the test, i.e., 204 out of the 211 windows passed the test (96.6%) leaving only 7 windows (3.3%) which would fail.

Therefore with reference to Appendix I (Environmental Impact Assessment) of the BRE guide which describes three 'scale of impact' categories ranging from 'minor' to 'moderate' to 'major', it is considered that the sunlight impacts of the development on the most affected neighbouring buildings, i.e., Blocks B and D of Cooperative House meet the description of a 'minor adverse impact' and are therefore acceptable.

Impacts on other non-habitable room windows in Co-operative House

69. The north end of Block B in the proposed development would come to within 1.9-2.4 metres of the south end of Cooperative House's six-storey the rear block and indeed would partially be sited in front of it. Here the southern end of Co-operative House's rear block steps in by over 7 metres, effectively narrowing to about half of its predominant width. However, while there are two columns of windows in the narrower red-brick finished south end of Cooperative House, one in the inside courtyard elevation and the other in its south gable end, these columns of windows serve a communal corridor and a stairwell respectively and therefore they do not directly serve any flats within and hence are not habitable room windows.
70. Therefore, although the proposal would create a tunnelling effect on the west-facing column of corridor windows (except for the top floor window) it would avoid directly obstructing the view out over the development's courtyard and given that these are corridor windows it is considered that the proposal would not significantly affect the amenity of the residents in the block. The column of stairwell windows in the south gable end of Co-operative House's rear block would also be somewhat affected in terms of the view that the currently afford and the amount of sunlight and daylight that they currently receive, but again as they are not habitable room windows and would not be directly obstructed (they would still benefit from an open aspect from the south around the east) it is similarly concluded that the existing residential amenity of the block's residents would not be unduly affected.

Overshadowing of the communal courtyard and private gardens in Cooperative House

71. As mentioned above the daylight and sunlight report also examines the effects of the proposed development on the extent of shading of neighbouring outdoor amenity areas, e.g. private gardens, communal courtyards, etc.
72. The BRE guidelines state that:
- For a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21 March, and;
In addition, if, as result of new development, an existing garden or amenity area does not reach the area target above and the area which can receive two hours of direct sunlight on 21 March is reduced by more than 20% this loss is likely to be noticeable.
73. The report assessed the overshadowing impact on private and communal outdoor amenity areas within Cooperative House and found that in each case the impact was within the recommended tolerance. Of the six spaces where any noticeable impact was detected the proportion of the space that would continue to receive at least 2 hours of sunlight on 21 March were 82.7%, 70.3%, 77.2%, 60.6%, 91.1% and 100% and thus would be well above 50% in each case. The shading impact of the development on these neighbouring outdoor amenity spaces is therefore considered to be acceptable.

Privacy

74. The closest distance between west-facing habitable room windows in the proposed Block B at the rear of the application site and existing east-facing windows in the front block of

Co-operative House is over 24 metres.

This is greater than the recommended 21m separation distance in the Residential Design Standards SPD and is approximately the average of the existing separation distance between the front and rear blocks of Cooperative House.

75. The southern end of Block B would come to within approximately 15m of the nearest habitable room windows in the rear elevations of the dwellings along the north side of Philip Walk. To mitigate the possibility of them being overlooked windows in the south elevation from the first floor upwards (which are all secondary windows) would be obscured glazed and privacy screens would be installed at end of the two recessed balconies at the second and third floor levels.
76. Nos 277 and 279 Rye Lane are occupied by a hot-food takeaway and a mini cab business on the ground-floor with residential accommodation on the upper two floors. However, the nearest part of Block B would leave a gap of over 27 metres to their rear elevations. Further to the south, 'Little Winners', a nursery for children aged 0-5 years is located at No. 281-283. The original front part of this building is two-storeys but it has been extended all the way to the back boundary of the site by a flat-roofed single storey rear extension. There are no windows in the rear elevation of this extension and it does not have any outdoor amenity space and therefore it would not incur any significant loss of privacy either.

Enclosure

77. The design of Cooperative House is such that the inner courtyard side flats rely upon its open southern side to provide a wider outlook beyond the courtyard.
78. It is clear that the arrangement of buildings on the site generally follows the pattern established by Co-operative House, i.e., a front and a rear block separated by a courtyard and in so doing minimises the sense of enclosure around its neighbour. Similarly, the height of the blocks (as well as their positioning) is clearly also a potential contributing factor to the perceived degree of enclosure. However, the height of the main blocks in the proposed development (Blocks A and B), in terms of the numbers of storeys they are comprised of, would not exceed those in Cooperative House and concessions have been made at either end of Block B with partial, but not insignificant, reductions in height down to five storeys and to four storeys so that the degree of enclosure is further reduced. Given that the proposal would still preserve an open aspect to the south (maintaining a gap between the two principal blocks in the development of approximately 21m) and would respect the courtyard building lines of Co-operative House, it is considered that the small degree of enclosure created is acceptable.
79. The small two-storey 2-bed unit (Block C) would only be perceived as a little more than a single-storey high from Co-operative House and therefore, although sited on the boundary and within this established gap, it is considered that it would not, of itself, create an overbearing sense of enclosure, or contribute to one in the context of the proposal of which it forms a part.
80. Following amendments reducing the height of the far southern end of Block B from five to four storeys it is considered that the proposal would have an acceptable impact on the existing two-storey dwellinghouses in Philip Walk from which it would remain separated from by 15 metres.
81. In summary, it is considered that the reduced height, bulk and mass of the revised proposal before Members would not result in any significantly harmful amenity impacts to existing or future occupiers of nearby dwellings and thus would comply with saved policy 3.2 of the Southwark Plan (2007).

The design of the development and its impact on the character and appearance of the local area.

82. The front block would be 1.2m higher than the adjoining five-storey part of Co-operative House but would still match it for number of storeys. On the other side it would offer a concession to the lower three-storey Victorian properties at 277 and 279 Rye Lane as it would incorporate a 2m wide buffer where its height would drop down to three storeys on the boundary with No. 277. Its mass and perceived height on the southern side would also be reduced by the way in which the top floor would angle away from the street so that it recedes further back from the principal front elevation.
83. Its façade has been designed to break down its massing along vertical lines with two similarly proportioned projecting gables arranged symmetrically either side of a centre point and given emphasis through the application of the weathered and perforated brass panels. The design and access statement explains that, due to the building's position, fronting onto a busy road, a series of perforated folding screens and sliding panels are utilised that will give the residential units facing out onto Rye Lane a sense of privacy and acoustic protection. A number of the screens will be movable which would allow residents to open or close them as they see fit, allowing for variation in the vertical composition of the facade. This approach is interesting and indeed will animate the building, giving it a sense of playfulness allowing it to subtly change character depending on the needs and wishes of its residents. While the metal and concrete (fibre cement) façade offers an interesting contrast to the predominant use of brick the light ochre tone of the brass panels would complement the typical earthy tones of red and yellow brick used in the area.
84. The first floor panels, as proposed, would extend down over what should be the natural 'shopfront' fascia for the commercial unit seemingly precluding the provision of commercial signage in the traditional manner. However, this could be resolved by a planning condition requiring the submission of revised details and it is considered that it would not unduly compromise the effectiveness of the original design intention.
85. The rear block, Block B, is designed with a grid pattern to its elevations with predominantly recessed balconies, also interspersed with living wall panels and is proposed to be finished with a bright white handmade textured facing brick. The overall scale, height and mass of the amended proposal which from north to south steps up from five storeys to six and then down again to five and then four storeys, together with the stepping of its west elevation in two places to create three distinct parts, is considered to form an acceptable transition between the even larger and taller blocks of Cooperative House and the lower and smaller scale buildings at 277-295 Rye Lane, 222-232 Rye Lane and Philip Walk and beyond to the south. Notwithstanding this, it is considered that the use of a yellow/buff London stock or similar brick would allow Block B to blend in more successfully with the surrounding townscape than the proposed bright white brick and this is what officers would prefer to see here. A suitable condition would allow this issue to be resolved in due course.
86. The much smaller scale green glazed brick duplex unit adds interest to the development and helps to enclose the courtyard which, according to the design and access statement would be landscaped to a high quality and would provide a quiet, well-overlooked and safe space for children to play. A planning condition is recommended to ensure that the development, particularly the courtyard, would be completed with good quality durable materials, boundary treatments and soft landscape / planting.
87. In summary, it is considered that the development would strike an appropriate balance between complementing and contrasting with the existing streetscene and would make its

own unique positive contribution to it in a location where there is considered to be scope for variation in detailed design and materials. It is arguably a better quality and more interesting design than its still quite recent neighbour at Cooperative House and it would successfully bridge the gap in scale and mass between it and the three-storey Victorian properties on its south side at extending from 277 and 279 Rye Lane. Block B is appropriately slightly more reserved in style and exudes a more 'warehouse' style aesthetic which seems appropriate given its back-land location. Overall, the scheme is considered to be quite a sensitive response to the site and its wider surroundings and should be finished to a very good standard. It is therefore considered that it would comply with the design requirements of the development plan.

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

88. As stated above the site lies just outside of Rye Lane Conservation Area, sharing as it does a boundary with Co-operative House which is in the conservation area. The principal and perhaps the only significant impact on the setting of the conservation area would be that created by the proposed mixed-use infill block fronting onto Rye Lane (Block A). The height of the Block A, although marginally higher than Co-operative House, would not look out of step with the heights of building along Rye Lane which provide its immediate setting and it would offer a modest concession on height on its southern side adjacent to the existing three-storey Victorian properties at 277 and 279 Rye Lane. It would above all repair the currently unsightly gap in the streetscene and address the long-standing derelict condition of 275 Rye Lane. Its design would utilise good quality materials and maintain and enhance the rhythm of the streetscene and therefore in this respect it is considered that it would enhance the conservation area's current setting.

Dwelling Mix

89. Strategic Policy 7 (Family Homes) of the Core Strategy (and Policy 18 of the PNAAP) require that a minimum of 60% of units must contain 2 or more bedrooms and 20% of units must contain 3 or more bedrooms. In addition saved policy 4.3 (Mix of dwellings) of the Southwark Plan (2007) also states that developments must not contain more than 5% of studio units and that 10% of residential units should be suitable for wheelchair users.
90. The proposed housing mix is as follows:
- 12no. 1xbed units (41%)
 - 11no. 2xbed units (38%) (2 x 2b3p units and 9 x 2b4p units)
 - 6no. 3xbed units (21%) (1 x 3b4p unit and 5 x 3b5p units)
91. It complies in respect of the proportion of 3xbed and larger units (21%) and only very marginally falls short of the requirement for 2xbed and larger units (59%). Furthermore no studio units are proposed and as set out below three wheelchair units would be provided thereby complying with the required 10% provision.

Wheelchair Units

92. As the table below shows, the three wheelchair-user units would all be within Block B. Two are 3bed/3person units on the 2nd and 3rd floors and the other is a 3bed/5person unit on the 5th floor. As a result of discussions with officers two of these three units (Units B-11 and B-18) have been enlarged by 9sqm to achieve internal floor areas of 79sqm and 108sqm respectively.

Required wheelchair housing minimum size standards				
Wheelchair Units	Type	Floor	Actual Size (GIA, sqm)	Min. size standard* (GIA, sqm)
1. (Unit B-07)	2b/3p	2 nd	79	75
2. (Unit B-11)	2b/3p	3 rd	70	75
3. (Unit B-18)	3b/5p	5 th	108	110
* Residential Design Standards SPD				

93. In accordance with planning policy, these units can only be required to be wheelchair adaptable rather than be fully fitted out as the affordable housing offer does not include social rented units. However, should planning permission be granted the legal agreement will contain an obligation upon the applicant/developer to require them to be specifically marketed to wheelchair users for a period of at least 6 months (and for evidence of this marketing exercise to be submitted to the council for approval) before allowing the units to be offered to the wider market. A planning condition would also require all three units to comply with the national wheelchair user unit standard, i.e., standard M4(3) of the building regulations.

Affordable Housing

94. Strategic Policy 6 (Homes for people on different incomes) of the Core Strategy (2011) and Policy 17 of the PNAAP requires residential developments in this part of the borough to provide at least 35% affordable homes and at least 35% private market homes. The draft Affordable Housing SPD (2011) gives further guidance on the issue and clarifies that we will consider this in relation to the proportion of habitable rooms that are provided across the development. The 35% affordable homes requirement is further broken down into a 70/30 tenure split, meaning that 70% of the affordable homes (or 24.5% of the total) are required to be provided as intermediate affordable housing with the remaining 30% (or 10.5% of the total) to be provided as social rented units.
95. In line with the Development Viability SPD (2016) a viability assessment was undertaken as part of the assessment of the scheme to ensure that the proposed affordable housing offer represented the maximum reasonable provision (in accordance with London Plan policy 3.12) and could be delivered. Valuers have agreed the assessment and agree that the level of affordable housing proposed can be delivered with this scheme.
96. The development would provide 30% affordable housing in the form of 9 intermediate affordable units. These are detailed in the table below:

	Unit ref.	Flat type	Size (GIA, sqm)	Habitable rooms
1	A-01	3b5p	86	4
2	A-02	1b2p	54	2
3	A-03	1b2p	53	2
4	A-04	3b5p	86	4
5	A-05	1b2p	54	2
6	A-06	1b2p	53	2
7	A-07	3b4p	81	4
8	A-08	1b2p	54	2
9	A-09	1b2p	53	2
Total				24

97. The on-site provision would therefore amount to 24 out of the scheme's total of 81 habitable rooms which is 29.6%. In terms of numbers of habitable rooms this percentage therefore represents the closest practical offer to the 30% intermediate affordable figure that the council's viability advisors consider the scheme capable of delivering.
98. It is recognised that this offer, which is agreed in principle, does not reflect the council's required tenure mix as it is comprised of intermediate affordable housing only and therefore does not include any social rented units. However, on schemes of such size it is a common fact that Registered Social Landlords (Housing Associations) are reluctant to take ownership of and manage small numbers of mix tenure affordable housing. Furthermore, in the context of the relatively modest scale of the residential part of the proposal (29 units) officers have weighed up the option of either securing a smaller amount of affordable housing with a policy-compliant tenure mix or securing a greater amount of affordable housing with a non-policy-compliant tenure mix. If a policy-compliant tenure mix (70% intermediate and 30% social rent) were to be insisted it is likely that only 2 or 3 social rented units could be delivered and which would also result in a reduction in the amount of intermediate affordable housing. Therefore, bearing all of the above into consideration officers consider that the current offer represents the optimum offer and the most pragmatic solution for the site.
99. The Mayor's Affordable Housing and Viability SPG (2017) requires comprehensive early and late stage review mechanisms to be secured through a S.106 legal agreement where schemes fail to reach the 35% affordable housing threshold. This would therefore be applied to the proposal and be secured as part of the legal agreement.

Quality of residential accommodation

Density

100. The density of the development is calculated to be 679 habitable rooms per hectare (100.4 habitable rooms divided by the site area, 0.1479 Hectares). This is therefore within the 200-700HR/Ha density range recommended for the Urban Density Zone in which the site sits.

Unit and individual habitable room sizes

101. The table below shows the flat size, the amount of private outdoor amenity space, storage space and aspect for each of the 29 residential units.

Block A	Flat Type	Proposed size GIA (sqm)	Minimum standard GIA (sqm)	Private outdoor space (sqm)	Storage (sqm)	Aspect
A-01	3b5p	86	86	35	2.3	Dual
A-02	1b2p	54	50	9	0.7	Single
A-03	1b2p	53	50	24	1.0	Dual
A-04	3b5p	86	86	17	2.3	Dual
A-05	1b2p	54	50	8	0.7	Single
A-06	1b2p	53	50	13	1.0	Dual
A-07	3b4p	81	74	23	1.7	Dual
A-08	1b2p	53	50	9	0.7	Single
A-09	1b2p	53	50	13	1.0	Dual
A-10	3b5p	86	86	56	0.7	Dual
A-11	1b2p	50	50	13	0.5	Dual
Block B	Flat Type	Proposed size GIA (sqm)	Minimum standard GIA (sqm)	Private outdoor space	Storage (sqm)	Aspect

B-01	2b4p*	93	79	10	2.9	Single
B-02	2b4p*	93	79	10	2.9	Single
B-03	2b4p*	92	79	8	2.9	Dual
B-04	2b4p*	95	79	10	0.4	Single
B-05	2b4p	79	70	14.5	1.6	Single
B-06	1b2p	53	50	5	1.0	Single
B-07	2b3p**	79	75	6	1.1	Dual
B-08	2b4p	71	70	6	0.4	Single
B-09	1b2p	51	50	5	0	Single
B-10	1b2p	53	50	5	1.4	Single
B-11	2b3p**	70	75	8	1.1	Dual
B-12	2b4p	71	70	7	0.4	Dual
B-13	1b2p	51	50	5	0	Single
B-15	3b5p	86	86	8	1.0	Dual
B-16	2b4p	71	70	7	0.4	Single
B-17	1b2p	51	50	5	0	Single
B-18	3b5p**	108	110	18	1.4	Dual
Block C	Flat Type	Proposed size GIA (sqm)	Minimum standard GIA (sqm)	Private outdoor space	Storage (sqm)	Aspect
C01	2b4p**	113	79	7	3.1	Single
* duplex units ** wheelchair unit Note: There is no B-14 unit.						

