

Planning Sub-Committee A

Tuesday 20 November 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: 12 November 2018



Planning Sub-Committee A

Tuesday 20 November 2018

6.30 pm

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

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 4
	To approve as a correct record the minutes of the meeting held on 2 October 2018.	
7.	DEVELOPMENT MANAGEMENT ITEMS	5 - 9
	7.1. MUSLIM ASSOCIATION OF NIGERIA, 365 OLD KENT ROAD, LONDON, SE1 5JH	10 - 57

Item No.

Title

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7.2. 112B PECKHAM HIGH STREET, LONDON, SE15 5ED

58 - 79

Date: 12 November 2018

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 Tuesday 2 October 2018 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: 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

OTHER MEMBERS PRESENT: Councillor Catherine Rose
 Councillor Evelyn Akoto
 Councillor Richard Livingstone

OFFICER SUPPORT: Dennis Sangweme (Development Management)
 Margaret Foley (Legal Officer)
 Alex Cameron (Development Management)
 Amy Lester (Development Management)
 Alex Oyebade (Transport Policy)
 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 no apologies for absence.

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

None were disclosed.

Councillor David Noakes mentioned that he had received additional information from the applicant and objectors on item 7.1, Dulwich College, Dulwich Common, London SE21 7LD.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

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

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 17 July 2018 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

RESOLVED:

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

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 DULWICH COLLEGE, DULWICH COMMON, LONDON SE21 7LD

Councillors Jane Salmon, Richard Leeming and Michael Situ withdrew from the sub-committee because they had been absent at the last meeting in July when the item was first considered.

The following item had been deferred at the previous meeting on 17 July 2018 to allow

members the opportunity to attend a site visit.

Planning application reference: 17/AP/4771

Report: see pages 11 – 31 of the agenda pack and pages 1 and 2 of the addendum report.

PROPOSAL

Construction of a new car park to the south west of the campus site, to provide 135 spaces with access from Alleyn Park, in connection with the removal of the existing car park adjacent to the main college buildings (reduction in 15 spaces). Development would encompass:

- *Reinstatement of landscaped frontage to the Barry Buildings involving the provision of coach parking, retention of student drop-off area and disabled parking.*
- *Provision of 14 electric vehicle charging points, external lighting and vehicle wash down area in new car park.*
- *Improvements to site access and removal of Leylandii trees/hedge to Alleyn Park.*

Departure from Development Plan policies 3.25 Metropolitan Open Land (MOL) of the saved Southwark Plan 2007, SP11 Open Spaces and Wildlife of the Core Strategy 2011 and 7.17 Metropolitan Open Land of the London Plan 2016.

The sub committee heard the officer give a brief re-introduction to the officer's report and addendum report.

Councillors asked questions of the planning and transport officers.

Councillor Seaton arrived at 7.05pm. He did not take part in the debate or vote for this item.

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

RESOLVED:

That planning application 17/AP/4771 be granted subject to conditions, set out in the report and subject to an added informative which would include further traffic calming measures which would be raised tables in order to safeguard the highway safety of pedestrians at this location including those accessing Alleyn park.

7.2 294-304 ST JAMES'S ROAD, LONDON SE1 5JX

Councillors Jane Salmon, Richard Leeming and Michael Situ re-joined the sub-committee for this application.

Planning application reference: 18/AP/0930

Report: see pages 32 – 50 of the agenda pack and pages 2 to 4 of the addendum report.

PROPOSAL

Construction of part one, part two storey roof level extension (third and fourth floor) to create 8 residential apartments (Class C3) comprised of 3 x 1 bedroom units and 5 x 2 bedroom units.

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

A spokesperson for the objectors addressed the meeting. Members of the sub-committee asked questions of the spokesperson for the objectors.

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

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

Councillor Richard Livingstone and Councillor Evelyn Akoto addressed the meeting in their capacity as ward members and responded to questions from members.

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

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

RESOLVED:

That planning application 18/AP/0930 be granted subject to conditions including two additional conditions and subject to a unilateral undertaking. The additional conditions are as follows:

1. Condition 3 be modified to include reference to a white or light reflective material around the lightwells.
2. There is a condition requiring a construction management plan and liaison with a residents' forum/working group.
3. That in the event that a satisfactory unilateral undertaking is not signed by 30 November 2018, the Director of Planning be authorised to refuse planning permission for the reason given in paragraph 51 of the report.

The meeting ended at 8.50 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 2 October 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	24 September 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	24 September 2018	

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Tuesday 20 November 2018

Appl. Type	Full Planning Application	Reg. No.	18-AP-1431
Site	MUSLIM ASSOCIATION OF NIGERIA, 365 OLD KENT ROAD, LONDON, SE1 5JH	TP No.	TP/2168-365
		Ward	South Bermondsey
		Officer	Sarah Parsons

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 7/1

Proposal

Demolition of existing building and the erection of a 6 storey building (plus basement) containing an Islamic Cultural Centre for religious, educational, community and leisure use, including 1 service parking space and retail uses on ground floor (REVISED DESCRIPTION).

Appl. Type	Full Planning Application	Reg. No.	18-AP-2156
Site	112B PECKHAM HIGH STREET, LONDON, SE15 5ED	TP No.	TP/2516-112
		Ward	Rye Lane
		Officer	Craig Newton

Recommendation GRANT PERMISSION

Item 7/2

Proposal

Demolition of existing building and construction of new 3 storey building plus mansard to create 1 ground floor retail unit and 4 residential units (1 x studio & 3 x 1bed Units).

Agenda Item 7.1



Muslim Association of Nigeria, 365 Old Kent Road, London SE1 5JH



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50 m

Scale = 1250

7-Nov-2018

Item No. 7.1	Classification: Open	Date: 20 November 2018	Meeting Name: Planning Sub Committee A
Report title:	Development Management planning application: Application 18/AP/1431 for: Full Planning Application Address: MUSLIM ASSOCIATION OF NIGERIA, 365 OLD KENT ROAD, LONDON, SE1 5JH Proposal: Demolition of existing building and the erection of a 6 storey building (plus basement) containing an Islamic Cultural Centre for religious, educational, community and leisure use, including 1 service parking space and retail uses on ground floor (REVISED DESCRIPTION).		
Ward(s) or groups affected:	South Bermondsey		
From:	Director of Planning		
Application Start Date 09/07/2018		Application Expiry Date 08/10/2018	
Earliest Decision Date 11/08/2018			

RECOMMENDATION

1. That the Planning Committee grant planning permission, subject to the recommended planning conditions and the applicant entering into an appropriate legal agreement by no later than 20 May 2019.
2. That, in the event that the Section 106 Legal Agreement is not completed by 20 November 2019, that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 143 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site is currently occupied by a former public house, which is now in use as a place of worship for a Mosque. It is a three-storey corner building (including a basement) fronting onto the Old Kent Road to the south west and Rowcross Street to the north west. To the north east of the site is a 3 storey building with a retail unit at ground floor and residential accommodation above at 361-363 Old Kent Road (see planning history), to the south east is the three-storey Wessex House and to the north east is the seven storey Astley House, with parking and an open green space in front of it.
4. The site sits opposite the entrance to Burgess Park, and the Cobourg Road Conservation Area. The Conservation Area contains a number of Grade II listed building. It should also be noted that the draft Old Kent Road Area Action Plan also identifies other buildings of architectural interest and townscape merit near the site. The existing building on the site is not identified as a building of Townscape Merit.
5. The site falls within Sub Area 1 (Mandela Way, Crimscott Street and Old Kent Road

north) in the Draft Old Kent Road Area Action Plan, just outside site allocation OKR4.

6. The site lies within the following Southwark Plan designations:

- Old Kent Road Opportunity Area (Core Area);
- Urban Density Zone;
- Old Kent Road Archaeological Priority Zone;
- Air Quality Management Area; and
- Flood Risk Zone 3

Details of proposal

7. The existing facility has inadequate capacity at peak times, resulting in worshippers being accommodated in the street. Furthermore, only a limited range of facilities and services can be provided. There is also poor accessibility throughout the building for disabled users and this with limited mobility. Full planning permission is therefore sought for the demolition of the existing building and redevelopment of the site to provide a 6 storey building (plus basement). The building would provide an 1,432.4sqm (GIA) Mosque and Islamic Cultural Centre (Use Class D1), with associated community uses and two small retail units (79.6sqm) at ground floor fronting onto Rowcross Street. The proposal also includes a basement, one parking space, cycle and refuse stores. The new building would measure a maximum of 22.7m high. The parking space is proposed in the same location as an existing space and would be accessed at the same point on Rowcross Street. The proposed increase in D1 floorspace is 816.9sqm.

8. The main facilities that the proposed cultural/ community centre would provide are as follows:

Basement level:

- Sports hall / sports facilities; and
- Funeral preparation and coffin store

Ground floor:

- Reception area and information point for visitors;
- Retail units fronting onto Rowcross Street

First floor:

- Prayer hall
- Counselling / meeting room
- Imam's office

Second floor:

- Prayer hall with bi-fold partition to allow for separation of halls for non-prayer functions;
- Offices for administration of the centre; and
- Meeting room

Third floor:

- Classrooms / multi-functional rooms;
- Library with IT access & reading area;
- Kitchen; and
- Markaz / admin office

Fourth floor:

- Multi-functional hall for games, seminars, classes, meetings, guest speakers etc.;

- Kitchen
- Office

Fifth floor:

- Multi-functional hall;
- Business incubator space;
- Kitchen; and
- Office

9. The majority of these are facilities that the existing mosque on the site does not offer. The provision would also be vastly improved with the inclusion of disabled lifts and adequate toilet provision throughout the building.

Amendments

10. During the course of the application there has been some revised/updated drawings submitted. The following amendments were made to address Officers' concerns:
- Amended site plan to demonstrate access to the car parking space and clarify that the proposed building would not overhang the public highway;
 - A Sectional Bay Study for each floor;
 - Revised design of the north elevation and the windows to the rear of the building;
 - Introduction of a vertical green hanging wall to the north and west of the building;
 - 'TECU' copper or similar cladding panels replaced by Chanel U-Glass on the ground floor; and
 - Submission of a drainage strategy.

Planning history

11.

97/AP/0927 Application type: Full Application (FUL) Installation of new dome and minaret on roof of existing mosque and the addition of a decorative parapet.
--

17/EQ/0071 Application type: Pre-Application Enquiry (ENQ) Redevelopment of existing D1 mosque to provide a mixed use D1 and C, A - A1 Shop/Retail, D1 Mosque/Islamic Centre/Education/Community Centre C3 Residential accommodation arranged over 6 storeys and basement Decision date 02/10/2017 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

361 – 363 Old Kent Road

12. 08/AP/3083 Application type: Full Application (FUL)
13. Use of ground floor for Class A1 (retail) purposes.
Decision date: 20/05/2009 Decision: Granted.
14. 03/AP/1475 Application type: Full Application (FUL)
Conversion of existing commercial property into 7 flats including the construction of an additional storey to the roof.
Decision date: 12/11/2003 Decision: Refused.

This application was refused due to:

- An inadequate internal floor layout which would cause a loss of amenity to future occupiers;
 - Windows in the north western elevation may prejudice the future redevelopment of the adjoining land;
 - There would not be adequate sound insulation to protect future occupiers; and
 - Drawings did not provide information regarding the first floor front extension and whether it is to be retained as part of the conversion.
15. Although it is noted that the conversion of this property to residential accommodation was refused, it is understood that the upper floors currently serve residential units, and have been as such during Officer Assessment.
16. There is no other relevant planning history for adjoining occupiers.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

17. The main issues to be considered in respect of this application are:
- a) Principle of Development;
 - b) Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - c) Impact of adjoining and nearby uses on occupiers and users of proposed development;
 - d) Design Issues;
 - e) Transport;
 - f) Impact on Trees;
 - g) Impact on character and setting of a listed building and/or conservation area; and
 - h) Any other material planning considerations.
18. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning Policy

National Planning Policy Framework (the Framework)

19. National planning policy is set out in the revised National Planning Policy Framework ('the NPPF'), published on 24 July 2018. The NPPF focuses on a presumption in favour of sustainable development, of which there are three strands; economic, social and environmental. The core planning principles include, amongst others, the requirement to 'drive and support development'.
20. Paragraph 48 of the revised NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The council is preparing the New Southwark Plan (NSP) and OKR AAP which are emerging policy documents. The new London Plan is also in draft form. The weight that can be afforded to these emerging documents is discussed in greater detail in paragraphs 199 - 204 of this report.

Section 2 - Achieving sustainable development
 Section 6 - Building a strong, competitive economy

Section 7 - Ensuring the vitality of town centres
 Section 8 - Promoting healthy and safe communities
 Section 9 - Promoting sustainable transport
 Section 11 - Making effective use of land
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change
 Section 15 - Conserving and enhancing the natural environment
 Section 16 - Conserving and enhancing the historic environment

The London Plan 2016

21. The London Plan is the regional planning framework and was adopted in 2016.

Policy 3.1 Ensuring Equal Life Chances For All
 Policy 3.16 Protection And Enhancement Of Social Infrastructure
 Policy 3.9 Mixed and balanced communities
 Policy 4.3 Mixed use development and offices
 Policy 5.7 Renewable energy
 Policy 5.8 Innovative energy technologies
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.21 Contaminated land
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

Core Strategy 2011

22. Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 4 - Places to learn and enjoy
 Strategic policy 10 - Jobs and businesses
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

23. The adopted local plan for Southwark includes the saved policies from the 2007 Southwark Plan in addition to the 2011 Core Strategy including its strategic policies.
24. The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their

degree of consistency with the NPPF.

- Policy 2.1 - Enhancement of community facilities
- Policy 2.2 - Provision of new community facilities
- Policy 3.2 - Protection of amenity
- Policy 3.3 - Sustainability assessment
- Policy 3.4 - Energy efficiency
- Policy 3.7 - Waste reduction
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in design
- Policy 3.13 - Urban design
- Policy 3.14 - Designing out crime
- Policy 3.15 – Conservation of the Historic Environment
- Policy 3.16 - Conservation areas
- Policy 3.17 – Listed Buildings
- Policy 3.18 - Setting of conservation areas, listed buildings and world heritage sites
- Policy 3.19 - Archaeology
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking

Supplementary Planning Documents

25.

- Sustainable Design and construction SPD (2009)
- Sustainable Transport SPD (2010)
- Section 106 Planning Obligations and Community Infrastructure Levy (2015)
- Design and Access Statements SPD (2007)

Emerging Policy

Draft New London Plan

26. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Given the stage of preparation it can only be attributed limited weight. The draft New London Plan identified the Old Kent Road as having a minimum capacity for housing of 12,000 and a jobs target of 5,000.

Old Kent Road Area Action Plan (OKR AAP)

27. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21st March 2018. As the document is still in draft form, it can only be attributed very limited weight.

New Southwark Plan

28. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight.

Consultation responses

29. At the time of writing, 184 public comments had been made in relation to this application. Of these, 167 comments have been made in support of the proposal, 13 in objection, and 4 neutral.
30. The main issue raised through objections are regarding:
- Increased on street parking stress and traffic flow, which was noted as already being issues from the existing mosque;
 - The increase in noise level due to more building users;
 - The continuous selling/cooking of goods on the public footpath;
 - Events management and number of attendees (e.g. managing large groups);
 - The design of the building (particularly the minaret) and its impact on the historical nature of Old Kent Road;
 - The Council's objectives for development in Peckham and the Old Kent Road;
 - The amount of development coming to the area;
 - Being unable to understand what this development offers the community;
 - The reason for demolition of the existing building;
 - Bin storage and environmental hygiene (e.g. vermin and discarded food);
 - Management of calls to prayer and hours; and
 - Lack of cycle storage provisions.
31. The main comments of support are summarised, as follows:
- The Muslim community are in desperate need of facilities;
 - Beneficial for the whole community;
 - Provides new jobs;
 - Provides community space for educational needs across all ages;
 - Long standing history in community;
 - Current issues with capacity;
 - Improves diversity and inclusivity;
 - Contributes aesthetically to the area;
 - Will be the marquee Islamic centre in South East London;
 - A place to relax and enjoy;
 - Beneficial for small business (e.g. catering, cleaning etc.);
 - Empowers children education and leisure;
 - Mosques reputation to connect government to grass roots people;
 - Continual services (e.g. weddings, funeral etc.);
 - Provides a range of facilities; and
 - Long over due regeneration

Officers Response to objections:

32. *Objection - 'Increased on street parking stress and traffic flow, which was noted as already being issues from the existing mosque.'*

Officer's comments: This issue has been addressed in the Transport section of this report. Please refer to paragraphs 112 – 113.

33. *Objection - 'The increase in noise level due to more building users'*

Officer's comments: This issue has been address in the noise impacts section of this report. Please refer to paragraphs 107 – 108.

34. *Objection - 'The continuous selling/cooking of goods on the public footpath'*

Officer's comments: The application does not seek permission for the selling/cooking of goods on the public highway and therefore would not form part of a material planning consideration. The selling of goods on the public highway would be a matter for the 'markets and street trading team', who can be contacted via the Southwark Council website.

35. *Objection - 'Events management and number of attendees (e.g. managing large groups)'*

Officer's comments: The management and number of attendees have been noted in the Design, Access and Sustainability Statement. This has also been highlighted in the submitted Transport Statement. The management of the events includes signage and marshalling to ensure the safe operation of the public highway. Officers are satisfied that sufficient information has been provided for this purpose.

36. *Objection - 'The design of the building (particularly the minaret) and its impact on the historical nature of Old Kent Road'*

Officers comments: This issue has been addressed in the 'Design issues' section of this report. Please refer to paragraph 129 – 136.

37. *Objection - 'The Council's objectives for development in Peckham and the Old Kent Road and The amount of development coming to the area'*

Officer's comments: The council are currently preparing a new local plan (New Southwark Plan) which will be a new borough-wide planning and regeneration strategy up to 2033. This sets out the Councils objectives for the development in Peckham and the Old Kent Road through each respective Area Action Plan.

38. *Objection - 'Being unable to understand what this development offers the community'*

Officer's comments: The application has been accompanied by a Design, Access and Sustainability statement which gives a detailed explanation as to what the development offers the community. This has also been addressed in the equalities impact section of this report. Please see paragraph 103.

39. *'The reason for demolition of the existing building'*

Officer's comments: This query has been addressed in the design issues section of this report. Please see paragraphs 129 – 136.

