

Item No.	Classification:	Date:	Meeting Name:
7.2	Open	14 November 2012	Planning Sub-Committee A
Report title:	Development Management planning application: Application 12/AP/1630 for: Full Planning Permission Address: 44 WANLEY ROAD, LONDON, SE5 8AT Proposal: Demolition of disused public house and construction of a part two/part three/part four storey block of 20 flats comprising 6 x one bed, 10 x two beds, 4 x three beds, together with associated amenity space, 9 car parking bays and 26 cycle parking spaces, with vehicle access onto Wanley Road.		
Ward(s) or groups affected:	South Camberwell		
From:	Head of Development Management		
Application Start Date 21 May 2012		Application Expiry Date 10 October 2012	

RECOMMENDATIONS

- 1 Grant Planning Permission subject to the applicant first entering into an appropriate legal agreement on or before the 10 December 2012.
- 2 In the event that the legal agreement is not entered into by 10 December 2012, the Head of Development Management be authorised to refuse planning permission for the reasons set out in paragraphs 68 & 69 below.

BACKGROUND INFORMATION

Site location and description

- 3 The site is currently occupied by a two storey detached property, a former Public House building that is currently vacant and has been for some time. The building sits on the south western corner of a Housing Estate that is characterised by a mix of three and four storey medium size blocks with pitch roofs. To the west of the site are the backs of two storey semi-detached properties on Dylways. To the east and south east of the site are large expanses of open space with recreation facilities such as tennis courts. All of this area to the east and south east is designated as Metropolitan Open Land (OS128 - Greendale Playing Fields). Immediately to the south of the site is a single storey nursery building.
- 4 The application property is not listed neither is it in a conservation area. The site is in the urban density zone and is in an air quality management area. It is also adjacent to the Greendale Playing Fields MOL (OS 128). There are two trees within and six trees immediately outside the site boundary and one tree on the actual site boundary. All of these trees will be replaced as part of the proposed development.

Details of proposal

- 5 The proposal under consideration seeks redevelopment of the site through demolition of disused public house and construction of a part two/part three/part four storey block of 20 flats comprising 6 x one bed (including 1 wheelchair unit), 10 x two beds (including 1 wheelchair unit), 4 x three beds, together with associated amenity space, 9 car parking bays and 26 cycle parking spaces, with vehicle access onto Wanley Road.
- 6 The unit sizes are as follows;

Ground floor

flat 1 (2 bed) - 76 sq.m	flat 2 (1 bed) wheelchair unit - 64.2 sq.m
bed 1 - 13.2 sq.m	bed 1 - 16.5 sq.m
bed 2 - 12.3 sq.m	kitchen/liv/diner - 29.4 sq.m
kitchen/liv/diner - 27.9 sq.m	bath/wc - 6.8 sq.m
bath/wc - 4.4 sq.m	store - 1.5 sq.m
store - 2.5 sq.m	private garden - 32.4 sq.m
private garden - 39.4 sq.m	
flat 3 (3 bed) - 92.5 sq.m	flat 4 (2 bed) 75.6 sq.m
bed 1 - 15.4 sq.m	flat 5 (2 bed) wheelchair unit - 87.7 sq.m
bed 2 - 13.2 sq.m	bed 1 - 15.6 sq.m
bed 3 - 8.8 sq.m	bed 2 - 11.3 sq.m
kitchen/liv/diner - 30.6 sq.m	kitchen/liv/diner - 31.3 sq.m
bath - 4.4 sq.m	bath/wc - 6.8 sq.m
wc- 3.3 sq.m	store - 3.3 sq.m
store - 3.4 sq.m	
private garden 76.2 sq.m	
flat 5 (2 bed) wheelchair unit - 87.8 sq.m	
bed 1 - 15.6 sq.m	
bed 2 - 11.3 sq.m	
kitchen/liv/diner - 31.3 sq.m	
bath/wc - 6.8 sq.m	
store - 3.3 sq.m	
private garden - 22.2 sq.m	

First Floor

flat 6 (2 bed) - 76 sq.m	flat 7 (1 bed) - 50.8 sq.m
bed 1 - 14.2 sq.m	bed 1 - 12 sq.m
bed 2 - 14.1 sq.m	kitchen/liv/diner - 24.1 sq.m
kitchen/liv/diner - 30.1 sq.m	bath/wc - 4.4 sq.m
bath/wc - 4.4 sq.m	store - 1.9 sq.m
store - 2.8 sq.m	balcony - 5 sq.m
balcony 11.5 sq.m	
flat 8 (1 bed) - 50.8 sq.m	flat 9 (3 bed) - 89.1 sq.m
bed 1 - 12 sq.m	bed 1 - 13.4 sq.m
kitchen/liv/diner - 24.1 sq.m	bed 2 - 13.3 sq.m
bath/wc - 4.4 sq.m	bed 3 - 8 sq.m
store - 1.9 sq.m	kitchen/liv/diner - 30.1 sq.m
balcony - 5 sq.m	bath - 4.4 sqm / wc - 3.3 sq,m
	store - 3.0 sq.m
	balcony - 10.2 sq.m