102. The table below shows the size of habitable rooms and bathrooms for each of the 29 residential units.

Block A	Flat Type	LKD	Bed 1	Bed 2	Bed 3	Bath
A-01	3b5p	29	13	12	7.6	4.5
A-02	1b2p	26	15	-	-	5
A-03	1b2p	29	13	-	-	6
A-04	3b5p	29	13	12	7.6	4.5
A-05	1b2p	26	15	-	-	5
A-06	1b2p	29	13	-	-	6
A-07	3b4p	29	13	9	8	5
A-08	1b2p	26	15	-	-	4
A-09	1b2p	29	13	-	-	6
A-10	3b5p	30	14	12	7	5
A-11	1b2p	27	12	-	-	5
Block B	Flat Type	LKD	Bed 1	Bed 2	Bed 3	Bath
B-01	2b4p*	30	13	13	-	5
B-02	2b4p*	30	13	13	-	5
B-03	2b4p*	30	13	13	-	5
B-04	2b4p*	36	13	12	-	4
B-05	2b4p	30	15	14	-	5
B-06	1b2p	24	13	-	-	5
B-07	2b3p**	34	17	10	-	6
B-08	2b4p	30	12	12	-	4
B-09	1b2p	24	13	-	-	4

B-10	1b2p	24	13	-	-	5
B-11	2b3p**	34	17	10	-	6
B-12	2b4p	30	12	12	-	4
B-13	1b2p	24	13	-	-	4
B-15	3b5p	30	12	12	9	4
B-16	2b4p	30	15	12	-	4
B-17	1b2p	24	12	-	-	4
B-18	3b5p**	50	15	13	9	6
Block C	Flat Type	LKD	Bed 1	Bed 2	Bed 3	Bath
C-01	2b4p*	57	18	12	-	5

103. In summary, the quality of the residential accommodation that would be provided is considered to be very good. This is evidenced by;

- the provision of 2.5m high floor-to-ceiling heights throughout Block A and B and 2.9m high floor-to-ceiling heights within Block C.
- 95% of the proposed dwellings would comply with the recommended standard for internal daylighting (the BRE guide's Average Daylight Factor test).
- almost half the units (14 out of 29) would be dual aspect while another 8 units would at least have a restricted secondary aspect.
- all but two of the units would either meet or exceed the relevant unit size standards. Out of the remaining 27 units 22 would exceed the requirement with five of these significantly exceeding the standard by 10% or more.
- all of the principal living rooms (open plan kitchen/living/dining rooms) would meet or exceed the relevant size standard with most exceeding the requirement and five units.
- only four units (all 3xbeds) would fall marginally short of the of the required 30sqm standard for principal living rooms (open plan kitchen/living/dining rooms), each achieving 29sqm. All other units would meet or exceed the relevant standard with all 2xbed units enjoying principal living areas that would be at least 10% larger than the required minimum standard.
- all bedrooms and bathrooms would comply with or exceed the relevant space standards.
- all units would be provided with built-in storage space
- all units would be provided with some form of private outdoor amenity space with the scheme providing a mix of winter gardens (Block A only), terraces and balconies. Some of the Block A units would benefit from both a winter garden and a terrace with the remaining units in Blocks B and C having either a terrace or a balcony. No unit would have a terrace or balcony less than 5sqm in area with the average provision across the scheme being approximately 12.5sqm.
- the development would also benefit from a high quality landscaped communal courtyard.
- no studio units are proposed.

104. Given the above, it is considered that the development would comply with the relevant policies, i.e., saved policy 4.2 (Quality of residential accommodation) of the Southwark Plan (2007), strategic policy 12 (Design and conservation) of the Core Strategy (2011) and policy 3.5 (Quality and design of housing developments) of the London Plan (2016).

Transport impacts

Servicing

105. Refuse would be stored within the site on the ground floor and would be moved on the day of collection by a concierge to a position on or close to the Peckham Rye frontage and collected from there. The council's kerb side activity survey indicates that the existing loading bay between Philip Walk and Heaton Road should have sufficient spare capacity to allow the commercial unit to be serviced from here. It is noted that concerns have been expressed by the Highways Team and Waste Contract and Strategy Manager about the apparent lack of a temporary off-street holding arrangement for the bins on collection day. However, it is noted that the pedestrian walkway into the site from Rye Lane would be a consistent width of 2 metres whilst the largest communal refuse bin (1100L) would be just 1 metre deep. As the width of the entrance walkway would therefore be reduced down to no more than 1 metre and then only in a few places along its length and only for a limited period of time each week it is considered that the temporary positioning of the bins along the side of the walkway in advance of their collection would not cause any significant harm to amenity and is a reasonable solution.

Car parking

106. The site benefits from a Public Transport Accessibility Level of 6a (Excellent), is located in a controlled parking zone and the proposed development is presented as a 'car-free' scheme with the exception of a single on-site car parking space within the communal courtyard that would be allocated for the benefit of a 'blue badge' holder. The standard condition withdrawing eligibility to apply for on-street parking permits is recommended.

Cycle parking

107. The proposals include 54 cycle parking spaces (27 two-tier Josta stackers) between two storage rooms in the north east corner of the site. Secure and weather-protected cycle storage is provided separately for residents (48 spaces) and staff at the commercial unit (6 spaces). In addition, 2 cycle spaces would be provided adjacent to the commercial unit within the courtyard. Within the secure courtyard area additional cycle stands are proposed for visitors to the residential units. This level of provision is considered to be acceptable.

Flood risk

108. The site is located in Flood Zone 1 but is also located in a Critical Drainage Area where the potential for surface water flooding up to 0.5m has been modelled. A Flood Risk Assessment has therefore appropriately been prepared and submitted (as required by the National Planning Policy Framework). A Sustainable Drainage Strategy has also been submitted. The Council's Flood and Drainage Team have reviewed both documents and commented that, based on the fact that there would be no sleeping accommodation on the ground floor, they have no objection to the scheme. The team also recommends that the development should incorporate such attenuation measures as would achieve a surface water runoff rate no greater than 5 litres per second (which is marginally less than the 6.25 litres per second runoff rate that is proposed). This could be resolved through the imposition of a planning condition.

Energy

109. Policy 5.2 (Minimising carbon dioxide emissions) of the London Plan requires new residential buildings to be zero carbon and strategic policy 13 (High environmental standards) outlines an expectation that new commercial premises shall achieve a BREEAM (Building Research Establishment Environmental Assessment Method) 'Excellent' rating.

	CO2 emissions (kgCO2/year)	Percentage CO2 emissions savings
Base level (B. Reg.s 2013 Part L compliant development)	59,290	
After energy saving measures (‘Be Lean’)	52,207	12%
After Gas-powered CHP Plant (‘Be Clean’)	46,267	22%
After PV panels (‘Be Green’)	36,828	38%
Total Target Emissions	38,539	35%

110. An Energy Assessment has been submitted as part of the application, which sets out the passive design measures and renewable energy measures (Gas-powered CHP plant and PV panels on the roof) to achieve a 38% improvement on Building Regulations 2013 Part L. Since 1 October 2016 new residential development is required to achieve ‘zero carbon’ which in practice normally means the need to secure a financial contribution to the Council’s carbon off-set ‘green’ fund to go toward carbon reduction projects in the borough, based on the amount of residual CO2 emissions following the incorporation of on-site reduction measures as set out in an Energy Assessment. However, in this instance the application was submitted and validated before this change to the policy took effect and therefore there is no requirement to make a financial contribution to the carbon off-set green fund.

Ecology

111. A preliminary ecological assessment was submitted with the application. This identified a moderate bat roost potential of the existing buildings on the site and noted the presence of starlings and common pigeons. Bats and starlings are both protected species under the Wildlife and Countryside Act 1981 and the council in its role as local planning authority has a duty of care to ensure that they and their habitat are protected or adequate mitigation secured through the planning process.
112. Subsequent to this assessment a bat activity survey was carried out but found no activity.. However, given that starlings have been positively identified at the site the ecologist has recommended that potential habitat for birds should be incorporated into the new development and secured by condition and that the existing buildings on the site should only be demolished outside of the bird breeding season (March-August inclusive), also secured by condition.
113. Subject to these conditions it is considered that the impact of the development on local biodiversity would be adequately mitigated such that the proposal would comply with saved policy 3.28 of the Southwark Plan (2007).

Planning obligations (S.106 undertaking or agreement)

114. Both the Southwark Plan and the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal.

Saved policy 2.5 of the Southwark Plan is reinforced by the adopted Section 106 Planning

Obligations and CIL Supplementary Planning Document (2015), which sets out in detail the type of development that qualifies for planning obligations. The NPPF advises that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Strategic policy 14 (Implementation and Delivery) of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments.

115. The heads of terms are set out below:

- 9 x intermediate affordable units (3 x 3xbeds and 6 x 1xbeds)
- Early and late stage viability reviews
- Marketing of wheelchair units to wheelchair users
- Strategy for securing a co-working operator for the commercial unit in order to deliver flexible and affordable office space for start-up businesses.
- Requirement to enter into a S.278/38 highways agreement for the following scope of works:
 - Repaving of the footway fronting the development on Rye Lane including new kerbing using materials in accordance with SSDM (granite natural stone paving slabs and granite kerbs).
 - Vehicular crossover on Philip Walk to be constructed to SSDM standards (DS132)
 - Provision of highway boundary markers on the footway fronting the development on Rye Lane
 - All utility covers on footway areas are to be changed to recessed type covers.
 - Detailed drawings to confirm an effective drainage strategy for the site to avoid run-off onto the public highway.
- Future connection to district heating network

116. Should a Section 106 agreement not be completed by the 31 March 2018 there would be no mechanism in place to avoid or mitigate the impact of the proposed development in relation to the provision of the necessary infrastructure. In the absence of a completed S.106 the proposal would be contrary to saved policy 2.5 (Planning obligations) of the Southwark Plan (2007) and strategic policy 14 (Implementation) of the Core Strategy (2011) and policy 8.2 (Planning obligations) of the London Plan (2016) and should be refused for this reason.

Other matters – Mayoral and Southwark Community Infrastructure Levies (CIL)

117. S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

118. The application is liable for both the Mayoral CIL and the Southwark CIL because it constitutes a chargeable development under the CIL Regulations 2010 (as amended).

119. The following are the estimated amounts due:

Mayoral CIL:

MCIL Chargeable Area = $Gr - Kr - (Gr \times E/G) = 3321 - 0 - (3321 \times 553/3321) = 2768\text{sqm}$
 MCIL (pre-relief) [if granted in 2017] = $2768\text{sqm} \times \text{£}35/\text{sqm} \times 286/223 = \text{£}124,250$

Southwark CIL:

SCIL *Retail Chargeable Area = $Gr - Kr - (Gr \times E/G) = 549 - 0 - (549 \times 553/3321) = 457.58\text{sqm}$

SCIL (Retail Zone 2) [if granted in 2017] = $457.58 \times 26558265583 \times \text{£}136/\text{sqm} = \text{£}62,231$
 *Flexi A1/B1 space is charged the higher rate, as the B1 use can always be switched back to retail.

SCIL Resi Chargeable Area = $Gr - Kr - (Gr \times E/G) = 2772 - 0 - (2772 \times 553/3321) = 2,310.4\text{sqm}$

SCIL (Resi Zone 2) [if granted 2017] = $2310.4 \times 17344173442\text{sqm} \times \text{£}218/\text{sqm} = \text{£}503,671$

TOTAL SCIL = $\text{£}565,902$

Conclusion on planning issues

120. The development would deliver much needed good quality homes including as much affordable housing as is currently accepted to be viable without compromising the delivery of the scheme. It responds well to the vision for the site as set out in the Peckham and Nunhead Area Action Plan with a ground-floor commercial unit providing an active frontage onto Rye Lane. Furthermore, it is considered to be a high quality design that would repair the existing gap in the streetscene and would enhance the character and appearance of the area and the setting of the adjoining Rye Lane conservation area and due to its height, scale and layout it would achieve this without having a major adverse impact on the residential amenity of neighbouring residents, particularly the residents of Cooperative House nor having an unacceptable impact on local biodiversity or highway safety.
121. For these reasons it is recommended that planning permission is granted subject to appropriate and necessary conditions and the subsequent completion of a satisfactory legal agreement.

Community impact statement

122. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process. The impact on local people is set out above. There are no issues relevant to particular communities/groups likely to be affected by the proposal, and, There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

124. A summary of the consultation responses received are set out in Appendix 2.

Human rights implications

125. 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.
126. This application has the legitimate aim of seeking planning permission for a new residential-led, mixed-use development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2732-269 Application file: 16/AP/1896 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 4877 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Copy of issued pre-application advice letter
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Ciaran Regan, Senior Planning Officer	
Version	Final	
Dated	4 December 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		4 December 2017

APPENDIX 1

Consultation undertaken

Site notice date: 17/05/2016

Press notice date: 19/05/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 17/05/2016

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

Flat 109 263 Rye Lane SE15 4UR	Flat 117 263 Rye Lane SE15 4UR
Flat 120 263 Rye Lane SE15 4UR	Flat 122 263 Rye Lane SE15 4UR
Flat 1 291 Rye Lane SE15 4UA	265 Rye Lane London SE15 4UR
Flat 108 263 Rye Lane SE15 4UR	Flat 121 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR	Flat 118 263 Rye Lane SE15 4UR
Flat 106 263 Rye Lane SE15 4UR	Flat 119 263 Rye Lane SE15 4UR
Flat 107 263 Rye Lane SE15 4UR	Flat 113 263 Rye Lane SE15 4UR
Flat 2 291 Rye Lane SE15 4UA	Flat 37 249 Rye Lane SE15 4UP
11a Philip Walk London SE15 3NH	Flat 38 249 Rye Lane SE15 4UP
11b Philip Walk London SE15 3NH	Flat 39 249 Rye Lane SE15 4UP
3a Philip Walk London SE15 3NH	Flat 36 249 Rye Lane SE15 4UP
1c Philip Walk London SE15 3NH	Flat 33 249 Rye Lane SE15 4UP
Flat 3 291 Rye Lane SE15 4UA	Flat 34 249 Rye Lane SE15 4UP
1b Philip Walk London SE15 3NH	Flat 35 249 Rye Lane SE15 4UP
Flat 104 263 Rye Lane SE15 4UR	Flat 40 249 Rye Lane SE15 4UP
Flat 93 263 Rye Lane SE15 4UR	Flat 45 249 Rye Lane SE15 4UP
Flat 94 263 Rye Lane SE15 4UR	Flat 46 249 Rye Lane SE15 4UP
Flat 95 263 Rye Lane SE15 4UR	Flat 47 249 Rye Lane SE15 4UP
Flat 92 263 Rye Lane SE15 4UR	Flat 44 249 Rye Lane SE15 4UP
Flat 48 249 Rye Lane SE15 4UP	Flat 41 249 Rye Lane SE15 4UP
Flat 91 263 Rye Lane SE15 4UR	Flat 42 249 Rye Lane SE15 4UP
Flat 96 263 Rye Lane SE15 4UR	Flat 43 249 Rye Lane SE15 4UP
Flat 101 263 Rye Lane SE15 4UR	Flat 32 249 Rye Lane SE15 4UP
Flat 102 263 Rye Lane SE15 4UR	Flat 21 249 Rye Lane SE15 4UP
Flat 103 263 Rye Lane SE15 4UR	Flat 22 249 Rye Lane SE15 4UP
Flat 100 263 Rye Lane SE15 4UR	Flat 23 249 Rye Lane SE15 4UP
Flat 97 263 Rye Lane SE15 4UR	Flat 20 249 Rye Lane SE15 4UP
Flat 98 263 Rye Lane SE15 4UR	Flat 17 249 Rye Lane SE15 4UP
Flat 99 263 Rye Lane SE15 4UR	Flat 18 249 Rye Lane SE15 4UP
293a Rye Lane London SE15 4UA	Flat 19 249 Rye Lane SE15 4UP
293b Rye Lane London SE15 4UA	Flat 24 249 Rye Lane SE15 4UP
Second Floor Flat 285-287 Rye Lane SE15 4UA	Flat 29 249 Rye Lane SE15 4UP