40. *Objection - 'Bin storage and environmental hygiene (e.g. vermin and discarded food)'*

Officers comments: This issue has been addressed in the refuse/recycling storage arrangements section of this report. Please see paragraph 127.

41. *Objection - 'Management of calls to prayer and hours'*

Officer's comments: The applicant has confirmed that there will be no calls to prayers associated with the development. A compliance condition will be attached to reflecting this to ensure the development would not cause harm to the amenity of residents in the surrounding area.

42. *Objection - 'Lack of cycle storage provisions.'*

Officer's comments: This issue has been addressed in the cycle parking section of this report. Please see paragraphs 116 – 122.

Officers response to comments of support

43. It is noted acknowledged that there have been a number of letters of support received.
44. All comments received through public consultation (including objections/neutral) are welcomed. This application has been assessed under material planning considerations and against relevant planning policies.

Statutory Consultee Responses

Transport for London (TfL)

45. In their consultation response, TfL raise the following concerns with the proposed development:
 - Foundation positions in relation to the Bakerloo Line Extension. TfL request a condition is imposed requiring their approval of foundation details;
 - The potential for alternative D1 uses, which could have different trip generation patterns. TfL requests a condition restricting the type of use to mosque and community activities rather than any use within the D1 class;
 - Main door details, which should be amended to avoid encroaching onto existing footway space;
 - Cycle parking, the accessibility of which is significantly below the standards set by the London Plan and Southwark's own policy, and should be considered a reason for refusal;
 - The impacts of construction, for which TfL request that a Construction Logistics Plan is secured by condition (on which TfL should be consulted); and
 - Interim arrangements for mosque and community activities during construction. Approval of details could be secured by condition to ensure that the traffic (and other) impacts can be properly considered.
46. TfL welcome the following aspects of the proposal:
 - The proposed set-back of the building along Rowcross Street;
 - The retention of the parking space at the rear of the building for minibus parking;
 - The submission of a Delivery Service Management Plan is welcomed; and
 - The submission of a travel plan with acceptable targets.
47. TfL also acknowledge the following:
 - Public transport demand (especially for Friday prayers) would not coincide with traditional commuting peaks; and
 - Disabled "blue badge" holders will be able to park in normal parking places or on single yellow line restrictions (provided no restrictions on loading are introduced) or at certain times within the existing red route loading/parking box
48. Officer response: The conditions required by TfL have been included with this recommendation. The requirement to notify TfL of any interim arrangements has been included as an informative. The details of the proposed cycle parking, including its accessibility would also be required by planning condition.

Environment Agency

49. In their consultation response, the Environment Agency note that the site is situated

within Flood Zone 3, the high risk zone, and that it falls into a flood risk vulnerability category and flood zone that requires the exception test to be passed according to Tables 2 and 3 of the National Planning Policy Framework (NPPF) Planning Policy Guidance. The River Thames flood defences in this area defend the site to a 1 in 1000 year annual probability of river flooding in any year (<0.1%). Areas of residual flood risk can occur due to failure of the flood defences or a design flood event greater than that mentioned above. However according to the best information available the site lies outside the area of residual risk of flooding.

50. Please note that there may be other sources of flooding that affect this site, for example, surface water, sewer, or groundwater flooding. Under the Flood and Water Management Act the local authority has the lead role in these matters and consideration of these other sources of flooding may be necessary to inform suitable mitigation measures to reduce the impact of flooding.

Metropolitan Police Service/Secure By Design

51. The Metropolitan Police Service note that Secure By Design is referred to in the submitted Design and Access Statement, although no contact with the Designing Out Crime Unit has been made. Their view is that the development could achieve the security requirements of Secured By Design and they recommend that a condition should be included to require this.
52. Officer Response: The condition has been included with this recommendation

Thames Water

53. Thames Water have advised that with regard to waste water network and waste water process infrastructure capacity, they would not have any objection to the above planning application, based on the information provided. With regard to surface water drainage, Thames Water advises that if the developer follows the sequential approach to the disposal of surface water they would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They also advise that with regard to water network and water treatment infrastructure capacity, they do not have any objection.
54. They recommend one condition relating to a piling method statement and one informative relating to water pressure.
55. Officer Response: Both the condition and informative are included with this recommendation.

Fire Authority

56. No objections or comments to raise.

Southwark Officers

Southwark Surface Water and Flood Risk Team (SWFR)

57. The SWFR do not object to the application on the grounds of flood risk. However, they note that there are a number of matters which require clarification and therefore recommend that conditions regarding flood resilience and safety and surface water management are attached to any permission.
58. Officer Response: It is noted that a flood resilience and safety condition be attached to this permission. With regards to surface water management, the applicant proposes

'brown roofs' on site and it is acknowledged that details of this did not form part of the application. As such, details of brown roofing will be secured by condition. As no other surface water drainage methods are proposed, in line with AAP11: Cleaner, greener, safer of the Old Kent Road Area Action Plan (OKR AAP), the council will seek to secure a financial contribution through a S106 agreement to offset the shortfall.

Archaeology

59. Southwark's Archaeology Officer has advised that the application site is situated within the 'Old Kent Road' Archaeological Priority Zone (APZ) and the proposed extension to the basement is likely to have an impact upon any below ground archaeological remains which may survive in this part of the Site. As such, the Officer has requested a planning condition requiring an Archaeological Watching Brief and a planning condition requiring Archaeology Reporting Site Work.
60. Officer Response: Both conditions are included with this recommendation.

Ecology

61. Southwark's ecology officer has advised that the Preliminary Ecology Assessment is acceptable. He has recommended a condition for 6 swift bricks as swifts have been recorded within 500m of the site. This condition is included with this recommendation.

Urban Forester

62. Southwark's Urban Forester has advised that the submitted Arboricultural Method Statement provides sufficient details of how one small off site tree may be affected and recommended a condition to ensure that all tree protection measures are installed carried out and retained through out the period of works.
63. Officer Response: The condition is included with this recommendation

Environmental Protection Team

64. Southwark's Environmental Protection Team (EPT) has reviewed the proposals in relation to noise and vibration, plant noise, air quality, ventilation, odour, land contamination and construction management. They have recommended a condition requiring an acoustic assessment and specific noise standards to be achieved. They have also recommended conditions relating to amplified and non amplified music and speech and plant noise. In relation to air quality, the EPT are satisfied by the submitted material, and advised that emissions during construction should be dealt with through a construction management plan. They raise concerns that no details of the ventilation of the basement sports facilities have been submitted. These would be required by condition. They also recommend a condition relating to commercial kitchen extract ventilation. In relation to contaminated land the EPT has advised that they are satisfied with the information provided and no further investigation is recommended. Finally, they request a Construction Environment Management Plan (CEMP).
65. Officer Response: All requested conditions are included with this recommendation. The CEMP would be secured through the Section 106 Legal Agreement.

Highways

66. Southwark's Highways Officers requested clarification/ correction of the access to the parking space and doors shown opening outwards into the public realm. As the retaining walls of the basement would be in close proximity to the public highway, they have also requested detailed design and method statements to be submitted to and

approved by the Highway Authority. They also advised that, if consent is granted, the applicant must enter into a Section 278 agreement to complete the following works:

- Repave the footway fronting the development including new kerbing on Rowcross Street using materials in accordance with Southwark's Streetscape Design Manual (precast concrete slabs and granite kerbs);
- Vehicle crossover to be constructed to the relevant SSDM standards (DS132);
- Provide a dropped kerb with tactile paving at the pedestrian crossing on Rowcross Street; and
- Detailed drawings demonstrating that surface water would not flow onto the public highway.

67. They also requested a Construction Environment Management Plan (CEMP) to be submitted to the Council and that prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team.
68. Officer Response: The requested clarifications have been made to revised drawings. Full details of the foundation and basement design would be required by planning condition. The CEMP and requirement to enter into a Section 278 Agreement with both Southwark and TfL would be secured through the Section 106 Legal Agreement.

Transport Planning

69. Southwark Council's Transport Planning Team, raise no objection to the proposal subject to a condition for the monitoring of the travel plan (a draft of which was submitted) that will cover both day to day and event activity. When the new centre has been open for three months, a new travel survey will need to be undertaken. This will be the baseline for two years on monitoring.
70. Officer Response: Noted. Management of the travel plan would be secured through the Section 106 Agreement.

Local Economy Team

71. Southwark's Local Economy Team has confirmed that this application would not trigger any of their obligations (employment in construction; employment in end phase; or loss of employment space).

Equality Implications

72. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - c) Remove or minimise disadvantages suffered by persons who share relevant protected characteristic that are connected to that characteristic.
 - d) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

- e) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
73. There is also a responsibility to foster good relations between persons who share relevant protected characteristic and those who do not. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
74. The Integrated Impact Assessment (IIA) (specified in Appendix D of the New Southwark Plan (NSP) – Proposed Submission Version November 2017), includes an Equalities Impact Assessment which outlines a number of ‘protected characteristics’. These are defined as the groups or communities where the government feels that discrimination or unfair treatment could arise. The Council consider this to include race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
75. As set out in the Essential Guide to the Public Sector Equality Duty (2014), “the duty is on the decision maker personally in terms of what he or she new and took into account. A decision maker cannot be assumed to know what was in the minds of his or her officials giving advice on the decision”. A public authority must have sufficient evidence in which to base consideration of the impact of a decision.
76. This section of the report examines the impact of the proposals on those with protected characteristics, with a particular focus on the Council’s legal duties under Section 149 of the Equality Act (2010).

Affected groups

77. The facilities currently provide by the mosque on the site are inadequate for the needs of the Muslim population (religious belief) and disabled users of the building. These two protected characteristics are therefore identified as likely to be impacted upon by the proposed development. The capacity of the existing mosque is insufficient and can only offer a limited range of facilities and services. There is no lift within the building and the ramp access at the rear does not comply with the relevant standards for accessibility.
78. The application is accompanied by a Design, Access and Sustainability Statement prepared by Atelier, UWA Architects, dated June 2018. This thoroughly presents a statement of case that demonstrates the lack of existing provisions, considers the need for a new development to provide additional space to facilitate religious/faith and wider community activities for a range of ‘protected characteristics’. In addition to this, a conclusion is reached that the increasing population of the area would also create a local demand for the facilities proposed.
79. The most up to date source, quantifying the percentage of religious groups in Southwark is the 2011 Census. This shows that Southwark has a wide range of faiths, with Christians representing the largest group at 53% (compared to 62% in 2001), followed by those with no faith at 27%, Muslims at 9% (compared to 7% in 2001) and Buddhist, Hindu, Jewish, Sikh and other religions at 1% or less. Southwark, since the 2001 Census, has seen the population increase by 12%, which is set to rise as the wider London population grows.
80. In the long term, it is identified that the proposed redevelopment would have positive impacts on both groups with protected characteristics. It is also considered that the proposals would have the potential to foster good relations between persons who share protected characteristics relating to Islamic belief and those who do not as the centre would be open to the whole local community. It is acknowledge however, that during the

construction period there would be a temporary loss of facilities for the group sharing protected characteristics by religion or belief and race as a result of the demolition of the existing building. However, this is short term impact as the newer facilities with a larger capacity would be delivered for a long term benefit.

Conclusion

81. The IIA underpins emerging policies AAP 4 – Social regeneration to revitalise neighbourhoods of the Old Kent Road AAP/OAPF (Further preferred option version 2017) and P44: Community uses of the New Southwark Plan (Proposed Submission Version), as it reasons that ‘Community facilities encompass a wide range of uses essential to meet diverse local needs... Community facilities should be designed and operated to facilitate access by people from all backgrounds to ensure that their needs are met’.
82. Saved Policy 2.2 - Provision of new community facilities of the Southwark Plan 2007 reasons that ‘Due to the intense pressure on land for development, it is important that the LPA protects and takes opportunities to provide community facilities where there is an identified need.’
83. Officers are satisfied that equality implications have been carefully considered throughout the planning process and that sufficient information is provided to have due regard to the equality impacts of the proposal as required by Section 149 of the Equality Act 2010 in determining whether planning permission should be granted.

Principle of Development

84. Saved Policy 2.2 of the Southwark Plan, Provision of new Community Facilities, states that “Planning permission will be granted for new community facilities provided:
 - i. Provision is made to enable the facility to be used by all members of the community; and
 - ii. The facility is not detrimental to the amenity of present and future occupiers of the surrounding area in compliance with Policies 3.2 and 5.2; and
 - iii. Where developments will generate more than 20 vehicle trips at any one time a Transport Assessment will be required in compliance with Policies 3.3 and 5.2.”
85. The existing provision on site provides 615sqm (GIA) of Use Class D1. The proposals would deliver 1,432.4sqm. It is acknowledged that the proposal would also introduce 79.6sqm of Use Class A1 (Retail) space and have an ancillary Use Class D2 in the form of the proposed sports facilities in the basement. These facilities are however considered to be ancillary to the main function of the building as a cultural/community centre.
86. The new facilities would represent a vast improvement for the existing users of the mosque as well as the wider community. The proposal to ensure that the proposed facilities could be used by all members of the community is set out clearly in the Design, Access and Sustainability Statement which outlines a number of community activities that would take place in the new building. These include:
 - A youth programme consisting of arranged day trips, talks and meetings;
 - Integration classes which opens dialogue and understanding through talks from organised groups (e.g. Metropolitan Police, inter-faith groups etc.);
 - English Language classes;
 - Supplementary classes (e.g. homework club and tuition classes);
 - Employment training and mentoring;
 - Outreach support; and

- Health classes (e.g. yoga and light fitness classes).

87. In accordance with Part iii of Saved Policy 2.2 a Transport Assessment has been submitted and the likely impacts are set out below. Given the above, officers are satisfied that the proposal would accord with Saved Policy 2.2, provided that there would not be any detrimental loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area; the design would not be detrimental to the character of the surrounding area; and the proposal meets the criteria of any other material planning considerations.

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

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

Privacy and Overlooking

89. The distance across Rowcross Street between the proposed windows and the residential windows in the side elevation of 361 – 363 Old Kent Road would be approximately 9m. This would fall short of the requirement of Southwark's Residential Design Standards SPD for 12m where buildings face each other across the highway. It is however the same distance as the existing condition. As the windows would be larger than the existing and would serve more intensively used spaces however, it is considered that a planning condition requiring the windows on the west elevation, above ground floor level, to be obscure glazed is appropriate.

90. To the east of the building, there would be no windows that would overlook Wessex House. The original proposal to glaze the vertical circulation on this elevation was revised to clad it in copper in order to avoid harmful overlooking. Hit and miss brickwork would allow light into the building without allowing views out.

Daylight and Sunlight impacts

91. The submitted daylight and sunlight report examines the effects of the proposed development on the amount daylight and sunlight currently received by neighbouring residential properties and the extent of overshadowing of neighbouring outdoor amenity areas, e.g., private gardens, communal courtyards, etc.

Daylight

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

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

- Wessex House, 375 Old Kent Road;

- 361 – 363 Old Kent Road;
- 352 – 356 Old Kent Road;
- 358,360,362,364 and 368 Old Kent Road
- Asterly House, Row Cross Street

94. The applicants note that in the absence of windows facing the proposal development, Southernwood retail park has been excluded from the study. It is in any case, not considered that this is a sensitive receptor.

Windows failing VSC test (Before development)	
Wessex House, 375 Old Kent Road	16(out of 47)
361 – 363 Old Kent Road	8 (out of 23) 23
352 – 356 Old Kent Road	0 (out of 15)
358,360,362,364 and 368 Old Kent Road	0 (out of 44) 44
Asterly House	0 (out of 105)

Table 1: Windows failing VSC before proposed development

95. The results of the existing VSC tests (before proposed development) show that 24 windows out of 232 tested do not meet the BRE criteria. This refers to 16 windows across ground to second floor at Wessex House and 8 windows from ground to second floor at 361 – 363 Old Kent Road.

Windows for which there would be a noticeable decrease in VSC (After development)	
Wessex House, 375 Old Kent Road	0 (out of 47)
361 – 363 Old Kent Road	8 (out of 23)
352 – 356 Old Kent Road	0 (out of 15)
358,360,362,364 and 368 Old Kent Road	0 (out of 44)
Asterly House, Row Cross Street	0 (out of 105)

Table 2: Windows for which there would be a noticeable decrease in VSC after the proposed development

VSC results for the most effected windows (361-363 Old Kent Road)					
Floor	Window	VSC Existing (%)	VSC Proposed (%)	% of Existing (>=80%)	BRE Compliant?
Ground	W2	25.15	21.08	83%	Yes
First	W2	29.83	24.58	82%	Yes
	W3	20.86	12.43	59%	No
	W4	19.66	10.79	54%	No
	W5	19.29	10.57	54%	No
	W6	18.92	10.86	57%	No
Second	W1	27.33	15	54%	No
	W2	26.47	13.46	50%	No
	W3	26.06	13.24	50%	No
	W4	25.44	13.42	52%	No

Table 3: VSC results for the most effected windows (361-363 Old Kent Road)

96. The results of the submitted daylight analysis show that most of the windows tested would receive VSC values that are above the recommended levels or would experience

an impact that is within the limits set by BRE. The only exceptions are south facing windows on the first and second floors of 361-363 Old Kent Road.

97. Appendix I (Environmental Impact Assessment) of the BRE guide describes three 'scale of impact' categories, ranging from 'minor' to 'moderate' to 'major'. It is considered that the daylight impacts of the proposed development would be minor. The only noticeable impact would be on 361-363 Old Kent Road, where there would be a small number of windows affected. Eight windows would experience a noticeable loss of light. It is however noted seven of them already have a VSC below 27%. It is also noted that 16 of the windows at Wessex House fail the VSC test before the proposed development; the report concludes that there would not be a noticeable decrease in VSC after the development as they would all retain at least 80% of their current VSC level.

Sunlight Impacts

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

Assessed properties and windows	
Wessex House, 375 Old Kent Road	22 windows tested
361 – 363 Old Kent Road	12 windows tested

Table 4: Windows assessed for APSH

99. This test involves analysing the number of hours in which windows facing due south will receive sunlight at different points in the year. The BRE guidance advises that a dwelling will appear reasonably sunlit if at least one main window falls within 90 degrees of due south and can receive 25% annual probable sunlight hours, including at least 5% during the winter months.
100. The results of the of the sunlight assessment demonstrate that all of the windows in Wessex House would remain BRE compliant. Five out of the 12 windows tested at 361-363 Old Kent Road would fail to meet the BRE criteria for APSH, with only 1 failing the Winter Probable Sunlight Hours (WPSH) test. Officers recognise that two of the tested windows are smaller in scale and as such are unlikely to serve main habitable rooms. Whilst it is acknowledged there would be some loss of sunlight, on balance, it is considered that the scale of significance is minor as the impact is on a small number of windows, with some rooms likely to have a lower requirement for sunlight.