flat 10 (2 bed) - 75.6 sq.m
bed 1 - 14.3 sq.m
bed 2 - 13.1 sq.m
kitchen/liv/diner - 27.2 sq.m
bath/wc - 4.4 sq.m
store - 3.2 sq.m
balcony - 7.4 sq.m

flat 11 (2 bed) - 74 sq.m
bed 1 - 13.5 sq.m
bed 2 - 12.8 sq.m
kitchen/liv/diner - 27.1 sq.m
bath/wc - 4.4 sq.m
store - 3.1 sq.m
balcony 8.4 sq.m

Second Floor

flat 12 (1 bed) - 58.2 sq.m
bed 1 - 14.1 sq.m
kitchen/liv/diner - 28.5 sq.m
bath/wc - 4.4 sq.m
store - 1.9 sq.m
balcony 5 sq.m

flat 13 (1 bed) - 50.8 sq.m
bed 1 - 12 sq.m
kitchen/liv/diner - 24 sq.m
bath/wc - 4.4 sq.m
store - 1.9 sq.m
balcony - 5 sq.m

flat 14 (3 bed) - 89.1 sq.m
bed 1 - 13.4 sq.m
bed 2 - 13.3 sq.m
bed 3 - 8 sq.m
kitchen/liv/diner - 30 sq.m
bath - 4.4 sq.m
w/c - 3.3
store - 1.3 sq.m
balcony - 10.2 sq.m

flat 15 (2 bed) - 75.6 sq.m
bed 1 - 14.3 sq.m
bed 2 - 13.1 sq.m
kitchen/liv/diner - 27.2 sq.m
bath/wc - 4.4 sq.m
store - 3.2 sq.m
balcony - 7.4 sq.m

flat 16 (2 bed) - 74 sq.m
bed 1 - 13.5 sq.m
bed 2 - 12.8 sq.m
kitchen/liv/diner - 27.1 sq.m
bath/wc - 4.4 sq.m
store - 3.1 - sq.m
balcony 8.4 sq.m

Third Floor

flat 17 (1 bed) - 50.8 sq.m
bed 1 - 12 sq.m
kitchen/liv/diner - 24.1 sq.m
bath/wc - 4.4 sq.m
store - 1.9 sq.m
balcony 5 sq.m

flat 18 (3 bed) - 89 sq.m
bed 1 - 13.4 sq.m
bed 2 - 13.3 sq.m
bed 3 - 8 sq.m
kitchen/liv/diner - 30.1 sq.m
bath - 4.4 sq.m / wc - 3.3 sq.m
store - 3.0 sq.m
balcony - 10.2 sq.m

flat 19 (2 bed) - 75.6 sq.m
bed 1 - 14.3 sq.m
bed 2 - 13.1 sq.m
kitchen/liv/diner - 27.2 sq.m
bath/wc - 4.4 sq.m
store - 3.2 sq.m
balcony 7.4 sq.m

flat 20 (2 bed) - 74 sq.m
bed 1 - 13.5 sq.m
bed 2 - 12.8 sq.m
kitchen/liv/diner - 27.1 sq.m
bath/wc - 4.4 sq.m
store - 3.1 sq.m
balcony 8.4 sq.m

- 7 The proposed scheme also includes a communal roof terrace of 63.3 sq.m
- 8 All the units have been designed with a minimum floor to ceiling height of 2.5 metres and majority of the units are dual aspect designed. The one bed units with single aspect design are west facing.

- 9 All the units have been designed with private amenity space in the form of gardens on the ground floor and balconies on the upper floors.
- 10 10% of the proposed development are wheel chair accessible and all the units will be designed to meet Lifetime Homes standards.
- 11 25% of the units proposed are affordable housing and all would be provided on shared ownership basis. These units are located on the ground floor of the development. In addition a payment of £41,893 will be made in lieu of affordable housing given the shortfall in provision.
- 12 The development makes no provision for affordable housing on a social rented basis as the applicant could not secure an agreement with a Registered Social Landlord (RSL) to take the required units on that basis because of management issues given the relatively minor nature of the development.
- 13 The proposed development makes provision for nine off street car parking spaces of which two are disabled bays, located to the rear of the development with vehicular access off Wanley Road. In addition, all the ground floor units are provided with private cycle storage located adjacent to the gardens and a total of 18 cycle spaces for the upper floor units that are located adjacent to the car parking area to the rear and a further 2 spaces for visitors located by the front communal entrance area.
- 14 The main pedestrian access into the development is clearly defined with the dark brickwork element off Greendale.
- 15 Adequate refuse/recycling storage provision that comprise three x 1100 euro bins for refuse and two x 1100L euro bins for recycling is made and will be located on the ground floor to the front of the development and will be accessed off Greendale.
- 16 The palette of materials proposed include a combination brickwork and cladding and window glazing, with brickwork being the predominant material that comprises of light rustic multi with dark multi tone bricks.

