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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mrs E Lee	<b>Reg. Number</b>	12/AP/0294
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2614-U
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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

Change of use of ground floor from residential (Class C3) to a nursery/creche (Class D1)

**At:** THE ELMS, FOREST HILL ROAD, LONDON, SE22 0SH

**In accordance with application received on** 06/02/2012 08:00:36

**and Applicant's Drawing Nos.** Site plan, Ground Floor plan, Travel Plan, Design and Access Statement

**Reasons for granting permission.**

This planning application was considered with regard to various policies including, but not exclusively:

a] Saved policies of the Southwark Plan [July 2007]:

Policy 2.2 (Provision of new community facilities) states that permission will be granted for new community facilities provided that provision is made for use by all members of the community, subject to assessment of impacts on amenity and in relation to transport impacts.

Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.15 (Conservation of the Historic Environment) requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance.

Policy 3.17 (Listed buildings) Development proposals involving a listed building should preserve the building and its features of special architectural or historic interest.

Policy 3.25 (Metropolitan open land) There is a general presumption against inappropriate development on metropolitan open land.

b] Strategic Policies of the Core Strategy 2011:

Policy 1 (Sustainable development) allows for more intense development for a mix of uses to high standards to balance economic, social and environmental needs.

Policy 2 (Sustainable transport) seeks priority for walking and cycling, whilst maximising the use of public transport and minimising car use and requiring a transport assessment with applications to show that schemes minimise their impacts, minimise car parking and maximise cycle parking to provide as many sustainable transport options as possible.

Strategic Policy 4 Places for Learning, Enjoyment and Healthy Lifestyles seeks to ensure that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 10 Jobs and Businesses which seeks to protect business floorspace and supports the provision of additional floorspace in defined locations in the borough.

Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces.

Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

c] National Planning Policy Framework

Particular regard was had to the potential impacts on the amenity of adjoining occupiers and the functioning of the transportation network. However it is considered that the imposition of appropriate conditions would sufficiently mitigate any material impact. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

**Subject to the following condition:**

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

Reason

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

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

Ground Floor plan; Travel Plan; Design and Access Statement

Reason:

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

- 3 The use hereby permitted for nursery purposes shall not be carried on outside of the hours 07:30am to 18:30pm Monday to Friday, excluding bank holidays.

Reason:

To protect the amenities of the surrounding properties in accordance with saved policy 3.2 'Protection of Amenity' of The Southwark Plan (UDP) July 2007, strategic policy 13 'High Environmental Standards' of the Core Strategy 2011 and the National Planning Policy Framework 2012.

- 4 Occupancy for the nursery use hereby permitted shall be restricted to 30 children at any one time.

Reason:

To limit the impact on the surrounding road network in accordance with saved policy 5.2 'Transport Impacts' of The Southwark Plan July 2007 and Strategic Policy 2 'Sustainable Transport', Strategic Policy 13 'High Environmental Standards' of the Core Strategy 2011 and the National Planning Policy Framework 2012.

- 5 The Travel Plan submitted or as updated and agreed in writing with the Local Planning Authority, shall be implemented in full for the duration of the use hereby permitted. An updated travel plan shall be submitted to and approved by the local authority following the first user surveys (within 3 months of opening), and thereafter, surveys to be undertaken annually and results reported to the Travel Plan Officer at the London Borough of Southwark. This updated Travel Plan should include provisions for the use of the hard-standing area to the front of the dwelling for drop-off/collecting purposes for those parents that are driving to the site.

Reason

In order that the use of non-car based travel is encouraged and to limit the impact of the development on the surrounding road network in accordance with Saved Southwark Plan policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 car parking, Strategic Policy 2 'Sustainable transport' of the Core Strategy 2011 and the National Planning Policy Framework 2012.

- 6 Details of the facilities to be provided for the secure storage of 2 cycles shall be submitted to and approved in writing by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order that the use of non-car based travel is encouraged and to limit the impact of the development on the surrounding road network in accordance with Saved Southwark Plan policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 car parking, Strategic Policy 2 'Sustainable transport' of the Core Strategy 2011 and the National Planning Policy Framework 2012.

- 7 Notwithstanding the provisions of Use Class D1 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the use hereby permitted shall include use only as a children's day nursery.

**Reason**

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011, Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

**Informatives**

- 1 Please contact London Borough of Southwark's Travel Plan coordinator with regard to condition 5.
- 2 Internal and external alterations, including any works required to improve access, to this listed building are likely to require Listed Building Consent.

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