APSH results for the most effected windows (361-363 Old Kent Road)					
Floor	Window	APSH Existing (%)	APSH Proposed (%)	% of Existing (>=80%)	BRE Compliant?
First	W4	36	23	64%	No
	W5	35	20	65%	No
	W6	35	19	54%	No
Second	W1	53	28	53%	Yes
	W2	53	26	49%	Yes
	W3	53	24	45%	No
	W4	54	23	43%	No

Table 5: APSH results for the most effected windows (361-363 Old Kent Road)

WPSH results for the most effected windows (361-363 Old Kent Road)					
Floor	Window	WPSH Existing (%)	WPSH Proposed (%)	% of Existing (>=80%)	BRE Compliant?
	W5	9	6	67%	Yes
	W6	9	4	44%	No
Second	W1	15	11	63%	Yes
	W2	15	9	60%	Yes
	W3	15	7	47%	Yes
	W4	15	5	33%	Yes

Table 6: WPSH results for the most effected windows (361-363 Old Kent Road)

101. The results of the daylight and sunlight assessments demonstrate that the majority of the tested windows of the neighbouring properties would retain VSC and APSH/WPSH values above the BRE recommended levels or have a reduction in their values from the baseline scenario that is within the limits set by the BRE. The only exceptions are the south facing windows at first and second floors of 361-363 Old Kent Road, two of which are thought likely to serve non-habitable rooms.
102. As such, it is concluded that the development would have a minor impact overall, with a moderate impact on 361-363 Old Kent Road. On balance, it is not considered that the proposal would cause a detrimental loss of daylight to neighbouring properties such that it would warrant refusal, as the harm caused relatively united and outweighed by the wider benefits of the proposals.

Overshadowing of outdoor amenity spaces

103. As mentioned above the daylight and sunlight report also examines the effects of the proposed development on the extent of overshadowing of neighbouring outdoor amenity areas, e.g., private gardens, communal courtyards, etc.
104. The BRE guidelines state that for a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21st March, and; in addition, if, as result of new development, an existing garden or amenity area does not reach the area target above and the area which can receive two hours of direct sunlight on 21st March is reduced by more than 20% this loss is likely to be noticeable.
105. The submitted report assessed the overshadowing impact on outdoor amenity areas within Astley House and Wessex House, and in each case the impact was within the recommended tolerance. Indeed, there would be no change to the overshadowing of

these spaces at all.

Noise Impacts

106. The submitted application is accompanied by a noise impact assessment. This includes a detailed 24hr daytime and night-time fully automated environmental noise survey of the site to establish the currently prevailing noise climate. The use identified when the assessment was carried out was multi-use facilities with residential units, but no residential units proposed in the current application. The report states that plant noise emission criteria have been recommended based on the results of the noise survey and with reference to the Local Authority's planning requirements. The assessment does not address the likely impact of noise generated by the intensified use of the site on neighbouring properties. It does however acknowledge that the Local Planning Authority may expect to be provided with details of the sound insulation treatments when available. Therefore in granting consent it recommends that it would be appropriate for a planning condition to be imposed requiring a scheme for protecting surrounding noise sensitive receptors.
107. In line with this, the Council's Environmental Protection Team (EPT), have recommended that an acoustic assessment is submitted by condition to detail the impact of this proposed use on neighbouring properties and a scheme of sound insulation installed to ensure that the LFmax sound from amplified and no-amplified music and speech shall not exceed the limitation specified. A condition requiring this is included with this recommendation.

Air Quality

108. The site is within an Air Quality Management Area. An Air Quality Assessment has been submitted in support of this application. This concludes that the proposed development has the potential to expose future occupants and neighbours to elevated pollution levels and cause air quality impacts during the construction and operational phases. During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. The implementation of good practice dust control measures however, (as secured through the Construction Environment Management Plan required by the Section 106 Legal Agreement), would mean the impact would be not significant. As a result of the operation of the proposed development, air quality impacts as a result of traffic exhaust emissions associated with vehicles travelling to and from the site would be negligible as a result of the low number of trips anticipated.
109. In relation to air quality, the Council's EPT are satisfied by the submitted material, and advise that emissions during construction should be dealt with through a Construction Environment Management Plan.

Transport issues

Car Parking

110. The site has a PTAL rating of 5 and therefore represents good public transport accessibility. Furthermore, TfL in conjunction with Southwark and Lewisham Councils are proposing an extension of the Bakerloo Line through the Old Kent Road Opportunity Area. Although, the number and location of stations are yet to be decided, there is a potential station site covering the nearby Tesco and Southernwood Retail Park sites (referred to as Burgess Park in the Old Kent Road AAP/OAPF (Further preferred option version 2017)).
111. It is noted that residents raise concerns regarding the increase of on-street parking

stress as a result of the larger capacity. The application site falls within a Controlled Parking Zone (CPZ). Saved Policy 5.6 Car Parking of the Southwark Local Plan states that all developments must justify the amount of any parking sought and that the LPA will restrict permit provision in CPZ where necessary. In this case, the CPZ allows up to 4 hours of on street parking on a pay and display premise between the hours of 08:00 – 18:30, Monday to Friday. Outside of these hours, the CPZ is for permit holders only. The applicants conducted a 'Travel Mode Choice' survey in 2015. The survey was issued to all users of the centre for a period of time rather than for a specific event. It was concluded that of the 326 respondents, 73% of the centres users use sustainable modes (public transport, walking, and cycling and car share) of transport to access the site.

112. Officers recommend that the monitoring of the travel plan (a draft of which was submitted) should be secured through the Section 106 Agreement. This should cover both day to day and event activity. When the new centre has been open for three months a new travel survey will be undertaken this will be the base line for two years on monitoring.
113. Notwithstanding the above, disabled users are provided with spaces on Rowcross Street for use between 10:00 and 16:00 Monday to Saturday. In addition, the mosque organises a minibus service for worshippers who are of this shared protected characteristic. This will continue as part of the new development.
114. Whilst it is acknowledged that there would be some increase in parking particularly for evening prayer, it is not envisaged that this would be so severe as to be detrimental to neighbouring properties and existing highway users as a large proportion of the building users would travel by a sustainable mode of transport.

Cycle parking provision

115. Saved Policy 5.3 ('Walking and Cycling') of the Southwark Plan seeks to ensure that Developments provide facilities for pedestrians and cyclists.
116. Table 6.3 Cycle Parking minimum standards, Policy 6.9 Cycling of The London Plan 2016 requires that developments of this nature have the following:

Land use		Long - stay	Short-stay
A1	food retail	from a threshold of 100 sqm: 1 space per 175 sqm	from a threshold of 100 sqm: first 750 sqm: 1 space per 40 sqm thereafter: 1 space per 300 sqm
	non-food retail	from a threshold of 100 sqm: first 1000 sqm: 1 space per 250 sqm thereafter: 1 space per 1000 sqm	from a threshold of 100 sqm: first 1000 sqm: 1 space per 125 sqm thereafter: 1 space per 1000 sqm
D1	(non-residential institutions)	1 space per 8 staff	1 space per 100 sqm

Table 7: Cycle Parking minimum standards from the London Plan 2016

117. The applicant has provided the following:

Land use		Long - stay	Short-stay
A1	food retail	See para 142	See para 142
	non-food retail		
D1	(non-residential institutions)	2 spaces	14 spaces

Table 8: Proposed cycle parking spaces

118. The scheme proposes 79.6sqm of Use Class A1 floor space, this falls below the 100sqm threshold. As such, there is no requirement to provide cycle spaces for these units. Despite this, the applicant would provide 4 cycle spaces for this use. Officers welcome this approach to support sustainable transit modes, as promoted by Strategic Policy 2 - Sustainable Transport of the Southwark Core Strategy.
119. London parking standards indicate (Table 7: Cycle Parking minimum standards from the London Plan 2016) that for non-specified D1 uses one space per eight staff members (minimum two spaces) and one space per 100sqm (minimum two spaces) should be provided. Based on the proposed buildings having eight staff members and a combined floor area of 1,432.4sqm (excluding retail units) this equates to a requirement of two long stay and 14 short stay spaces.
120. The spaces allocated to the public would be contained internally and in a main cycle store to the rear of the building accessible externally. A separate store would house the 2 staff spaces. The style of storage appears to be generally vertical racks, with two of the locations requiring the negotiation of stairs. As such, there are some concerns about the accessibility of non-standard/adapted bikes and the safety and comfort of cyclists when accessing the facilities and the bicycles themselves.
121. Whilst it is acknowledged that the proposal would provide a sufficient number of cycle parking spaces, the style of rack and accessibility would fall below the standards set out in Policy 6.9 Cycling of The London Plan 2016. However, Officers consider there would be sufficient space on-site and resources to be able to deliver acceptable cycle storage facilities for the development. As such a condition requiring detailed proposals for satisfactory safe and secure cycle parking facilities is included with this recommendation.

Deliveries and Servicing

122. Old Kent Road is an extremely active road which can often get congested, particularly during peak hours. The Council is keen to ensure that all servicing takes place on side streets off Old Kent Road to prevent obstruction. The applicant has confirmed that the proposed development expects deliveries to occur twice a week; these are envisaged to be small good vehicles (i.e. transit van). The single parking space to rear, accessed off Rowcross Street is expected to be utilised for this purpose.
123. With regards to the retail units, an assessment has been undertaken of the 'worst case' scenario in which two of the units are used by convenience store operators. It is concluded this would result in the 2 trips a day from large vehicles. It is not expected that this would cause a significant impact to the highway of Rowcross Street or the Old Kent Road.
124. In any case and for the avoidance of doubt, prior to occupation of the retail units a detailed servicing management plan shall be submitted to the council, as required by a planning condition.
125. Further to this, a condition will be attached to the permission to ensure that any deliveries or collections to the commercial units shall only be between the following

hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays.

Refuse/recycling storage arrangements

126. Refuse storage is proposed to the rear of the building, adjacent the parking space, accessible externally. This consists of 4 x 240L bins and 1 x 110L; this is considered sufficient and commensurate to the scale and nature of the proposed uses.

Construction Management

127. In order to ensure that increases in traffic, noise and dust associated with the construction phase of the development are minimised, a Construction Environment Management Plan would be requested by the Section 106 Legal Agreement.

Design issues

128. In assessing the design of this proposal, the Council has applied Section 12 of the NPPF (2018), with paragraphs 126, 127, 129 and 130 being of particular relevance; Strategic Policy 12, Design and Conservation of the Core Strategy (2010); and Saved Policies 3.12, 'Quality in Design', 3.13, 'Urban Design', 3.14, 'Designing Out Crime', 3.15, 'Conservation of Historic Environment', 3.18, 'Settings of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (2007). The policy context requires a high quality of both architectural and urban design, enhancing the quality of the built environment with carefully considered design features and materials, particularly within the setting of a Conservation Area.
129. The existing building on the site is a three storey former public house with a basement. The external walls are rendered white with painted green details around the windows. The existing windows are painted white with timber frames. Whilst of some age and interest in the street scene, the existing building has not been identified in the draft Old Kent Road AAP as a building of townscape merit or architectural interest. As such it is not considered a heritage asset. It is in a relatively poor state of repair and is not large enough to accommodate the needs and ambitions of the current occupiers. As such, it is considered that any harm caused by the loss of this building would be outweighed by the wider benefits of the proposed redevelopment of the site.

Height, Scale and Massing

130. The proposals under consideration include the demolition of the existing building and structures on the site to allow for the construction of a six storey building. The proposal for a single, rectangular, slim building which would integrate well into the existing and future context of this part of the Old Kent Road. The maximum height of the building would be approximately 18.8m and the overall height, including the sculptural minaret detail at the southern end of the building would be 22.7m high. This scale is considered to sit well on this corner plot, mediating between the three storeys Wessex House to the south east, the seven storeys Astley house to the north east and the substantial bulk of the Southernwood retail park to the north west.
131. The height proposed would also relate well to the type of scale of development envisaged for the area in the draft Old Kent Road Area Action Plan (acknowledging the very limited weight of this document).

Design Quality

132. The design proposal would be of good quality. The building would form a clear hierarchy of 'base', 'middle' and 'top', ensuring comfortably proportioned elevations and

clear definition of the different uses of the building. The 'base' at the ground floor of the building would form an active retail frontage onto Rowcross Street, in line with the requirements of Saved Policy 3.13, at the back edge of the widened footway, and a new celebratory entrance to the building on the corner with Old Kent Road. The frontage onto the Old Kent Road would also be active, with a glass façade to the proposed reception area. The 'middle' would feature a grey brick façade with generously proportioned arched windows with gothic (pointed) heads, and a curved form to the rear with narrower windows and a vertical green hanging wall to respond to the open space outside Astley House. The top of the building would be defined by a copper clad box that would wrap down to the ground on the east elevation.

133. On the corner of Rowcross Street and Old Kent Road would be a sculptural copper minaret structure. This is designed in the form of a petal and would signify the entrance point to the building. The design solution proposed is considered to be a thoughtful and creative contemporary interpretation of traditional Islamic architecture, using materials that are appropriate for this setting on the Old Kent Road. The site is on a prominent corner directly opposite the entrance to Burgess Park. It is therefore worthy of a striking piece of architecture that, whilst complimenting its surroundings, does not need to ape or mimic any of the neighbouring buildings. The design proposed is well composed, balanced and finely detailed. In order to ensure the building is of the highest quality, a condition requiring detailed drawings of the proposals, including the shop fronts and ground floor frontage onto Old Kent Road is recommended.

Materials

134. The materiality proposed is clearly informed by the surrounding context, with the focus on masonry and metal details reflecting the industrial heritage of the Old Kent Road Area. These materials would be applied in a manner however, that would give the new cultural centre a landmark presence on this significant site. The material palette proposed is a combination of red brick (in response to Wessex House), copper metal cladding, and grey linear bricks with perforated details and glazing with powdered coated, grey aluminium window frames. This material palette is considered to be of a high quality and therefore acceptable.
135. In order to ensure that the materials specified are of the highest quality, a condition is recommended requiring samples of all facing materials to be submitted to and approved by the Local Planning Authority. This includes a requirement for 1 sqm panels showing the bricks laid in the bonds proposed, including examples of the perforations proposed.

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

136. The existing building on the site is not listed, and as described above, is not considered an undesignated heritage asset. It is not within a conservation area, but it is visible from the entrance to the Cobourg Road Conservation Area. As such, development here could impact on the setting of this conservation area. It is acknowledged that the Cobourg Road Conservation Area contains a number of listed buildings, but these are some distance from the Old Kent Road and unlikely to be impacted by the proposed development.
137. Saved Policy 3.18 of the Southwark Plan requires development within the settings of conservation areas to preserve or enhance their heritage significance. Given the scale of the proposed development and the sensitive use of materials, it is not considered that any harm would be caused to the significance of the conservation area. It is also worth noting again the prominence of this corner site and reiterating that this is considered appropriate for a landmark building demonstrating the creativity and quality of design proposed here. As such, the proposals are considered to comply with Saved

Policy 3.18.

Impact on trees

138. The submitted application is supported by an Arboricultural Impact Assessment prepared by agb Environmental, dated 4th January 2018 (ref: P3014.2.0).
139. The document identifies that there are no trees within the application site boundary, however there are two trees of considerable prominence located to the south-east of the application site, outside the site boundary. As the proposal is likely to affect these trees, protection measures in the form of fencing around Root Protection Areas (RPAs) and ground protection where necessary are proposed.
140. The Arboricultural Impact Assessment has been reviewed by Southwark Council's Urban Forester who concluded that the details submitted are sufficient and that a condition should be included to require the protection and management of the existing trees in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement. This is to avoid damage to the existing trees which represent an important visual amenity in the area. This condition is included with this recommendation.

Planning Obligations (S.106 undertaking or agreement)

141. Saved Policy 2.5 'Planning obligations' of the Southwark Plan and policy 8.2 of the London Plan advise that Local Planning Authorities should seek to enter into planning obligations to avoid or mitigate the adverse impacts of developments which cannot otherwise be adequately addressed through conditions, to secure or contribute towards the infrastructure, environment or site management necessary to support the development, or to secure an appropriate mix of uses within the development. Further information is contained within the Council's adopted Planning Obligations and Community Infrastructure Levy SPD.

Section 106 Agreement (S106)

142. A Section 106 Legal Agreement is currently being drafted, which would include clauses to secure the following:
 - Archaeological contribution of £3,389
 - Construction Environment Management Plan
 - Travel Plan management
 - CPZ controls
 - Commitment to Section 278 Agreements with both London Borough of Southwark and TfL
 - A possible financial contribution necessary in lieu of greenfield run off rate
 - Admin charge
143. In the event that a satisfactory legal agreement has not been entered into by 20th May 2019 it is recommended that the Director of Planning refuses planning permission, if appropriate, for the following reason:

“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015)”.

Mayoral and Southwark Community Infrastructure Levy (CIL)

144. Section 143 of the Localism Act states that any financial contribution received as Community Infrastructure Levy (CIL) is a material “local financial consideration” in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark’s CIL will provide for infrastructure that supports growth in Southwark.
145. In this instance a Mayoral CIL payment of £44,041.06 and a Southwark CIL payment of £7,129.62 would be required. These are pre-charitable relief figures and accordingly would be reduced when the CIL charitable claim is submitted after the grant of planning permission.

Sustainable development implications

146. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor’s energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and Policy 5.7 requires the use of on-site renewable technologies, where feasible. Non-domestic buildings must comply with the Building Regulations in terms of their carbon dioxide emissions. An Energy Statement has been submitted in support of this application which demonstrates that the proposal would exceed the CO2 emissions target from Part L of the Building Regulations (2013). The threshold for requiring financial contributions to the carbon offset green fund where schemes do not meet the overall carbon reduction targets identified in the development plan is development providing a net increase of 1,000 sqm or more of non residential floor space (GIA). This proposal would not exceed that threshold.
147. The following energy measures are proposed within the development:
- High standards of airtightness;
 - High standards of thermal insulation;
 - Solar photovoltaics;
 - Mechanical ventilation with heat recovery;
 - Natural and energy efficient lighting;
 - Water conservation measures;
 - Smart metering and smart heating controls;
 - Building energy management systems; and
 - Sustainable construction materials.
148. The passive environmental control solutions that form an integral part of the building design would reduce energy demand in the first instance. In addition, the buildings major energy usage systems, heating, lighting, ventilation etc. would be designed to operate ‘on demand’ where practical. Passive solutions could provide up to 15% CO2 savings without the use of renewable energy sources.