Planning history

- 17 No planning history of relevance

Planning history of adjoining sites

- 18 No planning history of relevance

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 19 The main issues to be considered in respect of this application are:
 - a) acceptability of the proposed scheme in so far as the principle is concerned
 - b) acceptability of the proposed density
 - c) the design of the scheme and its relationship to the surrounding context
 - d) acceptability of the proposed level and tenure split of affordable housing

- e) impact on the amenity of adjoining and nearby occupiers
- f) quality of residential accommodation
- g) impact on the local transport network and the impact of the development on air quality.
- h) planning obligations
- i) sustainability

Planning policy

Core Strategy 2011

- 20 Strategic Policy 1 - Sustainable Development
- Strategic Policy 2 - Sustainable Transport
- Strategic Policy 6 - Homes for People on Different Incomes
- Strategic Policy 7 - Family Homes
- Strategic Policy 5 - Providing New Homes
- Strategic Policy 12 - Design and Conservation
- Strategic Policy 13 - High environmental standards
- Strategic Policy 14 - Implementation and Delivery

Southwark Plan 2007 (July) - saved policies

- 21 Policy 1.10 - Small Scale Shops and Services Outside the Town and Local Centres and Protected Shopping Frontages
- Policy 2.5 – Planning Obligations.
- Policy 3.2 – Protection of Amenity
- Policy 3.3 - Sustainable Assessment
- Policy 3.4 – Energy Efficiency
- Policy 3.6 - Air Quality
- Policy 3.7 – Waste Reduction
- Policy 3.9 – Water
- Policy 3.11 – Efficient Use of Land
- Policy 3.12 – Quality in Design
- Policy 3.13 – Urban Design
- Policy 3.14 – Designing Out Crime
- Policy 3.28 - Biodiversity
- Policy 4.1 – Density of Residential Development
- Policy 4.2 – Quality of Residential Accommodation
- Policy 4.3 - Mix of Dwellings
- Policy 4.4 - Affordable Housing
- Policy 4.5 - Wheelchair Affordable Housing
- Policy 5.1 – Locating Developments
- Policy 5.2 – Transport Impacts
- Policy 5.3 - Walking and Cycling
- Policy 5.6 - Car Parking

- SPD - Residential Design Standards (2011)
- SPD - Draft Affordable Housing 2011
- SPD - S106
- SPD - Sustainable Transport

London Plan 2011

- 22 Policy 3.3 – Increasing Housing Supply

Policy 3.4 – Optimising Housing Potential
 Policy 3.5 – Quality and Design of Housing Developments
 Policy 3.11 – Affordable Housing Targets
 Policy 3.12 – Negotiating Affordable Housing on Private Residential and Mixed Use Schemes
 Policy 3.13 – Affordable Housing Thresholds
 Policy 5.2 – Minimising Carbon Dioxide Emissions
 Policy 5.3 – Sustainable Design and Construction
 Policy 5.7 – Renewable Energy
 Policy 5.8 – Innovative Energy Technologies
 Policy 5.11 – Green Roofs and Development Site Environs
 Policy 5.13 – Sustainable Drainage
 Policy 5.15 – Water Use and Supplies
 Policy 6.9 – Cycling
 Policy 6.10 – Walking
 Policy 6.13 – Parking
 Policy 7.1 – Building London’s Neighbourhoods and Communities
 Policy 7.2 – An Inclusive Environment
 Policy 7.3 – Designing Out Crime
 Policy 7.5 – Public Realm
 Policy 7.6 - Architecture
 Policy 8.2 Planning obligations

National Planning Policy Framework (NPPF)

23 The NPPF came into effect on 27 March 2012 and is a material planning consideration. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government’s commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development. In particular the following parts are relevant:

- 1) Building a strong competitive economy
- 4) Promoting sustainable transport
- 6) Delivering a wide choice of high quality homes
- 7) Requiring good design.

Principle of development

24 In terms of the loss of the former public house (Use Class A4), saved policy 1.10 ‘Small scale shops and services outside the town and local centres and protected shopping frontages’ of the Southwark Plan should be applied.

25 The policy states that ‘Outside town centres, local centres and protected shopping frontages, development will only be permitted for a proposal for a change of use between A use classes or from A use classes to other uses, when the applicant can demonstrate that;

- i. The proposed use would not materially harm the amenities of surrounding occupiers; and
- ii. The use that will be lost is not the only one of its kind within 600m radius and its loss would not harm the vitality or viability of nearby shops or shopping parades; or
- iii. The premises have been vacant for a period of at least 12 months with demonstrated sufficient effort to let, or have not made a profit over a two year

period.

