

Planning Sub-Committee A

Wednesday 27 June 2018

6.30 pm

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

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor Richard Leeming
Councillor David Noakes
Councillor Sandra Rhule
Councillor Martin Seaton
Councillor Michael Situ

Reserves

Councillor Karl Eastham
Councillor Eleanor Kerlake
Councillor Sarah King
Councillor Graham Neale
Councillor Kath Whittam

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 19 June 2018



Planning Sub-Committee A

Wednesday 27 June 2018
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 - 5
	To approve as a correct record the minutes of the meeting held on 26 March 2018.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 11
	7.1. QUARRY COURT, 2 DUNSTAN'S GROVE, LONDON SE22 0HN	12 - 30

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7.5.	FLAT 49A, GRENIER APARTMENTS, 18 GERVASE STREET, LONDON SE15 2RS	80 - 109
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EXCLUSION OF PRESS AND PUBLIC

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

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

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**.

- | |
|---|
| <ol style="list-style-type: none">(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 A

Minutes of the Planning Sub-Committee A held on Monday 26 March 2018 at 7.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Ben Johnson (Vice-Chair) In the chair
 Councillor Nick Dolezal
 Councillor Tom Flynn
 Councillor David Noakes
 Councillor Kath Whittam

OTHER MEMBERS PRESENT: Councillor Damian O'Brien (ward member)

OFFICER SUPPORT: Dennis Sangweme (Development Management)
 Craig Newton (Development Management)
 Margaret Foley (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

There were apologies for absence from Councillor Leo Pollak and Councillor Octavia Lamb.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

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 – development management items which includes: Application 16/AP/2051 – 38 – 44 Rye Lane, SE15 5BY and 17/AP/4796 – 15 Bluelion Place, SE1 4PU
- Members' pack.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 23 January 2018 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during this 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 15 BLUELION PLACE, LONDON SE1 4PU

Planning application reference number: 17/AP/4796

Report: see pages 9 to 22 of the agenda pack and pages 1 and 2 of the addendum report.

PROPOSAL

Redevelopment of the site comprising the demolition of the existing three-storey office building and its replacement with a 5-storey office building.

The sub-committee heard an officer's introduction to the report and addendum report. Members of the sub-committee did not ask questions of the officer.

The objectors addressed the meeting. Members asked questions of the objectors.

The applicant's agent addressed the committee. The committee asked questions of the applicant's agent.

There were no supporters who lived within 100 metres of the development site present at the meeting and wishing to speak.

A ward member addressed the sub-committee and responded to questions from councillors.

Members debated the application and asked further questions of officers.

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

RESOLVED:

That planning permission for application number 17/AP/4796 be granted, subject to the following:

a) An amendment to condition 3 as set out in the report; so that the condition (concerning materials) will include reference to samples of all external facing materials, including the colour specification, to be presented on site for approval in writing by the Local Planning Authority.

b) The inclusion of the following additional condition:

That a Construction Method Statement which includes the management of vehicles and deliveries to the site be submitted to the Local Planning Authority for approval in writing .

c) That an informative be included for the preparation of a Service Management Plan which respects consistency with the pattern of servicing in the area.

7.2 MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON SE21 7EX

Planning application reference number: 17/AP/2515

The committee considered items 7.2 and 7.3 together because both applications were related to the same site address.

Report: see pages 23 to 33 of the agenda pack.

PROPOSAL

Retention of a demountable 6.9m high netting along boundary between Streatham and Marlborough Cricket Club and Camber Lawn Tennis club.

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

There were no objectors present at the meeting.

The applicant addressed the committee. The committee asked questions of the applicant.

There were no supporters who lived within 100 metres of the development site, or ward councillors, present at the meeting and wishing to speak.

Members debated the application.

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

carried.

RESOLVED:

That planning permission for application number 17/AP/2515 be granted, subject to the conditions set out in the report.

7.3 MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON SE21 7EX

Planning application reference number: 17/AP/3720

Report: see pages 34 to 46 of the agenda pack.

PROPOSAL

Demolition of existing cricket pavilion and replacement with new pavilion.

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

There were no objectors present at the meeting.

The applicant addressed the committee. The committee asked questions of the applicant.

There were no supporters who lived within 100 metres of the development site, or ward councillors, present at the meeting and wishing to speak.

Members debated the application.

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

RESOLVED:

That planning permission for application number 17/AP/3720 be granted, subject to the conditions set out in the report.

7.4 38 - 44 RYE LANE, LONDON SE15 5BY

Planning application reference number: 16/AP/2051

Report: see pages 1 to 34 of the addendum report.

The report set out in the addendum had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as late and urgent business due to the following:

The application was subject to a legal agreement and was approved by members of planning sub-committee B on 13 December 2017. The resolution to grant allowed the director of planning to refuse planning permission if the legal agreement was not signed by 31 March 2018. Officers stated that the legal agreement would not be ready to sign on 31

March 2018 and therefore would like members to agree an extension of three months so the applicant and the council could have until 30 June 2018 to sign the legal agreement for planning permission to be issued.

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.

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

The applicant's agent was present to address the committee. The committee asked questions of the applicant's agent.

There were no supporters who lived within 100 metres of the development site, or ward councillors, present at the meeting and wishing to speak.

Members debated the application.

A motion to grant the request for an extension of time to complete the legal agreement was moved, seconded, put to the vote and declared carried.

RESOLVED:

That an extension of three months be given until 30 June 2018 to allow completion of the legal agreement for planning permission for application number 16/AP/2051 to be issued.

The meeting ended at 8.10 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
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	Gerald Gohler 020 7525 7420
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	The named case officer as listed or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidi Agada, Head of Constitutional Services	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	19 June 2018	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		19 June 2018

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Wednesday 27 June 2018

Appl. Type Full Planning Application
Site QUARRY COURT, 2 DUNSTANS GROVE, LONDON SE22 0HN

Reg. No. 17-AP-3997
TP No. TP/2453-2
Ward Peckham Rye
Officer Sonia Watson

Recommendation GRANT PERMISSION
Proposal

Item 7.1

Construction of a two storey rear extension and a single storey side infill extension to enlarge the existing ground and first floor flats both with roof terraces. Construction of a rear dormer roof extension to create a new 2- bedroom flat. External alterations to the rear elevation to provide four Juliette balconies to the rear of the first and second floor flats.

Appl. Type Full Planning Application
Site 134-136 RYE LANE, LONDON SE15 4RZ

Reg. No. 18-AP-0716
TP No. TP/2732-134
Ward The Lane
Officer Lasma Putrina

Recommendation GRANT PERMISSION
Proposal

Item 7.2

Construction of a roof extension to provide 1 x one-bedroom flat together with alterations to the shop-front

Appl. Type Full Planning Application
Site 97 PECKHAM ROAD, LONDON SE15 5LJ

Reg. No. 18-AP-0269
TP No. TP/2282-97
Ward Peckham
Officer Alex Cameron

Recommendation GRANT PERMISSION
Proposal

Item 7.3

Construction of a new part four-, part three-, part two-storey place of worship (D1 use class) with associated car parking and landscaping.

Appl. Type Full Planning Application
Site SEVENTH FLOOR, VIVO BUILDING, SOUTH BANK CENTRAL, STAMFORD STREET, LONDON SE1 9LS

Reg. No. 18-AP-0395
TP No. TP/1234-E2
Ward Cathedrals
Officer Troy Davies

Recommendation GRANT PERMISSION
Proposal

Item 7.4

Retention of four external seating pods on the 7th floor roof terrace

Appl. Type Full Planning Application
Site FLAT 49A, GRENIER APARTMENTS, 18 GERVASE STREET, LONDON SE15 2RS

Reg. No. 17-AP-4193
TP No. TP/2425-A
Ward Livesey
Officer William Docherty

Recommendation GRANT PERMISSION
Proposal

Item 7.5

Creation of a self contained residential apartment (Use Class C3) at lower ground level (flat 49A) with new internal layout, works to external retaining wall to create new private amenity courtyard and new stair access.

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Wednesday 27 June 2018

Appl. Type Full Planning Application
Site ADVENTURE PLAYGROUND, DOG KENNEL HILL, LONDON SE22 8AA

Reg. No. 17-AP-4769

TP No. TP/2134-E

Ward South Camberwell

Officer Mumtaz Shaikh

Recommendation GRANT PERMISSION

Item 7.6

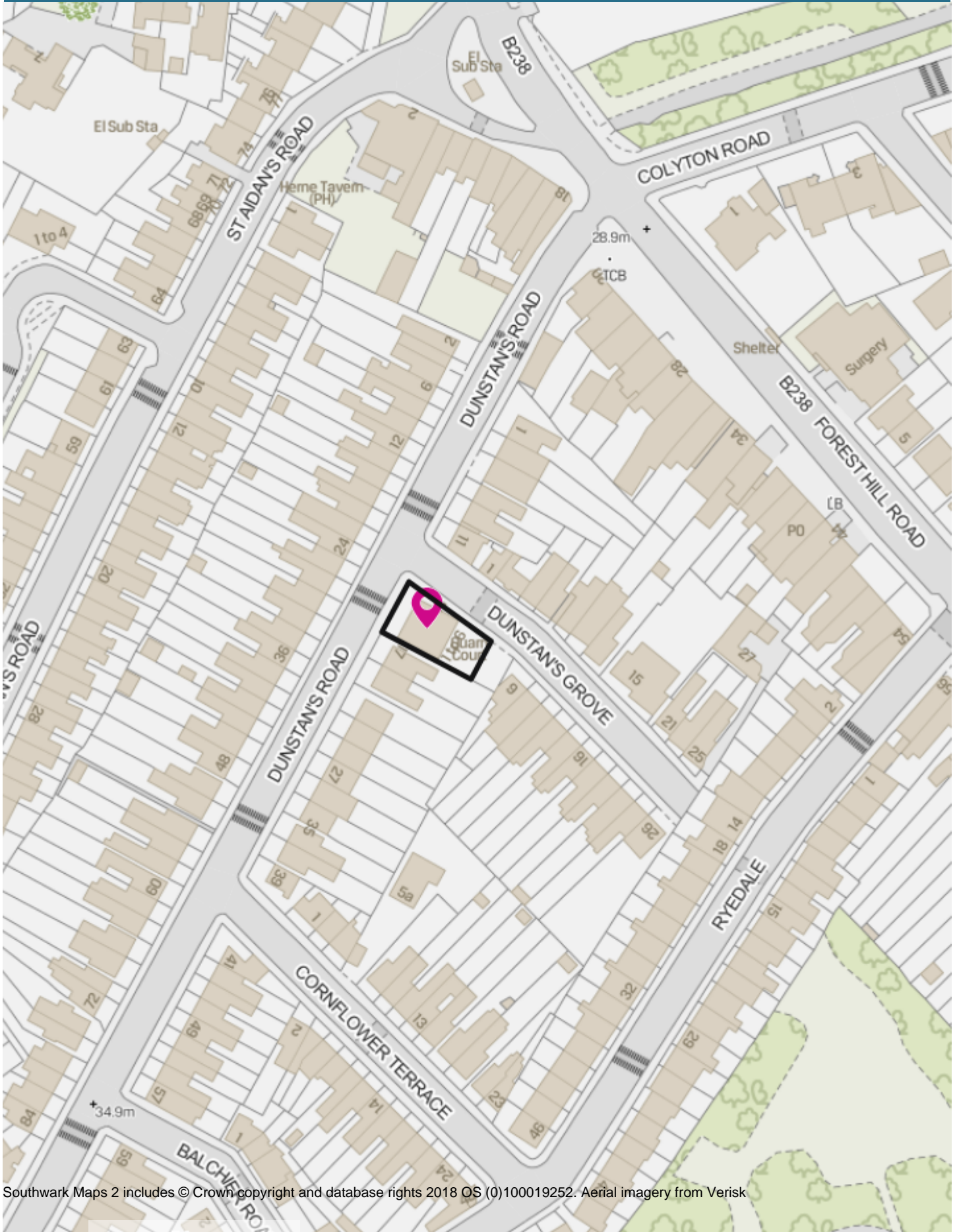
Proposal

Removal of existing buildings and creation of a single storey community centre (D2) for Dog Kennel Hill Adventure Playground.

Agenda Item 7.1



AGENDA ITEM 7.1: QUARRY COURT, 2 DUNSTAN'S GROVE, LONDON SE22 0HN



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Scale = 1250

15-Jun-2018

Item No. 7.1	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/3997 for: Full Planning Application Address: QUARRY COURT, 2 DUNSTAN'S GROVE, LONDON SE22 0HN Proposal: Construction of a two storey rear extension and a single storey side infill extension to enlarge the existing ground and first floor flats both with roof terraces. Construction of a rear dormer roof extension to create a new two-bedroom flat. External alterations to the front and rear elevations to provide four Juliette balconies to the rear of the first and second floor flats and entrance from Dunstan's Road.		
Ward(s) or groups affected:	Dulwich Hill		
From:	Director of Planning		
Application Start Date	20/10/2017	Application Expiry Date	15/12/2017
Earliest Decision Date	22/11/2017		

RECOMMENDATION

1. That planning permission is granted subject to conditions.

BACKGROUND INFORMATION

2. This application is for decision by the committee at the request of members.

Site location and description

3. The application site relates to a three storey block of flats located on Dunstan's Grove, SE22. The property consists of 6 x 1 bedroom self-contained flats. It has a small grassed green area to the front/rear and a small hardstanding to the rear. Quarry Court is bounded by No.17 Dunstan's Road (adjacent), a parking area to the rear of the site and No.6 Dunstan's Grove beyond this. This building is not listed and is not within a conservation area.

Details of proposal

4. Planning consent is sought for the construction of a two storey rear extension and a single storey side infill extension at the ground floor, a first floor side terrace, the enlargement of the existing footprint of the second floor flat including a terrace and the conversion of the roof space into a 2 bedroom flat.
5. The proposed development to the rear would be attached to the existing three storey building creating additional bedrooms and changing the internal layout from 1 bed units to a 2 x 2 beds units on the ground floor, 2 x 2 beds units at first floor level, 2 x 1 bed units over second floor level including a roof terrace and the conversion of the existing roofspace into a self-contained 2 bedroom flat.
6. The accommodation schedule would comprise the following;

Floor	Total internal floor area National Standards in Brackets	Bed 1 SPD standard in brackets	Bed 2 SPD standard in brackets	Liv/Din/Kit	Bathroom		Corridor	Terrace
Ground Unit 1 (2 b/3p)	61sqm (61sqm)	12sqm (12sqm)	8.5sq m (7sqm)	27.sqm (27sqm)	4.sqm (3.5sqm)		7.00m ²	13.80m ²
Ground Unit 2 (2 b/4p)	71.2sqm (70sqm)	12sqm (12sqm)	12.2sqm (12sqm)	28.9sqm (27sqm)	5.9sqm + 5.3sqm (3.5sqm)		6.0.0m ²	11.40m ²
First Unit 3 (2 b/3p)	63.4sqm (61sqm)	12sqm (12sqm)	8.5sqm (7sqm)	28.9sqm (27sqm)	3.6sqm (3.5sqm)		7.20m ²	N/A
First Unit 4 (2 b/3p)	63.6sqm (61sqm)	12sqm (12sqm)	8.5sqm (7sqm)	28.9sqm (27sqm)	3.6sqm (3.5sqm)		7.20m ²	12.20m ²
Second Unit 5 (1b/2P)	52.2sqm (50sqm)	12.10m ² (12sqm)		26.sqm (27sqm)	4.6sqm (3.5sqm)		7.50m ²	6.70m ²
Second Unit 6 (1b/2P)	52.2sqm (50sqm)	12.30m ² (12sqm)		26.sqm (27sqm)	4.6sqm (3.5sqm)		7.50m ²	6.70m ²
Third Unit 7 (2b3P)	65sqm (61sqm)	12.2sqm (12sqm)	11.2sqm (7sqm)	23.6sqm (27sqm)	4.4sqm 4.2sqm		7.50m ²	N/A

7. The materials proposed for the construction of the development are:

- Brown roof tiles as existing
- Matching brickwork
- Zinc cladding
- Metal cladding
- Render

Amendments

8. Since the previous application was refused and dismissed on appeal, several amendments have been made to the new proposal. These include the following;
 - a) the removal of mansard style roof
 - b) a reduction in the size of the windows on the front elevation
 - c) the removal of dormer windows from front roofslope
 - d) a reduction in the height of the rear extension from three storeys to two
 - e) a reduction of windows on the west and east elevation at roof level
 - f) a reduction in the numbers of windows at roof level to the rear
 - g) a reduction in bedrooms at second floor level
 - h) a reduction in bedrooms at third floor level

- i) the omission of a roof terrace at third floor level

Planning history

9.

<p>15/EQ/0208 Application type: Pre-Application Enquiry (ENQ) Redevelopment of site to provide 7 dwellings with communal and private amenity space Decision date 15/02/2016 Decision: Pre-application enquiry closed (EQC)</p>
<p>15/AP/5181 Application type: Full Planning Application (FUL) Three storey rear extension; single storey side extension to provide extensions to existing flats and x4 dormer windows to front roofslope; xi dormers to side elevations to facilitate the conversion of the roof space to create a new three bed unit with roof terrace.</p> <p>Decision date 08/06/2016 Decision: Refused (REF) Appeal decision date: 21/04/2017 Appeal decision: Planning appeal dismissed (DIS). Reason(s) for refusal:</p> <p>The proposal would result in an inappropriate scale and massing to the rear and at roof level, resulting in an incongruous and overbearing feature in the streetscene, particularly when viewed from the Dunstans Grove, and fails to preserve the appearance and character of the application property and its setting.</p> <p>The proposed terrace by reason of the unacceptable scale and design, will result in an incongruous addition which would appear overly dominant and to the detriment of neighbouring properties in close proximity.</p> <p>The proposed new unit to be created in the roofspace would constitute an unacceptably cramped and substandard living conditions that fail to demonstrate the principles of good inclusive design by reason of the combined open plan room sizes for the kitchen/dining area falling below the minimum standards The proposed development would unacceptably overlook the occupiers at ground floor level due to no screening from the garden into the habitable rooms</p>

Planning history of adjoining sites

9 Dunstan's Grove

10. Planning application (07-AP-1061) granted for a ground floor rear extension to dwellinghouse, to provide additional residential accommodation.

A certificate of lawfulness (12-AP-2365) granted for the erection of a rear dormer and the provision of three rooflights to the front elevation of existing dwelling house (Class C3).

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. The main issues to be considered in respect of this application are:
- a) Principle of development;
 - b) Impact on amenity of adjoining occupiers;
 - c) Quality of accommodation;
 - d) Design quality;
 - e) Transport impacts;
 - f) Other matters.

Planning policy

National Planning Policy Framework (NPPF) 2012

12. Section 1 – Sustainable development
Section 4: Promoting sustainable development
Section 6: Delivering a wide choice of high quality homes
Section 7 - Requiring good design

London Plan - Further Alterations to the London Plan (2015)

13. Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.9 Mixed and balanced communities
Policy 3.8 Housing choice
Policy 4.1 Developing London's economy
Policy 4.3 Mixed use development and offices
Policy 5.3 Sustainable design and construction
Policy 6.9 Cycling
Policy 6.10 Walking

Core Strategy 2011

14. 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 12 - Design and conservation
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

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

Policy 3.2 Protection of amenity
Policy 3.8 Waste management
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 4.2 Quality of residential accommodation
Policy 4.3 Mix of Dwellings
Policy 5.2 Transport impacts
Policy 5.3 Walking and cycling
Policy 5.6 Car parking

Supplementary planning documents

16. 2015 Technical Update to the Residential Design Standards (2011) October 2015
Sustainable design and construction SPD (2009)
Sustainability assessments SPD (2009)
Sustainable Transport SPD (2010)

Principle of development

17. The principle of enlarged residential dwellings, at appropriate locations within established residential areas is supported in land-use terms subject to the material considerations below.
18. The National Planning Policy Framework Paragraph 53 states that "Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area".

Summary of consultation responses

19. The initial consultation resulted in 35 letters of objection with the comments raised listed below. Following changes to the rear dormer a further consultation was carried out resulting in a further 41 responses most of which reiterate previous comments and state that the alterations do not overcome previous concerns raised.
20. Concerns raised by objectors include:
 - loss of sunlight
 - loss of privacy
 - loss of parking
 - increase traffic
 - increase noise
 - overlooking from the roof terrace
 - roof terrace not in keeping with character of Dunstan's Grove
 - safety of children
 - the proposal would spoil the character of a Victorian street
 - the proposal would make the building less safe in an emergency
 - Juliette balconies and roof terraces will adversely affect privacy
 - size, scale, ugly appearance, street-facing balconies, street-facing terraces, street-facing dormers
 - the development would have a negative impact on the neighbourhood
 - large open terrace would be visible from the street
 - loss of affordable one bed flats
 - the development would cause overcrowding
 - the side infill would make the building more dominant
 - the development totally inappropriate
 - rear extension would create a reduction of light to other properties
 - dormer too bulky
 - overlooking from Juliette balcony
 - overlooking from dormer
 - Velux windows will overlook neighbours bedroom
 - design poor quality
 - previous refusal has not been addressed
 - concerns to children safety
 - development too large to the rear and at roof level
 - development out of keeping with the surroundings
 - the applicant as stated that there are no parking on site

- Bulk of Dormer
- roof extension horrible and visible for Dunstan Road and Grove
- the development take away affordable housing and vital parking spaces.
- the size of the development is not in keeping with the rest of the houses in the area
- the current use of the flats are for key worker and the elderly
- development out of character with the surrounding buildings
- new proposal is not in keeping with the rest of the houses on Dunstans Grove and Dunstans Road
- the balconies and roof terrace and development to the rear of quarry court would impinge on the residents
- no provision for waste
- low quality design
- materials

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

21. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD also sets out the guidance for new developments which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.
22. The revised scheme, would match the footprint of the previous submission in respect of the extended element to the rear, however the rear extension would be a storey lower and there would be less bulk to the roof with the omission of the mansard style extension.
23. In the Inspector's decision, where he assesses the impact of the development upon affected properties, concludes that the proposal would not affect the daylight or sunlight of the closest residential properties nor have a negative impact upon the dwelling at no. 6 Dunstan's Grove. The main concern raised by the Inspector was the impact of the rear extension on the adjoining property at 17 Dunstan's Road where *"the outlook from the rear garden of no. 17 would be dominated by a mass of built form in a way which I consider would be overbearing and harmful to the living conditions of the occupants concerned."*

Loss of privacy or overlooking

24. Privacy impact has been the most disputed issue by neighbours. The proposed two storey extension would have a height of approximately 6.3 metres including the obscure glazed privacy screen.
25. The proposal also includes the provision of French doors on the ground, first and second floors to the rear of the building. It is not considered that this would allow occupants to have increased views when compared to those that already exist. It is suggested that the glazed balcony restraints are obscure glazed and that a condition is added to this effect. Windows are also proposed on the side elevation of the new rear extension, whilst there would be no issue on the ground floor or windows on the east elevation, it is also suggested that the first floor window on the west elevation is obscure glazed.
26. The inspector's decision of the earlier scheme stated that:

"Although the rear extension would project further forward towards No. 6 Dunstan's Grove, this would be towards its blank side elevation. The main elevations for this property are orientated away from the appeal site and would therefore be largely unaffected. "

27. Number 17 Dunstan's Road benefits from an existing two storey lean-to with no windows in the side elevation and currently projects beyond the existing building line of the application site by approximately 1.5 metres. Due to the distance of approximately 2.7 metres from the application site, it is not considered the rear extension would have any significant amenity impact on the living conditions of the occupiers to warrant refusal of the application.
28. The proposed dormers windows to the rear of the application site would be set away from any habitable rooms or windows to impact on any of the occupiers' privacy. Any views experienced from the proposed dormer windows would be the same as those that already exist from windows on the lower levels.
29. The proposed rooflights on the front roofslope would be orientated away from the properties on the northern side of the application site and as such, it is not envisaged that the neighbours privacy would be encroached on by way of overlooking.
30. It is not considered that there would be a significant loss of privacy or overlooking on the surrounding properties and the Inspectors appeal decision states;

"I am also satisfied that on the basis of an obscure glazed enclosure to the terrace, that the proposal would not result in unacceptable overlooking and loss of privacy to the occupants of neighbouring properties."

31. It is noted a similar obscure glazed screen is proposed as part of the current application.
32. Given the above, it is considered that the proposed development would not result in any harmful loss of privacy on the neighbouring properties close to the application site.

Loss of daylight/ sunlight

33. As a result of the site's location and the development proposed, the property most likely to experience any loss of light is No.17 Dunstan's Road, however, the lean-to the rear and is set away from the proposed development by approximately 2.7 metres. As such, it is considered that the proposed development would not result in a detrimental impact on the amenity of this neighbour in regards to loss of daylight / sunlight and overshadowing.
34. Furthermore, the Inspectors appeal decision for the larger scheme notes that;

"Given the positioning of the building relative to the nearest residential properties, I am satisfied that the proposal would not materially harm levels of daylight and sunlight."

Noise

35. Whilst it is noted that the proposal would result in some intensification of the site with the addition of the new rear extension and roof terrace, it is considered that these units would not have a detrimental impact on residential amenity as a result of the minor increase in the residents' comings and goings to the flats as noise levels should not be too dissimilar to existing neighbouring occupants.

Overbearing to the adjoining property at no. 17 Dunstan's Road

36. One of the reasons the proposal was dismissed on appeal was due to the impact of the proposed extensions upon the outlook from the garden of the adjoining property, which the Inspector described within the appeal decision notice;

"...the outlook from the rear garden of No. 17 would be dominated by a mass of built form in a way which I consider would be overbearing and harmful to the living conditions of the occupants concerned."

37. Officers believe that by reducing the height to 2 storeys and removing the mansard and terrace the building would not be overly dominate this property and would not be considered harmful to the enjoyment of the garden of this property.

Quality of accommodation

38. Saved policy 4.2 requires new residential developments to provide a good standard of accommodation.
39. The details of the proposed Schedule of Accommodation are shown below:

Floor	Total internal floor area National Standards in Brackets	Bed 1 SPD standard in brackets	Bed 2 SPD standard in brackets	Liv/Din/Kit	Bathroom	Corridor	Terrace
Ground Unit 1 (2 b/3p)	61sqm (61sqm)	12sqm (12sqm)	8.5sq m (7sqm)	27.sqm (27sqm)	4.sqm (3.5sqm)	7.00m ²	13.80m ²
Ground Unit 2 (2 b/4p)	71.2sqm (70sqm)	12sqm (12sqm)	12.2sqm (12sqm)	28.9sqm (27sqm)	5.9sqm + 5.3sqm (3.5sqm)	6.0.0m ²	11.40m ²
First Unit 3 (2 b/3p)	63.4sqm (61sqm)	12sqm (12sqm)	8.5sqm (7sqm)	28.9sqm (27sqm)	3.6sqm (3.5sqm)	7.20m ²	N/A
First Unit 4 (2 b/3p)	63.6sqm (61sqm)	12sqm (12sqm)	8.5sqm (7sqm)	28.9sqm (27sqm)	3.6sqm (3.5sqm)	7.20m ²	12.20m ²
Second Unit 5 (1b/2P)	52.2sqm (50sqm)	12.10m ² (12sqm)		26.sqm (27sqm)	4.6sqm (3.5sqm)	7.50m ²	6.70m ²
Second Unit 6 (1b/2P)	52.2sqm (50sqm)	12.30m ² (12sqm)		26.sqm (27sqm)	4.6sqm (3.5sqm)	7.50m ²	6.70m ²
Third Unit 7 (2b3P)	65sqm (61sqm)	12.2sqm (12sqm)	11.2sqm (7sqm)	23.6sqm (27sqm)	4.4sqm 4.2sqm	7.50m ²	N/A

40. The floor areas of the proposed residential units including the new extension are shown above. The proposed combined open plan kitchen/dining/living areas serving the second floor units fall below the minimum 27sqm (26sqm) set out in the Residential Design Standards. However, overall, the unit size is compliant and the shortfall of 1 sq m is minor. As such, it is considered that the quality of accommodation would be acceptable.
41. There is also a short fall of 4sqm on the top floor level, however the overall flat size is 4 sq metres above the minimum national standard suggesting that overall space within the flat would still enable the development to achieve a pleasant and healthy living environment.
42. All of the rooms would have access to appropriate levels of sunlight, daylight and

outlook. There are no facing habitable room windows so each of the units will have acceptable levels of privacy.