BREEAM

149. Strategic Policy 13 of the Core Strategy 'High Environmental Standards' requires developments to meet the highest possible environmental standards and the following are relevant in relation to the proposal:
- Major developments must reduce surface water run-off by more than 50%; and

- Non-residential development (other than community facilities) should achieve at least BREEAM 'excellent'.

150. The submitted Energy Statement demonstrates that the building would achieve BREEAM Excellent rating.

Archaeology

151. The site is situated within the 'Old Kent Road' Archaeological Priority Zone (APZ), which has the potential to contain features associated with the former route of Watling Street, the major Roman road between London and Canterbury. Significant archaeological remains, predominately of prehistoric and Roman date have been discovered along the Old Kent Road from a number of sites. These works have identified multi-period archaeological deposits including in situ prehistoric flint-work and Roman settlement features, as well as medieval and post-medieval archaeological deposits.

152. The applicants have submitted an archaeological desk based assessment with this application 'Archaeological Desk Based Assessment Old Kent Road Mosque, 365 Old Kent Road, London' by Archaeology Collective and dated December 2017. The proposed development includes an extension to the current basement which is likely to have an impact upon any below ground archaeological remains which may survive in this part of the Site.

153. There is sufficient information to establish that the development is not likely to cause such harm as to justify refusal of planning permission provided that the safeguarding conditions recommended by the Council's Archaeology Officer are applied to any consent. The pre-commencement conditions are included with this recommendation.

Contaminated Land

154. In relation to contaminated land the Council's EPT has advised that they are satisfied with the information provided and no further investigation is recommended.

Ecology

155. A Preliminary Ecological Appraisal has been submitted in support of this application. It notes that the site currently comprises of a building and hardstanding only, as such is considered to be of a negligible ecological importance due to its poor plant diversity and extensive use of artificial lighting.

156. The report was reviewed by the Council's Ecology Officer, who is satisfied with the recommendations for enhancing biodiversity. However, the officer advised that a condition to ensure 6 swift bricks are provided in the eastern elevation as there has been a recording of these birds within 500m of the site. This condition is included with this recommendation.

Secure By Design

157. Secure By Design is referred to in the submitted Design and Access Statement, although no contact with the Designing Out Crime Unit has been made. As the development could achieve the security requirements of Secured By Design, a condition is recommended to require this.

Flood Risk and Drainage

158. The application site is located within a Flood Zone 3a flood plain which benefits from flood defences. The application has been accompanied by an 18754 Rev B Flood Risk

Assessment, prepared by Malachy Walsh and Partners Consulting Engineers, dated 4th April 2018.

159. The document concludes that tidal flooding is a 1 in 200 year event and the fluvial flooding 1 in 100 year event. The document also recommends that a flood level of 2.70m OD be adopted for the site and that the floor level of the building be set at a minimum of 0.3m above this level as set out in the London Borough of Southwark Strategic Flood Risk Assessment.
160. Should permission be granted, conditions will be attached to the permission to ensure that a flood evacuation strategy is submitted to the council prior to occupation and; a Flood Resistance and Resilience Report submitted prior to commencement.

Surface water / greenfield

161. AAP11: Cleaner, greener, safer of the Old Kent Road Area Action Plan (OKR AAP) seeks to ensure that developments provide::
 - 100% greenfield run off rates; and
 - A minimum of 70% greenfield run off rates using Sustainable Urban Drainage (SuDs);and
 - Any shortfalls of Greenfield run off rates. Where it can be demonstrated that it is not feasible to provide 100% Greenfield run off rates, a payment to the Council will be required to offset the shortfall.
162. In this instance it has been concluded that the proposed development would be designed to use the existing outfalls from the site, as due to the size of the site, the introduction of new soakaways could not be delivered. Similarly, there was found to be no viable system for this site other than the discharge of storm water in to the combined sewer, the use of a brown roof and the introduction of a storm water manhole with hydro value to minimise the risk of storm water runoff and flooding on the site.
163. The application has demonstrated that it would not be feasible to provide 100% greenfield run off rates on this site. As such, in line with AAP11: Cleaner, greener, safer of the Old Kent Road Area Action Plan (OKR AAP), the council will seek to secure a financial contribution through a S106 agreement to offset the shortfall.

Conclusion on planning issues

164. The existing place of worship on this site is not sufficient to meet the needs of its current users and as a result, worshippers are forced onto the street. There is also insufficient access for disabled users and the building is in a poor state of repair. The proposed new building would address these issues and introduce new community facilities, including sports provision and flexible multi use halls that would benefit a greater number of local people. In terms of design, the scheme would make a high quality and appropriate response to the site and its context, being respectful of local character, whilst adding a contemporary element. Though there would be some adverse daylight and sunlight impacts, this would be limited to a small number of windows, two of which do no appear to serve habitable rooms. Officers consider that the height scale and massing proposed is appropriate and the transport impacts would be acceptable. It is therefore recommended that planning permission is granted subject to conditions and the completion of a Section 106 Legal Agreement.

Consultations

165. Details of consultation and any re-consultation undertaken in respect of this application

are set out in Appendix 1.

Consultation replies

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

Human rights implications

167. 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.

168. This application has the legitimate aim of providing a replacement place of worship and new associated community facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2168-365 Application file: 18/AP/1431 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing 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 7194 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 Authors	Sarah Parsons, Team Leader, Kerri Simpson, Project Officer, Liz Awoyemi, Planning Project Officer	
Version	Final	
Dated	5 November 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		8 November 2018

Consultation undertaken

Site notice date: 16/07/2018

Press notice date: 19/07/2018

Case officer site visit date: n/a

Neighbour consultation letters sent: 12/07/2018

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

Flat 40 Wessex House SE1 5JQ
 Flat 39 Wessex House SE1 5JQ
 Flat 38 Wessex House SE1 5JQ
 Flat 41 Wessex House SE1 5JQ
 Flat 44 Wessex House SE1 5JQ
 Flat 43 Wessex House SE1 5JQ
 Flat 42 Wessex House SE1 5JQ
 Flat 33 Wessex House SE1 5JQ
 Flat 32 Wessex House SE1 5JQ
 Flat 31 Wessex House SE1 5JQ
 Flat 34 Wessex House SE1 5JQ
 Flat 37 Wessex House SE1 5JQ
 Flat 36 Wessex House SE1 5JQ
 Flat 35 Wessex House SE1 5JQ
 Flat 45 Wessex House SE1 5JQ
 Flat 55 Wessex House SE1 5JQ
 Flat 54 Wessex House SE1 5JQ
 Flat 53 Wessex House SE1 5JQ
 Flat 56 Wessex House SE1 5JQ
 Flat 59 Wessex House SE1 5JQ

Flat 67 Astley House Astley Estate SE1 5HT
 Flat 70 Astley House Astley Estate SE1 5HT
 Flat 73 Astley House Astley Estate SE1 5HT
 Flat 72 Astley House Astley Estate SE1 5HT
 Flat 71 Astley House Astley Estate SE1 5HT
 Flat 81 Astley House Astley Estate SE1 5HT
 Flat 1 Astley House Astley Estate SE1 5HU
 Flat 90 Astley House Astley Estate SE1 5HT
 Flat 89 Astley House Astley Estate SE1 5HT
 Flat 10 Astley House Astley Estate SE1 5HU
 Flat 13 Astley House Astley Estate SE1 5HU
 Flat 12 Astley House Astley Estate SE1 5HU
 Flat 11 Astley House Astley Estate SE1 5HU
 Flat 84 Astley House Astley Estate SE1 5HT
 Flat 83 Astley House Astley Estate SE1 5HT
 Flat 82 Astley House Astley Estate SE1 5HT
 Flat 85 Astley House Astley Estate SE1 5HT
 Flat 88 Astley House Astley Estate SE1 5HT
 Flat 87 Astley House Astley Estate SE1 5HT
 Flat 86 Astley House Astley Estate SE1 5HT

Flat 58 Wessex House SE1 5JQ
 Flat 57 Wessex House SE1 5JQ
 Flat 48 Wessex House SE1 5JQ
 Flat 47 Wessex House SE1 5JQ
 Flat 46 Wessex House SE1 5JQ
 Flat 49 Wessex House SE1 5JQ
 Flat 52 Wessex House SE1 5JQ
 Flat 51 Wessex House SE1 5JQ
 Flat 50 Wessex House SE1 5JQ
 Flat 30 Wessex House SE1 5JQ
 Flat 10 Wessex House SE1 5JQ
 Flat 9 Wessex House SE1 5JQ
 Flat 8 Wessex House SE1 5JQ
 Flat 11 Wessex House SE1 5JQ
 Flat 14 Wessex House SE1 5JQ
 Flat 13 Wessex House SE1 5JQ
 Flat 12 Wessex House SE1 5JQ
 Flat 3 Wessex House SE1 5JQ
 Flat 2 Wessex House SE1 5JQ
 Flat 1 Wessex House SE1 5JQ
 Flat 4 Wessex House SE1 5JQ

Flat 7 Wessex House SE1 5JQ
 Flat 6 Wessex House SE1 5JQ
 Flat 5 Wessex House SE1 5JQ
 Flat 15 Wessex House SE1 5JQ
 Flat 25 Wessex House SE1 5JQ
 Flat 24 Wessex House SE1 5JQ

Flat 23 Wessex House SE1 5JQ
 Flat 26 Wessex House SE1 5JQ
 Flat 29 Wessex House SE1 5JQ
 Flat 28 Wessex House SE1 5JQ
 Flat 27 Wessex House SE1 5JQ
 Flat 18 Wessex House SE1 5JQ

Flat 17 Wessex House SE1 5JQ
 Flat 16 Wessex House SE1 5JQ

Flat 19 Wessex House SE1 5JQ
 Flat 22 Wessex House SE1 5JQ
 Flat 21 Wessex House SE1 5JQ
 Flat 20 Wessex House SE1 5JQ
 Flat 60 Wessex House SE1 5JQ

Second Floor Flat 380 Old Kent Road SE1 5AA
 First Floor Flat 370 Old Kent Road SE1 5AA
 Flat 1 368 Old Kent Road SE1 5AA
 Flat 2 368 Old Kent Road SE1 5AA
 Second Floor Flat 370 Old Kent Road SE1 5AA
 Second Floor Flat 376 Old Kent Road SE1 5AA

Flat 2 374 Old Kent Road SE1 5AA

Flat 3 361 Old Kent Road SE1 5JH
 Flat 2 361 Old Kent Road SE1 5JH
 Flat 1 361 Old Kent Road SE1 5JH

49 Wood Cut Peneden Heath X
 55 Foort Cray Sidcup X
 36 Brenlaey House Tabard Gardens Estate X
 33 Sherard Road London SE9 6EX
 6, Throwley Close Abbeywood London Se 2 9lb
 37 Hedgemans Way Dagenham RM9 6DD
 90, Malham Road Forest Hill SE23 1AN
 St Patrick'S Garden Gravesend DA12 4AJ
 36 Bannockburn Road London SE18 1ES
 90, Malham Road Forest Hill SE23 1AN
 90 Whitehouse Way London N14 7LU
 Flat 32 Hitard Court Red Lion Close SE17 2FH
 10 Recreation Avenue ME6 5DX
 351 Upper Rainham Road Hornchurch RM12 4D
 Flat 3 Shalford House Law Street SE1 4XF
 5, Mandela Close Australia Road W12 7PW
 14 Marchwood Close Southampton Way SE5 7H
 5, Mandela Close Australia Road W12 7PW
 25 Granary Mansions London SE28 0GH
 54 Walson Place South East SE255EX
 Flat 36, Argosy House, Windlass Place Deptford
 SE8 3QZ
 64 High Street
 64 Crayford Da14ef
 10 Julia Gardens IG11 0UQ
 67 Haynes Close London N17 0QX
 33 Allwood Close London SE26 4JP
 510 Raymond Postgate Court Tawney Road se2
 ds
 31 Kevan House London SE5 0LP
 54 Walson Place South East
 10 Bexley Road Erith DA8 1SP
 Flat 11ely House Friary Estate SE15 1SG
 36a Marmont Road London SE15 5TE
 Flat 28 Cam Court, Bibury Close London SE15
 AG
 8 Deacon House London Se11 6JF
 Flat 110 Tissington Court Rotherhithe New Road
 SE16 2SD
 Blk 385 Flat 3 Abesan
 90 Whitehouse Way London N14 7LU
 3 Wadhurst Close London London SE20 8TA
 Flat 14 Gisburn House SE15 1SE
 1 Afolabi Adeyinka Avenue Off Ejibunu Street,
 jbogbo. Ikorodu
 59b Evershot Road Finsbury Park N4 3DG
 46 Ebsworth Street Manchester M40 9NE
 1031 Forest Road Walthamstow E17 4AH
 86b Wood Lane Dagenham Rm9 5sl
 +2348164802284 Lagos
 54baker Crescent Dartford Da1 2nf Dartford DA
 NF
 105 Plymouth Road Black Or Black British -
 african RM16 6BL
 54 Cross Mount House Bowyer Street SE5 0xb
 1031 Forest Road London E17 4AH
 47, Michael Faraday House Beaconsfield Road

Flat 4 361 Old Kent Road SE1 5JH
 First Floor Flat 380 Old Kent Road SE1 5AA
 Flat B 358 Old Kent Road SE1 5AA
 Flat A 358 Old Kent Road SE1 5AA
 Flat 1 374 Old Kent Road SE1 5AA
 Wessex House 375 Old Kent Road SE1 5JQ
 352-354 Old Kent Road London SE1 5AA
 382 Old Kent Road London SE1 5AA
 Ground Floor Office Astley House Astley Estate SE1 5HU
 Second Floor Flat 372 Old Kent Road SE1 5AA
 Second Floor Flat 360 Old Kent Road SE1 5AA
 Ground Floor Flat 372 Old Kent Road SE1 5AA

 Second Floor Flat 366 Old Kent Road SE1 5AA
 Second Floor Flat 378 Old Kent Road SE1 5AA
 Second Floor Flat 382 Old Kent Road SE1 5AA
 Second Floor Flat 384 Old Kent Road SE1 5AA

 First Floor Flat 378 Old Kent Road SE1 5AA
 364 Old Kent Road London SE1 5AA
 Unit 1 Southernwood Retail Park SE1 5JJ
 Flat 68 Wessex House SE1 5JQ
 360 Old Kent Road London SE1 5AA
 Shop 384 Old Kent Road SE1 5AA
 Flat 63 Wessex House SE1 5JQ
 Flat 62 Wessex House SE1 5JQ
 Flat 61 Wessex House SE1 5JQ
 Flat 64 Wessex House SE1 5JQ
 Flat 67 Wessex House SE1 5JQ
 Flat 66 Wessex House SE1 5JQ
 Flat 65 Wessex House SE1 5JQ
 First Floor Flat 382 Old Kent Road SE1 5AA
 Basement And Ground Floor Flat 380 Old Kent Road SE1 5AA
 Basement And Ground Floor 370 Old Kent Road SE1 5AA
 First Floor Flat 360 Old Kent Road SE1 5AA
 First Floor Flat 384 Old Kent Road SE1 5AA
 First Floor Flat 366 Old Kent Road SE1 5AA
 First Floor Flat 372 Old Kent Road SE1 5AA
 354 Old Kent Road London SE1 5AA

 Ground Floor Flat 378 Old Kent Road SE1 5AA
 Flat 9 Astley House Astley Estate SE1 5HU
 Flat 46 Astley House Astley Estate SE1 5HT
 Flat 45 Astley House Astley Estate SE1 5HT
 Flat 44 Astley House Astley Estate SE1 5HT
 Flat 47 Astley House Astley Estate SE1 5HT
 Flat 50 Astley House Astley Estate SE1 5HT

 Flat 49 Astley House Astley Estate SE1 5HT
 Flat 48 Astley House Astley Estate SE1 5HT
 Flat 39 Astley House Astley Estate SE1 5HT
 Flat 38 Astley House Astley Estate SE1 5HT
 Flat 37 Astley House Astley Estate SE1 5HT

SE17 2TS
 53 Broadfield Road BS4 2UL
 3, Godfrey Gardens Chartham Kent Ct4 7tt
 Flat11 Bermuda House Barking Ig11 0rs
 1 Sam Bartram Close London SE7 8BB
 21 Hamilton Road Hamilton Road IG1 2BG
 35 Ancona London Se18 1Af
 74 King Street ME71EP
 46, Clifford Crescent Sittingbourne ME10 3FL
 143a Camberwell Grove London Se5 8jh

 23 Marina Lagos
 21 Leys Court Brixton Road London Sw9 7ra
 27,James Henry Avenue Salford Manchester M6 6HR
 32 Kendale Road Bromley Br1 4nh
 9 Montagu Gardens Dartford DA1 5RP
 163 Newmarsh Road London SE28 8TB
 Flat 6 , Turkish Oak 68 Kent House Road SE26 5LF
 192 Swingate Lane London SE18 2JB
 Flat 6 Turkish Oak 68 Kent Hou London SE26 5LF
 Brixham Road Reading RG2 7RB
 220 Malpas Road Brockley Se41dh
 138 Bowhill Way Harlow CM20 1FJ
 3 Haddington Road Bromley BR1 5RG
 4 Crowley Villas Swalwell NE16 3HB
 139 Ormside Street London Se15 1tf
 220 Malpas Road London se4 1dh
 35 Kingston Road Ilford IG1 1PA
 16 Lothian Road London SW96UD
 42 Brabazon Road LE25HD
 62 Morgan Road Bromley London BR1 3QF
 6 Whitworth House Falmouth Road SE1 6RW
 10 Old School Court Black Or Black British - African SS3 9DU
 3 Quilter Street Plumsted SE18 1JG

