

Planning Sub-Committee B

Wednesday 3 March 2021
7.00 pm

Online/Virtual: Members of the public are welcome to attend the meeting.
Please contact Constitutional.Team@southwark.gov.uk for a link or
telephone dial-in instructions to join the online meeting

Membership

Councillor Cleo Soanes (Chair)
Councillor Maria Linforth-Hall (Vice-Chair)
Councillor Karl Eastham
Councillor Sirajul Islam
Councillor Victoria Mills
Councillor David Noakes
Councillor Martin Seaton

Reserves

Councillor Jack Buck
Councillor Tom Flynn
Councillor Sarah King
Councillor Damian O'Brien
Councillor Sandra Rhule

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 email: beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Chief Executive
Date: 23 February 2021



Planning Sub-Committee B

Wednesday 3 March 2021
7.00 pm

Online/Virtual: Members of the public are welcome to attend the meeting. Please contact Constitutional.Team@southwark.gov.uk for a link or telephone dial-in instructions to join the online meeting

Order of Business

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1.	INTRODUCTION AND WELCOME	
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2.	APOLOGIES	
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3.	CONFIRMATION OF VOTING MEMBERS	
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A representative of each political group will confirm the voting members of the sub-committee.

4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
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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	
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The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6.	MINUTES	
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1 - 6

To approve as a correct record the minutes of the meeting held on 7 December 2020.

Item No.	Title	Page No.
7.	DEVELOPMENT MANAGEMENT ITEMS	7 - 11
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Date: 23 February 2021

EXCLUSION OF PRESS AND PUBLIC

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

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

Planning Sub-Committee

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals (virtual meetings)

Please note:

The council has made the following adaptations to the committee process to accommodate virtual meetings:

- The agenda will be published earlier than the statutory minimum of five working days before the meeting. We will aim to publish the agenda ten clear working days before the meeting.
- This will allow those wishing to present information at the committee to make further written submissions in advance of the meeting in order to:
 - Correct any factual information in the report
 - Confirm whether their views have been accurately reflected in the report
 - Re-emphasise the main points of their comments
 - Suggest conditions to be attached to any planning permission if granted.
- **Those wishing to speak at the meeting should notify the constitutional team at Constitutional.Team@southwark.gov.uk in advance of the meeting by 5pm on the working day preceding the meeting.**

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 in the virtual meeting and wish to speak) for **not more than three minutes each**. **Speakers must notify the constitutional team at Constitutional.Team@southwark.gov.uk in advance of the meeting by 5pm on the working day preceding the meeting.**

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the three-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). If there is more than one supporter (who lives within 100 metres of the development site) wishing to speak, the time is divided within the 3-minute time slot.
- (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 three-minute time allowance must be divided amongst those wishing to speak. Where you are unable to decide who is to speak in advance of the meeting, the chair will ask which objector(s)/supporter(s) would like to speak at the point the actual item is being considered. The clerk will put all objectors who agree to this in touch with each other, so that they can arrange a representative to speak on their behalf at the meeting. The clerk will put all supporters who agree to this in touch with each other, so that they can arrange a representative to speak on their behalf at the meeting.
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, will be speaking in their designated time-slots only, apart from answering brief questions for clarification; this 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 to which is open to the public and there should be no interruptions from members of the public.
10. Members of the public are welcome to record, screenshot, or tweet the public proceedings of the meeting.
11. Please be considerate towards other people and take care not to disturb the proceedings.
12. This meeting will be recorded by the council and uploaded to the Southwark Council YouTube channel the day after the meeting.

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

**FOR ACCESS TO THE VIRTUAL MEETING
PLEASE CONTACT:**

Planning Sub-Committee Clerk, Constitutional Team
Finance and Governance
Email: Constitutional.Team@southwark.gov.uk



Planning Sub-Committee B

MINUTES of the virtual Planning Sub-Committee B meeting held on Monday 7 December 2020 at 7.00 pm

PRESENT: Councillor Cleo Soanes (Chair)
Councillor Karl Eastham
Councillor Sirajul Islam
Councillor Victoria Mills
Councillor Damian O'Brien
Councillor David Noakes
Councillor Martin Seaton

OTHER MEMBERS PRESENT: Councillor Darren Merrill
Councillor Rebecca Lury
Councillor Leo Pollak
Councillor Andy Simmons

OFFICER SUPPORT: Dipesh Patel (Development Management)
Catherine Jeater (Design and Conservation Officer))
Glenn Ruane (Development Management)
Gemma Williams (Development Management)
Dan Taylor (Programme Manager)
Michael Tsoukaris (Design and Conservation Officer)
Alex Gillott (Legal Officer)
Alex Oyeade (Transport Officer)
Beverley Olamijulo (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillor Maria Linforth-Hall (vice-chair).

3. CONFIRMATION OF VOTING MEMBERS

The members listed as present were confirmed as voting members of the sub-committee.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

None were disclosed.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

- Addendum report – development management items
- Members pack.

The sub-committee also received additional information from the Walworth Society.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 21 October 2020 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

Members noted the development management report.

RESOLVED:

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

7.1

**7.2 WALWORTH TOWN HALL AND NEWINGTON LIBRARY, 151 - 155
WALWORTH ROAD, LONDON SE17 1RS**

The sub-committee considered items 7.1 and 7.2 as a combined agenda item.

Planning application references: 20/AP/1634 and 20/AP/1649

Report: See pages 10 to 91 of the agenda pack and pages 63 to 75 of the addendum report set out in the supplemental agenda

PROPOSAL

Refurbishment of the existing Grade II Listed Walworth Town Hall and Newington Library buildings to provide a Community Centre (Class D1), flexible employment/education space (Class B1/D1), and a café/lobby (Class A1/A3/D1); and including a third floor within the reconfigured roof space of the Town Hall building and a first floor mezzanine level to accommodate additional employment/education space (Class B1/D1), a heritage roof, outdoor amenity spaces at ground floor and first floor levels, an entrance off Walworth Square, with associated servicing, cycle parking, signage, lighting and associated landscaping.

The sub-committee heard the planning officer's introduction to the report.

The transport officer was present and responded to questions from members.

There were two objectors representing the Walworth Society who both addressed the sub-committee and responded to questions from members.

The sub-committee took a comfort break at 8.20pm and resumed at 8.27pm.

A third objector, a local resident was present to address the sub-committee and responded to questions from members.

The applicant addressed the meeting and responded to questions from members.

The sub-committee took a comfort break at 9.20pm and resumed at 9.25pm.

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

Councillor Darren Merrill and Councillor Rebecca Lury were present and addressed the sub-committee in their capacity as ward councillors.

The sub-committee put further questions to officers and discussed the application. The design and conservation officer was present to respond to questions.

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

RESOLVED:

1. That planning permission be granted subject to conditions and the completion of a legal agreement as set out in the officer recommendation and addendum report.
2. That listed building consent be granted subject to conditions.
3. That in the event that the legal agreement is unable to be completed by 30 June 2021, the Director of Planning be authorised to refuse planning permission and listed building consent for the reasons set out in paragraph 153 of this report.

7.2 WALWORTH TOWN HALL AND NEWINGTON LIBRARY, 151 - 155 WALWORTH ROAD, LONDON SE17 1RS

The planning application was considered in conjunction with item 7.1.

7.3 MARKET PLACE, BERMONDSEY, LONDON SE16 3UQ

Planning application reference 20/AP/1874

Report: See pages 92 to 112 of the agenda pack and page 75 of the addendum report set out in the supplemental agenda

PROPOSAL

Demolition of B1 office unit to make way for new pedestrian access/right of way, connecting Market Place with Blue Anchor Lane. Erection of two permanent market stall canopy structures in Market Place. Erection of market cross/clock tower (with drinking fountain) in Market Place. Modification to external bin store on Blue Anchor Lane. Installation of signage - 1 overhead sign in new pedestrian access route and 1 signage on external of existing lift shaft.

The sub-committee heard the planning officer's introduction to the report.

An objector was present and addressed the sub-committee and responded to questions from members.

The applicant and the applicant's agent addressed the meeting and responded to questions from members.

The sub-committee took a comfort break at 10.30pm and resumed at 10.35pm.

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

Councillor Leo Pollak was present and addressed the sub-committee in his capacity as a ward councillor.

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

RESOLVED:

That planning permission be granted subject to conditions.

7.4 DUCKS, ELLER BANK, 87 COLLEGE ROAD, LONDON SE21 7HH

Planning application reference 20/AP/2723

Report: See pages 113 to 128 of the agenda pack

PROPOSAL

Installation of 2 ground source heat pumps, 1 energy centre, 15 boreholes and all necessary associated underground pipes

The sub-committee heard the planning officer's introduction to the report.

There were no objectors or supporters present.

The applicant was not present.

Councillor Andy Simmons was present as a ward councillor but did not address the meeting.

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

RESOLVED:

That planning permission be granted subject to conditions.

The meeting ended at 11.05 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 3 March 2021	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 and 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	Beverley Olamijulo 020 7525 7234
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

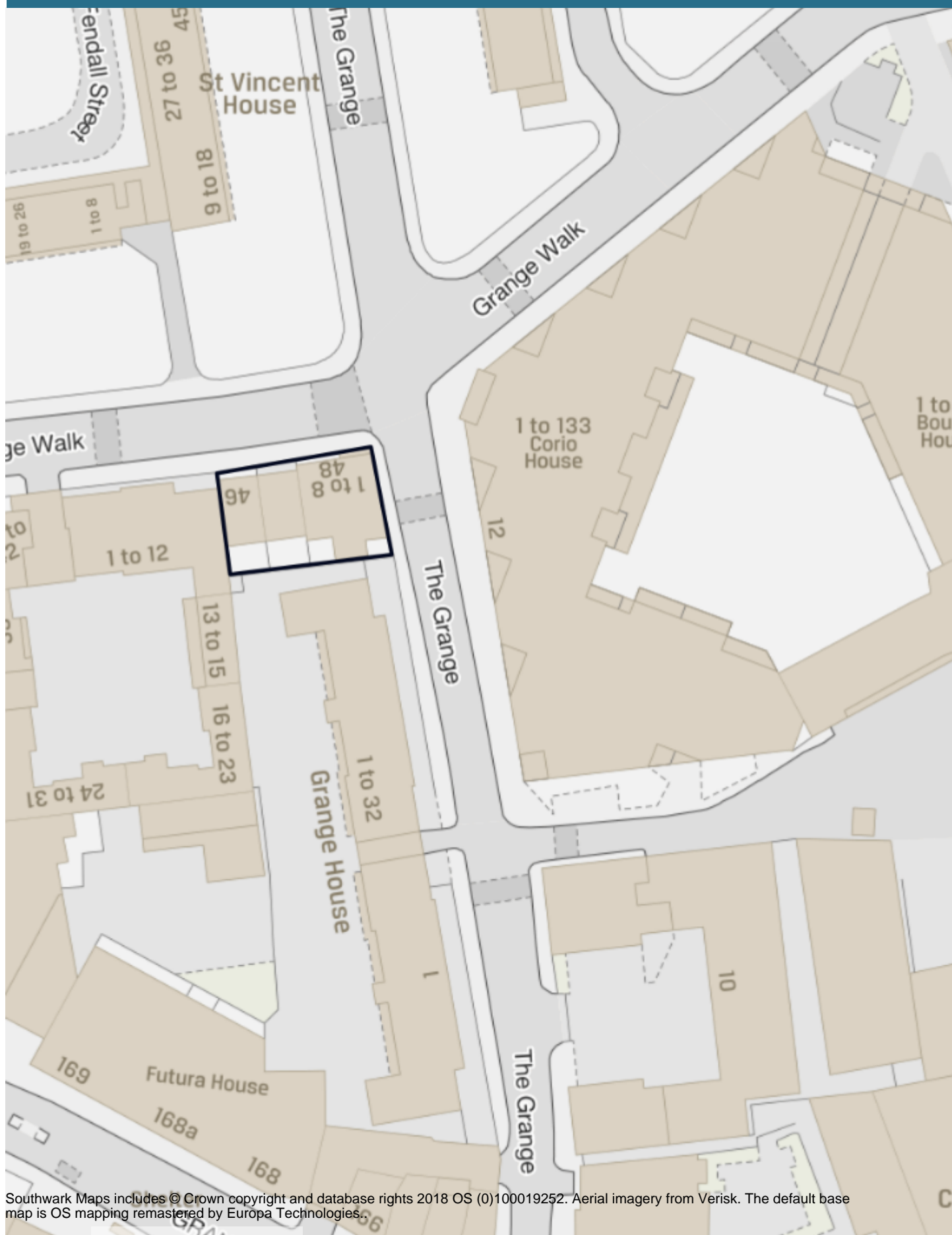
Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	16 February 2021	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		16 February 2021

Agenda Item 7.1



20/AP/10489

46 -48 GRANGE WALK, LONDON, SE1 3DY



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11-Feb-2021

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Item No. 7.1	Classification: Open	Date: 3 March 2021	Meeting Name: Planning Sub Committee B
Report title:	Development Management planning application: Application 20/AP/0489 for: Full Planning Application Address: 46-48 GRANGE WALK, LONDON SE1 3DY Proposal: Construction of a part 2/part 3 storey rooftop extension, remodeling of existing building facades and associated works to provide 5 residential units (Use Class C3) including cycle and refuse storage		
Ward(s) or groups affected:	London Bridge & West Bermondsey		
From:	Director of Planning		
Application Start Date	17/02/2020	PPA Expiry Date	
Earliest Decision Date			

RECOMMENDATIONS

1. That planning permission is granted subject to conditions, the applicant entering into an appropriate legal agreement.
2. In the event that the requirements of paragraph 1 above are not met by 3 July 2021, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 137.