279b Rye Lane London SE15 4UA
 295 Rye Lane London SE15 4UA
 279a Rye Lane London SE15 4UA
 Beneficial Voracious Christ Church 281-283 Rye Lane SE15 4UA
 Units 2 To 4 1a Philip Walk SE15 3NH
 Ground Floor 285-287 Rye Lane SE15 4UA
 First Floor 285-287 Rye Lane SE15 4UA
 Unit 8 1a Philip Walk SE15 3NH
 Unit 6 1a Philip Walk SE15 3NH
 1a Philip Walk London SE15 3NH
 Unit 7 1a Philip Walk SE15 3NH
 293 Rye Lane London SE15 4UA
 7b Philip Walk London SE15 3NH
 9a Philip Walk London SE15 3NH
 9b Philip Walk London SE15 3NH
 7a Philip Walk London SE15 3NH
 3b Philip Walk London SE15 3NH
 5a Philip Walk London SE15 3NH
 5b Philip Walk London SE15 3NH
 Unit 5 1a Philip Walk SE15 3NH
 289 Rye Lane London SE15 4UA
 279 Rye Lane London SE15 4UA
 Unit 1 1a Philip Walk SE15 3NH
 291 Rye Lane London SE15 4UA
 277 Rye Lane London SE15 4UA
 Flat 6 249 Rye Lane SE15 4UP
 Flat 7 249 Rye Lane SE15 4UP
 Flat 8 249 Rye Lane SE15 4UP
 Flat 5 249 Rye Lane SE15 4UP
 Flat 2 249 Rye Lane SE15 4UP
 Flat 3 249 Rye Lane SE15 4UP
 Flat 4 249 Rye Lane SE15 4UP
 Flat 9 249 Rye Lane SE15 4UP
 Flat 14 249 Rye Lane SE15 4UP
 Flat 15 249 Rye Lane SE15 4UP
 Flat 16 249 Rye Lane SE15 4UP
 Flat 13 249 Rye Lane SE15 4UP
 Flat 10 249 Rye Lane SE15 4UP
 Flat 11 249 Rye Lane SE15 4UP
 Flat 12 249 Rye Lane SE15 4UP
 Flat 1 249 Rye Lane SE15 4UP
 Flat 114 263 Rye Lane SE15 4UR
 Flat 115 263 Rye Lane SE15 4UR
 Flat 116 263 Rye Lane SE15 4UR
 Flat 112 263 Rye Lane SE15 4UR
 295a Rye Lane London SE15 4UA
 Flat 110 263 Rye Lane SE15 4UR

 Flat 111 263 Rye Lane SE15 4UR

 Flat 30 249 Rye Lane SE15 4UP
 Flat 31 249 Rye Lane SE15 4UP
 Flat 28 249 Rye Lane SE15 4UP
 Flat 25 249 Rye Lane SE15 4UP
 Flat 26 249 Rye Lane SE15 4UP
 Flat 27 249 Rye Lane SE15 4UP
 97 Cooperative House 263 Rye Lane Se15 4ur
 Flat 82, Co-Operative House 257 Rye Lane SE15 4UR
 33 Nigel Road London Se15 4NP
 8 Wingfield Street London SE15 4LN
 121 Co-Operative House 263 Rye Lane SE154UR
 56 Co-Operative House 257 Rye Lane SE15 4UR
 Flat 3, 76-8 Montpelier Road London SE15 2HE
 57 Marmont Road Peckham SE15 5TB
 Flat C 15 Consort Road SE15 2PH
 Flat 112 Cooperative House 263 Rye Lane SE15 4UR
 Flat 88 Cooperative House 257 Rye Lane SE15 3UE
 207 Bellenden Rd Peckham SE15 4DG

 102 Co-Operative House 263 Rye Lane se15 4ur
 259 Rye Lane London SE15 4UR
 12b Therapia Road London SE220SE
 56 Underhill Road London SE22 0QT
 Flat 84 Co-Operative House 257 Rye Lane SE15 4UR
 22 Philip Walk Woolton SE153NH
 11 Print Village Chadwick Road SE15 4PU
 Flat 63 Cooperative House 257 Rye Lane SE15 4UR
 178 Peckham Rye Peckham SE229QA
 3 Nigel Road London SE154NP
 195 Underhill Road London SE22 0PD
 Flat 87 The Cooperative House Rye Lane SE154UR
 Flat 82 Co-Operative House 257 Rye Lane SE15 4UR
 Units 1-4 1a Philip Walk SE15 3NH
 Flat 64 Cooperative House 257 Rye Lane SE154UR
 263 Rye Lane London Se15 4ur
 257 Rye Lane London SE15 4UR
 L&Q Print Works 22 Amelia Street SE16 3BZ
 Flat 80 Cooperative House 257 Rye Lane SE15 4UR
 Co-Operative House 263 Rye Lane SE15 4UR
 Flat 113, Co Operative House 263 Rye Lane SE15 4UR
 Flat 59 Cooperative House 257 Rye Lane SE15 4UR
 3 Choumert Square Peckham Rye SE15 4RE
 85 Cooperative House 257 Rye Lane SE15 4UR
 Flat 120 Cooperative House 265 Rye Lane SE15 4UR
 Flat 82, Co-Operative House 257 Rye Lane SE15 4UR
 Flat 113, The Co Operative House 263 Rye Lane SE15 4UR
 Flat 120 Co Operative House 263 Rye Lane SE154UR
 4 Quantock Mews London SE15 4RG

Re-consultation: 01/11/2017

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

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

Statutory and non-statutory organisations

Environment Agency
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Co-Operative House 263 Rye Lane SE15 4UR
Flat C 15 Consort Road SE15 2PH
Flat 103 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR
Flat 105 263 Rye Lane SE15 4UR
Flat 106 263 Rye Lane SE15 4UR
Flat 107 263 Rye Lane SE15 4UR
Flat 111 263 Rye Lane SE15 4UR
Flat 111 263 Rye Lane SE15 4UR
Flat 112 Cooperative House 263 Rye Lane SE15 4UR
Flat 112 Cooperative House 263 Rye Lane SE15 4UR
Flat 112 263 Rye Lane SE15 4UR
Flat 113, Co Operative House 263 Rye Lane SE15 4UR
Flat 113, The Co Operative House 263 Rye Lane SE15 4UR
Flat 113 263 Rye Lane SE15 4UR
Flat 118 263 Rye Lane SE15 4UR
Flat 120 Co Operative House 263 Rye Lane SE15 4UR
Flat 120 Cooperative House 265 Rye Lane SE15 4UR
Flat 120 263 Rye Lane SE15 4UR
Flat 121 263 Rye Lane SE15 4UR
Flat 3, 76-8 Montpelier Road London SE15 2HE
Flat 59 Cooperative House 257 Rye Lane SE15 4UR
Flat 63 Cooperative House 257 Rye Lane SE15 4UR
Flat 63 Cooperative House 257 Rye Lane SE15 4UR
Flat 64 Cooperative House 257 Rye Lane SE15 4UR
Flat 80 Cooperative House 257 Rye Lane SE15 4UR
Flat 82, Co-Operative House 257 Rye Lane SE15 4UR
Flat 82, Co-Operative House 257 Rye Lane SE15 4UR
Flat 82, Co-Operative House 257 Rye Lane SE15 4UR
Flat 82 Co-Operative House 257 Rye Lane SE15 4UR
Flat 82 Co-Operative House 257 Rye Lane SE15 4UR
Flat 84 Co-Operative House 257 Rye Lane SE15 4UR
Flat 87 The Cooperative House Rye Lane SE15 4UR
Flat 88 Cooperative House 257 Rye Lane SE15 3UE
Flat 92 263 Rye Lane SE15 4UR
Flat 96 263 Rye Lane SE15 4UR

Flat 98 263 Rye Lane SE15 4UR
Flat 99 263 Rye Lane SE15 4UR
Flat 99 263 Rye Lane SE15 4UR
L&Q Print Works 22 Amelia Street SE16 3BZ
Units 1-4 1a Philip Walk SE15 3NH
1b Philip Walk London SE15 3NH
1c Philip Walk London SE15 3NH
1c Philip Walk London SE15 3NH
102 Co-Operative House 263 Rye Lane se15 4ur
102 Co-Operative House 263 Rye Lane se15 4ur
11 Print Village Chadwick Road SE15 4PU
11a Philip Walk London SE15 3NH
12b Therapia Road London SE220SE
121 Co-Operative House 263 Rye Lane SE154UR
121 Co-Operative House 263 Rye Lane SE154UR
121 Co-Operative House 263 Rye Lane SE154UR
178 Peckham Rye Peckham SE229QA
195 Underhill Road London SE22 0PD
207 Bellenden Rd Peckham SE15 4DG
22 Philip Walk Woolton SE153NH
257 Rye Lane London SE15 4UR
259 Rye Lane London SE15 4UR
263 Rye Lane London Se15 4ur
295a Rye Lane London SE15 4UA
3 Choumert Square Peckham Rye SE15 4RE
3 Nigel Road London SE154NP
33 Nigel Road London Se15 4NP
4 Quantock Mews London SE15 4RG
56 Co-Operative House 257 Rye Lane SE15 4UR
56 Co-Operative House 257 Rye Lane SE15 4UR
56 Underhill Road London SE22 0QT
57 Marmont Road Peckham SE15 5TB
8 Wingfield Street London SE15 4LN
8 Wingfield Street London SE15 4LN
85 Cooperative House 257 Rye Lane SE15 4UR
97 Cooperative House 263 Rye Lane Se15 4ur
97 Cooperative House 263 Rye Lane Se15 4ur
97 Cooperative House 263 Rye Lane Se15 4ur
97 Cooperative House 263 Rye Lane Se15 4ur



Chief executive's department
 Planning division
 Development management (5th floor - hub 2)
 PO Box 64529
 LONDON SE1P 5LX

Ms C Harper
 Jones land lasalle Ltd

[REDACTED]

[REDACTED]

Your Ref:

Our Ref: 15/EQ/0089

Contact: Ciaran Regan

Telephone: 020 7525 4877

E-Mail: planning.applications@southwark.gov.uk

Web Site: <http://www.southwark.gov.uk>

Date: 17/07/2015

Dear Ms Harper

**TOWN & COUNTRY PLANNING ACT 1990 (as amended)
 PRE-APPLICATION ENQUIRY**

At: 269-275 RYE LANE & 1A PHILIP WALK LONDON SE15

Proposal: Redevelopment of brownfield site fronting Rye Lane, for a residential led mixed use 43 residential units and 366 sqm commercial floor space.

WITHOUT PREJUDICE

I write further to your pre-application advice enquiry of April 23rd and our subsequent meeting on May 21st. Please accept my apologies for the delay in issuing this advice to you.

EXECUTIVE SUMMARY

It is considered that the development would very likely be **refused** were it to be submitted for planning permission in the form currently proposed due to the inadequate re-provision of commercial uses on the site, the excessive height, scale, bulk and massing of the proposed rear block and the inadequate separation distance between the front and rear blocks. This would give rise to harm to the amenity of adjoining land and buildings and result in a poor standard of accommodation for the development's future occupiers. There would also be prejudicial impact of the proposed rear block on the current operation, and hence the future viability, of the general industrial/business units at 1-8 Philip Walk as well as the future prospects for the redevelopment of this adjoining site.

Notwithstanding all of the above points, the principle of the redevelopment of this important town centre site with an appropriate mixed-use development is supported. However, the rear part of the site is so significantly constrained that only a much reduced quantum of development here would be feasible. In light of this, you may wish to consider assembling a larger site encompassing all or part of the adjoining site to the east at 1-8 Philip Walk as this would facilitate the creation of a more comprehensive development with a greater density that would represent a more efficient use of land.

Site description

The site is located in Peckham Town Centre and is situated on the east side of Rye Lane between the junction with Heaton Road to the north and Philip Walk to the south. The area comprises a mix of development types and uses and a range of building heights generally between two and six storeys. The site is not located in a conservation area (but it does share a boundary with Rye Lane Conservation Area to the north). There are no statutorily Listed Buildings in the immediate vicinity.

Development Plan and other designations and strategic policy requirements

- Site abuts Rye Lane Conservation Area to the north
- Peckham Major Town Centre
- Protected Shopping Frontage
- Part of the site is located within Proposal Site 23 (269-273 Rye Lane) of the Peckham and Nunhead

- Area Action Plan. This therefore does not include 1a Philip Walk (Buildings B & C) or 275 Rye Lane.
- Fronts a Classified A Road (Rye Lane)
- PTAL – 6a
- Flood Zone 1
- Urban Density Zone (200-700HA/HR) but within the action area cores the maximum density within the range may be exceed when developments are of an exemplary standard of design. (See also Strategic Policy 5 (Providing New Homes)
- Strategic Policy 6 (Homes for people on different incomes) of the Core Strategy Affordable housing – Development required to provide at least 35% affordable homes and at least 35% private market homes
- Strategic Policy 7 (Family Homes) of the Core Strategy (and policy 18 of the PNAAP) require that a minimum of 20% of units must be 3, 4, and 5+ bed units.

Principle of development

Your pre-application enquiry acknowledges that the two existing industrial units on the eastern part of the site (labelled B & C on the existing site plan) are in use, or at least if currently no longer occupied, were occupied and in-use up to the point of the expiry of the last occupier's lease in May of this year. This is therefore an employment site which provides 580sqm of employment floorspace (Class B). It is not considered to be redundant employment land and the Council remains to be convinced that there are any significant physical constraints preventing its continued use as such.

The existing three-storey end-of-terrace building at No. 275 Rye Lane, albeit that it has not yet been refurbished and re-occupied by a commercial tenant following a fire several years ago, was previously in commercial use (as were its former adjoining neighbours at No.s 269-273 prior to their demolition). Your enquiry appears to acknowledge this in identifying 173sqm of existing (or pre-existing) commercial floorspace at No. 275 – which it is presumed includes the two upper floors of the building.

Proposal Site 23 in the adopted Peckham and Nunhead Action Area Plan identifies that any future proposals for the redevelopment of the vacant site at 269-273 Rye Lane (which forms a part of the larger site now proposed) should provide approximately 340sqm of Class A floorspace (A1-A4) fronting onto Rye Lane.

The total existing and pre-existing commercial floorspace on the site totals 733sqm. However, the proposal as it stands only incorporates 366sqm of commercial floorspace and so would only re-provide approximately 50% of this amount (It is also observed that this figure of 366sqm is based only on the assumption that the proposed 307sqm-sized unit described as an 'art gallery space' would be a Class A1 use rather than a D1 use [which depends on whether its primary use would be for the sale of art/artefacts]).

Being located within a town centre, in accordance with saved policy 1.7 of the Southwark Plan, it is considered acceptable in principle for some or all of the existing Class B floorspace at the rear of the site to be re-provided as Class A floorspace. However, given this part of the site's lack of a street frontage it is likely to be more suitable to provide new Class B floorspace in this area. The Council has a flexible approach to the form of any replacement Class B floorspace in terms of the number, size and specific nature of the end uses (so long as they would still fall within Class B) and would therefore be quite receptive, for example, to the provision of a number of smaller business start-up / incubator units including workshops (and to a lesser extent might be willing to accept some live-work units as part of a mix) on this part of the site.

While the overall re-provision of only 50% of the existing commercial floorspace on the site is not considered to be acceptable, a re-provision of 70-80% of the existing commercial floorspace might be considered acceptable, if a convincing argument can be made that any re-provided Class B floorspace would represent a significant improvement in quality over the existing, e.g., by providing a number of high-grade, IT-integrated units and that these would be likely to be more-intensively occupied than the existing unit(s).

275 Rye Lane

As stated above the proposed application site goes beyond the confines of Proposal Site 23 in the PNAAP (269-273 Rye Lane) and includes 1a Philip Walk to the rear and 275 Rye Lane to the south. As the planning history reveals, ever since the site emerged as a re-development opportunity about 10 or more years ago, the Council has always taken the view that any redevelopment proposal here should seek to retain and incorporate the three-storey Victorian end-of-terrace building into any redevelopment scheme rather than demolish it. It forms part of a short terrace of three such Victorian townhouses with prominent steeply-pitched roofs and attractive well-detailed facades and it would be very unfortunate to lose an attractive historic piece of local townscape. Its incorporation would reduce the frontage width and hence the scale, bulk and massing of any new four-storey building in the gap between it and the 5-storey Co-operative House development at 255-265 Rye Lane and would allow for the creation of a more gradual, natural reduction in height and scale of buildings along this side of Rye Lane between Heaton Road and Philip Walk. Therefore, for reasons of good urban design and ensuring that local heritage is not unnecessarily lost at the expense of regeneration it is suggested

that it should be retained and incorporated into any future proposal.

Siting, scale, height and massing and relationship to surrounding land and buildings

It is considered that any building occupying the Rye Lane frontage should aim to provide a transition between the height and mass of the 5-storey Co-operative House building on the north side and the 3-storey Victorian terraced properties on the south side. Ideally, the proposed front block should be no higher than 4 storeys, however, a fifth storey might be acceptable providing that it is designed to be set back from the main front elevation, smaller in scale and clad with appropriate materials giving it a 'light-weight', unfussy appearance so that it would appear as a subservient roof-top element separate from the floors below.

The height, scale, bulk and massing of the proposed part 5, part 6 storey rear block is considered to be wholly inappropriate and unacceptable given the likely consequences of the combination of its proximity to, and siting immediately south of, the 5-storey rear block of the Co-operative House development and the extent to which it would sit in front of its west facing elevation. It is anticipated that these consequences would include a significant loss of daylight and sunlight to the nearest habitable rooms and private external amenity spaces (balconies) in this neighbouring development.