 14 Gisburn House Peckham SE15 1SE
 44 Sandstone Road London SE12 0UU
 Avenida De La Luz 7/2f Madrid
 155 Stavordale Road Carshalton SM5 1BU
 No.1 Horsfield House, Northampton Street, London N1 2hu London N1 2HU
 129.Stanstead Road Forest Hill Se23 1hh
 No.1 Horsfield House Northampton Street N1 2HU
 58 Elgar Street
 Flat 7c Highfield Road DA1 2JH
 Flat 1 Woodchurch House Gosling Way SW9 6LJ
 12 Drapers Way London SE16 3UA
 104 Nightingale Heights Nightingale Vale SE18 5HJ
 64 Aldriche Way London E4 9LZ
 351 Upper Rainham Road RM12 4DB
 18 Trim Street SE14 6EQ
 12 Portland Avenue, DA15 9HA
 12 Monet Court Stubbs Drive SE16 3EG

Flat 40 Astley House Astley Estate SE1 5HT
 Flat 43 Astley House Astley Estate SE1 5HT

 Flat 42 Astley House Astley Estate SE1 5HT
 Flat 41 Astley House Astley Estate SE1 5HT
 Flat 51 Astley House Astley Estate SE1 5HT
 Flat 61 Astley House Astley Estate SE1 5HT
 Flat 60 Astley House Astley Estate SE1 5HT
 Flat 59 Astley House Astley Estate SE1 5HT
 Flat 62 Astley House Astley Estate SE1 5HT
 Flat 65 Astley House Astley Estate SE1 5HT
 Flat 64 Astley House Astley Estate SE1 5HT
 Flat 63 Astley House Astley Estate SE1 5HT
 Flat 54 Astley House Astley Estate SE1 5HT
 Flat 53 Astley House Astley Estate SE1 5HT
 Flat 52 Astley House Astley Estate SE1 5HT
 Flat 55 Astley House Astley Estate SE1 5HT
 Flat 58 Astley House Astley Estate SE1 5HT
 Flat 57 Astley House Astley Estate SE1 5HT
 Flat 56 Astley House Astley Estate SE1 5HT
 Lord Nelson 386 Old Kent Road SE1 5AA
 Flat 1b Astley House Astley Estate SE1 5HU
 Flat 1a Astley House Astley Estate SE1 5HU
 Part Second Floor 361-363 Old Kent Road SE1 5JH
 Living Accommodation Lord Nelson SE1 5AA
 Ground Floor 361-363 Old Kent Road SE1 5JH
 First Floor Flat 376 Old Kent Road SE1 5AA
 Rainbow Nursery Astley Estate SE1 5HU
 Rear Flat 382 Old Kent Road SE1 5AA
 Basement And Ground Floor 376 Old Kent Road SE1 5AA
 Basement And Ground Floor Flat 384 Old Kent Road SE1 5AA
 Flat A 354 Old Kent Road SE1 5AA
 358 Old Kent Road London SE1 5AA
 356 Old Kent Road London SE1 5AA
 362 Old Kent Road London SE1 5AA
 Ground Floor 374 Old Kent Road SE1 5AA
 368 Old Kent Road London SE1 5AA

 366 Old Kent Road London SE1 5AA
 Maisonette First Floor And Second Floor 362 Old Kent Road SE1 5AA
 Flat C 354 Old Kent Road SE1 5AA
 Flat B 354 Old Kent Road SE1 5AA
 Flat 1 364 Old Kent Road SE1 5AA
 Flat 5 361 Old Kent Road SE1 5JH
 Flat 2 364 Old Kent Road SE1 5AA
 Flat 66 Astley House Astley Estate SE1 5HT
 Flat 23 Astley House Astley Estate SE1 5HU
 Flat 22 Astley House Astley Estate SE1 5HU
 Flat 21 Astley House Astley Estate SE1 5HU
 Flat 24 Astley House Astley Estate SE1 5HU

 Flat 27 Astley House Astley Estate SE1 5HU
 Flat 26 Astley House Astley Estate SE1 5HU
 Flat 25 Astley House Astley Estate SE1 5HU

 20 Alford Road Erith DA8 1PP
 Flat 207 Aston House 45 Campus Avenue RM8 FN
 57 Medhurst Crescent Gravesend DA12 4HJ
 54 Bridge Meadows London SE14 5SX
 Flat 17 Success House Se1 5ZT
 57 Medhurst Crescent Gravesend DA12 4HJ
 14 Edens Mount Sawbridgeworth CM21 9DU
 58 Alibon Road Dagenham RM10 8DD
 36 Bannockburn Road Plumstead SE18 1ES
 25a Redbourne Drive SE28 8RZ
 11 Parish Way Harlow CM20 1PR
 18 Mistral Sceaux Garden Camberwell SE5 7DF
 2 Harmsworth Mews West Square SE11 4SQ
 17 Scarsbrook Road London SE3 8AF
 62 Mawbey House Mawbey Road SE1 5PQ
 23 Simla House London SE1 3RL
 Ground Floor Flat 82 Saltram Crescent W9 3JX
 Flat 12 Monet Court London Se16 3eg
 32, Munro House, Murphy Street London SE17A
 98 Whitehead Close N18 1UZ
 3 Burton Road Gravesend da12 5bt
 51 Stokes Road Eastham E6 3SD
 31 Turner House Erasmus Street SW1P 4DZ
 9 Christchurch Close London SW19 2NZ
 138 Jerome Tower Osborne Road, W3 8sp
 48a Somerford Grove Estate N16 7TJ
 22 Eglington Court Lorrimore Road
 53 Dragon Road London SE15 6QX
 107 Olympic Way Greenford UB68NJ

 19 Wessex House 375 Old Kent Road Se1 5jq

 Trinity House 4 Chapel Court SE1 1HW
 146 Lomond Grove London SE5 7JG
 22 Bishopsmead Camberwell Road SE5 0EU
 Flat 10 Prospect House Gaywood Street se1 6h
 9 Montagu Gardens Dartford DA1 5RP
 36 Cross Court , Denmark Hill Estate, Denmark Hill Estate SE5 8HH
 297 Crown Street Flat 1 Railway Arch SE5 0UR
 17 Parkstone Road London E17 3ja

 339 Evelyn Street Deptford Se8 5qx
 Flat 20 55 Wellsway SE5 7TW
 186 Wood Vale London SE23 3EA
 87a. John Wilson Street Woolwich Se18 6ql
 Flat 26 South Borough House London Se17 2lj
 10 Recreation Avenue ME6 5DX
 Wadhurst Close London SE20 8TA
 267 Swanley House King Lake Street London
 52 Bungalow Road London SE25 6JZ
 18 Newark House Loughborough Esatate SW9 SH
 297 Melottingham Road London SE9 4SY
 18 Trim Street London SE 146EQ
 10 Emerson House, Mayville Estate N16 8nd

Flat 17 Astley House Astley Estate SE1 5HU
 Flat 16 Astley House Astley Estate SE1 5HU

Flat 15 Astley House Astley Estate SE1 5HU
 Flat 18 Astley House Astley Estate SE1 5HU
 Flat 20 Astley House Astley Estate SE1 5HU
 Flat 2 Astley House Astley Estate SE1 5HU
 Flat 19 Astley House Astley Estate SE1 5HU
 Flat 28 Astley House Astley Estate SE1 5HU
 Flat 4 Astley House Astley Estate SE1 5HU
 Flat 36 Astley House Astley Estate SE1 5HU
 Flat 35 Astley House Astley Estate SE1 5HU
 Flat 5 Astley House Astley Estate SE1 5HU
 Flat 8 Astley House Astley Estate SE1 5HU
 Flat 7 Astley House Astley Estate SE1 5HU
 Flat 6 Astley House Astley Estate SE1 5HU
 Flat 30 Astley House Astley Estate SE1 5HU
 Flat 3 Astley House Astley Estate SE1 5HU

Flat 29 Astley House Astley Estate SE1 5HU
 Flat 31 Astley House Astley Estate SE1 5HU
 Flat 34 Astley House Astley Estate SE1 5HU
 Flat 33 Astley House Astley Estate SE1 5HU
 Flat 32 Astley House Astley Estate SE1 5HU
 Flat 14 Astley House Astley Estate SE1 5HU
 Flat 76 Astley House Astley Estate SE1 5HT
 Flat 75 Astley House Astley Estate SE1 5HT
 Flat 74 Astley House Astley Estate SE1 5HT
 Flat 77 Astley House Astley Estate SE1 5HT
 Flat 80 Astley House Astley Estate SE1 5HT
 Flat 79 Astley House Astley Estate SE1 5HT
 Flat 78 Astley House Astley Estate SE1 5HT
 Flat 69 Astley House Astley Estate SE1 5HT
 Flat 68 Astley House Astley Estate SE1 5HT

Re-consultation: n/a

36 Bryon House Porchester Mead BR3 1TW
 10 Btidgnorth House Peckham Park Road SE15
 RJ

31 Wessex House 375 Old Kent Road SE1 5JQ
 16 Oak Court Summer Road SE15 6Pa
 13 Brodie House Coopers Road SE1 5HX
 10, Emerson House London N16 8ND
 51 Girdlestone Walk N19 5DN
 41 Glenmere Basildon SS16 4QR
 Flat 28 Hemswort Court N1 5LB
 691 Becontree Avenue Degenham rm83hl
 13, Sewell Road Abbeywood SE2 9XN
 80 Birchdene Drive Thamesmead SE28 8RP
 29 Burlington Road CR7 8PG
 36 Lafone House New Park Road SW2 4UT
 29 Empire Square South Empire Square SE1 4
 Old Kent Road Rowcross St se1 5jq
 11 Wordsworth Road Bermondey, London Se1
 TX

6 Bowmore Walk London NW1 9XY
 64a Sydenham Road Se265qe
 C/O E-Mail
 34 Keppel House Grove Street SE8 3LU
 Walworth London
 99-101, Cobourg Road Peckam SE5 0HU
 10. Adelaide Rd Tilbury RM18 7BD
 43 Wessex House 375 Old Kent Road SE1 5JQ
 N/A London SE1 5JQ
 375 Lold Kent Road London SE1 5JQ
 15 Hurley House Kennigton Lane SE11 4PJ
 C/O 31 Geere Rd Stratford, London E15 3PN
 21 Redpoll Way DA18 4BU
 84 Long Lane London SE1 4AU
 6, Bowmore Walk London NW1 9XY

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

Environment Agency
 London Underground Limited
 Metropolitan Police Service (Designing out Crime)
 Thames Water - Development Planning

Neighbours and local groups

Brixham Road Reading RG2 7RB
 C/O E-Mail
 C/O 31 Geere Rd Stratford, London E15 3PN
 Email representation
 Email representation
 Email representation
 Email representation
 Email representation
 Email representation
 Email representation
 Email representation
 Email representation
 Email representation
 Flat 1 Woodchurch House Gosling Way SW9 6LT
 Flat 10 Prospect House Gaywood Street se1 6hf
 Flat 11ely House Friary Estate SE15 1SG
 Flat 110 Tissington Court Rotherhithe New Road SE16 2SD
 Flat 12 Monet Court London Se16 3eg
 Flat 14 Gisburn House SE15 1SE
 Flat 17 Success House Se1 5ZT
 Flat 19 Wessex House SE1 5JQ
 Flat 20 55 Wellsway SE5 7TW
 Flat 207 Aston House 45 Campus Avenue RM8 2FN
 Flat 26 South Borough House London Se17 2lj
 Flat 28 Cam Court,Bibury Close London SE15 6AG
 Flat 28 Hemswort Court N1 5LB
 Flat 29 Astley House Astley Estate SE1 5HU
 Flat 3 Shalford House Law Street SE1 4XF
 Flat 32 Hitard Court Red Lion Close SE17 2FH
 Flat 36, Argosy House, Windlass Place Deptford SE8 3QZ
 Flat 6 , Turkish Oak 68 Kent House Road SE26 5LF
 Flat 6 , Turkish Oak 68 Kent House Road SE26 5LF
 Flat 6 Turkish Oak 68 Kent Hou London SE26 5LF
 Flat 7c Highfield Road DA1 2JH
 Flat11 Bermuda House Barking lg11 0rs
 Ground Floor Flat 82 Saltram Crescent W9 3JX
 N/A London SE1 5JQ
 No.1 Horsfield House, Northampton Street, London N1 2hu London N1 2HU
 No.1 Horsfield House Northampton Street N1 2HU
 Old Kent Road Rowcross St se1 5jq
 St Patrick'S Garden Gravesend DA12 4AJ

Trinity House 4 Chapel Court SE1 1HW
 Wadhurst Close London SE20 8TA
 Walworth London
 1 Sam Bartram Close London SE7 8BB
 10. Adelaide Rd Tilbury RM18 7BD
 10 Bexley Road Erith DA8 1SP
 10 Btidgnorth House Peckham Park Road SE15 1RJ
 10, Emerson House London N16 8ND
 10 Emerson House, Mayville Estate N16 8nd
 10 Julia Gardens IG11 0UQ
 10 Old School Court Black Or Black British - African SS3 9DU
 10 Recreation Avenue ME6 5DX
 10 Recreation Avenue ME6 5DX
 1031 Forest Road London E17 4AH
 1031 Forest Road London E17 4AH
 1031 Forest Road London E17 4AH
 1031 Forest Road Walthamstow E17 4AH
 104 Nightingale Heights Nightingale Vale SE18 4HJ
 105 Plymouth Road Black Or Black British - African RM16 6BL
 107 Olympic Way Greenford UB68NJ
 11 Parish Way Harlow CM20 1PR
 11 Wordsworth Road Bermondey, London Se1 5TX
 12 Drapers Way London SE16 3UA
 12 Monet Court Stubbs Drive SE16 3EG
 12 Portland Avenue, DA15 9HA
 129.Stanstead Road Forest Hill Se23 1hh
 13 Brodie House Coopers Road SE1 5HX
 13, Sewell Road Abbeywood SE2 9XN
 138 Bowhill Way Harlow CM20 1FJ
 138 Jerome Tower Osborne Road, W3 8sp
 139 Ormside Street London Se15 1ff
 14 Edens Mount Sawbridgeworth CM21 9DU
 14 Gisburn House Peckham SE15 1SE
 14 Marchwood Close Southampton Way SE5 7HD
 14 Marchwood Close Southampton Way SE5 7HD
 143a Camberwell Grove London Se5 8jh
 146 Lomond Grove London SE5 7JG
 15 Hurley House Kennigton Lane SE11 4PJ
 155 Stavordale Road Carshalton SM5 1BU
 16 Lothian Road London SW96UD
 16 Oak Court Summer Road SE15 6Pa
 163 Newmarsh Road London SE28 8TB
 17 Parkstone Road London E17 3ja
 17 Scarsbrook Road London SE3 8AF
 18 Mistral Sceaux Garden Camberwell SE5 7DR
 18 Newark House Loughborough Esatate SW9 7SH
 18 Trim Street London SE 146EQ
 18 Trim Street SE14 6EQ
 186 Wood Vale London SE23 3EA
 19 Wessex House 375 Old Kent Road Se1 5jq
 192 Swingate Lane London SE18 2JB
 2 Harmsworth Mews West Square SE11 4SQ
 20 Alford Road Erith DA8 1PP
 21 Hamilton Road Hamilton Road IG1 2BG
 21 Leys Court Brixton Road London Sw9 7ra
 21 Redpoll Way DA18 4BU
 22 Bishopsmead Camberwell Road SE5 0EU

220 Malpas Road Brockley Se41dh
220 Malpas Road Brockley Se41dh
220 Malpas Road London se4 1dh
23 Simla House London SE1 3RL
25 Granary Mansions London SE28 0GH
25a Redbourne Drive SE28 8RZ
27, James Henry Avenue Salford Manchester M5 3HR
29 Burlington Road CR7 8PG
29 Empire Square South Empire Square SE1 4NF
297 Crown Street Flat 1 Railway Arch SE5 0UR
297 Melottingham Road London SE9 4SY
3 Burton Road Gravesend da12 5bt
3, Godfrey Gardens Chartham Kent Ct4 7tt
3 Haddington Road Bromley BR1 5RG
3 Quilter Street Plumsted SE18 1JG
31 Kevan House London SE5 0LP
31 Turner House Erasmus Street SW1P 4DZ
31 Wessex House 375 Old Kent Road SE1 5JQ
32 Kendale Road Bromley Br1 4nh
32, Munro House, Murphy Street London SE17AJ
33 Allwood Close London SE26 4JP
33 Sherard Road London SE9 6EX
339 Evelyn Street Deptford Se8 5qx
34 Keppel House Grove Street SE8 3LU
35 Ancona London Se18 1Af
35 Kingston Road Ilford IG1 1PA
351 Upper Rainham Road Hornchurch RM12 4DB
351 Upper Rainham Road RM12 4DB
36 Bannockburn Road London SE18 1ES
36 Bannockburn Road Plumstead SE18 1ES
36 Brenlaey House Tabard Gardens Estate X
36 Bryon House Porchester Mead BR3 1TW
36 Cross Court , Denmark Hill Estate, Denmark Hill Estate SE5 8HH
36 Lafone House New Park Road SW2 4UT
36a Marmont Road London SE15 5TE
37 Hedgemans Way Dagenham RM9 6DD
375 Lold Kent Road London SE1 5JQ
4 Crowley Villas Swalwell NE16 3HB
41 Glenmere Basildon SS16 4QR
42 Brabazon Road LE25HD
44 Sandstone Road London SE12 0UU
46, Clifford Crescent Sittingbourne ME10 3FL
46 Ebsworth Street Manchester M40 9NE
47, Michael Faraday House Beaconsfield Road SE17 2TS
48a Somerford Grove Estate N16 7TJ
49 Wood Cut Peneden Heath X
5, Mandela Close Australia Road W12 7PW
5, Mandela Close Australia Road W12 7PW
51 Girdlestone Walk N19 5DN
51 Stokes Road Eastham E6 3SD
510 Raymond Postgate Court Tawney Road se28 8ds
52 Bungalow Road London SE25 6JZ
53 Broadfield Road BS4 2UL
53 Dragon Road London SE15 6QX
54 Bridge Meadows London SE14 5SX
54 Cross Mount House Bowyer Street SE5 0xb
54 Walson Place South East SE255EX

54baker Crescent Dartford Da1 2nf Dartford DA1 2NF
55 Foort Cray Sidcup X
57 Medhurst Crescent Gravesend DA12 4HJ
57 Medhurst Crescent Gravesend DA12 4HJ
58 Alibon Road Dagenham RM10 8DD
59b Evershot Road Finsbury Park N4 3DG
6, Bowmore Walk London NW1 9XY
6 Bowmore Walk London NW1 9XY
6 Whitworth House Falmouth Road SE1 6RW
6, Throwley Close Abbeywood London Se 2 9lb
62 Mawbey House Mawbey Road SE1 5PQ
62 Morgan Road Bromley London BR1 3QF
64 Aldriche Way London E4 9LZ
64 Crayford Da14ef
64a Sydenham Road Se265qe
67 Haynes Close London N17 0QX
691 Becontree Avenue Degenham rm83hl
74 King Street ME71EP
8 Deacon House London Se11 6JF
80 Birchdene Drive Thamesmead SE28 8RP
84 Long Lane London SE1 4AU
86b Wood Lane Dagenham Rm9 5sl
87a. John Wilson Street Woolwich Se18 6ql
9 Christchurch Close London SW19 2NZ
9 Montagu Gardens Dartford DA1 5RP
9 Montagu Gardens Dartford DA1 5RP
90, Malham Road Forest Hill SE23 1AN
90, Malham Road Forest Hill SE23 1AN
90, Malham Road Forest Hill SE23 1AN
90 Whitehouse Way London N14 7LU
90 Whitehouse Way London N14 7LU
98 Whitehead Close N18 1UZ
99-101, Cobourg Road Peckam SE5 0HU

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 Ibrahim Adewusi (Project Co-ordinator) Muslim Association of Nigeria (MAN UK)	Reg. Number 18/AP/1431
Application Type	Full Planning Application	
Recommendation	Grant subject to Legal Agreement	Case Number TP/2168-365

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing building and the erection of a 6 storey building (plus basement) containing an Islamic Cultural Centre for religious, educational, community and leisure use, including 1 service parking space and retail uses on ground floor (REVISED DESCRIPTION).