EXECUTIVE SUMMARY

3. The initial proposal for six dwellings was considered by planning officers to be inappropriate in terms of scale. There has been considerable local interest in this application with objections on a number of matters including potential phased development to avoid an affordable housing contribution, the impact on local residents' amenity and design and massing, including the impact on the Bermondsey Street Conservation Area. Amendments to the massing were made to reduce the scale as follows:

Changes to scale, height and mass

4.
 - Reduction in mass to south elevation
 - A further reduction in massing to the west elevation (6th and 7th Floors)
 - Removal of the lift overrun

Changes to 7th floor

5.
 - East elevation set back 2m from lower floors
 - Incorporates 34.5sqm of external communal amenity space
 - Removal of 1 bedroom 2 person flat
 - Inclusion of 2 bedroom, 4 person flat
 - Removal of 6sqm balcony to north elevation
 - Enlargement of balcony to south elevation with partial wrap around to east elevation
 - Removal of lift access

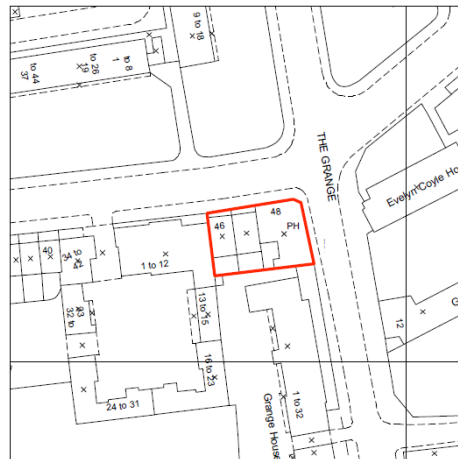
Changes to 6th floor

6.
 - Unit D changed from 2 bedroom 4 person to a 1 bedroom 2 person flat
 - Balcony to Unit D changed from 7sqm to 10sqm on the west elevation
7. Officer considered that the scale, massing and detailed design, allows the proposed 8 storeys on the corner of Grange Walk and The Grange to respond appropriately to the modern townscape. As the scheme would gradually step down to 5 storeys towards the east, it would be sympathetic to the historic properties within the locality and the neighbouring Conservation Area.
8. The proposed units would meet the national and local space standards, providing good-sized units that benefit from sufficient daylight, sunlight and ventilation. Units would be afforded outdoor amenity space in the form of balconies. The existing and proposed units would benefit from 34.5sqm of communal amenity space. Whilst this falls short of the 50sqm requirement, a financial contribution of £3,177.50 is sought to mitigate the 15.5sqm shortfall.
9. Concerning the impact on the amenity of neighbouring properties, the daylight and sunlight test conclude that the proposal would not have a significant impact on the provisions. Where neighbours experience negligible impacts to windows, the impact is mitigated by the provision of secondary windows serving a particular habitable room or are bedroom windows where daylight has less importance to other habitable rooms as noted in the Building Research (BR) guidelines "Site Layout Planning for Daylight and Sunlight". It is not considered that the proposal would result in a loss of privacy to neighbouring properties, as it would retain 12.5m separation distance from the front elevation of Corio House (12 The Grange), 34m from St Vincent house and would present views across the roof scape of the other neighbouring properties.
10. With regards to phasing and affordable housing, officers have consulted the council's legal team. It is considered that the applicant has not deliberately phased the development to avoid an affordable housing contribution. The applications across the site were brought forward at times and in the sequence, they were due to the advice from officers reflecting the change in the streets context and the policy position on the largest development possible at each time.

BACKGROUND INFORMATION

Site location and description

11. The application site is on the southern side of Grange Walk, close to the junction with The Grange and comprises two buildings, No.46-47 Grange Walk and No.48 Grange Walk.
12. No.46 – 47 Grange Walk consists of a recently completed development of 5 storeys above ground plus basement with 9 residential; it was granted permission on 18 May 2017 under application reference number 16/AP/3224. No.48 Grange Walk consists of a 5 storey building containing 8 residential units, granted permission on 23 November 2011 under application reference number 08/AP/3022, completed in 2010.



13. The site is bounded to the north by the highway of Grange Walk and the 7 storey council own flats at St Vincent House 34m away. To the east the Corio House, an 8 storey comprehensive residential development occupying a large perimeter block forming opposite the site. To the south, the 5 storey block of flats at No.1 to No.12 Grange House and to the west a 4 storey building at No.1 to No.12 Grange Walk.
14. The site forms part of an archaeological priority zone, the urban density zone, a wider consultation zone (strategic views) and an Air Quality Management Area. The buildings are not listed and the site is not situated within a conservation area however, the Bermondsey Street Conservation Area is situated 50m to the west.

Details of proposal

15. The proposal is for a part 2 to 3 storey roof extension across No.46 - No.47 and No.48 to provide 5 new residential units distributed across floors 5 to 7 as follows:

Unit name	Floor Level	Unit type	Gross Internal Area (GIA) (sqm)	External Amenity Space (sqm)
Unit A	5 th	2 Bedroom 3 Person (2B3P)	62	11.2
Unit B	5 th	2 Bedroom 3	75.3	15

		Person (2B3P)		
Unit C	6 th	Studio (1B1P)	41.4	15
Unit D	6 th	2 Bedroom 3 Person (2B3P)	66.3	12.2
Unit E	7 th	2 Bedroom 4 Person (2B4P)	73.8	6.5
Communal Amenity				34.5

17. The proposal would include the remodelling of the existing building facades to provide a single consistent façade across, 46 – 47 Grange Walk and 48 Grange Walk. The proposed materials would include brick ‘infill type’ panel and aluminium horizontal banding, with vertical bricks used to emulate vertical columns.
18. The site would see changes to the waste and recycling provision. The existing site is served with 1,100 Litres of refuse storage accessible from The Grange, 1300 Litres of waste refuse and 940 Litres recycling provision accessible from Grange Walk. The existing general waste provision is 2,400 Litres with 940 Litres allocated to recycling. The proposal would remove the Grange Walk refuse store and enlarge the store accessed from The Grange to provide a total of 2,760 Litres of general waste storage and 1,100 Litres of recycling. This would result in an increase of 360 Litres of general waste storage and 160 Litres in recycling. The bin stores would be communal, to be shared across the existing and proposed flats.
19. Additional cycle spaces are sought as part of the application. There are 11 existing cycle spaces for folding bikes serving No.46 to No.47 Grange Walk and 5 bike stands serving No.48 Grange Walk. The proposal would introduce 10 additional folding bike spaces, distributed across that site at ground floor. 17 cycle space would be accessible from the highway of Grange Walk, while the remaining 9 would be accessed through the entrance of No.46 to No.47 Grange Walk. A total of 26 cycle spaces would be provided as part of the proposal.

Consultation responses from members of the public and local groups

20. There were 51 objections and 27 comments in support from members of the public. Summarised below are the material planning considerations raised.

- Design quality and layout

Increasing the height by a further three storeys would be out of keeping with the area

Overdevelopment of the site

The elevations would not be in keeping with the street scene having a negative visual impact

- Impact on neighbouring amenity

Loss of daylight, sunlight and overshadowing to neighbouring properties

Loss of privacy to neighbouring properties

Creating a sense of enclosure to fourth floor properties of No.46 to No.48 Grange Walk

- Transport, parking, highways, deliveries and servicing matters

The development would have an impact on the existing parking and traffic

Parking intensification and no parking on site

- Environmental impacts

Noise due to past and future construction

Poor management of construction vehicle siting

Issues with connection to existing sewer

- Phased development and Affordable Housing

Planning history of the site and adjoining or nearby sites.

21. Any decisions, which are significant to the consideration of the current application, are referred to within the relevant sections of the report. A fuller history of the relevant decisions relating to this site, and other nearby sites, is provided below:

Address	Reference	Decision	Description
No.46-47 Grange Walk	19/AP/1246	Granted 20 May 2019	Non Material amendment of Condition 2 to LBS Variation Application 18AP2947 granted 16/04/2019 - replacing of approved plans.
46-47 Grange Walk	18/AP/2947	Granted 16 April 2019	Variation of Condition 2 (Plan Numbers Condition) of planning permission 16/AP/3224 for: Demolition of the existing building and the erection of a 5 storey plus

			basement building comprising 9 residential units (2 x beds, 4 x 1 beds and 3 x studio units).
46 – 48 Grange Walk	17/EQ/0430	Closed 7 February 2018	Two storey and part three and four storey roof extension and recladding of 46-48 Grange Walk and the provision of 5 new Residential units above.
46-47 Grange Walk	16/AP/3224	Granted 18 May 2017	Demolition of the existing building and the erection of a 5 storey plus basement building comprising 9 residential units (2 x 2 beds, 4 x 1 beds and 3 x studio units).
46-47 Grange Walk	15/EQ/0281	Closed 08 January 2016	9 Residential units.
Corio House, No.12 The Grange	14/AP/2102	Granted 06 October 2014	Demolition of existing buildings and redevelopment to provide 167 residential units with basement car and cycle parking.
48 Grange Walk	08/AP/3022	Granted 23 November 2009	Demolition of public house and redevelopment to provide a building on ground, first, second, third and fourth floors to provide 8 flats (2 x 2bed, 5 x 1bed and 1 studio flat)
46-47 Grange Walk	08/AP/0632	Withdrawn 19 August 2008	Demolition of existing buildings and erection of a four storey building comprising a 1x 2 bed flat at ground floor, 4 x 1 bed flats at first and second floors and 1 x 2 bed flat (penthouse) at third floor level.
48 Grange Walk	06/AP/2153	Granted 8 May 2007	Demolition of existing public house and redevelopment to provide a new 5 storey building comprising 7 self- contained flats (4 x 1 beds, 3 x

			2 bed units).
48 Grange Walk	06/AP/0622	Withdrawn 14 November 2006	Redevelopment of the site for a 5-storey building comprising 7 self-contained flats (4 x 1 bed units and 3 x 2 bed units)
48 Grange Walk	05/AP/1656	Withdrawn 30 November 2005	New five-storey building containing a public house on ground floor and lower ground floor and two 2-bedroom flats and four 1-bedroom flats above, with garden and bike parking space at rear ground floor level.
48 Grange Walk	02/AP/1406	Refuse 17 September 2002	Conversion of public house and accommodation above to 3 x 1 bedroom flats and 3 x 2 bedroom flats.
46 Grange Walk	02/AP/0758	Granted 28 May 2002	Proposed loft conversion
48 Grange Walk	98/AP/0741	Refuse 11 June 1998	Construction of first & second floor rear extension and rear conservatory.
13 The Grange & 48 Grange Walk	96/AP/1126	Granted 19 December 1996	Construction of new second floor extension for financial and professional services (Class A2) use, with the ground and first floor remaining as a public house.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

22. The main issues to be considered in respect of this application are:

- Principle of the proposed development in terms of land use;
- Phased development and potential avoidance of an affordable housing contribution.
- Design, including conservation and heritage assets;

- Quality of accommodation;
- Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
- Transport and highways, including servicing, car parking and cycle parking
- Environmental matters, including construction management, flooding and air quality
- Archaeology;
- Planning obligations (S.106 undertaking or agreement)

23. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

24. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
25. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy

26. The statutory development plans for the Borough comprise the London Plan 2016, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The National Planning Policy Framework (2019) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 1. Any policies, which are particularly relevant to the consideration of this application, are highlighted in the report.

ASSESSMENT

Principle of the proposed development in terms of land use

27. The premises are a residential building and the land use is established on the site. The principle of the land use is therefore acceptable.

Phased development and potential avoidance of an affordable

housing contribution.

28. Strategic Policy 6 of the Southwark Core Strategy 2011 requires such an affordable housing contribution as part of development of 10 or more residential units. It is also Council policy to require such a contribution in the case of development that has been artificially phased or subdivided in order to avoid trigger the 10 unit threshold (e.g. 7.3.1 of the Draft Affordable Housing SPD 2011 and Development Management Policy P1 of the emerging New Southwark Plan).
29. The proposed roof extension is an extension to a previous development of 9 residential units (16/AP/3224). If the full eight storeys have been delivered in the first instance, more than 10 units could have been provided and an affordable housing contribution would have been required. As such officers have considered whether the development, having been brought forward as first a five storey building and then a three storey extension, represents an instance of development that has been phased in order to avoid an affordable housing contribution.
30. Following careful consideration, officers have concluded that this is not a case of artificial phasing to avoid an affordable housing contribution. Around the time of the application for the five storey building, the applicant sought pre-application advice for a taller scheme roughly equivalent in size to the building that would result from the proposed roof extension. At that time (January 2016), the streetscape did not support a building of such height and mass at this location and the applicant was informed that five stories was the maximum permissible, resulting in an application for a 9 unit development.
31. The nearby Corio House development has since changed the streetscape and the current application has been brought forward in a changed context. An eight storey development of appropriate design is not compliant with policy in this location.
32. As such officers are satisfied that the applicant has not deliberately phased the development to avoid an affordable housing contribution as the applications were brought forward at the times and in the sequence they were due to advice from officers reflecting the policy position on the largest development possible at each time.

Design

33. Saved Policy 3.12 'Quality in design' of the Southwark Plan asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments.

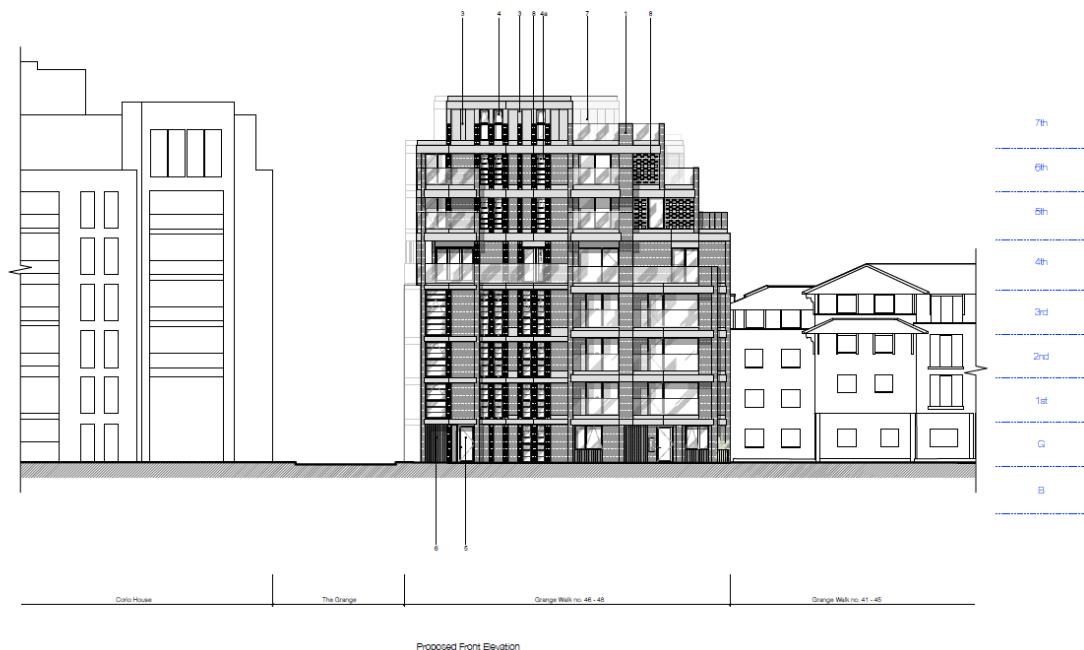
Site context

34. The proposal seeks to construct a part 2 part 3 storey roof extension. The massing would step down to the west (towards No.41 – No.45 Grange Walk)

and would step up three storeys to the east in line with the height of Corio House. The extension would result in an overall building height of 24.83m on the corner of The Grange/Grange Walk and 15m adjoining No.41 – No.45 Grange Walk.

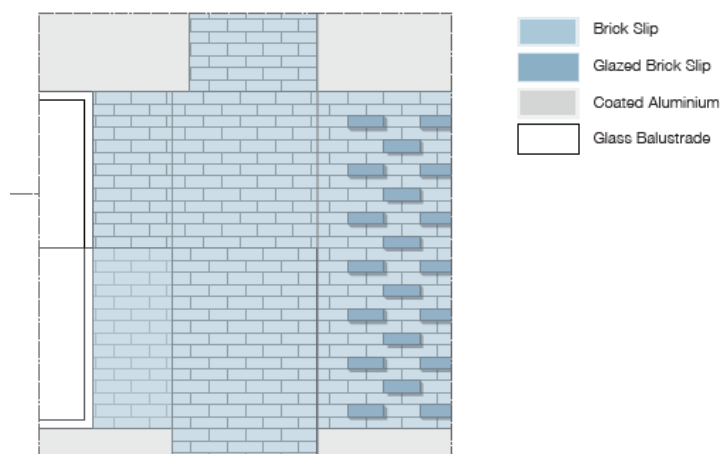
35. The proposal would seek to include a new façade to present a consistent appearance of one building across No.46 – 48 Grange Walk. The materials proposed include brick 'Infill type' panels and lightweight powder coated aluminium lintels.