43. All but two of the units, (units 3 and 7) would have access to private amenity space. However a communal area to the rear of the property would provide 57 sq metres of amenity space for residents. It is noted that currently none of the existing units benefit from private open space and there is no formally laid out communal amenity space. Overall the proposal would be beneficial to existing and future residents with improved internal layouts and access to either private or communal amenity space.

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

44. The area is predominantly in residential, the existing residential use although increased is not considered to cause any loss of amenity from noise or general disturbance.

Transport issues

45. Saved Policy 5.2 seeks to ensure new development would not have a significant transport impact and makes adequate provision for servicing, circulation and access to and from the site.

Car parking

46. The site has been subdivided so the current parking area to the rear of the application site does not form part of this application. The application site is bounded by Dunstan's Road, Dunstan's Grove, Cornflower Terrace, Ryedale, Forest Hill Road and Underhill Road all of which have no restrictions on parking.
47. Officers are satisfied that given the context of the area, this should not result in undue parking pressure as the application site does not fall within a controlled parking zone area and would allow for any additional parking in and around the area.
48. Although the PTAL rating of 2 is low for this area, it must be noted that any stress on neighbouring roads would be minimal and as such, would not warrant refusal of this application. Therefore it is not considered that the enlarged/additional residential units would have an adverse impact upon parking in the local area.
49. It should be noted that additional transport stress or parking did not form reasons for refusal on the earlier scheme nor was it part of the appeal decision.

Cycle parking

50. The proposed design and access statement indicates that 8 cycle parking spaces would be provided to the front of the development site. A total of 12 spaces is required to meet the London Plan cycle parking standards for all units, a condition is therefore recommended to secure the provision of 12 parking spaces.

Refuse storage

51. All refuse bins will be removed from the side elevation of this block of flats and stored to the front of the building and would provide mixed and dry recycling and 1 x 240 litre wheeled bin for refuse per dwelling. This is in line with the Councils waste management requirements and as such is considered acceptable.

Design issues

52. Saved Policy 3.11 states that all developments should maximise the efficient use of land, whilst, amongst other things, ensuring a satisfactory standard or amenity for future occupiers and not unreasonably compromising the development potential of neighbouring sites. It goes on to state that the LPA will not grant permission for development that is considered to be an unjustified underdevelopment or overdevelopment of a site. The NPPF stresses the importance of good design and states in paragraph 56 that: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
53. The character and appearance of Dunstan's Grove and Dunstan's Road and the surrounding streets is strongly characterised by consistent rows of two and some three storey Victorian terraced dwellinghouses. The vast majority of the dwellings have had some form of alteration, however; the majority of the properties maintained their original roof and so this pattern of roof ridges distinctive feature remains intact. The proposed scheme has addressed the reasons for refusal of the 2015 scheme by reducing the size of the rear extension and omitting the mansard roof features.
54. The planning Inspector was clear that the mansard roof extension and three storey rear extension was inappropriate for the building and the area, and refers to an application proposing a building with a domineering and overly prominent appearance, entirely out of character with both Dunstan's Road and Dunstan's Grove.
55. It is considered that the proposed extensions to the rear roof slope and to rear of the building would now represent a scale and design appropriate to the existing three storey building.

Rear extension

56. The rear extension would not be overly dominant on the surrounding properties. Its bulk and massing would create an acceptable addition that would relate satisfactorily with the host building and would achieve a good standard of external design

Side extension

57. The proposal would infill the existing gap between Dunstan's Road and Dunstan's Grove with a single storey side extension, increasing the size of the ground floor flat and providing a terrace as an amenity area to the flat above. There would be two windows onto the road, one serving a bathroom and a secondary bedroom window. This element of the scheme represents a relatively minor extension, and does not give rise to any concerns around design.

Roof

58. The scale and massing of the proposed dormer windows are considered acceptable and would sit well within the context of the site and its surroundings as well as being subordinate to the host building. It must be noted that the applicant has revised the original submission from a single large single dormer to the rear roofslope to 3 more modest dormer windows.
59. Within the context of the application site and the surrounding neighbourhood, the proposal represents a well considered feature and not an obtrusive development to the detriment of the character and appearance of the host building and the surrounding area nor would dormer disrupt the patterns of the roofslope in Dunstan's Grove as well

as the street scene. The application site as it stand is a separate building to the establish terraced, however; it still fit well within the context site.

Roof terrace

60. The proposed scheme also includes the development a roof terrace to allow amenity space for occupants within the flats at the second floor level. In design terms, the roof terrace would not be an overbearing or of an dominant nature on the neighbours in Dunstan's Grove or on its surrounding. Careful consideration has been taken with regards to its design in such a way has to not encroach on the privacy of its neighbours by way of overlooking. The height of the screening would direct views towards the rear of the application site.
61. Overall in terms of the detailed design, height and massing the application has managed to strike a balance between maintaining the more recessive design of the building on the street frontage, whilst allowing the rear extensions to increase the quantum and overall quality of the accommodation.
62. A number of objectors have raised concerns with regards to the design of the proposal amongst other issues pertaining to the proposed development, however; the contemporary design is considered appropriate in this instance and would fit in well amongst the variety of other styles of buildings within its surrounding and the wider area and as such no concerns are raised with this approach.

Other matters

63. 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.
64. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development.

$$\text{MCIL} = 147.49 \text{ sqm} \times \text{£}35/\text{sqm} \times 313/223 = \text{£}7,245.5$$

$$\text{SCIL (Resi. Zone 2)} = 147.49 \text{ sqm} \times \text{£}218/\text{sqm} \times 313/280 = \text{£}35,942.$$

Community impact statement

65. The impacts of this application have been assessed as part of the application process with regard to local people in respect of the "protected characteristics", as set out in the Equality Act 2010, the council's community impact statement and Southwark Council's approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.
66. In assessing this application, the council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal
67. No protected characteristics or groups have been identified as most likely to be affected by this proposal.

Consultation

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

Consultation replies

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

Human rights implications

70. 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.
71. This application has the legitimate aim of providing addition residential accommodation. 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.

Conclusion on planning issues

72. The application is a resubmission of a scheme to redevelop the existing building with a roof and rear and side extensions as well as reconfiguring the entrance and internal flat layouts. The application is assessed on current policy as well as the Inspector's decision notice which forms a material consideration.
73. In light of the above, it is considered that the proposal is acceptable in land use terms and would provide good quality accommodation for future occupiers. The proposed rear and dormer extensions are visually acceptable and would not result in significant harm to residents of Dunstan's Road or Dunstan's Grove.
74. Lastly, the proposal to the rear would involve the loss of a parking bay, however; as there are no parking restrictions in the area, it is not considered that the loss of a bay or increase in accommodation would put a strain on parking in the area. Overall, the proposal is considered acceptable and is therefore recommended for approval, subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2453-2 Application file: 17/AP/3997 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	14 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		19 June 2018

APPENDIX 1

Consultation undertaken**Site notice date:** 27/10/2017**Press notice date:** n/a**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 30/10/2017**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat 4 Quarry Court SE22 0HN	2 Normans Cottages High St RH12 4PX
Flat 5 Quarry Court SE22 0HN	48 Dunstans Road East Dulwich se22 0hq
Flat 3 Quarry Court SE22 0HN	7 Dunstans Grove London SE22 0HJ
Flat 1 Quarry Court SE22 0HN	32 Dunstans Road London SE22 0HQ
Flat 2 Quarry Court SE22 0HN	134a Underhill Road London SE22 0QJ
19b Dunstans Road London SE22 0HQ	77 The Crescent West Wickham BR40HD
19c Dunstans Road London SE22 0HQ	Flat 160 B, Barry Road London SE22 0JW
17b Dunstans Road London SE22 0HQ	Flat 14 Oleander House 1b Glengall Road SE15 6FS
Flat 6 Quarry Court SE22 0HN	14 Dunstans Road East Dulwich SE22 0HQ
17a Dunstans Road London SE22 0HQ	19 Halliwell Court Barry Road SE22 0HS
9 Dunstans Road London SE22 0HQ	Flat 3, Esmere House The Green BN42 4DE
1 Dunstans Grove London SE22 0HJ	109 Neckinger Estate London SE16 3QJ
3 Dunstans Grove London SE22 0HJ	42 The Meadow Copthorne RH10 3RQ
19a Dunstans Road London SE22 0HQ	5 Dunstans Grove SE22 0HJ
11a Dunstans Grove London SE22 0HJ	49 Bruce Grove Chelmsford CM2 9aY
11b Dunstans Grove London SE22 0HJ	21 A Maryland Road London
11 Dunstans Road London SE22 0HQ	28 Milestone House London SE1 5YB
5 Dunstans Grove London SE22 0HJ	12 Dunstans Road SE22 0HQ
6 Dunstans Grove London SE22 0HJ	26 Dunstan'S Grove London SE22 0HJ
16 Dunstans Road London SE220HQ	24 Dunstans Grove SE22 0HJ
9 Dunstans Grove London Se220hj	39 Suttlej Road London se7 7dd
16 Dunstans Road East Dulwich SE22 0HQ	272 Petersfield Avenue Romford RM3 9XB
9 Dunstans Grove London SE22 0HJ	72 Lulot Gardens London N19 5TS
11 Dunstans Road London SE22 0HQ	Flat 2, Quarry Court 2 Dunstans Grove SE22 0HN
22 Dunstands Road London SE22 0HQ	85 Bream Close London N17 9DG
Dunstans Grove London SE22 0HJ	Create/Tces 3 Queens Road IG3 8GD
8 Dunstans Grove London Se22 0hj	Blackfriars Road London SE1 8AA
22 Dunstans Road London SE22 0HQ	Home 285 Sheppey Road RM9 4JU
2 Normans Cottages High St RH12 4PX	10 Torcross Drive Dartmouth Road SE23 3YG
Dunstans Grove London SE22 0HJ	29 Briary Court Turner Street E16 1AN
	9 Dunstans Grove East Dulwich SE22 0HJ

Re-consultation: 26/01/2018

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Blackfriars Road London SE1 8AA

3 Queens Road IG3 8GD

Dunstans Grove London SE22 0HJ

Dunstans Grove London SE22 0HJ

Dunstans Grove London SE22 0HJ

Email representation

Flat 14 Oleander House 1b Glengall Road SE15 6FS

Flat 14 Oleander House 1b Glengall Road SE15 6FS

Flat 14 Oleander House 1b Glengall Road SE15 6FS

Flat 160 B, Barry Road London SE22 0JW

Flat 2 Quarry Court SE22 0HN

Flat 2, Quarry Court 2 Dunstans Grove SE22 0HN

Flat 3, Esmere House The Green BN42 4DE

Flat 3, Esmere House The Green BN42 4DE

Flat 3, Esmere House The Green BN42 4DE

Flat 3 Quarry Court SE22 0HN

Flat 3 Quarry Court SE22 0HN

Flat 3 Quarry Court SE22 0HN

Flat 5 Quarry Court SE22 0HN

Home 285 Sheppey Road RM9 4JU

10 Torcross Drive Dartmouth Road SE23 3YG

109 Neckinger Estate London SE16 3QJ

109 Neckinger Estate London SE16 3QJ

109 Neckinger Estate London SE16 3QJ

109 Neckinger Estate London SE16 3QJ

109 Neckinger Estate London SE16 3QJ

109 Neckinger Estate London SE16 3QJ

11 Dunstans Road London SE22 0HQ

11 Dunstans Road London SE22 0HQ

11 Dunstans Road London SE22 0HQ

11 Dunstans Road London SE22 0HQ

11 Dunstans Road London SE22 0HQ

11 Dunstans Road London SE22 0HQ

12 Dunstans Road SE22 0HQ

134a Underhill Road London SE22 0QJ

14 Dunstans Road East Dulwich SE22 0HQ

14 Dunstans Road East Dulwich SE22 0HQ

14 Dunstans Road East Dulwich SE22 0HQ

16 Dunstans Road East Dulwich SE22 0HQ

16 Dunstans Road East Dulwich SE22 0HQ

16 Dunstans Road East Dulwich SE22 0HQ

16 Dunstans Road London SE220HQ

16 Dunstans Road London SE220HQ

16 Dunstans Road London SE220HQ
19 Halliwell Court Barry Road SE22 0HS
2 Normans Cottages High St RH12 4PX
2 Normans Cottages High St RH12 4PX
2 Normans Cottages High St RH12 4PX
2 Normans Cottages High St RH12 4PX
2 Normans Cottages High St RH12 4PX
22 Dunstans Road London SE22 0HQ
22 Dunstans Road London SE22 0HQ
22 Dunstans Road London SE22 0HQ
24 Dunstans Grove SE22 0HJ
26 Dunstan'S Grove London SE22 0HJ
272 Petersfield Avenue Romford RM3 9XB
28 Milestone House London SE1 5YB
28 Milestone House London SE1 5YB
29 Briary Court Turner Street E16 1AN
32 Dunstans Road London SE22 0HQ
39 Sutlej Road London se7 7dd
42 The Meadow Copthorne RH10 3RQ
42 The Meadow Copthorne RH10 3RQ
42 The Meadow Copthorne RH10 3RQ
48 Dunstans Road East Dulwich se22 0hq
49 Bruce Grove Chelmsford CM2 9aY
49 Bruce Grove Chelmsford CM2 9aY
5 Dunstans Grove London SE22 0HJ
5 Dunstans Grove SE22 0HJ
7 Dunstans Grove London SE22 0HJ
72 Lulot Gardens London N19 5TS
77 The Crescent West Wickham BR40HD
8 Dunstans Grove London Se22 0hj
85 Bream Close London N17 9DG
9 Dunstans Grove East Dulwich SE22 0HJ
9 Dunstans Grove London SE22 0HJ
9 Dunstans Grove London Se220hj
9 Dunstans Grove London Se220hj

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	C/O Agent Pavilion London PLC	Reg. Number	17/AP/3997
Application Type	Full Planning Application	Case Number	TP/2453-2
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a two storey rear extension and a single storey side infill extension to enlarge the existing ground and first floor flats both with roof terraces. Construction of a rear dormer roof extension to create a new two-bedroom flat. External alterations to the rear elevation to provide four Juliette balconies to the rear of the first and second floor flats.

At: QUARRY COURT, 2 DUNSTANS GROVE, LONDON SE22 0HN

In accordance with application received on 19/10/2017 08:01:43

and Applicant's Drawing Nos. bb 196 - B20E01 - (Rev PL3) Existing Elevations

196 - B20P00 (RevPL3) Existing Ground & First Floor Plans

196 - B20P01 (PL3) Existing second & Roof Plans

196-PL10P00 - (Rev PL6) Proposed Site Plan

196-PL20S01 - Section B-B

196-2PL20P01 - (Rev F) Proposed Second & Third Floor Plans

196-2PL20E01 - (Rev E) Proposed Elevations

196-2PL20P00 - (Rev B) Proposed Ground & First Floor Plans

196-PL20P02 - Rev A- Proposed Roof plan

Planning Statement

Design and Access Statement

Subject to the following six 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:

Reason:

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

196-PL10P00 - (Rev PL6) Proposed Site Plan

196-PL20S01 - Section B-B

196-2PL20P01 - (Rev F) Proposed Second & Third Floor Plans

196-2PL20E01 - (Rev E) Proposed Elevations

196-2PL20P00 - (Rev B) Proposed Ground & First Floor Plans

196-PL20P02 - Rev A- Proposed Roof plan

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

Reason

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

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

- 3 Prior to above grade works commencing, photographs of material samples of all external facing materials to be used in the carrying out of this permission 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.

Reason:

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

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.

- 4 Before the first occupation of the building hereby permitted details of the arrangements for the storing of 12 bicycles shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

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

- 5 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing (196-2PL20P00 rev B) shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

- 6 The window on the first floor west elevation, the juliet balconies and the glazed screening to the second floor terrace (to a height of 1.8m) on the rear elevation of the building shall be obscure glazed and shall not be replaced or repaired otherwise than with obscure glazing.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 17 Dunstons Road from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

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 ITEM 7.2: 134-136 RYE LANE, SE15 4RZ



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Item No. 7.2	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 18/AP/0716 for: Full Planning Application Address: 134-136 RYE LANE, LONDON SE15 4RZ Proposal: Construction of a roof extension to provide 1 x one-bedroom flat together with alterations to the shop-front		
Ward(s) or groups affected:	Rye Lane		
From:	Director of Planning		
Application Start Date 07/03/2018		Application Expiry Date 02/05/2018	
Earliest Decision Date 07/04/2018			

RECOMMENDATION

1. That planning permission is granted, subject to conditions.

Background Information

2. This application is for decision by the planning sub-committee at the request of members.

Site location and description

3. The application site is a three storey building located on the west side of Rye Lane. It accommodates a commercial use at ground floor level and residential use on upper floors. Characteristic to Rye Lane properties, the commercial use occupies the whole width and depth of the property. Surrounding properties are similarly laid out, with commercial uses at ground floor level and residential uses on upper floors.
4. The application site is located within Peckham Major Town Centre, Peckham and Nunhead Action Area, Peckham Core Action Area, Rye Lane Peckham Conservation Area, Urban Density Zone and Air Quality Management Area. The commercial unit is also a part of a protected shopping frontage.

Details of proposal

5. Planning consent is sought for the construction of a roof extension to add a new one-bedroom flat. Internal alterations to provide an extended stairwell would result in layout changes of existing one-bedroom and two-bedroom flats, but these are existing residential units. Some internal alterations are also proposed in order to provide new cycle and refuse storage, which would be located internally.
6. *Amendments:* It is important to note that the initially submitted plans showed refuse storage being located at the rear and accessed from the rear of the property. However, during the planning application process and in light of neighbour consultation it

became clear that this solution would have the potential to affect an existing tree, and would be unlikely to work in terms of servicing from Quantock Mews, potentially damaging a historic boundary wall with Choumert Square communal garden. Therefore, the refuse and cycle storage space has now been located internally and would be accessed from Rye Lane, and so no alterations to the rear of the property are currently proposed.

Planning history

7. 17/AP/2943 Full planning application for:
Demolition of existing ground and part first floor rear extensions 134-136 Rye Lane and erection of ground and first floor rear extension and erection of additional storey at roof level to provide 3 residential units (3 x 2 bed) and rationalise existing retail (A1) area
Withdrawn on 03/10/2017
8. 17/AP/4339 Full planning application for:
Demolition of existing ground and part first floor rear extensions at 134-136 Rye Lane and erection of ground and first floor rear extension and erection of additional storey at roof level to provide 2 residential units (1x2-bed and 1x1-bed) and rationalise existing retail (A1) area
Withdrawn on 22/01/2018

Relevant planning history of adjoining sites

138 Rye Lane

9. 18/AP/0708 Full planning application for:
Change of use from A5 (hot food takeaway) to A4 (drinking establishment) together with construction of an acoustic lobby to the rear and installation of bi-folding door and new fascia to front elevation
Pending decision

142-150 Rye Lane

10. 05/AP/2643 Full planning application for:
Side and rear extensions of building at first and second floor, plus construction of a third floor in order to accommodate 3 one-bedroom and 8 two-bedroom self-contained flats. Alterations to Choumert Road shopfront at ground floor
Refused permission on 13/08/2007
Allowed on appeal on 11/08/2008

Summary of main issues

11. The main issues to be considered in respect of this application are:
 - a) Acceptability of proposal in land use terms;
 - b) Impact on amenity of adjoining occupiers;
 - c) Quality of proposed accommodation;
 - d) Design quality and impact on Rye Lane Conservation Area;
 - e) Transport impacts;
 - f) Other matters.

Planning policy

National Planning Policy Framework (the Framework)

12. Section 7 - Requiring good design
Section 12 - Conserving and enhancing the historic environment

The London Plan 2016

13. Policy 3.5 - Quality and design of housing developments
Policy 6.9 - Cycling
Policy 6.13 - Parking
Policy 7.4 - Local character
Policy 7.6 - Architecture

Core Strategy 2011

14. Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 5 - Providing new homes
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

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

Policy 3.2 - Protection of amenity
Policy 3.11 - Efficient use of land
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Policy 3.16 - Conservation areas
Policy 4.2 - Quality of residential accommodation
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and cycling
Policy 5.6 - Car parking

Peckham and Nunhead Action Area Plan (2014)

16. Policy 11 - Active travel
Policy 15 - Residential parking
Policy 16 - New homes
Policy 18 - Mix and design of new homes
Policy 20 - Trees
Policy 22 - Waste, water, flooding and pollution
Policy 24 - Heritage
Policy 25 - Built form
Policy 26 - Building heights

Supplementary planning guidance documents

17. Residential Design Standards (2015 Technical Update)
Rye Lane Peckham Conservation Area Appraisal

Summary of consultation responses

18. An initial consultation and a subsequent re-consultation took place as plans were amended during the planning application determination process, partly following the first set of comments from neighbours.
19. Overall 56 comments have been received, and these can be grouped in two parts - those comments received before amendments and those received after. The main concerns raised in the first group of comments regarded inconsistencies on plans related to the location of the tree, recognition of an alleyway to the rear. Concerns were also raised in relation to locating refuse storage area to the rear of the property; it was considered that this would be an unwelcome disruption to the residents to the rear.
20. The second group of comments have been submitted following the amendments. While some recognised that some changes have been shown on plans, concerns still persist regarding:
 1. overlooking from the new proposed rear elevation windows towards Choumert Square residents;
 2. inconsistencies of the site location plan outlining the site incorrectly;
 3. impact that the proposed works would have on the existing tree to the rear;
 4. visual impact of the proposal on the terrace and the conservation area;
 5. loss of light to Choumert Square following construction of the proposed roof extension;
 6. insufficient information regarding the proposed 'retail support' area to the rear.
21. Some comments from the first group of comments have remained relevant to the amended proposal, while it is considered that some concerns raised initially have been addressed by the amendments submitted.

Principle of development

22. The proposal would be for a roof extension that would facilitate creation of a new flat. The property currently is of mixed use with a retail unit on the ground floor and two existing flats on the upper floors. Residential use is therefore established and so addition of a new flat would not introduce a new use that would have to be justified in land use terms. The proposal is therefore acceptable in principle.

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

23. The proposed mansard extension would be of similar height to the adjoining building at no. 132 and as it would be contained within the existing roof space, it would not have an impact on no. 132. Similarly, it would also not impact the amenity of occupiers at no. 138 as it would not protrude more than the existing outrigger and thus would not create any overshadowing or reduce outlook.
24. It is noted that one of the concerns raised in neighbours' objections to the proposal is that the proposed new windows would negatively affect the privacy of occupiers of Choumert Square. While it is recognised that new windows would be created associated to the mansard extension and new windows would also be inserted into the

existing rear elevation at first and second floor levels; it is considered that the distance and angle in relation to the nearest buildings at Choumert Square would prevent direct overlooking. Furthermore, the new proposed windows would not provide views significantly different views to those available from existing windows.

Quality of proposed accommodation

25. The property contains an existing one-bedroom and a two-bedroom flat. Following the proposed mansard development a new flat would be placed on top of these two flats. Though some internal layout changes have been shown, the current flats would continue to contain the same number of bedrooms and apart from installation of new windows, no other works requiring permission would be carried out associated to the current flats.
26. The new flat would be a 53 sq.m one-bedroom flat. It would thus comply with the residential design standards in terms of being a sufficiently large unit. The proposed individual units would also be of acceptable size (16.8 sq.m bedroom, 25.4 sq.m kitchen/dining/living space and 3.5 sq.m bathroom). The unit would be dual aspect, ensuring good levels of natural daylight and ventilation. Overall, thus, the proposed development is considered to be of acceptable residential quality.
27. Residential refuse storage would be placed together with cycle storage and would be stored internally, near the residential entrance. While internal storage is not an ideal solution due to odour, mechanical ventilation solution has been proposed. In light of the space constraints pertaining to properties along Rye Lane and in attempt to reduce the amount of refuse placed on pavements for collection, this proposal is considered acceptable.

Design issues and impact on character and setting of Rye Lane conservation area

28. In terms of scale, the proposed roof extension would not be higher than the adjoining building at no. 132 and so would read as a continuation of the established roof line, albeit with an introduction of a different set of materials, which in would ensure that the extension reads as a roof addition rather than a new storey and would be an acceptable feature of the proposal.
29. The originally proposed front elevation windows associated with the mansard have been amended to reduce them in height and align them in proportions with existing windows of the front elevation. This would further ensure that the new roof addition is seen as a subservient element and is not overbearing.
30. To the rear the mansard would feature a glazed outward-projecting window which would be a more modern addition to a mansard extension. However, in this particular case the projection would be acceptable as it would follow the shape and form of the existing semi-circular outrigger at first and second floor level.
31. Installation of the windows to rear elevation at first and second floor levels would also be acceptable as it would be uniform and not dissimilar to other residential dwellings in the area.
32. In response to some concerns raised in the objections by neighbours regarding the disrupted rhythm of the symmetrical roof line - it is recognised that the pitched roof and its adjoining properties perpendicularly aligning with Choumert Square pathway used to create a certain symmetry, however, it is noted that a roof extension has been permitted at no. 142 thus introducing a higher roof element. While not carried out in the

same style, the proposed extension would in terms of its scale match this extension thus inadvertently re-introducing the symmetry surrounding the pitched roof of nos. 138 and 140.

Transport issues

33. The last amended set of submitted plans shows an internally located cycle storage. While arguably manoeuvring the narrow corridor may be difficult for residents, the cycle storage would be weatherproof, secure and located near the residential entrance. In light of a constrained site location, the proposed cycle storage is considered acceptable.

Impact on trees

34. The documents of the application, as originally submitted, did not recognise that a Sycamore tree is located within the property. Furthermore, the first version of the proposal would have introduced alterations to the rear of the property that could have had an impact on the tree. Clarification since has been sought, and it is now recognised on plans that the tree is located within the site, the refuse that would have been placed to the rear has now been re-located to be placed within the building and no alterations to the existing ground floor rear addition would take place, thus the tree would not be impacted.

Other matters

35. The application would be CIL liable to both Southwark and Mayoral CIL.
The Mayoral CIL is calculated at $33\text{sqm} \times \text{£}35/\text{sqm} \times 313/223 = \text{£}1,622.00$.
The Southwark CIL is calculated at SCIL (Residential use chargeable area) Zone 3 $33\text{sqm} \times 54/\text{sqm} \times 313/280 = \text{£}1,992.00$.
36. Some concerns have been raised by neighbours in relation to the retail support area as shown on plans to the rear of the property at ground floor level. It is, however, noted that this is an existing part of the building and is used as such, the proposal would not change the dimensions of the building and no works to the rear would be carried out. As such, it is considered that no further assessment in relation to the rear part of the building is required.
37. Another concern raised by neighbours relates to the submitted site location plan, which included an area to the rear which does not belong to the owner. A new site location plan has been submitted to recognise this and to indicate that the application refers only to 134-136 Rye Lane.

Conclusion on planning issues

38. In light of the above, the proposal is considered acceptable and the application is recommended for approval.

Community impact statement

39. 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.

