

Planning Sub-Committee B

Wednesday 4 September 2019
7.00 pm

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

Membership

Councillor Cleo Soanes (Chair)
Councillor Maria Linforth-Hall (Vice-Chair)
Councillor Maggie Browning
Councillor Sirajul Islam
Councillor Nick Johnson
Councillor Martin Seaton
Councillor Bill Williams

Reserves

Councillor Sarah King
Councillor Graham Neale
Councillor Margy Newens
Councillor Jason Ochere
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

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 27 August 2019



Planning Sub-Committee B

Wednesday 4 September 2019

7.00 pm

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

Order of Business

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| 1. | INTRODUCTION AND WELCOME | |
| 2. | APOLOGIES | |
| 3. | CONFIRMATION OF VOTING MEMBERS | |
| | A representative of each political group will confirm the voting members of the sub-committee. | |
| 4. | DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS | |
| | Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting. | |
| 5. | ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT | |
| | The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda. | |
| 6. | MINUTES | 1 - 3 |
| | To approve as a correct record the minutes of the meeting held on 26 March 2019. | |
| 7. | DEVELOPMENT MANAGEMENT ITEMS | 4 - 8 |
| | 7.1. SALISBURY ESTATE CAR PARK, BALFOUR STREET, LONDON SE17 1PA | 9 - 39 |
| | 7.2. ELLER BANK, 87 COLLEGE ROAD, LONDON SE21 7HH | 40 - 51 |

**7.3. OLD COLLEGE LAWN TENNIS AND CROQUET CLUB, 10 52 - 63
GALLERY ROAD, LONDON SE21 7AB**

Date: 27 August 2019

Planning Sub-Committee

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

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

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

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

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

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

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

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

Planning Sub-Committee Clerk, Constitutional Team
Finance and Governance
Tel: 020 7525 7234



Planning Sub-Committee B

MINUTES of the Planning Sub-Committee B held on Tuesday 26 March 2019 at 7.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Cleo Soanes (Chair)
Councillor Damian O'Brien (Vice-Chair)
Councillor Sunil Chopra (Reserve)
Councillor Eliza Mann (Reserve)
Councillor Victoria Olisa
Councillor Martin Seaton

OFFICER SUPPORT: Dennis Sangweme (Development Management)
Alex Gillott (Legal Officer)
Andre Verster (Development Management)
Lauretta Doku (Development Management)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillors Sirajul Islam, Nick Johnson and Darren Merrill.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

- Members' pack.

6. DEVELOPMENT MANAGEMENT ITEMS

Members noted the development management report.

6.1 36 ROUSE GARDENS, LONDON SE21 8AF

Planning application reference: 18/AP/4015

Report: see pages 6 to 20 of the agenda pack.

PROPOSAL

Construction of a ground floor side and rear extension and refurbishment to existing detached house, with the inclusion of a circular one-storey side extension.

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

A representative of the objectors addressed the meeting and answered questions from the sub-committee.

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

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

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/4015 be granted, with conditions as set out in the report.

The meeting ended at 7.40 pm.

CHAIR:

DATED:

| | | | |
|------------------------------------|--------------------------------|----------------------------------|--|
| Item No. 7. | Classification: Open | Date: 4 September 2019 | Meeting Name: Planning Sub-Committee B |
| Report title: | | Development Management | |
| Ward(s) or groups affected: | | All | |
| From: | | Proper Constitutional Officer | |

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F of Southwark Council's constitution 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 & Democracy

12. A resolution to grant planning permission shall mean that the development & building control manager 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 head of development management 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 head of development management 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 legal services, and which is satisfactory to the head of development management. 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 legal services. 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 Simon Bevan 020 7525 5655 |

APPENDICES

| No. | Title |
|------|-------|
| None | |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Lead Officer | Chidilim Agada, Head of Constitutional Services | |
| Report Author | Everton Roberts, Principal Constitutional Officer Jonathan Gorst, Head of Regeneration and Development | |
| Version | Final | |
| Dated | 23 August 2019 | |
| 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 | | 23 August 2019 |

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B
on Wednesday 4 September 2019

Appl. Type Full Planning Application
Site SALISBURY ESTATE CAR PARK, BALFOUR STREET, LONDON SE17 1PA

Reg. No. 19-AP-1506
TP No. TP/H1066
Ward North Walworth
Officer Abbie McGovern

Recommendation GRANT PERMISSION

Proposal

Redevelopment of the existing car park to provide 26 residential units in a 5 storey block with maximum height of 21.8m AOD (5 x 3 bed 5 person flats, 9 x 2 bed four person flats & 9 x 1 bed 2 person flats, 2 x 2 bed wheelchair units and 1 x 1 bedroom wheelchair unit) together with new private amenity space located within a rear courtyard as well as improving the landscaping of the existing pedestrian link between Chatham Street and the open green space to the south of the site for public use. Two disabled parking spaces to be provided to the north of the site accessed off Chatham Street

Item 7.1

Appl. Type Full Planning Application
Site ELLER BANK, 87 COLLEGE ROAD, LONDON, SE21 7HH

Reg. No. 19-AP-1378
TP No. TP/2084-87
Ward Dulwich Wood
Officer Lasma Putrina

Recommendation GRANT PERMISSION

Proposal

Construction of a single storey rear extension at ground floor level and installation of a rooflight to existing DUCKS Infant School building

Item 7.2

Appl. Type S.73 Vary/remove conds/minor alterations
Site OLD COLLEGE LAWN TENNIS AND CROQUET CLUB, 10 GALLERY ROAD, LONDON, SE21 7AB

Reg. No. 19-AP-1573
TP No. TP/2083-E
Ward Dulwich Village
Officer Glenn Ruane

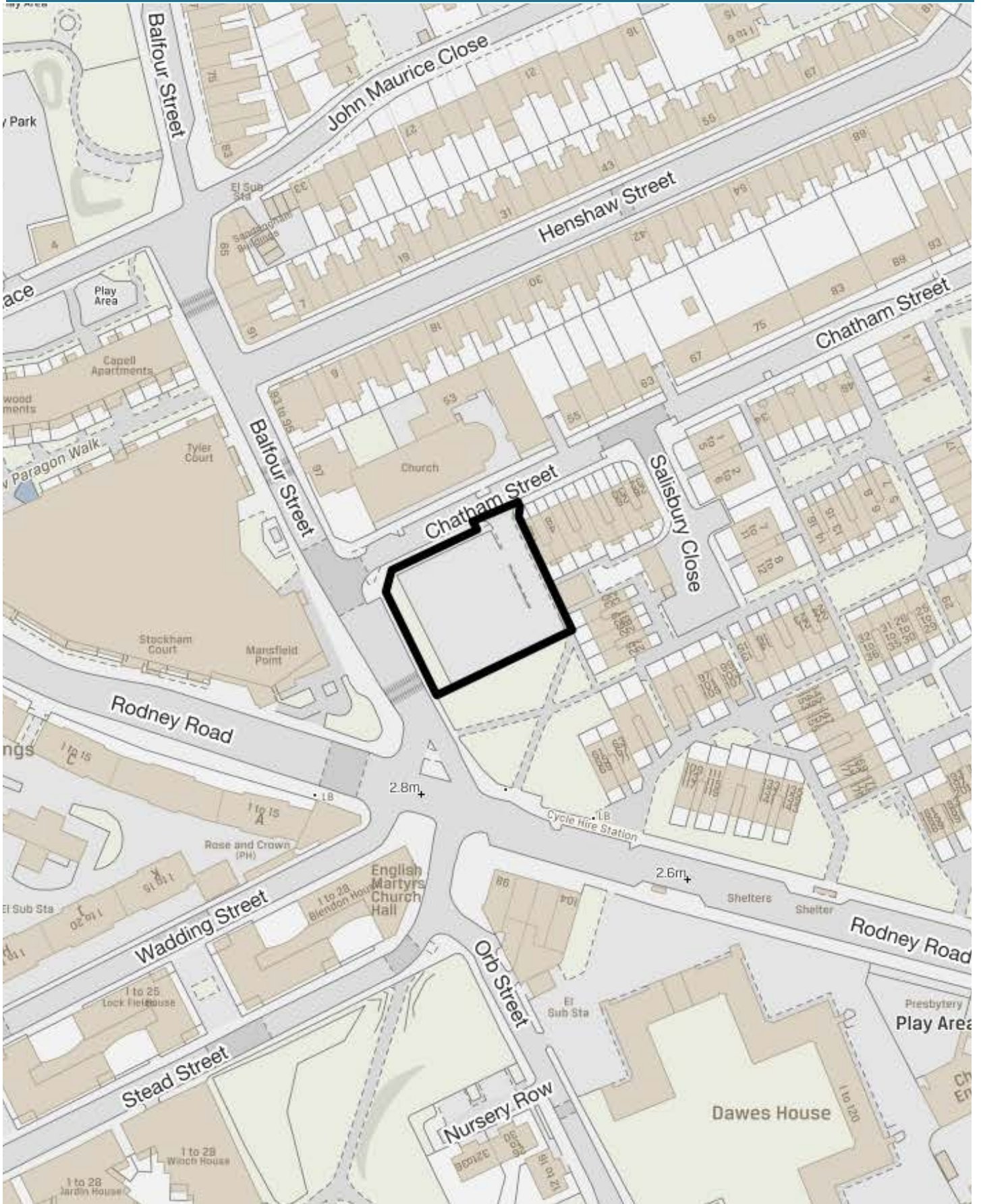
Recommendation GRANT PERMISSION

Proposal

Variation of condition 2 (approved plans) pursuant to planning permission 12/AP/1573 for: Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday. The Variation is for an increase in height by 0.5m of floodlighting posts around tennis courts 1,2,3,4 & 5. The existing floodlights would be replaced with LED luminaires, with associated new hoods.

Item 7.3

SALISBURY ESTATE CAR PARK, BALFOUR STREET LONDON SE17 1PA



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| | | | |
|--|---|---|--|
| Item No. 7.1 | Classification: OPEN | Date: 4 September 2019 | Meeting Name: Planning Sub-Committee B |
| Report title: | Development Management planning application: Application 19/AP/1506 for: Full Planning Application Address: SALISBURY ESTATE CAR PARK, BALFOUR STREET, LONDON SE17 1PA Proposal: Redevelopment of the existing car park to provide 26 residential units in a 5 storey block with maximum height of 21.8m AOD (5 x 3 bed 5 person flats, 9 x 2 bed four person flats & 9 x 1 bed 2 person flats, 2 x 2 bed wheelchair units and 1 x 1 bedroom wheelchair unit) together with new private amenity space located within a rear courtyard as well as improving the landscaping of the existing pedestrian link between Chatham Street and the open green space to the south of the site for public use. Two disabled parking spaces to be provided to the north of the site accessed off Chatham Street | | |
| Ward(s) or groups affected: | North Walworth | | |
| From: | Director of Planning | | |
| Application Start Date 07/06/2019 | | Application Expiry Date 06/09/2019 | |
| Earliest Decision Date 10/07/2019 | | | |

RECOMMENDATION

1. That Planning Sub-Committee B grant planning permission, subject to:
 - a) A unilateral undertaking being provided.
2. In the event that a unilateral undertaking is not provided by 2 December 2019, the Director of Planning be authorised to refuse planning permission for the reason detailed in paragraph 69 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site is a car park on the Salisbury Estate which fronts onto Balfour Street, close to its junction with Rodney Road. The site is bounded by Chatham Street, with the Lady Margaret Church beyond and sits on the north-west corner of the Salisbury Estate. The surrounding area is predominantly residential.
4. The application site is subject to the following designations:
 - Salisbury Estate Car Park NSP Proposals Site (NSP59)

- Air Quality Management Area
- Central Activities Zone
- Flood Zone 3
- Old Kent Road Action Area (NSP)
- Old Kent Road Opportunity Area (NSP)
- Article 4 Direction – Change of use from offices to dwelling houses is restricted
- Alexandra Palace viewing terrace to St Paul's Cathedral (NSP London View Management Framework)
- Centre of Bridge over the Serpentine to the Palace of Westminster (NSP London View Management Framework).

5. The site is not located within a conservation area; however, it is located within close proximity of Lady Margaret Church, a Grade II listed building.

Details of proposal

6. The proposed development seeks to deliver a 100% social rented residential block of 26 new homes on the existing car park associated within the Salisbury Estate. The proposal would comprise:

| Unit Type | Total Number of units | % of unit type | Habitable rooms |
|---------------|-----------------------|----------------|-----------------|
| 1 bed (2P) | 9 | 39% | 18 |
| 1 bed (2P WC) | 1 | | 2 |
| 2 bed (3P WC) | 2 | 42% | 6 |
| 2 bed (4P) | 9 | | 36 |
| 3 bed (5P) | 5 | 19% | 25 |
| TOTAL | 26 | 100% | 87 |

*(wheelchair compliant)

7. The proposal would provide private outdoor amenity spaces, a communal garden and doorstep play for under 5s. Further play space would also be provided within the green space immediately adjoining the south of the site.
8. The proposed development would also provide 42 cycle storage spaces and two wheelchair parking bays, which would be accessed from Chatham Street.