Height, scale and massing



36. The current proposal with subsequent amendments has addressed officers' concerns by setting back the roof extension in a number of locations, adding articulation and responding to the local context. This includes setting the mass back from Grange Walk and the Grange; stepping down to 5 storeys to maintain the existing relationship between No.46 – No.47 and the neighbouring No.41 – 45 Grange Walk and responding to the height of Corio house by being no higher.
37. A number of objections have been received in relation to the design of the proposal. Concerns were raised about the scale, height and massing being out of keeping with the character of the area.
38. The wider area is characterised by a mixture of two to eight storey buildings of a residential nature. Adjoining the site is the four storey block at No.1 to No.12 Grange Walk, following that a two storey terrace encapsulating No.34 to No.40 Grange Walk. Notably, across the road on the other side of The Grange is the 8 storey Corio House (12, The Grange) development.

39. This development would sit at eight storeys on the corner of Grange Walk and the Grange, stepping down to 5 storeys towards the lower buildings to the east. This is reflective of the modern townscape but sympathetic to the historic properties by reason of the gradual reduction in mass across the roof scape.
40. When viewed from the east, the Corio House development at a larger scale would present a backdrop to the proposal, reducing its prominence in the street scene. When viewed from the north, it would continue to be read in conjunction with the modern townscape established by the presence of the adjacent Corio house. It would sit below the highest point of the neighbouring development.
41. The proposal would have an acceptable relationship with the other larger residential blocks in the immediate context. It would be no higher than those already established in the area. As noted above, setback has been provided at the upper levels having regard to the context and reducing the perceived massing at street level and across roof level. The design and massing responds to the surrounding context, both in terms of the Corio House development and residential blocks at St Vincent.



42. The proposal includes a new facade across 48 Grange Walk to match the more recently approved facade at No.46-47 Grange Walk and the proposed extension. This provides an improvement over the existing appearance of number 48 Grange Walk and responds to the emerging character of the local area. The proposed materials palette, including brick 'infill' panel and aluminium horizontal banding, complements the facade and provides visual interest when viewed within the surrounding area.

Conservation and heritage assets

43. London Plan (2016) Policy 7.4, Local Character, states that development proposals should respond to their context, including buildings, opens spaces, street patterns and the historic environment and Policy 7.8, Heritage Assets and Archaeology, seeks to record, maintain and protect London's heritage assets in order to utilise their potential within the community. It states that development should conserve the significance of any heritage asset it affects. Southwark

Core Strategy Strategic Policy 12, Design and Conservation, states that development should ensure that the significance of built heritage assets should be conserved. Saved Policy 3.15, Conservation of the Historic Environment of the Southwark Plan states that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance and Policy 3.18, Setting of Listed Buildings, Conservation Areas and World Heritage Sites states that the immediate or wider settings of designated heritage assets must be preserved.

44. The existing properties on the site are not listed and the site is not located in a conservation area, although the edge of the Bermondsey Street Conservation Area is around 50m to the west. Grange Walk is a narrow characterful road which includes a number of listed buildings, albeit some distance to the west within the conservation area.
45. The nearest listed buildings include the Grade II* listed 67 Grange Walk (around 150m to the west of the site), and the Grade II listed Schoolhouse at No 15 and Nos 2-11 (around 250m to the west of the site).
46. It is recognised that due to the geometry of the street, with the bend in Grange Walk to the west, it is not possible to see the application site directly behind the terraces on Grange Walk. Accordingly, the proposals will not be visible over the rooftops of the modest terraced cottages in the Conservation Area and the significance of the conservation area is therefore preserved.
47. The main dominating built form in the views west along Grange Walk is St Vincent House, followed by Corio House, which terminates such views. The proposal would be read in conjunction with these context and setting of these buildings.
48. The proposed development is separated from the conservation area by the intervening modern townscape. The conservation area would not be adversely impacted by the proposed increase in height of the buildings on the application site. The proposed development nevertheless incorporates a stepped form to the west, which acts as a visual transition between the taller corner form and the modern building at Nos. 41-45 Grange Walk.
49. The proposal would preserve the setting of the conservation area and comply with the Framework and design and heritage policies of the Development Plan.

Quality of accommodation

Room Sizes

50. The London Plan 2016 and the council's 2015 Technical Update to the adopted Residential Design Standards SPD 2011 sets out the minimum space standards for all new residential units.
51. The schedule of accommodation for the proposal for the proposed 5th floor (Units A and B) is as follows:

Unit A (2 Bedroom, 3 Person)			
Room	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
Living/Kitchen/Dining	27	27	Yes
Double Bedroom	12.3	12	Yes
Single Bedroom	7.4	7	Yes
Bathrooms	3.7	3.5	Yes
Built-in Storage	1.75	2	No
External Amenity Space	15	10	Yes
Dwelling	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
Gross Internal Area (GIA)	62	61	Yes

52. **Unit B (2 Bedroom, 3 Person)**

Room	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
Living/Kitchen/Dining	30.2	27	Yes
Double Bedroom	15.3	12	Yes
Single Bedroom	8	7	Yes
Bathroom	4.1	3.5	Yes
Built-in Storage	2.1	2	Yes
External Amenity Space	11.2	10	Yes
Dwelling	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
GIA	73.3	61	Yes

53. The schedule of accommodation for the proposal for the proposed 6th floor (Units C and D) is as follows:

Unit C (Studio)			
Room	Floor Area (sq.m)	Minimum Floor Area Requirement	Complies?

		(sq.m)	
Living/Kitchen/Dining	N/A	N/A	N/A
Bedroom	N/A	N/A	N/A
Bathroom	3.8	3.5	Yes
Built-in Storage	1	1	Yes
External Amenity Space	15	10	Yes
Dwelling	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
GIA	41.4	37	Yes

54. **Unit D (2 Bedroom, 3 Person)**

Room	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
Living/Kitchen/Dining	27.1	27	Yes
Double Bedroom	12	12	Yes
Single Bedroom	8	7	Yes
Family Bathroom	3.5	3.5	Yes
Built-in Storage	2.1	2	Yes
External Amenity Space	11.2	10	Yes
Dwelling	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
GIA	66.3	61	Yes

55. The schedule of accommodation for the proposal for the proposed 7th floor (Unit E) is as follows:

Unit E (2 Bedroom, 4 Person)			
Room	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
Living/Kitchen/Dining	27	27	Yes
Double Bedroom	12.6	12	Yes
Double Bedroom	12	12	Yes
Bathroom	4.4	3.5	Yes
Built-in Storage	2.8	2	Yes

External Amenity Space	6.5	10	No
Dwelling	Floor Area (sq.m)	Minimum Floor Area Requirement (sq.m)	Complies?
GIA	73.6	70	Yes

56. The proposals have been designed to meet or exceed the space standards within the London Plan (2016) and the 2015 Update to the Residential Design Standards 2011 SPD. It is considered that the spaces would be able to reasonably accommodate furniture with access sufficient to the needs of future occupants.

Quality of Outlook and Receipt of Daylight to Proposed Rooms

57. Each unit would be either dual or triple aspect, having access to windows in receipt of an acceptable level of natural daylight and ventilation. All habitable rooms are served with windows providing a form of outlook similar to the existing residential units on site and in the surrounding area. As such, it is considered that the quality of outlook and the receipt of daylight to each unit are acceptable.

External Amenity Space

58. The 2015 Technical Update to the Residential Design Standards SPD 2011 notes that all flatted development must provide some form of outdoor amenity space. This must include communal amenity space and where possible private amenity space.
59. For new flatted development, the scheme must seek to provide the following minimum standards:
60.
 - 50sqm of communal amenity space per development;
 - Ideally 10sqm of private amenity space for units contain two or less bedrooms. Where this is not possible, the remaining amount should be added towards the communal amenity space requirement.
61. The proposal incorporates 34.5 sqm of communal amenity space at 7th floor, served by a shared staircase giving access to all occupants of the building. As set out in the Council's Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD 2015, mitigation will be sought where schemes do not meet the on-site amenity standards set out in Southwark Council's Residential Design Standards SPD. Any shortfall in the required provision of amenity space will be charged at £205 per square metre. £205 per square metre represents the cost in Southwark for improving open space, taking into account all costs including fees and construction costs.

62. In this case, a S106 agreement has been devised to secure a financial contribution of £3,177.50 (15.5 x £205) in order to mitigate the shortfall in communal amenity space.

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

Outlook and privacy

St Vincent House

63. This building is located to the north of the site however; it is separated from the site by 34m, more than the 21m recommended in the Residential Design Standards SPD so no harmful overlooking would occur.

Nos 46 ,47 and 48 Grange Walk

64. The existing building at 46, 47 and 48 grange walk would sit below the proposed roof extension. The proposal would be set in from the existing building line and it is not envisaged that these existing occupiers would experience overlooking or a loss of privacy.

Nos 1 to 32 Grange House

65. Concerning overlooking, the new windows of the proposal would be the same distance as the existing buildings below and present views over the rooftops of Grange House. As such, it is not envisaged that there would be a loss of privacy or undue overlooking to habitable rooms of this neighbour.

Nos 41 to 45 Grange Walk

66. This adjoining property's windows face on to the highway of Grange Walk and to a court yard at the rear of the building. The openings and external amenity space to the side elevation of the proposal, would present views over the roof top of the neighbouring property. It is not considered that the proposal would cause undue overlooking or a loss of privacy to habitable room windows at this neighbour.

Corio House (No.12 The Grange)

67. The Residential Design Standards SPD recommends a minimum of 12m where properties would face each other across a highway or other public realm. The proposal would be 12.5m from Corio House. In addition, the existing relationship between No.48 Grange Walk and Corio House sees balconies facing windows opposite the Grange. This established relationship would be maintained through the extension and therefore is not significantly different to the existing. Therefore, in all, it is not considered that the proposal would result in a detrimental impact on the privacy of occupants at 12 The Grange.

Daylight and Sunlight

68. The application is accompanied by a Daylight and Sunlight Study prepared by Right of Light Consulting. The following tests have been taken:

Test	Description	BRE Criteria
Vertical Sky Component (VSC)	The amount of skylight reaching a window expressed as a percentage	A window may be adversely affected if the VSC measured at the centre of the window is less than 27% and less than 0.8 its former value.
No-Sky Line (NSL) or daylight distribution	The area of a room at desk height that can see the sky	A room may be adversely affected if the daylight distribution (no skyline) is reduced beyond 0.8 times its existing area.
Annual Probable Sunlight Hours (APSH)	The probable number of hours that sunlight would shine on unobstructed ground.	Where a window is within 90 degrees of due south, it should receive at least 25% if the APSH in summer months (21 st March) and at least 5% of APSH in winter months (21 st September). An adverse impact on sunlight would be experienced if the total number of sunlight falls below the above recommendations.

St Vincent House

69. Given the separation distance between this property and the proposal, all of the windows and rooms meet the BRE recommendations in respect of the Vertical Sky Component (VSC), No Sky Line (NSL)(both daylight) and Annual Probable Sunlight Hours (APSH)(sunlight) assessments.

No.46 to 47 and No.48 Grange Walk

70. The daylight and sunlight assessment identifies that window 205 (5th floor side elevation), window 209 (5th rear elevation) at 46 - 47 Grange Walk and window 48 (8th floor rear elevation); all serving bedrooms would be affected by the development. This result in 56 out of 69 habitable room windows across 46, 47 and 48 Grange Walk would meet the relevant standards and the tests in relation to daylight/sunlight.
71. As existing, Window 205 has a VSC value of 35.2%; as a result of the development it would have a value of 24.8%. This presents a loss of 29.8% at a ratio of 0.7. There would be no change to the daylight distribution (NSL) for the room served by the window. Window 209 has an existing value of 32.3%, because of the proposal it would have a value of 25.1%. This presents a loss of 22.29%. There would be a 1% loss of daylight of to the room as demonstrated through the daylight distribution tests. Window 48 currently has a VSC value of 35.1%, by reason of the development this would become 20.1%, resulting in a 42.74% loss. There would be no change in daylight distribution to this room.
72. These windows would not meet the BRE targets for VSC being less than 80% their former values (70%, 77.71% and 57.26%). In an inner city urban

environment, resultant VSC values in excess of 20% can be considered acceptable. Windows 205, 209 and 48 would exceed 20% once the development is in place. It is recognised that the impact to these windows would be moderate, however the BRE guidance highlights that daylight to bedrooms has less importance than to other habitable rooms such as living rooms. Therefore, on balance the minor and moderate impacts on these bedroom windows is not considered to be so detrimental to the units they serve that the proposal would warrant refusal. Furthermore, as there would be minimal changes to the NSL the rooms for which the windows serve would be afforded a good level of diffused daylight.

No.1 to 32 Grange House

73. This site comprises a four storey residential building to the south of the site. There are side windows that face north, opposite the site. 14 windows were tested at this property, 10 of those were serving habitable rooms. All the habitable room windows tested passed the VSC, Daylight Distribution and Sunlight tests.

No.41- 45 Grange Walk

74. This site comprises a four storey residential building located on the south-west side of the application site and adjoining No.46 – 47 Grange Walk. This property has 4 windows on the eastern elevation that could potentially be affected by the proposal. These appear to be obscurely glazed indicating the use as a non-habitable room such as a bathroom. In any case, all of the windows and rooms at this property meet the VSC daylight recommendations.

Corio House (No.12 The Grange)

75. Corio house is located to the east of the site on the opposite side of The Grange. The submitted daylight/sunlight assessment shows that 78 out of 104 windows would pass the VSC test. The transgressions from the guidance for windows are detailed below:
76. 73, 74, 78 (ground floor opposite proposed east elevation). Between 0.1% and 2.8% change with ratios between 0.5 and 0.76.
- Window 73 would be reduced from 10.5% to 7.7%, a ratio of 0.73, though it is recognised the starting VSC is already low, thus the overall impact is marginal and acceptable.
 - Window 74 would be reduced from 0.2% to 0.1%, a ratio of 0.5, similarly this is starting from an extremely low VSC
 - Window 78 would be reduced from 11.3% to 8.6%, a ratio of 0.76, though it is recognised the starting VSC is already low, thus the overall impact is marginal and acceptable.
 - 91, 96, (first floor opposite proposed east elevation). Between 2.5% and 2.6% change with ratios between 0.7 and 0.73.