It would also be likely to create an overbearing sense of enclosure to the rear block of the neighbouring Co-operative House development, to the remaining employment units sited immediately to the east and south-east at 1-8 Philip Walk and to the semi-detached dwellinghouses to the south at 1, 3, 5, 7 and 9 Philip Walk. Indeed the combination of its excessive height and proximity to the boundaries of the site and the likely requirement for habitable room windows to be provided in its east elevation is likely to prejudice both the on-going use of the business/general industrial site at 1-8 Philip Walk and the prospects of the site's future redevelopment and as such is considered to be contrary to saved policy 3.11 (Efficient use of land) of the Southwark Plan.

The depth of the Rye Lane fronting block would also appear to be excessive given that it would extend well beyond the rear elevation of adjoining property at 277 Rye Lane to the south. Although the block would be sited due north of 277 Rye Lane it would still be likely to create an overbearing sense of enclosure and have an unacceptable impact of the level of daylight reaching rear-facing habitable room windows in this property.

Daylight and sunlight impacts

The initial rudimentary daylight and sunlight impact analysis is considered to be inadequate and flawed. For example, it fails to identify the 5 storey rear residential building of the Co-operative House scheme lying immediately to the north/north-east of the site as a potentially affected property. It is likely that habitable room windows in the west elevation towards the southern end of this neighbouring residential block would be affected and it is worth observing that the rooms served by these windows are already likely to have less than optimal levels of daylighting due to the development's design incorporating protruding balconies.

It is also observed that the height to distance ratio between the rear / east elevation of the front Rye Lane block and the front / west elevation of the rear block is greater than 1:3 and therefore so long as this ratio is exceeded a detailed assessment of the daylighting impact of the front block on the rear block and vice versa will also be required.

On the following page a diagram showing 40 degree vertical angles from the lowest existing residential windows is included. However, these 40 degree angles do not appear to relate to any of the specific daylight or sunlight tests set out in the BRE good practice guide Site Layout Planning for Daylight and Sunlight (2nd Ed., 2011) and which in turn have been incorporated into the Council's Residential Design Standards SPD (2011). It is also appropriate to mention that daylight and sunlight impacts are not restricted to the habitable windows of dwellings but also to outdoor areas such as private and communal gardens, children's playgrounds and sitting out areas such as those between non-domestic buildings and in public squares. It would also be useful to supplement any detailed daylight and sunlight impact assessment with diagrams showing the shadows cast by the proposed new buildings at different times of the year.

Overlooking

There also is concern at the potential for a harmful degree of overlooking to arise as a result of the height and proximity of the proposed balconies. One of the worst relationships in this regard would appear to be the corner balconies at the south-west corner of the rear block considering how close they would be to the semi-detached dwellings in Philip Walk but similarly neighbours at 277 and 279 Rye Lane might also not unreasonably perceive that the proposed development would also result in an unacceptable invasion of their privacy given the open nature of their rear yards/gardens and the height and proximity of balconies on the rear block's west / courtyard elevation.

The 15.8m front to back distance (12.7m between balconies) between the main blocks in the development is also considered to be very tight. Any future proposals based on this layout should seek to mitigate the likelihood

of overlooking between the blocks by exploring the possibility of increasing this separation distance and by also addressing the issue through detailed building design.

Concluding comments on proposed rear block

Given all of the above concerns, which predominantly stem from the proposed siting and excessive scale, height, bulk and massing of the rear block, it is considered that this part of the site has capacity for development up to a maximum height of two-storeys only. A rational solution to overcome these problems might only be found by expanding the boundary of the proposed application site to take in the remaining employment units at 1-8 Philip Walk to the east so as to enable a larger, more comprehensive development to come forward.

Other issues

With reference to paragraph 18 of your covering letter I am somewhat concerned at the potential prospect of a gated community. Whilst a pedestrian gate within the Rye Lane frontage that would restrict access to residents and business owners in the development is probably appropriate, it is considered that it would not be appropriate for the southern access from Philip Walk to be similarly gated. An early consultation with the local Crime Prevention Design Advisor while the scheme is still in the concept stage might prove beneficial on this issue and might identify other designing out crime issues.

Conclusion

Principle of redeveloping the site for residential use

To summarise while addressing the bullet points listed at paragraph 33 of your covering letter, in terms of the principle of redeveloping the site for residential use, this is considered acceptable in principle providing that the residential use is an appropriately-sized component of a mixed-use development incorporating an appropriate quantum of Class A and B uses as explained above.

The approach to commercial floorspace provision

The approach to commercial floorspace provision is therefore considered to be incorrect and is not acceptable.

Density

I have no specific comment to make on density as the actual density calculation of an acceptable development (in terms of units or habitable rooms per hectare) is a product of creating a development which in terms of scale, bulk, massing, height and design sits comfortably within the context of the surrounding townscape and avoids creating adverse amenity impacts on adjoining land and buildings. As the Mayor's Housing SPG advises, if impacts on the character and appearance of the surrounding area, the existing amenity of adjoining land, and any other specific design requirements (such as unit space standards and the provision of external amenity space) are all met, the resultant density figure is what it is and is arguably irrelevant.

Servicing and parking arrangements

In terms of parking, as the site is very well located in terms of access to public transport infrastructure and services, any development would be expected to be car-free (with the exception of any required accessible parking bays that would be required in association with the provision of any wheelchair accessible units). If an accessible car parking bay is required to be provided on site, careful consideration should be given towards how it could best be integrated into a scheme of landscaping without unduly dominating or compromising it. As with any car-free scheme it would be expected that the development would at least meet, if not exceed, the cycle parking standards in the London Plan (2015) for all uses, not just the residential element and the submission of a Transport Impact Assessment/Report with any future planning application would be appropriate. Please also be aware that depending on the number of residential units and housing mix the Council might also consider it appropriate to require that an arrangement be agreed for free membership of a local car club to be provided for future occupiers for a period of three years. The provision of an outline Delivery and Service Plan with any future planning application would also be appropriate in respect of the commercial units within the development.

Amenity space provision

Notwithstanding the relative proximity of the site to Peckham Rye Common the Council would nevertheless fully expect private and /or communal external amenity space to be provided in any development on this site. Further advice regarding the minimum required amount(s) and the most appropriate form of provision as per the nature of the development and the particular site circumstances can be found on pages 17-18 and 25-26 of the Council's Residential Design Standards SPD (2011).

Scope of future planning application

- Contaminated Land Phase I Desk Study
- Air Quality Impact Assessment
- Daylight and Sunlight Impact Assessment

- Design and Access Statement
- Sustainability Statement (can be contained within the Design and Access Statement if wished and should address broad social, economic and environmental sustainability matters in addition to any specific information in respect to Sustainable Design and Construction matters)
- Affordable Housing Statement and Heads of Terms (if appropriate)
- Transport Impact Assessment (including an outline Delivery and Service Plan)
- Completed CIL Form
- Planning Fee
- Site Location Plan
- Completed Application Form (Full Planning Permission)

Mayoral and Southwark CIL's and Affordable Housing obligations

Any development proposal seeking to provide 11 or more residential units will be required to ensure that 35% of this provision is in the form of on-site Affordable Housing. This would be secured through a S.106 legal agreement and hence your client's suggested Heads of Terms of such an agreement should be provided with the planning application submission. At the moment I can not identify any other obligations that might also need to be secured within a S.106 legal agreement but this may be subject to change as other issues may arise through the statutory consultation process.

Any development proposal along the lines of the proposal considered here would also be liable to contribute to both the Mayor of London Community Infrastructure Levy (MCIL) and the Southwark Council local Community Infrastructure Levy (SCIL). Southwark is a Zone 2 Borough for the purposes of the MCIL and the applicable rate is therefore £35/sqm (before adjustment for inflation).

With regard to the SCIL, the site falls within Zone 2. The applicable rate on net additional residential floorspace (GIA) is £200/sqm. The rate for all retail uses (A1 – A5 & Sui Generis uses akin to retail) in Zone 2 is £125/sqm. The rate in Zone 2 for all other uses is zero. Much more information on the SCIL can be found on the Council website.

Summary

In summary, it is considered that the development would very likely be **refused** were it to be submitted for planning permission in the form currently proposed due to the inadequate re-provision of commercial uses on the site, the excessive height, scale, bulk and massing of the proposed rear block and the inadequate separation distance between the front and rear blocks. This would give rise to harm to the amenity of adjoining land and buildings and result in a poor standard of accommodation for the development's future occupiers. There would also be prejudicial impact of the proposed rear block on the current operation, and hence the future viability, of the general industrial/business units at 1-8 Philip Walk as well as the future prospects for the redevelopment of this adjoining site.

Notwithstanding all of the above points, the principle of the redevelopment of this important town centre site with an appropriate mixed-use development is supported. However, the rear part of the site is so significantly constrained that only a much reduced quantum of development here would be feasible. In light of this, you may wish to consider assembling a larger site encompassing all or part of the adjoining site to the east at 1-8 Philip Walk as this would facilitate the creation of a more comprehensive development with a greater density that would represent a more efficient use of land

Yours sincerely,

Rob Bristow
 Group Manager (Major Applications) - Development Management
 Planning
 Chief Executive's Department
 Southwark Council
 PO Box 64529
 London
 SE1P 5LX

Please note that this advice is given to assist you but is not a decision of the Council. As an officer view, it is not binding on any future decision of the Planning Committee. Further issues may arise following a formal planning application, where public consultation and consultation with statutory consultees would be undertaken.

Appendix 1 - Planning history**269-273 Rye Lane**

00/AP/1591 Application type: Full Planning Permission (FUL)
Change of use of 1st and 2nd floors from vacant storage areas to three self-contained residential units.
GRANTED: 11/01/2001

02/AP/0933 Application type: Full Planning Permission (FUL)
Part demolition of existing buildings retaining front facade to Rye Lane and reconstruction of a four storey building to provide restaurant on the ground floor and 15 self contained flats on the upper floors.
REFUSED: 15/08/2002

03/AP/2103 Application type: Full Planning Permission (FUL)
Construction of a 4-storey building on vacant site at Nos.269-273 consisting of ground floor Class A1 Retail use and 8 residential flats on upper floors with car parking and service access at rear (via Philip Walk), together with refurbishment of No. 275 for use as part of supermarket (with ancillary offices on upper floors).
GRANTED: 31/08/2004

07/AP/2083 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the means of enclosure for the rear site boundary pursuant to Condition 4 of planning permission dated 30/03/2005 (LBS Reg No: 03-AP-1228) for the construction of 3 buildings in blocks of 5, 6, and 7 storeys around a landscaped courtyard comprising retail/financial & professional services/cafe/wine bar/offices (Class A1/A2/A3/B1) on the ground floor, 122 flats on the upper floors and 56 basement car parking spaces and 122 bicycle spaces, with access from Heaton Road.
GRANTED: 27/11/2007

07/EN/0155 Enforcement type: Unauthorised advertisement (ADV)
Unauthorised display of two externally illuminated advertising display panels, one measuring approximately 3m high by 12.1m wide (96 sheet) and one measuring approximately 3m high by 6.1m wide (48 sheet)

Sign-off date 09/02/2010 Sign-off reason: Final closure - breach ceased (FCBC)

05/EQ/0373 Application type: Pre-Application Enquiry (ENQ)
Proposed development
Decision date 07/01/2014 Decision: Pre-application enquiry closed (EQC)

14/EN/0112 Enforcement type: Land adversely affecting amenity (S215)
Untidy land
Sign-off date 02/06/2014 Sign-off reason: Final closure - not expedient to enforce (FCNE)

Appendix 2 – Relevant planning policies and guidance

National Planning Policy Framework (Published 27 March 2012)

Of specific relevance are the following sections:

2. Ensuring the vitality of town centres
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design.
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

The London Plan (2015)

Policy 3.1 Ensuring Equal Life Chances For All
 Policy 2.15 Town Centres
 Policy 3.3 Increasing housing supply
 Policy 3.5 Quality and design of housing developments
 Policy 3.7 Optimising Housing potential
 Policy 3.8 Housing Choice
 Policy 3.9 Mixed And Balanced Communities
 Policy 4.12 Improving Opportunities For All
 Policy 5.2 Minimising Carbon Dioxide Emissions
 Policy 5.3 Sustainable Design And Construction
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable Drainage
 Policy 5.17 Waste Capacity
 Policy 6.3 Assessing the impacts of development on transport capacity
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.1 Building London's Neighbourhoods and Communities
 Policy 7.2 An Inclusive Environment
 Policy 7.3 Designing Out Crime
 Policy 7.4 Local Character
 Policy 7.5 Public Realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.14 Improving Air Quality
 Policy 7.15 Reducing and managing noise, etc
 Policy 8.3 Community infrastructure levy

GLA Supplementary Planning Guidance: -

Housing (2012)
 Sustainable Design and Construction (2014)
 Accessible London – Achieving an Inclusive Environment (2014)
 Town Centres (2014)
 Shaping Neighbourhoods: Character and Context (2014)
 Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy (2013)

Southwark Core Strategy (Adopted 6 April 2011)

Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 3 - Shopping Leisure and Entertainment
 Strategic Policy 4 - Places to learn and enjoy
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards

Policy 1.4: Employment sites outside the Preferred Office Locations and Preferred Industrial Locations
 Policy 1.7: Development within Town and Local Centres
 Policy 1.9: Change of Use within Protected Shopping Frontages
 Policy 3.1: Environmental Effects
 Policy 3.2: Protection of Amenity

Policy 3.3: Sustainability Assessment
Policy 3.4: Energy Efficiency
Policy 3.6: Air Quality
Policy 3.7: Waste Reduction
Policy 3.9: Water
Policy 3.11: Efficient use of Land
Policy 3.12: Quality in Design
Policy 3.13: Urban Design
Policy 3.14: Designing out Crime
Policy 3.18: Setting of listed buildings, conservation areas and world heritage sites
Policy 5.1: Locating Developments
Policy 5.2: Transport Impacts
Policy 5.3: Walking and Cycling
Policy 5.6: Car Parking

Southwark Council Supplementary Planning Documents

Sustainable Design and Construction (2009)
Residential Design Standards (2011)
Design and Access Statements (2007)
Sustainable Transport (2008)
Rye Lane Conservation Area Character Appraisal (2011)
Affordable Housing (2008)

Southwark Council Development Plan Documents

Peckham and Nunhead Action Area Plan (2014)

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	The Third Quarter (Rosebery Avenue)	Reg. Number	16/AP/1896
Application Type	Full Planning Application	Case Number	TP/2732-269
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing buildings (general industrial units and a derelict end-of-terrace property) and the redevelopment of the site to provide 1x part 3/ part 5 storey building, 1x part 6/ part 5 storey building and 1x two-storey residential dwelling, comprising a total 29 residential units (12 x 1-bed, 11 x 2-bed and 6 x 3-bed) and 534sqm of flexible commercial floorspace (Class A1/B1), plus associated landscaping, plant, car and cycle parking and refuse storage.