- 26 In terms of criteria i, given the nature of the proposed development, it is considered that there would be no harm caused to the amenities of the surrounding area as the residential development is appropriate and compatible with that of the surrounding area which is predominantly residential. The proposed development therefore satisfies criteria i of saved policy 1.10.
- 27 In so far as criteria ii is concerned, the existing public house use that would be lost as a result of the proposed development is not the only one of its kind within a 600m radius as there is another large Public House on Champion Hill. The application proposal therefore satisfies criteria ii of Saved Policy 1.10.
- 28 With regards to criteria iii, the site has been vacant for a period in excess of 12 months and have been marketed and eventually sold by the Council although no marketing report was submitted with the application. Whilst it is acknowledged that the property has been vacant and marketed, in the absence of any marketing report or evidence to demonstrate that the previous use had not made a profit for two years, the marketing test fails and therefore the proposal does not satisfy criteria iii of saved policy 1.10.
- 29 The policy test requires the proposed development accords with either criteria ii of saved policy 1.10, which requires that a similar facility to that being lost as a result of the proposed development is within 600m radius of the site or criteria iii which stipulates that the premises should have been vacant for twelve months with evidence of marketing.
- 30 Although there was no marketing report submitted with the application to satisfy criteria iii of saved policy 1.10, the proposal satisfies criteria ii of the same policy in that there is a similar type of facility within a 600m radius and as such the principle of redevelopment of the site for residential purposes is acceptable.

Environmental impact assessment

- 31 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project. Having reference to the Column 2 criteria, the site area does not exceed the initial threshold of 0.5ha. In addition it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

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

- 32 It is unlikely that the proposed development would cause harm to the amenities of nearby residents in so far as overlooking, loss of privacy or light infringement is concerned. The greatest impact from this development are likely to be on the rear of the nearest properties to the west in Dylways, which are only two storeys in height.
- 33 Notwithstanding the height of the proposed building in relation to the two storey houses, a reasonable separating distance of approximately 26m at the nearest point has been achieved. In addition, it is also noted that there are existing trees and vegetation on the rear boundaries of the Dylways properties (along the Greendale

footpath) which should help to mitigate overlooking to some extent.

- 34 To the east of the site is a three storey block of flats with west facing windows and the separating distance achieved between the proposed block and the west facing windows of the existing block is approximately 12m. However, these windows are secondary windows with the main windows serving the likely affected rooms face away from the development onto Wanley Road.
- 35 The development is supported by a sunlight/daylight report which confirms that as the affected rooms in the block of flats immediately to the east of the site have the benefit of main windows that face away from the development, the proposed building is unlikely to affect the amount of sunlight/daylight into these rooms. The proposed development therefore satisfies the BRE daylight requirements.
- 36 In so far as outlook is concerned for occupiers from the west facing windows in the existing block of flats that will face onto the proposed development, it is unlikely that their outlook will be severely compromised as the affected windows are secondary windows with the main windows facing away from the development.
- 37 The sunlight/daylight report also highlight the fact that the proposed development will not create any new areas which receive less than two hours sunlight on 21st March. It also mentions that the before/after ratios are 1 (no loss) and the proposed development therefore passes the BRE overshadowing to gardens and open spaces test. The proposed development as such will have a low impact on the light receivable by neighbouring properties..
- 38 In so far as overlooking is concerned, the east facing windows to the residential units on the ground to third floors with a separating distance of only 12m from the windows of the existing residential block on Wanley Road, have all been designed with obscure glazing. As these windows are secondary windows with the main windows facing north and south that open up to a private balcony, the obscure glazed design is acceptable as it will not affect the outlook from these rooms whilst at the same time allow more natural light in. This arrangement would ensure that there are no overlooking or loss of privacy issues for the residents of the adjoining block to the east of the development.
- 39 In order to reduce the impact on the children's nursery to the south of the site, the proposed development is stepped back on the second and third floors away from the building. The stepped back approach would ensure that the outlook currently enjoyed by the nursery is not severely compromised.

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

- 40 The character of the area is predominantly residential with MOL adjacent to the site and a children's day nursery that abuts the site to the south. As such the proposal is not considered to be more sensitive to these uses than other surrounding residential dwelling houses and flats and as such the proposed residential development will not suffer any loss of amenity from noise or general disturbance, notwithstanding the children's day nursery which is also considered to be compatible to residential having regard to land use.

Traffic issues

- 41 This proposal is located in an area with a high TfL PTAL rating (2) reflecting the area's relatively poor level of access to all forms of public transport. Developments in areas with this PTAL rating, which are not covered by Controlled Parking Zone,

are required to provide on site parking in order to minimise overspill parking on the road network. The proposed development provides for nine off street car parking spaces, which equates to a ratio of approximately 1 space per 2 dwellings, including two disabled parking bays serving the three wheelchair flats.