- Window 91 would be reduced from 8.7% to 6.1%, a ratio of 0.7, though it is recognised the starting VSC is already low, thus the overall impact is marginal and acceptable.
- Window 96 would be reduced from 9.2% to 6.7%, a ratio of 0.73, though it is recognised the starting VSC is already low, thus the overall impact is marginal and acceptable.
- 106, 107, 111, 113 to 115 (Second floor opposite proposed east elevation)
Between 0.9% and 6.6% change with ratios between 0.68 and 0.78.
 - Window 106 would be reduced from 16.8% to 12.5%, a ratio of 0.75, the impact here would be a small degree above that in suggested in the guidance.
 - Window 107 would be reduced from 3.1% to 2.2%, a ratio of 0.71, this is starting from an extremely low VSC.
 - Window 111 would be reduced from 17.1% to 11.6%, a ratio of 0.68, the impact here would be modest, and above the BRE recommendation.
 - Window 113 would be reduced from 34.5% to 23.5%, a ratio of 0.78, with the resultant VSC still good.
 - Window 114 would be reduced from 29.4% to 22.8%, a ratio of 0.78, though this would retain a VSC over 20% which is good in an urban context and acceptable.
 - Window 115 would be reduced from 29.3% to 22.9%, a ratio of 0.78, though this would retain a VSC over 20% which is good in an urban context and acceptable.
- 123, 124, 128 to 132 (Third floor opposite proposed east elevation)
Between 1.7% and 8.4% change with ratios between 0.65 to 0.76.
 - Window 123 would be reduced from 18.3% to 13.8%, a ratio of 0.75, the impact here would be a small degree above that in suggested in the guidance
 - Window 124 would be reduced from 4.8% to 3.1%, a ratio of 0.65, this is starting from a low VSC.
 - Window 128 would be reduced from 18.8% to 12.2%, a ratio of 0.65.
 - Window 129 would be reduced from 4.2% to 2.4%, a ratio of 0.57, this is starting from a low VSC.
 - Window 130 would be reduced from 5.8% to 4%, a ratio of 0.69, this is starting from a low VSC.
 - Window 131 would be reduced from 34% to 25.6%, a ratio of 0.64,

though this would retain a VSC over 20% which is good in an urban context and acceptable.

- Window 132 would be reduced from 33.5% to 25.4%, a ratio of 0.76, though this would retain a VSC over 20% which is good in an urban context and acceptable.
 - 137, 141 to 143, 150 & 154 to 156) (Fourth and fifth floor opposite proposed east elevation) between 2.1% and 4.7% change with ratios between 0.45 to 0.76.
 - Window 137 would be reduced from 9.7% to 6.4%, a ratio of 0.66
 - Window 141 would be reduced from 25.9% to 19.1%, a ratio of 0.74, though this would retain a VSC over 20% which is reasonable in an urban context and acceptable.
 - Window 142 would be reduced from 9.3% to 4.2%, a ratio of 0.45, this is starting from a low VSC.
 - Window 150 would be reduced from 5.8% to 3.7%, a ratio of 0.64
 - Window 154 would be reduced from 19.9% to 15.2%
 - Window 155 would be reduced from 5.8% to 2.6%, a ratio of 0.45
 - Window 156 would be reduced from 6.6% to 4.3%, a ratio of 0.65
77. The BRE Guide acknowledges that in these situations an additional calculation can be undertaken, assessing the impact of the windows without the balconies in place. The daylight and sunlight assessment shows that without these obstructions to the windows, the proposal would cause 4 windows to fall marginally short of the BRE target (before/after ratios of 0.76 and above against the target 0.8).
78. Whilst there would be some impact on these windows, it is to be noted that the balconies are recessed into the building therefore are obstructed on both sides as well as above. The BRE guidelines account for this and acknowledge that a larger relative reduction in VSC in these instances may be unavoidable.
79. An additional calculation has been carried out; identifying that without the recession of the balconies only 4 windows would fall short of the BRE target. As such, it is recognised that the presence of the inset balconies and the development would have some impact on these windows; however, it is not considered that the proposal would have a detrimental impact that would warrant refusal.
80. In terms of daylight distribution, three rooms do not pass the initial test falling short of the 0.8 target and experiencing a loss of more than 20%. The rooms are served by window 69, 87 and 141. Window 69 would have a before value of 27%

and after value of 13% resulting in a 51.85% reduction. Window 87 has before value of 35% and after value of 23% resulting in a 34% reduction. Window 141 has a before value of 95% and an after value of 74% resulting in a 22.11% reduction. However, once a second test is undertaken with the balconies and projecting wings removed, all of the rooms at 12 The Grange meet their alternative daylight distribution test with windows 69, 87 and 141 having reductions between 0% and 13%.

81. Similarly, all but 4 windows pass the Sunlight test (APSH). These being windows 143, 144, 145 and 156. Windows 143 to 145 would have values marginally below the 0.8 target at between 0.75 and 0.78. It is recognised that the baseline value for window 156 at 10%, shows that this particular window does not benefit from a significant amount of sunlight. As a result of the development the window would endure an additional loss of sunlight at 6%. Whilst the negative impact on the sunlight provision to these windows is acknowledge, these windows serve rooms with multiple other windows that would meet the test. When the test is carried out without the balconies, the these value improve to above 0.8 ratios for the total sunlight hours aside from window 144 which would be marginally below the ratio at 0.72, however this is considered negligible.

Overshadowing of amenity spaces

82. It is recognised that objection have been raised to the proposal in relation to overshadowing. The submitted Daylight and Sunlight Assessment provides an assessment in relation to overshadowing to gardens and opens spaces.
83. The results of the overshadowing test show that sunlight availability after the proposal would be no less than 0.99 times the former value. This exceeds the BRE minimum requirement, which permits sunlight to be reduced by up to 0.8 times. The proposed development therefore passes the BRE overshadowing to gardens and open spaces test and is therefore considered acceptable.

Sense of enclosure

84. It is acknowledged that there are existing properties at No.48 and No.46 – 47 Grange Walk that occupy the top floors that benefit from private amenity space (balconies) with no projections above. The proposal would over sail these existing balconies. The relationship of the balconies with the proposal would be similar to the established relationship between balconies and other properties on the site. Although the composition would result in a noticeable change to the existing occupiers, these neighbours would benefit would continue to benefit from unobstructed views to the north, south and in some case east , as the bulk of the proposal would be located above. Furthermore, the adjacent neighbouring buildings would be located sufficient distances away from the existing amenity spaces; therefore, it is not considered that the proposal would introduce a detrimental sense of enclosure to the above properties.

Transport and highways

Car parking

85. The application site is located within an area of high public transport accessibility (PTAL rating of 5) and as such, a car free scheme is proposed and supported in this location. The site is however located within a Controlled Parking Zone (CPZ) and as such a condition prohibiting future occupiers (with the exception of those eligible for disability parking spaces) from obtaining parking permits is recommended.

Cycle parking

86. The London Plan requires 1 cycle space per studio and 1-bed units, and 2 spaces per all other dwellings.
87. Concerning cycle parking, the scheme would provide 26 cycle spaces comprising of 10 folding bike spaces on top of the existing storage for 11 folding bikes and 5 full size bike stands. This would be located in the dedicated secure bike storage next to No.48 and is considered in accordance with the London Plan.

Refuse storage arrangements

88. In terms of refuse, provision is made in accordance with the council's 'waste management Guidance' including both recycling and household waste storage. Waste storage for all existing and proposed units would be consolidated to make the most efficient use of space at ground floor level. This is considered sufficient in terms of capacity and would be easily collected with the bin store having direct access to the street.

Environmental matters

Construction management

89. The application was accompanied by a Construction Management Plan (CMP) setting out details of the impacts through construction and how this will be mitigated.
90. The CMP notes that standard working hours on site would be 8am to 6pm Monday to Fridays and 9am to 2pm on Saturdays. Construction work would not take place on Sundays or Bank Holidays. The CMP also notes that deliveries would take place between 9.30am and 4.30pm Monday to Friday and 9am to 2pm on Saturdays. All deliveries would be scheduled with a system in place that ensures the site manager is contacted in advance of expected deliveries.
91. The CMP highlights that louder works, would take place on a 2 hours on and 2 hours off basis to avoid long periods of excessive noise. The plan sets out that letters would be sent to neighbouring residents and will include contact details for the site to raise concerns. Site details would be erected on the site including 24-hour emergency contact details and details that would allow residents to leave feedback. Monthly newsletters would be distributed to nearby residents and business to communicate progress on site, upcoming works and how areas of concerns will be dealt with.

92. The council's transport planning policy team and the highways development team have reviewed the information submitted and consider the above provisions acceptable in order to mitigate impacts on neighbour properties. The environmental protection team has raised no concerns with these details.
93. The highways development team highlight that the footway and carriageway front No.46-47 has been deteriorating significantly as a result of continuous occupation by construction vehicles due to the previously approved (now completed) development on this site. The proposed extension would extend the occupancy of construction vehicles on this stretch of road affecting its condition further. As such, the applicant will be responsible for all highway works required to bring the footway and carriageway to current standards.
94. If consent is granted, the applicant is required to enter into an agreement to complete the following works:
 - Repave the footways fronting the development including new kerbing on Grange Walk and The Grange in accordance with SSDM materials.
 - Resurface the carriageway fronting the development on Grange Walk in accordance with current SSDM standards.
 - Upgrade the pedestrian crossing facilities on Grange Walk to current standards.
 - Repair any damages to the public highway as part of the development.

Archaeology

95. The site is within the Borough, Bermondsey and Rivers Archaeological Priority Zone. Policy 3.19 of the Southwark Plan (July 2007) requires applicants to supply an archaeological desk-based assessment and evaluation report.
96. Grange Walk is located on the Bermondsey Eyot, and prehistoric and Roman archaeology is recorded from the immediate area. The site is within the precinct of the Cluniac priory (later Benedictine abbey) of St Saviour, known as Bermondsey Abbey (scheduled monument GL165) founded in circa 1089. The abbey and its precinct once occupied an area of approximately 60 acres including 20 acres of meadow. The main abbey buildings and the scheduled monument are located approximately 100m to the west. Although, the application site is outside of the scheduled area, it is within the abbey precinct.
97. Southwark's policy 3.19 says that applications within Archaeological Priority Zones (APZs) should be accompanied by a desk based assessment and the results of an archaeological evaluation. However, on the balance of all the evidence, the works proposed in this application should have a minimal below ground impact and on balance, it can be concluded that these works would not compromise the Archaeological Priority Zone. No further archaeological assessment, fieldwork or conditions are required.

Planning obligations (S.106 undertaking or agreement)

98. The following planning obligations are in the process of being agreed to at the time of completing this report.
- A payment of estimated at £3,177.50 (15.5sqm shortfall x £205 per sqm) in order to mitigate the shortfall in communal amenity space.
99. In the event that an agreement has not been completed by 3 July 2021, the committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:
100. In the absence of a signed S106 legal agreement there is no mechanism in place to mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to Saved Policy 2.5 Planning Obligations of the Southwark Plan 2007, Strategic Policy 14 Delivery and Implementation of the Core Strategy (2011) Policy 8.2 Planning Obligations of the London Plan (2016) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and borough community infrastructure levy (CIL)

101. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport invests in London as a whole, primarily Crossrail. Southwark's CIL will provide for infrastructure that supports growth in Southwark. In this instance, based on information provided by the applicant, the scheme is liable to a Mayoral CIL and Southwark CIL payment. The estimated figures would be £ £20,539.98 for Mayoral CIL and £101,057.14 Southwark CIL. This would be calculated in detail when CIL additional Information and Assumption of Liability forms are submitted prior to implementation.

Consultation responses from external and statutory consultees

102. There was no consultation responses from external or statutory consultees received.

Consultation responses from internal consultees

103. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.

Environmental Protection Team

104. No objection subject to conditions that ensure that occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources.

Design and Conservation Team

105. Officers acknowledge that the proposal is largely shielded from the conservation area by the block that stands between itself and the conservation area. It is considered that views of the proposal will be distant and less apparent, considering the view of Corio House forming a strong backdrop.
106. It is also recognised that the proposal would not provide adequate communal amenity space nor community benefit.

Transport Policy Team

107. No objection subject to conditions to secure details of safe storage for cycles.

Highways Development Team

108. The footway and carriageway fronting 46-47 Grange Walk up to the junction with The Grange has been deteriorating significantly as a result of continuous occupation by construction vehicles in respect of the current construction works on 46-47 Grange Walk (previously approved by 16/AP/3224). The construction of the proposed roof extension (if approved) will extend the occupancy of construction vehicles on the above mentioned stretch of road and will impact its condition even further. It is anticipated that the applicant will be responsible for all highway works required to bring the footway and carriageway to current standards.
109. If consent is granted the applicant is required to enter into a s278 agreement to complete the following works:
 1. Repave the footways fronting the development including new kerbing on Grange Walk and The Grange in accordance with SSDM materials.
 2. Resurface the carriageway fronting the development on Grange Walk in accordance with current SSDM standards.
 3. Upgrade the pedestrian crossing facilities on Grange Walk to current standards.
 4. Repair any damages to the public highway as part of the development.
 5. The above requirement to enter into s278 agreement should be secured by condition.

Archaeologist

110. The site is located on the Bermondsey Epot, and prehistoric and Roman archaeology is recorded from the immediate area.

111. Archaeological investigations were carried out by MOLA in 2017-2019 on this site as a part of a section 106 obligation for planning permission 16/AP/3224 which revealed post-medieval domestic features; according to the 2019 watching brief report 'No in situ or residual material from the prehistoric or Roman periods, activity associated with the medieval grange of Bermondsey Abbey and 17th-century Civil War defensives, that were conjectured to have passed close to the site, were seen.'
112. The works proposed in this application should have a minimal below ground impact and on balance it can be concluded that the archaeological resource would not be compromised by these works. No further archaeological assessment, fieldwork or conditions are required.

Community impact and equalities assessment

113. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
114. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
115. 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:
 1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. 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
 3. 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.
116. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

Human rights implications

117. 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.
118. This application has the legitimate aim of providing new residential units. 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.

Positive and proactive statement

119. 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.
120. 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.

121. Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

122. The proposal demonstrates that it conforms with the principles of sustainable development. It complies with current policy; respects the amenity of neighbouring properties; and is of good design. It is therefore recommended that planning permission be granted, subject to completion of a S106 agreement to secure compensation for the shortfall in external communal amenity space. In the event that the S106 is not signed by 3rd July 2021, then a decision to refuse the application would be taken by the council for the following reasons:

123. “In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the shortfall in on-site communal amenity space and the impact of the proposed development on public realm. Therefore, the proposal would therefore be contrary to Saved Policy 2.5 'Planning Obligations' of the Southwark Plan and Policy 14 - 'Implementation and delivery' of the Southwark Core Strategy, the Southwark Supplementary Planning Document 'Section 106 Planning Obligations' 2015, and Policy 8.2 Planning obligations of the London Plan.”