At: 269-275 RYE LANE AND 1A PHILIP WALK, LONDON SE15

**In accordance with application received on 10/05/2016 16:02:06
and revisions/amendments received on 10/11/2016**

08/06/2017
04/07/2017
02/08/2017
08/09/2017
13/09/2017
09/10/2017
16/10/2017

and Applicant's Drawing Nos. 0229-RL-0001 Rev.P01 (Site Location Plan)
0229-RL-0200 Rev.P00 (Existing Rye Lane elevation)
0229-RL-1000 Rev.P00 (Existing ground floor plan)
0229-RL-1100 Rev.P04 (Proposed ground floor plan)
0229-RL-1101 Rev.P03 (Proposed first floor plan)
0229-RL-1102 Rev.P03 (Proposed second floor plan)
0229-RL-1103 Rev.P04 (Proposed third floor plan)
0229-RL-1104 Rev.P03 (Proposed fourth floor plan)
0229-RL-1105 Rev.P02 (Proposed fifth floor plan)
0229-RL-1106 Rev.P01 (Proposed roof plan)
0229-RL-1199 Rev.P02 (Proposed basement plan)
0229-RL-1200 Rev.P01 (Proposed East Elevation - Building A / Section - Building C)
0229-RL-1201 Rev.P03 (Proposed West & North Elevation - Building B / Section - Building C)
0229-RL-1202 Rev.P00 (Proposed South Elevation- Building C / Section - Buildings A and B)
0229-RL-1300 Rev.P01 (Proposed West Elevation - Building A)
0229-RL-1302 Rev.P02 (Proposed South Elevations- Buildings A and B)
0229-RL-1304 Rev.P00 (Proposed East Elevation - Building B)
0229-RL-1305 Rev.P02 (Proposed North Elevations - Building B / Building C)
0229-RL-7100 Rev.P02 (Proposed ground floor landscape plan)

2015-2220-TR06(1)
2015-2220-TR06(2)
2015-2220-TR06(3)
2015-2220-TR06(4)
2015-2220-TR06(5)

Planning Statement, Daylight/Sunlight Assessment, Design and Access Statement, Sustainability Statement, Financial Viability Assessment, Contaminated Land Phase 1 Desktop Study Report, Preliminary Ecological Appraisal, Drainage Strategy, Energy Statement, Noise Impact Assessment, Air Quality Assessment, Transport Statement, Travel Plan

Subject to the following twenty-eight 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:

0229-RL-1100 Rev.P04 (Proposed ground floor plan)
 0229-RL-1101 Rev.P03 (Proposed first floor plan)
 0229-RL-1102 Rev.P03 (Proposed second floor plan)
 0229-RL-1103 Rev.P04 (Proposed third floor plan)
 0229-RL-1104 Rev.P03 (Proposed fourth floor plan)
 0229-RL-1105 Rev.P02 (Proposed fifth floor plan)
 0229-RL-1106 Rev.P01 (Proposed roof plan)
 0229-RL-1199 Rev.P02 (Proposed basement plan)
 0229-RL-1200 Rev.P01 (Proposed East Elevation - Building A / Section - Building C)
 0229-RL-1201 Rev.P03 (Proposed West & North Elevation - Building B / Section - Building C)
 0229-RL-1202 Rev.P00 (Proposed South Elevation- Building C / Section - Buildings A and B)
 0229-RL-1300 Rev.P01 (Proposed West Elevation - Building A)
 0229-RL-1302 Rev.P02 (Proposed South Elevations- Buildings A and B)
 0229-RL-1304 Rev.P00 (Proposed East Elevation - Building B)
 0229-RL-1305 Rev.P02 (Proposed North Elevations - Building B / Building C)
 0229-RL-7100 Rev.P02 (Proposed ground floor landscape plan)

Reason:

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

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

- 3 a) Prior to the commencement of any development, a Phase 2 report (Site investigation and risk assessment) to establish the nature and extent of any contamination on the site and whether or not it originates on the site shall be conducted in accordance with the recommendations contained in the approved Phase 1 Desk Study Report (prepared by Alan Conisbee and Associates Limited, dated April 2016) (pages 32-35) and Ground Investigation Plans showing locations of trial pits, boreholes, and window samples (page 40) and shall be submitted to, and approved in writing by, the Local Planning Authority.
- b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as Contaminated Land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.
- d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be completed in a safe manner without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework (2012), policy 5.21 (Contaminated Land) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved

policy 3.1 (Environmental Effects) of the Southwark Unitary Development Plan (2007).

- 4 Section detail-drawings at a scale of 1:5m through (i) parapets; (ii) roof edges and (iii) heads, cills and jambs of all openings, to be used in the carrying out of this permission shall be submitted to the Local Planning for approval in writing prior to the commencement of any works above grade. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2016), strategic policy 12 (Design and conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design), 3.13 (Urban Design) and 3.16 (Conservations Areas) of the Southwark Unitary Development Plan (2007).

- 5 No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall include the following information as may be relevant:

Site information: (Site location of the site; Size and nature of the development; Details of any parking constraints near the site; Details of site access including public transport, cycling and footways; Any changes to services during the construction phase)

Construction details: (Scheme details; Works programme showing indicative dates for each stage of construction; Overview of the different stages of the construction processes; Access arrangements for vehicles; Details of any parking bays that may need to be suspended to make way for large construction vehicles; Number of deliveries; Hours of site operation; Proposed routing; Number and type of construction vehicles for each development phase; Parking, loading and unloading arrangements and monitoring methods; Swept path analysis; Measures to address any issues regarding entry, access and exit to the site; Details of storage of plant and materials)

Traffic management: (Details of how traffic will be managed during the various stages of construction; Type of construction vehicles needed and when; Parking arrangements for delivery vehicles; Pedestrian, cyclist, bus and general traffic considerations)

Monitoring, compliance, reporting and review: (How the CLP will be monitored; Compliance arrangements; Reporting and review arrangements)

Reason:

To ensure that the impact of the demolition and construction works on the safe operation of the surrounding highway network and on the general amenity of the locality is minimised as far as possible in accordance with the National Planning Policy Framework (2012), strategic policies 2 (Sustainable transport) and 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of amenity) and 5.2 (Transport impacts) of the Southwark Unitary Development Plan (2007).

- 6 No development shall commence until a finalised surface water drainage scheme for the site, based on the details within the Flood Risk Assessment and Preliminary Drainage Strategy (Conisbee, ref. 160602/AW/TG, dated 8th July 2016, Rev.1.1), which achieves a surface water run-off rate no greater than 5 litres/second, is developed at detailed design stage and submitted to, and approved by, the Local Planning Authority.

Reason:

To ensure the safety of future occupiers of the building against the risk of flooding in accordance with Section 10 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2012), policies 5.12 (Flood risk management) and 7.13 (Safety, security and resilience to emergency) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011), saved policy 3.9 (Water) of the Southwark Unitary Development Plan (2007) and guidance in the Sustainable Design and Construction SPD (2009).

- 7 The development hereby permitted shall not be commenced until detailed design and method statements (AIP) for all of the foundations, basement and ground floor structures retaining the highway (temporary and permanent) in accordance with BD 2/12 'Technical Approval of Highway Structures' have been submitted to, and approved in writing by, the local planning authority (in consultation with the Local Highway Authority)

Reason:

To ensure that public highway infrastructure is adequately protected in accordance with saved policy 5.2 (Transport Impacts) of the Southwark Unitary Development 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.

- 8 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roofs and living walls shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roofs and living walls 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) roofs and living walls 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 roofs (green/brown) and living walls 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 roofs and living walls and Southwark Council agreeing the submitted plans, and once the green/brown roofs and living walls are completed in full in accordance to the agreed plans. A post-completion assessment will be required to confirm that the biodiversity roofs and living walls have 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 Section 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2012), policies 2.18 (Green infrastructure: the network of open and green spaces), 5.3 (Sustainable design and construction), 5.10 (Urban greening) and 5.11 (Green roofs and development site environs) of the London Plan (2016), strategic policy 11 of the Southwark Core Strategy (2011) and saved policy 3.28 (Biodiversity) of the Southwark Unitary Development Plan (2007).

- 9 Details of bird and/or bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any above grade works associated with the development hereby granted. No fewer than 4 swift bricks and 6 mixed-nest boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks and boxes shall be installed within 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 and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post-completion assessment will be required to confirm that 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 Section 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2012), policies 5.10 (Urban greening) and 7.19 (Biodiversity and access to nature) of the London Plan (2016), strategic policy 11 of the Southwark Core Strategy (2011) and saved policy 3.28 (Biodiversity) of the Southwark Unitary Development Plan (2007).

- 10 Prior to the commencement of above grade works, details, including samples, of all external facing materials (and notwithstanding the details shown on the approved Block A front elevation drawing, ref. 0229-SEW-RL-1300 REV P01, details of a revised front elevation which shows a reduced depth to the first-floor weathered and perforated brass panels thereby preserving space for a traditional signage fascia for the commercial unit below) shall be 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 and shall be retained as such thereafter.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a high quality of design and detailing in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and

saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

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

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

Reason:

So that the Council may be satisfied with the details of the landscaping scheme in accordance with the National Planning Policy Framework (2012), policies 5.3 (Sustainable design and construction), 5.10 (Urban greening), 5.11 (Green roofs and development site environs) and 7.5 (Public realm) of the London Plan (2016), strategic policies 11 (Open spaces and wildlife), 12 (Design and conservation) and 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies, 3.2 (Protection of amenity), 3.12 (Quality in design), 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Unitary Development Plan (2007).

- 12 Prior to the commencement of any works above grade, details of the balcony privacy screens shown indicatively on the south elevation of Block B in approved drawing ref. 0229-SEW-RL-1302 REV P02 shall be submitted to, and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given. The approved privacy screens shall be retained as such thereafter.

Reason:

In the interests of preserving a reasonable degree of privacy for neighbouring residential occupiers in Rye Lane and Philip Walk in accordance with the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007).

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.

- 13 Before the first occupation of any of the premises that the CHP plant shall serve, the developer will provide a report advising of the full particulars of the CHP plant, e.g., location, layout, operation, management plan, management responsibilities, maintenance schedule, fuel supply, height of flue, emissions impact on local air quality and proposed emission mitigation equipment. These details shall be submitted to, and approved in writing by, the Local Planning Authority. The CHP plant shall not be constructed or operated other than in accordance with the Local Planning Authority approval given whilst it is in commission.

Reason:

In order that the Local Planning Authority may be satisfied that the operation and management of the CHP plant will be adequate and effective, to ensure the development minimises its impact on air quality and amenity in accordance with Section 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2012), policy 7.14 (Improving air quality) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and policies 3.3 (Sustainability Assessment), 3.4 (Energy Efficiency) and 3.6 (Air Quality) of the Southwark Unitary Development Plan (2007).

- 14 Prior to the first occupation of the development hereby permitted the following proposed energy saving features, as set out in the Energy Statement by Scotch Partners, Rev.03 dated 8th April 2016 which accompanied the application, shall be installed and thereafter retained for the lifetime of the development.

Roof-mounted Photo-Voltaic panels

A gas-powered Combined Heat and Power (CHP) plant

Mechanical Ventilation and Heat Recovery units within each residential unit.

Reason:

To ensure that the development provides the environmental sustainability features that were specified in the energy strategy for the application so as to deliver compliance with section 10 of the National Planning Policy Framework (2012), policies 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable design and construction) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.4 (Energy efficiency) of the Southwark Unitary Development 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.

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

Reason

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

- 16 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:

As the development is located in a water stress area and so to reduce water use in accordance with the National Planning Policy Framework (2012), policy 5.15 (Water use and supplies) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policies 3.1 (Environmental effects) and 3.9 (Water) of the Southwark Unitary Development Plan (2007).

- 17 The applicant shall secure written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with any such approval thereby issued by the appointed building control body.

M4(2) (Accessible and adaptable dwellings)

Block A: A-01, A-02, A-03, A-04, A-05, A-06, A-07, A-08, A-09, A-10 and A-11

Block B: B-01, B-02, B-03, B-04, B-05, B-06, B-08, B-09, B-10, B-12, B-13, B-15, B-16 and B-17

Block C: C-01

M4(3) (Wheelchair user dwellings)

B-07, B-11 and B-18

Reason:

To ensure the development complies with policy 3.8 (Housing choice) of the London Plan (2016) and strategic policy 5 (Providing new homes) of the Southwark Core Strategy (2011).

- 18 The disabled-standard car parking space shown on the drawings hereby approved shall be made available, and retained for the purposes of car parking for disabled residents and no trade or business shall be carried on there from.

Reason:

In the interests of ensuring that the space remains available for the benefit of any disabled residents who hold a blue badge in accordance with policy 6.9 (Parking) of the London Plan (2016), strategic policies 2 (Sustainable Transport) of the Southwark Core Strategy (2011) and saved policy 5.2 (Transport impacts) of the Southwark Unitary Development Plan (2007).

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

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

Living rooms- 35dB LAeq T **

Dining room - 40 dB LAeq T **

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

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

Reason:

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

- 20 Before the first occupation of the buildings hereby permitted, the refuse storage arrangements shown on the approved drawing ref. 0229-RL-1100 Rev.P04 (Proposed ground floor plan) shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

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

- 21 The Rated sound level from any installed mechanical and/or electrical plant together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the plant Specific sound level shall be at least 10dB(A) below the lowest relevant background level in this location. For the purposes of this condition the Background, Rated and Specific sound levels shall be calculated in full accordance with the methodology of BS4142:2014.

Reason:

To protect the amenity and living conditions of occupiers of nearby buildings in accordance with the National Planning Policy Framework (2012), policy 7.15 (Reducing and managing noise, etc.) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007).

- 22 No meter boxes, flues, vents, pipes or other appurtenances, nor any scheme of external illumination of the building, other than details on the approved drawings, shall be fixed or installed to any elevation of the building, without the prior written consent of the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure such works do not detract from the appearance of the building in accordance with the National Planning Policy Framework (2012), policy 7.8 (Heritage Assets and Archaeology) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design), 3.13 (Urban Design) and 3.16 (Conservation Areas) of the Southwark Unitary Development Plan (2007).

- 23 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing ref. 0229-RL-1100 Rev.P04 (Proposed ground floor plan) 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.

- 24 The habitable rooms within the development sharing a party ceiling or floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to the commercial premises does not exceed NR20 or better when measured as an L10 across any 5 minute period.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of

noise nuisance and other excess noise from activities within the commercial premises in accordance with the National Planning Policy Framework (2012), policy 7.15 (Reducing and managing noise, etc.) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007).

- 25 The existing buildings on the site shall not be demolished other than outside of the bird breeding season (March to August inclusive).

Reason:

As protected birds have been identified at the site and therefore to avoid destruction of active bird habitat in accordance with the requirements of the Wildlife and Countryside Act 1981 and with Section 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2012), Policy 7.19 (Biodiversity and access to nature) of the London Plan (2016), strategic policy 11 (Open spaces and wildlife) of the Southwark Core Strategy (2011) and policy 3.28 (Biodiversity) of the Southwark Unitary Development Plan (2007).

- 26 The obscure-glazing shown on the south elevation of Block B in drawing 0229-SEW-RL-1302 REV P02 shall be provided as prior to the first occupation of Block B and the first-floor windows in the west elevation of Block C as drawing 0229-SEW-RL-1101 REV P03 shall be glazed with purpose-made obscure glass and be fixed shut up 1.8m above the internal finished floor level of the rooms they serve before the first occupation of block C, all obscure glazing shall be retained thereafter.

Reason:

In the interests of preserving a reasonable degree of privacy for neighbouring residential occupiers in Rye Lane and Philip Walk in accordance with the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2016), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007).

- 27 Design interventions and/or security measures shall be implemented to achieve Secured by Design accreditation prior to occupation of the residential uses and/or commencement of the commercial uses hereby granted.

Reason:

In the interests of ensuring the provision of a safe and secure environment for the residents of, and visitors to, the development in accordance with the National Planning Policy Framework (2012), policies 7.3 (Designing out crime) of the London Plan (2016), strategic policy 12 (Design and conservation) of the Southwark Core Strategy (2011) and saved policies 3.14 (Designing out crime) of the Southwark Unitary Development Plan (2007).

- 28 The commercial premises hereby permitted shall achieve a minimum Excellent BREAAAM rating.

Reason:

To ensure the proposal complies with the National Planning Policy Framework (2012), policy 5.3 (Sustainable design and construction) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies 3.3 (Sustainability) and 3.4 (Energy efficiency) of the Southwark Unitary Development Plan (2007).

Statement of positive and proactive action in dealing with the application

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

Initially the scheme did not comply with guidance. However, the local planning authority's suggested improvements were adopted by the applicant.

Informatives

1 Works to Highways - information

1. The Highway Authority requires works to all existing and any proposed new streets and spaces (given for adoption or not) to be designed and constructed to adoptable standards.
2. Southwark Council's published adoptable standards as Highway Authority are contained in the Southwark Streetscape Design Manual (SSDM), www.southwark.gov.uk/ssdm.

Applicants will be required to enter into a s278 agreement under the Highways Act 1980 for any works to existing adopted Highways.