Consultation

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

Consultation replies

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

Human rights implications

42. 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.
43. This application has the legitimate aim of providing additional residential accommodation. 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/2732-134	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 18/AP/0716		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 0207 525 7708 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Lasma Putrina, Planning Officer	
Version	Final	
Dated	14 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	14 June 2018	

APPENDIX 1**Consultation undertaken****Site notice date:** 13/03/2018**Press notice date:** 15/03/2018**Case officer site visit date:** 29/03/2018**Neighbour consultation letters sent:** 12/03/2018**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Third Floor Flat 130-132 Rye Lane SE15 4RZ
 Second Floor Flat 130-132 Rye Lane SE15 4RZ
 Flat C 134-136 Rye Lane SE15 4RZ
 Flat B 134-136 Rye Lane SE15 4RZ
 138 Rye Lane London SE15 4RZ
 132 Rye Lane London SE15 4RZ
 First Floor Flat 130-132 Rye Lane SE15 4RZ
 134-136 Rye Lane London SE15 4RZ
 33 Highshore Road London SE15 5AF
 14 Choumert Square Peckham Rye SE15 4RE
 52 Hillside Avenue Worthing BN149QT
 15 Choumert Square Peckham SE15 4RE
 28 Choumert Square London SE15 4RE
 178 Peckham Rye London SE22 9QA
 3 Choumert Sq Peckham Rye SE15 4RE
 20 Choumert Square London SE15 4RE
 39 Choumert Square London SE15 4RE
 31 Choumert Square London SE15 4RE
 40 Choumert Square London SE15 4RE
 10 Quantock Mews London SE15 4RG
 25 Whistley Close, Bracknell RG12 9LQ
 37 Choumert Square Peckham SE15 4RE
 175 Rye Lane London SE15 4TL
 163c Rye Lane London SE15 4TL
 165 Rye Lane London SE15 4TL
 167 Rye Lane London SE15 4TL
 134-136 Rye Lane London SE15 4RZ
 Third Floor Flat 130-132 Rye Lane SE15 4RZ
 Flat B 134-136 Rye Lane SE15 4RZ
 First Floor Flat 130-132 Rye Lane SE15 4RZ
 Second Floor Flat 130-132 Rye Lane SE15 4RZ
 163 Rye Lane London SE15 4TL
 138 Rye Lane London SE15 4RZ
 142 Rye Lane London SE15 4RZ
 130-132 Rye Lane London SE15 4RZ
 132 Rye Lane London SE15 4RZ
 10 Choumert Square London SE15 4RE
 4 Choumert Road London SE15 4SE
 8 Choumert Road London SE15 4SE
 12 Choumert Road London SE15 4SE
 2 Choumert Road London SE15 4SE
 44 Choumert Square London SE15 4RE
 25 Whistley Close Bracknell RG12 9LQ
 75 Lyndhurst Way London SE15 4PT
 107 Bushey Hill Road London SE58QQ
 Flat 3 175 Rye Lane SE15 4TL
 Flat 1 175 Rye Lane SE15 4TL
 6b Choumert Road London SE15 4BD
 Flat 2 175 Rye Lane SE15 4TL
 Flat B 169 Rye Lane SE15 4TL
 Ground Floor 169 Rye Lane SE15 4TL
 Flat 2 2a Choumert Road SE15 4JS
 Flat A 169 Rye Lane SE15 4TL
 8a Choumert Road London SE15 4SE
 25 Choumert Square London SE15 4RE
 26 Choumert Square London SE15 4RE
 23 Choumert Square London SE15 4RE
 24 Choumert Square London SE15 4RE
 Flat 2 173 Rye Lane SE15 4TL
 38 Choumert Square Peckham SE15 4RE
 38 Choumert Square Peckham SE15 4RE
 15 Chadwick Road London SE15 4RA
 207 Bellenden Rd SE15 4DG
 Flat 11 2a Choumert Road SE15 4SJ
 Flat 12 2a Choumert Road SE15 4SJ
 Flat 9 2a Choumert Road SE15 4SJ
 Flat 10 2a Choumert Road SE15 4SJ
 Flat 13 2a Choumert Road SE15 4SJ
 Flat 16 2a Choumert Road SE15 4SJ
 Flat 1 173 Rye Lane SE15 4TL
 Flat 14 2a Choumert Road SE15 4SJ
 Flat 15 2a Choumert Road SE15 4SJ
 43 Choumert Square se15 4re
 43 Choumert Square Peckham SE15 4RE
 12 Choumert Square Peckham SE15 4RE
 17 Choumert Square London SE15 4RE
 61 Harberton Road London N19 3JT
 2 Choumert Square London SE154RE
 27 Choumert Square London SE5
 11 Blenheim Grove London SE15 4QS
 41 Choumert Square Peckham SE15 4RE
 32 Choumert Square London SE15 4RE

Part First Floor Front 163 Rye Lane SE15 4TL
 Part First Floor Rear 163 Rye Lane SE15 4TL
 Ground Floor And First Floor 128 Rye Lane SE15 4RZ
 146-150 Rye Lane London SE15 4RZ
 Second Floor Front 163 Rye Lane SE15 4TL
 First Floor And Second Floor Rear 173 Rye Lane SE15 4TL
 Second Floor Front 173 Rye Lane SE15 4TL
 Second Floor Rear 163 Rye Lane SE15 4TL
 First Floor Front 173 Rye Lane SE15 4TL
 First Floor And Second Floor Flat 146-150 Rye Lane SE15 4RZ
 173 Rye Lane London SE15 4TL
 171 Rye Lane London SE15 4TL
 Flat C 134-136 Rye Lane SE15 4RZ
 140 Rye Lane London SE15 4RZ
 163a Rye Lane London SE15 4TL
 First Floor And Second Floor Flat 165 Rye Lane SE15 4TL
 169 Rye Lane London SE15 4TL
 1-3 Atwell Road London SE15 4TW
 Unit 2 2a Choumert Road SE15 4SJ
 Unit 3 2a Choumert Road SE15 4SJ
 Flat 1 2a Choumert Road SE15 4SJ
 Unit 4 2a Choumert Road SE15 4SJ
 Flat 7 2a Choumert Road SE15 4SJ
 Flat 8 2a Choumert Road SE15 4SJ
 Unit 5 2a Choumert Road SE15 4SJ
 Flat 6 2a Choumert Road SE15 4SJ
 Flat 140 Rye Lane SE15 4RZ
 Flat A 167 Rye Lane SE15 4TL
 Flat B 167 Rye Lane SE15 4TL
 Flat 1 10-12 Choumert Road SE15 4SE
 Flat 2 10-12 Choumert Road SE15 4SE
 6a Choumert Road London SE15 4BD
 41 Choumert Square Peckham Rye SE15 4RE
 44 Choumert Square London SE15 4RE
 35 Choumert Square London SE15 4RE
 7 Quantock Mews London SE15 4RG
 107 Burbage Road London SE21 7AF
 17 Choumert Square London SE15 4RE
 2 Chadwick Road London Se15 4ra
 20 Monstad Street Aliso Viejo, California
 5 Choumert Mews Peckham SE15 4BD
 1-10 Quantock Mews London SE154RG
 Basement Flat 24 Grove Park SE5 8LH
 36 Choumert Square London SE15 4RE
 34, Choumert Square Peckham SE15 4RE
 16 Choumert Square London SE15 4RE
 56 Mayfield Road Writtle CM1 3EL
 51 Queens Den Woodend Ab15 8bn
 3 Mulberry Road Renfrew Pa4 8fa
 13 Tell Grove London Se228rh
 188 Turney Road London SE21 7JL
 106 Lyndhurst Grove Peckham SE15 5AH
 12 Anne Way Hainault IG6 2TT
 6 Quantock Mews Choumert Grove SE15 4RG
 22 Choumert Square Peckham Rye SE15 4RE
 6 Altima Court 33 E Dulwich SE22 9AL
 41 Choumert Square Peckham SE15 4RE
 19 Choumert Square London SE15 4RE
 Choumert Square London SE15 4RE
 19 Choumert Square London se154re
 32 Choumert Square London SE15 4RE
 24 Choumert Square London SE15 4RE
 Oakley Close East Grinstead RH19 3UG
 29 Choumert Square London SE15 4RE
 25 Choumert Square Peckham SE15 4RE
 7 The Mews Fartley Hill RG7 1XD
 21 Choumert Square London SE15 4RE
 8, Choumert Square Peckham SE15 4RE
 43 Choumert Square London SE15 4RE
 4 Choumert Square SE15 4RE
 34 Choumert Square London SE15 4RE
 60 Nutbrook Street Peckham SE15 4LE
 Oakley Close RH193UG
 21 Choumert Square London SE15 4RE
 37 Station Avenue Walton-On-Thames KT12 1NF
 30 Leverton Street London NW5 2PJ
 67 St Dunstons Road Hanwell W7 2EY
 11 Blenheim Grove Peckham SE15 4QS
 11 Blenheim Grove Peckham SE15 4QS
 13, Choumert Square London SE15 4RE
 20 Cinnamon Street London E1W 3NJ
 27 Choumert Square Peckham SE15 4RE
 7 N Columbus Blvd #115 PA 19106
 132 Norwich Road North Walsham NR28 0DX
 20 Cinnamon Street London E1W3NJ
 20 Chesterfield Road Bristol BS6 5DL
 25 Whistley Close Harmanswater RG12 9LQ
 14 Choumert Square Peckham Rye SE154RE
 13 Choumert Grove London SE15 4RB

Re-consultation: 20/04/2018

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Basement Flat 24 Grove Park SE5 8LH
 Oakley Close RH193UG
 10 Choumert Square London SE15 4RE
 10 Choumert Square London SE15 4RE
 10 Choumert Square London SE15 4RE
 107 Burbage Road London SE21 7AF
 11 Blenheim Grove London SE15 4QS
 11 Blenheim Grove London SE15 4QS
 11 Blenheim Grove Peckham SE15 4QS
 11 Blenheim Grove Peckham SE15 4QS
 12 Anne Way Hainault IG6 2TT
 12 Anne Way Hainault IG6 2TT
 12 Choumert Road London SE15 4SE
 13 Choumert Grove London SE15 4RB
 13, Choumert Square London SE15 4RE
 132 Norwich Road North Walsham NR28 0DX
 14 Choumert Square Peckham Rye SE15 4RE
 14 Choumert Square Peckham Rye SE15 4RE
 15 Choumert Square Peckham SE15 4RE
 178 Peckham Rye London SE22 9QA
 19 Choumert Square London SE15 4RE
 20 Chesterfield Road Bristol BS6 5DL
 20 Choumert Square London SE15 4RE
 20 Cinnamon Street London E1W 3NJ
 20 Cinnamon Street London E1W3NJ
 21 Choumert Square London SE15 4RE
 21 Choumert Square London SE15 4RE
 22 Choumert Square Peckham Rye SE15 4RE
 22 Choumert Square Peckham Rye SE15 4RE
 24 Choumert Square London SE15 4RE
 25 Choumert Square Peckham SE15 4RE
 25 Choumert Square Peckham SE15 4RE
 25 Whistley Close, Bracknell RG12 9LQ
 25 Whistley Close Bracknell RG12 9LQ
 25 Whistley Close Bracknell RG12 9LQ
 25 Whistley Close Harmanswater RG12 9LQ
 27 Choumert Square London SE5
 27 Choumert Square Peckham SE15 4RE
 28 Choumert Square London SE15 4RE
 28 Choumert Square London SE15 4RE

3 Choumert Sq Peckham Rye SE15 4RE
30 Leverton Street London NW5 2PJ
32 Choumert Square London SE15 4RE
32 Choumert Square London SE15 4RE
32 Choumert Square London SE15 4RE
32 Choumert Square London SE15 4RE
33 Highshore Road London SE15 5AF
35 Choumert Square London SE15 4RE
35 Choumert Square London SE15 4RE
37 Choumert Square Peckham SE15 4RE
37 Station Avenue Walton-On-Thames KT12 1NF
37 Station Avenue Walton-On-Thames KT12 1NF
40 Choumert Square London SE15 4RE
40 Choumert Square London SE15 4RE
40 Choumert Square London SE15 4RE
41 Choumert Square Peckham Rye SE15 4RE
41 Choumert Square Peckham SE15 4RE
43 Choumert Square London SE15 4RE
43 Choumert Square Peckham SE15 4RE
43 Choumert Square Peckham SE15 4RE
44 Choumert Square London SE15 4RE
44 Choumert Square London SE15 4RE
44 Choumert Square London SE15 4RE
56 Mayfield Road Writtle CM1 3EL
6 Quantock Mews Choumert Grove SE15 4RG
60 Nutbrook Street Peckham SE15 4LE
67 St Dunstons Road Hanwell W7 2EY
7 N Columbus Blvd #115 PA 19106
7 The Mews Fartley Hill RG7 1XD
8 Choumert Road London SE15 4SE
8, Choumert Square Peckham SE15 4RE

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 D Clendenan Urban Development	Reg. Number	18/AP/0716
Application Type	Full Planning Application	Case Number	TP/2732-134
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a roof extension to provide 1 x one-bedroom flat together with alterations to the shop-front

At: 134-136 RYE LANE, LONDON SE15 4RZ

In accordance with application received on 06/03/2018 16:02:11

and Applicant's Drawing Nos. Existing plans and visualisations: 170501-D-001D, 170501-D-002C, 170501-D-005C, 170501-D-006B, 170501-D-008B, 170501-D-009B, 170501-D-260.2, 170501-X-200, 170501-X-210.2A, 170501-X-211B, 170501-X-215B, 170501-X-216.2A, 170501-X-217B, 170501-X-250A, 170501-X-251A, 170501-X-252A

Proposed plans: 170501-D-200.2C, 170501-D-210.2F, 170501-D-211.2A, 170501-D-212.2A, 170501-D-215.2A, 170501-D-216.2A, 170501-D-217.2A, 170501-D-260.2, 170501-D-250A, 170501-D-251A, 170501-D-252A

Subject to the following five 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: 170501-D-200.2C, 170501-D-210.2F, 170501-D-211.2A, 170501-D-212.2A, 170501-D-215.2A, 170501-D-216.2A, 170501-D-217.2A

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.

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.

- 3 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.

- 4 Before the first occupation of the extension the cycle storage facilities as shown on drawing 170501-D-210.2F

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.

- 5 Before the first occupation of the extension hereby permitted, the refuse storage arrangements shown on the approved drawing 170501-D-210.2F shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

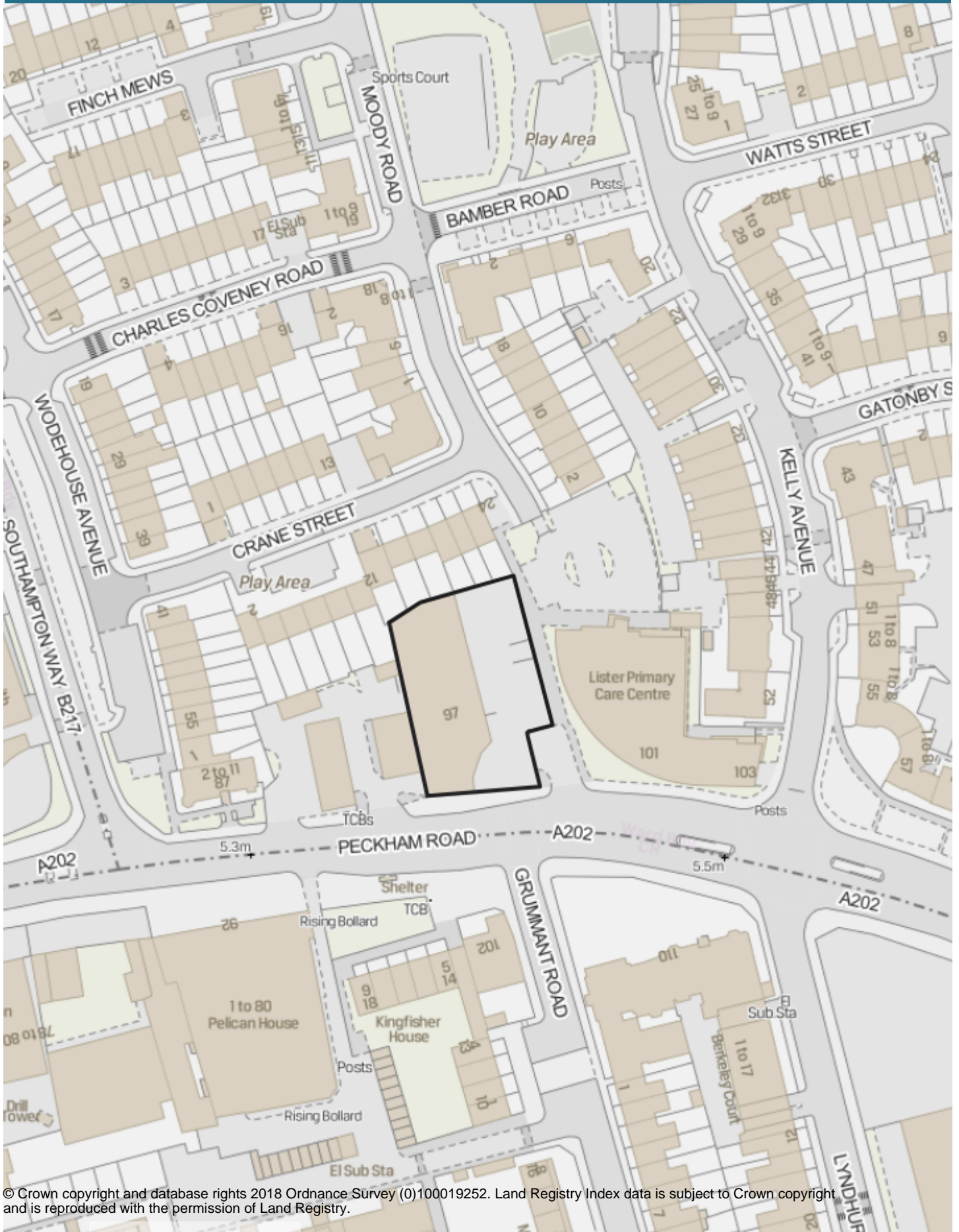
Statement of positive and proactive action in dealing with the application

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

Agenda Item 7.3



AGENDA ITEM 7.3: 97 PECKHAM ROAD, SE15 5LJ



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Item No. 7.3	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 18/AP/0269 for: Full Planning Application Address: 97 PECKHAM ROAD, LONDON SE15 5LJ Proposal: Construction of a new part four-, part three-, part two-storey place of worship (D1 use class) with associated car parking and landscaping.		
Ward(s) or groups affected:	Peckham		
From:	Director of Planning		
Application Start Date 31/01/2018		Application Expiry Date 02/05/2018	
Earliest Decision Date 08/03/2018			

RECOMMENDATION

1. That planning permission be granted, subject to conditions.

BACKGROUND INFORMATION

2. This application is for decision by the planning sub-committee as it is a major application for which five or more objections have been received.

Site location and description

3. The subject site is located to the northern side of Peckham Road and was formerly occupied by a single storey workshop building. Planning permission was granted for the use of the site as a place of worship (13/AP/2259) and subsequent new build place of worship (16/AP/1661). Neither permission was implemented. However, the single storey workshop building was demolished.
4. The previous use was a Sui Generis i.e. in a class of its own. The site is within the Urban Density Zone and is also within the Air Quality Management Area (AMA) the Peckham Town Centre and the Peckham and Nunhead Action Area.
5. The site is located within the setting of the Sceaux Gardens Conservation Area to the west of the site, opposite Southampton Way, and also within the wider setting of the Rye Lane Conservation Area to the east.

Details of proposal

6. The proposal is for the construction of a new part 4, part 3, part 2 storey place of worship (D1 use class) with associated car parking and landscaping. The building previously on the site has been demolished due to structural issues and as such, the site is currently vacant.
7. The proposed church hall would have a total of 1,844m² floorspace and the main hall

would accommodate up to 1,150 people as a maximum with separate youth group area, meeting room and kitchen.

8. The hours of operation as outlined within the application form are for 09:00 to 21:30 Monday to Friday, 12:00 to 18:00 on Saturdays and 09:00 to 20:00 on Sundays.
9. The parking provision on site would be 9 parking spaces (+1 minibus). Space for 30 cycle parking spaces is also proposed to be provided.

Planning history

10.

<p>10/EQ/0122 Application type: Pre-Application Enquiry (ENQ) - Construction of a place of worship Decision date 16/09/2010 Decision: Pre-application enquiry closed (EQ)</p>
<p>11/AP/4318 Application type: Full Planning Application (FUL) - Demolition of the existing building and construction of a two level place of worship building (Use Class D1) providing meeting rooms and ancillary uses at ground floor level with the main worship hall at first floor level. In addition there will be off street parking spaces and cycle storage. Decision date 16/07/2013 Decision: Refused (REF) Reason(s) for refusal:</p> <p><i>1. The proposed development owing to its bulk and scale would represent an unacceptable overdevelopment of the site which combined with the poor quality of design would be harmful to the character and appearance of the townscape, failing to made an adequate response to the site or its wider context.</i></p> <p><i>2. The proposed development, owing to the combination of its bulk and proximity to neighbouring sites, in particular those to the north, would be overbearing in nature, resulting in a loss of outlook, a loss of daylight and sunlight access. Furthermore, there is a lack of information to sufficiently demonstrate that neighbouring occupiers would not be harmed by noise and general disturbance arising from activities both within the premises, and externally</i></p> <p><i>3. Due to a lack of information, including a poor level of detail about the proposed intensity of use of the building, the applicant has failed to demonstrate that the development would not harm the functioning of the transportation network, in particular from the manoeuvring into and out of the site, and additional demands placed on public transport and car parking.</i></p>
<p>13/AP/2259 Application type: Full Planning Application (FUL) - Change of use from auto-mechanic and tyre workshop (B1c) to a place of worship (D1) with associated alterations to the front (southern elevation) and side (eastern elevation) including new fenestration and extensions. Also creation of landscaping and formation of car parking spaces. Decision date 13/11/2013 Decision: Granted (GRA)</p>
<p>14/AP/2189 Application type: S.73 Vary/remove conds/minor alterations (VAR) - Minor material amendment to planning permission 13-AP-2259 dated 13/11/2013 for (Change of use from auto-mechanic and tyre workshop (B1c) to a place of worship (D1) with associated alterations to the front (southern elevation) and side (eastern elevation) including new fenestration and extensions. Also creation of landscaping and formation of car parking spaces) to allow for internal alterations to create a mezzanine level for youth church services, in addition to external changes to the entrance and foyer areas on the southern and eastern facades, and extended opening hours. Decision date 24/10/2014 Decision: Granted (GRA)</p>
<p>16/AP/1661 Application type: Full Planning Application (FUL) - Demolition of existing</p>

building and erection of a new two storey place of worship (D1 Use Class) with mezzanine level, car parking and associated landscaping. Decision date 10/06/2016 Decision: Granted (GRA)

17/EQ/0151 Application type: Pre-Application Enquiry (ENQ) - Demolition of existing building and construction of a new part 4, part 3, part 2 storey place of worship (Use Class D1)with car parking and associated landscaping. Decision date 05/06/2017 Decision: Pre-application enquiry closed (EQ)
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Planning history of adjoining sites

11. 16/AP/1393 - 95 PECKHAM ROAD, LONDON, SE15 5LJ - Planning permission was granted for the demolition of existing petrol filling station and erection of part-2, part-4 and part-6 storey residential development accommodating 33 dwellings, together with access, hard landscaping and other associated works.

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 on the amenity of neighbouring occupiers.
 - c) The impact on the function and safety of the transportation environment
 - d) The design of the building.
 - e) Planning Obligations
 - f) Sustainability Issues

Planning policy

13. National Planning Policy Framework (the Framework)
Section 7 - Requiring Good Design
The London Plan 2016
14. Policy 3.16 - Protection and enhancement of social infrastructure
Policy 3.18 - Education facilities
Policy 7.4 - Local Character
Policy 7.6 - Architecture
15. Core Strategy 2011
Strategic Policy 4 - Places for Learning, Enjoyment and Healthy Lifestyles
Strategic Policy 12 - Design and conservation
Strategic policy 13 - High environmental standards
Southwark Plan 2007 (July) - saved policies
16. The council's cabinet on 19 March 2013, as required by 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.

2.2 - Provision of new community facilities

3.2 - Protection of amenity

3.4 – Energy Efficiency

3.5 – Renewable Energy

3.6 – Air Quality

3.7 – Waste Reduction

3.8 – Waste Management

3.12 - Quality in design

3.15 - Conservation of the Historic Environment

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

5.2 - Transport impacts

5.3 - Walking and cycling

5.6 - Car Parking

5.7 – Parking Standards For Disabled People And The Mobility Impaired

Summary of consultation responses

Statutory Responses

17. London Fire Brigade - No objections subject to an undertaking to meet building regulations.
18. TFL - No objections, however they noted that footway and carriageway must not be blocked during construction and that no skips shall be placed on the highway. They welcomed the provision of 30 spaces and that a car parking management plan is secured by condition.
19. Met Police - Recommend that the development meet Secured By Design accreditation.

Internal Responses

20. Environmental Protection team - Would raise concerns if the hours were not limited however propose a condition to restrict these. Further conditions for contamination, lighting and noise control are recommended.
21. Economic Development Team - No concerns, confirmed that the application would not be subject to employment contributions.
22. Ecology officer - No objections, suggested green/brown roof condition.
23. Transport team - No objections, incorporated into the report.
24. Design and Conservation team - No objections, incorporated into report.
25. Urban Forester - No objections, incorporated into the report.
26. Highways team - No objections.

27. Flood and Drainage team - recommend condition in relation to surface water drainage scheme.

Neighbour comments

28. A total of 6 responses have been received by local residents, all of which are in objection to the scheme. The objectors raise the following points:
- Light pollution: the proposed Church will emanate large amounts of artificial lighting at night
 - Noise pollution: from the amplified sound of worship and the numbers of people arriving and leaving at unsociable hours.
 - Pollution and congestion: there is not adequate space in the surrounding area to support the additional traffic and parking.
 - Limited parking provided in the site is not sufficient.
 - Overshadowing and loss of light.
 - Environmental issues including littering.

Principle of development

29. The principle of the proposed place of worship/community use and facility has been established through planning permissions ref: 13/AP/2259 and 16/AP/1661. As such the principle of the use is acceptable in this location as there are no restrictions in terms of land use. The surrounding area comprises of a mix of residential, social and commercial uses and thus this proposed scheme (D1 Class use) would not appear out of character with the surrounding area.
30. However, the scale of the proposed building and subsequent congregation is significantly larger than previously consented and as such would any scheme of this scale would need to be balanced against impacts on the streetscene, the transport network and the surrounding neighbouring amenities. These matters are assessed below.

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

31. The proposal is for the construction of a new part four-, part three-, part two-storey place of worship (D1 use class) and as such has the potential to result in detrimental impacts on the neighbouring residential uses amenity.

Daylight/sunlight

32. The applicants have submitted a daylight/sunlight assessment which looks at the potential impacts of the development on the surrounding properties along Crane Street, Moody Road and the currently under construction housing development at 95 Peckham Road.
33. In terms of the impacts on 2 to 24 (evens) Crane Street, these are terraced residential buildings of two-storeys located to the north and northwest of the site. The results of the Vertical Sky Component (VSC) and No Sky Line (NSL) assessments for these properties demonstrate full (100%) compliance with the BRE guidance. It is also noted that there will be little or no impact to existing light levels arising from the proposed scheme, and even slight improvements are recorded for nos. 14 to 18 Crane Street. It is also noted that the Annual Probably Sunlight Hours (APSH) test would also result in no impacts on the sunlight received in these properties.
34. In terms of the residents at nos. 2 to 6 Moody Road, these terraced residential buildings are located to the northeast of the site. There are a number of windows

within the front elevations facing in the direction of the proposed scheme, and the results of the VSC and NSL assessment show that all of the windows and rooms assessed within these properties will meet the BRE guidelines, experiencing either fractional or no effects at all to existing light levels. It is also noted that the Annual Probably Sunlight Hours (APSH) test would also result in no impacts on the sunlight received in these properties.

35. In terms of the properties currently under construction at 95 Peckham Road, the assessment outlines that nearly all of the windows and all of the rooms tested within the consented scheme would satisfy the BRE guidelines for both VSC and NSL daylight tests. There is just one window which would not meet the suggested target for VSC. However, this is a minor transgression only (0.70 times) to a bedroom, which the BRE recognises as less important than other uses. Moving to the NSL daylight test for this bedroom, there will be no perceptible change in daylight and the BRE guidelines will be satisfied on this measure. For sunlight, in accordance with BRE recommendations, it has not been necessary to test these properties because the windows with a view of the site are not within 90° of due south. Overall the daylight impacts would thus be considered acceptable as a result of the development.

Overshadowing of gardens

36. The most likely affected properties are those within 2-24 Crane Street, The results of the overshadowing assessment show that all the rear gardens will satisfy the 0.80 times factor of former value BRE guidelines. In fact, the gardens at nos. 14 to 18 (evens) will see a slight increase sunlight on 21 March. Overall the impact of the proposal on the amenity spaces would be considered acceptable.