Relevant planning history

9. 17/EQ/0298 Application type: Pre-Application Enquiry (ENQ)
 Redevelopment of Salisbury Estate car park to provide 26x affordable residential units as part of the council's Direct Delivery Programme.
 Decision date 06/10/2017 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

10. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. The main issues to be considered in respect of this application are:
 - a) Principle of development
 - b) Impact of proposed development on amenity of neighbours and surrounding area
 - c) Impact of adjoining and nearby uses on occupiers and users of proposed development
 - d) Quality of accommodation
 - e) Transport issues
 - f) Design issues
 - g) Impact on character and setting of a listed building
 - h) Impact on trees
 - i) Planning obligations (S106 undertaking or agreement)
 - j) Sustainable development implications
 - k) Other matters

Adopted planning policy

National Planning Policy Framework (NPPF)

12. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
13. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
14. Chapter 2 Achieving sustainable development
 Chapter 5 Delivering a sufficient supply of homes
 Chapter 8 Promoting healthy and safe communities
 Chapter 9 Promoting sustainable transport
 Chapter 10 Supporting high quality communications
 Chapter 11 Making effective use of land
 Chapter 12 Achieving well-designed places
 Chapter 14 Meeting the challenge of climate change, flooding and coastal change
 Chapter 15 Conserving and enhancing the natural environment
 Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

15. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
 - Policy 3.3 Increasing housing supply
 - Policy 3.4 Optimising housing potential
 - Policy 3.5 Quality and design of housing developments
 - Policy 3.6 Children and young peoples play and informal recreation facilities
 - Policy 3.8 Housing choice
 - Policy 3.9 Mixed and balanced communities

Policy 3.11 Affordable housing targets
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emission
 Policy 5.3 Sustainable design and construction
 Policy 5.7 Renewable energy
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.15 Water use and supplies
 Policy 5.17 Waste capacity
 Policy 5.21 Contaminated land
 Policy 6.3 Assessing effects of development on transport capacity
 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 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Mayoral SPGs

16. Shaping Neighbourhoods: Play and informal recreation SPG 2012
 Sustainable Design and Construction SPG 2014 Carbon dioxide off-setting

Core Strategy 2011

17. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

Strategic Policy 1 Sustainable development
 Strategic Policy 2 Sustainable transport
 Strategic Policy 5 Providing new homes
 Strategic Policy 6 Homes for people on different incomes
 Strategic Policy 12 Design and conservation
 Strategic Policy 13 High environmental standards

Southwark Plan 2007 (saved policies)

18. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 2.5 Planning obligations

Policy 3.1 Environmental effects
 Policy 3.2 Protection of amenity
 Policy 3.3 Sustainability assessment
 Policy 3.4 Energy efficiency
 Policy 3.6 Air quality
 Policy 3.8 Waste management
 Policy 3.9 Water
 Policy 3.11 Efficient use of land
 Policy 3.12 Quality in design
 Policy 3.13 Urban design
 Policy 3.14 Designing out crime
 Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 Policy 3.27 Other open space
 Policy 4.2 Quality of residential accommodation
 Policy 4.3 Mix of dwellings
 Policy 4.4 Affordable housing
 Policy 4.5 Wheelchair affordable housing
 Policy 5.2 Transport impacts
 Policy 5.3 Walking and cycling
 Policy 5.6 Car parking
 Policy 5.7 Parking standards for disabled people

Southwark SPDs

19. Sustainable design and construction SPD February 2009
 2015 Technical Update to Residential Design Standards SPD 2011
 Waste management guidance notes for residential developments February 2014
 Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD 2015

Emerging planning policy

Draft New London Plan

20. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. The document is expected to reach examination stage later this year, however, given the stage of preparation it can only be attributed limited weight.

New Southwark Plan

21. For the last 5 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 Old Kent Road Area Action Plan, as the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

Old Kent Road Area Action Plan (OKR AAP/OAPF)

22. 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 21 March 2018. As the document is still in draft form, it can only be attributed limited weight.

Summary of public consultation responses

23. A total of 12 public comments have been received in response to the application, comprising 9 objections, 2 in support and 1 neutral comment. The objectors raised the following concerns:
- Impact on parking
 - Loss of daylight and sunlight
 - Height, scale and massing
 - Design and impact on the setting of a listed building
 - Loss of recycling facilities
 - Location of landscaping.

Principle of development

24. The site is located within the boundary of the Old Kent Road Opportunity Area and the Old Kent Road Area Action Plan; it is allocated within the emerging New Southwark Plan (NSP59) as a site which must provide new homes (Use Class C3) and may provide community uses (Use Class D).
25. Policy 3.3 of the London Plan and Strategic Policy 5 of the Core Strategy seek to increase housing supply and provide new homes, also in line with the site allocation. Further to this, Strategic Policy 6 of the Core Strategy states that development will provide homes for people on different incomes.
26. The application site is a car park associated with the wider Salisbury Estate. The surrounding area is predominantly residential, with the exception of Lady Margaret Church to the north of the site.
27. Due to the site's context, as set out above, the principle of providing additional residential units at this location is considered acceptable. Furthermore, the principle of providing a wholly council rented residential scheme is supported. The proposal would bring an existing underused site into beneficial use and make a positive contribution to affordable housing delivery within the borough.
28. The proposed development would result in the loss of a car park which is a land use that does not have any planning policy protection on this site. The impact of the loss of parking is assessed further within the Transport issues section of this report
29. For the above reasons the application is acceptable in principle subject to other planning considerations including quality of accommodation, impact on amenity and the proposed design of the development, which are addressed further within this report.

Density

30. The proposed development would have a density of 669 habitable rooms per hectare (HR/Ha), which is within the urban density range of 200 – 700 HR/Ha. The proposed density is therefore appropriate and acceptable within the site's context.

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

Loss of recycling centre

31. The application site currently provides an area for recycling waste. Concerns have been raised over the loss of this by objectors. The proposed development would provide 2 x 1100L Eurobins for general waste and 3 x 1100L Eurobins for recycling waste for the proposed residential dwellings. Waste and recycling collection for the Salisbury Estate meets the statutory requirement through door-step collection. As such, the proposal would not result in a shortfall in recycling facilities for the surrounding area. Notwithstanding this, in the interest of not losing the additional recycling centre that already exists on site, the applicant has committed to re-providing the recycling facility elsewhere on the estate. The process for identification of a possible site and consultation will commence should planning permission be granted and an informative is recommended regarding this.

Daylight/Sunlight impacts

32. Some objections have been received about the impact that the proposed development would have on daylight and sunlight of neighbouring dwellings. The applicant has submitted a daylight and sunlight assessment which looks at the potential impacts of the development on the surrounding properties at 2 – 8 Chatham Street, 27 – 32 Salisbury Close, 63 – 93 Rodney Road, Rose and Crown 96 Rodney Road, Mansfield Point Rodney Road, Tyler Court New Paragon Walk and 49 and 51 Chatham Street.
33. The report identifies that the impact of the proposed development is generally compliant with Building Research Establishment criteria on daylight for there to be no adverse impact on neighbouring properties. Exceptions to this are two secondary windows at the ground floors of both 2 and 6 Chatham Street which serve living areas. The principal windows serving the living areas would not be noticeably affected and would retain current daylight and sunlight levels. The proposal would also slightly affect one window of the ground floor flat at 30 and 32 Salisbury Close; the other, larger window serving the room would have no noticeable reduction in daylight meaning that the room would continue to receive good daylight.
34. The assessment also uses Annual Probable Sunlight Hours (APSH) to measure the amount of sunlight that would be received at neighbouring living room windows surrounding the development site. BRE guidance states that windows would not be significantly impacted if they receive more than 25% of annual probable sunlight hours, more than 5% of annual probable sunlight hours between 21 September and 21 March, receive more than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year of less than 4% of annual probable sunlight hours.
35. It is noted that the properties immediately surrounding the development site currently benefit from high levels of sunlight due to their location not being restricted by any adjacent developments. Any development on site would therefore have some impact on the existing properties. In reviewing the assessment, the reduction factor of some windows within 2 and 6 Chatham Street falls below the 0.8% reduction factor set out within BRE guidance, however only one window falls below 25% annual probable sunlight hours at 20%. The living rooms within this property would therefore still benefit from sufficient sunlight levels overall as the windows that would be affected are secondary windows. The most affected windows within 2 and 6 Chatham Street already do not benefit from high levels of sunlight as they are located within doors under an existing overhang, so any impact would reduce the annual probable sunlight hours. Two windows on the elevation fronting the development site would

also be affected; however these appear to be bedrooms and are not principal habitable rooms where there is a lower expectation of sunlight. In summary, whilst there would be some impact on windows within 2 and 6 Chatham Street, the living rooms as a whole would still benefit from sufficient sunlight levels.

36. The assessment also identifies that one window within 4 and 8 Chatham Street would slightly fall below the 25% annual probable sunlight hours; however, the existing annual probable sunlight hours is at 28% and this is therefore not considered to be a significant reduction.
37. There would be some impact to 29 and 31 Salisbury Close and 30 and 32 Salisbury Close with some windows' reduction factors falling below 0.8%. Only one window in each building would result in annual probable sunlight hours falling below 25%, which is minimal. Again, the windows which would be affected are not primary windows within the living rooms and are already receive restricted levels of sunlight due to being located under existing overhangs and being smaller windows. Overall the proposed development would not significantly impact the entire living rooms within these buildings.
38. As set out above, the proposed development would not significantly impact on the daylight and sunlight of surrounding properties. Whilst some windows would be affected, these are not considered to be primary windows within rooms and the rooms would benefit from sufficient levels of daylight and sunlight.

Overlooking

39. In terms of potential overlooking impacts, the layout and scale of the proposed development would mean that the amenity of neighbouring occupiers is not unduly impacted. The separation distance from the proposed development across Chatham Street to the church would be approximately 14.5m and across Balfour Street to Mansfield Point would be approximately 25m. These would therefore exceed the separation distances suggested by the Residential Design Standards SPD. To the northeast of the site the proposal includes general landscaping and accessible parking spaces. As such, a separation distance of 9.2m would be provided between the proposal and the properties within the Salisbury Estate. The flank wall of the adjacent estate building, 2 and 6 Chatham Street, has few windows within its elevation and as such, the proposed development would not result in unnecessary problems of overlooking or loss of privacy on this elevation. Open space is located to the south of the site and therefore there is no potential for any overlooking issues to this elevation. As set out, the layout, scale and positioning of the proposal would mean that no adverse overlooking impacts would arise.

Quality of accommodation

40. All of the proposed units would meet or exceed the required overall unit and individual room sizes as nationally described and set out within the Residential Design Standards SPD and thus would provide good quality sized affordable units. The scheme would also provide good quality private amenity space, a communal garden and the provision of child play space to meet minimum requirements.
41. The layout of the proposed development, with each floor being reliant on a deck access arrangement for a limited number of units per floor, would mean that disruption to residents by passing neighbours would be reduced. Furthermore, bedrooms would not overlook the access deck. As such, it is considered that the design of the proposed development would provide a good quality of accommodation in this regard, also ensuring that there would be no privacy issues.

42. The overall mix of dwellings is appropriate with 5 x 3 bedroom units, 11 x 2 bedroom units and 10 x 1 bedroom units as this would result in 61% of units being 2 bedrooms or more, complying with Strategic Policy 7 of the Core Strategy. It is noted that the proportion of family homes is slightly below the prescribed 20%, at 19%, however on balance this is considered acceptable as the proposed development would still deliver an appropriate number of family homes, whilst also maximising the efficiency of the overall development. Three of the dwellings are proposed to be wheelchair accessible, equating to 12% which is above the 10% requirement established within Saved Policy 4.3 of the Local Plan and Policy 3.8 of the London Plan. The proposed mix of dwellings is considered acceptable for a fully social rented scheme.
43. All of the proposed dwellings would benefit from at least dual aspect layouts and thus future occupiers of the site would benefit from a good quality of accommodation. All windows within the proposed rooms would have access to good levels of light and the majority of windows would have very good outlook. The outlook for rooms fronting the deck access would be more limited but the scheme has been designed so that these rooms are bedrooms where there is a lesser expectation of outlook.
44. The development would include the provision of private amenity space in the form of balconies, which would all be sufficiently sized. All 3 bedroom units would benefit from at least 10 sq. m. of private amenity space and the smaller units would benefit from areas between 6 sq. m. and 9 sq. m. which are considered acceptable for the size of the flats. 124 sq. m. of communal amenity space would also be provided in the form of a courtyard area and general landscaping around the development which is supported.
45. As required by policy, the proposed development would provide play space in the form of designated doorstep play for ages 0-5. 88 sq. m. of play space is proposed to be provided on site, leaving a shortfall of 38.14 sq. m. when considering the appropriate amount of play space required for an anticipated 13 children. The applicant has advised that this shortfall would be provided within the open space immediately to the south of the site. The proposed door step play can be seen on the submitted General Landscape Arrangement Plan (3413A-L-900 Rev P3). The provision of this is to be secured through the unilateral undertaking.

Transport issues

Access / highways

46. The site is located in an area with excellent Public Transport Accessibility Level of 6b (best) and within short walking distances of Elephant & Castle train/tube station and the bus routes on New Kent Road and Rodney Road.
47. Taking into account the likely vehicle movements from other developments in the local area, the level of forecasted vehicle movements would not have any noticeable adverse impact on the current vehicular traffic on the adjoining roads. Moreover, the Transport Team have projected that the proposed development would create some five two-way public transport trips in the morning or evening peak hours and limited service vehicle movements per day. The applicant's submitted analysis of the traffic accidents occurring in the vicinity of this development in the last three years has indicated that there is no specific accident pattern that warrants ameliorative measures.
48. There are on-going highway improvement works on Balfour Street, adjacent to the site, which are expected to be completed by October 2019; they would result in improvements for pedestrians in the form of raised pedestrian crossings and kerb build-outs to slow vehicles.