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 31-46 Application file: 20/AP/0489 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Relevant planning policy
Appendix 2	Planning history of the site and nearby sites
Appendix 3	Consultation undertaken
Appendix 4	Consultation responses received.
Appendix 5	Recommendation (draft decision notice)

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Kerri Simpson, Planning Officer	
Version	Final	
Dated	12 February 2021	
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		12 February 2021

APPENDIX 1**Planning Policies****National Planning Policy Framework (the Framework):**

- Chapter 2 - Achieving sustainable development
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 11 - Making effective use of land.
- Chapter 12 - Achieving well-designed places.
- Chapter 16 - Conserving and enhancing the historic

London Plan 2016:

- Policy 3.3 - Increasing housing supply
- Policy 3.5 - Quality and design of housing developments
- Policy 3.9 - Mixed and balanced communities
- Policy 3.11 - Efficient use of land
- Policy 5.3 - Sustainable design and construction
- Policy 5.18 - Construction, excavation and demolition waste
- Policy 6.3 - Assessing effects of development on transport capacity
- Policy 6.9 - Cycling
- Policy 6.13 - Parking
- Policy 7.4 - Local character
- Policy 7.6 - Architecture
- Policy 7.8 - Heritage assets and archaeology
- Policy 7.14 - Improving air quality
- Policy 7.15 - Reducing noise and enhancing soundscapes

Core Strategy 2011

- Strategic Policy 1 - Sustainable Development
- Strategic Policy 5 - Providing new homes
- Strategic Policy 12 - Design and conservation
- Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all

Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- Policy 3.2 - Protection of Amenity
- Policy 3.11 - Efficient Use of Land
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design
- Policy 3.15 - Conservation of the Historic Environment
- Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- Policy 3.19 - Archaeology
- Policy 4.2 - Quality of Residential Accommodation
- Policy 5.3 – Walking and Cycling
- Policy 5.6 - Car Parking

Supplementary Planning Documents:

2015 Technical Update to the Residential Design Standards SPD 2011

Emerging planning policy

Draft New London Plan

The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan, which was published in December 2019.

The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made.

The draft New London Plan is at an advanced stage. Policies contained in the Intend to Publish (ItP) London Plan published in December 2019 that are not subject to a direction by the Secretary of State carry significant weight. 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.

New Southwark Plan

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. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019. These two documents comprise the Proposed Submission Version of the New Southwark Plan.

These documents and the New Southwark Plan Submission Version (Proposed Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the Council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version.

In April 2020 the Planning Inspectorate provided their initial comments to the New Southwark Plan Submission Version. It was recommended that a further round of consultation take place in order to support the soundness of the Plan. Consultation is due to take place on this version of the NSP between June and August 2020. The final updated version of the plan will then be considered at the Examination in Public (EiP).

It is anticipated that the plan will be adopted in late 2020 following the EiP. 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.

APPENDIX 2**Relevant planning history**

No relevant planning history

APPENDIX 3

Consultation undertaken**Site notice date:** 11.03.2020**Expiry date of notice:** 01.04.2020**Press notice date:** A press notice was not published.**Case officer site visit date:** 11.03.2020**Internal services consulted**

Environmental Protection Team
 Archaeologist
 Highways Development Management Team
 Flood Risk Management and Urban Drainage Team
 Transport Planning Policy Team
 Design and Conservation Team

Statutory and non-statutory organisations

None.

Neighbour and local groups consulted:

Recipient Address:

Date Letter Sent:

Flat 18 Grange House The Grange London Southwark SE1 3AF	25.02.2020
Flat 7 Zona Court 48 Grange Walk London Southwark SE1 3FP	
Flat 19 Grange House The Grange London Southwark SE1 3AF	
Flat 15 41 Grange Walk London Southwark SE1 3DY	
Flat 10 41 Grange Walk London Southwark SE1 3DY	
Flat 29 Grange House The Grange London Southwark SE1 3AF	
Flat 12 Grange House The Grange London Southwark SE1 3AF	
Flat 2 Zona Court 48 Grange Walk London Southwark SE1 3FP	
Flat 30 Grange House The Grange London Southwark SE1 3AF	
Flat 27 Grange House The Grange London Southwark SE1 3AF	
Flat 25 Grange House The Grange London Southwark SE1 3AF	
Flat 22 Grange House The Grange London Southwark SE1 3AF	
Flat 13 Grange House The Grange London Southwark SE1 3AF	
Flat 11 Grange House The Grange London Southwark SE1 3AF	
Flat 8 Grange House The Grange London Southwark SE1 3AF	
5 Grange House The Grange London Southwark SE1 3AF	
Flat 2 Grange House The Grange London Southwark SE1 3AF	
Flat 11 41 Grange Walk London Southwark SE1 3DY	
Flat 5 41 Grange Walk London Southwark SE1 3DY	
Flat 2 41 Grange Walk London Southwark SE1 3DY	
Flat 6 Zona Court 48 Grange Walk London Southwark SE1 3FP	
Flat 3 Zona Court 48 Grange Walk London Southwark SE1 3PF	
47 Grange Walk London Southwark SE1 3DY	
Flat 14 41 Grange Walk London Southwark SE1 3DY	

Flat 13 41 Grange Walk London Southwark SE1 3DY
 Flat 12 41 Grange Walk London Southwark SE1 3DY
 Flat 9 41 Grange Walk London Southwark SE1 3DY
 Flat 7 41 Grange Walk London Southwark SE1 3DY
 Flat 4 41 Grange Walk London Southwark SE1 3DY
 Flat 3 41 Grange Walk London Southwark SE1 3DY
 Flat 1 41 Grange Walk London Southwark SE1 3DY
 Flat 32 Grange House The Grange London Southwark SE1 3AF
 Flat 31 Grange House The Grange London Southwark SE1 3AF
 Flat 28 Grange House The Grange London Southwark SE1 3AF
 Flat 26 Grange House The Grange London Southwark SE1 3AF
 Flat 24 Grange House The Grange London Southwark SE1 3AF
 Flat 23 Grange House The Grange London Southwark SE1 3AF
 Flat 21 Grange House The Grange London Southwark SE1 3AF
 Flat 20 Grange House The Grange London Southwark SE1 3AF
 Flat 17 Grange House The Grange London Southwark SE1 3AF
 Flat 15 Grange House The Grange London Southwark SE1 3AF
 Flat 14 Grange House The Grange London Southwark SE1 3AF
 Flat 10 Grange House The Grange London Southwark SE1 3AF
 Flat 9 Grange House The Grange London Southwark SE1 3AF
 Flat 7 Grange House The Grange London Southwark SE1 3AF
 Flat 6 Grange House The Grange London Southwark SE1 3AF
 Flat 4 Grange House The Grange London Southwark SE1 3AF
 Flat 3 Grange House The Grange London Southwark SE1 3AF
 Flat 1 Grange House The Grange London Southwark SE1 3AF
 Flat 8 Zona Court 48 Grange Walk London Southwark SE1 3FP
 Flat 5 Zona Court 48 Grange Walk London Southwark SE1 3DY
 Flat 34 175 Long Ln London SE1 4GS
 Flat 4 Zona Court 48 Grange Walk London Southwark SE1 3FP
 Flat 1 Zona Court 48 Grange Walk London Southwark SE1 3FP
 38 Corio House 12 The Grange London SE1 3GU
 12 CORIO HOUSE 12 THE GRANGE LONDON SE1 3GU
 Flat 16 Grange House The Grange London Southwark SE1 3AF
 Flat 8 41 Grange Walk London Southwark SE1 3DY
 Flat 6 41 Grange Walk London Southwark SE1 3DY
 11 Corio House 12 The Grange London Southwark SE1 3GU
 Flat 9 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 8 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 7 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 6 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 5 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 4 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 3 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 2 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Flat 1 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 New Apex Court 47 Grange Walk London Southwark SE1 3DY
 Grange House The Grange London Southwark
 Zona Court 48 Grange Walk London Southwark

25.02.2020

26.02.2020

Re-consultation: Neighbours and Local Groups

None.

Consultation Letters to Internal Consultees: 26.02.2020

Re-consultation Letters to Internal Consultees: None

Consultation Letters to External Consultees: None

Re-consultation Letters to External Consultees: None

Appendix 4: Consultation responses received

Internal services

<p>Highways Development Management Team</p> <p>If consent is granted the applicant is required to enter into a s278 agreement to complete the works that to resurface the carriageway, upgrade the pedestrian crossing facilities and repair any damages to the public highway as part of the development.</p>
<p>Archaeology</p> <p>No objection but recommend permission as the works proposed in this application should have a minimal below ground impact and on balance it can be concluded that the archaeological resource would not be compromised by these works. No further archaeological assessment, fieldwork or conditions are required.</p>
<p>Environmental Protection Team</p> <p>No objection and recommend permission subject to conditions relating to internal noise levels Vertical sound transmission between commercial and residential properties and plant noise.</p>
<p>Transport Planning Policy</p> <p>No objection, the proposal would provide sufficient cycle storage and the servicing will remain as existing. The construction management plan is consider acceptable.</p>
<p>Design and Conservation Team</p> <p>30.03.2020</p> <p>The initial submission fails to conserve or enhance the setting of the Bermondsey Street conservation area and introduces an excessive crude, and incongruous top-heavy feature rising sheer from the back-edge of the Grange Walk pavement contrary to the council's adopted Design and Conservation policies.</p> <p>Amended drawings were received on 14.11.2020 as set out in the officers report.</p>

Statutory and non-statutory organisations

None.

Neighbour and local groups consulted:

Consultation:

The extent of the consultation is unclear;

Design quality and layout:

Increasing the height by a further three storeys would be out of keeping with the area

Overdevelopment of the site

The elevations would not be in keeping with the street scene having a negative visual impact

Impact on neighbouring amenity:

Loss of daylight, sunlight and overshadowing to neighbouring properties

Loss of privacy to neighbouring properties

Creating a sense of enclosure to fourth floor properties of No.46 to No.48 Grange Walk

Transport, parking, highways, deliveries and servicing matters:

The development would have an impact on the existing parking and traffic

Parking intensification and no parking on site

Environmental impacts:

Noise due to past and future construction

Poor management of construction vehicle siting

Issues with connection to existing sewer

Phased development and Affordable Housing:

The proposal would result in a phased development across No.46 to No.47 and No.48 Grange Walk. The proposal has been designed to avoid providing Affordable Housing.

APPENDIX 5

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	Avison Young	Reg. Number	20/AP/0489
Application Type	Minor application	Case Number	
Recommendation	GRANT permission with legal agreement		

Draft of Decision Notice

Planning permission is **GRANTED** for the following development:

Construction of a part 2/part 3 storey rooftop extension, remodelling of existing building facades and associated works to provide 5 residential units (Use Class C3) including cycle and refuse storage.

46-48 GRANGE WALK, LONDON, SOUTHWARK, SE1 3DY

In accordance with application received on 18 February 2020

and Applicant's Drawing Nos.:

Reference no.:	Plan/document name:	Rev:	Received on:
301 A/EX/1.01 - PROPOSED GROUND FLOOR PLAN	Plans - Proposed	D	17.02.2020
301 A/EX/1.05 - PROPOSED FOURTH FLOOR PLAN	Plans - Proposed	D	17.02.2020
301 A/EX/1.06 - PROPOSED FIFTH FLOOR PLAN	Plans - Proposed	E	17.02.2020
301 A_PA_1.07 - PROPOSED SIXTH FLOOR PLAN	Plans - Proposed	G	14.11.2020
301 A_PA_1.08 - PROPOSED SEVENTH FLOOR PLAN	Plans - Proposed	F	14.11.2020

301 A_PA_1.10 - PROPOSED ROOF PLAN	Plans - Proposed	E	14.11.2020
301 A_PA_2.00 - PROPOSED SECTION A – A	Plans - Proposed	E	14.11.2020
301 A_PA_2.01 - PROPOSED SECTION B – B	Plans - Proposed	E	14.11.2020
301 A_PA_3.00 - PROPOSED FRONT ELEVATION	Plans - Proposed	H	14.11.2020
301 A_PA_3.02 - PROPOSED EAST AND WEST ELEVATION	Plans - Proposed	F	14.11.2020
301 A_PA_3.01 - PROPOSED REAR ELEVATION	Plans - Proposed	H	14.11.2020

Permission is subject to the following Time Limit:

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.

Permission is subject to the following Condition(s):

COMPLIANCE CONDITION

3. MATERIALS TO BE AS SPECIFIED
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.

COMPLIANCE CONDITION

4.

REFUSE STORAGE ARRANGEMENTS

Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing 301 A/EX/1.01 REV D PROPOSED GROUND FLOOR shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2013 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

COMPLIANCE CONDITION

5.

CYCLE STORAGE ARRANGEMENTS

Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 301 A/EX/1.01 REV D PROPOSED GROUND

FLOOR shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy

Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

COMPLIANCE CONDITION

6.

CPZ PARKING PERMIT EXCLUSION

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

Reason:

To ensure compliance with: Strategic Policy 2 (Sustainable Transport) of the

Core Strategy 2011, and; Saved Policy 5.2 (Transport Impacts) of the Southwark Plan 2007.

ABOVE GRADE CONDITION

7.

GREEN ROOFS FOR BIODIVERSITY

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

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

The biodiversity (green/brown) roof shall not be used as an amenity or sitting

out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

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

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

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies 2.18 (Green Infrastructure: the Multifunctional 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 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

PRE – OCCUPATION CONDITION

8.

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_{1/2}, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T_{1/2}

Dining room - 40 dB LAeq T_{1/2}

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

10 ½ - Daytime - 16 hours between 07:00-23:00

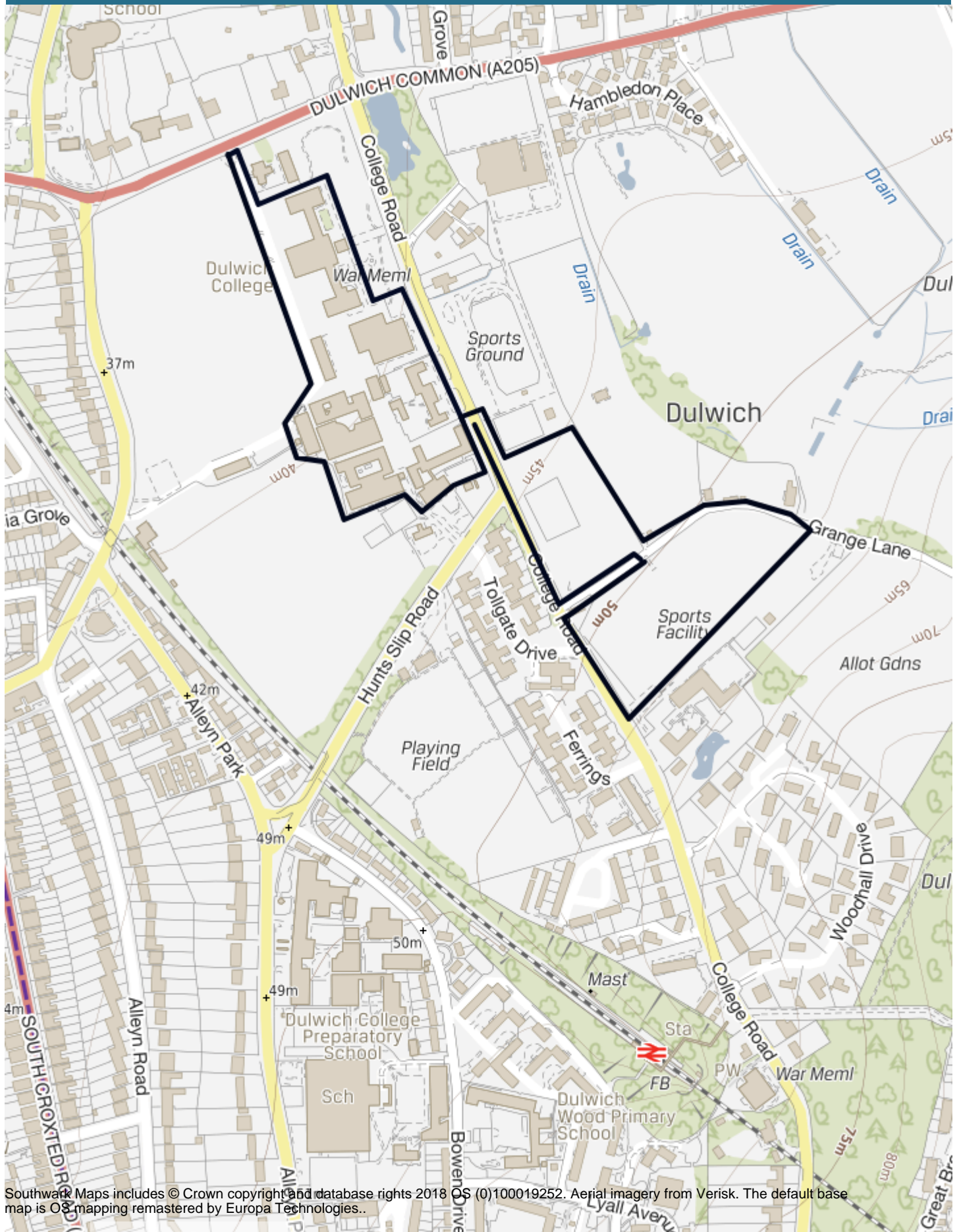
A report shall be submitted in writing to and approved by the LPA. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter. The development shall be carried out in accordance with the approval given.

Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample (usual minimum of 10%) of premises. The results shall be submitted to the LPA for approval in writing.

Reason

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

Informatives



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Item No. 7.2	Classification: Open	Date: 3 March 2021	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 20/AP/3682 for: Full Planning Application Address: Dulwich College, Dulwich Common, London, Southwark SE21 7LD Proposal: Installation of 2 Ground Source Heat Pumps, 190 Boreholes, Associated underground pipework and 2 Thermal Storage Tanks.		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of Planning		
Application Start Date	15/12/2020	PPA Expiry Date	11/03/2021
Earliest Decision Date			

RECOMMENDATION

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

EXECUTIVE SUMMARY

2. The proposal is not appropriate development on Metropolitan Open Land (MOL).
3. The only above ground development – the roller shutters and thermal storage tanks - would not affect the openness of the MOL because of the location.
4. There would be an environmental benefit as a result of this development, if granted planning permission, which would see a significant reduction in carbon emissions from the site.

BACKGROUND INFORMATION

Site location and description

5. The application site is occupied by the Grade II* listed Dulwich College, a 19th century detached purpose built school, and various other buildings associated with the school surrounded by extensive grounds including the Sports Field to the west.

6. The proposed works on the site are mainly concerned with the Enterprise Building and Squash Courts building located south of the main school building as part of a cluster of modern buildings surrounding a car park. There are no works proposed to the main listed building.
7. The site is bounded by Dulwich Common South Circular to the north, College Road to the east, Hunts Slip Road to the south and Alleyn Park to the west. The surrounding area is mainly residential in use with the closest properties to the site located south of Hunts Slip Road along Tollgate Drive.
8. The application site also includes Tank field and Eller Bank field to the east on the opposite side of College Road. The two fields are adjacent, separated by Grange Lane, with Tank Field bounded by Dulwich College Sports Club to the north and Eller Bank Field bounded by Dulwich College Kindergarten and Infants School (DUCKS) to the east.
9. The site is within the Dulwich Village conservation area and is in the vicinity of the Grade II listed Old Library and Grade II listed entrance gates and piers.

Image – Site location plan (1 of 3)

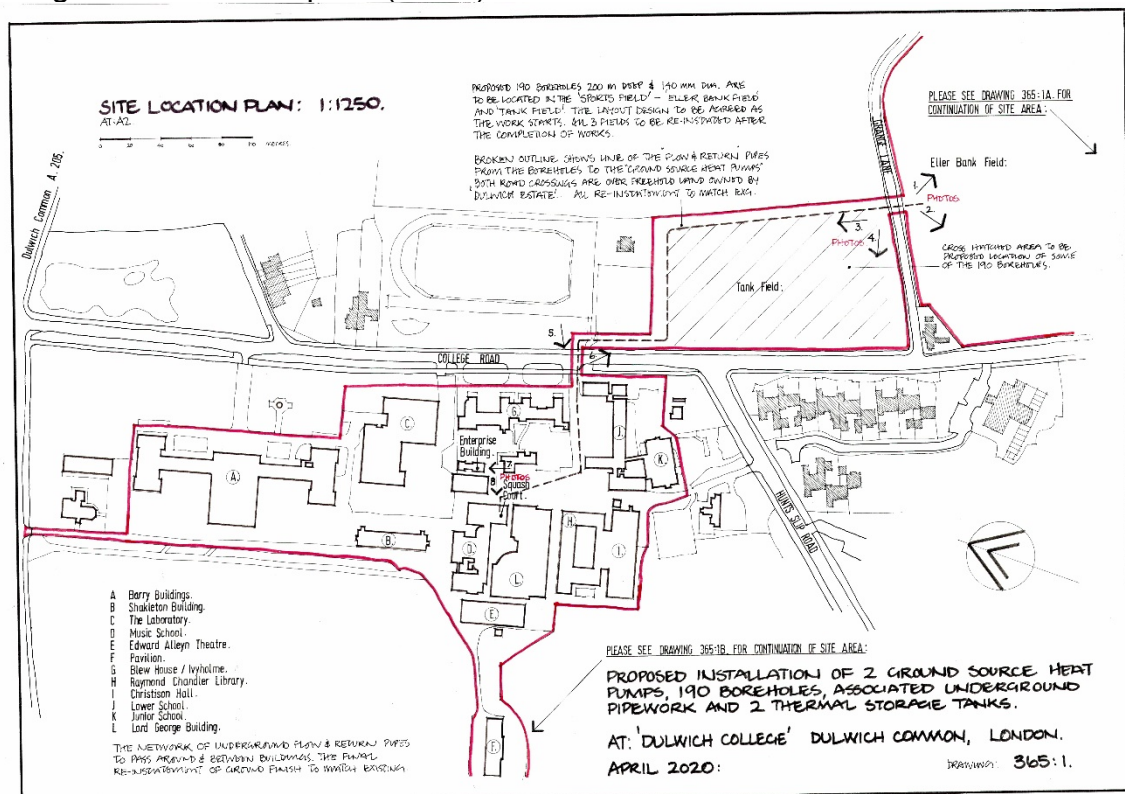


Image - Site location plan (2 of 3)

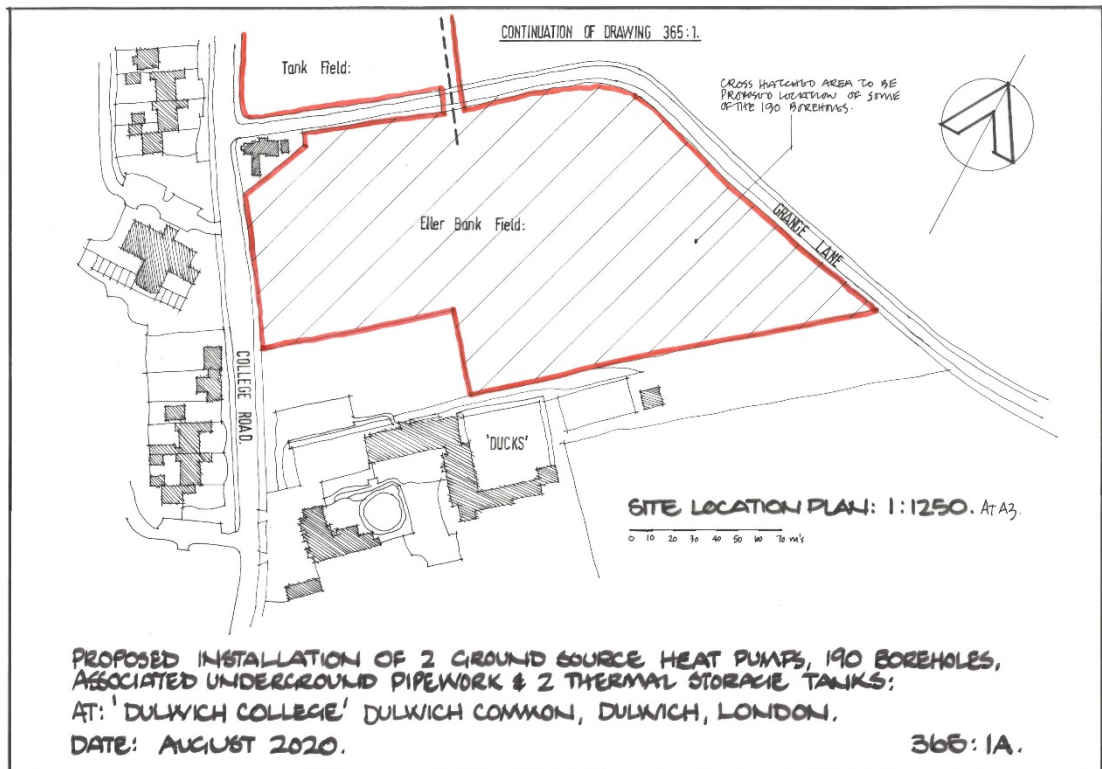
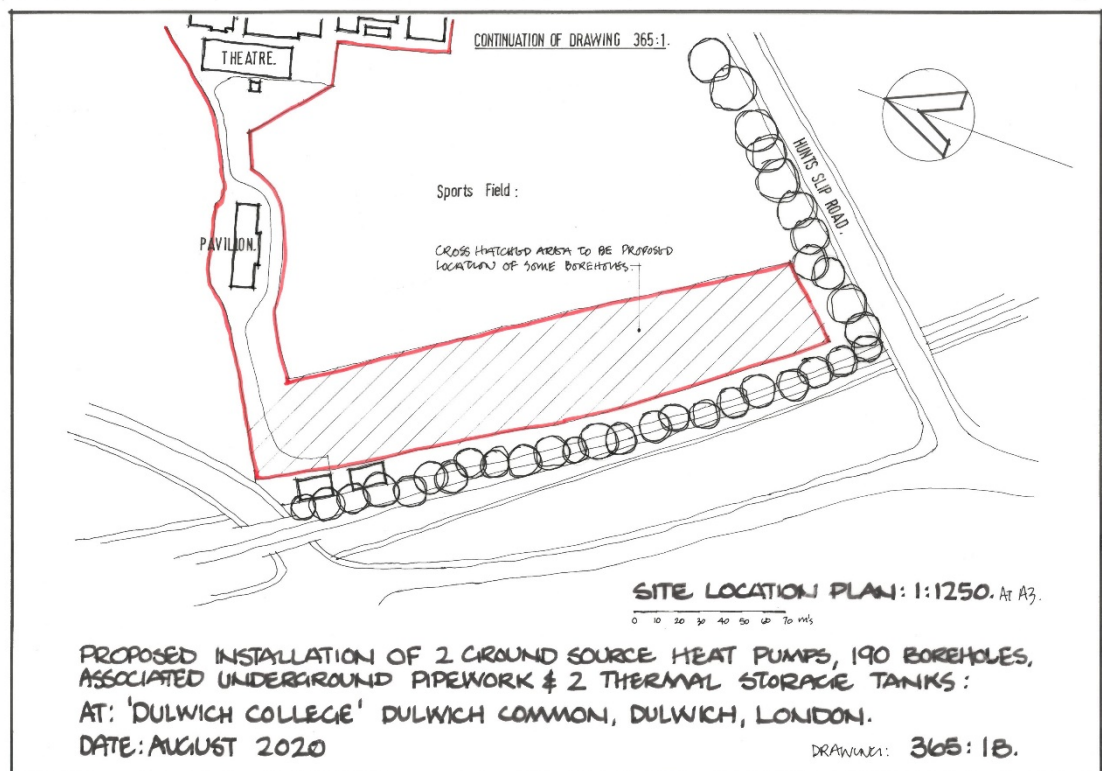


Image - Site location plan (3 of 3)



Details of proposal

10. The proposals include the installation of two thermal storage tanks and 190 boreholes across three sites with associated underground pipework.
11. Two ground source heat pumps will also be installed within the existing squash court building where two roller shutter doors are proposed to facilitate access.
12. The two ground source heat pumps, both proposed to be Carrier 1,233Kw, would be piped into the existing heat network of nine plant rooms which in turn serve multiple buildings in the complex. The heat pumps will take over the heating and hot water generation for all of the linked buildings.
13. The 190 boreholes are proposed to be installed throughout three areas, totalling 6.65 hectares, on Eller Bank Field and Tank Field to the east and Sports Field to the west. The boreholes will be 140mm in diameter and 200m deep.
14. The two thermal storage tanks, both proposed to be 20,000 litre Galu Colussos, will be situated on the south elevation of the Enterprise Building. The storage tanks will measure 2.6m in width and 5.2m in height and have white polyurethane wrapping with green tops.

Consultation responses from members of the public and local groups

15. No responses received.

Planning history of the site, and adjoining or nearby sites.

16. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 1

KEY ISSUES FOR CONSIDERATION

Summary of main issues

The main issues to be considered in respect of this application are:

- Principle of the proposed development in terms of land use;
- Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
- Energy and sustainability, including carbon emission reduction

17. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

18. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
19. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy

20. The statutory development plans for the Borough comprise the London Plan 2016, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The National Planning Policy Framework (2019) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 1. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

The site is located within the:

- Dulwich College Metropolitan Open Land
- Dulwich Village Conservation Area
- Suburban Density Zone South

ASSESSMENT

Principle of the proposed development in terms of land use

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 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. Further, 'Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL' is also considered 'appropriate development' within this policy.
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. The two proposed thermal storage tanks are to be positioned adjacent to the south elevation of the Enterprise building on an existing area of hardstanding in use as a car park, minimising the impact on the openness of the MOL.
28. The thermal storage tanks would be modest in scale, sitting below the height and within the width of the existing Enterprise building. The proportions therefore do not result in a disproportionate addition to the MOL.

Image – Proposed location of thermal storage tanks





29. A minimum depth of 450mm of topsoil is to be removed prior to the start of work on the boreholes. The topsoil would be stock piled on site with the land being reinstated to its original condition once the works complete. The installation of the boreholes would have no impact on the openness of the MOL.
30. The flow and return pipework between the heat pumps and boreholes would be below ground with a minimum cover of 900mm; there would be no impact on the openness of the MOL.

Image – Proposed borehole location (Eller Bank and Tank field)



Image – Proposed borehole location (Sports field)



31. In light of the above, the proposed works are not compliant with the referenced policies as the scheme involves the construction of a new building on MOL as opposed to the extension or alteration of an existing, and its purpose is not an ancillary facility to any land use which preserves the openness of MOL.
32. However, the proposals will greatly reduce the carbon footprint of the Dulwich College complex which is a considerable benefit given the climate emergency we're in.
33. The proposals are further considered to be modest in scale and not a disproportionate addition.
34. Further, because the thermal storage tanks would be next to an existing building, it would preserve the openness of the MOL.