At: MUSLIM ASSOCIATION OF NIGERIA, 365 OLD KENT ROAD, LONDON, SE1 5JH

In accordance with application received on 30/04/2018 12:01:13

and Applicant's Drawing Nos. 786/MAN/PP - 010 SITE LOCATION PLAN;

786/MAN/SU -100 - SURVEY PLANS;

786/MAN/SU -101 - SURVEY SECTIONS,ELEVATIONS;

786/MAN/PP - 102A GROUND FLOOR PLAN;

786/MAN/PP - 103A FIRST FLOOR PLAN;

786/MAN/PP - 104A SECOND FLOOR PLAN;

786/MAN/PP - 105A THIRD FLOOR PLAN;

786/MAN/PP - 106A FOURTH FLOOR PLAN;

786/MAN/PP - 107A FIFTH FLOOR PLAN;

786/MAN/PP - 108A ROOF PLAN;

786/MAN/PP - 201A WEST ELEVATION;

786/MAN/PP - 202A SOUTH ELEVATION;

786/MAN/PP - 203A EAST ELEVATION;

786/MAN/PP - 204A NORTH ELEVATION;

786/MAN/PP - 211A MAN WEST ELEVATION - MATERIALS;

786/MAN/PP - 212A MAN SOUTH ELEVATION - MATERIALS;

786/MAN/PP - 213A MAN EAST ELEVATION - MATERIALS;

786/MAN/PP - 214A MAN NORTH ELEVATION - MATERIALS;

786/MAN/PP - 401 BAY STUDY

DESIGN,ACCESS & SUSTAINABILITY STATEMENT (PREPARED BY ATELIER UWA CHARTERED ARCHITECTS, DATED JUNE 2018);

ESS0103 BREEAM NEW CONSTRUCTION 2018 PRE-ASSESSMENT REPORT (PREPARED BY ENGINEERING SERVICES CONSULTANCY LTD, DATED 27TH JUNE 2018);

18754 6001 SEWAGE AND UTILITIES ASSESSMENT REPORT (PREPARED BY MALACHY WALSH AND PARTNERS CONSULTING ENGINEERS,DATED JUNE 2018);

18754 BASEMENT IMPACT ASSESSMENT REPORT (PREPARED BY MALACHY WALSH AND PARTNERS CONSULTING ENGINEERS,DATED JUNE 2018);

BD1009 REV 2 ENERGY STATEMENT (PREPARED BY BRIAR ASSOCIATES ENERGY & ENVIRONMENTAL CONSULTING ENGINEERS, DATED MAY 2018);

X/MANOLDKENTRD.1 VERSION 3 TRAVEL PLAN (PREPARED BY MAYER BROWN LIMITED, DATED APRIL 2018);

X/MANOLDKENTRD.1 VERSION 3 TRANSPORT STATEMENT (PREPARED BY MAYER BROWN LIMITED, DATED APRIL 2018);

X/MANOLDKENTRD.1 VERSION 4 DELIVERY AND SERVICING MANAGEMENT PLAN (PREPARED BY MAYER BROWN LIMITED, DATED APRIL 2018);

AC00617A ARCHAEOLOGICAL DESK BASED ASSESSMENT (PREPARED BY ARCHAEOLOGY COLLECTIVE, DATED DECEMBER 2017);

18754 FLOOD RISK ASSESSMENT (PREPARED BY MALACHY WALSH AND PARTNERS CONSULTING ENGINEERS,DATED APRIL 2018);

P3014.1.0 PHASE 1 GROUND CONTAMINATION DESK STUDY REPORT (PREPARED BY AGB ENVIRONMENTAL, DATED NOVEMBER 2017);

P3014.2.0 ARBORICULTURAL IMPACT ASSESSMENT PREPARED BY AGB ENVIRONMENTAL, DATED JANUARY

2018);
 P3014.3.0 PRELIMINARY ECOLOGICAL APPRAISAL (PREPARED BY AGB ENVIRONMENTAL, DATED DECEMBER 2017);
 24943/NIA1 ENVIRONMENTAL NOISE SURVEY AND ACOUSTIC DESIGN STATEMENT REPORT (PREPARED BY HANN TUCKER ASSOCIATES, DATED NOVEMBER 2017);
 26712 VERSION 1 DAYLIGHT AND SUNLIGHT ASSESSMENT (PREPARED BY PRICE & MYERS, DATED NOVEMBER 2017);
 17-3732 AIR QUALITY ASSESSMENT (PREPARED BY SYNTEGRA CONSULTING, DATED MARCH 2018);
 OLD KENT ROAD VERIFICATION SERVICE RESPONSE FORM (RECIEVED ON 26TH OCTOBER 2018).

Subject to the following twenty-nine 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:

786/MAN/PP - 102A GROUND FLOOR PLAN;
 786/MAN/PP - 103A FIRST FLOOR PLAN;
 786/MAN/PP - 104A SECOND FLOOR PLAN;
 786/MAN/PP - 105A THIRD FLOOR PLAN;
 786/MAN/PP - 106A FOURTH FLOOR PLAN;
 786/MAN/PP - 107A FIFTH FLOOR PLAN;
 786/MAN/PP - 108A ROOF PLAN;
 786/MAN/PP - 201A WEST ELEVATION;
 786/MAN/PP - 202A SOUTH ELEVATION;
 786/MAN/PP - 203A EAST EELVATION;
 786/MAN/PP - 204A NORTH ELEVATION.

Reason:

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

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

Reason

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

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

- 3 Flood Resilience and Safety

a) The Flood Risk Assessment submitted with this application included the recommendations below and we therefore require verification from the applicant that these will be implemented:

- i. A floor level of 3.0 m AOD should be applied to the retail units, reception area and the book shop at ground floor, providing the recommended freeboard level of 0.3 m above modelled flood depths in the event of breach of flood defences.
- ii. The ground floor finishes and detailing of the building to be carried out in accordance with recommendations in "Improving the Flood Performance of New Buildings - Flood Resilient Construction" published by DEFRA, 2007.
- iii. The basement design and construction should incorporate waterproofing measures to cater for flood hazards due to groundwater.
- iv. Preparation of a Flood Evacuation Plan for the development to cater for any potential flooding that might occur within the site.
- v. Register for Environment Agency flood warnings.

b) The basement and ground levels of the site are at residual flood risk from the River Thames, and some surface water flood risk. A Flood Resistance and Resilience Report cofiming these solutions should be submitted to the local planning authority and approved in writing prior to the beginning of works on site. The report should be proportionate and risked based in terms of predicted flood risks to the planned development. Construction should be carried out in line with the recommendations of the report.

c) A stand alone Flood Warning and Emergency Evacuation Plan should be submitted to Southwark's Emergency Planning department for their approval prior in writing to occupation of the site. The plan should state how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services, and of the

plan. It should also provide details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood

Reason:

To minimise potential damage to property from flood events from these sources and in accordance with Southwark's Strategic Flood Risk Assessment (Appendix I. Basements and Flooding), basement developments Flood Zone 3a should give detailed consideration to safe access and egress, emergency planning to mitigate against any risk to life during a breach event, as well as employing flood resilient design and construction.

4 Construction Logistics Plan

Construction works in relation to the proposal hereby authorised shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site has been submitted to and approved by the Local Planning Authority. The Construction Logistics secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority. The Construction Logistics plan shall identify all efficiency and sustainability measures that will be taken during the construction of this development. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority, Further information and guidance is available at <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

Reason

In order that the construction works do not have an adverse impact on the transport network in accordance with London Plan Policy 6.14 and to minimise the impact of construction activities on local air quality in accordance with London Plan Policy 7.14.

5 Foundation and Basement Design

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the basement and foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority (Highways Department) and Transport for London and the development shall not be carried out otherwise than in accordance with any such approval given. This should include detailed design and method statements (AIP) for foundations and basement structures retaining the highway (temporary and permanent) in accordance with BD 2/12 'Technical Approval of Highway Structures'.

Reason

In order that details of the basement, foundations, ground works and all below ground impacts of the proposed development are not in conflict with emerging proposals for the Bakerloo Line Extension or the public highway.

6 Piling Method Statement

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

7 Archaeological Watching Brief

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works, an archaeological watching brief, in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the details of the programme of works for the archaeological mitigation works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

8 Tree Protection Measures

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 (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement. 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.

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2018 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.

9 Ventilation

Prior to the commencement of any work hereby permitted, full particulars and details of a scheme for the ventilation of the premises, including the basement sports facilities, to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, shall be submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity 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.

10 Material Samples

Prior to the commencement of works above grade, samples of all external facing materials to be used in the carrying out of this permission, including 1 sqm panels showing the bricks laid in the bonds proposed, including examples of the perforations proposed, shall be presented on site to the Local Planning Authority and approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied 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 NPPF 2018 Saved Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007.

11 Detail Drawings

Prior to commencement of works above grade of development hereby authorised, the following shall be submitted to and approved by the Local Planning Authority in writing:

- a) 1:20 bay studies through each elevation at agreed locations; and
- b) 1:20 drawings of the proposed shop fronts and the main entrance/ reception frontage; and
- c) detail drawings at agreed locations, at a scale of 1:5 or 1:10 through:
 - i) all facade variations; and
 - ii) the minaret structure; and
 - iii) all parapets and roof edges; and
 - v) heads, cills and jambs of all openings

The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with the NPPF 2018, Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007.

12 Green, Brown and Blue Roofs

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

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

The green, brown and blue roofs shall be carried out strictly in accordance with the details approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green, brown and blue roofs and Southwark Council agreeing the submitted plans.

ii) Once the green, brown and blue roofs are completed in full in accordance to the agreed plans a post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policy 5.11 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

13 Cycle Storage

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 2018, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

14 Secure By Design

Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority along with evidence of the submission of an application for Secure By Design Accreditation from the Metropolitan Police. All approved measures shall be implemented prior to the first use or occupation of the building.

Prior to the first use or occupation of the building evidence that Secure By Design accreditation has been awarded and that all approved security measures have been implemented shall be submitted to and approved by the Local Planning Authority.

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 2018, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

15 Acoustic Assessment

Prior to commencement of any above grade work hereby permitted, an acoustic assessment must 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 approval given.

The acoustic assessment must detail the impact of the proposed uses on sensitive receptors surrounding the site.

The assessment should include measurement of the background sound level at times appropriate to the operation of the premises, identify sensitive receptors and predict the specific noise level from the venue at the façade (and in external amenity areas where appropriate). Noise from cultural venues such as this may include amplified sound, music, PA systems, and noise from people congregating outside and dispersing from the premises.

The following standards should be achieved:

Where cultural venues are located alongside sensitive receptors in mixed use buildings, unacceptable impacts on residential amenity from internal or structure-borne noise must be avoided.

The LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90 (5min), 1m from the facade of any sensitive receptor in all third octave bands between 31.5Hz and 8 kHz.

Reason

To ensure that occupiers of neighbouring premises do not suffer a harmful loss of amenity as a result of the proposed development, in accordance with the National Planning Policy Framework 2018, 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 Swift Bricks

No less than six swift bricks shall be provided and the details shall include the exact location, specification and design of the habitats. Details of Swift bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade works hereby granted permission.

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

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

Reason

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2016, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

17 Before any above grade work hereby authorised begins, details of the vertical green hanging wall shall be submitted to and approved in writing by the Local Planning Authority.

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

Discharge of this condition will be granted on receiving the details of the vertical Green Hanging wall and Southwark Council agreeing the submitted plans, and once the vertical Green Hanging Wall is completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

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

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.

18 BREEAM

i) Prior to any fit out works to the 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 'excellent' 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.

ii) Before the first occupation of the development 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 have been met.

Reason: To ensure the proposal complies with The National Planning Policy Framework 2018, 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.

19 Ecology Enhancement Strategy

All of the measures for the mitigation of impact and enhancement of biodiversity set out in the submitted Preliminary Ecological Appraisal for the proposed development, shall be implemented prior to the building being first occupied.

Reason:

To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core Strategy

20 Before the first occupation of the retail units hereby permitted a final Delivery and Service Management Plan detailing how all they are to be serviced 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 2018, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

21 Commercial Kitchen Extract Ventilation

The kitchen extraction system shall be designed to ensure the ventilation rate is adequate for the size of the area to be ventilated, that the exhaust air is adequately filtered and that exhaust air has a minimum residence time in the carbon filter bank of 0.1s. All components of the extraction system shall be cleaned, serviced, maintained and replaced fully in accordance with manufacturer's recommendations.

Prior to the commencement of the use hereby approved, a report confirming that the standards can be achieved shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to ensure that that any installed kitchen extraction system will not cause a loss of amenity by reason of odour or fume, in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

22 Plant Noise

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 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy

3.2 Protection of Amenity of the Southwark Plan (2007).

- 23 A scheme of sound insulation shall be installed to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90 5min at 1m from the facade of nearby residential premises at all third octave bands between 63Hz and 8kHz. Prior to the commencement of use, the scheme of sound insulation shall be submitted to the Local Planning Authority for approval. The scheme of sound insulation shall be constructed and installed in accordance with the approval given and shall be permanently maintained thereafter. Following completion of the development and prior to the commencement of use a validation test shall be carried out. The results shall be submitted to the LPA for approval in writing.

Reason

To ensure that the occupiers and users of the nearby properties do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities associated with non-residential premises in accordance with the National Planning Policy Framework 2018, 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.

- 24 Servicing Hours

Any deliveries or collections to the commercial units shall only be between the following hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 25 Energy Efficiency

The development hereby permitted shall be constructed to include the energy efficiency measures and photovoltaic panels as stated in the Energy Statement submitted in support of the application. All measures and technologies shall remain for as long as the development is occupied.

Reason: To ensure the development complies with the National Planning Policy Framework 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy and Policy 5.7 Renewable Energy of the London Plan 2015.

- 26 Call to Prayer

In accordance with email received on 5th November 2018, no call to prayer should be carried out from the development hereby approved.

Reason:

In order to ensure that the development would not cause harm to the amenity of residents in the surrounding area, in accordance with the NPPF 2018, Strategic Policy 13 - High Environmental Standards; and Saved Policies 2.1 - Enhancement of Community Facilities, 2.2 - Provision of New Community Facilities and 3.2 - Protection of Amenity of the Southwark Plan 2007.

- 27 Obscure Glazing

The windows at first floor and above on the west elevation of the building, as shown in drawing number 786 / MAN / PP -211, 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 361-363 Old Kent Road from undue overlooking in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 28 Notwithstanding the provisions of Class D1 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the D1 use hereby permitted shall not include any use other than as a place of worship with associated community uses.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

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

- 29 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

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. A number of amendments have been made to the application in order to enable a positive recommendation to be made.