The proposed development would be car-free (with the exception of wheelchair access) and would provide pedestrian access in addition to the existing footways on Chatham Street and Balfour Street and the north-south route within the adjacent open space.

49. The proposed development would include two wheelchair parking spaces accessed from Chatham Street, as required by the development plan. A condition has been recommended for full details of the proposed wheelchair parking spaces to be submitted detailing that the bays are positioned directly behind the footway to ensure highway safety and prevent the site to be used as a vehicular turning space.

Car parking

50. Objections have been received in response to the loss of car parking spaces on site. The proposed development would result in the loss of up to 46 car parking spaces, though only 33 spaces are accessible and useable. The applicant's consultants have carried out overnight car parking surveys on Tuesday/Wednesday 31/10/17 & 01/11/17 and a daytime survey on Sunday 05/11/17 along the immediate road sections including Rodney Road, Balfour Street, Chatham Street, Henshaw Street, Orb Street, Stead Street, Wadding Street, Munton Road and Salisbury Estate.
51. The Walworth CPZ provides parking control in the vicinity of the site weekdays from 08:30 to 18:30. The development would be car free with the exception of two wheelchair accessible bays, which meets policy requirements of the London Plan. The below table sets out the capacity on surrounding streets and the number of spaces found available weekday overnight and Sunday daytime.

| Road Names | Capacity | Spaces Available | |
|--------------------|------------|-------------------|----------------|
| | | Weekday overnight | Sunday Daytime |
| Balfour Street | 38 | 8 | 9 |
| Chatham Street | 32 | 6 | 7 |
| Henshaw Street | 39 | 16 | 19 |
| Hillery Close | 14 | 3 | 4 |
| John Maurice Close | 3 | 3 | 3 |
| Munton Road | 0 | 0 | 0 |
| Orb Street | 9 | 2 | 1 |
| Rodney Road | 39 | 17 | 20 |
| Salisbury Close | 14 | 6 | 6 |
| Stead Street | 10 | 0 | 0 |
| Victory place | 0 | 0 | 0 |
| Wadding Street | 12 | 1 | 1 |
| TOTAL | 210 | 62 | 70 |

52. As discussed within paragraph 48 of this report above, works on Balfour Street will result in the loss of 28 car parking spaces. This would reduce the capacity on Balfour Street to 10 spaces and would reduce the total spaces available weekday overnight from 62 to 34 and Sunday daytime from 70 to 42. Notwithstanding this, as can be seen, there would still be sufficient on-street parking on surrounding streets when considering that the maximum number of cars parked on the site was 8 overnight and 18 during the day.

53. Additionally, the applicant has proposed that 25 existing undercroft garage parking spaces off Crail Row shall be offered to existing residents of the Salisbury Estate. Crail Row is located to the east of the Salisbury Estate and is accessed from Catesby Street, off Rodney Road. As there are existing car club bays within close proximity of the site, the applicant will also provide three year car club membership to further reduce potential parking pressures. This is to be secured within the unilateral undertaking agreement.
54. In conclusion, the proposed development would not adversely impact on parking within the local area due to sufficient spaces being available on surrounding streets, the provision of undercroft parking and the provision of car club membership.

Cycle parking

55. There are two TfL cycle docking stations near the site on Rodney Road and Victory Place. The applicant has proposed a cycle store on the ground floor of the development containing 46 two-tier cycle parking spaces. The number of cycle parking spaces proposed meets the requirements of Policy 6.9 of the London Plan. It is however unclear whether Sheffield stands are proposed. As such, a condition has been recommended for full details of cycle parking to be submitted.
56. The transport arrangements of the proposed development are deemed to be acceptable and it is specifically noted that the loss of the existing car park would not add to parking pressure within the local area.

Design issues

Layout

57. The proposed development is conceived as a single horseshoe/C-shaped block around a central courtyard space. This reinforces the street frontages along Balfour Street and Chatham Street and it is considered that this would successfully define and enclose the central landscaped courtyard space. The scheme presents a logical layout that would maximise the development potential of the site, in accordance with Policy 3.11 of the Southwark Plan.
58. The proposed units fronting onto Balfour Street would include front gardens and private entrances facing the street, which is already a successful typology on the neighbouring Trafalgar Place. Further to this, focusing active, residential frontages towards Balfour Street and the adjacent open space is considered to be the most appropriate response in terms of providing good outlook and quality of residential accommodation for the proposed units. The proposal includes the provision of ancillary refuse and cycle storage towards Chatham Street, opposite the church, which is deemed convenient and a pragmatic response given that it is assumed the church will generate high levels of footfall at certain times.

Scale, height and massing

59. The immediate surrounding area of the site contains a variety of building styles and heights, including the Grade II listed church, the modest terraced properties of Chatham Street, the 4 storey blocks of the Salisbury Estate and the nine storey element of Trafalgar Place.
60. Public comments have been received objecting to the scale, height and massing. The proposed scheme would respect the local context by striking an appropriate balance between the varied scales of surrounding buildings. The four storey element of the proposed

scheme, opposite the church, would respect the eaves height of the roof of the church. The articulation of the roof profile to allow a step up to five storeys at the more prominent southern corner of the site is considered a successful way of making the transition. The proposal would not compete with Trafalgar Place opposite; the gradual increase in height towards the junction is considered appropriate. The introduction of a splayed building line on Balfour Street to better reveal the listed church from the junction of Balfour Street and Rodney Road is also supported. The proposed scale, height and massing of the scheme is appropriate and acceptable within its context.

Detailed design

61. The use of a stock brick as the principal building material is supported and the desire to distinguish different parts of the outward-facing facades through a combination of brick detailing (horizontal banding and soldier courses) and materials choice is also supported. The use of a lighter brick to achieve more reflectivity in the internal courtyard and improve the daylight/sunlight conditions is appropriate, as well as the proposed metal detailing for the windows/balconies and balustrade. In line with this, a condition is recommended that requires the submission of materials.
62. The proposed landscape design comprises an appropriate range of hard and soft landscaping across private and public spaces. A condition has been recommended for a detailed hard and soft landscaping plan to be submitted. The incorporation of incidental play for under 5s within the semi-private residents' garden and within the incidental open space to the south is supported in design terms.

Impact on character and setting of a listed building

63. The application site is opposite the Lady Margaret Church, a Grade II listed building, across Chatham Street. The proposed development would appropriately step down in height to the north of the site, respecting the scale of the church. It is considered that the proposed design by way of its materiality and positioning would respect the character of the listed building and would also be in keeping with the wider surrounding area.
64. The east-west orientation of the church, together with its entrance at its eastern (rear) end, means that the most notable aspect of the listed building is further along Chatham Street. As such, the proposed development would not block any significant views of the church from the south.
65. It is considered that the proposed development would not adversely impact on the character and setting of the nearby Lady Margaret Church listed building. Passing streetscape views and the immediate historic setting of the church would be retained.

Planning obligations (S.106 undertaking or agreement)

66. The required obligations and contributions would be secured through a unilateral undertaking agreement within the Council.
67. In accordance with the Section 106 Planning Obligations SPD, the following agreements would mitigate the potential impacts of the proposed development:
 - Carbon off-set: Baseline total regulated emissions – total regulated CO2 savings = 18.9 tonnes CO2 required to be off-set so $18.9 \times £1,800 = £34,020$
 - Children's play space: The applicant will provide 88 sq. m. of play space on site and the further 38.14 sq. m. required by policy on the open space immediately adjacent to

site.

- Affordable housing: 100% social rent will be secured.
- Car club membership: The applicant will provide the option of three year car club membership to future occupiers of the development.

68. The highways team have also requested the following works by way of a Section 278 agreement:

- Repave the footways including new kerbing fronting the development on Chatham Street using materials in accordance with Southwark's Streetscape Design Manual SSDM (precast concrete slabs and 150mm wide granite kerbs)
- Reconstruct vehicle crossover on Chatham Street to SSDM standards
- Provide a dropped kerb on Balfour Street for refuse bins
- Repair any damages to the highway within the vicinity of the site due to construction activities
- Not to permit surface water from private areas to flow onto the public highway in accordance with Section 163 of the Highways Act 1980 – detailed drawings should be submitted as part of the Section 278 application.

69. Should the unilateral undertaking not be provided, it is proposed that the development be refused for the following reason:

The development should provide affordable housing in the borough which would be necessary because it is on a site which is capable of delivering more than 10 residential units. It would also fail to meet and provide other reasonable contributions that would be contrary to:

- The National Planning Policy Framework 2019
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes of the London Plan 2015, Strategic
- Policy 6 Homes for people on different incomes of the Core Strategy
- Saved Policies 2.5 Planning Obligations and 4.4 Affordable Housing of the Southwark Plan 2007 and
- Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.

Sustainable development implications

70. The London Plan target is for all major developments to be carbon neutral. The submitted Energy and Sustainability Statement outlines that the CO2 emissions would achieve 35.8% lower than Part L 2013 compliant development. The remainder of carbon savings are therefore to be provided as part of an off-site contribution, as set out within the Planning obligations (S.106 undertaking or agreement) section of this report above. Subject to the off-site contribution being made, the application is considered to be policy compliant in sustainability and energy terms.

Other matters

Ecology

71. The applicant has submitted a Preliminary Ecological Appraisal which is considered acceptable by Southwark's ecology officer. The appraisal identifies that no statutory designated sites are within 1km of the application site and that the site provides some very limited opportunities for protected and notable species, meaning that the proposed development would not result in any adverse impacts. It is also considered that the proposed

landscaping on site would successfully increase biodiversity. In line with this, it is recommended that conditions relating to green roofs, house sparrow boxes, swift bricks and an ecological management plan are applied to the planning permission. Through the recommended conditions, green roofs should be included under the proposed photo voltaic panels (PVs).

Flood Risk

72. The proposed development would create vulnerable residential uses within Flood Zone 3, including at ground floor. The applicant has submitted a Flood Risk Assessment which has been reviewed by the Environment Agency. Whilst the site is protected by the River Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year, most recent flood modelling (December 2017) shows that the site is at risk if there was to be a breach in the defences. It is considered that the proposed development would meet the requirements of the NPPF if the measures as detailed within the Flood Risk Assessment by MLM Group (12 August 2019 6100712-MLM-ZZ-XX-RP-C-0001) are implemented. As such, a condition has been recommended to ensure that the scheme complies with the submitted and approved Flood Risk Assessment.

Water

73. The proposed development is located within 15m of a strategic sewer. As such, a condition has been recommended as suggested by Thames Water to ensure that a Piling Method Statement is submitted.

Secured by Design

74. A response from the Metropolitan Police identified that the proposed development could achieve the security requirements of secured by design, mitigating against anti-social behaviour in particular. A condition has therefore been recommended to ensure that the proposed development would meet the principles of secured by design.

CIL

75. Section 143 of the Localism Act states that any financial contribution received in terms of Community Infrastructure Levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration.
76. In Southwark the Mayoral CIL was established at a rate of £35 per sq. m. of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development and in this instance it would be £218 per sq. m. as the proposal is for residential floorspace within Zone 2, subject to the indexation.

Land contamination

77. The applicant has submitted a Phase 1 and Phase 2 Ground Condition Assessment which identifies that limited remediation is required in open landscape areas and in trenches for the purpose of receiving services. The report did not reveal any concentrations of contaminants that would represent a significant risk to controlled waters. Notwithstanding this, a condition has been recommended to ensure that in the event of contamination being present a detailed remediation strategy shall be submitted.

Air quality

78. The application site is located within an Air Quality Management Area. Accordingly, the applicant has submitted an Air Quality Assessment which identified that concentrations of all pollutants are below the air quality objectives, with the exception of NO₂. The report therefore identifies the use of filters to ensure compliance as a mitigation measure.

Construction management

79. A condition has been recommended to ensure that the applicant submits a Construction Management Plan.

Conclusion on planning issues

80. The proposed development for a new residential building within this location is acceptable in principle. The proposed design and quality of accommodation is of a high quality and the scheme would contribute new social housing dwellings to the council's targets and as such provide public benefit. The proposal would not adversely impact on the amenity of the surrounding area and would not cause any significant transport issues.
81. As such, subject to the recommended conditions and a finalised unilateral undertaking agreement, it is recommended that planning permission be granted for the proposed development.

Consultations

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

Consultation replies

83. Details of consultation responses received are set out in Appendix 2.
84. Summary of consultation responses

External:

Thames Water – Recommend a condition for a Piling Method Statement to be submitted as the site is located within 15m of a strategic sewer. No objection.

Natural England – No comments.

Environment Agency – No objection to the proposal. Recommend a condition ensuring compliance with the submitted Flood Risk Assessment.

London Fire Brigade – Seek to ensure that access for fire appliances and water supplies for firefighting purposes are provided.

Internal:

Flood and Drainage Team – Consistent with the Environment Agency's comments.

Environmental Protection Team – Recommend approval with conditions relating to noise and vibration, land contamination and construction management.

Highways Team – Recommend approval subject to a S278 Agreement requiring the applicant to complete specific works.

Urban Forester – Recommend approval with conditions requiring an Arboricultural Method Statement and a hard and soft landscaping scheme to be submitted.