Design

35. As set out above, the scale of the proposed thermal storage tanks are considered to be modest and proportionate to the existing buildings on site.
36. There would be little impact on the setting of the Grade II* listed Dulwich College or other nearby listed structures as the above ground works proposed are located 90m distance and either within or adjacent to existing buildings on the site which have little historic importance and not in view of the heritage assets.
37. As such, the works are considered to conserve the appearance and setting of the nearby listed buildings and the Dulwich Village conservation area and are considered acceptable in terms of its quality of design.
38. A listed building consent application was submitted (Ref: 20/AP/3683) to accompany this application however it was not required as the proposed works will not be affixing to the listed structure.

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

39. The section of Eller Bank field, Tank field and Sports field where the boreholes will be located will be reinstated to its original condition once the works are complete. The installation of the boreholes will not have any adverse impact on amenity experienced at these locations.
40. The ground source heat pumps would not visible to the public as they will be housed within the existing squash courts.
41. The ground source heat pumps are considered to be a sufficient distance from adjoining occupiers and are unlikely to cause any adverse impacts due to excessive noise levels. This is because it is over 150m from the nearest dwelling and being housed in a building, sound insulation can readily be installed to make sure no impact would take place; a condition on noise is recommended to secure this.
42. As such, it is considered that the proposed works are unlikely to cause a negative impact on the amenity of adjoining occupiers and are therefore acceptable in this matter.

Energy and sustainability

Carbon emission reduction

43. The proposals will greatly reduce the carbon footprint of the Dulwich College Sports Centre complex. There would also be a benefit for air quality, as the gas boilers would be replaced.

Consultation responses from external and statutory consultees

44. No responses received.

Consultation responses from internal consultees

Environmental Protection Team

45. They recommended an acoustic report is submitted before any planning permission is granted to ensure the heat pumps do not increase the background noise levels. Considering the distance from the nearest dwelling (over 100m) and the fact that the plant would be in a structure, officers are confident that sound insulation- if needed- can be accommodated. A condition is recommended to this end.
46. EPT also recommended a Phase 1 land contamination assessment be submitted before any planning permission is granted. The site has not been developed so the risk of contamination is very low and would be covered by the health and safety regulations.

Community impact and equalities assessment

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.
49. 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:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. 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
 3. 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.

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

Human rights implications

51. 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.
52. This application has the legitimate aim of improving energy efficiency. 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.

Positive and proactive statement

53. 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.
54. 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.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	NO
If the pre-application service was used for this application, was the advice given followed?	N/A
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	N/A
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

55. The proposal is not appropriate development on MOL. The only above ground structure - the roller shutters and thermal storage tanks - would not affect the openness of the MOL because of its location. There would be an environmental benefit as a result of this development, if granted planning permission, which would see a significant reduction in carbon emissions from the site.
56. It is therefore recommended that planning permission be granted, subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2084-C Application file: 20/AP/3682 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Relevant planning policy
Appendix 2	Planning history of the site and nearby sites
Appendix 3	Consultation undertaken
Appendix 4	Consultation responses received.
Appendix 5	Recommendation (draft decision notice)

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Gemma Williams, Graduate Planner		
Version	Final		
Dated	3 February 2021		
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		12 February 2021	

APPENDIX 1

Planning Policies

Adopted planning policy

National Planning Policy Framework (NPPF)

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.

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 8 Promoting healthy and safe communities
Chapter 12 Achieving well-designed places
Chapter 15 Conserving and enhancing the natural environment

London Plan 2016

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

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.17 Metropolitan open land
Policy 7.18 Protecting open space and addressing deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodland.

Core Strategy 2011

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
Strategic Policy 13 High environmental standards.

Southwark Plan 2007 (saved policies)

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

Policy 3.25 Metropolitan open land (MOL)

Policy 3.28 Biodiversity.

Draft New London Plan

The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018 and an Examination in Public (EIP) began on 15 January 2019 and closed in May 2019

The Inspector's report and Panel recommendations were issued to the Mayor of London in October 2019. The Mayor then issued his intentions to publish the London Plan along with a statement of reasons for not including all of the Inspector's recommendations to the Secretary of State. The Secretary of State will respond to the Mayor, due before 17 February 2020. Until the London Plan reaches formal adoption it can only be attributed limited weight

New Southwark Plan

For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019.

The New Southwark Plan Submission Version: Proposed Modifications for Examination was submitted to the Secretary of State in January 2020 for Local Plan Examination. It is anticipated that the plan will be adopted in late 2020 following an Examination in Public (EIP). 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.

APPENDIX 2**Relevant planning history**

Reference and Proposal	Status
20/AP/3683 Installation of 2 Ground Source Heat Pumps, 190 Boreholes, Associated underground pipework and 2 Thermal Storage Tanks.	Application Not Required 06/01/2021

APPENDIX 3

Consultation undertaken

Site notice date: n/a.

Press notice date: 01/02/2021

Case officer site visit date: n/a

Neighbour consultation letters sent: 18/12/2020

Internal services consulted

Environmental Protection

Statutory and non-statutory organisations

Neighbour and local groups consulted:

70 Alleyn Park London Southwark	75 College Road London Southwark
82 Alleyn Park London Southwark	13 Tollgate Drive London Southwark
68 Alleyn Park London Southwark	14 Tollgate Drive London Southwark
66 Alleyn Park London Southwark	15 Tollgate Drive London Southwark
76 Alleyn Park London Southwark	12 Tollgate Drive London Southwark
86 Alleyn Park London Southwark	11 Tollgate Drive London Southwark
78 Alleyn Park London Southwark	10 Tollgate Drive London Southwark
64 Alleyn Park London Southwark	Eller Bank 87 College Road London
56 Alleyn Park London Southwark	89 College Road London Southwark
50 Alleyn Park London Southwark	14 Ferrings London Southwark
54 Alleyn Park London Southwark	15 Ferrings London Southwark
52 Alleyn Park London Southwark	12 Ferrings London Southwark
Blew House College Road London	16 Ferrings London Southwark
Dulwich College Preparatory School	11 Ferrings London Southwark
Sports Ground Grange Lane London	10 Ferrings London Southwark
Ivyholm College Road London	74 Alleyn Park London Southwark
1 Hunts Slip Road London Southwark	84 Alleyn Park London Southwark
16 Tollgate Drive London Southwark	80 Alleyn Park London Southwark
18 Tollgate Drive London Southwark	72 Alleyn Park London Southwark
17 Tollgate Drive London Southwark	

Re-consultation:

APPENDIX 4**Consultation responses received****Internal services**

Environmental Protection

Statutory and non-statutory organisations**Neighbour and local groups consulted:**

APPENDIX 5

Recommendation

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr Peter Childs	Reg. Number	20/AP/3682
Application Type	Minor application	Case Number	2084-C
Recommendation	GRANT permission		

Draft of Decision Notice

Planning permission is **GRANTED** for the following development:

Installation of 2 Ground Source Heat Pumps, 190 Boreholes, Associated underground pipework and 2 Thermal Storage Tanks.

Dulwich College Dulwich Common London Southwark

In accordance with application received on 14 December 2020 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

Elevations - Proposed PROPOSED AND EXISTING ELEVATION received 14/12/2020

Elevations - Proposed PROPOSED ELEVATION received 14/12/2020

Other Documents

Design and access statement DESIGN & ACCESS STATEMENT received 14/12/2020

Heritage statement HERITAGE STATEMENT received 14/12/2020

Site location plan SITE LOCATION PLAN received 14/12/2020

Site location plan SITE LOCATION PLAN received 14/12/2020

Site location plan SITE LOCATION PLAN received 14/12/2020

Site location plan SITE LOCATION PLAN received 14/12/2020

Time limit for implementing this permission and the approved plans

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.

Permission is subject to the following Compliance Condition(s)

3. MATERIALS TO BE AS SPECIFIED

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.

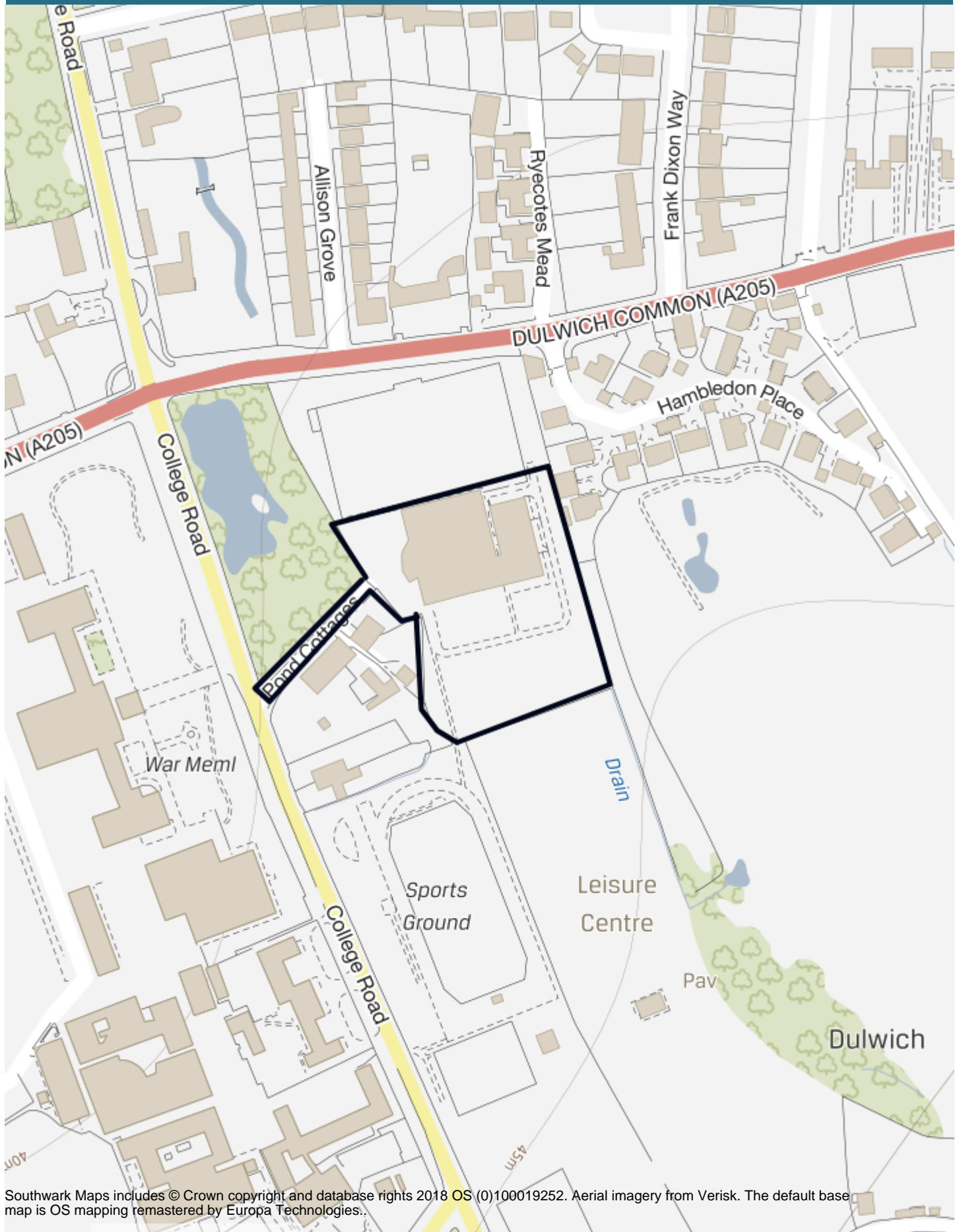
4. The Rated sound level from the ground source heat pump and thermal storage tanks, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the plant Specific sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific sound levels shall be calculated in full accordance with the methodology of BS4142:2014 as amended.

Reason:

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

Informatives

Agenda Item 7.3



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12-Feb-2021

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Item No. 7.3	Classification: Open	Date: 3 March 2021	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 20/AP/3454 for: Full Planning Application Address: Dulwich College Sports Club, Pond Cottages, London Southwark SE21 7LE Proposal: Installation of 5 Ground Source Heat Pumps, 1 Energy Centre, 42 Boreholes and all associated underground pipework		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of Planning		
Application Start Date 30/11/2020		PPA Expiry Date 11/03/2021	
Earliest Decision Date			

RECOMMENDATION

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

EXECUTIVE SUMMARY

2. The proposal is not appropriate development on Metropolitan Open Land (MOL).
3. The only above ground structure - the energy centre - would not affect the openness of the MOL because of its location.
4. There would be an environmental benefit as a result of this development, if granted planning permission, which would see a significant reduction in carbon emissions from the site.

BACKGROUND INFORMATION

Site location and description

5. The application site contains the Dulwich College Sports Club and adjoining fields. The sports club is housed within three distinct but connected buildings ranging from one to two storeys and mostly constructed in brick.
6. The site is on the south side of Dulwich Common, at the junction with College Road. The sports court associated with the sports club is to the north of the site and Mill Pond is to the north west. There are two clusters of residential properties

in the vicinity at 1-5 Hambledon Place to the north east and 1-10 Pond Cottages to the south west with 1-6 and 9-10 Pond Cottages being Grade II listed.

Image: Aerial photograph of site



Details of proposal

7. The proposal includes the construction of a pre-fabricated energy centre to house five ground source heat pumps and the installation of 42 boreholes with associated underground pipework.
8. The pre-fabricated energy centre would be clad in vertical cedar boarding with a slate grey GRP (glass reinforced plastic) roof. The energy centre would be located at the south elevation of the sports club next to the existing footpath with a 1-1.5m distance between the two buildings. The ground under the energy centre and to the west is proposed to be reduced in height by 1m so as to be level with the adjacent footpath and paved in tarmac to facilitate access into the building. The proposed energy centre will measure 2.8m in height, 5m in depth and 12m in width.
9. The five ground source heat pumps, all proposed to be Stiebel Eltron 435kW, would replace the existing gas fired boilers and would serve the existing heating and hot water circuits in the sports club.
10. The 42 boreholes are proposed to be installed throughout an area of 0.54 hectare on the field to the south of the sports club building. The boreholes will be 140mm in diameter and 190m deep.