2 Out of Hours Site Works - Section 61 of Control of Pollution Act 1974

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

Monday to Friday: 08:00–18:00hrs

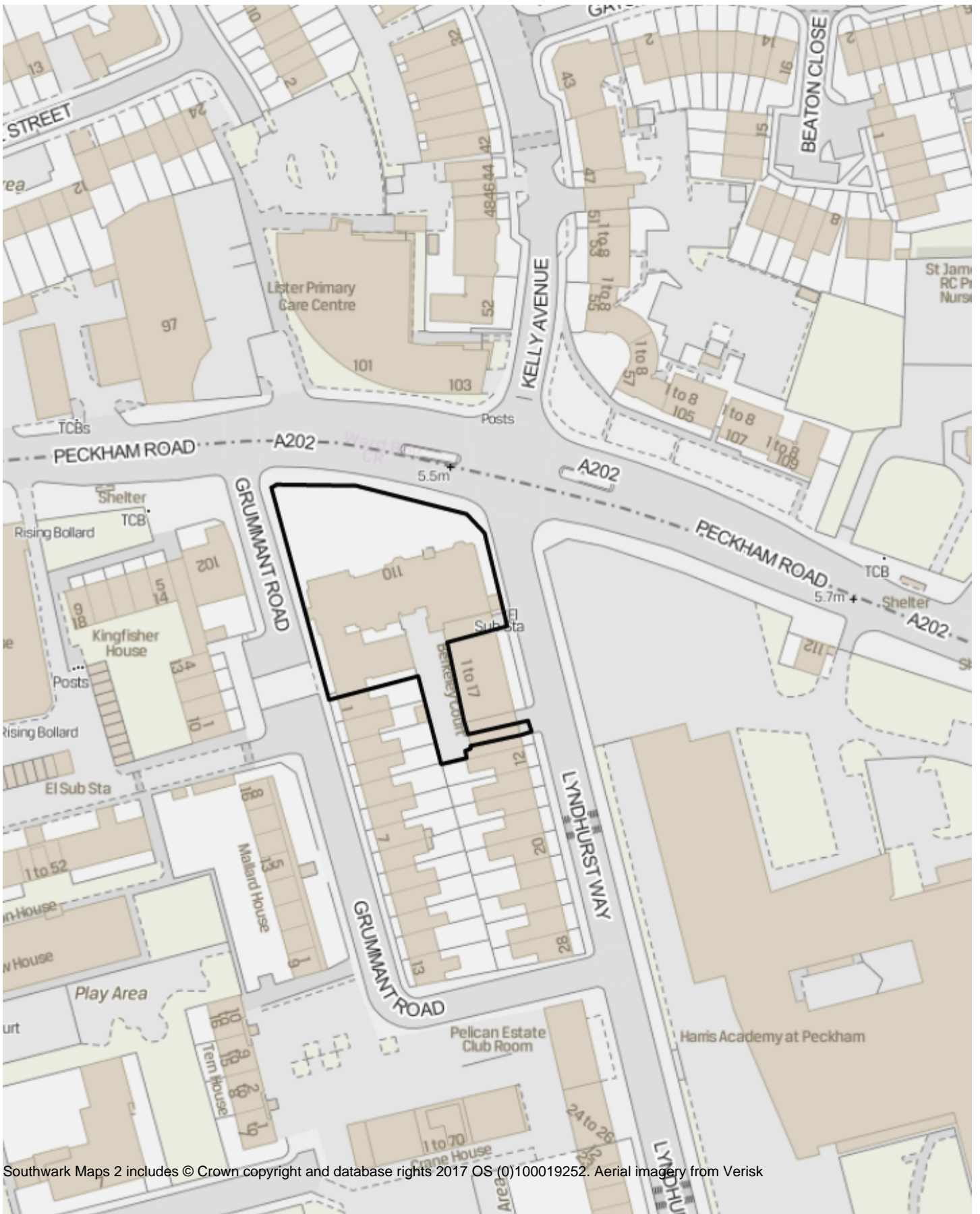
Saturday: 09:00–13:00hrs

Sundays and Bank Holidays: 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.

3 **Emergency or Unanticipated Out-Of-Hours Works**

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.



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Item No. 7.3	Classification: Open	Date: 13 December 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 17/AP/3015 for: Full Planning Application Address: 110 PECKHAM ROAD, LONDON, SE15 5EU Proposal: Excavation of land to the front of the hotel and the construction of a four-storey subterranean basement extension to provide 33 new hotel rooms, a swimming pool, gymnasium and associated facilities. Together with internal alterations to the existing building to relocate the restaurant/bar to ground floor level and associated landscaping. Net increase of 24 hotel rooms.		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date 07/09/2017		Application Expiry Date 07/12/2017	
Earliest Decision Date 26/10/2017			

RECOMMENDATION

1. That planning permission is granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site is the Peckham Lodge Hotel which is on the southern side of Peckham Road in The Lane area of the borough. The hotel is a large and prominent Victorian building of three and four storeys in height. It is set back from the road with a large grassed frontage, and has return frontages onto Grumant Road and Lyndhurst Way. The large grassed front garden sits above a former World War II Bunker, the footprint of which is outlined at street level by a low parapet wall with cast iron railings on top.
3. The surrounding area is mixed in character with a diverse range of building types and uses. The site is situated within Peckham Major Town Centre and directly to the east is the Harris Academy educational facility, while to the south the surrounding roads are predominantly residential.
4. The site is located within:
 - Urban Zone
 - Air Quality Management Area
 - Controlled Parking Zone
 - PTAL 6A
 - Peckham and Nunhead Action Area
 - Flood Risk Zone

5. The Peckham Lodge Hotel building is not listed but is of architectural merit and a non-designated heritage asset. Wartime structures, which would include the WWII bunker, are also regarded as heritage assets and in this case is non-designated. Within the wider context of the site it should be noted that the Rye Lane Conservation Area lies 120 metres to the west.

Details of proposal

6. The proposed development would involve the excavation of land to the front of the hotel and the construction of a four-storey subterranean basement extension. The new extension would include 33 en-suite hotel bedrooms, a swimming pool, jacuzzi, gymnasium and a service plant room. Nine rooms would be removed from the hotel building to accommodate a new restaurant and bar area, luggage room and toilets. The increase in guest rooms across the hotel would be 24 taking the total number of rooms to 164.
7. There is a two-storey basement which was the WWII bunker; it has four hotel bedrooms as well as the existing dining hall facilities and toilets. Permission was granted in 2016 to extend this by an additional subterranean storey to provide 24 new bedrooms. Hoardings have been erected surrounding the site and some preparatory work has been undertaken, but development has not been commenced on this extant permission.
8. The voids surrounding the basement would be retained and extended downwards to provide lightwells to the new lower levels along with emergency access stairways.

Planning history

9. The application site has an extensive planning history. The following are of relevance to the proposal currently under consideration:

<p>10/AP/1660 Application type: Full Planning Application (FUL) Extension of World War Two bunker below the forecourt of Peckham Lodge Hotel to provide fire escape and lightwell in connection with use as bunker as breakfast room for hotel (Use Class C1). Decision date 19/08/2010 Decision: Granted (GRA)</p>
<p>12/AP/2964 Application type: Full Planning Application (FUL) Creation of four bedrooms to the east of existing bunker below garden level. Works include the erection of metal railings and installation of a staircase within the forecourt. (Class C1) Decision date 14/12/2012 Decision: Granted (GRA)</p>
<p>13/AP/0115 Application type: Full Planning Application (FUL) Two new lightwells, fire escape and construction of ten new guestrooms with a skylight above the existing WWII bunker. Decision date 12/03/2013 Decision: Granted (GRA)</p>
<p>13/AP/1544 Application type: Full Planning Application (FUL) Lawn area to the front of property raised in height and landscaping works along Peckham Road and Grummant Road elevations, all in connection with provision of additional accommodation for Peckham Lodge Hotel (Class C1). Decision date 16/09/2013 Decision: Granted (GRA)</p>
<p>15/AP/5171 Application type: Full Planning Application (FUL) Excavation of land to the front of the hotel and the construction of a three floor subterranean extension including 24 new guestrooms, dining hall, food preparation</p>

area and toilets to a finished height of 99.975m AOD. Decision date 08/07/2016 Decision: Granted (GRA)
17/AP/1931 Application type: Full Planning Application (FUL) Extension of existing store room at lower ground level and addition of 3 windows in store room with associated lightwells from the ground floor. Decision date 04/09/2017 Decision: Granted (GRA)

10. The main differences between the 2016 permission (15/AP/5171) are:
- One additional storey of basement accommodation to provide a swimming pool and gymnasium facilities.
 - Relocation of nine rooms from the main hotel building and internal alterations to provide ancillary hotel facilities at ground floor level.

Planning history of adjoining sites

11. None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) The impact of the use on the amenity of nearby and adjoining occupiers.
 - c) The impact of development on the adjacent transport networks.
 - d) Flood Risk
 - e) Impact on trees
 - f) Quality of Hotel Accommodation

Planning policy

National Planning Policy Framework (the Framework)

13. The National Planning Policy Framework (NPPF) sets out the Government's strategy for the delivery of sustainable development. Whilst its guidance does not constitute planning policy, all local policies must be in general conformity with the NPPF and it is a material consideration in the determination of planning applications. The following sections are of greatest relevance to this proposal:

Section 2. Ensuring the vitality of town centres
 Section 7. Requiring good design
 Section 12. Conserving and enhancing the historic environment

14. On 19 March 2013, the council's cabinet considered whether Southwark's planning policies were consistent with guidance in the NPPF, as required by NPPF paragraph 215. All policies and proposals were reviewed and the council satisfied itself that those in use were in general conformity with the NPPF. The resolution was that with the exception of Southwark Plan policy 1.8 (location of retail outside town centres) all policies would be saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- The London Plan 2016
15. Policy 4.5 London's visitor infrastructure
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.12 Road network capacity
 Policy 6.13 Parking
 Policy 7.8 Heritage assets and archaeology
 Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- Core Strategy 2011
16. Strategic Policy 1 – Sustainable development
 Strategic Policy 2 – Sustainable transport
 Strategic Policy 10 – Jobs and businesses
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards
- Southwark Plan 2007 (July) - saved policies
17. 1.12 Hotels and Visitor Accommodation
 2.5 Planning Obligations
 3.1 Environmental Effects
 3.2 Protection of Amenity
 3.4 Energy Efficiency
 3.7 Waste Reduction
 3.11 Efficient use of land
 3.12 Quality in Design
 3.13 Urban Design
 3.14 Designing Out Crime
 5.2 Transport Impacts
 5.3 Walking and Cycling
 5.6 Car Parking
- Peckham and Nunhead Area Action Plan 2014
- Supplementary Planning Documents
18. Section 106 Planning obligations and Community infrastructure levy SPD (2015)
 Sustainable transport SPD 2010
 Sustainability assessments SPD 2009
 Sustainable design and construction SPD 2009
- Summary of consultation responses**
19. 13 objections and 1 comment were received as a result of public consultation. The key points raised were:
- Lengthy disruption and pollution to already congested area and potential damage to neighbouring properties.
 - Excessive in scale and inappropriate for the area.
 - Parking and congestion.
 - Need for hotel accommodation.
 - Quality of basement accommodation.

- Noise, vibration and disturbance, management of traffic, plant and equipment and structural stability of nearby building problems for local residents.
- The depth of the proposed basement should be restricted.
- Loss of daylight and overlooking.

20. These issues are considered below in the relevant sections of the report.

Principle of development

21. At the heart of the NPPF is the presumption in favour of sustainable development. Amongst the key themes in achieving sustainable development are ensuring the vitality of town centres, promoting sustainable transport, supporting a strong economy, and delivering good design.
22. Saved policy 1.12 of the Southwark Plan states that hotels will be encouraged in areas with high public transport accessibility, but that they will not be permitted where they would result in an over dominance of visitor accommodation in the locality. Strategic Policy 10 - Jobs and businesses of the Core Strategy advises that hotels would be allowed in town centres, strategic cultural areas and places with good accessibility to public transport, providing that there is no harm to local character.
23. The London Plan (policy 4.5) aims to provide a net increase of 40,000 hotel bedrooms by 2031. The Mayor encourages provision of such accommodation within town centres and opportunity areas where there is good access to central London and international and national transport termini. The application site has a very high public transport accessibility level, is within walking distance of Peckham Rye Station and is served by numerous bus routes. The site is considered to be well suited for additional hotel accommodation given its excellent accessibility to public transport and its location close to the Major Town Centre of Peckham.
24. Notwithstanding that the hotel is appropriately located, the requirement for enhanced hotel accommodation to not result in an over dominance of visitor accommodation needs to be considered. The GLA's Hotel Demand Study (2006) indicates that approximately 2,500 additional hotel rooms will be needed in the borough over the period 2007 to 2026. Given the number of new hotels built in the borough, and those that have consent, it is likely that this target will easily be reached. However the majority of these have been focused within the Central Activities Zone and are concentrated in the north of the borough. The opportunity to extend a hotel in Peckham is therefore welcomed in principle as it would increase much needed visitor accommodation within this part of the borough.
25. The surrounding land uses remain mixed and include offices, residential and retail. The wider area would remain mixed and the development would not result in an over dominance of visitor accommodation. The proposal is therefore considered to comply with the requirements of saved policy 1.12.
26. The hotel has been extended on a number of occasions in the past, and local residents have raised concerns in relation to whether the site could accommodate any additional hotel space. The proposal is an innovative approach to providing additional hotel space which would not result in any harm to the streetscene and would provide a good level of hotel accommodation in terms of size. As such, the addition of new hotel accommodation below ground would not result in overdevelopment of the site as no impacts would be had on surrounding users and as such the subterranean accommodation is considered acceptable in principle, provided it can be lit and ventilated appropriately.

Environmental impact assessment

27. The scale of development proposed here does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) that would otherwise trigger the need for an Environmental Impact Assessment.

Neighbour Amenity

28. All of the proposed work would be contained at basement level with the exception of landscaping and internal changes to the existing hotel building. There would be no loss of light, outlook or privacy to neighbouring residential dwellings as a result of the proposed development.

Noise and Vibration

29. Once operational, there are no residual adverse impacts predicted in relation to noise and vibration. Plant associated with the development will be conditioned to ensure adequate insulation that will prevent noise breakout.
30. Peckham Road is a very busy route with numerous commercial uses including the hotel. The proposed development would not result in an increase of visitor numbers which would subsequently result in significantly greater noise levels than those that already exist. As such, it is considered that the development will accord with saved Policy 3.2 'Protection of Amenity'.

Quality of Hotel Accommodation

31. The proposal would provide a total of 33 new hotel rooms within the 1st to 3rd floor subterranean levels of the proposed four storey basement extension. However, it should be noted that 24 of these basement rooms have already been consented under the 2016 permission and the remaining additional 9 basement rooms would replace the 9 rooms that would be lost from the main building as a result of the creation of a new hotel restaurant and bar, luggage room and toilets.
32. Subterranean guest accommodation is considered acceptable in principle. There are no planning standards which can be applied to visitor accommodation with regards to the quality of the rooms. However all of the proposed rooms are considered to be of an acceptable size with adequate levels of light from the surrounding lightwells.
33. The submitted reports indicate that there may be some low level noise within the new guestrooms as a result of vibration generated by traffic on Peckham Road. However, the noise levels in the new guestrooms are not be expected to be any higher than the levels in the existing guestrooms situated closest to the road. It is therefore considered that the overall noise level would be acceptable.
34. As such, overall the quality of hotel accommodation is on balance deemed to be acceptable as it would result in appropriate access to daylight and can be appropriately ventilated.

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

35. As the existing hotel has been at the site for many year in the context of its adjoining residential, educational and commercial uses, it is not envisaged that these uses would have any significant impact on occupiers and users of proposed development .

Transport issues

36. Existing car parking for the site is limited to eight spaces in a courtyard to the rear and is accessed via Lyndhurst Way. There are no cycle parking facilities on the site although informal parking for cycle is provided within the secured courtyard.
37. This application would result in a net increase of 24 rooms and it is not anticipated that there would be a significant change to the means of access, staffing numbers and servicing arrangements at the site,

Car parking

38. This proposal is located in an area with a high PTAL rating (6a) reflecting the areas high level of access to all forms of public transport. Developments in areas with this PTAL rating are required to be car free in order to promote more sustainable transport choices, reduce congestion and pollution, as per Southwark's Strategic Policies 18 and 19. There is an existing area for parking which appears to accommodate 8 vehicles and no changes would be expected to this arrangement.
39. The application site is located within a CPZ, however the development proposes only a relatively modest increase in hotel rooms, and no more than has been previously approved under the 2016 extant permission. It is not anticipated that servicing or staffing operations would change as a result of the development and parking stress on the surrounding streets is unlikely to be impacted. As such it would be unreasonable to restrict parking permits.

Disabled parking

40. The existing car parking does not make provision for disabled parking. However, according to Parking for Blue Badge holders set out in London Plan (2016) non-residential elements of a development should provide at least one accessible on or off street parking designated for Blue Badge holders, even if no general parking is provided. There is considered to be sufficient space within the existing car parking to accommodate such provision and this will be secured by way of a condition.

Cycle parking

41. For the proposed additional hotel use, the cycle parking minimum standards set out in London Plan (2016) suggest that a minimum of 1 long-stay space per 20 bedrooms and 1 short-stay space per 50 bedrooms should be provided. The proposed development would require an two spaces to meet this requirement as a minimum. The applicant has submitted plans which demonstrate the provision of 10 cycle parking spaces in a formalised covered area. This will be secured by way of a condition.

Servicing and refuse vehicle access

42. The applicant's Transport Statement notes that servicing will continue as per the existing arrangement which is that all servicing takes place from Lyndhurst Way. TfL originally asked for clarity to ensure that all servicing is retained from this street and not along Peckham Road. Given that this is the existing arrangement and is appropriate, no further details are required in relation to servicing.

Design and Appearance

43. The proposal predominantly relates to development at basement level, however some alterations to the area in front of the main hotel building are proposed. These include

the introduction of lightwells and associated railings as well as enhanced landscaping.