Ecology Officer – Satisfied with the Ecology Assessment submitted. Recommend conditions

relating to requiring green roofs, house sparrow boxes and swift bricks to be provided and an ecological management plan to be submitted.

Community impact statement / Equalities Assessment

85. 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.
86. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
87. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
88. 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

89. 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.
90. This application has the legitimate aim of providing 26 residential dwellings. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

91. There were none.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|--|--|
| Site history file: TP/H1066 Application file: 19/AP/1506 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 0254 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 | Abbie McGovern, Planning Officer | |
| Version | Final | |
| Dated | 21 August 2019 | |
| Key Decision | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director of Finance and Governance | No | No |
| Strategic Director of Environment and Leisure | No | No |
| Strategic Director of Housing and Modernisation | No | No |
| Director of Regeneration | No | No |
| Date final report sent to Constitutional Team | | 22 August 2019 |

APPENDIX 1

Consultation undertaken

Site notice date: 12/06/2019
Press notice date: 30/05/2019
Case officer site visit date: n/a
Neighbour consultation letters sent: 12/06/2019

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

| | |
|---------------------------------|---|
| 8 Hemp Walk London SE17 1PF | 31 Hillery Close London SE17 1RQ |
| 9 Hemp Walk London SE17 1PF | 28 Hillery Close London SE17 1RQ |
| 102 Rodney Road London SE17 1RA | 29 Hillery Close London SE17 1RQ |
| 7 Hemp Walk London SE17 1PF | 30 Hillery Close London SE17 1RQ |
| 4 Hemp Walk London SE17 1PF | 63 Chatham Street London SE17 1PA |
| 5 Hemp Walk London SE17 1PF | 306 Stockham Court Rodney Road SE17 1AT |
| 6 Hemp Walk London SE17 1PF | 1 Morris Court Rodney Road SE17 1AW |
| 104 Rodney Road London SE17 1RA | 305 Stockham Court Rodney Road SE17 1AT |
| 109 Rodney Road London SE17 1RF | 302 Stockham Court Rodney Road SE17 1AT |
| 111 Rodney Road London SE17 1RF | 303 Stockham Court Rodney Road SE17 1AT |
| 113 Rodney Road London SE17 1RF | 304 Stockham Court Rodney Road SE17 1AT |
| 107 Rodney Road London SE17 1RF | 2 Morris Court Rodney Road SE17 1AW |
| 101 Rodney Road London SE17 1RF | 202 Morris Court Rodney Road SE17 1AW |
| 103 Rodney Road London SE17 1RF | 203 Morris Court Rodney Road SE17 1AW |
| 105 Rodney Road London SE17 1RF | 204 Morris Court Rodney Road SE17 1AW |

20 Hemp Walk London SE17 1PF
 21 Hemp Walk London SE17 1PF
 22 Hemp Walk London SE17 1PF
 2 Hemp Walk London SE17 1PF
 17 Hemp Walk London SE17 1PF
 18 Hemp Walk London SE17 1PF
 19 Hemp Walk London SE17 1PF
 23 Hemp Walk London SE17 1PF
 28 Hemp Walk London SE17 1PF
 29 Hemp Walk London SE17 1PF
 3 Hemp Walk London SE17 1PF
 27 Hemp Walk London SE17 1PF
 24 Hemp Walk London SE17 1PF
 25 Hemp Walk London SE17 1PF
 26 Hemp Walk London SE17 1PF
 69 Rodney Road London SE17 1RF
 71 Rodney Road London SE17 1RF
 73 Rodney Road London SE17 1RF
 67 Rodney Road London SE17 1RF
 61 Rodney Road London SE17 1RF
 63 Rodney Road London SE17 1RF
 65 Rodney Road London SE17 1RF
 75 Rodney Road London SE17 1RF
 85 Rodney Road London SE17 1RF
 87 Rodney Road London SE17 1RF
 89 Rodney Road London SE17 1RF
 83 Rodney Road London SE17 1RF
 77 Rodney Road London SE17 1RF
 79 Rodney Road London SE17 1RF
 81 Rodney Road London SE17 1RF
 123 Rodney Road London SE17 1RF
 125 Rodney Road London SE17 1RF
 127 Rodney Road London SE17 1RF
 121 Rodney Road London SE17 1RF
 115 Rodney Road London SE17 1RF
 117 Rodney Road London SE17 1RF
 119 Rodney Road London SE17 1RF
 129 Rodney Road London SE17 1RF
 139 Rodney Road London SE17 1RF
 141 Rodney Road London SE17 1RF
 143 Rodney Road London SE17 1RF
 137 Rodney Road London SE17 1RF
 131 Rodney Road London SE17 1RF
 133 Rodney Road London SE17 1RF
 135 Rodney Road London SE17 1RF
 16 Hemp Walk London SE17 1PF
 4 Henshaw Street London SE17 1PD
 40 Henshaw Street London SE17 1PD
 42 Henshaw Street London SE17 1PD
 38 Henshaw Street London SE17 1PD
 32 Henshaw Street London SE17 1PD
 34 Henshaw Street London SE17 1PD
 36 Henshaw Street London SE17 1PD
 44 Henshaw Street London SE17 1PD
 201 Morris Court Rodney Road SE17 1AW
 3 Morris Court Rodney Road SE17 1AW
 4 Morris Court Rodney Road SE17 1AW
 5 Morris Court Rodney Road SE17 1AW
 2 Stockham Court Rodney Road SE17 1AT
 3 Stockham Court Rodney Road SE17 1AT
 4 Stockham Court Rodney Road SE17 1AT
 1 Stockham Court Rodney Road SE17 1AT
 803 Mansfield Point Rodney Road SE17 1BA
 804 Mansfield Point Rodney Road SE17 1BA
 5 Stockham Court Rodney Road SE17 1AT
 205 Stockham Court Rodney Road SE17 1AT
 206 Stockham Court Rodney Road SE17 1AT
 301 Stockham Court Rodney Road SE17 1AT
 204 Stockham Court Rodney Road SE17 1AT
 201 Stockham Court Rodney Road SE17 1AT
 202 Stockham Court Rodney Road SE17 1AT
 203 Stockham Court Rodney Road SE17 1AT
 5 Tyler Court New Paragon Walk SE17 1AX
 6 Tyler Court New Paragon Walk SE17 1AX
 101 Tyler Court New Paragon Walk SE17 1AX
 4 Tyler Court New Paragon Walk SE17 1AX
 1 Tyler Court New Paragon Walk SE17 1AX
 2 Tyler Court New Paragon Walk SE17 1AX
 3 Tyler Court New Paragon Walk SE17 1AX
 102 Tyler Court New Paragon Walk SE17 1AX
 201 Tyler Court New Paragon Walk SE17 1AX
 202 Tyler Court New Paragon Walk SE17 1AX
 203 Tyler Court New Paragon Walk SE17 1AX
 106 Tyler Court New Paragon Walk SE17 1AX
 103 Tyler Court New Paragon Walk SE17 1AX
 104 Tyler Court New Paragon Walk SE17 1AX
 105 Tyler Court New Paragon Walk SE17 1AX
 303 Morris Court Rodney Road SE17 1AW
 304 Morris Court Rodney Road SE17 1AW
 305 Morris Court Rodney Road SE17 1AW
 302 Morris Court Rodney Road SE17 1AW
 205 Morris Court Rodney Road SE17 1AW
 206 Morris Court Rodney Road SE17 1AW
 301 Morris Court Rodney Road SE17 1AW
 306 Morris Court Rodney Road SE17 1AW
 405 Morris Court Rodney Road SE17 1AW
 406 Morris Court Rodney Road SE17 1AW
 404 Morris Court Rodney Road SE17 1AW
 401 Morris Court Rodney Road SE17 1AW
 402 Morris Court Rodney Road SE17 1AW
 403 Morris Court Rodney Road SE17 1AW
 802 Mansfield Point Rodney Road SE17 1BA
 53 Rodney Road London SE17 1BA
 101 Mansfield Point Rodney Road SE17 1BA
 102 Mansfield Point Rodney Road SE17 1BA
 201 Mansfield Point Rodney Road SE17 1BA
 202 Mansfield Point Rodney Road SE17 1BA
 203 Mansfield Point Rodney Road SE17 1BA

6 Henshaw Street London SE17 1PD
 8 Henshaw Street London SE17 1PD
 11 Henshaw Street London SE17 1PE
 52 Henshaw Street London SE17 1PD
 46 Henshaw Street London SE17 1PD

 48 Henshaw Street London SE17 1PD
 50 Henshaw Street London SE17 1PD
 10 Henshaw Street London SE17 1PD
 12 Henshaw Street London SE17 1PD
 14 Henshaw Street London SE17 1PD
 93 Balfour Street London SE17 1PB
 89 Balfour Street London SE17 1PB
 16 Henshaw Street London SE17 1PD
 26 Henshaw Street London SE17 1PD
 28 Henshaw Street London SE17 1PD
 30 Henshaw Street London SE17 1PD
 24 Henshaw Street London SE17 1PD
 18 Henshaw Street London SE17 1PD
 20 Henshaw Street London SE17 1PD
 22 Henshaw Street London SE17 1PD
 51 Henshaw Street London SE17 1PE
 53 Henshaw Street London SE17 1PE
 7 Henshaw Street London SE17 1PE
 49 Henshaw Street London SE17 1PE
 43 Henshaw Street London SE17 1PE
 45 Henshaw Street London SE17 1PE
 47 Henshaw Street London SE17 1PE
 9 Henshaw Street London SE17 1PE
 13 Hemp Walk London SE17 1PF
 14 Hemp Walk London SE17 1PF
 15 Hemp Walk London SE17 1PF
 12 Hemp Walk London SE17 1PF
 1 Hemp Walk London SE17 1PF
 10 Hemp Walk London SE17 1PF
 11 Hemp Walk London SE17 1PF
 21 Henshaw Street London SE17 1PE
 23 Henshaw Street London SE17 1PE
 25 Henshaw Street London SE17 1PE
 19 Henshaw Street London SE17 1PE
 13 Henshaw Street London SE17 1PE
 15 Henshaw Street London SE17 1PE
 17 Henshaw Street London SE17 1PE
 27 Henshaw Street London SE17 1PE
 37 Henshaw Street London SE17 1PE
 39 Henshaw Street London SE17 1PE
 41 Henshaw Street London SE17 1PE
 35 Henshaw Street London SE17 1PE
 29 Henshaw Street London SE17 1PE
 31 Henshaw Street London SE17 1PE
 33 Henshaw Street London SE17 1PE
 Block C Flat 14 Peabody Estate SE17 1BE
 Block C Flat 15 Peabody Estate SE17 1BE
 Block B Flat 2 Peabody Estate SE17 1BH

 106 Mansfield Point Rodney Road SE17 1BA
 103 Mansfield Point Rodney Road SE17 1BA
 104 Mansfield Point Rodney Road SE17 1BA
 105 Mansfield Point Rodney Road SE17 1BA
 Second Floor Flat Lady Margaret Church SE17
 1PA
 Flat 1 93-95 Balfour Street SE17 1PB
 Flat 2 93-95 Balfour Street SE17 1PB
 Flat 3 93-95 Balfour Street SE17 1PB
 Flat 8 93-95 Balfour Street SE17 1PB
 Flat 7 93-95 Balfour Street SE17 1PB
 Flat 4 93-95 Balfour Street SE17 1PB
 Flat 5 93-95 Balfour Street SE17 1PB
 Flat 6 93-95 Balfour Street SE17 1PB
 601 Mansfield Point Rodney Road SE17 1BA
 602 Mansfield Point Rodney Road SE17 1BA
 603 Mansfield Point Rodney Road SE17 1BA
 505 Mansfield Point Rodney Road SE17 1BA
 502 Mansfield Point Rodney Road SE17 1BA
 503 Mansfield Point Rodney Road SE17 1BA
 504 Mansfield Point Rodney Road SE17 1BA
 604 Mansfield Point Rodney Road SE17 1BA
 704 Mansfield Point Rodney Road SE17 1BA
 705 Mansfield Point Rodney Road SE17 1BA
 801 Mansfield Point Rodney Road SE17 1BA
 703 Mansfield Point Rodney Road SE17 1BA
 605 Mansfield Point Rodney Road SE17 1BA
 701 Mansfield Point Rodney Road SE17 1BA
 702 Mansfield Point Rodney Road SE17 1BA
 302 Mansfield Point Rodney Road SE17 1BA
 303 Mansfield Point Rodney Road SE17 1BA
 304 Mansfield Point Rodney Road SE17 1BA
 301 Mansfield Point Rodney Road SE17 1BA
 204 Mansfield Point Rodney Road SE17 1BA
 205 Mansfield Point Rodney Road SE17 1BA
 206 Mansfield Point Rodney Road SE17 1BA
 305 Mansfield Point Rodney Road SE17 1BA
 404 Mansfield Point Rodney Road SE17 1BA
 405 Mansfield Point Rodney Road SE17 1BA
 501 Mansfield Point Rodney Road SE17 1BA
 403 Mansfield Point Rodney Road SE17 1BA
 306 Mansfield Point Rodney Road SE17 1BA
 401 Mansfield Point Rodney Road SE17 1BA
 402 Mansfield Point Rodney Road SE17 1BA
 29 Salisbury Close London SE17 1BY
 3 Salisbury Close London SE17 1BY
 30 Salisbury Close London SE17 1BY
 28 Salisbury Close London SE17 1BY
 25 Salisbury Close London SE17 1BY
 26 Salisbury Close London SE17 1BY
 27 Salisbury Close London SE17 1BY
 31 Salisbury Close London SE17 1BY
 7 Salisbury Close London SE17 1BY
 8 Salisbury Close London SE17 1BY

