

<b>Item No.</b>	<b>Classification:</b>	<b>Date:</b>	<b>Meeting Name:</b>
7.4	OPEN	12 February 2013	Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/2698 for: Full Planning Permission  <b>Address:</b> 160-162 RYE LANE, LONDON, SE15 4NB  <b>Proposal:</b> Demolition of existing building and erection of part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront.		
<b>Ward(s) or groups affected:</b>	The Lane		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 14/08/2012		<b>Application Expiry Date</b> 09/10/2012	

## RECOMMENDATION

- 1 Grant planning permission.

This application has been brought to Planning Sub-Committee due to the applicant being related to a councillor.

## BACKGROUND INFORMATION

### Site location and description

- 2 The application site is a pair of part two/ part three storey buildings on Rye Lane.
- 3 The site currently has retail on the ground floor and 3 residential units above. The site lies within the Rye Lane Conservation Area. There are no listed buildings within the vicinity of the site.
- 4 Designations of the Proposals Map (April 2011) are:  
 Major town centre  
 Air Quality Management Area  
 Urban Density Zone  
 Peckham Action Area Core  
 Protected Shopping Frontage

### Details of proposal

- 5 It is proposed to demolish the existing buildings on site and to construct a new 5 storeys over basement building with retail at basement and ground floor and residential above. The ground floor retail space will project forward to the back of the pavement as the existing building does, and will comprise a timber framed retail frontage. The entrance to the retail unit will be located adjacent to the entrance to the residential unit.

- 6 On the upper floors it is proposed to provide 8 new residential units located on first to fourth floors. The mix of units is 2 X studio units, 2 X 1 bed units and 4 X 2 bed units. The top floor is set back from the parapet.
- 7 The principle access will be from Rye Lane. All units will have private amenity space in the form of a balcony.
- 8 No car parking is proposed. A total of 12 cycle parking spaces are proposed at ground floor level to the rear of the site, 10 associated with residential units and 2 associated with the retail unit at ground floor level, which have access through the ground floor shop.
- 9 In terms of materials, the principal material will be red brick with a projecting buff brick bay to the front elevation. The rear elevation is entirely of red brick with glass balconies.
- 10 The fifth floor element is of glass clad panels finished with matting film with aluminium frames coloured to match the timber painted shop front.

### **Planning history**

- 11 There are a number of recent planning applications that are of relevance to this proposal. An application (08/AP/1756) for 9 self contained flats on upper floors (6 x 1 bedroom and 3 x 2 bedroom) was refused on 22/10/08 for 6 reasons including depth, height, bulk and mass resulting in an impact on neighbour amenity, design concerns, inadequate refuse and cycle facilities, poor residential standards and lack of a noise and air quality assessment.
- 12 A further application (09/AP/2265) for part demolition of the site and the alteration and conversion of the upper floors consisting of first, second, third floors with a part one and part four storey extension to the rear to contain 9 self-contained flats (6x1 bedroom and 3x2 bedroom) was refused on 16/12/09 for 3 reasons including poor standard of detailed design, including bulk and massing concerns, poor residential standards as a result of all the units being single aspect and a lack of an air quality assessment. These reasons were upheld at appeal although it is noted that the Inspector considered the additional built form to the rear to be acceptable and would not cause demonstrable harm.
- 13 11/AP/0364 Permission granted 21/04/2011 for separating of shop and alteration of shopfront to form two units and retained kiosk.
- 14 AP/98/0840 Permission refused on 11/09/1998 for change of use from office/storage to residential providing 2 self contained flats
- 15 162 Rye Lane 04/AP/0347 Permission refused 02/03/2005, subsequently allowed on appeal 02/12/2005. Conversion of first and second floors as two self -contained flats with entrance via 160 Rye Lane, retention of second floor window to front and first floor doors and windows to rear and installation of new guard rails to rear at first floor level.
- 16 AP/00/0487 Permission granted (21/09/2000) for conversion of first and second floors, above ground floor re tail, from retail/storage to self contained two bedroom flat.

## **Planning history of adjoining sites**

17 Warwick Court, Choumert Road, London SE15 4S  
09/AP/2129 Permission refused 20/08/2010; subsequently allowed on appeal (09/06/2011) for erection of a 2-storey building comprising 6 self-contained flats, following demolition of lock-up garages (Use Class C3). This is located to the rear of the site across the laneway called Warwick Court.