44. Few external changes are proposed when compared to the extant 2016 permission. These changes include the relocation of the emergency stairs, addition of a firefighting lobby within the eastern portion of the site and the introduction of a lift over-run extending 800 mm over floor level to the central core lift shaft. The landscaping design has subsequently been adapted to accommodate these changes and would provide a visually attractive and usable space fronting Peckham Road.
45. There are no objections to the proposed changes in design terms as their impact on the townscape are considered to be neutral. Consideration with regard to the loss of the non-designated heritage asset, being the WW2 bunker, is discussed in the archaeology section of this report.
46. The Rye Lane conservation area is situated approximately 90m to the east of the site and the Sceaux Gardens conservation area 100m to the west, however, given that the works are situated at basement level, they would not result in any impacts on the setting of these conservation areas

Trees

47. The proposed landscape plan for the roof of the basement extension is a revised version to that submitted with the previously consented scheme. The landscape plan proposes a number of replacement trees to off-set the recent loss of trees from the site. This has been reviewed by the council's urban forester who advises that it would be an improvement on the previously consented landscape plan, providing a better quality amenity area. However, given the constraints of having a basement with suitable soil volume above, a specific condition is recommended to ensure trees are installed with an acceptable quality and number.

Sustainable development implications

48. The Energy Statement submitted with this application examines the sustainability credentials of the proposed development. The London Plan seeks to achieve an overall reduction in London's carbon dioxide emission of 60% during the life time of the London Plan. Furthermore, non-domestic buildings would be expected to achieve a 35% reduction in regulated CO2 emission against a Building Regulations (Part L 2013) compliant scheme.
49. The submitted Energy Statement shows that the London Plan requirement of 35% is achieved. The Energy Statement also demonstrates that through the implementation of a 3-step Energy Hierarchy, the estimated regulated CO2 savings on site would be 40.9%, against a Part L 2013 compliant scheme.
50. In additional non-residential development should achieve BREEAM excellent. The previous application has since been subject to a BREEAM pre-assessment which indicates that the scheme can achieve this, a suitable condition is proposed.

Other matters

Land Contamination

51. Since the consented 2016 scheme, a desk study and preliminary site investigation report by Southern Testing Laboratories Ltd has been submitted that details site conditions, site investigation methods and the results of site test data together with further testing information. The report concludes that, based on the two results, the Made Ground on site would be considered uncontaminated for hotel use. As such, a

remediation strategy and verification report is unexpected and will only be submitted in the event that contamination is found when carrying out the approved development. This remains the case for this proposal.

Flood Risk and Basement Impact Assessment

52. A Flood Risk Assessment by RSK and Phase 2 Basement Impact Assessment have been submitted in support of this application and have been reviewed by the Environment Agency and Council's Flood and Drainage Team. These are considered to have appropriately assessed the impact and risks of the development and no objections are raised. A condition is recommended requiring details of a surface water drainage strategy incorporating sustainable drainage principles, which achieves a reduction in surface water run-off rates as detailed in the Flood Risk Assessment submitted to minimise the potential for the site to contribute to surface water flooding.

Archaeology

53. The application site is not within an Archaeological Priority Zone (APZ). Appraisal of this planning application using the Greater London Historic Environment Record (GLHER), previous advice given by the council's archaeology officers, and information submitted with the application indicates that, in this instance, it can be generally concluded that the archaeological resource would not be compromised by these works.
54. However, since the 2016 application, the applicant has commissioned and submitted a Basement Impact Assessment. This impact assessment shows that the application will involve the removal of any surviving elements of the Second World War bunker which once stood in this location. There is evidence that the two storey subterranean structure to the front of the main hotel building, currently providing accommodation and dining facilities, was built as a wartime air raid shelter.
55. Wartime structures are regarded as heritage assets, with this one being non-designated. An aspect of the worth or importance attached by people to the qualities of places, is categorised by Historic England as falling under four heritage values: aesthetic, evidential, communal or historical value. Wartime structures can have all these heritage values. The submitted documents demonstrate that the development will cause harm to the buried historic environment in the form of the loss of the bunker.
56. The existing bunker has already been converted for hotel accommodation and permission granted by way of the extent 2016 permission, would result in its loss. Its value as a non-designated heritage asset does not afford it protection in the same way as a listed structure. Much of its value is likely to have already been lost and on balance its protection does not warrant the refusal of the application.
57. In the absence of further information of the levels of survival of the bunker structure a condition should be applied to any grant of consent to ensure it is properly researched and recorded prior to its loss. These works should be to Historic England Level 3 building recording standard and conditions are recommended to this end.

CIL

58. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material local financial consideration in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will

provide for infrastructure that supports growth in Southwark.

59. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment and Southwark CIL for hotel accommodation is £125 within Zones 2-3 and as such the overall amount is calculated as follows:

Based on CIL Reg.40 calculation:

MCIL Chargeable Area = $Gr - Kr - (Gr \times E/G) = 2004 - 0 - (2004 \times 525/2004) = 1479$ sqm

MCIL = $1479 \text{ sqm} \times £35/\text{sqm} \times 286/223 = \underline{£66,389}$

SCIL Hotel chargeable area = $Gr - Kr - (Gr \times E/G) = 2004 - 0 - (2004 \times 525/2004) = 1479$ sqm

SCIL (Zone 3 Hotel) = $1479 \text{ sqm} \times £125/\text{sqm} \times 286/259 = \underline{£204,148}$

Conclusion on planning issues

60. The proposed basement extension to the hotel is acceptable in principle as it is located within a major town centre with a very high PTAL. The proposed subterranean hotel rooms, whilst unusual, would provide acceptable light levels and ventilation to the rooms, and would provide additional visitor space which is supported. The proposal would not have significant impacts on the amenity of neighbours and the loss of the non-designated heritage asset would be outweighed by the provision of enhanced visitor accommodation. The proposal is consistent with the ambitions and policies of the development plan and it is recommended that planning permission be granted.

Community impact statement

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

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

Consultations

62. Details of consultation undertaken and replies received in respect of this application are set out in Appendices 1 and 2.

Human rights implications

63. 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.
64. This application has the legitimate aim of providing additional hotel accommodation with improved facilities. 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/2282-110 Application file: 17/AP/3015 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 0585 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	Mumtaz Shaikh, Planning Officer	
Version	Final	
Dated	27 November 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director 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	4 December 2017	

APPENDIX 1

Consultation undertaken

Site notice date: 03/10/2017

Press notice date: 14/09/2017

Case officer site visit date: n/a

Neighbour consultation letters sent: 08/09/2017

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

Flat 13 Berkeley Court SE15 5AD
 Flat 12 Berkeley Court SE15 5AD
 Flat 14 Berkeley Court SE15 5AD
 Flat 16 Berkeley Court SE15 5AD
 Flat 15 Berkeley Court SE15 5AD
 Flat 11 Berkeley Court SE15 5AD
 Flat 7 Berkeley Court SE15 5AD
 Flat 6 Berkeley Court SE15 5AD
 Flat 8 Berkeley Court SE15 5AD
 Flat 10 Berkeley Court SE15 5AD
 Flat 9 Berkeley Court SE15 5AD
 Flat 17 Berkeley Court SE15 5AD
 8a Grummant Road London SE15 5NQ
 7a Grummant Road London SE15 5NQ
 9a Grummant Road London SE15 5NQ
 26b Lyndhurst Way London SE15 5AT
 26a Lyndhurst Way London SE15 5AT
 24b Lyndhurst Way London SE15 5AT

Flat 22 Pelican House SE15 5PY
 Flat 24 Pelican House SE15 5PY
 Flat 23 Pelican House SE15 5PY
 Flat 31 Pelican House SE15 5PY
 Flat 39 Pelican House SE15 5PY
 Flat 38 Pelican House SE15 5PY
 Flat 40 Pelican House SE15 5PY
 Flat 42 Pelican House SE15 5PY
 Flat 41 Pelican House SE15 5PY
 Flat 37 Pelican House SE15 5PY
 Flat 33 Pelican House SE15 5PY
 Flat 32 Pelican House SE15 5PY
 Flat 34 Pelican House SE15 5PY
 Flat 36 Pelican House SE15 5PY
 Flat 35 Pelican House SE15 5PY
 Flat 19 Pelican House SE15 5PY
 Flat 3 Pelican House SE15 5PY
 Flat 2 Pelican House SE15 5PY

18b Lyndhurst Way London SE15 5AT
 18a Lyndhurst Way London SE15 5AT
 20a Lyndhurst Way London SE15 5AT
 24a Lyndhurst Way London SE15 5AT
 20b Lyndhurst Way London SE15 5AT
 Flat 5 Berkeley Court SE15 5AD
 22 Lyndhurst Way London SE15 5AT
 16 Lyndhurst Way London SE15 5AT
 10 Grummant Road London SE15 5NQ
 28 Lyndhurst Way London SE15 5AT
 14 Lyndhurst Way London SE15 5AT
 First Floor Flat 3 Grummant Road SE15 5NQ
 Ground Floor Flat 3 Grummant Road SE15 5NQ
 12 Lyndhurst Way London SE15 5AT
 Peckham Pelican House SE15 5PY
 11 Grummant Road London SE15 5NQ
 Flat 1 Berkeley Court SE15 5AD
 9b Grummant Road London SE15 5NQ
 Flat 2 Berkeley Court SE15 5AD
 Flat 4 Berkeley Court SE15 5AD
 Flat 3 Berkeley Court SE15 5AD
 8 Grummant Road London SE15 5NQ
 13 Grummant Road London SE15 5NQ
 12 Grummant Road London SE15 5NQ
 3 Grummant Road London SE15 5NQ
 6 Grummant Road London SE15 5NQ
 4 Grummant Road London SE15 5NQ
 11 Mallard House Pelican Estate Grummant Road SE15 5NH
 10 Mallard House Pelican Estate Grummant Road SE15 5NH
 12 Mallard House Pelican Estate Grummant Road SE15 5NH
 14 Mallard House Pelican Estate Grummant Road SE15 5NH
 13 Mallard House Pelican Estate Grummant Road SE15 5NH
 1 Mallard House Pelican Estate Grummant Road SE15 5NH
 6 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 5 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 7 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 9 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 8 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 15 Mallard House Pelican Estate Grummant Road SE15 5NH
 8 Mallard House Pelican Estate Grummant Road SE15 5NH
 7 Mallard House Pelican Estate Grummant Road SE15 5NH
 9 Mallard House Pelican Estate Grummant Road SE15 5NH

 6 Mallard House Pelican Estate Grummant Road SE15 5NH
 2 Mallard House Pelican Estate Grummant Road SE15 5NH
 16 Mallard House Pelican Estate Grummant Road SE15 5NH
 3 Mallard House Pelican Estate Grummant Road SE15 5NH
 5 Mallard House Pelican Estate Grummant Road SE15 5NH
 4 Mallard House Pelican Estate Grummant Road SE15 5NH
 4 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 2a Grummant Road London SE15 5NQ
 4a Grummant Road London SE15 5NQ
 110 Peckham Road London SE15 5EU
 1c Grummant Road London SE15 5NQ
 1b Grummant Road London SE15 5NQ
 7b Grummant Road London SE15 5NQ
 1a Grummant Road London SE15 5NQ
 1 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 17 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 16 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 18 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 3 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 2 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 15 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 11 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 10 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 12 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 14 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 13 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 Flat 8 Walmer Castle Court SE15 5BE

 Flat 4 Pelican House SE15 5PY
 Flat 6 Pelican House SE15 5PY
 Flat 5 Pelican House SE15 5PY
 Flat 1 Pelican House SE15 5PY
 5 Grummant Road London SE15 5NQ
 Basement Flat 3 Grummant Road SE15 5NQ
 2 Grummant Road London SE15 5NQ
 Flat 7 Pelican House SE15 5PY
 Flat 15 Pelican House SE15 5PY
 Flat 14 Pelican House SE15 5PY
 Flat 16 Pelican House SE15 5PY
 Flat 18 Pelican House SE15 5PY
 Flat 17 Pelican House SE15 5PY
 Flat 13 Pelican House SE15 5PY
 Flat 9 Pelican House SE15 5PY
 Flat 8 Pelican House SE15 5PY
 Flat 10 Pelican House SE15 5PY
 Flat 12 Pelican House SE15 5PY
 Flat 11 Pelican House SE15 5PY
 Flat 74 Pelican House SE15 5PY
 Flat 73 Pelican House SE15 5PY
 Flat 75 Pelican House SE15 5PY
 Flat 77 Pelican House SE15 5PY
 Flat 76 Pelican House SE15 5PY
 Flat 72 Pelican House SE15 5PY
 Flat 68 Pelican House SE15 5PY
 Flat 67 Pelican House SE15 5PY
 Flat 69 Pelican House SE15 5PY
 Flat 71 Pelican House SE15 5PY
 Flat 70 Pelican House SE15 5PY
 Flat 78 Pelican House SE15 5PY
 Flat 4 Walmer Castle Court SE15 5BE
 Flat 3 Walmer Castle Court SE15 5BE
 Flat 5 Walmer Castle Court SE15 5BE
 Flat 7 Walmer Castle Court SE15 5BE
 Flat 6 Walmer Castle Court SE15 5BE
 Flat 2 Walmer Castle Court SE15 5BE
 Flat 80 Pelican House SE15 5PY
 Flat 79 Pelican House SE15 5PY
 96 Peckham Road London SE15 5PY
 Flat 1 Walmer Castle Court SE15 5BE
 Basement And Ground Floor Rear Lord Denning Court SE15 5PZ
 Flat 66 Pelican House SE15 5PY
 Flat 50 Pelican House SE15 5PY
 Flat 49 Pelican House SE15 5PY
 Flat 51 Pelican House SE15 5PY
 Flat 53 Pelican House SE15 5PY
 Flat 52 Pelican House SE15 5PY
 Flat 48 Pelican House SE15 5PY
 Flat 44 Pelican House SE15 5PY
 Flat 43 Pelican House SE15 5PY
 Flat 45 Pelican House SE15 5PY
 Flat 47 Pelican House SE15 5PY
 Flat 46 Pelican House SE15 5PY
 Flat 54 Pelican House SE15 5PY
 Flat 62 Pelican House SE15 5PY
 Flat 61 Pelican House SE15 5PY
 Flat 63 Pelican House SE15 5PY

 Flat 65 Pelican House SE15 5PY

 Flat 64 Pelican House SE15 5PY

 Flat 60 Pelican House SE15 5PY
 Flat 56 Pelican House SE15 5PY
 Flat 55 Pelican House SE15 5PY

 Flat 57 Pelican House SE15 5PY

 Flat 59 Pelican House SE15 5PY

 Flat 58 Pelican House SE15 5PY

 Flat 3, Walmer Castle Court 102 Peckham Road SE15 5BE

 4b Grummant Road London SE155NQ

 52 Lyndhurst Way Peckham SE155AP

Flat 27 Pelican House SE15 5PY
 Flat 26 Pelican House SE15 5PY
 Flat 28 Pelican House SE15 5PY
 Flat 30 Pelican House SE15 5PY
 Flat 29 Pelican House SE15 5PY
 Flat 25 Pelican House SE15 5PY
 Flat 21 Pelican House SE15 5PY
 Flat 20 Pelican House SE15 5PY

4 Lyndhurst Square London SE15 5AR
 7 Lyndhurst Square London SE15 5AR
 79 Grove Hill Road Camberwell SE5 8DF
 38a Talfourd Road Peckham SE15 5NY
 2e Shenley Road London Se5 8nn
 43 Bushey Hill Road London SE5 8QF
 4a Grummant Road London SE15 5NQ
 66 Crofton Road London SE5 8NB
 66 Crofton Road London SE5 8NB

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

EDF Energy
 Environment Agency
 Historic England
 London Underground Limited
 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

Flat 3, Walmer Castle Court 102 Peckham Road SE15 5BE
 2 Grummant Road London SE15 5NQ
 2a Grummant Road London SE15 5NQ
 2e Shenley Road London Se5 8nn
 38a Talfourd Road Peckham SE15 5NY
 4 Lyndhurst Square London SE15 5AR
 4a Grummant Road London SE15 5NQ
 4b Grummant Road London SE155NQ
 43 Bushey Hill Road London SE5 8QF
 52 Lyndhurst Way Peckham SE155AP
 66 Crofton Road London SE5 8NB
 66 Crofton Road London SE5 8NB
 66 Crofton Road London SE5 8NB
 7 Lyndhurst Square London SE15 5AR
 79 Grove Hill Road Camberwell SE5 8DF

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	London Hotel Group	Reg. Number	17/AP/3015
Application Type	Full Planning Application	Case	TP/2282-110
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Excavation of land to the front of the hotel and the construction of a four-storey subterranean basement extension to provide 33 new hotel rooms, a swimming pool, gymnasium and associated facilities. Together with internal alterations to the existing building to relocate the restaurant/bar to ground floor level and associated landscaping. Net increase of 24 hotel rooms.

At: 110 PECKHAM ROAD, LONDON, SE15 5EU

In accordance with application received on 04/08/2017 16:01:09

and Applicant's Drawing Nos.