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|--|---|
| Block C Flat 13 Peabody Estate SE17 1BE | 9 Salisbury Close London SE17 1BY |
| Block C Flat 10 Peabody Estate SE17 1BE | 6 Salisbury Close London SE17 1BY |
| Block C Flat 11 Peabody Estate SE17 1BE | 32 Salisbury Close London SE17 1BY |
| Block C Flat 12 Peabody Estate SE17 1BE | 4 Salisbury Close London SE17 1BY |
| Block B Flat 3 Peabody Estate SE17 1BH | 5 Salisbury Close London SE17 1BY |
| Block B Flat 8 Peabody Estate SE17 1BH | 15 Salisbury Close London SE17 1BY |
| Block B Flat 9 Peabody Estate SE17 1BH | 16 Salisbury Close London SE17 1BY |
| Block B Flat 10 Peabody Estate SE17 1BH | 17 Salisbury Close London SE17 1BY |
| Block B Flat 7 Peabody Estate SE17 1BH | 14 Salisbury Close London SE17 1BY |
| Block B Flat 4 Peabody Estate SE17 1BH | 11 Salisbury Close London SE17 1BY |
| Block B Flat 5 Peabody Estate SE17 1BH | 12 Salisbury Close London SE17 1BY |
| Block B Flat 6 Peabody Estate SE17 1BH | 13 Salisbury Close London SE17 1BY |
| Block C Flat 1 Peabody Estate SE17 1BE | 18 Salisbury Close London SE17 1BY |
| Block B Flat 1 Peabody Estate SE17 1BH | 22 Salisbury Close London SE17 1BY |
| Block A Flat 1 Peabody Estate SE17 1BQ | 23 Salisbury Close London SE17 1BY |
| 83c Chatham Street London SE17 1PA | 24 Salisbury Close London SE17 1BY |
| 83f Chatham Street London SE17 1PA | 21 Salisbury Close London SE17 1BY |
| 67c Chatham Street London SE17 1PA | 19 Salisbury Close London SE17 1BY |
| 75c Chatham Street London SE17 1PA | 2 Salisbury Close London SE17 1BY |
| Block C Flat 2 Peabody Estate SE17 1BE | 20 Salisbury Close London SE17 1BY |
| Block C Flat 7 Peabody Estate SE17 1BE | 44 Chatham Street London SE17 1NY |
| Block C Flat 8 Peabody Estate SE17 1BE | 46 Chatham Street London SE17 1NY |
| Block C Flat 9 Peabody Estate SE17 1BE | 6 Chatham Street London SE17 1NY |
| Block C Flat 6 Peabody Estate SE17 1BE | 42 Chatham Street London SE17 1NY |
| Block C Flat 3 Peabody Estate SE17 1BE | 38 Chatham Street London SE17 1NY |
| Block C Flat 4 Peabody Estate SE17 1BE | 4 Chatham Street London SE17 1NY |
| Block C Flat 5 Peabody Estate SE17 1BE | 40 Chatham Street London SE17 1NY |
| 98 Rodney Road London SE17 1RA | 8 Chatham Street London SE17 1NY |
| 100 Rodney Road London SE17 1RA | 57 Chatham Street London SE17 1PA |
| Lady Margaret Vicarage Balfour Street SE17 1PB | 59 Chatham Street London SE17 1PA |
| Block A Flat 15 Peabody Estate SE17 1BQ | 61 Chatham Street London SE17 1PA |
| Block A Flat 12 Peabody Estate SE17 1BQ | 55 Chatham Street London SE17 1PA |
| Block A Flat 13 Peabody Estate SE17 1BQ | 49 Chatham Street London SE17 1PA |
| Block A Flat 14 Peabody Estate SE17 1BQ | 51 Chatham Street London SE17 1PA |
| Rose And Crown 94-96 Rodney Road SE17 1BG | 18 Chatham Street London SE17 1NY |
| Ground Floor Flat 87 Balfour Street SE17 1PB | 2 Chatham Street London SE17 1NY |
| First Floor And Second Floor Flat 87 Balfour Street SE17 1PB | 20 Chatham Street London SE17 1NY |
| 89a Balfour Street London SE17 1PB | 16 Chatham Street London SE17 1NY |
| 91a Balfour Street London SE17 1PB | 10 Chatham Street London SE17 1NY |
| 91b Balfour Street London SE17 1PB | 12 Chatham Street London SE17 1NY |
| Block B Flat 15 Peabody Estate SE17 1BH | 14 Chatham Street London SE17 1NY |
| Block A Flat 2 Peabody Estate SE17 1BQ | 22 Chatham Street London SE17 1NY |
| Block A Flat 3 Peabody Estate SE17 1BQ | 32 Chatham Street London SE17 1NY |
| Block B Flat 14 Peabody Estate SE17 1BH | 34 Chatham Street London SE17 1NY |
| Block B Flat 11 Peabody Estate SE17 1BH | 36 Chatham Street London SE17 1NY |
| Block B Flat 12 Peabody Estate SE17 1BH | 30 Chatham Street London SE17 1NY |
| Block B Flat 13 Peabody Estate SE17 1BH | 24 Chatham Street London SE17 1NY |
| Block A Flat 4 Peabody Estate SE17 1BQ | 26 Chatham Street London SE17 1NY |
| Block A Flat 9 Peabody Estate SE17 1BQ | 28 Chatham Street London SE17 1NY |
| Block A Flat 10 Peabody Estate SE17 1BQ | 10 Salisbury Close London SE17 1BY |
| Block A Flat 11 Peabody Estate SE17 1BQ | 403 Tyler Court New Paragon Walk SE17 1AX |
| Block A Flat 8 Peabody Estate SE17 1BQ | 404 Tyler Court New Paragon Walk SE17 1AX |
| Block A Flat 5 Peabody Estate SE17 1BQ | 405 Tyler Court New Paragon Walk SE17 1AX |

Block A Flat 6 Peabody Estate SE17 1BQ
 Block A Flat 7 Peabody Estate SE17 1BQ
 83e Chatham Street London SE17 1PA
 173 Rodney Road London SE17 1RG
 175 Rodney Road London SE17 1RG
 177 Rodney Road London SE17 1RG
 171 Rodney Road London SE17 1RG
 165 Rodney Road London SE17 1RG
 167 Rodney Road London SE17 1RG
 169 Rodney Road London SE17 1RG
 179 Rodney Road London SE17 1RG
 189 Rodney Road London SE17 1RG
 191 Rodney Road London SE17 1RG
 193 Rodney Road London SE17 1RG
 187 Rodney Road London SE17 1RG
 181 Rodney Road London SE17 1RG
 183 Rodney Road London SE17 1RG
 185 Rodney Road London SE17 1RG
 99 Rodney Road London SE17 1RF
 145 Rodney Road London SE17 1RG
 147 Rodney Road London SE17 1RG
 97 Rodney Road London SE17 1RF
 91 Rodney Road London SE17 1RF
 93 Rodney Road London SE17 1RF
 95 Rodney Road London SE17 1RF
 149 Rodney Road London SE17 1RG
 159 Rodney Road London SE17 1RG
 161 Rodney Road London SE17 1RG
 163 Rodney Road London SE17 1RG
 157 Rodney Road London SE17 1RG
 151 Rodney Road London SE17 1RG
 153 Rodney Road London SE17 1RG
 155 Rodney Road London SE17 1RG
 67d Chatham Street London SE17 1PA
 67e Chatham Street London SE17 1PA
 67f Chatham Street London SE17 1PA
 67b Chatham Street London SE17 1PA
 35 Hillery Close London SE17 1RQ
 36 Hillery Close London SE17 1RQ
 67a Chatham Street London SE17 1PA
 75a Chatham Street London SE17 1PA
 83a Chatham Street London SE17 1PA
 83b Chatham Street London SE17 1PA
 83d Chatham Street London SE17 1PA
 75f Chatham Street London SE17 1PA
 75b Chatham Street London SE17 1PA
 75d Chatham Street London SE17 1PA
 75e Chatham Street London SE17 1PA
 203 Rodney Road London SE17 1RG
 25 Hillery Close London SE17 1RQ
 26 Hillery Close London SE17 1RQ
 201 Rodney Road London SE17 1RG
 195 Rodney Road London SE17 1RG
 197 Rodney Road London SE17 1RG
 402 Tyler Court New Paragon Walk SE17 1AX
 309 Tyler Court New Paragon Walk SE17 1AX
 310 Tyler Court New Paragon Walk SE17 1AX
 401 Tyler Court New Paragon Walk SE17 1AX
 406 Tyler Court New Paragon Walk SE17 1AX
 Flat 4 Blendon House SE17 1BB
 Flat 5 Blendon House SE17 1BB
 Flat 6 Blendon House SE17 1BB
 Flat 3 Blendon House SE17 1BB
 Flat 1 Blendon House SE17 1BB
 Flat 2 Blendon House SE17 1BB
 208 Tyler Court New Paragon Walk SE17 1AX
 209 Tyler Court New Paragon Walk SE17 1AX
 210 Tyler Court New Paragon Walk SE17 1AX
 207 Tyler Court New Paragon Walk SE17 1AX
 204 Tyler Court New Paragon Walk SE17 1AX
 205 Tyler Court New Paragon Walk SE17 1AX
 206 Tyler Court New Paragon Walk SE17 1AX
 301 Tyler Court New Paragon Walk SE17 1AX
 306 Tyler Court New Paragon Walk SE17 1AX
 307 Tyler Court New Paragon Walk SE17 1AX
 308 Tyler Court New Paragon Walk SE17 1AX
 305 Tyler Court New Paragon Walk SE17 1AX
 302 Tyler Court New Paragon Walk SE17 1AX
 303 Tyler Court New Paragon Walk SE17 1AX
 304 Tyler Court New Paragon Walk SE17 1AX
 Flat 26 Blendon House SE17 1BB
 Flat 27 Blendon House SE17 1BB
 Flat 28 Blendon House SE17 1BB
 Flat 25 Blendon House SE17 1BB
 Flat 22 Blendon House SE17 1BB
 Flat 23 Blendon House SE17 1BB
 Flat 24 Blendon House SE17 1BB
 5 Silk Apartments Wadding Street SE17 1FW
 6 Silk Apartments Wadding Street SE17 1FW
 1 Salisbury Close London SE17 1BY
 4 Silk Apartments Wadding Street SE17 1FW
 1 Silk Apartments Wadding Street SE17 1FW
 2 Silk Apartments Wadding Street SE17 1FW
 3 Silk Apartments Wadding Street SE17 1FW
 Flat 11 Blendon House SE17 1BB
 Flat 12 Blendon House SE17 1BB
 Flat 13 Blendon House SE17 1BB
 Flat 10 Blendon House SE17 1BB
 Flat 7 Blendon House SE17 1BB
 Flat 8 Blendon House SE17 1BB
 Flat 9 Blendon House SE17 1BB
 Flat 14 Blendon House SE17 1BB
 Flat 19 Blendon House SE17 1BB
 Flat 20 Blendon House SE17 1BB
 Flat 21 Blendon House SE17 1BB
 Flat 18 Blendon House SE17 1BB
 Flat 15 Blendon House SE17 1BB
 Flat 16 Blendon House SE17 1BB

199 Rodney Road London SE17 1RG
27 Hillery Close London SE17 1RQ
32 Hillery Close London SE17 1RQ
33 Hillery Close London SE17 1RQ
34 Hillery Close London SE17 1RQ

Flat 17 Blendon House SE17 1BB
70 Henshaw Street London SE17 1PD
61 Darwin Street London SE17 1EZ
87 Balfour Street London SE17 1PB
13 Henshaw Street London SE17 1PE

Re-consultation: n/a

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

Flood and Drainage Team

Statutory and non-statutory organisations

Environment Agency

Historic England

London Fire & Emergency Planning Authority

Metropolitan Police Service (Designing out Crime)

Natural England - London Region & South East Region

Thames Water - Development Planning

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

Neighbours and local groups

Flat 18 Blendon House SE17 1BB

13 Henshaw Street London SE17 1PE

13 Henshaw Street London SE17 1PE

199 Rodney Road London SE17 1RG

28 Salisbury Close London SE17 1BY

35 Henshaw Street London SE17 1PE

46 Henshaw Street London SE17 1PD

61 Darwin Street London SE17 1EZ

70 Henshaw Street London SE17 1PD

704 Mansfield Point Rodney Road SE17 1BA

8 Chatham Street London SE17 1NY

87 Balfour Street London SE17 1PB

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 | Miss Elisha Stewart London Borough of Southwark New Homes Development Team | Reg. Number 19/AP/1506 |
| Application Type | Full Planning Application | |
| Recommendation | Grant permission | Case Number TP/H1066 |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Redevelopment of the existing car park to provide 26 residential units in a 5 storey block with maximum height of 21.8m AOD (5 x 3 bed 5 person flats, 9 x 2 bed four person flats & 9 x 1 bed 2 person flats, 2 x 2 bed wheelchair units and 1 x 1 bedroom wheelchair unit) together with new private amenity space located within a rear courtyard as well as improving the landscaping of the existing pedestrian link between Chatham Street and the open green space to the south of the site for public use. Two disabled parking spaces to be provided to the north of the site accessed off Chatham Street