Informatives

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

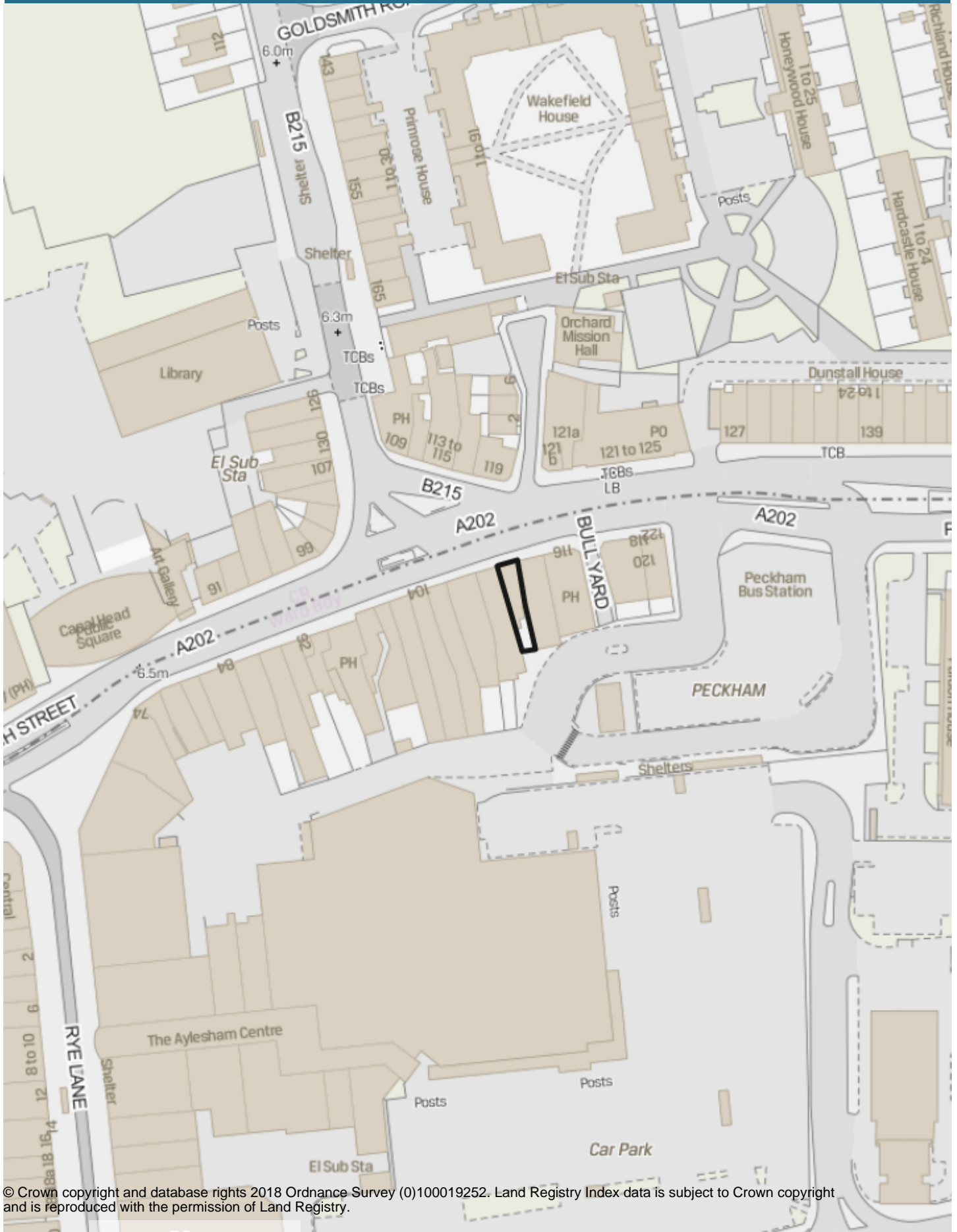
Temporary Relocation of Facilities

The applicant should submit details of any interim, temporary relocation of the mosque facilities from the site to be approved in writing by the Local Planning Authority and Transport for London. The interim arrangements should be provided with a high-level overview of their potential impact and any mitigation measures proposed, particularly in relation to transport. This condition does not negate the need to seek the usual planning permissions that would be associated with any temporary relocation.

Agenda Item 7.2



112B PECKHAM HIGH STREET, LONDON, SE15 5ED



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50 m

Scale = 1250

7-Nov-2018



Item No. 7.2	Classification: Open	Date: 20 November 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 18/AP/2156 for: Full Planning Application Address: 112B PECKHAM HIGH STREET, LONDON, SE15 5ED Proposal: Demolition of existing building and construction of new 3 storey building plus mansard to create 1 ground floor retail unit and 4 residential units (1 x studio & 3 x 1bed Units).		
Ward(s) or groups affected:	Rye Lane		
From:	Director of Planning		
Application Start Date 03/07/2018		Application Expiry Date 28/08/2018	
Earliest Decision Date 11/08/2018			

RECOMMENDATION

1. That planning permission is granted by committee.

BACKGROUND INFORMATION

Site location and description

2. The application site currently comprises a two storey mid-terraced building that has a ground floor beauty shop and residential space at first floor. The building is on the south side of Peckham High Street, close to the junction with Peckham Hill Street. It sits in a row of buildings of various heights and of a mixture of commercial and residential uses.
3. The site is in the following areas:

 Peckham and Nunhead Action Area Plan (PNAAP)
 Urban Density Zone
 Peckham Major Town Centre
 Rye Lane Protected Shopping Frontage
 Archaeological Priority Zone and the Air Quality Management Area (AQMA)
 The site is within the Rye Lane Peckham Conservation Area, but the building is not listed.

Details of proposal

4. The proposal is to infill the site with a building around a central courtyard. The building would be four storeys at 12m high. The ground floor would provide 51sqm of retail while on the floors above residential shall be provided. Rear balconies would provide amenity space for the occupants.
5. On the upper floors 1 studio & 3 x 1 bed residential units would be provided.

Planning history

6.

<p>17/AP/3599 Application type: Full Planning Application (FUL) Demolition of existing building and construction of new 3 storey building plus mansard to create 1 ground floor retail unit and 4 residential dwellings. Decision date 15/11/2017 Decision: Refused (REF) Reason(s) for refusal: The proposal would result in the Units being below the overall standards requirement as set out in the Nationally Described Space Standards and with the individual room sizes being below the required Residential Design standards SPD. As such the living conditions and accommodation for future residents is substandard which is 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; Strategic Policy 5 of the Core Strategy 2011; Saved Policy 3.12 - Quality in Design & 4.2 Quality of Residential Accommodation of the Southwark Plan 2007 and the 2015 Technical Update to the Residential Design Standards Supplementary Planning Document 2011.</p> <p>The proposal through its use of materials, the proportions of the fenestration and the scale and design of the top floor fails to preserve and/or enhance the character of the Rye Lane Peckham Conservation Area. The development is therefore contrary to saved policies 3.13 'Urban Design' and 3.16 'Conservation Areas' of the Southwark Plan 2007, Policies 24 'Heritage' and 25 'Built Form' of the Peckham and Nunhead Area Action Plan 2014, Strategic Policy 12 'Design and Conservation' of the Core Strategy 2011, Policies 7.4 'Local Character' and 7.6 'Architecture' of the London Plan 2016 and Section 7 of the National Planning Policy Framework 2012.</p> <p>The use and arrangement of the courtyard proposed, including the external access stair would cause harm to the privacy and living conditions of the occupiers of flats at 114 Peckham High Street contrary to saved policies 3.2 'Protection of Amenity', 3.11 'Efficient use of land' and 3.12 'Quality in Design' of the Southwark Plan 2007 and Strategic policy 12 Design and Conservation of the Core Strategy 2011.</p>
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Planning history of adjoining sites

7. 09/AP/0042.
Address: 116 PECKHAM HIGH STREET, LONDON, SE15 5ED.
Description: Partial demolition of existing building, and redevelopment to construct new extension in Bull Yard on ground, first and second floors, with mansard, to provide 4 x 2 bedroom flats and 4 x 1 bed. Decision: Granted with 'Grampian' Condition
8. 16/AP/3253.
ADDRESS: 114 PECKHAM HIGH STREET, LONDON, SE15 5ED.
DESCRIPTION: Change of use from a shop (Class A1) to a mixed educational and after-school club use (Class D1). Granted
9. 04/AP/0358.
Address: 110 Peckham High Street SE15.
Description: Construction of a new third floor to provide two flats. Decision: Grant

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 proposed development on neighbouring properties.
- c. The design and visual impact of the proposal.
- d. Quality and standard of accommodation for all potential occupiers
- e. Servicing, access and transport
- f. All other relevant planning considerations

Planning policy

National Planning Policy Framework (the Framework)

11.

Chapter 5 Delivering a sufficient supply of homes
 Chapter 6 Building a strong, competitive economy
 Chapter 7 Ensuring the vitality of town centres
 Chapter 11 Making effective use of land
 Chapter 16 Conserving and enhancing the historic environment

The London Plan 2016

12.

Policy 3.3 - Increasing housing supply
 Policy 3.5 - Quality and design of housing developments
 Policy 7.4 - Local character
 Policy 7.6 - Architecture

Core Strategy 2011

13.

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

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

Policy 1.7 –Development within town and local centres
 Policy 1.9 - Change of use within protected shopping frontages
 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 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 Policy 4.2 - Quality of Residential Accommodation
 Policy 5.2 - Transport Impacts

Supplementary Planning Documents

15. 2015 Technical update to the Residential Design Standards (2011)

Peckham and Nunhead Area Action Plan 2014

16. Policy 1 - Peckham town centre shopping
 Policy 16 - New homes
 Policy 24 - Heritage
 Policy 25 - Built form

Principle of development

17. The development site is within Peckham town centre. Saved Southwark Plan policies 1.7 & 1.9 support commercial activities within town centres. The proposal would secure the ongoing use of a retail unit at ground level. The loss of the commercial space at first floor would be acceptable as it under utilised and in a poor state of repair. Furthermore, the occupiers of small retail units require less upper floor ancillary space as it is not typically used and can be burdensome on the viability of the enterprise. The existing residential unit is in a very poor state. The replacement and addition of residential units on the upper floors would be supported. The provision of such uses is supported by policy and the Peckham and Nunhead Area Action Plan.
18. Overall, there is no objection to replacing the commercial area and creating additional residential space, provided that the development is of a high standard of design, respects and enhances the character of its surroundings including any designated heritage assets and does not adversely impact upon the amenity of the occupiers of adjoining properties in accordance with the above policies.

Consultation Responses

19. There were 6 objections to the proposal regarding:
- Privacy
 - Overlooking
 - Impact on daylight/sunlight (Right of light)
 - Value of property - this is not a planning material matter.
20. These issues are addressed below.

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

21. Consideration is given to the fact the proposal site is bounded by two properties which were not built in accordance with their planning permissions granted. As a result of this unauthorised development, it has put significant constraints upon the application site. Due regard has to be given to the constraints placed upon the site but also a degree of reasoning has followed. This is in order to deliver efficient use of land in accordance with saved policy, while limiting the impacts on neighbouring occupants.

Daylight/Sunlight

22. The site is situated between Nos.110, 114 and north of the site is No.119. In total, 54

windows and 34 rooms have been assessed and the findings are set out within the daylight/sunlight assessment. A summary is provided below and the impacts explored.

110 Peckham High Street

23. After the development four windows at this property achieve a Vertical Sky Component (VSC) score of both less 27% and less than 0.8 times their former value. Three of these windows are secondary windows, to rooms that have their main windows meeting the requirements of the VSC test. Three of the windows impacted upon would be blocked up as part of the development, critically these windows do not have planning permission. The remaining one window is located on the third floor, room 2, window 4 and serves a second bedroom. This room already has an under target value of daylight as a result of being on a shared boundary, whereby permission was not granted for this.
24. The BRE guide acknowledges that if an existing building stands close to the common boundary, as is the case here, a higher degree of obstruction may be unavoidable. The guide goes on to explain that in this circumstance alternative VSC targets may be applied. The methodology for setting new targets is set out in Appendix F of the BRE guide. The alternative targets are derived by calculating the level of light that the window would achieve if obstructed by a hypothetical 'mirror image' of the existing neighbouring building, an equal distance away from the boundary. The results demonstrate the window on the third floor which does not satisfy the conventional 27% and 0.8 criteria, but would pass the alternative VSC target. A positive result would be expected because the 'mirror image' would be on the boundary. The 'mirror image' test demonstrates satisfactory levels which would lead to an acceptable outcome. However, the constraints of the site and the use of such test have been reviewed before concluding. It remains the view that the received daylight and sunlight would be affected by the proposal, though this is a secondary bedroom, without consent and would significantly restrict any development at the site unless some level of impact is acceptable. It is considered that the window would keep an outlook, into an improved setting (reflective surfaces and vegetated space), furthermore it would still receive an element of daylight. For these reasons the impact is considered to be acceptable.

Daylight distribution results

25. The results confirm after the 'mirror image' testing that all of the rooms meet the requirements of the Daylight Distribution test.

Sunlight result

26. The results confirm that (where applicable) satisfactory levels of sunlight amenity will be experienced in every instance following the construction of the development.

114 Peckham High Street

27. Twenty two windows at this property achieve a Vertical Sky Component (VSC) score of both less 27% and less than 0.8 times their former value. As was the case with 110 Peckham High Street, the BRE guide acknowledges that if an existing building stands close to the common boundary, as is the case here, a higher degree of obstruction may be unavoidable. As such an alternative VSC targets can be used and has been applied.
28. In this regard all windows would now surpass the alternative VSC target, meet the conventional 27% and 0.8 criteria. However, this does not accurately portray the situation. Using this methodology, the impact on the windows on the north and south of No.114 would be acceptable. Due to the 'mirror image' process many of the internal

windows have no value in the first instance and the openness of the proposed courtyard gives a vastly positive outcome. In this instance the officer has assessed the impact based on all extenuating circumstances and not solely the daylight report.

29. Windows, First R1-W4,R3-W3, SECOND R3-W3, R4-W4, R5-W5 and THIRD R3-W5,R4-W4,R5-W5 all sit on the boundary line facing onto the proposal site. All of these windows were installed without planning consent and have resulted in significant constraints on the proposal site. To work around this situation the applicant has designed a scheme which permits all but one of these windows to maintain their positioning, looking over the site. The exception is window R5-W5 which would be blocked up. Window R5-W5 serves a kitchen space which should have been an open plan living/kitchen area. It is considered because this is a small kitchen space having no window would be acceptable and in line with the Residential Design Standards SPD. In terms of the other windows they would continue to receive daylight, albeit not at the same levels.
30. It remains the view that the received daylight and sunlight would be impacted upon by the proposal. Though this has been limited by ways of minimising the extent of the development. The design has purposely left an open courtyard within the centre of the building so these windows can receive an element of daylight/sunlight. The assessment shows that prior the mirror test being undertaken 5 windows would be impacted upon. Out of these, one is a rooflight which serves a room with other windows, two windows are only marginally impacted upon (serving habitable rooms), one would be completely blocked up as mentioned (serving a kitchen) and a further one would be impacted upon significantly but serves a non-habitable office space. Given the breakdown it is considered that only two of the windows are critical to the assessment. These serve a open plan living area and bedroom - the impact is short of the guidance by 0.13 at 0.63, when 0.8 the former value is considered acceptable. This marginal shortfall is considered a minor infringement.
31. Furthermore, it is expected that the current occupants of the affected rooms would have to use artificial lighting during the day. This is largely due to the small windows, convoluted layouts. No. 114 should have had a lightwell serving their windows. This lightwell would not have provided great access to light and therefore the situation is not to dissimilar to the proposed.
32. Taking into account all the constraints of the site, the applicant's attempt to work around neighbouring windows and the extensive amount of unauthorised works that have taken place at No.110 & 114 the proposal would have an acceptable impact on the adjoining properties.
33. Concerns about daylight/sunlight have been raised via objections and addressed within the this report. Right of Light is not a material planning matter and is something that can be dealt with through civil court action. This decision does not stop neighbouring occupants pursuing this.

Outlook

34. The outlook of neighbouring occupants has been carefully considered as in some instances their only outlook is onto the development site. The NPPF and local saved policy seeks that an efficient use of land is secured to ensure that the maximum use of brownfield land is delivered. The applicant has sensitively sought to preserve the existing limited outlook to the neighbouring properties by offering a bright and vegetated space which can act as a visual oasis. At present No.114 has one flat which has its entire outlook onto the site and two other units that have windows overlooking the area, which serve habitable rooms. The two units do have alternative sources of light and outlook into the properties. No.110 has one bedroom window looking into the

courtyard space.

35. Both neighbouring properties look over the proposal site, which is currently occupied by a two storey building with the ground floor taking up the bulk of the site. The site narrows as it withdraws from Peckham High Street but in the middle, where the existing windows are it is approximately 4m wide. The outlook from the neighbouring units is severely limited because of the existing building on the site and the respective walls 4m away. There are no long views at a horizontal level unless hanging out the windows, but technically the window design does not permit this. As such the existing outlook is very constrained.
36. The proposal would offer an extensive package of high quality materials and planting to soften the appearance of the courtyard which would add character to the outlook of others. The use of materials would lighten the courtyard, so when daylight does enter it, it would diffuse more positively thus improving the space for all. Furthermore, the top floor windows would maintain views towards the sky. Sky views are not possible from the lower floors unless actively straining to achieve such, something which would not be typically expected within the properties now or if the proposal was built.
37. It is accepted if the scheme is implemented the outlook for the neighbouring occupants would change. However, the outlook is very poor at present and is afforded by unauthorised development. There has also been no attempt to regularise the current situation by the freeholders. It is considered that the significant constraints upon this developer and the bespoke method of addressing these, demonstrates a commitment to work to secure a scheme that maximises the efficient use of the site while being sensitive to neighbouring occupants.

Privacy

38. The applicant has gone to significant lengths to ensure the proposal does not impede on the neighbours privacy. The fern garden located at first floor provides a lush defensible space screened by hanging plants. The light grey metal rods act as a scaffold for planting and also prevent access to the area immediately outside this window. The windows at second floor to 114 Peckham High Street have their privacy maintained by locating the access walkway on the opposite wall. This is also screened with a planter at access level and a high level planter above. The stairs have been orientated perpendicular to the party wall to prevent overlooking. They have also been screened but not planted. The roof level amenity space to proposed Unit 3 is open to the sky with overlooking prevented by a series of oak privacy screens.
39. It is acknowledged this courtyard space is very tight but to develop anything on the site without blocking the neighbouring windows would be challenging. The applicant has considered carefully an approach using vegetation and natural materials which delivers a robust screening while allowing it to harmonize positively in the space. It is considered with these measures the privacy of the windows would be preserved. All details of the screening would be conditioned.

Overall

40. The proposal seeks to maximise the efficient use of land whilst protecting neighbours amenity. This sentiment is resonated within the NPPF and saved local policy. Careful consideration has been given throughout the preparation of this proposal so that a positive outcome can be achieved for the applicant and neighbours. Without such measures the proposal site would not be developable and would represent a inefficient use of space. Finally, the applicant has sought to work within the constrains placed upon them from the unauthorised developments, which have taken place at No.110 & No.114 and have no official legalised standing. It is for these reasons it is considered

the impact of the proposal is acceptable. While the scheme also offers additional benefits to the community and conservation area which outweigh the amenity impacts.