- 42 Although the level of off street car parking falls short of the Council's minimum standards by one parking space, it is nevertheless considered on balance to be acceptable as it would be unlikely to be such harm arising in relation to parking demand from a shortfall of one space as to justify refusal for this reason.

Refuse and Recycling Storage

- 43 The applicant shows the store centrally located and with close access to the carriageway.
- 44 Through the application of the standards set in the Council produced document entitled *Waste Management guidance notes for residential developments*, this development is shown to have a requirement for refuse capacity of 2,445 litres and a recycling capacity for 1,630 litres. The proposed development would meet this requirement as stated in the accompanying Design and Access statement.

Service Parking and Access

- 45 Servicing and refuse collection will be undertaken from Greendale. Due to site constraints no off street servicing facilities can be provided. This is considered on balance to be acceptable.

Cycle Storage

- 46 Table 6.3 of the Mayor's London Plan 2011 states that for residential units there is a requirement for a minimum of 1 space per 1 or 2 bed unit; and a minimum of 2 spaces for each 3+ bed unit. In accordance with Table 15.4 of the Southwark Plan there is a requirement to provide visitor cycle parking at 1 space per 10 units.
- 47 The proposed development makes adequate cycle storage provision. All the ground floor units are provided with cycle storage adjacent to the private amenity areas. A total of 18 secure cycle parking is provided for 15 units on the upper floors of this development
- 48 The development makes adequate provision for cycle storage majority of which are located adjacent to the car parking areas. All the ground floor units have been provided with individual cycle storage space.

Design issues

- 49 Policy 7.4 of the London Plan states that developments should maximise the potential of sites and provide developments that are attractive to look at and respect the context and character of the locality. Saved Policy 3.12 of the Southwark Plan seeks to ensure that a high standard of architecture and design are achieved in order to enhance the quality of the built environment in order to create attractive, high amenity environments. More specifically, Saved Policy 3.13 requires that the principles of good design are taken into account in all developments in terms of height, scale, massing, layout, streetscape and landscaping and inclusive design. Development proposals should be designed with regard to their local context, making a positive contribution to the character of the area's townscape and providing active frontages.
- 50 Core Strategy SP12 - Design and conservation also seeks to ensure that developments will achieve the highest possible standards of design for buildings and

public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.

- 51 Officers consider that the proposed development has been carefully considered to reflect and compliment the surrounds. The scheme is designed to create a balanced transition between the three storey building at 15-26 Wanley Road and the detached one and a half storey nursery building to the south of the site.
- 52 The massing of the building has been designed to respond to the topography of the site which slopes from the north corner of the site to the junction of Wanley Road and Green Dale.
- 53 The proposed building has a four storey corner element that steps down to three storeys and then to two storeys along Green Dale. This creates a stepped facade whose form echoes that of a terrace of houses.
- 54 The proposed building comprises three distinct forms, a four storey corner element that addresses both Wanley Road and Green Dale, a two storey element that relates to the nursery building to the south with a three storey segment that connects the two. The volumes are linked by the brick skin, articulated by full height windows arranged in a vertical rhythm.
- 55 The four storey element of the building is broken down into vertical elements with varying widths and these elements also vary in plane creating recesses and projections that are emphasised with dark brickwork elements, inset terraces and framed corner balconies.
- 56 The vertical rhythm of the window openings are deep set to reveal a full brick depth expressing the three dimensional nature of the material and reflecting the stacked internal layouts of the units.
- 57 The layout of the development on the site has been designed to maximise the potential of the site and ensure the proposal sits comfortably within the immediate surrounding context.
- 58 The proposed scheme is designed to ensure that all habitable rooms within the new development achieves a distance of 21m away from facing habitable rooms in the existing residential buildings along Green Dale. In addition daylight and sunlight issues have been given due consideration which has resulted in the creation of the two and three storey elements to the scheme that connects to the geometry and street pattern of the existing two and three storey properties around the site.
- 59 The height, scale and massing is appropriate for the development. The bulk of the building is not significantly greater than the neighbouring buildings. It is effectively three and a half storeys as the ground floor is partially below ground level at the corner. A slightly greater presence on the frontage caused by the extra height is justified by the corner location.
- 60 The height facing south onto the MOL is not so great as to be detrimental to this landscape. It is set slightly back from it, the building steps down to two storeys where it is nearest to the green space and buildings of similar height overlook the MOL all along the south side of Wanley Road.
- 61 The overall design of the proposed development complies with development plan policies on design is therefore considered to be acceptable in relation to this matter.

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

- 62 None envisaged. The application site is not adjoined to or within close proximity of listed buildings neither is it in a conservation area or adjacent to one.