At: SALISBURY ESTATE CAR PARK, BALFOUR STREET, LONDON SE17 1PA

In accordance with application received on 25/04/2019

and Applicant's Drawing Nos. Location Plan 3413A-L-0105 Rev 4 dated 12/01/2017

Existing Plans

Existing Site Plan 3413-L-0110 Rev 4 dated 12/01/2017
Existing West & East Elevation 3413A-L-0120 Rev 4 dated 12/01/17
Existing North & South Elevation 3413A-L-0120 Rev 4 dated 06/06/2019

Proposed Plans

Landscape General Arrangement Plan 3413A-L-900 Rev P3 dated 08/04/2019
Proposed Sections 3413A-L-0295 Rev 6 dated 26/02/2018
Proposed North & South Elevation 3413A-L-0211 Rev 6 dated 26/02/2018
Proposed West & East Elevation 3413A-L-021- Rev 6 dated 26/02/2018
Proposed Ground Floor Site Plan 3413A-L-0160 Rev 4 dated 06/06/2019
Proposed First, Second & Third Floor Plan 3413A-L-0161 Rev 4 dated 06/06/2019
Proposed Fourth Floor & Roof Plan 3413A-L-0162 Rev 5 dated 06/06/2019
1B2PF Type A Unit Layout 3413A-L-0183 Rev 1 dated 06/06/2019
1B2PF Type B Unit Layout 3413A-L-0184 Rev 1 dated 06/06/2019
1B2PF Type C Unit Layout 3413A-L-0185 Rev 1 dated 06/06/2019
3B5PF Type A Unit Layout 3413A-L-0189 Rev 1 dated 06/06/2019
3B5PF Type B Unit Layout 3413A-L-0190 Rev 1 dated 06/06/2019
2B4PF Type A Unit Layout 3413A-L-0186 Rev 1 dated 06/06/2019
2B4PF Type B Unit Layout 3413A-L-0187 Rev 1 dated 06/06/2019
2B4PF Type C Unit Layout 3413A-L-0188 Rev 1 dated 06/06/2019
1B2PF (WCH) Type A Unit Layout 3413A-L-0180 Rev 1 dated 06/06/2019
2B3PF (WCH) Type A Unit Layout 3413A-L-0181 Rev 1 dated 06/06/2019
2B3PF (WCH) Type B Unit Layout 3413A-L-0182 Rev 1 dated 06/06/2019

Other Documents

Air Quality Assessment by Hawkins Environmental dated 19/12/2017
Daylight & Sunlight Report by Waterslade dated June 2018
Design & Access Statement by Levitt Bernstein dated April 2019 (Parts 1 and 2)
Engagement Summary for Development Consultation Charter
Detailed Unexploded Ordnance Risk Assessment by 1st Line Defence dated 06/09/2019
Phase 1 and 2 Ground Contamination Assessment by Peter Brett dated May 2017 (Parts 1, 2 and 3)
Preliminary Ecological Appraisal by PJC Consultancy dated 15/11/2017

Energy & Sustainability Statement by XCO2 dated November 2017
 Flood Risk & Drainage Strategy Rev 02 by MLM Consulting Engineers dated 12/08/2019
 Ground Investigation Report by Endeavour Drilling dated May 2017
 Heritage Statement by MOLA dated September 2017
 Noise Assessment by Hawkins Environmental dated 15/12/2017
 Planning Statement Southwark Council Version 1.0

Subject to the following fifteen conditions:

Time limit for implementing this permission and the approved plans

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

Landscape General Arrangement Plan 3413A-L-900 Rev P3 dated 08/04/2019
 Proposed Sections 3413A-L-0295 Rev 6 dated 26/02/2018
 Proposed North & South Elevation 3413A-L-0211 Rev 6 dated 26/02/2018
 Proposed West & East Elevation 3413A-L-021- Rev 6 dated 26/02/2018
 Proposed Ground Floor Site Plan 3413A-L-0160 Rev 4 dated 06/06/2019
 Proposed First, Second & Third Floor Plan 3413A-L-0161 Rev 4 dated 06/06/2019
 Proposed Fourth Floor & Roof Plan 3413A-L-0162 Rev 5 dated 06/06/2019
 1B2PF Type A Unit Layout 3413A-L-0183 Rev 1 dated 06/06/2019
 1B2PF Type B Unit Layout 3413A-L-0184 Rev 1 dated 06/06/2019
 1B2PF Type C Unit Layout 3413A-L-0185 Rev 1 dated 06/06/2019
 3B5PF Type A Unit Layout 3413A-L-0189 Rev 1 dated 06/06/2019
 3B5PF Type B Unit Layout 3413A-L-0190 Rev 1 dated 06/06/2019
 2B4PF Type A Unit Layout 3413A-L-0186 Rev 1 dated 06/06/2019
 2B4PF Type B Unit Layout 3413A-L-0187 Rev 1 dated 06/06/2019
 2B4PF Type C Unit Layout 3413A-L-0188 Rev 1 dated 06/06/2019
 1B2PF (WCH) Type A Unit Layout 3413A-L-0180 Rev 1 dated 06/06/2019
 2B3PF (WCH) Type A Unit Layout 3413A-L-0181 Rev 1 dated 06/06/2019
 2B3PF (WCH) Type B Unit Layout 3413A-L-0182 Rev 1 dated 06/06/2019

Reason

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

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

Reason

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

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

- 3 Prior to commencement and notwithstanding drawings 3413A-L-900 revision 2 and 3413A - L - 0160 revision 4, details of the proposed wheelchair accessible parking spaces, designed to prevent the entrance to the spaces being used for vehicles turning, shall be submitted to the Local Planning Authority and approved in writing.

Reason

To ensure that the parking spaces for disabled people are provided and retained in accordance with the National Planning Policy Framework 2019, Strategic Policy 2 Sustainable transport of the Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

- 4 Details of swift bricks and house sparrow boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement above ground works.

No fewer than 3 house sparrow boxes and no fewer than 6 swift bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes and 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 and house sparrow boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the boxes and bricks features and mapped locations and the Local Planning Authority agreeing the submitted plans, and once the boxes and bricks features are installed in full in accordance to the agreed plans, a post completion assessment will be required to confirm the boxes and bricks 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 2007 and Strategic Policy 11 of the Core Strategy 2011.

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

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

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with the National Planning Policy Framework 2019, Strategic Policies 11 Open spaces and wildlife, 12 Design and conservation and 13 High environmental standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, Policy 3.12 Quality in Design, Policy 3.13 Urban Design and Policy 3.28 Biodiversity of the Southwark Plan 2007.

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

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

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

- 7 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. 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. Any piling works without a piling method statement would be contrary to the National Planning Policy Framework, Policy 5.15 of the London Plan 2016, Strategic Policy 13 of the Core Strategy 2011 and Saved Policy 3.9 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.

- 8 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 2019, Strategic Policy 2 Sustainable transport of the Core Strategy and Saved Policy 5.3 Walking and cycling of the Southwark Plan 2007.

- 9 Details of the materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above grade work 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 2019, 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.

- 10 a) Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.
The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).
- b) A landscape management plan including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with the National Planning Policy Framework 2019, Policies 5.10, 5.11 and 7.19 of the London Plan 2016, Strategic Policies 11 Open spaces and wildlife, 12 Design and conservation and 13 High environmental standards of the Core Strategy

2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

- 11 a) The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
- b) Prior to occupation a satisfactory Secured by Design inspection must take place. The resulting Secured by Design certificate 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 2019, Strategic Policy 12 Design and conservation of the Core Strategy 2011 and Saved Policy 3.14 Designing out crime 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.

- 12 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:
 Bedrooms - 35dB LAeq T**, 30 dB LAeq T*, 45dB LAFmax T *
 Living rooms- 35dB LAeq T **
 Dining room - 40 dB LAeq T **
 * - Night-time - 8 hours between 23:00-07:00
 ** - Daytime - 16 hours between 07:00-23:00

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of amenity and 4.2 Quality of residential accommodation of the Southwark Plan 2007.

- 13 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment by MLM Group (12 August 2019; 6100712-MLM-ZZ-XX-RP-C-0001) and implement the surface water drainage strategy and foul water drainage strategy included.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

- 14 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing Proposed Ground Floor Site Plan 3413A - L - 0160 Rev 4 shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of amenity and Policy 3.7 Waste reduction of the Southwark Plan 2007.

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).

- 15 a) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of

the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

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

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework 2019, Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

Statement of positive and proactive action in dealing with the application

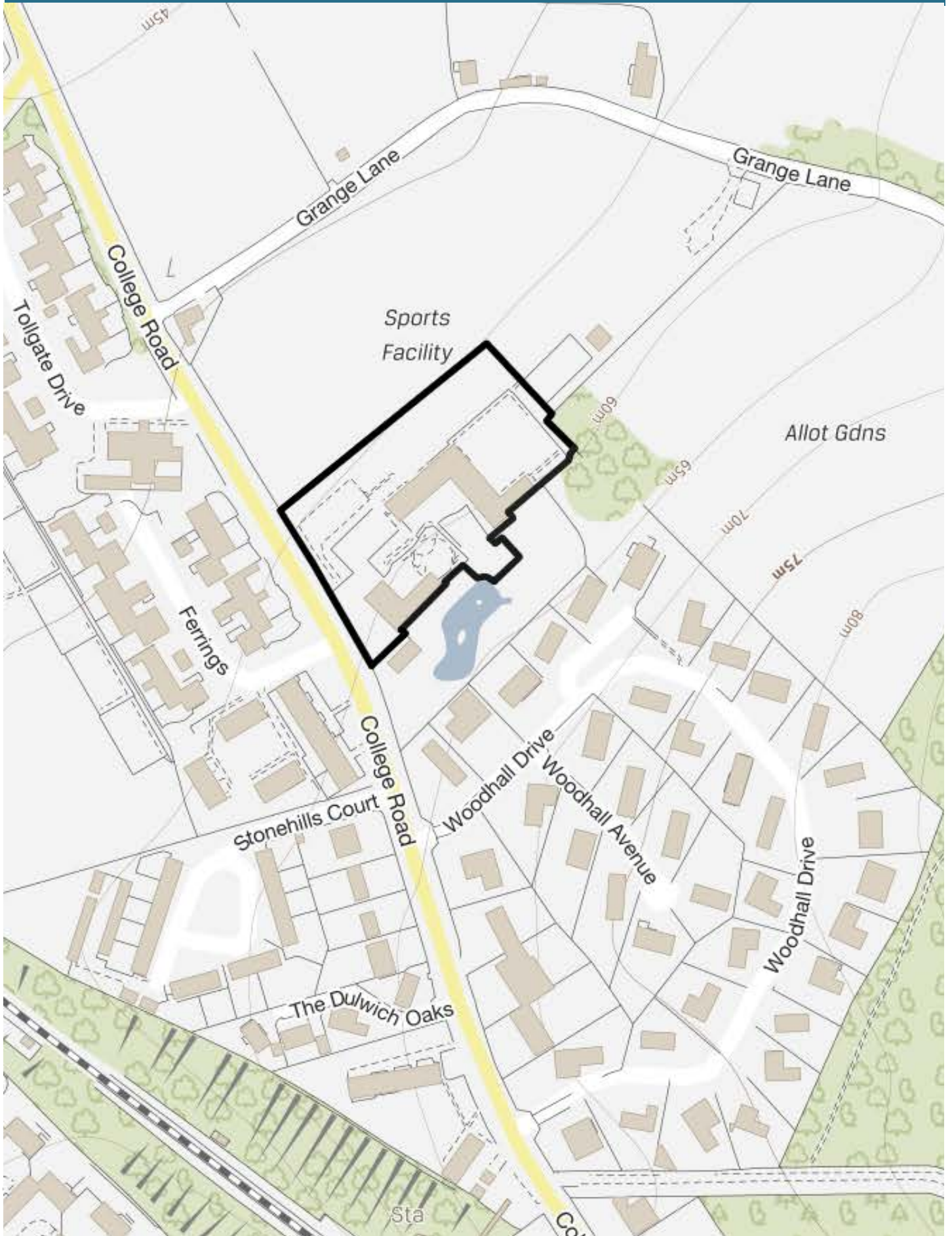
The pre-application service was used for this application and the advice given was followed.

Informatives

Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact Hernan Castano, Highway Development Manager on 020 7525 4706 to arrange.

The recycling facility on the site should be replaced with a similar facility on the Salisbury Estate as close as possible to the time that works start on site.