Image – Proposed plans and elevation 376:2

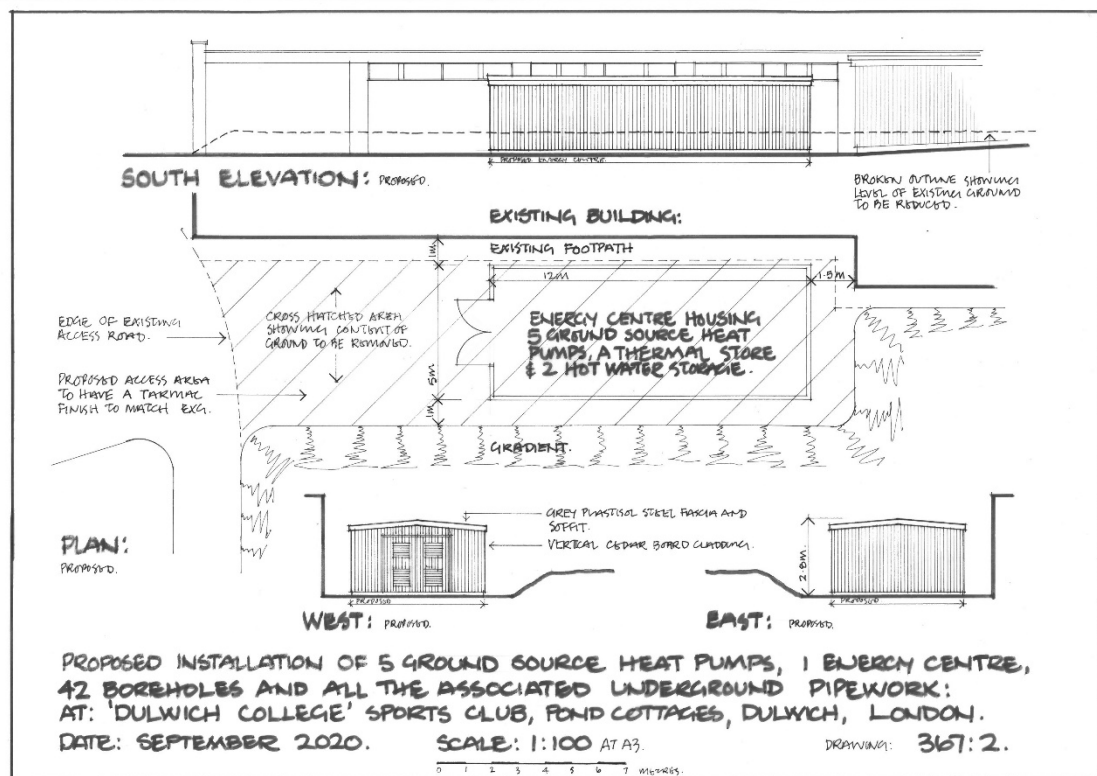
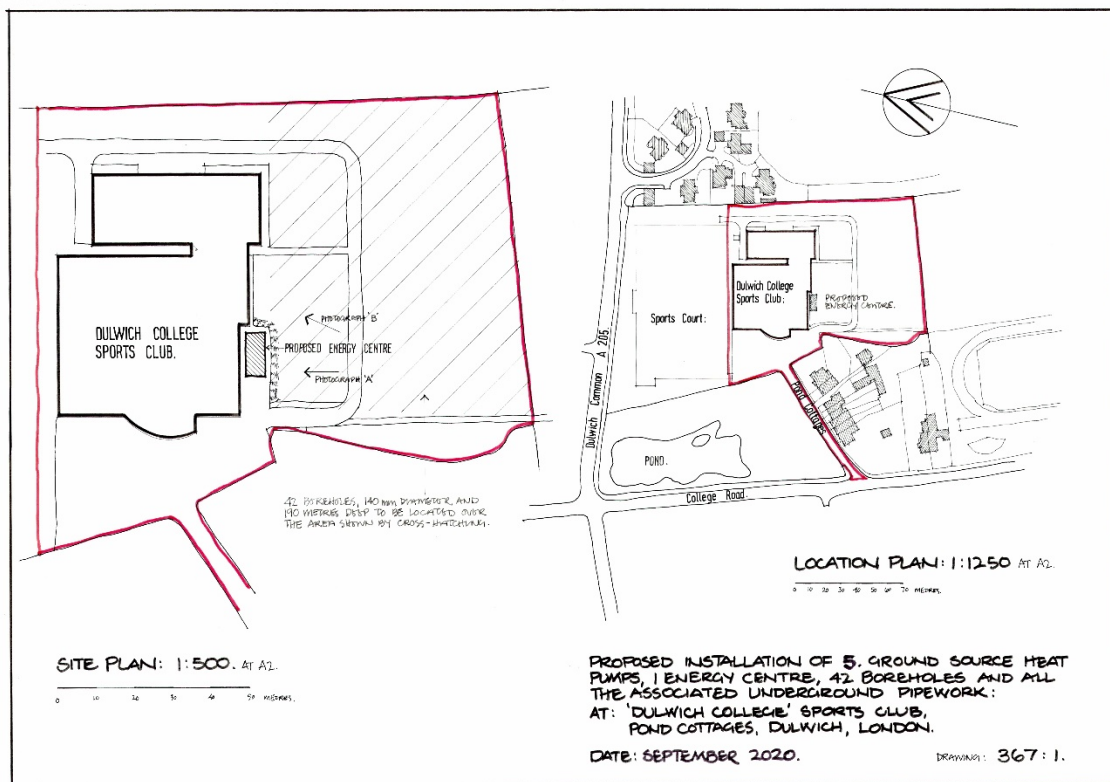


Image – Site and location plans 376:1



Consultation responses from members of the public and local

groups

11. A neutral consultation response was received asking for confirmation that the noise generated from the heat pumps will not cause an adverse impact on neighbouring residential properties. Noise would not cause harm to local residents and this issue is discussed more fully below.
12. An objection was received concerned with the potential for ground subsidence resulting from the installation of the boreholes. The boreholes are very unlikely to cause any ground issues because of their small diameter and the fact they would be interspersed across a wide area.

Planning history of the site, and adjoining or nearby sites.

13. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 1

KEY ISSUES FOR CONSIDERATION

Summary of main issues

14. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use
 - Design considerations including the impact on the conservation area
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
 - Energy and sustainability, including carbon emission reduction
15. These matters are discussed in detail in the assessment section of this report.

Legal context

16. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
17. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall

assessment at the end of the report.

Planning policy

18. The statutory development plans for the borough comprise the London Plan 2016, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The National Planning Policy Framework (2019) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 1. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.
19. The site is located within the:
 - Dulwich College Sports Ground Metropolitan Open Land
 - Dulwich Village Conservation Area
 - Suburban Density Zone South

ASSESSMENT

Principle of the proposed development in terms of land use

20. The application site is located within Metropolitan Open Land. The 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).
21. 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'.
22. 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'.
23. The New London Plan Policy G3 is more concise in stating that 'Development proposals that would harm MOL should be refused'.
24. 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. Further, 'Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the

openness of MOL' is also considered 'appropriate development' within this policy.

25. The draft new Southwark Plan Policy P56 includes the same exception for appropriate development, though the word 'dwelling' has been replaced with 'building'.
26. The energy centre would be positioned next to the south west elevation of the existing sports club building, with very limited if any impact on the openness of the MOL.
27. The structure would be comparatively small in scale, sitting below the height and within the width of the existing sports club building. The proportions therefore do not result in a disproportionate addition to the MOL.
28. The proposed energy centre would also be partially obscured from view as the ground level is being reduced in height by 1m to be level with the adjacent footpath to facilitate access to the building. Although 2.8m in height, only 1.8m will be visible above the ground level when viewed from the surrounding MOL.

Image – Proposed location of the energy centre



29. A minimum depth of 450mm of topsoil is to be removed prior to the start of work on the boreholes. The topsoil would be stock piled on site with the land being reinstated to its original condition once the works complete. The installation of the boreholes would have no impact on the openness of the MOL.
30. The flow and return pipework between the heat pumps and boreholes would be below ground with a minimum cover of 900mm. As such, there would be no impact on the openness of the MOL.

Image – Proposed location of the boreholes



31. In light of the above, the proposed works are not compliant with the referenced policies as the scheme involves the construction of a new building on MOL as opposed to the extension or alteration of an existing, and its purpose is not an ancillary facility to any land use which preserves the openness of MOL.
32. However, the development would significantly reduce the carbon emissions from the sports club complex which is a considerable public benefit given the climate emergency we're in.
33. The proposals are further considered to be modest in scale and not a disproportionate addition.
34. Further, because the energy centre would be situated next to an existing building, it would preserve the openness of the MOL.

Design

35. As set out above, the scale of the proposed energy centre would be modest and proportionate to the existing building on site.
36. The structure would be clad in vertical cedar boarding with a slate grey GRP roof to match the existing sports club building.
37. The materials are suitable for use within a conservation area as they do not introduce design details or features that are out of character.
38. As such, the works would to conserve the appearance and setting of the Dulwich Village Conservation Area and is acceptable in terms of its quality of design.

39. A condition is recommended stating that the materials for the energy centre should be as specified within the application and on the approved drawings to ensure that the new structure blends in with the existing building and conserves the wider conservation area.

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

40. The section of the field where the boreholes are proposed would be reinstated to its original condition once the works are complete. As such, the installation of the boreholes will not have any adverse impact on amenity experienced.
41. The ground source heat pumps will not be visible to the public as they will be housed within the proposed energy centre.
42. The ground source heat pumps are considered to be a sufficient distance from adjoining occupiers and are unlikely to cause any adverse impacts due to excessive noise levels. This is because it is over 45m from the nearest dwelling and being housed in a building, sound insulation can readily be installed to make sure no impact would take place; a condition on noise is recommended to secure this.
43. The proposed energy centre is located within the middle of the application site and although it could be visible at points from the residential properties at Pond Cottages, is considered a low impact addition and is unlikely to cause any adverse impact to amenity.
44. As such, it is considered that the proposed works are unlikely to cause a negative impact on the amenity of adjoining occupiers and are therefore acceptable in this matter.

Energy and sustainability

Carbon emission reduction

45. The proposals will greatly reduce the carbon footprint of the Dulwich College Sports Centre complex. There would also be a benefit for air quality, as the gas boilers would be replaced.

Consultation responses from external and statutory consultees

46. The Environment Agency was consulted however they declined to provide a response.

Consultation responses from internal consultees

Ecologist

47. No ecological concerns raised.

Environmental Protection Team

48. Support the application as it is removing the use of gas fired boilers.
49. They recommended an acoustic report is submitted before any planning permission is granted to ensure the heat pumps do not increase the background noise levels. Considering the distance from the nearest dwelling (45m) and the fact that the plant would be in a structure, officers are confident that sound insulation if needed can be accommodated. A condition is recommended to this end.
50. EPT also recommended a Phase 1 land contamination assessment be submitted before any planning permission is granted. The site has not been developed so the risk of contamination is very low and would be covered by the health and safety regulations.

Community impact and equalities assessment

51. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
52. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
53. 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:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. 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
 3. 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.

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

Human rights implications

55. 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.
56. This application has the legitimate aim of improving energy efficiency. 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.

Positive and proactive statement

57. 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.
58. 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.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	NO
If the pre-application service was used for this application, was the advice given followed?	N/A
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	N/A
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

59. The proposal is not appropriate development on MOL. The only above ground structure - the energy centre - would not affect the openness of the MOL because of its location. There would be an environmental benefit as a result of this development, if granted planning permission, which would see a significant reduction in carbon emissions from the site.
60. It is therefore recommended that planning permission be granted, subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2082-A Application file: 20/AP/3454 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Relevant planning policy
Appendix 2	Planning history of the site and nearby sites
Appendix 3	Consultation undertaken
Appendix 4	Consultation responses received.
Appendix 5	Recommendation (draft decision notice)

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Gemma Williams, Graduate Planner		
Version	Final		
Dated	3 February 2021		
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		12 February 2021

APPENDIX 1

Planning Policies

Adopted planning policy

National Planning Policy Framework (NPPF)

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.

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 8 Promoting healthy and safe communities
Chapter 12 Achieving well-designed places
Chapter 15 Conserving and enhancing the natural environment

London Plan 2016

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

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.17 Metropolitan open land
Policy 7.18 Protecting open space and addressing deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodland.

Core Strategy 2011

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
Strategic Policy 13 High environmental standards.

Southwark Plan 2007 (saved policies)

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

Policy 3.25 Metropolitan open land (MOL)

Policy 3.28 Biodiversity.

Draft New London Plan

The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018 and an Examination in Public (EIP) began on 15 January 2019 and closed in May 2019

The Inspector's report and Panel recommendations were issued to the Mayor of London in October 2019. The Mayor then issued his intentions to publish the London Plan along with a statement of reasons for not including all of the Inspector's recommendations to the Secretary of State. The Secretary of State will respond to the Mayor, due before 17 February 2020. Until the London Plan reaches formal adoption it can only be attributed limited weight

New Southwark Plan

For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019.

The New Southwark Plan Submission Version – Proposed Modifications for Examination was submitted to the Secretary of State in January 2020 for Local Plan Examination. It is anticipated that the plan will be adopted in late 2020 following an Examination in Public (EIP). 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.

APPENDIX 2**Relevant planning history**

No relevant planning history

APPENDIX 3

Consultation undertaken

Site notice date: n/a.

Press notice date: 03/12/2020

Case officer site visit date: n/a

Neighbour consultation letters sent: 03/12/2020

Internal services consulted

Environmental Protection
Ecology

Statutory and non-statutory organisations

Environment Agency

Neighbour and local groups consulted:

4 Pond Cottages College Road London	51 College Road London Southwark
6 Hambledon Place London Southwark	4 Hambledon Place London Southwark
5 Pond Cottages College Road London	3 Hambledon Place London Southwark
1 Pond Cottages College Road London	22 Hambledon Place London Southwark
10 Pond Cottages College Road London	1 Hambledon Place London Southwark
7 Pond Cottages College Road London	9 Pond Cottages College Road London
53 College Road London Southwark	8 Pond Cottages College Road London
5 Hambledon Place London Southwark	6 Pond Cottages College Road London
23 Hambledon Place London Southwark	3 Pond Cottages College Road London
2 Hambledon Place London Southwark	

Re-consultation:

APPENDIX 4**Consultation responses received****Internal services**

Environmental Protection
Ecology

Statutory and non-statutory organisations

Environment Agency

Neighbour and local groups consulted:

2, Hambledon Place Dulwich London	London
3 Hambledon Place London Greater	

APPENDIX 5**Recommendation**

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr Simon Yiend Dulwich College	Reg. Number	20/AP/3454
Application Type	Minor application		
Recommendation	GRANT permission	Case Number	2082-A

Draft of Decision Notice

planning permission is GRANTED for the following development:

Installation of 5 Ground Source Heat Pumps, 1 Energy Centre, 42 Boreholes and all associated underground pipework

Dulwich College Sports Club Pond Cottages London Southwark

In accordance with application received on 23 November 2020 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

Plans - Proposed 376:2 - PROPOSED PLANS AND ELEVATIONS received 30/11/2020

Plans - Proposed 376:1 received 25/11/2020

Other Documents

Design and access statement DESIGN AND ACCESS STATEMENT received 25/11/2020

Time limit for implementing this permission and the approved plans

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.

Permission is subject to the following Compliance Condition(s)

3. 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.

4. The Rated sound level from the ground source heat pump, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the plant Specific sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific sound levels shall be calculated in full accordance with the methodology of BS4142:2014 as amended.

Reason:

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

Informatives

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**PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN)
MUNICIPAL YEAR 2020-21**

NOTE: Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: Email Beverley.olamijulo@southwark.gov.uk

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Councillor Maria Linforth-Hall (Vice-chair)	1		
Councillor Karl Eastham	1	Communications	By email
Councillor Sirajul Islam	1	Louise Neilan, media manager	By email
Councillor Victoria Mills	1		
Councillor David Noakes			6
		Total:	
(Electronic version only)			
Councillor Martin Seaton		Dated: 16 February 2021	
(Reserves to receive electronic versions only)			
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Councillor Jack Buck			
Councillor Tom Flynn			
Councillor Damian O'Brien			
Councillor Sandra Rhule			
Officers			
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	By email		
Philippa Brown / Affie Demetriou			
	By email		
Alex Gillott /Jon Gorst, Legal Services, Hub 2 (Second Floor), Tooley Street			
	By email		