Impact on trees

- 63 The proposal will result in the loss of nine trees, 2 within, 6 immediately outside of the site boundary and 1 tree on the boundary.. Although these trees are considered to be of low amenity value they nevertheless perform an important function as screening to adjacent properties. The felling of the trees raise no fundamental policy issues as the affected trees are not subject to TPO neither is the site in a conservation area where trees in general are protected. However, in order to maintain the appearance and amenity of the area the applicants have agreed to provide a landscaping scheme with replacement trees, some planted on Council Housing land immediately adjacent. The replacement trees outside of the site would be funded by the applicants and the sum of £450 per tree has been agreed with the parks department and will be secured by a S106 agreement. This it is considered would add value to the development and the wider area as well as improve visual amenity.

Planning obligations (S.106 undertaking or agreement)

- 64 In accordance with saved policy 5.2 'Planning Obligations', the following contributions have been agreed in principle with the applicant to mitigate the impacts of this development and improve the local infrastructure for the benefit of existing and future occupiers nearby the site.

- 65 The contributions elements are outlined below.

Education - £20,173 (£11,156 per school place)

Employment during construction - £14,377 (Management fee £1,166) Total £ 15,543

Transport - Strategic Transport contribution - £9,792; Transport Site specific - £10,000, Total Transport Contribution £19,792

Public Open Space - £6,137 (children's play equipment £2,706, sports development £14,976) Total £23,819.

Public Realm - £15,000

Tree replacement - £2,700

Health - £21,878

Community Facilities - £3,171

Admin Costs - £2,388

Affordable housing

- 66 The level of affordable housing provision does not accord with Strategic Policy 6 of the Core Strategy and saved policy 4.4 of the Southwark Plan which requires a 35% provision. However, the applicants submitted a financial viability assessment to justify the shortfall in provision (to 25%) which has been assessed by the District Valuer and the Council's Property Department and is considered on balance to be acceptable in this instance.

- 67 25% of the units proposed are affordable housing based on habitable rooms and all would be provided on shared ownership basis. These units are located on the ground floor of the development. In addition a payment of £41,893 will be made in lieu of affordable housing given the shortfall in provision, although it is important to note that this PIL does not compensate for the full shortfall in affordable housing provision but is considered to be the maximum PIL that could be secured given the viability of the scheme. The S106 agreement will include a standard review clause to ensure that the development commences promptly or otherwise the viability will be reviewed at the point they do commence, to ensure that the applicant does not benefit from potentially more favourable market conditions were they to delay starting on the scheme.
- 68 The development makes no provision for affordable housing on a social rented basis. Parties acting for the applicant sought interest from a number of Registered Providers regarding the possibility that the affordable housing provision consisting of 3 social rented and 2 shared ownership units. The majority declined interest because, for them, managing such a small number of units of any tenure is not viable on the grounds of management costs. These management costs become heightened further where tenures are mixed within such a small number of affordable units. The housing section accepted their position for the lack of provision of social rented units in this case.

Total Contribution of **£124,464**

- 69 In accordance with the recommendation, should an acceptable Section 106 Agreement not be signed within the specified time (10 December 2012), the following reason for refusal would apply:
- 70 In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development in relation to impacts on infrastructure in particular on the public realm, public open space, education, the transport network, health facilities and employment and the proposal would therefore be contrary to Saved policy 2.5 Planning obligations of the Southwark Plan 2007 and Policy 8.2 Planning obligations of the London Plan 2011.

Sustainable development implications

- 71 The applicants submit in their Sustainability Report and Energy statement that the scheme would be designed to provide a sustainable and environmentally friendly building with a development that will feature the following;
- Improved u-values
 - Efficient heating and hot water systems
 - Efficient lighting system
 - Green/brown roof
 - Photovoltaic panels
- 72 With regards to energy consumption, the performance of the scheme will be based on the SAP2009 calculations. The current carbon factors used in SAP2009 (electricity = 0.591 kgCO₂/kWh and mains gas = 0.206kgCO₂/kWh) have been used to assess the CO₂ emissions resulting from the energy use.
- 73 The Sustainability report highlight the fact that the largest proportion of energy consumption comes from space and hot water heating, but as the proposed building is to be connected to mains gas supply and the space and hot water heating are to be gas fired, these areas do not form the largest sources of CO₂ emissions.