Noise

37. The objections received all raise concerns regarding the potential noise outbreak from the building, particularly when there is a large congregation on site. The proposal is for a new building and can be designed in order to provide acoustic insulation to reduce the potential impacts on the neighbouring properties.
38. The environmental protection team have recommended conditions in order to ensure that the noise outbreak from the building would not be heard at surrounding residential properties. These are included on the recommendation. Furthermore, the building has also been designed to introduce a lobbied entrance which would control noise outbreak to the front of the building.
39. In terms of other mitigation proposed, the applicants have outlined that the proposed hours of operation for the church building would be 08:00 to 22:00 on Monday to Friday or 09:00 to 21:00 on Saturdays, Sundays and Public Holidays. These are considered appropriate hours of operation as they would enable the building to operate effectively, however the hours of use would not continue beyond anti-social hours and thus any patrons of the site would not create significant noise concerns when vacating the premises.

Light pollution

40. Objections have been received in relation to the potential impacts of the proposal on light pollution within the area. The council's EPT team have outlined that any lighting within the site would be required to meet the requirements of The Institution of Lighting Engineers Guidance note for reduction of obtrusive lighting. The applicants lighting engineer has confirmed that the proposed development can meet the requirements of the guidance which would ensure that light spill from the building and any external lighting would not unreasonably impact on any of the surrounding properties.

Transport issues

41. This proposed development is in an area with Moderate (3 - medium) public transport accessibility level (PTAL) and within a short walking distance of Peckham Rye train station. There are pedestrian refuges with zebra crossings at the immediate western side of this development at Peckham Road/Southampton Way junction plus two signalised crossings at some 100metres easterly from it at both sides of Peckham Road/Lyndhurst Way junction.

Trip generation

42. Concerning the vehicular journeys ensuing from this development proposal, this facility is being relocated from the existing site which is some 200metres east of this site and the results of the travel plan surveys that were carried out by the applicant's consultants on 24 December 17 and 7 January 2018 have revealed that only 6% of the 250 and 140 Sunday and weekday worshippers respectively presently travel by car, with 9% of them being transported to and from this site by a minibus while the remaining 85% use sustainable travel modes. Should these proportions be applied to the 375 and 206 Sunday and weekday worshippers correspondingly that were estimated by the applicant's consultants, this would mean 22 and twelve people travelling by car during the two periods separately, extending to a maximum of 70 people should the congregation fill the 1,150 full capacity seats of this building during special events.
43. Regardless, these trips would still be made outside the peak traffic hours and in any event are marginally higher than those generated by the present site during normal operations. The applicant has also proposed certain travel plan initiatives including the provision of a minibus service operating on two routes, the first being via Thornton Heath, West Norwood, Herne Hill and Camberwell while the other would be through Thornton Heath, Streatham, Brixton, Oval, Kennington and Bermondsey, plus dissemination of sustainable travel information pack and production of an event management plan encompassing staggering worshippers' arrivals for special events. Officers are of the view that the proposal would not have any noticeable adverse impact on the existing vehicle movements or car parking demand on the adjoining roads.
44. TfL raised comments suggesting that a car parking management plan should be submitted by the applicant via condition and this has been included as part of the recommendation.
45. Cycle storage details have been provided for up to 30 cycles however details of the enclosure and type of storage proposed, as such a condition is recommended to this effect.
46. The applicants has also proposed a refuse enclosure area which contains 4 large eurobins which would be accessed off of Peckham Road. Refuse collection would take place from Peckham Road as existing and all other servicing would be from within the site which is considered appropriate.
47. The council's transport team have also recommended a number of conditions with any future approval which would include a construction management plan, an event management plan as well as further cycle and refuse storage details. The council's highways team has also outlined that the applicants should enter into a S278 works to improve the adjoining highways.

Design issues

48. The proposal is for the construction of a new part four-, part three-, part two-storey place of worship (D1 use class) with associated car parking and landscaping. The previous building on the site was two stories however this has been since demolished and as such the site is currently vacant. The proposed scale (four stories) of the building at the street frontage would be lower than the adjoining consented building at 95 Peckham Road, however it would sit well within the streetscene and as such the scale would be appropriate in this regard.
49. The building then steps down as the building extends towards the rear of the site and would be two stories where it meets the adjoining gardens of the properties within Crane Street. The previous building on the site extended the full depth of the site at two stories in height and as such the proposed building would largely follow this scale and as such no concerns are raised in regards to the overall scale and massing of the building.
50. The church proposed by this scheme will be an elegantly designed bespoke building in a crisp white architectural style. The relative plainness of the materials allow its pure geometric shapes to read strongly. They also provide a neutral background to the motif of the cross which appears in different forms on several elevations. All this will create quite a powerful piece of architecture. It will stand out as a conspicuous individual object in the streetscape- but this is entirely appropriate for a church. The landscaping design will be an attractive foil to the architecture.
51. The main material is white fibre cement and would be an attractive distinct material for the building. However, it will have to very carefully detailed and constructed if it is not to ensure that the quality of the material is as high as expressed by the applicants. As such, detailed construction drawings, material samples and details to show that the material would not easily stain.
52. Subject to conditions, the design of the proposed development is considered of a high quality and would provide a distinctive and attractive building to the streetscene and wider public realm.

Impact on trees

53. The proposed landscaping provides a welcome number of trees. However, amended specifications are required to the proposed planting cross sections. These are constrained by a stainless steel edge that does not allow sufficient stem girth growth which may lead to the trees becoming damaged and failing to thrive.
54. Similarly, where semi mature trees are located adjacent to car parking spaces a sufficient amount of uncompacted soil needs to be provided via load bearing cellular soil confinement systems. As such, further details are required and a condition is proposed accordingly.

Planning obligations (S.106 undertaking or agreement)

55. The proposal would not meet the thresholds in order to trigger either construction employment obligations or end phase employment obligations. All other elements of the application are policy compliant

Sustainable development implications

Energy

56. The baseline results have shown that if the development would be built to a standard to meet only the minimum requirements of current building regulations, the total amount of CO₂ emissions would be 70,978Kg/year. Following the introduction of passive energy efficiency measures and the introduction of PV panels, the proposal would demonstrate that the building achieves an overall improvement in emissions over the Building Regulations Part L standards for regulated emissions of minimum of 40.5% and as such meets the London Plan requirements. The project has also been designed to comply with the Building Research Establishments Environmental Assessment Model (BREEAM), and will achieve a "Very Good" Rating in accordance with policy.

Air Quality

57. The submitted energy assessment has been reviewed by the council's environmental protection team who have confirmed that the development would meet the London Plan requirements in relation to air quality.

Flood Risk and drainage

58. The council's flood and drainage team have reviewed the submitted documents and they raise no objections subject to a surface water drainage condition.

Contamination

59. Given the application sites previous uses, there are potential contaminants present within the ground of the site. As such a condition requiring further details relating to site contamination and if required a remedial strategy be required.

Other matters

CIL

60. The development is Mayoral CIL liable for all proposed floorspace, Mayoral CIL = £35 x 1844sqm x 319/223 = £92,324.04 CIL charge at rate (R) = R x A x IP / IC. However, the application would not be Southwark CIL liable as it is a D1 use.

Conclusion on planning issues

61. The proposal would provide a purpose built state of the art community facility that would provide a service to the local and wider population. The design of the proposed building is considered to be of a high quality and the scale has been reduced following previous refused applications and it would now not result in a significant detrimental impact on the amenities of the surrounding residents. The applicants have robustly evidenced that the proposed development would, subject to conditions, not result in a significant impact on the highways network. As such, it is recommended that planning permission is granted subject to conditions.

Community impact statement

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

orientation. Consultation with the community has been undertaken as part of the application process.

- a) The impact on local people is set out above.
- b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

64. Details of consultation responses received are set out in paragraphs 21-23.

Human rights implications

65. 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.
66. This application has the legitimate aim of providing a new place of worship building. 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/2282-97 Application file: 18/AP/0269 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Alex Cameron, Team Leader	
Version	Final	
Dated	4 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINETMEMBER		
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		14 June 2018

APPENDIX 1**Consultation undertaken****Site notice date:** 13/02/2018**Press notice date:** 08/02/2018**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 31/01/2018**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

5 Moody Road London SE15 5JH	Flat 6 29 Kelly Avenue SE15 5GL
4 Charles Coveney Road London SE15 5JP	Flat 7 29 Kelly Avenue SE15 5GL
6 Charles Coveney Road London SE15 5JP	Flat 8 53 Kelly Avenue SE15 5LD
1a Grummant Road London SE15 5NQ	Flat 1 55 Kelly Avenue SE15 5LX
1 Moody Road London SE15 5JH	Flat 5 53 Kelly Avenue SE15 5LD
3 Moody Road London SE15 5JH	Flat 6 53 Kelly Avenue SE15 5LD
14 Charles Coveney Road London SE15 5JP	Flat 7 53 Kelly Avenue SE15 5LD
16 Charles Coveney Road London SE15 5JP	Flat 5 55 Kelly Avenue SE15 5LX
Flat 1 18 Charles Coveney Road SE15 5JP	Flat 6 55 Kelly Avenue SE15 5LX
8 Charles Coveney Road London SE15 5JP	Flat 7 55 Kelly Avenue SE15 5LX
10 Charles Coveney Road London SE15 5JP	Flat 2 55 Kelly Avenue SE15 5LX
12 Charles Coveney Road London SE15 5JP	Flat 3 55 Kelly Avenue SE15 5LX
1b Grummant Road London SE15 5NQ	Flat 4 55 Kelly Avenue SE15 5LX
Flat 12 Berkeley Court SE15 5AD	Flat 4 53 Kelly Avenue SE15 5LD
Flat 13 Berkeley Court SE15 5AD	Flat 3 52 Kelly Avenue SE15 5LH
Flat 14 Berkeley Court SE15 5AD	Flat 4 52 Kelly Avenue SE15 5LH
Flat 9 Berkeley Court SE15 5AD	Flat 5 52 Kelly Avenue SE15 5LH
Flat 10 Berkeley Court SE15 5AD	Flat 2 52 Kelly Avenue SE15 5LH
Flat 11 Berkeley Court SE15 5AD	Flat 1 52 Kelly Avenue SE15 5LH
Ground Floor 84-86 Peckham Road SE15 5LQ	Flat 1 53 Kelly Avenue SE15 5LD
97 Peckham Road London SE15 5LJ	Flat 2 53 Kelly Avenue SE15 5LD
Peckham Service Centre 95 Peckham Road SE15 5LJ	Flat 6 52 Kelly Avenue SE15 5LH
Flat 15 Berkeley Court SE15 5AD	Flat 7 52 Kelly Avenue SE15 5LH
Flat 16 Berkeley Court SE15 5AD	Flat 8 52 Kelly Avenue SE15 5LH
Flat 17 Berkeley Court SE15 5AD	18 Moody Road London SE15 5JB
6 Crane Street London SE15 5JU	Flat 10 2 Bamber Road SE15 5JS
8 Crane Street London SE15 5JU	Flat 11 2 Bamber Road SE15 5JS
10 Crane Street London SE15 5JU	10 Moody Road London SE15 5JB
13 Crane Street London SE15 5JU	12 Moody Road London SE15 5JB
2 Crane Street London SE15 5JU	16 Moody Road London SE15 5JB
4 Crane Street London SE15 5JU	Flat 3 50 Kelly Avenue SE15 5LH
18 Crane Street London SE15 5JU	Flat 5 50 Kelly Avenue SE15 5LH

20 Crane Street London SE15 5JU
 22 Crane Street London SE15 5JU
 12 Crane Street London SE15 5JU
 14 Crane Street London SE15 5JU
 16 Crane Street London SE15 5JU
 11 Crane Street London SE15 5JU
 Flat 5 18 Charles Coveney Road SE15 5JP
 Flat 6 18 Charles Coveney Road SE15 5JP
 Flat 7 18 Charles Coveney Road SE15 5JP
 Flat 2 18 Charles Coveney Road SE15 5JP
 Flat 3 18 Charles Coveney Road SE15 5JP
 Flat 4 18 Charles Coveney Road SE15 5JP
 5 Crane Street London SE15 5JU
 7 Crane Street London SE15 5JU
 9 Crane Street London SE15 5JU
 Flat 8 18 Charles Coveney Road SE15 5JP
 1 Crane Street London SE15 5JU
 3 Crane Street London SE15 5JU
 Flat 80 Pelican House SE15 5PY
 94-96 Peckham Road London SE15 5PY
 Flat 77 Pelican House SE15 5PY
 Flat 78 Pelican House SE15 5PY
 Flat 79 Pelican House SE15 5PY
 Flat 3 Walmer Castle Court SE15 5BE
 Flat 4 Walmer Castle Court SE15 5BE
 Flat 5 Walmer Castle Court SE15 5BE
 Basement And Ground Floor Rear Lord Denning Court SE15 5PZ
 Flat 1 Walmer Castle Court SE15 5BE
 Flat 2 Walmer Castle Court SE15 5BE
 Flat 76 Pelican House SE15 5PY
 Flat 67 Pelican House SE15 5PY
 Flat 68 Pelican House SE15 5PY
 Flat 69 Pelican House SE15 5PY
 Flat 64 Pelican House SE15 5PY
 Flat 65 Pelican House SE15 5PY
 Flat 66 Pelican House SE15 5PY
 Flat 73 Pelican House SE15 5PY
 Flat 74 Pelican House SE15 5PY
 Flat 75 Pelican House SE15 5PY
 Flat 70 Pelican House SE15 5PY
 Flat 71 Pelican House SE15 5PY
 Flat 72 Pelican House SE15 5PY
 6 Grummant Road London SE15 5NQ
 Flat 1 Berkeley Court SE15 5AD
 Flat 2 Berkeley Court SE15 5AD
 16 Lyndhurst Way London SE15 5AT
 3 Grummant Road London SE15 5NQ
 4 Grummant Road London SE15 5NQ
 Flat 6 Berkeley Court SE15 5AD
 Flat 7 Berkeley Court SE15 5AD
 Flat 8 Berkeley Court SE15 5AD
 Flat 3 Berkeley Court SE15 5AD
 Flat 4 Berkeley Court SE15 5AD
 Flat 5 Berkeley Court SE15 5AD
 14 Lyndhurst Way London SE15 5AT
 Ground Floor Flat 3 Grummant Road SE15 5NQ
 First Floor Flat 3 Grummant Road SE15 5NQ
 Flat 6 Walmer Castle Court SE15 5BE
 Flat 7 Walmer Castle Court SE15 5BE
 Flat 8 Walmer Castle Court SE15 5BE
 Car Wash 97 Peckham Road SE15 5LJ
 Lister Primary Care Centre 101 Peckham Road SE15 5LJ
 12 Lyndhurst Way London SE15 5AT
 Peckham Pelican Pelican House SE15 5PY
 Workshop 97 Peckham Road SE15 5LJ
 24 Crane Street London SE15 5JU
 4a Grummant Road London SE15 5NQ
 2a Grummant Road London SE15 5NQ
 51 Wodehouse Avenue London SE5 7FD
 53 Wodehouse Avenue London SE5 7FD
 55 Wodehouse Avenue London SE5 7FD
 110 Peckham Road London SE15 5EU
 Oliver Goldsmith Primary School Peckham Road SE5 8UH
 49 Wodehouse Avenue London SE5 7FD
 31 Wodehouse Avenue London SE5 7FD
 33 Wodehouse Avenue London SE5 7FD
 35 Wodehouse Avenue London SE5 7FD
 25 Wodehouse Avenue London SE5 7FD
 Flat 6 50 Kelly Avenue SE15 5LH
 Flat 12 2 Bamber Road SE15 5JS
 32 Kelly Avenue London SE15 5LL
 Flat 4 49 Kelly Avenue SE15 5LB
 8 Moody Road London SE15 5JB
 Flat 2 57 Kelly Avenue SE15 5LZ
 Flat 3 57 Kelly Avenue SE15 5LZ
 Flat 4 57 Kelly Avenue SE15 5LZ
 Flat 8 55 Kelly Avenue SE15 5LX
 Flat 1 57 Kelly Avenue SE15 5LZ
 Flat 8 57 Kelly Avenue SE15 5LZ
 4 Moody Road London SE15 5JB
 6 Moody Road London SE15 5JB
 Flat 5 57 Kelly Avenue SE15 5LZ
 Flat 6 57 Kelly Avenue SE15 5LZ
 Flat 7 57 Kelly Avenue SE15 5LZ
 Flat 4 20 Kelly Avenue SE15 5LN
 Flat 6 20 Kelly Avenue SE15 5LN
 Flat 7 20 Kelly Avenue SE15 5LN
 6 Bamber Road London SE15 5JX
 Flat 1 20 Kelly Avenue SE15 5LN
 36 Kelly Avenue London SE15 5LL
 38 Kelly Avenue London SE15 5LL
 Flat 2 43 Kelly Avenue SE15 5LA
 Flat 8 20 Kelly Avenue SE15 5LN
 22 Kelly Avenue London SE15 5LL
 30 Kelly Avenue London SE15 5LL
 4 Bamber Road London SE15 5JX
 Flat 1 2 Bamber Road SE15 5JS
 Flat 2 2 Bamber Road SE15 5JS
 Flat 3 2 Bamber Road SE15 5JS
 Basement Flat 3 Grummant Road SE15 5NQ
 5 Grummant Road London SE15 5NQ
 Flat 7 2 Bamber Road SE15 5JS
 Flat 8 2 Bamber Road SE15 5JS
 Flat 9 2 Bamber Road SE15 5JS
 Flat 4 2 Bamber Road SE15 5JS
 Flat 5 2 Bamber Road SE15 5JS
 Flat 6 2 Bamber Road SE15 5JS
 Flat 2 49 Kelly Avenue SE15 5LB
 Flat 3 49 Kelly Avenue SE15 5LB
 Flat 5 49 Kelly Avenue SE15 5LB
 47 Kelly Avenue London SE15 5LB
 48 Kelly Avenue London SE15 5NA
 Flat 4 50 Kelly Avenue SE15 5LH
 Flat 7 50 Kelly Avenue SE15 5LH
 Flat 8 50 Kelly Avenue SE15 5LH
 Flat 6 49 Kelly Avenue SE15 5LB
 Flat 2 50 Kelly Avenue SE15 5LH
 Flat 6 46 Kelly Avenue SE15 5NA
 Flat 1 45 Kelly Avenue SE15 5LA
 Flat 6 45 Kelly Avenue SE15 5LA
 Flat 8 45 Kelly Avenue SE15 5LA
 Flat 5 43 Kelly Avenue SE15 5LA
 Flat 9 43 Kelly Avenue SE15 5LA
 Flat 12 43 Kelly Avenue SE15 5LA
 Flat 3 46 Kelly Avenue SE15 5NA
 Flat 4 46 Kelly Avenue SE15 5NA
 Flat 5 46 Kelly Avenue SE15 5NA
 Flat 1 46 Kelly Avenue SE15 5NA
 Flat 2 46 Kelly Avenue SE15 5NA
 51 Kelly Avenue London SE15 5LB
 Flat 30 Pelican House SE15 5PY
 Flat 31 Pelican House SE15 5PY
 Flat 32 Pelican House SE15 5PY
 Flat 27 Pelican House SE15 5PY
 Flat 28 Pelican House SE15 5PY
 Flat 29 Pelican House SE15 5PY
 Flat 36 Pelican House SE15 5PY
 Flat 37 Pelican House SE15 5PY
 Flat 38 Pelican House SE15 5PY
 Flat 33 Pelican House SE15 5PY
 Flat 34 Pelican House SE15 5PY
 Flat 35 Pelican House SE15 5PY
 Flat 26 Pelican House SE15 5PY
 Flat 17 Pelican House SE15 5PY
 Flat 18 Pelican House SE15 5PY
 Flat 19 Pelican House SE15 5PY

27 Wodehouse Avenue London SE5 7FD
 29 Wodehouse Avenue London SE5 7FD
 43 Wodehouse Avenue London SE5 7FD
 45 Wodehouse Avenue London SE5 7FD
 47 Wodehouse Avenue London SE5 7FD
 37 Wodehouse Avenue London SE5 7FD
 39 Wodehouse Avenue London SE5 7FD
 41 Wodehouse Avenue London SE5 7FD
 6 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 7 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 8 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 3 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 4 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 5 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 7 Mallard House Pelican Estate Grummant Road SE15 5NH
 8 Mallard House Pelican Estate Grummant Road SE15 5NH
 9 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 15 Mallard House Pelican Estate Grummant Road SE15 5NH
 16 Mallard House Pelican Estate Grummant Road SE15 5NH
 2 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 10 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 11 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 12 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 1 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 16 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 17 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 18 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 13 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 14 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 15 Kingfisher House Pelican Estate Grummant Road SE15 5LG
 Flat 9 87 Peckham Road SE15 5JW
 Flat 10 87 Peckham Road SE15 5JW
 Flat 11 87 Peckham Road SE15 5JW
 Flat 6 87 Peckham Road SE15 5JW
 Flat 7 87 Peckham Road SE15 5JW
 Flat 8 87 Peckham Road SE15 5JW
 31 Kelly Avenue London SE15 5GL
 33 Kelly Avenue London SE15 5GL
 35 Kelly Avenue London SE15 5GL
 1c Grummant Road London SE15 5NQ
 Flat 5 87 Peckham Road SE15 5JW
 Flat 4 15 Crane Street SE15 5JU
 Flat 5 15 Crane Street SE15 5JU
 Flat 6 15 Crane Street SE15 5JU
 Flat 1 15 Crane Street SE15 5JU
 Flat 2 15 Crane Street SE15 5JU
 Flat 3 15 Crane Street SE15 5JU
 Flat 2 87 Peckham Road SE15 5JW
 Flat 3 87 Peckham Road SE15 5JW
 Flat 4 87 Peckham Road SE15 5JW
 Flat 7 15 Crane Street SE15 5JU
 Flat 8 15 Crane Street SE15 5JU
 Flat 1 87 Peckham Road SE15 5JW
 Flat 6 41 Kelly Avenue SE15 5GL
 Flat 7 41 Kelly Avenue SE15 5GL
 Flat 8 41 Kelly Avenue SE15 5GL
 Flat 3 41 Kelly Avenue SE15 5GL
 Flat 4 41 Kelly Avenue SE15 5GL
 Flat 5 41 Kelly Avenue SE15 5GL
 19 Wodehouse Avenue London SE5 7FD
 21 Wodehouse Avenue London SE5 7FD
 23 Wodehouse Avenue London SE5 7FD
 Flat 9 41 Kelly Avenue SE15 5GL
 1 Gattonby Street London SE15 5GU
 103 Peckham Road London SE15 5LJ
 Flat 2 41 Kelly Avenue SE15 5GL
 Flat 2 29 Kelly Avenue SE15 5GL
 Flat 3 29 Kelly Avenue SE15 5GL
 Flat 4 29 Kelly Avenue SE15 5GL
 37 Kelly Avenue London SE15 5GL
 Flat 14 Pelican House SE15 5PY
 Flat 15 Pelican House SE15 5PY
 Flat 16 Pelican House SE15 5PY
 Flat 23 Pelican House SE15 5PY
 Flat 24 Pelican House SE15 5PY
 Flat 25 Pelican House SE15 5PY
 Flat 20 Pelican House SE15 5PY
 Flat 21 Pelican House SE15 5PY
 Flat 22 Pelican House SE15 5PY
 Flat 55 Pelican House SE15 5PY
 Flat 56 Pelican House SE15 5PY
 Flat 57 Pelican House SE15 5PY
 Flat 52 Pelican House SE15 5PY
 Flat 53 Pelican House SE15 5PY
 Flat 54 Pelican House SE15 5PY
 Flat 61 Pelican House SE15 5PY
 Flat 62 Pelican House SE15 5PY
 Flat 63 Pelican House SE15 5PY
 Flat 58 Pelican House SE15 5PY
 Flat 59 Pelican House SE15 5PY
 Flat 60 Pelican House SE15 5PY
 Flat 51 Pelican House SE15 5PY
 Flat 42 Pelican House SE15 5PY
 Flat 43 Pelican House SE15 5PY
 Flat 44 Pelican House SE15 5PY
 Flat 39 Pelican House SE15 5PY
 Flat 40 Pelican House SE15 5PY
 Flat 41 Pelican House SE15 5PY
 Flat 48 Pelican House SE15 5PY
 Flat 49 Pelican House SE15 5PY
 Flat 50 Pelican House SE15 5PY
 Flat 45 Pelican House SE15 5PY
 Flat 46 Pelican House SE15 5PY
 Flat 47 Pelican House SE15 5PY
 Flat 10 43 Kelly Avenue SE15 5LA
 42 Kelly Avenue London SE15 5LL
 Flat 8 43 Kelly Avenue SE15 5LA
 40 Kelly Avenue London SE15 5LL
 Flat 3 43 Kelly Avenue SE15 5LA
 Flat 3 45 Kelly Avenue SE15 5LA
 Flat 4 43 Kelly Avenue SE15 5LA
 Flat 6 43 Kelly Avenue SE15 5LA
 44 Kelly Avenue London SE15 5NA
 Flat 7 43 Kelly Avenue SE15 5LA
 Flat 4 45 Kelly Avenue SE15 5LA
 Flat 1 43 Kelly Avenue SE15 5LA
 Flat 2 20 Kelly Avenue SE15 5LN
 Flat 1 50 Kelly Avenue SE15 5LH
 34 Kelly Avenue London SE15 5LL
 Flat 3 53 Kelly Avenue SE15 5LD
 Flat 2 45 Kelly Avenue SE15 5LA
 24 Kelly Avenue London SE15 5LL
 Flat 5 20 Kelly Avenue SE15 5LN
 Flat 3 20 Kelly Avenue SE15 5LN
 Flat 11 43 Kelly Avenue SE15 5LA
 28 Kelly Avenue London SE15 5LL
 26 Kelly Avenue London SE15 5LL
 Flat 5 Pelican House SE15 5PY
 Flat 6 Pelican House SE15 5PY
 Flat 7 Pelican House SE15 5PY
 Flat 2 Pelican House SE15 5PY
 Flat 3 Pelican House SE15 5PY
 Flat 4 Pelican House SE15 5PY
 Flat 11 Pelican House SE15 5PY
 Flat 12 Pelican House SE15 5PY
 Flat 13 Pelican House SE15 5PY
 Flat 8 Pelican House SE15 5PY
 Flat 9 Pelican House SE15 5PY
 Flat 10 Pelican House SE15 5PY
 Flat 1 Pelican House SE15 5PY

39 Kelly Avenue London SE15 5GL
Flat 1 29 Kelly Avenue SE15 5GL
Flat 8 29 Kelly Avenue SE15 5GL
Flat 9 29 Kelly Avenue SE15 5GL
Flat 1 41 Kelly Avenue SE15 5GL
Flat 5 29 Kelly Avenue SE15 5GL

14 Moody Road London SE15 5JB
2 Moody Road London SE15 5JB
Flat 1 49 Kelly Avenue SE15 5LB
Flat 7 45 Kelly Avenue SE15 5LA
Flat 5 45 Kelly Avenue SE15 5LA
2 Grummant Road London SE15 5NQ

Re-consultation: n/a

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

Economic Development Team

Statutory and non-statutory organisations

London Fire & Emergency Planning Authority

Metropolitan Police Service (Designing out Crime)

Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Flat 3 Walmer Castle Court SE15 5BE

Flat 6 43 Kelly Avenue SE15 5LA

Flat 7 43 Kelly Avenue SE15 5LA

Flat 7 57 Kelly Avenue SE15 5LZ

Flat 80 Pelican House SE15 5PY

Flat 80 Pelican House SE15 5PY

32 Kelly Avenue London SE15 5LL

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	Reverend Francis Kwaah	Reg. Number	18/AP/0269
Application Type	Full Planning Application	Case	TP/2282-97
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a new part four-, part three-, part two-storey place of worship (D1 use class) with associated car parking and landscaping.