Quality of Accommodation

41. The proposal includes 4 residential units. There are shortfalls in the individual units which is explored below. However, consideration in the assessment is given to the significant constraints placed on the site. The applicant has included amenity space, and though this is particularly small, it would be acceptable given the site constraints.
42. Unit 1: The unit is 37sqm and has been set out as a studio. The layout of the unit was not conducive to a functional studio. As such the applicant revised this to improve the circulation/useable space and reduce the size/prominence of the shower room. The unit would comply with Nationally Described Space Standards and the Residential Design Standards SPD. 5sqm of amenity space would be provided to the front of the unit.
43. Unit 2: The unit would be a 1b2p unit and measure 59.35sqm split over two floors. The unit would meet the standards required in the Nationally Described Space Standards. The unit would have a L/K/D which is 1sqm short of the Residential Design Standards, this is not considered to be detrimental to the future occupants and would allow the efficient use of land as required by saved policy 3.11. The unit has a small balcony and small ground floor space area. The unit is considered to be acceptable.
44. Unit 3: The unit would be a 1b2p unit and measure 56.5sqm split over two floors. The unit would be 1.5 sqm short of the standards required in the Nationally Described Space Standards. However, while space could be incorporated into the layout it would exacerbate the impact on neighbouring occupants as such it is considered to be the best internal layout achievable. As such the shortfall is considered acceptable. The open plan living area is 0.6sqm short of the 24sqm requirement. Given the shortfalls are minimum it is not considered that this would be harmful to future occupants.
45. Unit 4: The unit would be a 1b2p unit and measure 59sqm split over two floors. The unit would comply with Nationally Described Space Standards and the Residential Design Standards SPD. 7.5sqm of amenity space would be provided to the front of the unit. This is angled and consists of a full height privacy screen to restrict any overlooking but allowing light in and an outlook. The unit is acceptable. It is noted there is space at second floor level to reconfigure the unit to provide a single room, this would not be supported as the room would be undersized as well as the unit. As such Compliance with the planning permission would be expected and any deviation from the approved layouts would be subject to enforcement action.
46. All units would have an area of glazing which is equivalent to at least 10% of the internal floorspace of each habitable room. Equally, all the units would be dual aspect.
47. Overall the quality of accommodation is considered to be of satisfactory standard. It is appreciated the site is constrained and therefore achieving all standards is difficult to adhere to, however the design has sought to maximise internal layouts without compromising the unauthorised windows which significantly restrict the efficient use of land.

Transport issues

48. The proposal is on a red route and within a Controlled Parking Zone (CPZ). The proposal is car free which is acceptable and future residents would be prohibited from obtaining parking permits. The proposal has cycle parking and commercial refuse storage. The cycle parking is not ideal but would not fit into the site without prejudicing

the shop frontage and commercial floorspace.

Refuse storage

49. The proposed ground floor commercial unit would see the loss of its rear outdoor courtyard though alternative refuse storage has been provided. The loss of this outdoor space would require residential refuse storage to be accommodated internally. Given the constraints of the site, purpose built waste storage space could not be accommodated. It is considered that despite this shortfall the additional units would not generate a significant amount of waste. Conversely with daily street collections the waste would be brought to the street on collection day and removed quickly from the street avoiding any potential conflicts with pedestrians. This is an existing situation for Peckham High Street and while resisted, is a solution which currently works. Consequently it is considered that the shortfall of refuse storage would not substantiate a reason for refusal in this instance.
50. The site is on a strategic road corridor of London and is confined in size and accessibility. If approved, TfL previously requested a construction management plan to clearly identify how the scheme would be built without unduly harming the free-flow of pedestrians and vehicles. This would be conditioned.
51. The transport implications of the scheme are acceptable and do not warrant refusing the application.

Design issues / Impact on character and setting of the conservation area

52. The site is currently occupied by a two storey building with a shop at ground floor and is located within the Rye Lane Peckham Conservation Area. The existing building on the site, in terms of the facade, is not of any particular architectural merit and is not identified as contributing positively to the conservation area.
53. The proposal under consideration would demolish the existing building on the site and replace it with a four storey mixed use building. The existing two storey building is sandwiched between a 3 storey and a 4 storey building. The proposal would result in substantial demolition, as referred to in paragraph 133 of the NPPF. Therefore, the council has to be satisfied that the replacement scheme is of sufficient quality to justify the loss. Furthermore, the NPPF requires under paragraph 137 that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
54. The local area has no prevailing building height, colour, material or consistent design. However, a shared general order does exist with a ground floor retail frontage, a brick core and tiled set-back mansard at roof level. The proposal seeks to build upon this aesthetic by following the basic principles though in a cotemporary manner.
55. The design references the proportions of the adjacent buildings in terms of size, rhythm and materiality. The height of the shop frontage replicates the neighbouring units to remain consistent. The core element of the street elevation is constructed from brick with deep framed windows. This depth, shadow and texture articulate the street facade and would offer a significantly high quality finish to a building on a prominent junction. The elevation is topped with a dark grey coping to match the window surrounds which terminates at the same height of the adjacent building at No.110. This provides an element of continuity to the street elevation.

56. A traditional form of mansard shall be provided, this replicates the general form of the area and successfully ties in with the neighbouring developments. Achieving this would be very difficult but the proposed design has been able to achieve this. That being said, the style of dormer windows has been reviewed and changed to reduce the size of the windows. This change overcomes part of the previous reason for refusal.
57. The articulation of the facade has carried through a strong horizontal and vertical alignment, which is seen throughout the conservation area. The simple arrangement of two rows of three windows creates a clean and uncluttered contemporary aesthetic. The proportions of the windows and ratio of windows, surround, brick and parapet enhance the buildings facade.

Materials

58. The external palette of materials largely consists of reconstituted stone, brick and zinc and aluminium windows. While there were concerns with the palette previously, the amount of reconstituted materials has been reduced and it is considered an improvement which offers a simple combination intended to limit visual clutter. The tone of the materials has also been revised to be lighter. The exact colour would be conditioned to ensure that the scheme makes a positive contribution to the streetscape. The mansard shall be set back and generally not visible from Peckham High Street. It would be visible from Peckham Hill Street though in long views. The zinc finish is lighter in tone compared to the main building. This would reduce the weight of the structure and provide a more gradual termination to the building at roof level. The reflective nature would also offer a contrast with the building below. These measures are considered to make the building contribute within the longer views afforded from Peckham Hill Street, which is partially within the neighbouring conservation area. In general there was no objection to the materials given concrete was not used or limited and that conditions could be attached requiring final details to be agreed. Conditions would be attached to this effect.
59. To the rear of the building brickwork would be the principle material with a reconstituted stone coping. Balconies would also be provided and a rear wall at ground floor. The internal courtyard as discussed would make use of light coloured brick, grey metal work and oak privacy screens. In addition the courtyard would use vegetation to soften the appearance.
60. Unlike the refused scheme the applicant has improved the quality of accommodation significantly, has addressed the impacts on the neighbouring occupants and has altered the appearance of the building to offer a vastly improved scheme. In this respect it is considered that the proposal would contribute successfully to the streetscape and wider conservation area. Subject to condition over materials and sections the proposal is acceptable as would not be refusal on design grounds.

Planning obligations (CIL)

61. SCIL & MCIL would be liable if the scheme was to be approved.

Proposed Resi 214sqm
 Proposed Retail 51sqm
 Demolished Credit 103sqm

- MCIL - £7,987.82
- SCIL - £12,692.74

Sustainable development implications

62. The application site is located in the Peckham Village Archaeological Priority Zone. The applicant has submitted a desk-based assessment with an earlier application for this site exists and is, titled: '112 Peckham High Street. An Archaeological Desk-Based Assessment' by Archaeology Collective and dated May 2017. It provides a suitable baseline of archaeological data. Concluding that the present building is a post-war rebuild that is likely to have impacted upon the archaeological significance of the site. However, as a precautionary measure a programme of archaeological evaluation works would be conditioned.

Conclusion on planning issues

63. The principle of a retail/residential development is supported. The development would offer an acceptable level of accommodation and preserve the amenity of neighbours. The minor changes to the design is considered to overcome previous concerns of quality of accommodation, amenity impact and materials, as such the proposal is recommended for approval subject to conditions.

Consultations

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

Consultation replies

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

Summary of consultation responses

66. Due to the small amount of time between the applications the previous comments have been brought forward.

Transport for London: No objection, conditions recommended.

EPT: No comments, though previously recommended conditions.

Community impact statement / Equalities Assessment

67. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard,

in particular, to the need to tackle prejudice and promote understanding.

68. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
69. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
70. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

71. 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.
72. This application has the legitimate aim of providing a mixed use development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2516-112 Application file: 18/AP/2156 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing 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 4004 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	Craig Newton, Planning Officer	
Version	Final	
Dated	24 August 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, 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	8 November 2018	

APPENDIX 1**Consultation undertaken****Site notice date:** 12/07/2018**Press notice date:** 19/07/2018**Case officer site visit date:** 12/08/2018**Neighbour consultation letters sent:** 12/07/2018**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)**Neighbour and local groups consulted:**

Flat 1 120 Peckham High Street SE15 5ED	Flat 1 122 Peckham High Street SE15 5ED
Flat 1a 114 Peckham High Street SE15 5ED	Flat 2 122 Peckham High Street SE15 5ED
122 Peckham High Street London SE15 5ED	Flat 3 122 Peckham High Street SE15 5ED
116 Peckham High Street London SE15 5ED	Flat E 110 Peckham High Street SE15 5ED
Flat B 110 Peckham High Street SE15 5ED	Flat F 110 Peckham High Street SE15 5ED
Flat 3 120 Peckham High Street SE15 5ED	Flat 5 120 Peckham High Street SE15 5ED
Flat C 110 Peckham High Street SE15 5ED	Living Accommodation 116 Peckham High Street SE15 5ED
Flat A 110 Peckham High Street SE15 5ED	Unit A 116 Peckham High Street SE15 5ED
Flat 2 120 Peckham High Street SE15 5ED	Unit B 116 Peckham High Street SE15 5ED
Flat 2b 114 Peckham High Street SE15 5ED	Flat 5e 114 Peckham High Street SE15 5ED
112b Peckham High Street London SE15 5ED	Flat 6f 114 Peckham High Street SE15 5ED
121-125 Peckham High Street London SE15 5SF	Flat B 117 Peckham High Street SE15 5SE
Flat 8 1 Bull Yard SE15 5DH	Ground Floor 110 Peckham High Street SE15 5ED
Flat 9 1 Bull Yard SE15 5DH	Unit 15b The Aylesham Centre SE15 5EW
Flat 10 1 Bull Yard SE15 5DH	Flat 3c 114 Peckham High Street SE15 5ED
115 Peckham High Street London SE15 5SE	Flat 1 119 Peckham High Street SE15 5SE
117 Peckham High Street London SE15 5SE	Flat 2 119 Peckham High Street SE15 5SE
121a-121b Peckham High Street London SE15 5SE	Flat 3 119 Peckham High Street SE15 5SE
112 Peckham High Street London SE15 5ED	Flat C 117 Peckham High Street SE15 5SE
114 Peckham High Street London SE15 5ED	Flat A 117 Peckham High Street SE15 5SE
119 Peckham High Street London SE15 5SE	Flat 7g 114 Peckham High Street SE15 5ED
Flat 4 120 Peckham High Street SE15 5ED	Flat First Floor 118-120 Peckham High Street SE15 5ED
Unit 11 The Aylesham Centre SE15 5EW	Ground Floor 121-125 Peckham High Street SE15 5SF
Unit 12 The Aylesham Centre SE15 5EW	Unit D 117 Peckham High Street SE15 5SE
Unit 14 The Aylesham Centre SE15 5EW	Unit E 117 Peckham High Street SE15 5SE
Unit 8 The Aylesham Centre SE15 5EW	Flat 4 119 Peckham High Street SE15 5SE
Unit 9 The Aylesham Centre SE15 5EW	Flat 4 1 Bull Yard SE15 5DH
Unit 10 The Aylesham Centre SE15 5EW	Flat 5 1 Bull Yard SE15 5DH
Unit 17 The Aylesham Centre SE15 5EW	Flat 6 1 Bull Yard SE15 5DH
Morrisons The Aylesham Centre SE15 5EW	Unit 1 1 Bull Yard SE15 5DH
Unit 15 The Aylesham Centre SE15 5EW	Unit 2 1 Bull Yard SE15 5DH
Unit 15a The Aylesham Centre SE15 5EW	Flat 3 1 Bull Yard SE15 5DH
Unit 16 The Aylesham Centre SE15 5EW	Basement 118-120 Peckham High Street SE15 5ED
Peckham Bus Station 124 Peckham High Street SE15 5ED	Unit 1 121-125 Peckham High Street SE15 5SF
Unit 1 The Aylesham Centre SE15 5EW	Unit 2 121-125 Peckham High Street SE15 5SF
Unit 11a The Aylesham Centre SE15 5EW	Unit 3 121-125 Peckham High Street SE15 5SF
Flat 4d 114 Peckham High Street SE15 5ED	Ground Floor 118-120 Peckham High Street SE15 5ED
Flat D 110 Peckham High Street SE15 5ED	Unit 5 And Unit 13 The Aylesham Centre SE15 5EW
108 Peckham High Street London SE15 5ED	First Floor 121-125 Peckham High Street SE15 5SF
Unit 4 The Aylesham Centre SE15 5EW	Flat 7, 114 Peckham High Street London SE15 5ED
Unit 6 The Aylesham Centre SE15 5EW	By Email

Unit 7 The Aylesham Centre SE15 5EW
First Floor Security Office The Aylesham Centre SE15 5EW
Unit 2 The Aylesham Centre SE15 5EW
Unit 3 The Aylesham Centre SE15 5EW
Flat 7 1 Bull Yard SE15 5DH

Flat 2 114 Peckham High Street SE15 5ED
C/O Members Room 160 Tooley Street SE1 2QH
Cabinet Office 16 Tooley Street SE1 2QH
C/O Members Room 160 Tooley Street SE1 2QH
Flat 2 Peckham High Street SE15 5ED

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Cabinet Office 16 Tooley Street SE1 2QH
C/O Members Room 160 Tooley Street SE1 2QH
C/O Members Room 160 Tooley Street SE1 2QH
Email representation
Email representation
Email representation
Flat 2 Peckham High Street SE15 5ED
Flat 2 114 Peckham High Street SE15 5ED
Flat 2 114 Peckham High Street SE15 5ED
Flat 2b 114 Peckham High Street SE15 5ED
Flat 3c 114 Peckham High Street SE15 5ED
Flat 6f 114 Peckham High Street SE15 5ED
Flat 7, 114 Peckham High Street London SE15 5ED
Flat 7g 114 Peckham High Street SE15 5ED

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 Dennis Stewart	Reg. Number	18/AP/2156
Application Type	Full Planning Application	Case	TP/2516-112
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing building and construction of new 3 storey building plus mansard to create 1 ground floor retail unit and 4 residential units (1 x studio & 3 x 1bed Units).

At: 112B PECKHAM HIGH STREET, LONDON, SE15 5ED

In accordance with application received on 02/07/2018 12:00:48

and Applicant's Drawing Nos. Application form

Application: Covering letter
Community Infrastructure Levy (CIL) Notices
Daylight/Sunlight assessment
Design and access statement
Planning statement

000 EXISTING GROUND FLOOR PLAN
001 EXISTING FIRST FLOOR PLAN
002 EXISTING SECOND FLOOR PLAN
003 EXISTING STREET ELEVATION
004 EXISTING REAR ELEVATION
005 PROPOSED SECTION A (EAST SIDE)
006 PROPOSED SECTION A (WEST SIDE)
007 SITE LOCATION PLAN

010 REV F PROPOSED GROUND FLOOR PLAN
011 REV H PROPOSED FIRST FLOOR PLAN
012 REV F PROPOSED SECOND FLOOR PLAN
013 REV F PROPOSED THRID FLOOR PLAN
014 REV G PROPOSED FRONT (STREET) ELEVATION
015 REV D PROPOSED REAR ELEVATION
016 REV D PROPOSED SECTION A
017 REV E PROPOSED SECTION D
018 REV F PROPOSED SECTION B&C
019 REV C PROPOSED ROOF PLAN
020 PROPOSED OUTLINE WINDOW DETAILS

Subject to the following nineteen 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:

010 REV F PROPOSED GROUND FLOOR PLAN
011 REV H PROPOSED FIRST FLOOR PLAN
012 REV F PROPOSED SECOND FLOOR PLAN
013 REV F PROPOSED THRID FLOOR PLAN
014 REV G PROPOSED FRONT (STREET) ELEVATION

015 REV D PROPOSED REAR ELEVATION
 016 REV D PROPOSED SECTION A
 017 REV E PROPOSED SECTION D
 018 REV F PROPOSED SECTION B&C
 019 REV C PROPOSED ROOF PLAN
 020 PROPOSED OUTLINE WINDOW DETAILS

Reason:

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

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

Reason

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

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

- 3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:

the parking of vehicles of site operatives and visitors;
 loading and unloading of plant and materials;
 storage of plant and materials used in constructing the development;
 the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 wheel washing facilities;
 measures to control the emission of dust and dirt during construction;
 a scheme for recycling / disposing of waste resulting from demolition and construction works

Reason:

To ensure that occupiers of neighbouring premises 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 2018.

- 4 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

- 5 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

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.

- 6 Before any above grade work hereby authorised begins, details of the means of opaque screening on the side boundaries of the balconies shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

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

- 7 Section detail drawings at 1:20 of the external and courtyard facades to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and 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 2018, 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.

- 8 Notwithstanding the details already submitted the materials used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and 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 2018, 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 Internal Ventilation in Locations That Have External Air Quality Below the National Standard ζ pre approval
The use hereby permitted shall not be begun until full particulars and details of a scheme for the internal ventilation of the development which shall include; appropriately located plant, inlets and outlets; filtration and treatment of incoming air to ensure it meets the national standards for external air quality; plant noise output levels; and a management and maintenance plan have been submitted to and approved by the LPA. The development shall be carried out in accordance with the approval given.

Reason

In order that the Local Planning Authority may be satisfied that the ventilation, ducting, filtration/treatment and ancillary equipment is incorporated as an integral part of the development in the interests of residential amenity in accordance with Strategic Policy 13 ζ High Environmental Standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

- 10 Before any above grade work hereby authorised begins, details of the green screening shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

The green wall shall be carried out in accordance with the details approved and shall be maintained as such thereafter.

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2018, 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.

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.

- 11 Horizontal sound transmission between residential units ζ standard
The habitable rooms within the development sharing a party wall element with any neighbouring commercial or residential property shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall meets a minimum of 5dB improvement on the Building Regulations 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 2018.

- 12 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing 010 REV E PROPOSED GROUND FLOOR PLAN shall be provided and made available for use by the occupiers of the commercial 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 2018, 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

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

Reason

To ensure the development complies with the National Planning Policy Framework 2018, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

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

Reason

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

- 15 The use hereby permitted for A1 retail use purposes shall not be carried on outside of the hours 07:00 to 23:00 on Monday to Sunday.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2018, 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 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

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

Living rooms - 30dB LAeq, T **

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

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

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2018.

- 17 The windows identified on the plans as being frosted 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 from undue overlooking in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

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

18 Contaminated land

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2018.

19 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

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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Dated: 24 September 2018			