- 74 The report also highlight that water reduction technology will be used through the specification of lower flow rate taps and showers along dual flush toilets with regards to surface water the use of a biodiverse brown roof will help to both limit the run off from the development and help to improve the water quality of the resultant run-off and to enhance biodiversity.
- 75 It also highlight the fact that efforts will be made to ensure the environmental impact of materials used for the build will reduce through responsible sourcing and reduced wastage. Efforts will also be made to reduce construction waste generally and will concentrate on increase re-use and recycling in an effort to reduce volumes of going to landfill.
- 76 The report also states that adequate waste facilities will be provided for the storage and recycling of household waste and this in conjunction with the adoption of the local authority collection scheme for waste and recycling will encourage occupants to minimise waste going to landfill.
- 77 In so far as health and well being is concerned, the report highlight the fact that the apartments are designed and orientated in such a way as to provide natural sunlight and daylight and views to all habitable spaces thus adding to the positive internal environment.
- 78 The reports acknowledges the fact that as this is an urban location there is limited opportunity to improve the ecology of the site. However, it states that every effort will be made to protect any existing urban habitats and encourage new ones if practical.
- 79 The Sustainability report mention that efforts will be made to minimise the environmental impact of the finished development, the building process and the materials used on and removed from the site. It goes on to mention that through a planned strategy of fabric improvement, energy efficiency measures and use of low or zero carbon technologies the proposed building will achieve a much improved performance. The development will consume less energy and portable water while producing 25% lower levels of carbon emissions when compared to standard Building Regulations. The target of providing 20% of the buildings energy via renewable generation will be met by the use of an suitably sized photovoltaic array.

Other matters

CIL

- 80 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 81 As the application proposal involves the redevelopment of the site involving demolition of a building that has been vacant in excess of 6 months, the proposed development is therefore a 100% CIL liable. This involves the creation of 1777 sq.m of new residential floorspace. The payment required equates to 1777 x £35 for the residential floorspace which equates to a total sum of £62,195.00
- 82 Several pre-commencement conditions will need to be discharged before a CIL payment is expected. These include ecological management plan, code for sustainable homes, the submission of material samples, tree protection and landscaping plan.

Density

- 83 The proposal achieves a density of approximately 528 hrh which is within the Urban Density range of 200hrh - 700hrh. However due regard must be had for the urban grain of the area which is characterised by low to medium density housing, and although the density achieved can be considered to be at the upper end of the range, it nevertheless accords with the required density threshold.

Dwelling Mix

- 84 The proposed development achieves a good mix of dwelling ranging from one to three bed units and majority of the units have two beds or more.

Quality of Residential Accommodation

- 85 All the units proposed comply with the minimum room sizes stipulated in the SPD. Four of the flats (on first and second floor) have a living/kitchen area at 26sqm, which is only 1sqm below the minimum 27sqm. Notwithstanding this marginal shortfall, all the flats achieve a good standard of accommodation. The shortfall is not considered significant on balance and for that reason would be unreasonable to withhold consent.
- 86 All the units have adequate outlook with sufficient daylight and have a similar stacking arrangement throughout the development notwithstanding the set back of the building on the second and third floors along the southern boundary. All the ground floor units have private garden spaces and a communal amenity area is provided in addition to the individual balcony spaces to the flats on the upper floors.

Conclusion on planning issues

- 87 The proposal is considered acceptable overall. The loss of the public house (Class A4) is considered to be acceptable in principle as it meets the test stipulated in saved policy 1.10 'Small scale shops and services outside the town and local centres and protected shopping frontages' of the Southwark Plan 2007. The introduction of residential use within an area that is predominantly residential in character is considered to be appropriate. There would be no material loss of amenity to neighbouring occupiers and the development would provide for a good quality of accommodation.
- 88 The height, massing and detailed design of the proposal are also considered to be acceptable and would contribute positively to the townscape. The level of car parking provision is considered to be acceptable taking into account the site constraints. It is therefore recommended that consent be granted.

Community impact statement

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

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

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

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

92 There were 10 representations received in response to public consultation. Several letters stated they supported the principle of residential development but had concerns with this particular scheme, in particular concerns about height of the proposed building being excessive, impacts on amenities of nearby occupiers, and concerns about parking impacts. The objections are summarised further in appendix 2 of this report.

Human rights implications

93 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.

94 This application has the legitimate aim of providing a residential block of 20 flats. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2803-A Application file: 12/AP/1630 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5428 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Donald Hanciles, Senior Planning Officer	
Version	Final	
Dated	31 October 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	1 November 2012	

Consultation undertaken

Site notice date: 11 June 2012

Press notice date: 7 June 2012

Case officer site visit date: 11 June 2012

Neighbour consultation letters sent: 7 June 2012

Internal services consulted:

Transport Group
 Conservation and Design
 Urban Forester
 Environmental Protection Team
 Planning Policy
 Ecology Officer
 Head of Property
 Housing

Statutory and non-statutory organisations consulted:

Thames Water

Neighbours and local groups consulted

TP No	TP/2803-A	Site	44 WANLEY ROAD, LONDON, SE5 8AT
App. Type	Full Planning Permission		