At: 97 PECKHAM ROAD, LONDON SE15 5LJ

In accordance with application received on 29/01/2018 08:01:44

and Applicant's Drawing Nos. Air quality assessment

Daylight/Sunlight assessment
Design and access statement
Document - Materials Schedule
Document - Outline Delivery and Service Plan
Energy statement
Flood risk assessment
Noise impact assessment
Transport statement
Travel plan

001 - SITE & BLOCK PLANS
002 - PROPOSED SITE PLAN
003 - PROPOSED FIRST & SECOND FLOORS
004 - PROPOSED THIRD FLOOR & ROOF PLAN
005 - PROPOSED ELEVATIONS
006 - PROPOSED TYPICAL SECTION
007 - PROPOSED STREET SCENES / ELEVATIONS
008 - SCALE COMPARISON STUDY
0043/17/B/1 - STREETScape APPRAISAL
0043/17/B/2 - LANDSCAPE PLANTING PLAN

Photographs and photomontages - PROPOSED VIEW
Photographs and photomontages - PROPOSED VIEW
Photographs and photomontages - PROPOSED VIEW
Photographs and photomontages - PROPOSED VIEW

Subject to the following eighteen 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:

001 - SITE & BLOCK PLANS
002 - PROPOSED SITE PLAN

003 - PROPOSED FIRST & SECOND FLOORS
 004 - PROPOSED THIRD FLOOR & ROOF PLAN
 005 - PROPOSED ELEVATIONS
 006 - PROPOSED TYPICAL SECTION
 007 - PROPOSED STREET SCENES / ELEVATIONS
 008 - SCALE COMPARISON STUDY
 0043/17/B/1 - STREETScape APPRAISAL
 0043/17/B/2 - LANDSCAPE PLANTING 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 No works shall commence until details of a surface water drainage scheme, that achieves a reduction in surface water run-off to greenfield run-off rates for storm events up to the 1% Annual Exceedance Probability (AEP) critical storm, with appropriate allocation of climate change allowance, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme should optimise SuDS philosophy, and should include a plan indicating the location, dimensions and attenuation volumes of the features.

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)."

- 4 Construction Environmental Management Plan (CEMP)
 No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:
- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
 - Site perimeter continuous automated noise, dust and vibration monitoring;
 - Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
 - Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
 - A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
- Site traffic ; Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- Site waste Management ; Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.

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

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>
- S61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards <http://nrmm.london/>
- The Party Wall Act 1996
- Relevant CIRIA practice notes, and
- BRE practice notes.

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

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, 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).

5 Site Contamination - pre-approval

a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

i) The Phase 1 (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

ii) Any subsequent Phase 2 (site investigation and risk assessment) shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

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

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

Where trees are located adjacent to car parking spaces sufficient uncompacted soil volumes must be provided using a suitable cellular soil confinement system.

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.

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.

- 7 Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;
Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

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

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

Reason:

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

- 9 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

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

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

Reason

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

and Policy 3.28 Biodiversity.

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

Reason

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

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

- 12 Before the first occupation of the building hereby permitted, an Event Management Plan encompassing crowd management details and staggered arrival/departure of worshippers during special events, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

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

- 13 Before the first occupation of the building hereby permitted, a Car Parking Management Plan detailing how the car park will be managed for visitors to the site, and details of the minibus trips including the relevant routes/stops and facilities for mobility-impaired passengers, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

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

- 14 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing 002 - PROPOSED SITE PLAN shall be provided and made available for use by the occupiers of the 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

- 15 The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014. Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 16 Noise Management Plan pre approval
 Before the first commercial occupation of the development hereby permitted a Noise Management Plan detailing how the site will be run without detriment to residential amenity shall be submitted to and approved by the LPA. The noise management plan shall cover:
 How music sound level and breakout noise will be controlled
 How noise from arrival and dispersal of site users will be minimised
 How noise from community uses will be controlled
 The use of the development shall be carried out in accordance with the approval given and the Noise Management Plan shall remain extant for as long as the development is occupied.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity as a result of noise 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).

- 17 Prior to first use an acoustic assessment shall be submitted to and approved by the local planning authority to demonstrate the effectiveness of façade sound insulation. The assessment shall utilise an internal reverberant noise level of at least the values stated below:

Frequency (Hz)	63	125	250	500	1000	2000	4000	LAeq
Internal reverberant noise level (dB)	85	87	86	88	88	80	74	90

The assessment shall demonstrate that the external specific noise level is at least 10dB below the ambient LAeq (5 minute) when measured at the most affected sensitive receptor during worst-case conditions during permitted hours of operation.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity as a result of noise 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.

- 18 The uses hereby permitted shall not be carried on outside of the hours 08:00 to 22:00 on Monday to Friday or 09:00 to 21:00 on Saturdays, Sundays and Public Holidays.

Reason

To safeguard the amenity of neighbouring residential properties 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.

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 ITEM 7.4: SEVENTH FLOOR, VIVO BUILDING, SOUTH BANK CENTRAL



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50 m

Scale = 1250

18-Jun-2018

Item No. 7.4	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-committee A
Report title:	Development Management planning application: Application 18/AP/0395 for: Full Planning Application Address: SEVENTH FLOOR, VIVO BUILDING, SOUTH BANK CENTRAL, STAMFORD STREET, LONDON SE1 9LS Proposal: Retention of four external seating pods on the seventh floor roof terrace		
Ward(s) or groups affected:	Borough & Bankside		
From:	Director of Planning		
Application Start Date 06/02/2018		Application Expiry Date 03/04/2018	
Earliest Decision Date 16/03/2018			

RECOMMENDATION

1. That members grant full planning permission, subject to conditions.

BACKGROUND INFORMATION

2. This application is for decision by the committee at the request of members.

Site location and description

3. The application site is the seventh floor terrace of a recently-developed former Kings Reach Tower site. The re-development of the existing site has resulted in a thirty storey mixed use development consisting of Use Classes A1/A2/A3/B1/C3/D2. The building is located to the north of Stamford Street, south of Upper Ground, east of Barge House Street, west of the residential complex called Rennie Court, and is within the boundaries of the Cathedrals Ward.
4. The building is not within the boundaries of a conservation area, and is not a listed building. The following designations apply to the application site:
 - Air Quality Management Area
 - Bankside and Borough District Town Centre
 - Archaeological Priority Area
 - Central Activities Zone
 - Bankside, Borough, London Bridge Strategic Cultural Areas
 - Bankside, Borough and London Bridge Opportunity Area

Details of proposal

5. The four external seating pods subject of this application were installed on the seventh floor roof terrace on 28 September 2017 without planning permission. This application followed an enforcement investigation of the unauthorised structures and is seeking retrospective permission to retain the pods. The pods are freestanding and self-

supporting structures constructed in timber frames, metal with darkened glass.

6. The pods are positioned onto a solid base and measure 2.36 metres in width, 2.26 metres in height. They are located next to four Japanese Hornbeam Trees that are set within stainless steel planters and are set 2.80 metres away from the northern edge of the building. The pods are being used by the occupiers of the seventh floor office with up to 200 workers with sole access and use of the terrace space. Each pod can seat up to 7 people. There is no illumination proposed for the pods although a pergola forming part of the seventh floor is illuminated.
7. The pods are located approximately 22m from the nearest residential units on the western side of Rennie Court.

Relevant planning history

8.

11/AP/3797 Application type: S.73 Vary/remove conds/minor alterations (VAR)
Variation of Condition 2 (approved plans) of planning permission 11-AP-1071 (for refurbishment and re-cladding of the tower and podium buildings, erection of six additional storeys to the tower for residential use and change of use of floors 11 to 30 of the tower from offices to residential, erection of a series of extensions and additions for office use and creation of retail space, pool and gym on the ground floor, and formation of a new pedestrian route linking Stamford Street to Upper Ground), in order to allow the following amendments to be made:

- i. correction of the site plan boundary to shift the boundary 800mm away from Sea Containers House on Upper Ground;
- ii. reduction in the footprint of the ground floor residential cycle parking store;
- iii. subdivision of the retail unit on the corner of Rennie Street and Upper Ground;
- iv. shifting of the building line of the retail unit on the corner of Rennie Street and Upper Ground further to the south to allow for the retention of street trees.

Decision date 13/03/2012 Decision: Granted with Legal Agreement (GWLA)

15/AP/2511 Application type: S.73 Vary/remove conds/minor alterations (VAR)
Variation of condition 2 (approved plans) of planning permission 11/AP/3797 (granted on 13 March 2012) for the refurbishment and recladding of the tower and podium buildings, erection of six additional storeys to the tower for residential use and change of use of floors 11 to 30 of the tower from offices to residential, erection of a series of extensions and additions for office use and creation of retail space, pool and gym on the ground floor, and formation of a new pedestrian route linking Stamford Street to Upper Ground.

The amendments consist of:

- i. alteration and enlargement of the Stamford Street offices
- ii. alteration and enlargement of the tower office entrance on Hatfields;
- iii. introduction of new internal accommodation stair to tower;
- iv. extension of retail units 4 (fronting Hatfields) and 7 (within new pedestrian route);
- v. subdivision of retail unit 5 (within new pedestrian route);
- vi. revised design and layout for the seventh floor Stamford Street office roof terrace.

Decision date 05/11/2015 Decision: Granted (GRA)

Planning history of adjoining sites

At Sea Containers House, Upper Ground

9. 11-AP-1955
 'Erection of a new nine storey building in the rear parking/servicing area (Maximum height AOD 42.895m) to provide retail at ground and offices above; refurbishment of existing Sea Containers House and change of use of floors 5-14 of the rear wing plus three floors of the main building from offices to a 358 bedroom hotel, including the erection of new roof extension at part 12th floor level to provide a bar ancillary to the hotel use. Extension and conversion of the ground floor area to provide new restaurant (Class A3), cafe, (Class A3), service (Class A2) and retail uses (Class A1) together with new service bay, landscaping, new access arrangements and associated car and cycle parking'.

Decision: Granted with legal agreement Date: 24 November 2011

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. 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 development upon the amenity of the occupiers and users of adjoining properties
 - c) Design quality and impact on the surrounding area
 - d) All other relevant material planning considerations

Planning policy

National Planning Policy Framework (the Framework)

11. Section 7 - Requiring good design

The London Plan 2016

12. Policy 7.4 - Local character
 Policy 7.6 - Architecture
 Policy 7.8 - Heritage assets and archaeology

Core Strategy 2011

13. Strategic Policy 12 - Design and Conservation
 Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

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

Policy 3.2 - Protection of amenity
 Policy 3.12 - Quality in design
 Policy 3.13 - Urban design

Principle of development

15. The use of the terrace has been established as an ancillary use to the existing B1 Office Use Class for the seventh floor of the Vivo building. No land use issues arise from the installation of the four purpose built seating pods.

Environmental impact assessment

16. The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and as such will not require the submission of an environmental impact assessment.

Summary of consultation responses

17.	In favour:	0	Against:	11	Neutral:	0
	Petitions in favour:	0	Petitions against:	0		

18. 11 letters were received by members of the public during the consultation period comprising of 11 letters of objection. The objection comments are summarised below:
- Intrusive form of development that impacts on the privacy of nearby residential occupiers
 - The pods create additional light pollution in connection with the existing roof terrace
 - Existing restrictions have not be adhered to and this development increases light pollution
 - The siting and height of the pods would impact on the access to natural daylight and sunlight to nearby residential occupiers
 - Noise emanating from the use of the terrace by office workers at Racing Post
 - The height of the pods provides an overbearing nature to occupiers of mid to lower level residential flats at Rennie Court.

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

19. Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) states that the Council will not allow development where it leads to a loss of amenity for neighbours.

Daylight, sunlight and overshadowing

20. The nearest residential properties that are most at risk of potential loss of access to natural daylight and sunlight as part of this development are the residential flats on the western side of Rennie Court. Responses from the public consultation undertaken as part of this application has raised concerns that the pods would further diminish accessibility to natural daylight and sunlight given the siting of the pods on the roof terrace.
21. The pods are 2.36 metres in width and 2.26 metres in height, and are setback 2.80 metres from the northern edge of the building, with the pods being a distance of 22 metres from the western flank elevation of the residential units at Rennie Court. Given the modest height of the pods, the partial screening provided by the trees and the

absence of illumination, 22m is considered a sufficient separation distance to reduce the impact of the pods on the residential units at Rennie Court with regards to accessibility to daylight and sunlight.

Light pollution

Comments from the consultation period have also raised concerns over the potential light pollution resulting from this development. The previously approved scheme under planning reference 11/AP/3797 has been followed by a series of non-material and minor-material amendment applications including application reference 15/AP/2511. As part of the seventh floor roof terrace plan submitted for 15/AP/2511, a lighting plan was created that divides the terrace into two distinct zones that are separated by the centralised walkway with uplights. The decision notice of this application included compliance conditions that imposed restrictions on the seventh floor roof terrace including:

Condition 9 - The seventh floor office roof terrace lighting shall be switched off no later than 2200 hours each day.

Condition 10 - The seventh floor office roof terrace shall not be used outside of the hours of 08:00 to 22:00 hours on any day.

22. The installed pods have not provided any illumination as part of its installation. Nevertheless, the council is justified in imposing a condition to this application that restricts any artificial lighting to the pods to mitigate any potential light pollution emanating from the development.

Loss of privacy and noise pollution

23. Further objections to the pods have included potential impacts on privacy to nearby occupiers, and the likely noise emanating from employees on the roof terrace. In relation to noise emanating from the roof terrace, the use of the terrace has already been established as part of the previous permissions. Additionally, as stated previously in this report, the terrace can not be used outside of 0800 and 2200 on any given day.
24. Noise issues arising from the pods are considered to be limited. The pods can seat up to a maximum of seven people at one time, and are entirely enclosed. Given that the enclosed nature of the pods would severely limit any additional noise emanating from the seventh floor terrace no detrimental noise pollution issues are considered to arise to the nearby residential occupiers at Rennie Court.
25. Comments regarding the potential loss of privacy to nearby occupiers are not considered to be of any detriment given the appropriate setback of the pods from the building edge, and the aforementioned separation distance between the pods and western flank elevation of Rennie Court. Additionally, the darkened glass design severely restricts views looking in and out of the pods.

Design issues and impact on the surrounding area

26. The area surrounding the Vivo building comprises of mixed use buildings, residential buildings, and commercial buildings. The seating pods are purpose built, self-supporting, and are sited between mature Japanese hornbeam trees. The design of the pods are high quality and are lined with weather proof plastic. The pods are of strong architectural design and preserves the quality of the strong built environment that surrounds the application site. No design issues arise from the installation of the four seating pods.

Other matters

27. 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 application is not Mayoral CIL or Southwark CIL liable because it is not constituted as chargeable development under the CIL Regulations 2010 (as amended).

Conclusion on planning issues

28. The development accords with the principles of sustainable development. It complies with current policy, is not detrimental to the amenity of neighbouring properties and is of an acceptable design. Accordingly, it is recommended that members grant full planning permission subject to conditions.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: none.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: none.

Consultations

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

Consultation replies

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

Human rights implications

32. 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.

33. This application has the legitimate aim of providing four external seating pods on the seventh floor roof terrace. 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/1234-E2 Application file: 18/AP/0395 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 0783 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	Troy Davies, Planning Officer	
Version	Final	
Dated	14 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	14 June 2018	

APPENDIX 1**Consultation undertaken**

Site notice date: 21/02/2018

Press notice date: n/a

Case officer site visit date: 11/01/2018

Neighbour consultation letters sent: 16/02/2018

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Kings Reach Tower Stamford Street SE1 9LS
22 Stamford Street London SE1 9LJ
Flat 3, Rennie Court 11 Upper Ground SE1 9LP
84 Rennie Court 11 Upper Ground SE1 9NZ
84 Rennie Court 11 Upper Ground SE1 9NZ

60 Rennie Court 11 Upper Ground SE1 9NZ
19 Rennie Court London SE1 9LP
Flat 8 Rennie Court 11 Upper Ground SE1 9LP
7 Rennie Court 11 Upper Ground SE1 9LP
95 Rennie Court 11 Upper Ground SE1 9NZ
16 Rennie Court Upper Ground SE1 9LP

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Flat 3, Rennie Court 11 Upper Ground SE1 9LP
Flat 8 Rennie Court 11 Upper Ground SE1 9LP
16 Rennie Court Upper Ground SE1 9LP
19 Rennie Court London SE1 9LP
60 Rennie Court 11 Upper Ground SE1 9NZ
7 Rennie Court 11 Upper Ground SE1 9LP
84 Rennie Court 11 Upper Ground SE1 9NZ
84 Rennie Court 11 Upper Ground SE1 9NZ
95 Rennie Court 11 Upper Ground SE1 9NZ

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 Calum Stewart Racing Post	Reg. Number	18/AP/0395
Application Type	Full Planning Application	Case Number	TP/1234-E2
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Retention of 4 external seating pods on the 7th floor roof terrace

At: SEVENTH FLOOR, VIVO BUILDING, SOUTH BANK CENTRAL, STAMFORD STREET, LONDON SE1 9LS

In accordance with application received on 05/02/2018 12:00:56

and Applicant's Drawing Nos. D 0001 REV P1 - SITE LOCATION PLAN; G 0107 REV C1 - PROPOSED SEVENTH FLOOR; K 0220 REV P1 - PROPOSED ROOF TERRACE; K 0320 REV P1 - PROPOSED SECTION

Subject to the following two 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:

G 0107 REV C1 - PROPOSED SEVENTH FLOOR; K 0220 REV P1 - PROPOSED ROOF TERRACE; K 0320 REV P1 - PROPOSED SECTION

Reason:

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

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 The four seating pods hereby permitted shall not have any illumination

Reason: To protect the amenity of nearby residential occupiers in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

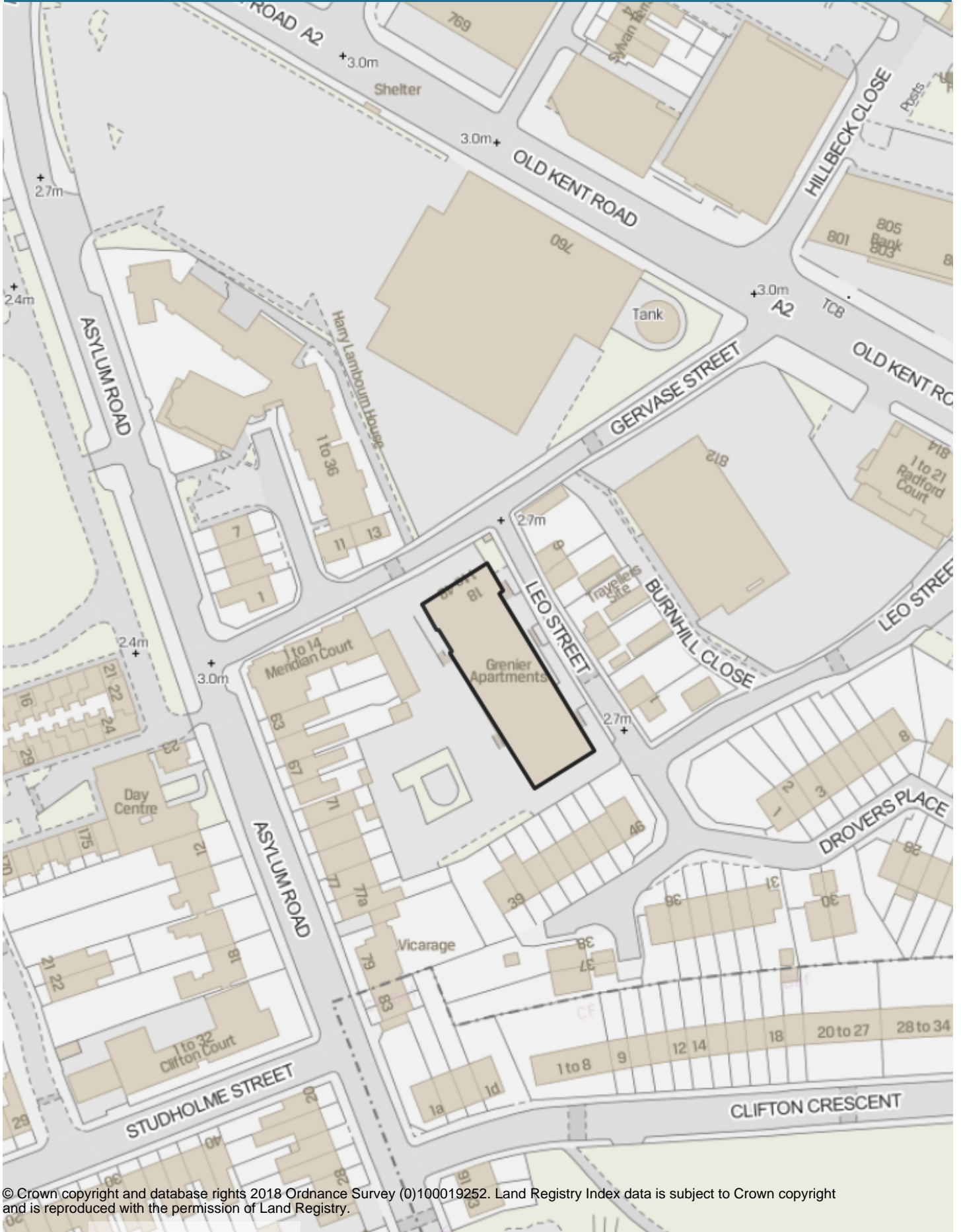
The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to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

The Council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Agenda Item 7.5



AGENDA ITEM 7.5: FLAT 49A, GRENIER APARTMENTS, 18 GERVASE STREET



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Item No. 7.5	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/4193 for: Full Planning Permission Address: FLAT 49A, GRENIER APARTMENTS, 18 GERVASE STREET, LONDON SE15 2RS Proposal: Creation of a self contained residential apartment (Use Class C3) at lower ground level (flat 49A) with new internal layout, works to external retaining wall to create new private amenity courtyard and new stair access.		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 07/11/2017		Application Expiry Date 02/01/2018	
Earliest Decision Date 23/12/2017			

RECOMMENDATION

1. That planning permission is granted, subject to conditions

BACKGROUND INFORMATION

2. This application is for decision by the committee at the request of members

Site location and description

3. The site forms part of the basement of a former school building which has been converted into flats. The building, which is now known as Grenier Apartments, is located on the corner of Gervase Street and Leo Street.
4. The part of the building that the application relates to has previously been described as contractor's accommodation and/or vacant; however, upon my inspection of the property works had clearly already begun to convert it to a residential dwelling. The conversion is likely to have commenced following the grant of planning permission 17/AP/1363 which was subsequently quashed by the High Court of Justice under case number CO/4649/2017. This case is discussed further below.
5. The building is not a listed building and is not located within a conservation area. The site is located within flood zone 3.

Details of proposal

6. The proposed development seeks to create a one-bed self contained residential unit (Use Class C3), with an ancillary private courtyard amenity area to the front at basement level.
7. A new external staircase will provide access to a courtyard from the South Eastern

side. The staircase will be concrete and set into the existing ground, 1 metre in width and 2.4m in height. The staircase will have a black metal handrail. Within the courtyard, three sets of double doors provide access to the property.

8. An obscured toughened glazed screen will be installed to the Northern side of the courtyard. The screen will be 1.8m high and approximately 1.1-1.3m in depth, being slightly wider at the top than the bottom taking into account the slope on the existing retaining wall.
9. Internally the proposed development comprises a double bedroom with en-suite, an open plan kitchen/living/dining area, bathroom, utility/store room and circulation space. The overall flat size is approximately 67m² and internal rooms measure at approximately:
 - Bedroom: 10.5 m²
 - Bedroom en-suite: 3.3 m²
 - Kitchen/living/dining: 29.2 m²
 - Bathroom: 4.3 m²
 - Utility/store: 9.9 m²
 - Gross Internal Area: 67 m²
10. The proposed development involves the cutting back of the existing retaining wall to the front of the site by 1.89m, the creation of a 45 degree sloping retaining wall and the provision of a new stair case. A glass balustrade will surround the area at ground floor level.
11. The proposed flat will have private external amenity space of approximately 20m².
12. It was noted on the site visit to the property that a shower unit had already been installed where the utility/store is shown on the plans. Having sought clarification on this, the applicant has confirmed the new apartment will be built out in accordance with the details shown on the plans submitted.

Relevant Planning History

13.

<p>00/AP/0073 Application type: Full Planning Permission (FUL) The conversion of an existing school building an adjacent annexe with rooftop extensions to the main school building to form 48 new residential units.</p> <p>Decision date 23/04/2001 Decision: Grant with Legal Agreement (GWLA)</p>
<p>04/AP/2208 Application type: Full Planning Permission (FUL) Change of use to create 2no 1 bedroom flats together with external works o create associated external amenity space</p> <p>Decision date 10/02/2005 Decision: Refuse (REF)</p>
<p>Appeal decision: Application 04ap2208 was REFUSED and an appeal made under reference: APP/A5840/A/05/1185187. The reason for refusal was: lack of outlook from habitable room windows and consequent lack of amenity for residents.</p> <p>In dismissing the appeal, the Inspector considered that flat 1 would be satisfactory.</p>

However, in relation to flat 2, which is the same part of the building as that of the current application, the Inspector stated:

'the living room and bedroom windows/doors would look out onto a narrow basement level terrace only some 1.23m deep.. I consider the resulting truncated outlook from the main habitable rooms in flat 2 would appear claustrophobic, offering in adequate living conditions for future residents.'

Appeal Decision at Appendix 4

06/AP/0031 Application type: Full Planning Permission (FUL)
Change of use of part of existing basement to provide 1 x 1 bedroom flat with associated external works.

Decision date 06/04/2006 Decision: Grant (GRA)

15/AP/2204 Application type: Cert. of Lawfulness - existing (CLE)

Use as a single self contained dwelling

Decision date 03/08/2015 Decision: Refused (REF)

Reason(s) for refusal:

There is insufficient information to show, that on the balance of probability, that the area of the basement of Grenier Apartments called Flat 49A, has been used as a self contained flat for more than 4 consecutive years

15/AP/4285 Application type: Full planning permission

Creation of x1 self contained residential flat (Use Class C3) at lower ground level with new internal layout.

Decision date 03/08/2015 Decision: Refused (REF)

Reason(s) for refusal:

The proposed flat, owing to its poor outlook and daylighting arising from its location at basement level and windows giving onto a narrow lightwell, is considered to offer a poor standard of amenity to future occupiers and as such is unacceptable. The proposal is contrary to saved policies 3.2 Protection of Amenity and 4.2 Quality of Residential Accommodation and the guidance in the Residential Design Standards SPD.

16/AP/1556 Application type: Full Planning Application (FUL)

Creation of x1 self contained residential apartment (Use Class C3) at lower ground level with new internal layout.

Decision date 20/07/2016 Decision: Refused (REF) Appeal decision date: 13/01/2017
Appeal decision: Planning appeal dismissed (DIS).

Reason(s) for refusal:

The proposed flat, owing to its poor outlook arising from its location at basement level and windows giving onto a narrow light well, would offer poor living standards for future occupiers contrary to section 6, Delivering a wide choice of high quality homes of the National Planning Policy Framework 2012; policy 3.5 Quality and design of housing developments of the London Plan 2015; saved policies 3.2 Protection of Amenity and 4.2 Quality of residential accommodation of the Southwark Plan 2007 and the Residential Design Standards SPD 2011.

Appeal reference: APP/A5840/W/16/3158547 Dismissed. - Decision upheld

Appeal Decision at Appendix 5

17AP1363 Application type: Full Planning Permission (FUL)
 Creation of 1 x self contained residential apartment (Use Class C3) at lower ground level with new internal layout and works to external retaining wall to create new private amenity courtyard.
 Decision date 01/09/2017 Decision: Granted (GRA)

Judicial Review Case Number CO/4649/2017 - Decision quashed

4) The consultation which took place in regard of the above planning reference be declared unlawful.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

14. The main issues to be considered in respect of this application are:
- a) Principle of Development
 - b) Design issues
 - c) Quality of accommodation
 - d) Impact on neighbouring amenity
 - e) Transport
 - f) Flood Risk
 - g) All other planning considerations.