ELLER BANK, 87 COLLEGE ROAD, LONDON SE21 7HH



| | | | |
|--|---|---|--|
| Item No. 7.2 | Classification: Open | Date: 4 September 2019 | Meeting Name: Planning Sub-Committee B |
| Report title: | Development Management planning application: Application 19/AP/1378 for: Full Planning Application Address: ELLER BANK, 87 COLLEGE ROAD, LONDON, SE21 7HH Proposal: Construction of a single storey rear extension at ground floor level and installation of a rooflight to existing DUCKS Infant School building | | |
| Ward(s) or groups affected: | Dulwich Wood | | |
| From: | Director of Planning | | |
| Application Start Date 29/05/2019 | | Application Expiry Date 24/07/2019 | |
| Earliest Decision Date 27/06/2019 | | | |

RECOMMENDATION

1. That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site contains the Dulwich College Kindergarten and Infants School (DUCKS) in two self-contained buildings. The kindergarten is housed in a detached Edwardian property while the infant school utilises a historically converted and extended sports pavilion. Adjoining them are the playgrounds and extensive sports pitches.
3. The site is on the north-east side of College Road, and is adjoined to the south by a dwelling-house at 89 College Road. Other surrounding properties are primarily in residential use.
4. The application site is located within the following designated planning areas:
 - Metropolitan Open Land
 - Dulwich Wood Conservation Area
 - Suburban Density Zone

Details of proposal

5. Planning permission is sought for construction of a single storey extension with a single-pitch roof sloping down towards the boundary with 89 College Road. The extension would follow the established visual character of the converted pavilion, with the exception that one of the classrooms created would be set away from the boundary with 89 College Road by 3.4m rather than continuing the linear design.
6. As a result of the proposed works, two new classrooms (45.5 and 41.5 sq.m) would be

created. Furthermore, the existing toilet on the side of current classrooms would be updated to provide more toilets and some storage space. An extended corridor would connect the existing with proposed classrooms.

7. The proposed new structure would be timber clad, with timber framed windows and doors. In visual appearance it would follow the established character of the existing classrooms, which will be externally refurbished.
8. Sedum green roofs are proposed to the new classrooms, and some soft landscaping would surround the new structure.

Planning history

9. 03/AP/1853 Full planning application for:
Construction of single storey rear extension to allow the nursery facility to be located on the ground floor, together with the provision of a new entrance door in the flank elevation and enlargement of existing door on the front elevation.
Granted permission on 04/02/2004

Planning history of adjoining sites

10. 89 College Road
11. 02/AP/2291 Full planning application for:
Single storey ground floor side extension to dwelling-house
Granted permission on 30/01/2003

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
 - a) Acceptability of proposal based on land use policies;
 - b) Impact on adjoining occupiers;
 - c) Design quality;
 - d) Impact on trees.

Adopted planning policy

National Planning Policy Framework (NPPF)

13. The revised National Planning Policy Framework ('NPPF') was published in July 2018 and updated 19 February 2019. It sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
14. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Chapter 2 - Achieving sustainable development

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 13 - Protecting Green Belt

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

London Plan 2016

15. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 3.18 - Education facilities
 Policy 7.4 - Local character
 Policy 7.6 - Architecture
 Policy 7.11 - Heritage assets and archaeology
 Policy 7.17 - Metropolitan Open Land
 Policy 7.21 - Trees and woodlands

Core Strategy 2011

16. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

Strategic Policy 1 - Sustainable development
 Strategic Policy 4 - Places for learning, enjoyment and healthy lifestyles
 Strategic Policy 11 - Open spaces and wildlife
 Strategic Policy 12 - Design and conservation

Southwark Plan 2007 (saved policies)

17. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 3.2 - Protection of amenity
 Policy 3.11 - Efficient use of land
 Policy 3.12 - Quality in design
 Policy 3.15 - Conservation of the historic environment
 Policy 3.16 - Conservation areas
 Policy 3.25 - Metropolitan Open Land
 Policy 3.28 - Biodiversity

Relevant supplementary planning guidance documents

18. Dulwich SPD 2013

Emerging planning policyDraft New London Plan

19. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. The document is expected to reach examination stage later this year, however, given the stage of preparation it can only be attributed limited weight.

New Southwark Plan

20. For the last 5 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. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

Acceptability of proposal based on land use policies

21. The application site is located within Metropolitan Open Land (MOL). Same principles that protect the Green Belt are applied to MOL, and protective policies are set out in planning policy documents at all levels (national, regional and local).
22. Paragraph 145 of the NPPF states that 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. One of the exceptions offered, however, is 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.
23. Policy 7.17 of the London Plan (2016) states that 'The strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL'.
24. The Draft New London Plan Policy G3 is more concise in stating that 'Development proposals that would harm MOL should be refused'.
25. The current Southwark Plan Policy 3.25 states that 'Within Metropolitan Open Land, planning permission will only be permitted for appropriate development'. Following the guidance of the NPPF 'Extension or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building' is considered to be appropriate development.
26. The Draft New Southwark Plan Policy P56 includes the same exception for appropriate development, though the word 'dwelling' has been replaced with 'building'.
27. In light of the policy context set out above, the principle of extending the existing building is acceptable, subject to further consideration regarding the extent and scale of the proposal in relation to existing building.
28. In this regard, it is noted that the extension would follow an established character of the converted sports pavilion. It would be of the same height and scale as the existing building, thus not resulting in a disproportionate addition.
29. The structure would extend along the perimeter of the application site, thus maximising the remaining open space and minimising the impact on the openness of the MOL.
30. Furthermore, photographs depicting views of the application site from within the wider MOL have been included in the Design and Access Statement. They show that a large

sports ground is located next to the school, separating it from its surroundings. Very little of the school is therefore visible from nearby public vantage points. The small extension would therefore also be minimally visible and would have negligible effect on the feeling of openness of the MOL.

31. Lastly, Policy 3.18 of the London Plan states that 'Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes'. While the MOL policies are given more weight, it is also important to note that the extension would benefit children attending DUCKS by providing improved facilities.

Consultation Responses

32. No neighbour consultation responses have been received.

Impact on adjoining occupiers

33. The only property that would have the potential to be affected by the proposed development is the dwelling at 89 College Road. It is, however, noted that the building itself is located to the front of the property, and an extensive rear garden adjoins the part of the application site where the new extension would be constructed.
34. 89 College Road is at a higher ground level than the nursery building so only a small proportion of the new structure would be visible. In addition, the proposed downward sloping green roof would further alleviate any visual impact.
35. Even though residential windows are not located within close proximity of the extension, in order to avoid any potential impact of overlooking, the high level windows facing 89 College Road have been indicated to be obscure-glazed. A condition is recommended to clearly state that those windows should remain obscure-glazed.
36. Furthermore, the second classroom has been set away from the boundary with 89 College Road by 3.4m to ensure that the structure does not have a negative impact on the tree located within the neighbours' garden.
37. In light of the above, it is considered that the proposed extension is unlikely to cause a negative impact on the amenity of adjoining occupiers.

Design quality

38. As set out above, the proposal would visually replicate the existing classrooms and would merely enlarge the space available to the school in a matter that is sympathetic and proportionate to the existing buildings.
39. The existing timber facade of the pavilion would be refurbished, which is a welcome addition to the proposal.

Impact on trees

40. A cherry tree would have to be removed to make way for the proposed extension. The loss of the tree is acceptable due to its relatively small value, but also because opportunities for landscaping to make up for the loss of the tree are abundant within the property. A condition is recommended for hard and soft landscaping details to be submitted prior to commencement of any above grade works.
41. Works would adjoin neighbouring trees that are protected by tree protection orders. While it is considered unlikely that the works would have a direct negative impact on

the trees, a condition is recommended to require the submission of a tree protection method statement that would set out the protection measures that will be put in place during construction of the proposal to avoid causing harm to neighbouring trees.

Conclusion on planning issues

42. The proposal is considered to be appropriate development on MOL which would not significantly affect its openness. There would be little impact on the nearest residents.

Consultations

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

Consultation replies

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

Community impact statement / Equalities Assessment

45. 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.

46. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

47. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

48. 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

49. 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.

50. 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/2084-87 Application file: 19/AP/1378 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 7708 Council website: www.southwark.gov.uk |

APPENDICES

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

AUDIT TRAIL

| | | |
|---|-----------------------------------|--------------------------|
| Lead Officer | Simon Bevan, Director of Planning | |
| Report Author | Lasma Putrina, Planning Officer | |
| Version | Final | |
| Dated | 19 August 2019 | |
| 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 | | 19 August 2019 |

APPENDIX 1**Consultation undertaken**

Site notice date: 04/06/2019

Press notice date: 06/06/2019

Case officer site visit date: n/a

Neighbour consultation letters sent: 04/06/2019

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

89 College Road London SE21 7HH

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

RECOMMENDATION

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

| | | | |
|-------------------------|---------------------------|--------------------|------------|
| Applicant | c/o agent | Reg. Number | 19/AP/1378 |
| Application Type | Full Planning Application | Case | TP/2084-87 |
| Recommendation | Grant permission | Number | |

Draft of Decision Notice

Planning Permission was **GRANTED** for the following development:

Construction of a single storey rear extension at ground floor level and installation of a rooflight to existing DUCKS Infant School building

At: ELLER BANK, 87 COLLEGE ROAD, LONDON, SE21 7HH

In accordance with application received on 08/05/2019 11:53:18

and Applicant's Drawing Nos. 19002 100 P2, 19002 101 P3, 19002 102 P2, 19002 103 P3, 19002 105 P4, 19002 106 P3, 19002 107 P4

Design and access statement (submitted on 24/06/2019), Arboricultural impact assessment (submitted on 06/06/2019)

Subject to the following seven 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: 19002 105 P4, 19002 106 P3, 19002 107 P4

Reason

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

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

Reason

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

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

- 3 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2019, Strategic Policies 11 'Open spaces and wildlife'; 12 'Design and conservation' and 13 'High environmental standards' of the Core Strategy 2011 and Saved Policies 3.2 'Protection of amenity'; 3.12 'Quality in design'; 3.13 'Urban design' and 3.28 'Biodiversity' of the Southwark Plan 2007.

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

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

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

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2019, Strategic Policies 11 'Open spaces and wildlife'; 12 'Design and conservation' and 13 'High environmental standards' of the Core Strategy 2011 and Saved Policies 3.2 'Protection of amenity'; 3.12 'Quality in design'; 3.13 'Urban design' and 3.28 'Biodiversity' of the Southwark Plan 2007.

- 5 Before any above grade work hereby authorised begins, details of the biodiversity (green) roofs shall be submitted to and approved in writing by the Local Planning Authority. The green 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 windflower planting, and no more than a maximum of 25% sedum coverage).

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

Installation of biodiversity roofs shall be carried out strictly in accordance with the approved details and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green roofs and Southwark Council agreeing the submitted plans, and once the green roofs are completed in full accordance with 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 The National Planning Policy Framework 2019, Policies 2.18 'Green infrastructure: the multi functional network of green and open spaces', 5.3 'Sustainable design and construction', 5.10 'Urban greening', and 5.11 'Green roofs and development site environs' of the London Plan 2016, Strategic Policy 11 'Open spaces and wildlife' of the Core Strategy 2011 and Saved Policy 3.28 'Biodiversity' 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.

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

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 7 The windows on the south east elevation of the extension shown on drawing 107 revision P4 hereby approved shall be obscure glazed and shall not be replaced or repaired otherwise than with obscure glazing.

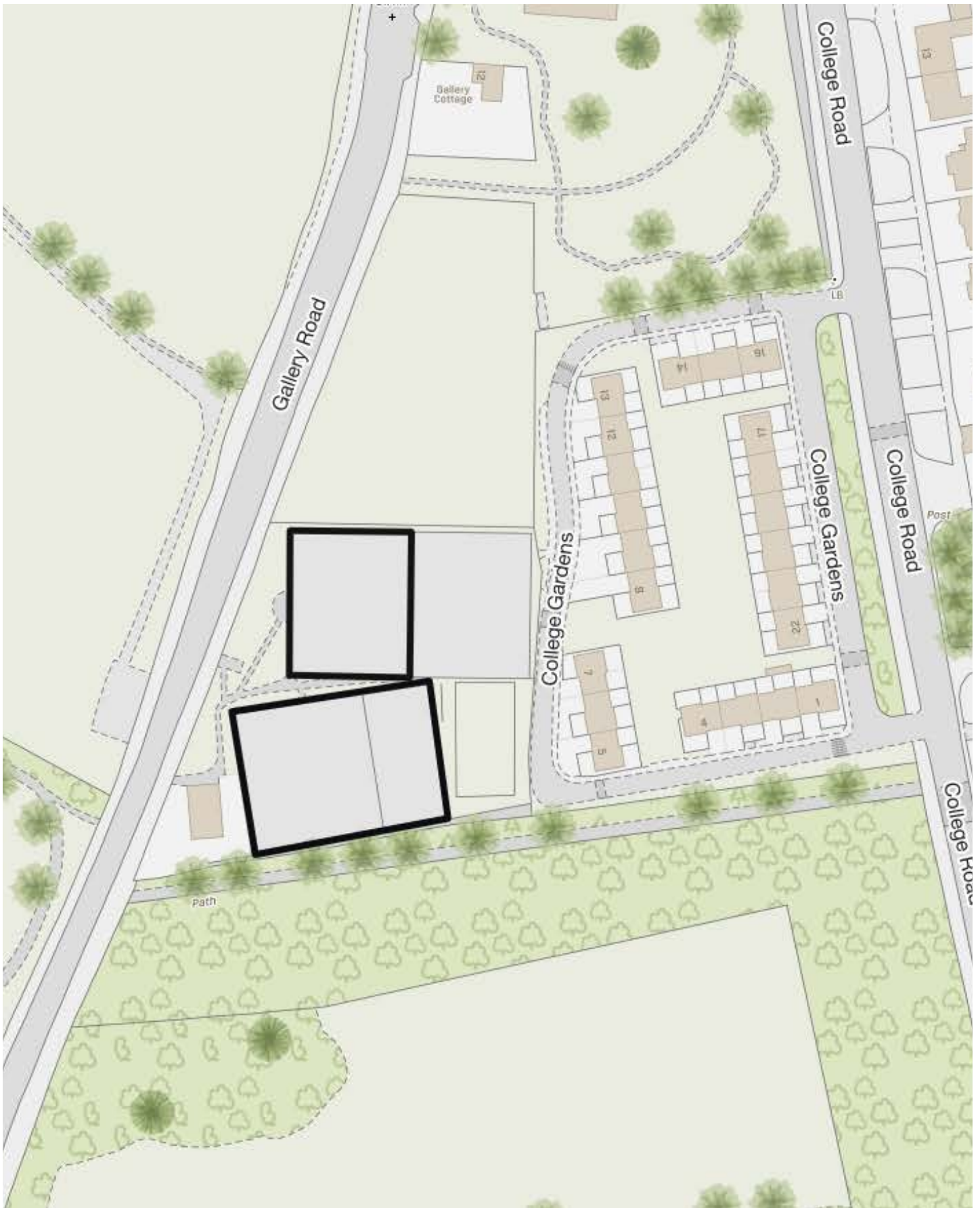
Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 89 College Road from undue overlooking in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

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.