Date Printed	Address
07/06/2012	30B CHAMPION HILL LONDON SE5 8AP
07/06/2012	30C CHAMPION HILL LONDON SE5 8AP
07/06/2012	28C CHAMPION HILL LONDON SE5 8AP
07/06/2012	30A CHAMPION HILL LONDON SE5 8AP
07/06/2012	30F CHAMPION HILL LONDON SE5 8AP
07/06/2012	30G CHAMPION HILL LONDON SE5 8AP
07/06/2012	30D CHAMPION HILL LONDON SE5 8AP
07/06/2012	30E CHAMPION HILL LONDON SE5 8AP
07/06/2012	24C CHAMPION HILL LONDON SE5 8AP
07/06/2012	26A CHAMPION HILL LONDON SE5 8AP
07/06/2012	24A CHAMPION HILL LONDON SE5 8AP
07/06/2012	24B CHAMPION HILL LONDON SE5 8AP
07/06/2012	28A CHAMPION HILL LONDON SE5 8AP
07/06/2012	28B CHAMPION HILL LONDON SE5 8AP
07/06/2012	26B CHAMPION HILL LONDON SE5 8AP
07/06/2012	26C CHAMPION HILL LONDON SE5 8AP
07/06/2012	20 BLANCHDOWNNE LONDON SE5 8HL
07/06/2012	22 BLANCHDOWNNE LONDON SE5 8HL
07/06/2012	32H CHAMPION HILL LONDON SE5 8AP
07/06/2012	18 BLANCHDOWNNE LONDON SE5 8HL
07/06/2012	28 BLANCHDOWNNE LONDON SE5 8HL
07/06/2012	1 DYLWAYS LONDON SE5 8HN
07/06/2012	24 BLANCHDOWNNE LONDON SE5 8HL
07/06/2012	26 BLANCHDOWNNE LONDON SE5 8HL
07/06/2012	32B CHAMPION HILL LONDON SE5 8AP
07/06/2012	32C CHAMPION HILL LONDON SE5 8AP
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Re-consultation:

Not required

Consultation responses received

Internal services

Transport Group - no objections

Environmental Protection Team - no objections subject to appropriate conditions

Conservation and Design - comments incorporated into body of report

Ecology Officer - no objections subject to appropriate conditions

Urban Forester - comments incorporated into body of report

Head of Property - no objections, confirms that the financial viability assessment justifies the shortfall in affordable housing provision.

Housing - no objections to the level and tenure of affordable housing provided

Statutory and non-statutory organisations

Thames Water - no objections on the basis that the developer makes proper provision for drainage to ground, water courses or a suitable sewer.

Neighbours and local groups

No stated address - concerned that the project is too large in a densely populated area, noise from nearby development for a considerable period now affecting quality of life and further development of the application site would further add to the problem. Also concerned about the shortfall in off street car parking which would lead to parking pressure in the area and the lack of open space would add to the pressure for the use of the limited open space that currently exists.

8 Dornett Close - no objections to the proposed development. Welcomes the redevelopment of the site would lead to the existing building which is an eyesore being removed and more housing being built. Also comment that the cycle parking provision is good but should be made secure.

No stated address - comment that 9 parking spaces will be insufficient for 20 flats and will result in added parking pressure on Wanley Road. Also wants to be informed as to how increased parking pressure and traffic will be managed should the implementation of the scheme coincide with the move of Dulwich Hamlet football club to Greendale and also wants to know if there are any plans to make a through road at the west end of Wanley Road to Dylways.

43 Dylways - Supports the redevelopment of the site for residential use, but comment that a four storey block is inappropriate and should be reduced to three storeys which would be more in keeping with the surrounding area.

12 Dowson Close - no objections to the redevelopment of the site for residential purposes but comment that the development is too large and a smaller building with more open space around it would be more appropriate. Also comment that the design and access statement is misleading in that it refers to three storey heights as four

storeys and this exaggeration of the height is being used to justify the height of the proposed building. Also comment that the number of flats for the site is over-ambitious and that the level of car parking is unrealistic and could lead to on street car parking problems.

Mother Goose Nurseries, 65 Greendale Fields - no objection in principle to the redevelopment of the site for residential purposes but comment that the proposal is an overdevelopment of the site and being close to MOL would remove the openness of the area. Also comment that the nursery play area is adjacent to the site and as a result would cause inconvenience during construction works .

59 Dylways - object on grounds of loss of privacy, loss of daylight, overshadowing to gardens, loss of view, overbearing visual impact and a development that is out of scale and character, unacceptably high density and over-development of the site.

No stated address - no objections to the redevelopment of the site for residential use but concerned about potential light infringement given the distance between the proposed development and existing kitchen window, significant reduction in daylight, traffic and parking problems and loss of trees. Welcomes the provision of cycle parking but unsure whether this provision would be made available to residents in the wider area.

1 Wanley Road - concerned about traffic and level of car parking provided within the development, the design of the building is not attractive and seems overbearing and the use of a two tone colour system of the bricks when compared to all the blocks in the immediate area that have a dull but not unattractive yellow brick design.

Camberwell Society - objects on grounds that the development is too large and will result in huge increase in local parking which is already under pressure. Also comment that the appearance and overbearing nature of the building could be improved with a softer roofline/varying heights to respond more effectively to the surrounding area.