Planning policy

National Planning Policy Framework (the Framework)

15. Section 4: Promoting sustainable transport
 Section 6: Delivering a wide choice of quality new homes
 Section 7: Requiring good design

The London Plan 2016

16. 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 5.12 - Flood Risk Management
 Policy 5.17 - Waste capacity
 Policy 6.9 - Cycling
 Policy 7.4 - Local character
 Policy 7.6 - Architecture

Core Strategy 2011

17. Strategic Policy 2 - Sustainable transport
 Strategic Policy 5- Providing New Homes
 Strategic Policy 13- High Environmental Standards

Southwark Plan 2007 (July) - saved policies

18. 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.

- 3.1 - Environmental Effects
- 3.2 - Protection of Amenity
- 3.9 - Water
- 3.11 - Efficient Use of Land
- 4.2 - Quality of Residential Accommodation
- 5.2 - Transport Impacts
- 5.3 - Walking and Cycling

2015 Technical update to the Residential Design Standards SPD (2011).

Principle of development

19. The application proposes residential accommodation in a block of residential units located in a predominantly residential area. The proposal is therefore considered to be acceptable in principle subject to the quality of accommodation, design, impact on amenity, transport and flood risk.

Standard of residential accommodation

Internal space standards and layout

20. The proposal is a one-bed, two-person single-storey residential unit and therefore is required to meet a minimum internal GIA of 50m² in accordance with the Nationally Described Space Standards. The proposed unit exceeds this, with a floor area of approximately 67m².
21. The bedroom is located to the north western corner of the flat and is a double room. It contains a 0.15m diameter structural column, which given its size, is not considered to impact on the standard of living of occupants. The room is smaller than the 12 m² set out in the National Described Space Standards; however, it is considered acceptable given the provision of an en-suite bathroom and the built in storage of 0.45m; furthermore other areas of the flat exceed the room sizes required by the space standard.
22. It has been noted in an objection to the scheme that the bedroom does not meet Technical Requirement E of paragraph 10 of the Nationally Described Space Standards, which are echoed in Southwark's Residential Design Standards SPD. The document states that one double (or twin bedroom) should be at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide. The proposed bedroom measures 2.55m Northwest to Southeast and 3.65m and 4.45m from Northeast to Southwest. The Northwest to Southeast measurement would therefore fall short of the standards by 0.2m; although the Northeast to Southwest exceed this by 0.9m and 1.3m at the separate depths of the room.
23. As mentioned above, the bedroom provided an en-suite bathroom and has 0.45m² of recessed storage space. It is not therefore considered that the 0.2m shortfall in width is significant to warrant a refusal of the planning application.
24. It has been commented that the amenity space to the front can only be accessed via a bedroom, which would be contrary to part 2.6 (Outdoor amenity space) of Southwark's Residential Design Standards SPD. The amenity space can however also be accessed via the doors which serve the living room/diner and this is

considered acceptable.

25. The layout of the unit makes use of the single aspect, having the habitable rooms to the front of the property, utilising the daylight, and having the bathroom and utility/store room to the rear. In terms of the internal size and layout the property is considered acceptable.

Daylight and sunlight

26. The daylight and sunlight levels were discussed in previous planning reference 16/AP/1556 and by the Inspector appointed by the Secretary of State for Communities and Local Government in appeal reference APP/A5840/W/16/3158547 (the 2016 appeal). The proposed internal layout of the property is identical to this previous application, although the external courtyard area is materially different.

27. In the appeal the Inspector stated that:

'5. I have no reason to disagree with the conclusions reached in respect of the daylight and sunlight report prepared by BLDA Consultancy. The proposed bedroom would receive good levels of daylight exceeding Building Research Establishment 2011 (BRE) recommendations and there would be a good distribution of light to both the bedroom and living/kitchen area. The alterations to the retaining wall would have the effect of improving daylight into the living/kitchen area (from 1.21% ADF to 1.62% ADF) but it would still fall short of the 2.0% BRE recommendation. On balance, however, I agree with the Council that the proposal would be acceptable in respect of daylight penetration into the living/kitchen area relative to the recommended BRE requirements and on its own this would not justify a refusal of planning permission.'

28. It is noted that the external courtyard is amended as part of this application; however, the alterations to the courtyard will result in more direct sunlight penetration than the submission assessed in the 2016 appeal. The proposal also meets the 30 degree test set out in Southwark's Residential Design Guidance SPD. The unit will receive adequate daylight and sunlight.

Outlook

29. It was concluded in the 2016 appeal that the appeal should be dismissed primarily on outlook. The Inspector stated in paragraphs 8 and 10 of their report:

'8. I therefore conclude that despite the proposed alterations to part of the retaining wall, the occupiers of the proposed apartment would not have an acceptable level of outlook. Therefore, the proposal would not accord with the amenity and design aims of the National Planning Policy Framework; Policy 3.5 of the London Plan 2016; saved Policies 3.2 and 4.2 of the Southwark Plan 2007 and the Southwark Council 'Residential Design Standards' Supplementary Planning Document 2011.'

10. In conclusion, and for the reasons outlined above, the proposal would not accord with local and national planning policies for the area in so far that the occupiers of the proposed apartment would not be afforded an acceptable level of outlook. There are no material planning considerations which would outweigh the aforementioned conflict with local and national policies. Consequently, the appeal should be dismissed.'

30. The current submission increases the depth of the area outside the full length windows to a depth of 3m, thus increasing the level of outlook afforded to the occupants from the previous scheme by approximately 1.9m. This also included the area to the front of the bedroom area, which previously had not been amended and was a concern to the Inspector in the 2016 appeal.

31. The retaining wall to the south will be cut back by 45 degrees increasing outlook and will retain its 2.25m height, with a glass balustrade surround at ground floor level.
32. The increase in set back of the retaining wall and sloping back of the southern retaining wall from the habitable rooms results in an acceptable outlook from the property.

Courtyard amenity space

33. The proposal includes the provision of 20m² of amenity space for the occupiers of the flat, being accessed from the proposed stair to the southeast of the site. The area sits below three large sash windows which serve the ground floor residential unit/units above, with another window looking over the sloping retaining wall and staircase to the South end of the site. The base of the glazed area of the window is approximately 3.35m above the lower basement floor level.
34. In looking at appeal reference APP/A5840/A/1185197 (the 2005 appeal) the planning Inspector considered the refusal of a proposal for two flats in the basement area of Grenier Gardens. One flat formed part of the space discussed in the current application whilst the other flat is the neighbouring property, number 49 Grenier Gardens. It is noted that the appeal was dismissed; however, it was dismissed on the grounds that the outlook of the proposed flat 2 (which formed the site subject of this application) was unacceptable. The proposal in front of the Inspector included a cut back raised terrace area which expanded beyond the three north-facing windows of the proposed Flat 1 (now flat number 49), to quote paragraph 5 of the Inspectors decision notice:

'The living room and bedroom would have patio doors opening out onto the terrace which would be enlarged to almost 3m in depth, a quality of outlook that is not uncommon for basement flats in London. I conclude that Flat 1 would offer adequate living standards for its future residents under the submitted plans, making efficient use of under used accommodation'.

35. The Inspector did not discuss privacy impacts as part of their decision, but would have been aware of the presence of the flats above and taken this into account when making their assessment. Had a particular negative impact been observed this would have been referred to in support of the dismissal.
36. Whilst it is acknowledged that there will be a degree of overlooking into the courtyard area from the flats above, given the distance from the ground floor windows to the basement floor it is not considered that privacy for the area will be unacceptable. The amenity space would provide a well sized amenity area for the 1 bedroom 2 person unit.

Design

37. There will be no external alteration to the facade of the building.
38. The proposed courtyard with white painted brickwork, staircase, surrounding glass balustrade and obscure glazed gate are not considered to negatively impact the aesthetic appearance of the site or its surrounds and are considered appropriate materials.

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

Noise from courtyard

39. A number of objections have been raised to the proposed courtyard amenity space in relation to noise created by the occupants
40. The council has sought advice from the borough's environmental protection team (EPT) who have not raised objections to the proposal. Specifically on noise from the courtyard area EPT have advised that whilst they believe that use of the outdoor terrace is likely to cause some additional noise for existing occupants, this noise is likely to be low-level noise of a domestic character and as such would not be unreasonable in an urban environment. Reasonable domestic noise of this nature would not cause a significant adverse effect and would not in their view justify the refusal of the scheme. In the event that noise were to be beyond that which might reasonably be expected, the occupants would have recourse to the law of nuisance as per S.79\80 of the Environmental Protection Act 1990, as would any other resident in those circumstances
41. Whilst the noise will not be substantially different to that from a small garden or large balcony, it will occur within a lightwell where reverberation might be more of an issue. There is an opportunity to address this issue a condition could be imposed to any approval to line the walls of the courtyard with an acoustically absorbent material to assist with noise reduction.
42. The flat is a one-bed, two-person flat and therefore the occupancy of the flat is likely to be limited to either one or two adult occupants. The level of occupancy coupled with the relatively small courtyard area is considered unlikely to produce significant levels of noise. It is also noted that the public highway a potential source of noise, is located a further 1.5m from the courtyard (4.5m from the rear wall of Grenier Apartments). Furthermore, there will be a solid screen between the proposed flat and number 49, which will, as well as acting as a visual barrier between the two flats, will also provide a level of noise insulation. It has been suggested that glass is an inappropriate material for the barrier; however, given the low-level domestic noise it is considered suitable.
43. A council planning officer visited the site following the quashed planning permission 17/AP/1363 and did consider at that time that they had significant concerns in relation to the proximity of the neighbouring bedroom of flat 49 to the proposed courtyard area in relation to noise and disturbance. The previous scheme however has since been amended to include the provision of the glass screen, which will act as a barrier to noise, and a condition is recommended in line with EPT's recommendations to line the walls of the courtyard with an acoustically absorbent material, which again will reduce the noise impact of the development.
44. In light of the above the planning officer concurs with the EPT's view that whilst the courtyard may result in some additional noise, this is likely to be low-level and domestic in character, which would not be harmful to the amenity of existing residents in the block or to the surrounding area.

Lack of internal sound insulation

45. Concerns have been raised regarding internal noise transfer. The EPT team correctly pointed out as part of our consultation that this is covered under approved document E (Resistance to the passage of sound) of the Building Regulations 2010; compliance with building control must be assumed and would not be a justifiable reason to refuse a planning application.

46. Whilst the EPT team state the above, they consider that a condition requiring an additional 5db improvement on the minimum building regulations airborne standard, set out in Approved Document E, could be attached via a condition.

Loss of outlook and light

47. The proposal is a basement flat and therefore there will be no loss of light or outlook to flats above.
48. Objections relating to loss of outlook and light have been received relating to the obscure glazed screen located to the North Western side of the courtyard, which separates the neighbouring basement flat from the proposed unit. The screen will be 1.8m high and approximately 1.1-1.3m in depth, being slightly wider at the top than the bottom taking into account the slope on the existing retaining wall. It will be approximately 1m to the South East of the neighbouring 2m high double doors of number 49
49. The obscured panel is a metre away from the double doors of number 49, will be obscure glazed, which will allow some light to pass through, be 1.8 metres in height and a depth between 1.1-1.3 metres. The obscure panel passes the 45 degree test, in relation to the neighbouring doors, as set out in Southwark's Residential Design Standards SPD, with the proposed panel being lower and narrower than the 45 degree lines from the centre of the neighbouring window. The panel is also obscure glazed to let light pass through, unlike a brick wall or wooden fence. The impact on loss of light to the neighbouring property will not be significant.
50. The proposed development may impact on the outlook from 2 of windows/doors that belong to flat 49. The double doors closest to the proposed development are one metre away from the proposed panel and are orientated between 35 – 90 degrees to the right at its closest point. It is not considered that there will be any significant loss of outlook to this window. The second window is set in the south-east facing wall flat 49; the panel will be 7.4 metres away. Whilst the panel will be orientated to the front of this window, the separation distance is such that it will have a minimal impact on outlook. It is therefore not considered that there will be any significant loss of outlook to neighbouring properties as a result of this development.

Loss of privacy to neighbouring flats

51. Objections have been raised to potential loss of privacy to neighbouring flats. The proposed dwelling has no windows that overlook neighbouring property or land and therefore the council does not believe that such concerns are justified.
52. The staircase down to the courtyard is located where the current path to the neighbouring properties is, being two metres away from the wall of Grenier Apartments. The orientation of the staircase matches that of the path and means that walking to and from the courtyard you are never facing the rear wall of Grenier Gardens until you are in the courtyard area. There would therefore be no significant privacy concerns arising from the new staircase given the presence of the existing path.
53. As mentioned above, the courtyard area sits below three large sash windows which serve the ground floor residential unit/units above, with another window looking over the sloping retaining wall and staircase to the south end of the site. The base of the glazed area of the window above the courtyards are approximately 3.35m above the lower basement floor level - with the basement level so much lower than the level of the windows, there is no significant line of sight into the ground floor flats above; views from the public highway and existing pathway to flat 49 would be more intrusive

as they are at ground floor level.

54. The new staircase is considered to be beneficial to the privacy of the scheme because it allows people to access the proposed development without having to walk past the windows of flat 49. Any use of this space would without the additional staircase have to continue to walk past the windows. The glazed screen also restricts any views back towards the windows of flat 49.
55. Noise privacy has been raised as an issue, with concerns raised that people using the courtyard will be able to hear confidential, conversations potentially breaching Article 8 and Article 1 Protocol 1 of the Human rights Act 1998. This issue would appear to relate more to the sound insulation in the part of building the conversation was taking place in than the location of the courtyard. The proposed site is currently a vacant space but does not require planning consent to be used for its current lawful use, neither does the walkway to the front. It is not considered that the proposal will negatively impact sound insulation in other flats.

Construction

56. A number of objections were received relating to noise, dust, traffic and general disruption relating the construction of the proposal. The proposal will involve the excavation of approximately 30 metres cubed of earth to create the courtyard space. Whilst this is a relatively large amount of earth to be excavated for a conversion, work of this scale would not generally be subject to a planning condition.

Smoking in courtyard

57. Several concerns have been raised in relation to smoking in the courtyard relating to builders and by future occupiers of the flat. Smoking is harmful and has a generally negative effect. In urban areas private amenity space can be in short supply and often located close to neighbours. If the space is used for smoking it is possible that some passive smoking and odour could result. However, if the space is used for relaxation and socialising the positive benefits of the space are likely to outweigh concerns about potential anti-social behaviour. Southwark's Residential Design Standard specifically refer to the benefit and desirability of providing outdoor amenity space. The provision of the space is therefore welcomed and is policy compliant.

Interference with access

58. The initial scheme submitted utilised the same access as flat number 49; however, the applicant has revised the proposal to include a separate access to this flat. The proposed plans show that a 1.4m wide path would be available for access to number 49 should the development be implemented. This is considered an adequate span for access to other properties and allow sufficient distance from the boundary railings.
59. During the construction phase the developer will be obligated to comply with any easements in relation to neighbouring properties.

Outdoor cooking in courtyard

60. Barbecues have been raised as a concern as they could cause large amounts of smoke and cooking odours to other flats within the block. The council routinely permits many blocks of flats with balconies or similarly small outdoor areas where BBQ cooking might be impractical or unneighbourly. The council does not impose conditions on such domestic areas because such matters are best left to the good sense and practical assessment of the occupants and their neighbours.

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

61. The surrounding uses are mainly residential and there are no issues envisaged.

Transport and refuse

62. The site has a good Public Transport Accessibility Level (PTAL) of 4. There is no car parking proposed as of part of the scheme
63. Cycle storage for one bicycle is to be provided. This will be secured by a condition.
64. The refuse arrangements will be conditioned to be stored and collected with the rest of the block, unless an alternative is agreed in writing with the LPA. This again will be secured via a condition
65. There are no transport or refuse concerns with the proposal.

Flood risk assessment

66. The flat is located in Flood Zone 3. The Environment Agency and the council's flood team have been consulted and no objections have been raised.
67. As per the submission, Weetwood Services Ltd, recommend that a detailed drainage strategy should be submitted to the council. The council's flood and drainage team have also stated that this should be submitted to the council. This will therefore be required to be submitted pursuant to a condition.
68. Floor levels will also be conditioned to reflect the recommendations of the Weetwood Services Ltd letter.
69. As part of a consultation response a concern has been raised that the residents will not be able to escape in the event of a flood, due to the doors opening out. Whilst it is considered that the volume of water behind the doors would have to be considerable for the door not to be able to open, the officer recommends that one set of the doors are inverted. This too will be secured by condition.

Planning obligations (S.106 undertaking or agreement)

70. A Section 106 agreement is not required for this scheme.

Other matters

Health and safety

71. Concerns have been raised as part of the consultation that there may be problems with escape in the event of a fire or flood. Whilst matters relating to escape routes are covered under Building Regulations, the concerns initially related to the inclusion of a solid gate to the scheme and the reliance of the single staircase next to number 49. With the new staircase the escape route is simpler and the council is satisfied that these concerns have been addressed.

72. The glass balustrade surrounding the courtyard is adequate to prevent falls into the courtyard. This however is also covered under Building Regulations.

Contaminated land

73. The EPT have suggested that a condition could be imposed in relation to the excavation work and contaminated land. The condition proposed suggests that if contamination is found then development should cease and a remediation strategy should be submitted to the LPA for approval. This condition is likely to be ineffective however as excavations are likely to continue if land contamination is not accurately diagnosed and therefore it is suggested either a site contamination land survey is conducted before excavation takes place or no survey is conducted at all.
74. The site is in residential use and is a former school building constructed in the 1800s. The land is not known to have any former uses which could potentially contaminate the land. Once excavation has finished a retaining wall will be installed once again to hold back the soil behind. Given the site's existing and former uses it is considered unlikely that contaminated land will be present.
75. It would be unusual for a development of this size with no former uses suggesting contamination to be required to submit a contaminated land survey. A contaminated land survey is therefore not recommended.

Conclusion on planning issues

76. The proposed development would provide a good standard of accommodation for future occupiers, providing a well proportioned 1 bed 2 person flat with amenity space, its own access and is conveniently located to public transport within an existing residential block. The levels of light and outlook are also considered sufficient.
77. The development would not cause undue harm to neighbouring amenity, flood risk or transport and provide an efficient use of land.
78. A significant level of objection has been received from local residents. The specifics of those objections are addressed in the report. There is a general theme that developing this part of the building will be disruptive and is not wanted by neighbours. It is acknowledged that it is a general truism that building work is disruptive. There is though an acknowledged shortfall in accommodation provision. Whilst this application only provides one additional unit of accommodation, the NPPF provides strong direction that proposals for additional housing should be approved where there are no planning reasons for refusal.
79. The proposed development is considered to be in accordance with saved policies 3.2 (Amenity), 3.11 (Efficient Use of Land), 4.2 (Quality of Residential Accommodation) of the Southwark Plan (2007) and the Residential Design Standards SPD (2011) and is therefore recommended for approval.

Community impact statement

80. 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

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

Consultation replies

82. 17 objections were received from members of the public during the initial consultation and re-consultation. The main issues raised included:

- Inadequate levels of light received in proposed dwelling
- More noise transfer through the building resulting in damage to amenity to existing residents as a result of a conversion – unacceptable increase in current levels
- The new dwelling will compromise privacy levels to South side of building
- Poor quality of accommodation contrary to policy
- Block of flats already at capacity no additional room
- Loss of outlook to neighbouring flats
- Courtyard will create unacceptable levels of noise
- Reduction in access to neighbouring properties
- Loss of visual privacy to neighbouring properties
- Loss of speech privacy due to overhearing of conversations
- Additional flood risk following development
- Loss of light to neighbouring properties
- Development will have poor drainage
- Previous appeal refused by Planning Inspectorate – material considerations contained in decision will have weight to current application
- Incorrect interpretation of appeal decision in previous planning decision
- Increased sense of enclosure to neighbouring properties
- Measures to increase the outlook and light to the site will be so harmful to existing flats in planning terms that it cannot be considered sound in planning terms
- Courtyard used for Barbecues
- Internal layout of proposed flat
- Internal room sizes
- Flat does not meet policy standards
- Existing amenity spaces within the wider block of flats
- Increased pollution resulting from development
- Non-compliance with policy standards

83. In addition the following issues, which are not generally considered to be material planning considerations, were raised:-

- Construction traffic will produce traffic congestion and issues with parking
- Building works will cause noise and disturbance
- Issues with consultation on previous application – does not impact the planning evaluation of the current scheme
- Negative impacts on escape routes
- Applicant not collaborative with residents of the flat with proposal
- Developer profit
- Construction work disproportionate
- Builders and future residents of property smoking
- Health impacts arising from development
- Noise will impact on sleeping during the day – in relation to shift work

- Applicants did not obtain pre-application advice
84. Responses were also received from the Environment Agency, the council's environmental protection team and flood and drainage team.
85. Details of consultation responses received are set out in Appendix 2.
86. Advice from other officers in Southwark's environmental protection team, southwark's flood and drainage team and the Environment Agency are incorporated in the report.

Human rights implications

87. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
88. This application has the legitimate aim of providing an additional residential unit. 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. Privacy has been raised as an objection and is discussed in respect of outlook, overlooking and noise.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2425-A Application file: 17/AP/4193 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 1997 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation
Appendix 4	2005 Appeal Documents (APP/A5840/A/05/1185187)
Appendix 5	2016 Appeal Documents (APP/A5840/W/16/3158547)

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	William Docherty, Planning Officer	
Version	Final	
Dated	8 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		14 June 2018

APPENDIX 1**Consultation undertaken****Site notice date:** 30/11/2017**Press notice date:** n/a**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 30/11/2017**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

Environment Agency

Neighbour and local groups consulted:

Flat 33 Grenier Apartments SE15 2RS
 Flat 32 Grenier Apartments SE15 2RS
 Flat 31 Grenier Apartments SE15 2RS
 Flat 36 Grenier Apartments SE15 2RS
 Flat 35 Grenier Apartments SE15 2RS
 Flat 34 Grenier Apartments SE15 2RS
 Flat 27 Grenier Apartments SE15 2RS
 Flat 26 Grenier Apartments SE15 2RS
 Flat 25 Grenier Apartments SE15 2RS
 Flat 30 Grenier Apartments SE15 2RS
 Flat 29 Grenier Apartments SE15 2RS
 Flat 28 Grenier Apartments SE15 2RS
 Flat 37 Grenier Apartments SE15 2RS
 Flat 40 Grenier Apartments SE15 2RS
 Flat 39 Grenier Apartments SE15 2RS
 Flat 38 Grenier Apartments SE15 2RS
 Flat 43 Grenier Apartments SE15 2RS
 Flat 42 Grenier Apartments SE15 2RS
 Flat 41 Grenier Apartments SE15 2RS
 Flat 24 Grenier Apartments SE15 2RS
 Flat 7 Grenier Apartments SE15 2RS
 Flat 6 Grenier Apartments SE15 2RS
 Flat 5 Grenier Apartments SE15 2RS
 Flat 10 Grenier Apartments SE15 2RS
 Flat 9 Grenier Apartments SE15 2RS

Flat 8 Grenier Apartments SE15 2RS
 Flat 1 Grenier Apartments SE15 2RS
 Basement Flat Grenier Apartments SE15 2RS
 Flat 4 Grenier Apartments SE15 2RS
 Flat 3 Grenier Apartments SE15 2RS
 Flat 2 Grenier Apartments SE15 2RS
 Flat 11 Grenier Apartments SE15 2RS
 Flat 20 Grenier Apartments SE15 2RS
 Flat 19 Grenier Apartments SE15 2RS
 Flat 18 Grenier Apartments SE15 2RS
 Flat 23 Grenier Apartments SE15 2RS
 Flat 22 Grenier Apartments SE15 2RS
 Flat 21 Grenier Apartments SE15 2RS
 14 Holly Grove SE15
 Flat 13 Grenier Apartments SE15 2RS
 Flat 12 Grenier Apartments SE15 2RS
 Flat 17 Grenier Apartments SE15 2RS
 Flat 16 Grenier Apartments SE15 2RS
 Flat 15 Grenier Apartments SE15 2RS
 Flat 49 18 Gervase Street SE15 2RS
 Flat 49 18 Gervase Street SE15 2RS
 19 Saxon House 170 London Road SM6 7AN
 34 Grenier Apartments 18 Gervase Street SE15 2RS
 Flat 5 Grenier Apartments London SE15 2RS
 3 Grenier Apts 18 Gervase St SE15 2RS

Re-consultation: 15/01/2018

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

None

Statutory and non-statutory organisations

Environment Agency

Neighbours and local groups

Flat 12 Grenier Apartments SE15 2RS

Flat 13 Grenier Apartments SE15 2RS

Flat 16 Grenier Apartments SE15 2RS

Flat 16 Grenier Apartments SE15 2RS

Flat 16 Grenier Apartments SE15 2RS

Flat 17 Grenier Apartments SE15 2RS

Flat 17 Grenier Apartments SE15 2RS

Flat 3 Grenier Apartments SE15 2RS

Flat 33 Grenier Apartments SE15 2RS

Flat 34 Grenier Apartments SE15 2RS

Flat 34 Grenier Apartments SE15 2RS

Flat 4 Grenier Apartments SE15 2RS

Flat 49 18 Gervase Street SE15 2RS

Flat 49 18 Gervase Street SE15 2RS

Flat 49 18 Gervase Street SE15 2RS

Flat 49 18 Gervase Street SE15 2RS

Flat 5 Grenier Apartments London SE15 2RS

Flat 5 Grenier Apartments SE15 2RS

14 Holly Grove SE15

19 Saxon House 170 London Road SM6 7AN

3 Grenier Apts 18 Gervase St SE15 2RS

34 Grenier Apartments 18 Gervase Street SE15 2RS

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	Ms Michelle Bernard Bernard Construction UK LLP	Reg. Number	17/AP/4193
Application Type	Full Planning Application	Case Number	TP/2425-A
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Creation of a self contained residential apartment (Use Class C3) at lower ground level (flat 49A) with new internal layout, works to external retaining wall to create new private amenity courtyard and new stair access.

At: FLAT 49A, GRENIER APARTMENTS, 18 GERVASE STREET, LONDON SE15 2RS

In accordance with application received on 06/11/2017 12:02:12

and Applicant's Drawing Nos. Application form

Planning Statement

Proposed Plan and Elevation - Plan number - 043-002 Revision G (16/02/18)

Existing Plan and elevation (including location plan) - Plan number - 043-001 Revision C (10/01/18)

Weetwood letter dated 16/08/17 - Flood and drainage measures

Subject to the following eight 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:

Application form

Planning Statement

Proposed Plan and Elevation - Plan number - 043-002 Revision G (16/02/18)

Existing Plan and elevation (including location plan) - Plan number - 043-001 Revision C (10/01/18)

Weetwood letter dated 16/08/17 - Flood and drainage measures

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.

- 2 Prior to the commencement of development a detailed drainage strategy detailing any on and or off site drainage works shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public systems until drainage works referred to in the strategy have been completed and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

The development may lead to sewage flooding and to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 3.9 Water of the Southwark Plan 2007.

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

grade' here means any works above ground level.

- 3 Within 3 months of the permission hereby permitted details of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

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

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.

- 4 Within 3 months of the date of this permission, details of the arrangements for the storing of refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities 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

- 5 Details of a scheme of acoustically absorbent lining to the terrace retaining wall (to achieve class 'A' acoustic absorption in accordance with BS EN ISO 11654) shall be submitted to the local planning authority for approval and once approved shall be installed in accordance with the approved scheme and permanently maintained thereafter.

Reason

To reduce reflected sound/reverberation created in the courtyard and keep noise levels to a minimum 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.

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

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

Reason

To ensure 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

- 7 The habitable rooms within the development sharing a party wall or ceiling element with habitable rooms in adjacent residential dwellings shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall/ceiling meets a minimum of 5dB improvement on the Building Regulations airborne standard set out in Approved Document E.

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 adjacent premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 8 Notwithstanding Proposed Plan and Elevation - Plan number: 043-002 Revision G (16/02/18), within 3 months of

the permission hereby permitted, unless approved in writing by the Local Planning Authority, one set of doors to the front of the development hereby permitted will either be; inverted to open inwards, or replaced with sliding doors, so that in the event of a extreme flood event residents will be able to escape.