Site Location Plan:
PL-01 and PL-02

Existing Plans:

PL-03 Rev A, PL-04 rev A, PL-05 rev A, PL-06 rev A, PL-07 rev A and PL-08 rev A

Proposed Plans:

PL-09 rev A, PL-10 rev A, PL-11 rev A, PL-12 rev A, PL-13 rev A, PL-14 rev A, PL-15 rev A, PL-16 rev A, 101 and 102 rev A

Other Documents:

Covering letter (ref: 02B701760) dated 03/08/2017 from GVA
Ventilation Strategy Statement (Document no: 2-01) by MODPS dated December 2016
Fire Safety Strategy (ref: Bu.16.017) Revision 4 by BUICON dated June 2017
Energy Statement produced by XCO2 dated July 2017
Phase 2 Basement Impact Assessment (Document No: P16-24_R01) by otb
Transport Statement dated June 2017 by tpc
Planning Statement by GVA dated August 2017
Noise Assessment, Revision 4 dated 13/06/2017 by Cass Allen Associates
Landscape Strategy from Outerspace dated April 2017
Flood Risk Assessment (ref: 132713-R1(4)-FRA by RSK dated 15/06/2017
Design and Access Statement by NU Concepts Ltd dated June 2017

Subject to the following fifteen 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:

PL-09 rev A, PL-10 rev A, PL-11 rev A, PL-12 rev A, PL-13 rev A, PL-14 rev A, PL-15 rev A, PL-16 rev A, 101 and 102 rev A

Reason:

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

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

Reason

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

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 including 10 semi-mature trees 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 Wheelchair Accessible Hotel Rooms

Before any work hereby authorised begins, detailed drawings shall be submitted showing the following:
- location and layout of at least 10% of the approved hotel bedrooms to wheelchair accessible standards. The structural requirements for which shall be provided upon implementation and retained as such for as long as the building is in use, with 5% fully fitted-out and available from first occupation; and a monitoring programme to allow for future fit-out of the other 5% of rooms as demand requires.

Reason

To ensure the provision of adequate means of access to the building for people with disabilities in accordance with Saved policies 3.11 Efficient use of land and 3.11 Urban design of the Southwark Plan 2007 and policy 7.2 An inclusive environment of the London Plan 2015.

- 5 Before any 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.

- 6 Before any work hereby authorised begins, the developer shall secure the implementation of a programme of archaeological building recording to Historic England Level 3, with regard to the World War Two bunker, in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with the National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policy 3.19 Archaeology of the Southwark Plan 2007.

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

- 7 Prior to occupation of the guestrooms hereby approved, one disabled parking space shall be made available, and retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason

To ensure that the parking spaces for disabled people are provided and retained in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

- 8 Prior to the occupation of the guestrooms the scheme of extract ventilation system shown on the approved drawings and detailed within Ventilation Strategy Statement (Document no: 2-01) by MODPS dated December 2016 shall be carried out and retained as such unless otherwise approved in writing.

Reason

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

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.

- 9 The cycle storage area and facilities as shown on drawings 101 and 102 rev A shall be provided prior to the first occupation of the hereby approved rooms, shall be permanently retained and the space used for no other purpose.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 10 The rated noise from any plant, together with any associated ducting, shall be 10dB(A) or more below the measured LA90 level at the nearest noise sensitive premises.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

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

Reason

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

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

- 12 Construction Environmental Management Plan (CEMP) \geq standard
No development shall take place, including any works of demolition, until a written CEMP for the site has been devised. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with

regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:

A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;

Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc.;

Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);

A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;

Site traffic ∫ Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;

Waste Management ∫ Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.

Guidance on preparing CEMPs and best construction practice can be found at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>

All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

13 Contaminated land ∫ further findings ∫ standard

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

Reason

There is always the potential for unexpected contamination to be identified during development ground works. The Environment Agency and the Environmental Protection Team should be consulted should any contamination be identified.

14 The development shall be designed and constructed to achieve a minimum a BREEAM excellent' rating.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

15 No excavation works shall commence until details of a surface water drainage strategy, incorporating sustainable drainage principles, which achieves a reduction in surface water run-off rates as detailed in the Flood Risk Assessment (RSK, June 2017), during a 1% Annual Exceedance Probability (AEP) event, with 40% allowance for climate change, has been submitted to (2 copies) and approved in writing by Local Planning Authority. The site drainage must be constructed to the approved details.

Reason

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

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner.

Informatives

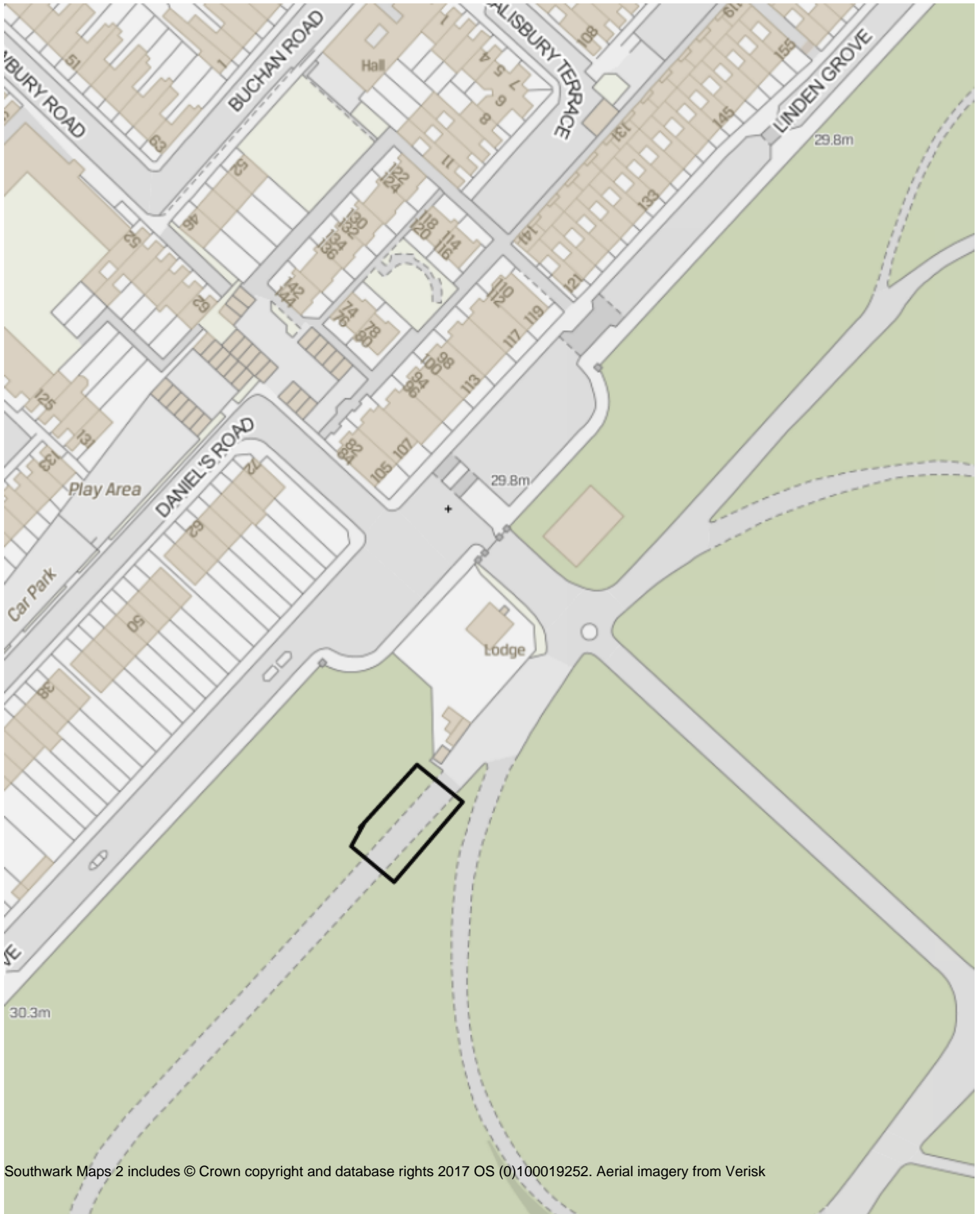
The applicant is to note that surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980.

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

Iaan Smuts, Highway Development Manager on 020 7525 2135 to arrange.

1. The Highway Authority requires works to all existing and any proposed new streets and spaces (given for adoption or not) to be designed and constructed to adoptable standards.
 2. Southwark Council's published adoptable standards as Highway Authority are contained in the Southwark Streetscape Design Manual (SSDM), www.southwark.gov.uk/ssdm.
 3. Applicants will be required to enter into a s278 agreement under the Highways Act 1980 for any works to existing adopted Highways.
-

AGENDA 7.4 - SCOTTISH POLITICAL MARTYRS MEMORIAL, NUNHEAD CEMETERY, LINDEN GROVE



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50 m

4-Dec-2017

Scale = 1 : 1250

Item No. 7.4	Classification: Open	Date: 13 December 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Council's own development Application 16/AP/3412 for: Listed Building Consent Address: SCOTTISH POLITICAL MARTYRS MEMORIAL, NUNHEAD CEMETERY, LINDEN GROVE, LONDON, SE15 3LP Proposal: Refurbishment works to the area around the Scottish Political Martyrs memorial comprising: <ul style="list-style-type: none"> • Replacement of plinth and granite kerbs around memorial and the retained bench; • Excavation of area either side of the memorial to a depth of 300mm to allow for the new road formation; • Installation of new resin bonded gravel road formation around memorial and associated drainage 		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 25/07/2017		Application Expiry Date 19/09/2017	
Earliest Decision Date 30/11/2017			

RECOMMENDATION

1. That listed building consent is given, subject to conditions.

Site location and description

2.

Type of property	Obilisk monument
Site bound by	Nunhead Cemetery
Is property listed?	Yes - Grade II
In conservation area?	Yes - Nunhead Cemetery
In a Registered Park and Garden?	Yes - Nunhead Cemetery, Grade II*

The proposal is for

3. Refurbishment works to the area around the Scottish Political Martyrs memorial comprising:
 - Replacement of plinth and granite kerbs around memorial and the retained bench;

- Excavation of area either side of the memorial to a depth of 300mm to allow for the new road formation;
- Installation of new resin bonded gravel road formation around memorial and associated drainage.

Planning history

15AP4623 Listed Building Consent

4. Refurbishment works to the area around the Scottish political martyrs memorial comprising:
 - Removal of defected Yorkstone paving around memorial;
 - Removal of granite kerbs around memorial;
 - Excavated of area either side of the memorial to a depth of 300mm to allow for the new road formation;
 - Installation of new road formation around memorial.

Withdrawn 08/01/16

Policy

5. 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 National Planning Policy Framework (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.
6. 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)

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

The London Plan 2016

8. Policy 7.8: Heritage Assets and Archaeology.

Core Strategy 2011

9. Strategic Policy 12: Design and Conservation

Southwark Plan 2007 (July) - saved policies

10. 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; and

3.17 – Listed Buildings.

3.18 – Setting of listed buildings, conservation areas and world heritage sites

Summary of consultation responses

11.

Total number of representations:	3				
In favour:	0	Against:	2	Neutral:	1
Petitions in favour:	0		Petitions against:	0	

Issues raised by neighbours and statutory consultees

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

Historic England

13. We do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

Garden History Society

14. No response

Council for British Archeology

15. No response

Objections from Friends of Nunhead Cemetery and one member of the public

16. The Friends of Nunhead Cemetery (FONC) have objected on a two grounds; their preference for the finance for this project to be used for another one and the impact of the gully. The finance for this scheme and the potential for it to be spent elsewhere is not a material consideration and the gully is not development that requires consent. The member of public had objected on similar grounds in relation to the gully but also questioned whether the bench would be retained.

How the application addresses these

17. Amended plans have been obtained to confirm that the bench will be retained. While the gully is included in the drawings, it is beyond the curtilage of the listed monument and does not need planning permission; it is development permitted by Part 12 of the General Permitted Development Order 2015.

Understanding the significance and the proposal

18. 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.
19. 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.
20. 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**
21. The Scottish Martyrs' Memorial is a granite obelisk, 10m high, on a square base with inscriptions on each side. It is set within low rails of twisted iron carried by squat corner posts. Photographic evidence submitted by the applicant demonstrate that the limestone plinth is a later addition.
22. The historic interest of the memorial is that it was erected through funds raised from public by radical MP Joseph Hume, following a public meeting in 1837, to commemorate 5 men sentenced to be transported for sedition in 1793-94, comprising Thomas Muir, Thomas Palmer, Joseph Gerrald, William Skirving and Maruice Margarot. A similar monument was erected on Calton Hill, Edinburgh in 1837.

Assessment of harm to significance

23. 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'.
24. 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.
25. 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.
26. Does the proposal cause harm to the architectural or historic significance of the heritage asset or its setting? **No**
27. The plinth is not original and provides an uneven surface in need of repair or replacement; it is a health and safety risk. The proposed replacement plinth is lower, with a 50mm upstand, revealing more of the obelisk and squat corner posts that are partially obscured by the existing, taller plinth.
28. Amended drawings have been submitted confirming that the associated bench would be retained and set on a second plinth. Both plinths would be constructed with limestone recycled from the existing plinth. The drawings are to scale and show that the monument plinth extends 1m from the obelisk.

29. The works include a new road surface with permeable, resin bonded gravel. This option was chosen as the best match for the gravel elsewhere on the roadway to ensure that the works blend in comfortably with their surroundings. An associated gully with a kerb to trap water is proposed at the lower end of the new roadway to reduce the risk of flash flooding affecting adjacent buildings.
30. The proposed works would not affect the historic fabric of the monument because the plinth is not original and does not form part of the listed structure. The proposal would have no impact on its special architectural or historic interest. Indeed, it would enhance the obelisk by revealing more of the monument and associated corner posts. The works would to preserve and enhance its setting of the monument and improve access to it.
31. While not a material consideration for listed building consent application, the proposal would preserve the character and appearance of the Nunhead Cemetery Conservation Area and the special interest of this Grade II* Registered Park and Garden.

Conclusion

32. The proposal conforms with the Listed Building and Conservation Areas Act (1991) as amended and updated. It complies with current policy to: preserve the special architectural and historic interest and preserve the setting of the listed monument and should therefore be granted Listed Building Consent.

Community impact statement

33. 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) No issues relevant to particular communities/groups likely to be affected by the proposal have been identified.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Human rights implications

36. 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.

37. This application has the legitimate aim of providing new residential flats. 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/2522-F Application file: 16/AP/3412 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 7540 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	Philip Ridley, Planning Officer	
Version	Final	
Dated	Thursday 30 November 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	04 December 2017	

APPENDIX 1**Consultation undertaken****Site notice date:** 07/11/2017**Press notice date:** 10/08/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 04/08/2017**Internal services consulted:**

N/A

Statutory and non-statutory organisations consulted:

Council for British Archaeology
 Garden History Society
 Historic England

Neighbour and local groups consulted:

The Lodge Nunhead Cemetery SE15 3LP
 185 Gordon Road London SE15 3RT

161a Shyardeloes Road London SE14 6RT
 33 Chalsey Road Brockley SE4 1YN

Re-consultation: 12/10/2017**APPENDIX 2****Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

Historic England

Neighbours and local groups

161a Shyardeloes Road London SE14 6RT
 185 Gordon Road London SE15 3RT
 33 Chalsey Road Brockley SE4 1YN

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 Tony Coppock Southwark Council	Reg. Number	16/AP/3412
Application Type	Listed Building Consent	Case Number	TP/2522-F
Recommendation	Grant permission		

Draft of Decision Notice

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

AMENDED SCHEME:

Refurbishment works to the area around the Scottish Political Martyrs memorial comprising:
Replacement of plinth and granite kerbs around memorial and the retained bench;
Excavation of area either side of the memorial to a depth of 300mm to allow for the new road formation;
Installation of new resin bonded gravel road formation around memorial and associated drainage.

At: SCOTTISH POLITICAL MARTYRS MEMORIAL, NUNHEAD CEMETERY, LINDEN GROVE, LONDON, SE15 3LP

In accordance with application received on 17/08/2016

and Applicant's Drawing Nos. Existing: 01, ELEV.01, 02 EX A-A, 03, ELEV.03

Proposed: 03/1, 02 A-A Rev01, 02 B-B, 02 C-C

Heritage Statement, Method Statement, Risk Assessment, Photomontage, Trial Hole document, Materials document, RonaDeck Specification, Product Information and Method Statements

Subject to the following two 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.

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.

- 2 All new works and finishes and works of making good shall match the original work adjacent in respect of materials used, detailed execution and finished appearance.

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.

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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 7234.

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Lorraine Lauder (Chair)	1	Environmental Protection Team	1
Councillor Maria Linforth-Hall (Vice-Chair)	1		
Councillor Nick Dolezal	1	Communications	By email
Councillor Darren Merrill	1	Louise Neilan, media manager	
Councillor Sandra Rhule	1		
(Electronic version only)		Total:	21
Councillor Damian O'Brien		Dated: 5 December 2017	
Councillor Michael Situ			
(Reserves to receive electronic versions only)			
Councillor Evelyn Akoto			
Councillor James Coldwell			
Councillor Helen Dennis			
Councillor Eliza Mann			
Councillor Catherine Rose			
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/Alex Gillott /Jon Gorst, Legal Services, Hub 2 (2 nd Floor), Tooley Street	2		