OLD COLLEGE LAWN TENNIS AND CROQUET CLUB, 10 GALLERY ROAD,
LONDON SE21 7AB



| | | | |
|--|--|---|--|
| Item No. 7.3 | Classification: OPEN | Date: 4 September 2019 | Meeting Name: Planning Sub-Committee B |
| Report title: | Development Management planning application: Application 19/AP/1573 for: S.73 Vary/remove conditions/minor alterations Address: OLD COLLEGE LAWN TENNIS AND CROQUET CLUB, 10 GALLERY ROAD, LONDON, SE21 7AB Proposal: Variation of condition 2 (approved plans) pursuant to planning permission 12/AP/1573 for: Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday. The Variation is for an increase in height by 0.5m of floodlighting posts around tennis courts 1,2,3,4 & 5. The existing floodlights would be replaced with LED luminaires, with associated new hoods. | | |
| Ward(s) or groups affected: | Dulwich Village | | |
| From: | Director of Planning | | |
| Application Start Date 19/06/2019 | | Application Expiry Date 14/08/2019 | |
| Earliest Decision Date 12/07/2019 | | | |

RECOMMENDATION

1. It is recommended planning permission is granted.

BACKGROUND INFORMATION

Site location and description

2. The site refers to five tennis courts located at the junction of Gallery Road and Lovers Walk. The surrounding area is predominately undeveloped Metropolitan Open Land, though there are a number of low density residential units to the east of the application site.
3. The site has the following designations:
 - Metropolitan Open Land
 - Dulwich Village Conservation Area
 - Green Chain park (Dulwich Picture Gallery)
 - Air Quality Management Area.

Details of proposal

4. The proposal seeks to vary condition 2 (approved plans) of planning permission 12/AP/1573. The applicant is seeking increase the overall height of the floodlights by 50cm and to install replacement LED lighting.

Planning history

- | | |
|----|---|
| 5. | <p>03/AP/1473 Application type: Full Planning Application (FUL) The erection of nine 6.1m high floodlights to serve two tennis courts. Decision date 13/11/2003 16:52:41 Decision: Grant (GRA)</p> |
| | <p>06/AP/0392 Application type: Full Planning Application (FUL) Variation of condition 2 of planning consent 03AP1473 to extend the floodlight time by one hour to 9pm on courts 4 and 5 on Monday to Saturday Decision date 11/09/2006 Decision: Granted (GRA)</p> |
| | <p>09/AP/1372 Application type: Full Planning Application (FUL) To provide floodlighting to Court no.3 with 3no. new lighting posts; repositioning of 3no. existing posts next to Court no2; repositioning of 2no lighting posts to Court no1; relocation of gate and new gate in wire mesh fencing. Decision date 10/09/2009 Decision: Granted (GRA)</p> |
| | <p>11/AP/0815 Application type: Full Planning Application (FUL) Replacement of the existing pair of timber gates for vehicle access with a pair of wrought iron gates for vehicle access and a wrought iron pedestrian access gate. Decision date 09/06/2011 Decision: Granted (GRA)</p> |
| | <p>12/AP/1573 Application type: Full Planning Application (FUL) Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday. Decision date 23/07/2012 Decision: Granted (GRA)</p> |
| | <p>17/AP/4258 Application type: Full Planning Application (FUL) Installation of LED floodlights to courts nos.6 and 7 for use Monday to Saturday 8:00 to 21:00. Extension of use of existing floodlights on courts nos. 4 and 5 on Sunday 8:00 to 20:30. Decision date 12/03/2018 Decision: Granted (GRA)</p> |

Planning history of adjoining sites

6. None of relevance to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

7. 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) Transport issues
 - d) Design issues
 - e) Impact on character and setting of a listed building and/or conservation area
 - f) Ecology issues
 - g) Other matters

Adopted planning policy

National Planning Policy Framework (NPPF)

8. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

9. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
10. Chapter 11 Making effective use of land
Chapter 12 Achieving well-designed places
Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

11. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 7.17 - Metropolitan Open Land
Policy 7.4 - Local Character
Policy 7.6 - Architecture

Core Strategy 2011

12. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (saved policies)

13. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 3.2 - Protection of amenity
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Policy 3.25 - Metropolitan Open Land
Policy 3.28 - Biodiversity
Policy 5.2 - transport impacts

14. Dulwich SPD 2013

Consultation responses

15. Nine comments have been received in support of this application, with no objections.
16. The comments in support have supported the improved quality of the grounds, and the positive environmental effects of the LED lights.

Principle of development

17. Policy 7.17 of the London Plan requires:

The strongest protection should be given to London's Metropolitan Open Land and

inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL. This policy goes on to establish "open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London" as one of the criteria for boroughs to meet when designating MOL.

18. Furthermore, saved policy 3.25 of the Southwark Plan 2007 states development within metropolitan open land will only be permitted for the following purposes:
- i) Agriculture and forestry; or*
 - ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or*
 - iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or*
 - iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.*
19. The alterations to the existing floodlighting should be considered as essential facilities for sports and outdoor recreation and would therefore fall under criterion ii) of Saved policy 3.25. In addition, the proposed alterations to the existing floodlight arrangement are modest in scale, and would not have any significant effect on the overall openness of the MOL.
20. In summary, the proposal would be acceptable in principle, subject to further analysis against the factors set out below.

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

Light spill

21. The light spill diagram supplied as part of this application indicates that the illumination levels from the proposed LED lighting would drop to below 1 lux before reaching the nearest residential windows.
22. Guidance from the Institution of Lighting Professionals advises that in suburban contexts such as the application site and surrounding area, light intrusion levels below 10 lux before a curfew are acceptable. With this in mind, the proposed illumination levels would not have an unacceptable impact on residential occupiers' amenity.

Noise

23. The proposal has not requested any amendment to the hours of operation of the lights, therefore there would not be a risk of unacceptable noise stemming from late night use of the courts.

Transport issues

24. As above, the proposal would not alter the hours of use of the grounds, and would not result in a significant increase in overall use. Therefore, there would not be any further strain on parking or transport demand in the area.

Design issues

25. The proposal would modestly increase the height of the existing floodlights, while maintaining their general appearance. Thus, the design implications are negligible when compared with the existing arrangements, and the proposal is acceptable in these terms.

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

26. As above, the aesthetic impact of the proposal compared with the existing arrangement would be negligible and therefore the character and setting of the conservation area would be preserved.

Ecology issues

27. As the hours of operation of the lights are not proposed to change, there would be no additional impact on wildlife in the area. This has been confirmed by the council's ecology officer.

Other matters

28. It is noted that the proposed LED lighting would require less energy than the existing arrangement, which is a positive from an environmental perspective and welcomed.

Conclusion on planning issues

29. The proposal is an acceptable development within the context of MOL, and would preserve the character of the surrounding conservation area. Furthermore, there would be no adverse effects on neighbouring amenity or local wildlife, and the proposal would be a net environmental positive. It is therefore recommended that planning permission is granted.
30. The Dulwich SPD seeks to provide sport and leisure opportunities, while protecting open space. Based on the analysis above, the proposal would accord with this aim.

Consultations

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

Community impact statement / Equalities Assessment

32. 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:

The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

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.

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.

33. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
34. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
35. 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

36. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
37. This application has the legitimate aim of providing a variation to a condition of a previously granted planning permission. 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/2083-E Application file: 19/AP/1573 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 5840 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 | Glenn Ruane, Planning Officer | |
| Version | Final | |
| Dated | 24 July 2019 | |
| 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 | | 21 August 2019 |

APPENDIX 1**Consultation undertaken****Site notice date:** 27/06/2019**Press notice date:** 27/06/2019**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 26/06/2019**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

Sport England

Neighbour and local groups consulted:

7 College Gardens London SE21 7BE

6 College Gardens London SE21 7BE
 5 College Gardens London SE21 7BE
 10 Gallery Road London SE21 7AB
 9 College Gardens London SE21 7BE
 8 College Gardens London SE21 7BE
 11 College Gardens London SE21 7BE
 10 College Gardens London SE21 7BE
 13 College Gardens London SE21 7BE
 4 College Gardens London SE21 7BE

3 College Gardens London SE21 7BE
 12 College Gardens London SE21 7BE
 72 Thurlow Hill London SE21 8JN
 43 Kennoldes, Croxted Road London SE21 8SS
 444 Lordship Lane London SE22 8NE
 Flat 14a Raisbeck Court, 28 Rosendale Road London SE21 8DR
 20 Frankfurt Road London SE24 9NY
 138 Turney Road Dulwich SE21 7JJ
 86 Camberwell Grove London SE5 8RF
 Ground Floor Flat 92 Kent House Rd BR3 1JJ
 2a Panmure Road London SE26 6NA

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Flat 14a Raisbeck Court, 28 Rosendale Road London SE21 8DR
Ground Floor Flat 92 Kent House Rd BR3 1JJ
138 Turney Road Dulwich SE21 7JJ
2a Panmure Road London SE26 6NA
20 Frankfurt Road London SE24 9NY
43 Kennoldes, Croxted Road London SE21 8SS
444 Lordship Lane London SE22 8NE
72 Thurlow Hill London SE21 8JN
86 Camberwell Grove London SE5 8RF

RECOMMENDATION

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

| | | | |
|-------------------------|---|--------------------|------------|
| Applicant | Ms Alyson Fox Chair - Old College Lawn Tennis & Croquet Club | Reg. Number | 19/AP/1573 |
| Application Type | S.73 Vary/remove conds/minor alterations | Case Number | TP/2083-E |
| Recommendation | Grant permission | | |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Variation of condition 2 (approved plans) pursuant to planning permission 12/AP/1573 for: Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday.

The Variation is for an increase in height by 0.5m of floodlighting posts around tennis courts 1,2,3,4 & 5. The existing floodlights would be replaced with LED luminaires, with associated new hoods.

At: OLD COLLEGE LAWN TENNIS AND CROQUET CLUB, 10 GALLERY ROAD, LONDON, SE21 7AB

In accordance with application received on 30/05/2019 08:16:55

and Applicant's Drawing Nos.

SITE LOCATION PLAN
01 REV P1 SITE PLAN
C058 SHEET 1 EXISTING COLUMN 5.8M NOMINAL
APPLICATION STATEMENT
OUTDOOR TENNIS LED LIGHTING DESIGN
MATCH LED SLIM/MINI GEN 3 REAR DEFLECTOR

Subject to the following two conditions:

Time limit for implementing this permission and the approved plans

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

01 P1 - Site Plan
C958 - Existing Column 5.8m Nominal

Reason:

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

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

- 2 The floodlighting for courts 1-5 shall not be used outside the hours of 08:00-21:30 Monday to Saturday, and on Sundays the floodlighting shall only be used on courts 1, 2 and 3 and only between the hours of 08:00-20:30.

Reason

To ensure no loss of amenity to residents of College Gardens by way of light pollution or noise and disturbance, in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how

applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

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

The pre-application service was not used for this application.

PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2019-20

NOTE: Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: telephone 020 7525 7234.

| Name | No of copies | Name | No of copies |
|--|--------------|-------------------------------|--------------|
| To all Members of the sub-committee | | | |
| Councillor Cleo Soanes (Chair) | 1 | Environmental Protection Team | 1 |
| Councillor Maria Linforth-Hall (Vice-chair) | 1 | | |
| Councillor Maggie Browning | 1 | | |
| Councillor Sirajul Islam | 1 | Communications | By email |
| Councillor Bill Williams | 1 | Louise Neilan, media manager | |
| | | Total: | 18 |
| (Electronic version only) | | | |
| Councillor Martin Seaton | | | |
| Councillor Nick Johnson | | Dated: 27 August 2019 | |
| (Reserves to receive electronic versions only) | | | |
| Councillor Sarah King | | | |
| Councillor Graham Neale | | | |
| Councillor Margy Newens | | | |
| Councillor Jason Ochere | | | |
| Councillor Kath Whittam | | | |
| Officers | | | |
| Constitutional Officer, Hub 2 (Second Floor), Tooley Street | 8 | | |
| Philippa Brown / Affie Demetriou | 2 | | |
| Alex Gillott /Jon Gorst, Legal Services, Hub 2 (Second Floor), Tooley Street | 2 | | |