Reason

To ensure that residents can open the doors in the event of a extreme flood and escape, in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

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

Appeal Decision

Appendix 4

Site visit made on 19 October 2005

by **Christopher John Checkley** BA(Hons) MRTPI

an Inspector appointed by the First Secretary of State

APPENDIX 4
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date

8 Nov 2005

Appeal Ref: APP/A5840/A/05/1185187

The Peckham Centre, Asylum Road, London, SE15 2RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Bernard Construction Ltd against the decision of the Council of the London Borough of Southwark.
- The application (LBS reg. no. 04-AP-2208 and case no. TP/2454-A), dated 29 November 2004, was refused by notice dated 10 February 2005.
- The development proposed is a change of use to create 2 no. 1-bedroom self-contained flats together with external works to create associated external amenity space.

Decision

1. For the reasons given below, I dismiss the appeal.

Procedural Matters

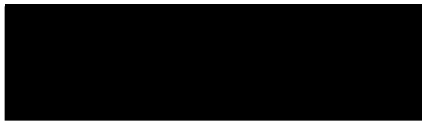
2. Drawing no. 06.02.01 was produced after the application had been refused to show possible amendments to the scheme including relocation of the staircase further south and widening of the basement terrace outside Flat 2. The appellant's agent has suggested this plan could be made the subject of a landscaping condition on any consent. However, the engineering and building works involved are significant, going beyond what could be covered by a landscaping condition, and thus representing a materially different proposal. I am therefore obliged to make my decision in this appeal purely on the basis of the drawings that were formally considered by the Council which include drawings nos. BC.02.01A, BC.02.02A and BC.02.03. I wish to make clear that my decision does not consider the amended proposals shown on drawing no. 06.02.01.

Reasons for the Decision

3. The appeal site is part of the basement of a substantial former school building that has been recently converted into residential flats known as the Grenier Apartments. This part of the basement on Leo Street is said to be redundant, having previously been used as contractor's accommodation. The existing space would be altered to provide 2 one-bedroom self-contained flats within the basement, reached by relocated stairs leading down from ground level to an external basement terrace.
 4. The proposed floor areas of each unit and individual rooms would meet the Council's relevant standards, the appearance of the amended elevation would be in keeping with the building and the proposal would appear to meet the minimum standards of the Building
-

Research Establishment guidance within *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* (1991) referred to in the Council's policies, so that adequate natural daylight would reach the proposed flats. However, a further important consideration regarding the quality of the living conditions of future residents is the matter of outlook, taking account of the single-aspect nature of the flats.

5. With regard to Flat 1, the proposed kitchen/dining area would have good levels of natural daylight from 3 skylights and the windows at upper level and a good outlook down the length of the proposed widened terrace. The living room and bedroom would have patio doors opening out onto the terrace which would be enlarged to almost 3m in depth, a quality of outlook that is not uncommon for basement flats in London. I conclude that Flat 1 would offer adequate living standards for its future residents under the submitted plans, making efficient use of underused accommodation.
6. Turning to Flat 2, drawing no. BC.02.02A indicates that the living room and bedroom windows/doors would look out onto a narrow basement level terrace only some 1.23m deep with a sloping raised planted area leading backwards and upwards to the relocated stairs. I consider the resulting truncated outlook from the main habitable rooms in Flat 2 would appear claustrophobic, offering inadequate living conditions for its future residents. This would be contrary to the objectives underlying Policies E.3.1, H.1.8 and Supplementary Guidance (SPG) Note 5 of the adopted Southwark Unitary Development Plan 1998 (UDP) and Policies 3.2, 3.10, 3.11, 4.2 and SPG Note 29 of the Revised Deposit UDP 2004. For this reason I conclude that the application formally before me must fail.
7. I have considered all the other matters in the representations, including those from a third party, but none have led me to a different conclusion.



INSPECTOR

TP(Refuse)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**REFUSAL OF PLANNING PERMISSION****Applicant** Bernard Construction Ltd**LBS Registered Number** 04-AP-2208**Date of Issue of this decision** 10/02/2005**Case Number**

TP/2454-A

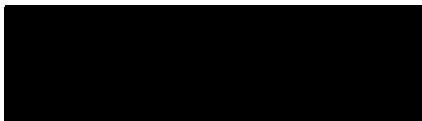
Planning Permission was REFUSED for the following development:

Change of use to create 2no. 1 bedroom self contained flats together with external works to create associated external amenity space

At: The Peckham Centre, Asylum Road SE15**In accordance with application received on** 02/12/2004**and Applicant's Drawing Nos.** BC.02.01 A, BC.02.02 A, BC.02.03 & 1 un-numbered**Reason for refusal:**

The proposed basement flats would not have a satisfactory outlook from any of the habitable room windows, and therefore a reasonable level of amenity and quality of life for future residents of the development would not be provided. In this regard, the proposal is contrary to policies E.3.1 'Protection of Amenity', and H.1.8 'Standards for Conversions', and Supplementary Planning Guidance Note 5 'Standards, Controls and Guidelines for Residential Development' of the Southward Unitary Development Plan 1995, and policies 3.2 'Protection of Amenity', 3.10 'Efficient Use of Land', 3.11 'Quality in Design', and 4.2 'Quality of Residential Accommodation', and Supplementary Planning Guidance Note 29 'Residential Design Standards' of the Southward Plan 2004.

Signed



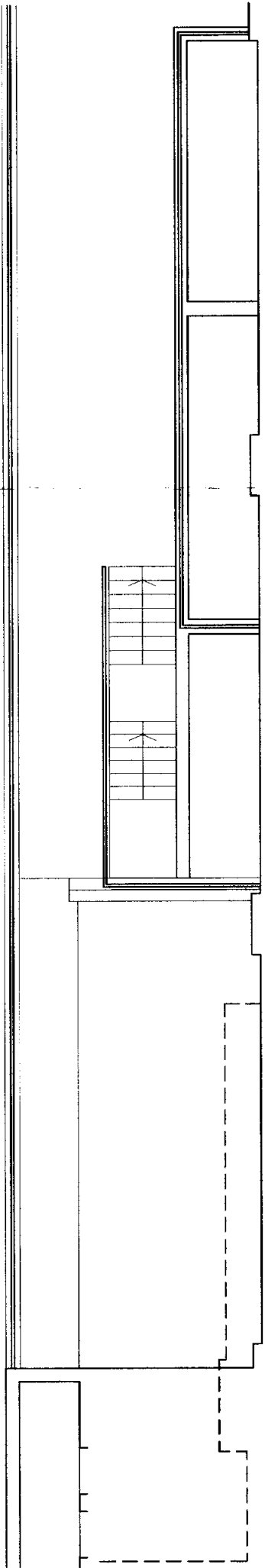
Séamus Lalor

Interim Development and Building Control Manager

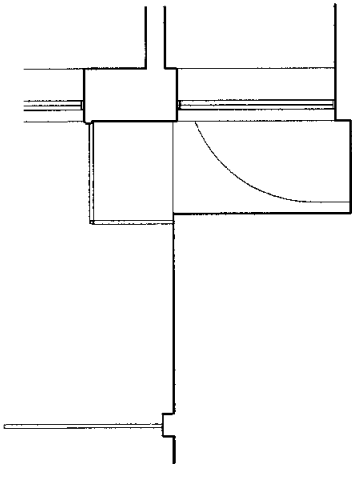
Your attention is drawn to the notes accompanying this document

Any correspondence regarding this document should quote the Case Number and LBS Registered Number and be addressed to: Head of Development and Building Control, Council Offices, Chiltern, Portland Street, London SE17 2ES. Tel. No. 020 7525 5000

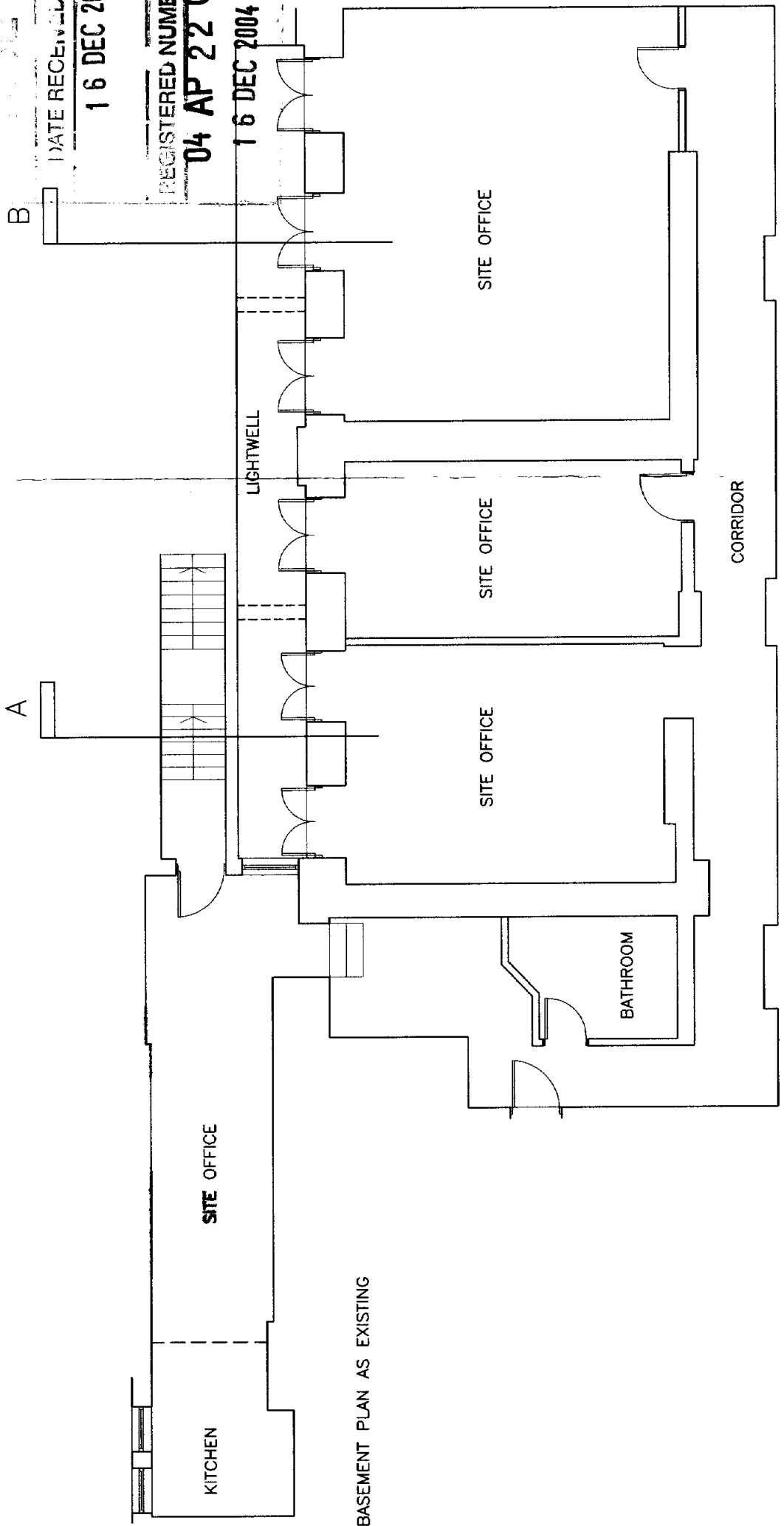
checked by ls



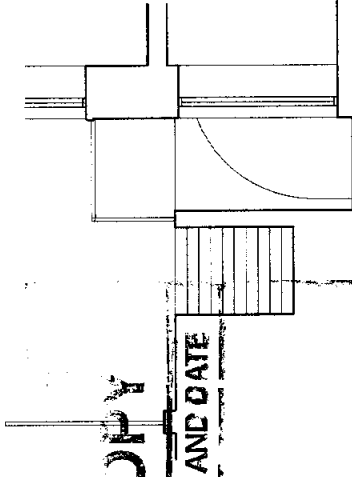
GROUND FLOOR PLAN AS EXISTING



EXTG SECTION B



BASEMENT PLAN AS EXISTING



EXTG SECTION A

FILE COPY

DATE RECEIVED
16 DEC 2004

16 DEC 2004

REGISTERED NUMBER
04 AP 22 08

16 DEC 2004

DECISION AND DATE

A 13.12.04 Room names added

REV.

PROJECT

The Peckham Centre
Asylum Road
London SE15

DRAWING

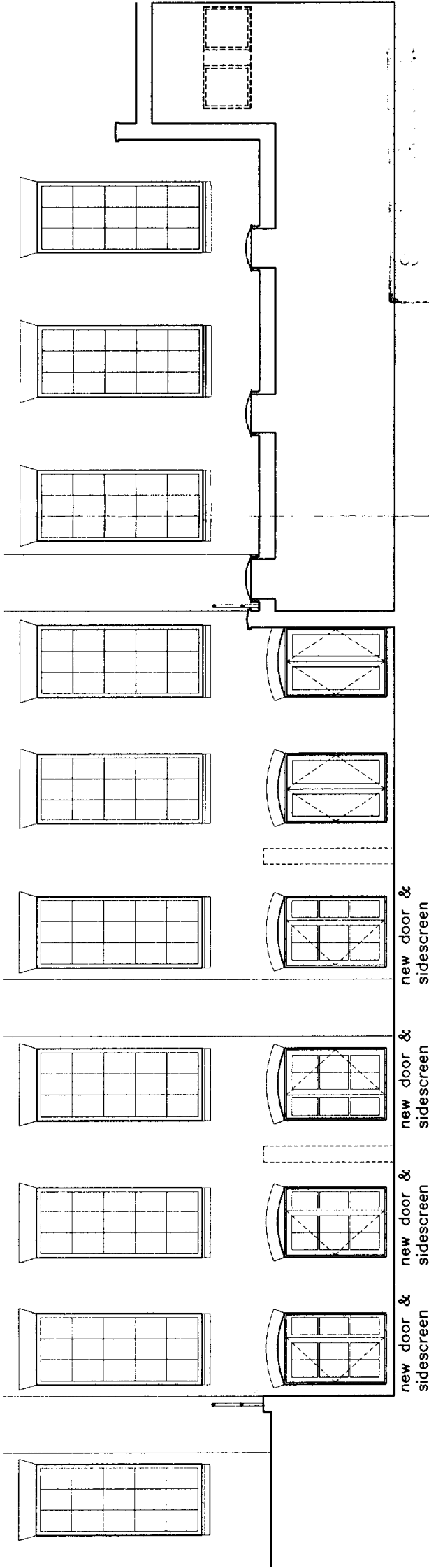
Plans and sections
as existing

SCALE PAPER SIZE DATE DRAWN BY

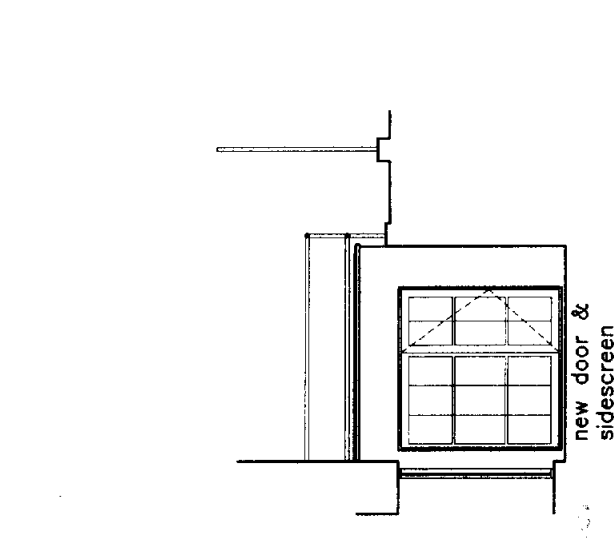
1:100 A3 10.04

DRAWING N° REVISION

BC.02.01 A



PROPOSED ELEVATION



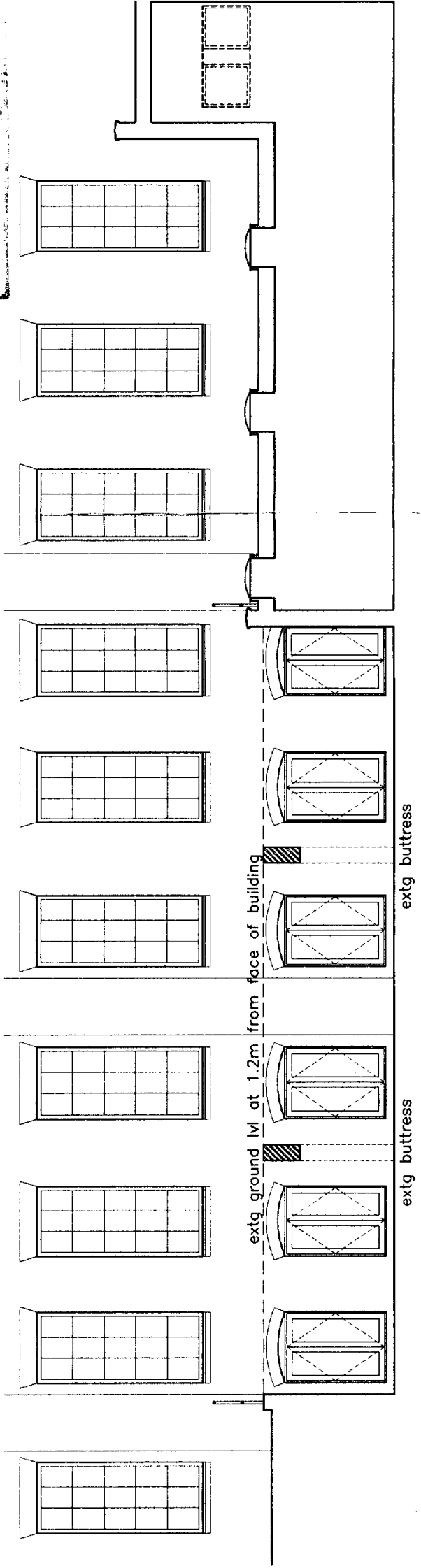
ELEVATION TO SINGLE STOREY ELEMENT

CALL FILE COPY

DATE RECEIVED
- 2 DEC 2004

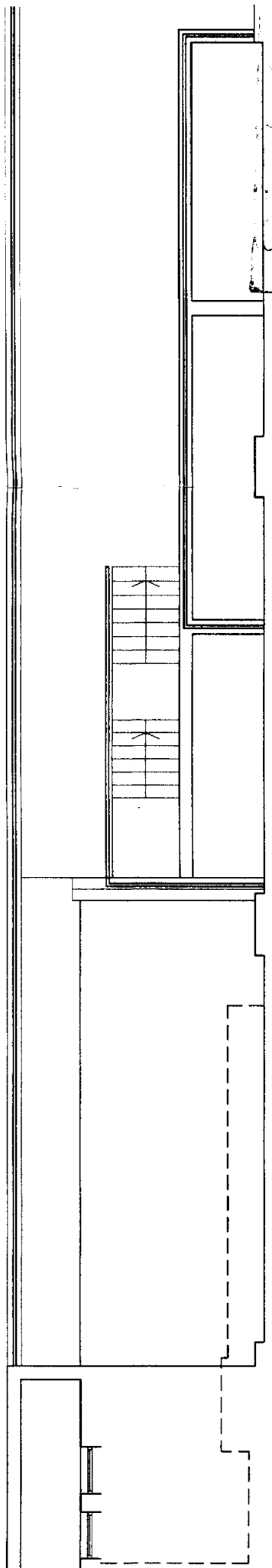
DECISION AND DATE

REGISTERED NUMBER
04 AP 22 0 8

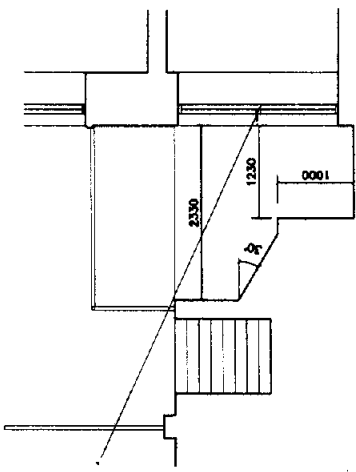


EXISTING ELEVATION

REV.	
PROJECT	The Peckham Centre Asylum Road London SE15
DRAWING	Existing and Proposed Elevations
SCALE	PAPER SIZE DATE DRAWN BY
1:100	A3 11.04
DRAWING N°	REVISION
BC.02.03	



GROUND FLOOR PLAN AS PROPOSED



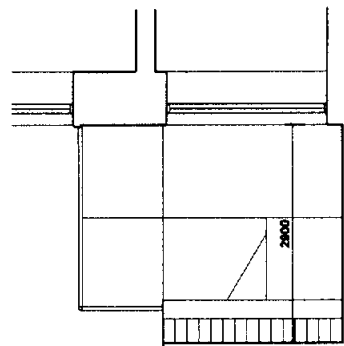
PROPOSED SECTION B

FILE COPY

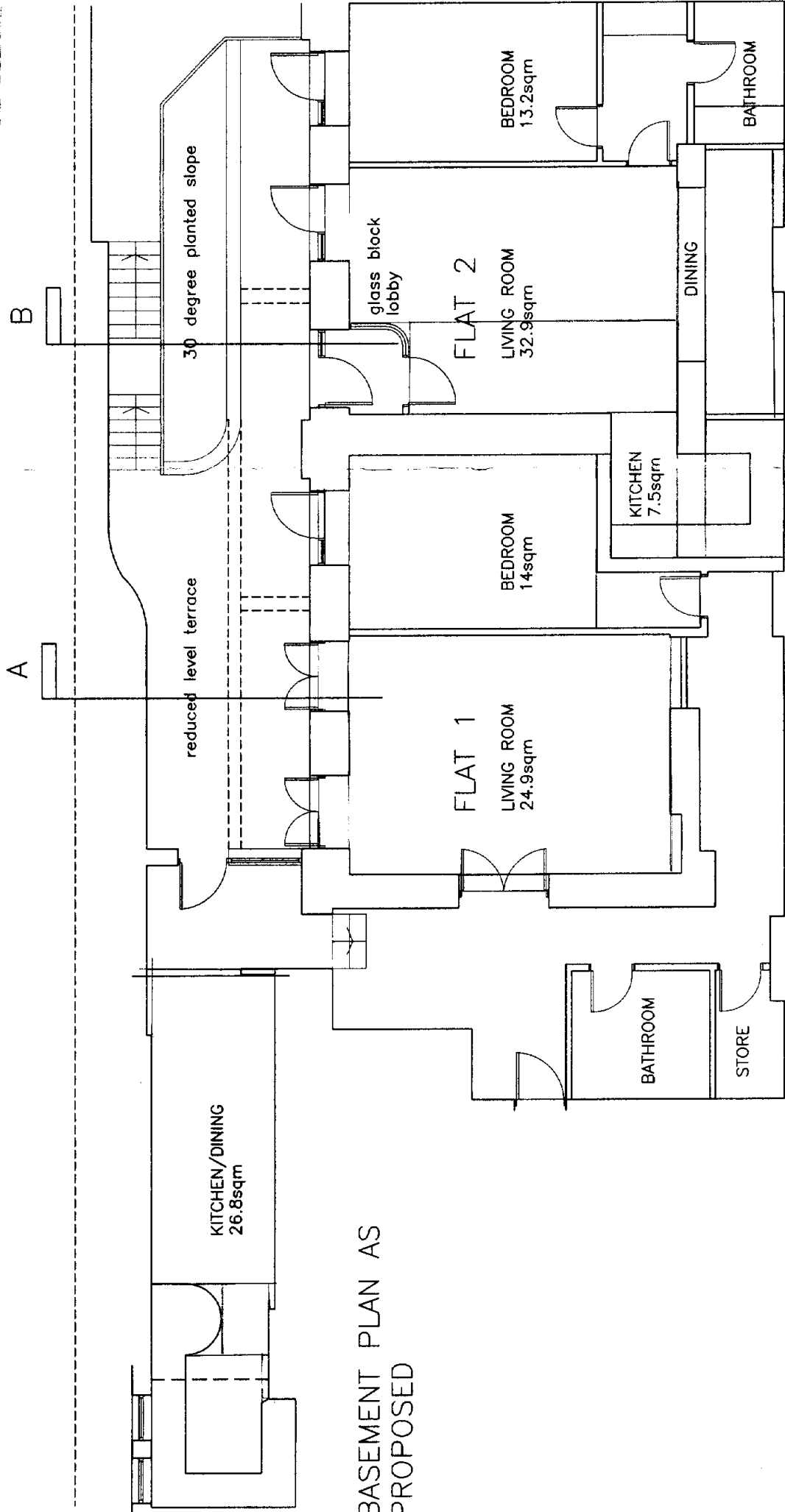
DATE RECEIVED
- 2 DEC 2004

DECISION AND DATE

REGISTERED NUMBER
04 AP 2208



PROPOSED SECTION A



BASEMENT PLAN AS PROPOSED

A 25.11.04 Flat doors revised

REV.

PROJECT

The Peckham Centre
Asylum Road
London SE15

DRAWING

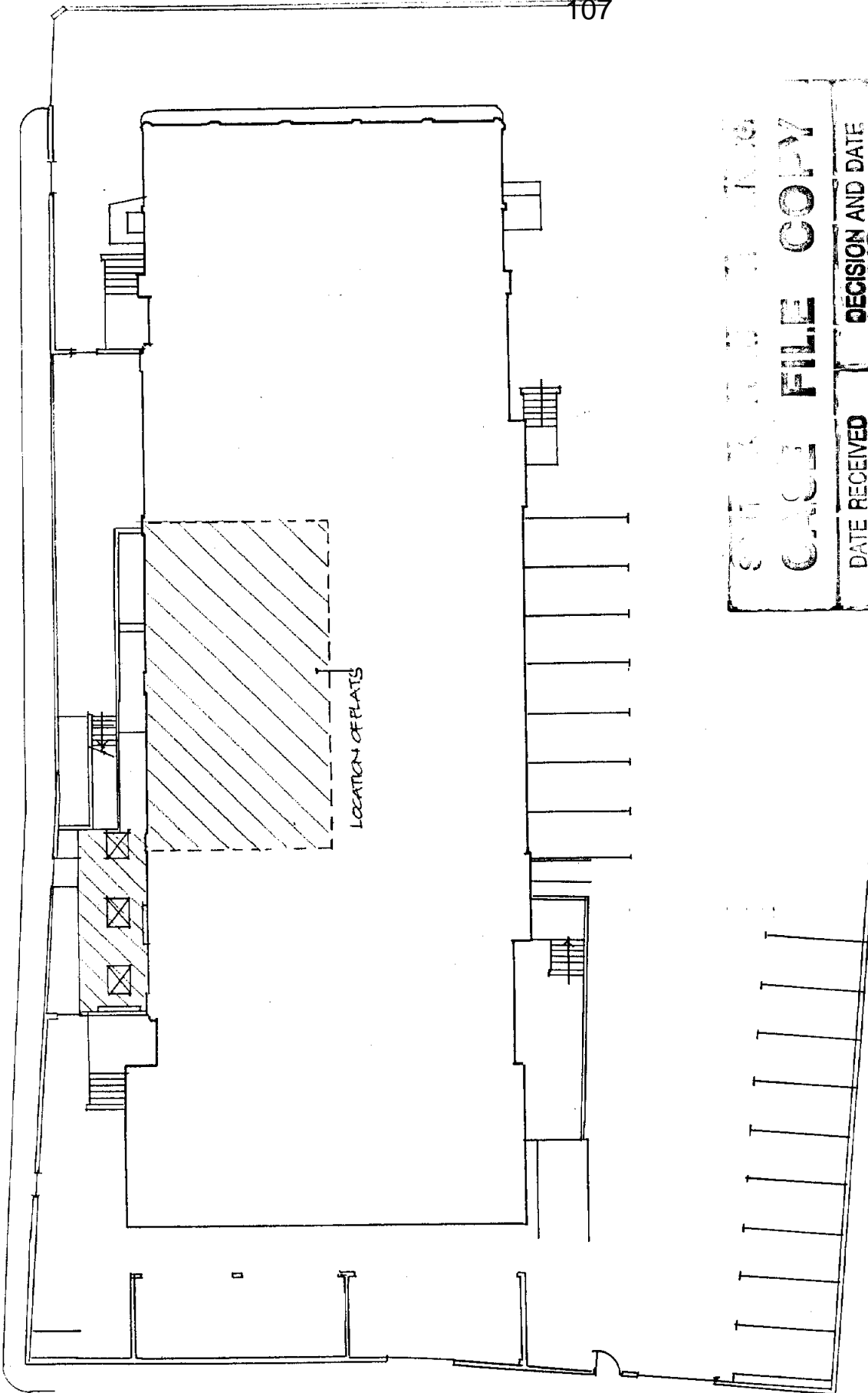
Plans and sections
as proposed

SCALE PAPER SIZE DATE DRAWN BY

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DRAWING N° REVISION

BC.02.02 A

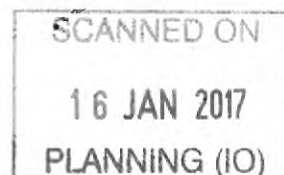


BLOCK PLAN

THE PECKHAM CENTRE, ASYLUM ROAD, LONDON SE15

SCALE 1:200 @ A4

SOUTH EAST LONDON		DECISION AND DATE	
CAGE FILE COPY		DATE RECEIVED	
		- 2 DEC 2004	
		REGISTERED NUMBER	
		04 AP 22 08	



Appeal Decision

Site visit made on 4 January 2017

by **Daniel Hartley BA Hons MTP MBA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 January 2017

Appeal Ref: APP/A5840/W/16/3158547

Flat 49A, 18 Grenier Apartments, Gervase Street, Southwark, London SE15 2RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Bernard Construction UK LLP against the decision of the Council of the London Borough of Southwark.
- The application Ref 16/AP/1556, dated 19 April 2016, was refused by notice dated 20 July 2016.
- The development proposed is an application for one self-contained residential apartment (use class C3) at lower ground level with new internal layout.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal property has already been used as a self-contained flat.

Main Issue

3. The main issue is whether or not the occupiers of the proposed apartment would have an acceptable level of outlook.

Reasons

4. The appeal site relates to a basement which is part of a school building which has been converted into apartments. It falls within a predominantly residential area. The appeal proposal is for the creation of a self-contained one bedroom apartment. The apartment is single aspect and all windows/doors face a retaining wall which is about 1.23 metres away. The proposal includes the scaling back of about a 5.0 metre section of the retaining wall in order to mitigate its effect upon the occupiers of the proposed apartment in respect of daylight and outlook.
5. I have no reason to disagree with the conclusions reached in respect of the daylight and sunlight report prepared by BLDA Consultancy. The proposed bedroom would receive good levels of daylight exceeding Building Research Establishment 2011 (BRE) recommendations and there would be a good distribution of light to both the bedroom and living/kitchen area. The alterations to the retaining wall would have the effect of improving daylight into the living/kitchen area (from 1.21% ADF to 1.62% ADF) but it would still fall

short of the 2.0% BRE recommendation. On balance, however, I agree with the Council that the proposal would be acceptable in respect of daylight penetration into the apartment: there would be only a minor shortfall in the amount of daylight into the living/kitchen area relative to the recommended BRE requirements and on its own this would not justify a refusal of planning permission.

6. The retaining wall would be scaled back, and in relative terms this would improve the outlook afforded to the occupiers of the apartment. However, the extent of the alteration to the retaining wall would not be significant and there would be no alteration to the part of the wall which faces the bedroom window/doors. Owing to the distance and height of the resultant retaining wall to all of the doors/windows of the single aspect apartment, I consider that it would have a dominating and enclosing impact thereby offering inadequate living conditions for future residents.
7. I have considered the outlook afforded to the occupiers of the neighbouring apartment (No 49, 18 Grenier Apartments), but this is not the same as the appeal proposal. There is a larger space between windows/doors of this apartment and the retaining wall, and there is also a window which faces down the long basement level terrace. In any event, I have considered this appeal on its individual planning merits.
8. I therefore conclude that despite the proposed alterations to part of the retaining wall, the occupiers of the proposed apartment would not have an acceptable level of outlook. Therefore, the proposal would not accord with the amenity and design aims of the National Planning Policy Framework; Policy 3.5 of the London Plan 2016; saved Policies 3.2 and 4.2 of the Southwark Plan 2007 and the Southwark Council 'Residential Design Standards' Supplementary Planning Document 2011.

Other Matters

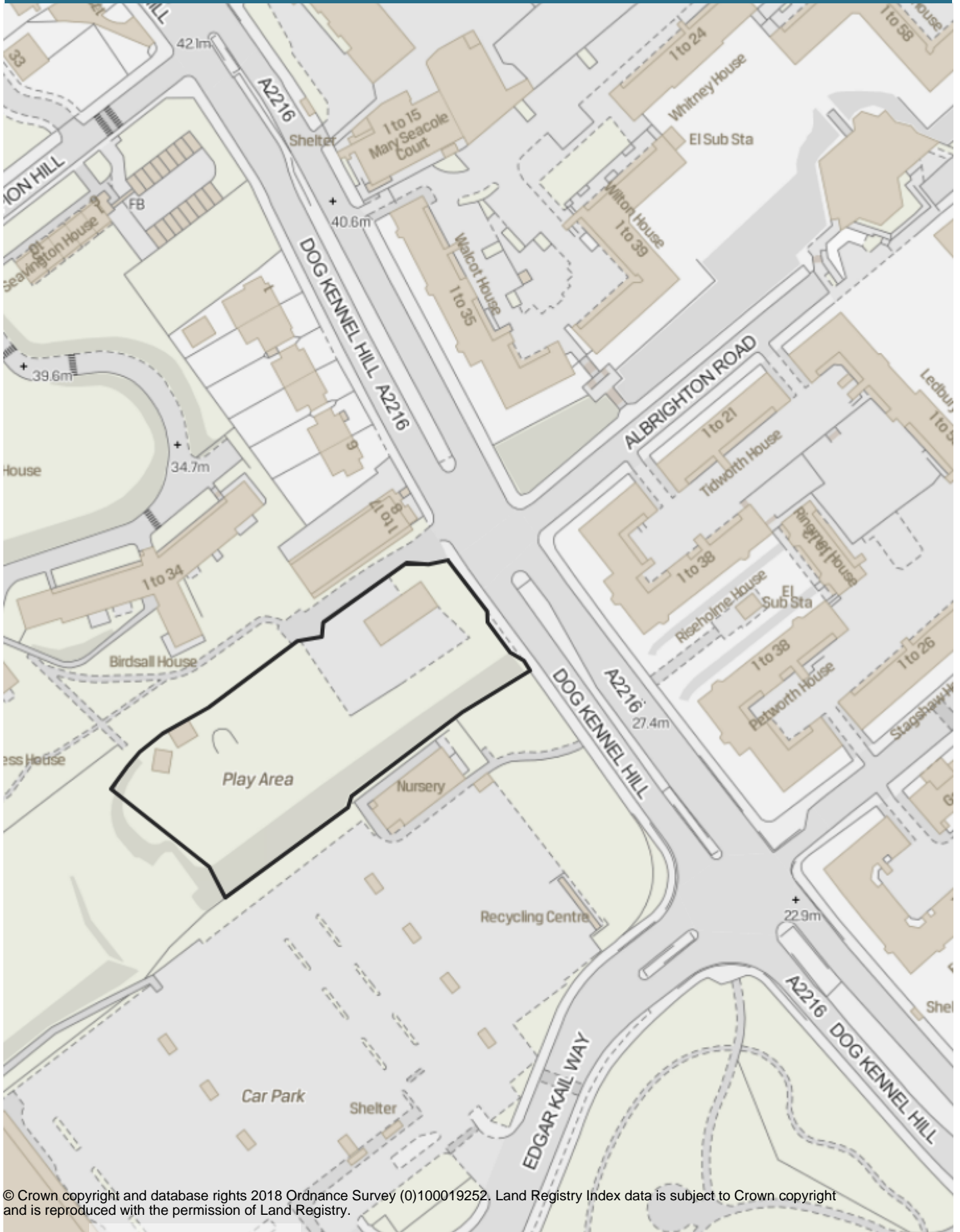
9. I note that the change of use proposal falls within flood zone 3. However, I have no reason to depart from the conclusion reached by both the Environment Agency and the Council in respect of this matter. For the reasons outlined in the Flood Risk Assessment prepared by Peter Brett, I am satisfied that the occupiers of the proposed apartment would not be at risk of flooding. However, this does not overcome my conclusion on the main issue.

Conclusion

10. In conclusion, and for the reasons outlined above, the proposal would not accord with local and national planning policies for the area in so far that the occupiers of the proposed apartment would not be afforded an acceptable level of outlook. There are no material planning considerations which would outweigh the aforementioned conflict with local and national planning policies. Consequently, the appeal should be dismissed.

Daniel Hartley

INSPECTOR



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Item No. 7.6	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/4769 for: Full Planning Application Address: ADVENTURE PLAYGROUND, DOG KENNEL HILL, LONDON SE22 8AA Proposal: Removal of existing buildings and creation of a single storey community centre (D2) for Dog Kennel Hill Adventure Playground.		
Ward(s) or groups affected:	Champion Hill		
From:	Director of Planning		
Application Start Date 15/01/2018		Application Expiry Date 12/03/2018	
Earliest Decision Date 16/03/2018			

RECOMMENDATION

1. That planning permission is granted, subject to conditions.

BACKGROUND INFORMATION

2. This application is being presented to committee for consideration due to the location of the site within Metropolitan Open Land (MOL).
3. Dog Kennel Hill Adventure Playground (DKHAP) was established in the early 1970s. It is a voluntary sector organisation located in the South Camberwell ward principally serving children and young people of the community council area of Camberwell and Dulwich, but not exclusively.
4. The organisation offers safe, staffed play provision in both an indoor and outdoor environment. It works to an adventure play model in which children and young people are enabled to explore imaginatively in a safe space that supports mental, physical and social development through active play. Not only does it help individual development, but it also helps children and young people to make friends and build relationships with others in their neighbourhood. It acts as a community hub and a place in which to engage young people in a place they have chosen to be. Play opportunities are supported and enhanced by being integrated within the structure of the outdoor environment. There are currently over 100 regular users of the facility.

Site location and description

5. Dog Kennel Hill Adventure Playground is located to the south of Dog Kennel Hill, and comprises green space with a variety of fixed play equipment. The existing building for indoor play was built in the early 1970s, with further outbuildings for storage and additional facilities. The existing buildings are considered to be in poor condition with no architectural merit.

6. The site is overlooked by a six storey residential building to the north. To the south is Sainsbury's supermarket car park and to the west is a small open space. Dog Kennel Hill runs parallel to the site's north east boundary.
7. A public footpath runs parallel to the north-west site boundary, connecting Dog Kennel Hill with Monclar Road, Arnould Avenue and Champion Hill to the west. The footpath also loops south through a small wooded area and provides pedestrian access to the large supermarket car park.
8. The site is designated as Metropolitan Open Land and as a site of Local Nature Conservation Importance (SINC) in The Southwark Core Strategy (2011). The MOL designation is made up of two distinct parts, the adventure playground which is fenced with managed access, and the open MOL to rear (west) of the site which is publicly accessible at all times. The latter area provides a through route between local neighbourhoods.

Details of proposal

9. The proposal is for removal of three existing buildings (171m²) and storage container (15m²) which are in poor and dilapidated state. A new modern, single storey L-shaped replacement building (186m²) would then be erected on the site of an existing climbing frame in the South-east corner of the site towards Dog Kennel Hill Frontage. The existing climbing frame would be dismantled and re-assembled elsewhere on the site.
10. The new building would provide a main multifunction hall (85m²) that could be used for sport, performance and functions, two creative spaces (28m² and 10m²), storage areas, an office, a kitchen and toilets. The proposed building would provide a flexible space encompassing all of the existing facilities currently provided within the existing buildings to be removed.
11. The building would have a pitched roof with height of 2.7m to the eaves level and 5.005m to ridge level when measured from the south-east elevation. It would be constructed using a simple steel portable frame, timber cladding, aluminium frame windows and doors of different shapes, sizes, colour and heights to create a child friendly environment. Externally it would have traverse climbing walls, a metal roof profile and external canopy. The external walls would be highly insulated to ensure a very low heat loss, whilst the internal walls can be altered in the future to suit changing requirements.
12. The proposed building would be sited 20.80m away from the neighbouring residential building located at no.8 Dog Kennel Hill, 9.36m from the site boundary facing Dog Kennel Hill, 2.75m from the boundary facing the adjacent nursery and 72.40m from the site boundary adjacent to the woodland to the rear. The building would be accessed via a front and rear door off of the proposed main hall.

Planning history

13.

14/EQ/0161 Application type: Pre-Application Enquiry (ENQ)
 Demolition of existing facility (D2 use class) and erection of new facility (D2 use class)
 Decision date 02/09/2014 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

14. None relevant to the proposal

KEY ISSUES FOR CONSIDERATION

Summary of main issues

15. 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 for Metropolitan Open Land,
 - b) Design, appearance, siting, and impact on accessibility, trees and biodiversity.
 - c) The impact of the development on the amenity of local residents
 - d) The impact of the development on park users

Planning policy

National Planning Policy Framework (the Framework)

16. Section 7 - Requiring good design
 Section 8 - Promoting healthy communities
 Section 11 - Conserving and enhancing the natural environment

The London Plan 2016

17. Policy 2.18 - Green Infrastructure
 Policy 3.16 - Protection and enhancement of social infrastructure
 Policy 3.19 Sports facilities
 Policy 7.2 - An inclusive environment
 Policy 7.4 - Local character
 Policy 7.5 - Public realm
 Policy 7.6 - Architecture
 Policy 7.17 - Metropolitan Open Land
 Policy 7.18 - Protecting open space and addressing deficiency
 Policy 7.19 - Biodiversity and access to nature
 Policy 7.21 - Trees and woodlands
 Policy 6.9 - Cycling
 Policy 6.10 - Walking

Core Strategy 2011

18. Strategic Targets Policy 2 - Improving places
 Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 4 - Places for learning, enjoyment and healthy lifestyles
 Strategic Policy 11 - Open spaces and nature conservation
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

19. 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.

Saved Policy 3.1 - Environmental effects

Saved Policy 3.2 - Protection of Amenity

Saved Policy 3.11 - Efficient use of land

Saved Policy 3.12 - Quality in design

Saved Policy 3.25 - Metropolitan Open Land

Saved Policy 3.28 - Biodiversity

Saved Policy 3.15 - Conservation of The Historic Environment

Saved Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites

Saved Policy 5.2 - Transport impacts

Saved Policy 5.3 - Walking and Cycling

Principle of development

20. The application site is located within Metropolitan Open Land (MOL); as such saved policy 3.25 is applicable to the consideration of this proposal. This states that planning permission will only be permitted for the following purposes:
 - i) Agriculture or forestry; or
 - ii) Essential services for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
 - iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
 - iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling it replaces.
21. Policy 7.17 Metropolitan Open Land of The London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
22. Strategic Policy 11 'Open Spaces and Wildlife' of the Core Strategy commits the council to protect open spaces against inappropriate development.
23. The existing Dog Kennel Hill adventure playground at present comprises 3 buildings and a large metal shipping container (with a total floor area of 186m²) which are scattered around the site. These existing buildings are in a poor and dilapidated state. Currently they are failing to fulfil their potential to cater for the community in the best way possible. In particular the existing buildings do not comply with the Equalities Act 2010 in terms of accessibility and the continued maintenance of these buildings has become expensive.
24. The proposed single L-shaped modern replacement building would be the same size as the combined total of the existing buildings (186m²) on the site and would provide all of the present facilities in an improved and flexible space. Its use as a supporting facility for the Adventure Playground is in accordance with the requirements of saved policy 3.25, in that it is considered to be an essential service for outdoor sport and outdoor recreation on the site. It is therefore an appropriate development on MOL in principle.
25. The modest and low profile new building is considered to preserve the openness of

the MOL and has been appropriately located such as to not result in any sense of enclosure. No change of use would take place and the installations would be consistent with the existing recreational and cultural use of existing Dog Kennel Hill Adventure Playground. The new building would not conflict with the purposes of including land within MOL and as such the development would be in accordance with local, regional and national policy with regard to MOL.

Environmental impact assessment

26. The proposal is not EA development as defined in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as it is not for a new athletic centre new pavilion building but for works to an existing facility. Its impact would not be of more than local significance, and the impacts of the development would not give rise to significant environmental impacts.

Neighbour Amenity

27. The front of the existing Dog Kennel Hill Adventure Playground has its frontage to Dog Kennel Hill and its rear is adjacent to the small woodland area. To the north of the playground lies a block of flats at No. 8 Dog Kennel Hill which is separated from the playground site by a small path in between. To the south of the site lies a children's day nursery which is well set-back from both the Dog Kennel Hill and the proposed replacement building on the site. The existing nursery is also screened by trees located along the shared boundary with the existing adventure playground.
28. The proposed new single storey building with height of 5m to a pitched roof would be sited 20.80m away from the neighbouring residential building located at No. 8 Dog Kennel Hill, 9.36m from the site boundary facing Dog Kennel Hill, 2.75m from the boundary facing the adjacent nursery and 72.40m from the rear site boundary adjacent to rear woodland. Its location therefore is not considered to have any adverse impact on the amenity of the occupiers of the neighbouring block of flats and the nursery with regards to loss of light, outlook and privacy.
29. No increased noise or disturbance is anticipated as a result of the proposed development.

Transport

30. As a result of the proposed development, the existing servicing, vehicular and pedestrian access to the site would remain unaffected. The new building would be no larger than the combined total of the existing buildings on the site. The proposal therefore would not result in any increased capacity and an increase in users/staff is not anticipated. The development is not considered to give rise to any new transport issues and is therefore considered to be acceptable on transportation grounds.

Design

31. The application buildings on the site to be removed are not listed and the site is not located within Conservation Area, their loss is therefore not resisted.
32. The proposal is for a modestly sized timber clad building which will fit well into its landscaped setting of the MOL. It is divided into a series of boxes, each with their own pitched roof. This will further break down its scale and adds interest to the elevations. Features such as child height windows and a climbing wall fixed to one façade add further interest. In conclusion this is a well designed building which is appropriate for its location.

Trees

33. The applicant has submitted arboricultural report, together with tree survey plan and Tree Protection Plan which have been reviewed by the council's urban forester. All trees on and adjacent to the site are to be retained and protected.

CIL

34. 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 (MCIL) is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL (SCIL) will provide for infrastructure that supports growth in Southwark. This application is not CIL Liabe because no new floor area is being created.

Ecology

35. The applicant has submitted a Bat Survey Report following an initial Preliminary Ecological Assessment (EA) and Preliminary Bat Roost Assessment (PBRA). Two of the buildings to be removed were assessed as possessing low potential to support roosting bats.
36. The buildings present within the site identified as having bat roost potential were subject to further detailed surveys and no evidence of a bat roost was identified during the surveys. Moderate levels of foraging activity by common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *Pipistrellus pygmaeus* bats was identified within the west of the site south and common pipistrelle foraging was identified to the east of the site. There was less foraging activity recorded around the trees.
37. The proposal would involve the demolition of all buildings on the site including those identified as having potential for supports roosts. Although no roosts are present, it is recommend the precautionary mitigation in the form of sensitive lighting design to ensure that areas used for foraging by bats are not affected by light spillage. Additionally, habitat enhancements in the form of planting of native flora and the installation of bat boxes are recommended to ensure conformity with national and local planning policy.
38. It is considered that if the recommendations above are followed then there would be no bat related ecological issues that would affect the principle of development at the site. It is considered that a net gain in biodiversity at the site can be achieved through including native nectar rich species within the planting scheme.
39. The above Bat Survey Reports have been reviewed by the council's ecology officer who is satisfied with the findings and recommendations. The recommendations will be secured through the use of conditions.

Conclusion on planning issues

40. The proposal would preserve and enhance the openness of the site which would be achieved by removal of the existing unsightly and scattered buildings. The replacement new building would ensure that the needs of the existing community are met and protected. The use, character and appearance of the building is consistent

with the inclusion of the land within MOL and its openness.

41. The development is in accordance with adopted national, regional and local policy, and it is therefore recommended that planning permission be granted subject to appropriate conditions.

Community impact statement

42. 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.

Consultation

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

Consultation replies

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

Summary of consultation responses

45. Following consultation with the local residents, 37 letters of support have been received.

Ecology officer comments

46. Ecology Officer is satisfied with the submitted Phase 2 Bat Survey Report that there was no evidence found of a roost in any of the buildings to be demolished on the site. However, recommended that lighting and bat boxes conditions should be imposed.

Urban forester comments

47. All trees on and adjacent to the proposed new building site are to be retained. Tree protection measures can be conditioned

Human rights implications

48. 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.
49. This application has the legitimate aim of providing a single storey community centre (D2) for Dog Kennel Hill Adventure Playground. 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/2134-E Application file: 17/AP/4769 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	12 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		14 June 2018

APPENDIX 1

Consultation undertaken**Site notice date:** 21/02/2018**Press notice date:** n/a**Case officer site visit date:** n/a**Neighbour consultation letters sent:** n/a**Internal services consulted:**

Ecology Officer
Public Realm Comments on Developments Where Trees are Affected

Statutory and non-statutory organisations consulted:

Garden History Society

Neighbour and local groups consulted:

21 Bromar Road London SE5 8DL
53 East Dulwich Road London SE22 9AP
St. John'S Hse London SE17 2PW
30 Bonnington Tower Turpington Lane BR2 8JY

Whateley Road London SE22 9DE
12 Shelbury Road London SE22 0NL
9 Hetley Gardens London SE19 2UW
148 Copleston Rd London SE15 4AF
355 Crystal Palace Road 355 SE22 9JL
21 Denman Road London SE15 5NS
43 Burrow Road East Dulwich Se22 8Du
81 Fenham Road Peckham Se15 1ab
Flat 1 Birdsall House London SE5 8DP
58 Avondale Rise London se154l
12 Marsden Road London SE15 4EE
8 Shelbury Road London SE22 0NL
36 Ondine Road London SE154EB
60 Hindmans Road London SE22 9NG

218 Bellenden Road Peckham SE15 4BY
51 Champion Grove London SE5 8BN
79 Grove Hill Road London SE5 8DF
5 Walkynscroft, Brayards Road Estate Brayards Road Estate se15
2bz
233 Bellenden Road London SE15 4DQ
20 Worlingham Road East Dulwich SE22 9HD
144 Elmhurst Mansions Edgeley Road SW4 6EX
45b Avondale Rise London SE154AJ
2 The Hamlet Champion Hill SE5 8AW
7 The Hamlet Champion Hill SE5 8AW
16 Tidworth House Albrighton Road SE22 8AW
28 Forestholme Close Taymount Rise SE233UQ
65 Ivanhoe Road London SE5 8DH
298 Lordship Lane Dulwich SE22 8LY
4 Pelham Close London SE5 8LW
51 Burrow Road London SE22 8DU
11 Burnfoot Court 7 Woodvale Se23 3ds
57a Choumert Rd London SE15 4AR
5 Grove Hill Road London

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Email representation

Flat 1 Birdsall House London SE5 8DP

St. John'S Hse London SE17 2PW

Whateley Road London SE22 9DE

Whateley Road London SE22 9DE

11 Burnfoot Court 7 Woodvale Se23 3ds

12 Marsden Road London SE15 4EE

12 Shelbury Road London SE22 0NL

144 Elmhurst Mansions Edgeley Road SW4 6EX

148 Copleston Rd London SE15 4AF

16 Tidworth House Albrighton Road SE22 8AW

2 The Hamlet Champion Hill SE5 8AW

21 Bromar Road London SE5 8DL

21 Bromar Road London SE5 8DL

21 Denman Road London SE15 5NS

218 Bellenden Road Peckham SE15 4BY

233 Bellenden Road London SE15 4DQ

28 Forestholme Close Taymount Rise SE233UQ

298 Lordship Lane Dulwich SE22 8LY

30 Bonnington Tower Turpington Lane BR2 8JY

355 Crystal Palace Road 355 SE22 9JL

36 Ondine Road London SE154EB

4 Pelham Close London SE5 8LW

43 Burrow Road East Dulwich Se22 8Du

45b Avondale Rise London SE154AJ

5 Walkynscroft, Brayards Road Estate Brayards Road Estate se15 2bz

51 Burrow Road London SE22 8DU

51 Champion Grove London SE5 8BN

53 East Dulwich Road London SE22 9AP

57a Choumert Rd London SE15 4AR

58 Avondale Rise London se154I

60 Hindmans Road London SE22 9NG

65 Ivanhoe Road London SE5 8DH

7 The Hamlet Champion Hill SE5 8AW

79 Grove Hill Road London SE5 8DF

8 Shelbury Road London SE22 0NL

81 Fenham Road Peckham Se15 1ab

9 Hetley Gardens London SE19 2UW

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	c/o agent c/o agent	Reg. Number	17/AP/4769
Application Type	Dog Kennel Hill Adventure Playground Full Planning Application	Case Number	TP/2134-E
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Removal of existing buildings and creation of a single storey community centre (D2) for Dog Kennel Hill Adventure Playground.

At: ADVENTURE PLAYGROUND, DOG KENNEL HILL, LONDON SE22 8AA

In accordance with application received on 22/12/2017 12:01:08

and Applicant's Drawing Nos.

Site Location and Existing Plans:

172 B(10) P00 - Existing Site Location Plan
172 B(90) E01 - Existing Dog Kennel Hill Street Elevation
172 B(90) P01 - Existing Site Block Plan

Proposed Plans:

172 P(20) E01 - Proposed Dog Kennel Hill Street Elevation
172 P(20) E01 - Proposed North East Elevation
172 P(20) E02 - Proposed North West Elevation
172 P(20) E03 - Proposed South West Elevation
172 P(20) E04 - Proposed South East Elevation
172 P(20) P00 - Proposed Ground Floor Plan
172 P(20) P01 - Proposed Roof Plan
172 P(90) P01 - Proposed Site Block Plan

Other Documents:

Covering letter from TP Bennett dated 21/12/2017
Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (Report No. PB001_R01a_NJ_JW) dated 07/12/2017 by Tyler Grange
Phase 2 Bat Survey Report (report Number: 11552_R01_SR_HM) dated 11/05/2018
Design and Access Statement fated August 2016 by CREATE Design and Architecture
Planning Statement bt TP Bennett dated December 2017
DKHAP Open Day Feedback Form Results
Background and ethos to the Organisation
Tree Survey, Arboricultural Implication Assessment & Method Statement & Tree Protection Plan
TPP-01 - Tree Protection Plan (TPP)
TSP-01 - Tree Survey Plan (TSP)
eGeo 153785_E01 - Elevation Survey
eGeo 153785_E02 - Elevation Survey

Subject to the following seven conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

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

172 P(20) E01 - Proposed Dog Kennel Hill Street Elevation
 172 P(20) E01 - Proposed North East Elevation
 172 P(20) E02 - Proposed North West Elevation
 172 P(20) E03 - Proposed South West Elevation
 172 P(20) E04 - Proposed South East Elevation
 172 P(20) P00 - Proposed Ground Floor Plan
 172 P(20) P01 - Proposed Roof Plan
 172 P(90) P01 - Proposed Site Block 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 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

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

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 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 Prior to the commencement of development details of bat bricks shall be submitted to and approved in writing by the Local Planning Authority. No less than three (3) bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The bricks shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason

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

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

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

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

Reason

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

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.

- 6 Before the first occupation of the new building hereby permitted details of the arrangements for the storing of commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities 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

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.

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

Reason

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

Statement of positive and proactive action in dealing with the application

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

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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2018-19

NOTE: Original held by Constitutional Team all amendments/queries to Gerald Gohler Tel: 020 7525 7420

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Councillor David Noakes	1	Environmental Protection Team	
Councillor Sandra Rhule	1		
Councillor Martin Seaton	1		
(Members of the sub-committee receiving electronic copies only)			
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Councillor Richard Leeming		Louise Neilan, media manager	email
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Jacqui Green/Selva Selvaratnam, Hub 2 (5 th Floor) Tooley St.	3		
Margaret Foley, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		
		Dated: 18 June 2018	