18 66 Rye Lane SE15  
98/AP//0484 Permission granted 12/01/2000 for variation of condition 1 of planning permission dated 29/09/97 to allow permanent use of the building for non-residential institution (Use Class D1) to include religious activities

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 19 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic policies.
  - b] Design issues and impact on the historic environment
  - c] Residential Design Standards
  - d] Impact on the amenities of neighbouring residents and occupiers
  - e] Impact of adjoining and nearby uses on occupiers and users of proposed development
  - f] Traffic issues
  - g] Sustainability
  - h] Waste and Recycling

### **Planning policy**

#### Core Strategy 2011

- 20
- 1 - Sustainable Development
  - 2 - Sustainable transport
  - 3 - Shopping, Leisure and Entertainment
  - 5 – Providing new homes
  - 12 - Design and conservation
  - 13 - High environmental standards
  - 14 - Implementation and delivery

21 Southwark Plan 2007 (July) - saved policies

For 12 months from 27 March 2012 weight can continue to be given to relevant local planning policies adopted in accordance with the Planning and Compulsory Purchase

Act 2004, and those in the London Plan, in making decisions on planning applications even if there is a limited degree of conflict with the National Planning Policy Framework (NPPF). The weight given to the saved policies of the Southwark Plan should be according to their degree of consistency with policies in the NPPF.

22 1.7 Development within Town and Local Centres

- 3.1 Environmental Effects
- 3.2 Protection of Amenity
- 3.4 Energy Efficiency
- 3.6 Air Quality
- 3.7 Waste reduction
- 3.9 Water
- 3.11 Efficient use of land
- 3.12 Quality in Design
- 3.13 Urban Design
- 3.14 Designing out Crime
- 3.16 Conservation Areas
- 3.19 Archaeology
- 4.2 Quality of Residential Development
- 5.2 Transport impacts
- 5.3 Walking and cycling
- 5.6 Car parking

23 London Plan 2011

- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 3.8 Housing Choices
- Policy 4.7 Retail and Town Centre Development
- Policy 5.1 Climate Change Mitigation
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.6 Decentralising Energy in Development Proposals
- Policy 5.7 Renewable Energy
- Policy 6.1 Strategic Approach
- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 7.1 Building London's Neighbourhood and Communities
- Policy 7.2 An Inclusive Environment
- Policy 7.3 Designing Out Crime
- Policy 7.4 Local Character
- Policy 7.5 Public Realm
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology

24 National Planning Policy Framework (NPPF)

The NPPF came into effect on 27 March 2012. 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.

Relevant Sections

- 1. Building a strong competitive economy
- 4. Promoting sustainable transport

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design.
- 8. Promoting healthy communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 12. Conserving and enhancing the historic environment

Residential Design Standards SPD  
 Rye Lane Conservation Area Appraisal  
 Sustainable Design and Construction SPD

### **Principle of development**

- 25 The site is location within a Major Town Centre and within the Peckham Action Area Core. The site also lies within a Protected Shopping Frontage. Saved Policy 1.7 'Development within town and local centres' is applicable in this instance, together with Strategic Policy 3 'Shopping, Leisure and Entertainment' of the Core Strategy. A further material consideration is the National Planning Policy Framework. Having regard to the above policy documents, it is considered that the principle of retail at ground floor and residential above is acceptable as there are no policy provisions preventing this.

### **Environmental impact assessment**

- 26 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**

#### Daylight and Sunlight

- 27 It is noted that there are number of residential windows that have the potential to be impacted by this proposal.
- 28 A daylight & sunlight report has been submitted with this application. This considers the impacts on properties at 154, 158, 166, 187, 189, 191 and 193 Rye Lane.
- 29 In relation to No. 166 Rye Lane, the report notes that residential accommodation is provided at second floor level. The report notes that one window will fail the BRE guidelines and not achieve a Vertical Sky Component value of at least 0.8 the existing value. The report notes that the room is served by another window and the Average Daylight Factor analysis demonstrates that the room will achieve an ADF value of 1.8%. Given this, it is accepted that no harmful loss of daylight will occur.
- 30 The report states that the BRE guidelines in relation to daylight are achieved for the other properties considered.
- 31 In relation to sunlight, the report states that all of the properties considered achieve the standards set out in the BRE guidelines.

32 It is noted that the second floor window of No. 158 will experience some loss of its existing winter Annual Probably Sunlight Hours (APSH) (from 11.3% to 5%) but still achieves a 5% APSH value. This is in line with the BRE guidelines which states that 5% is the minimum acceptable value.

33 Having considered the contents of the reports as well as considered the relationship of the proposed development to the surrounding properties, it is not considered that the development would lead to a significant loss of daylight or sunlight to these neighbouring properties.

#### Overlooking

34 It is noted that the built form to the rear steps away from No. 158 Rye Lane which serves to reduce any potential impact, although balconies are proposed to the rear of Unit 4 (on 2nd floor) and Unit 6 (on 3rd Floor). While these do not have direct views into the rear windows of No. 158, it is considered necessary to provide screening to these balconies to prevent overlooking of residential properties to the rear. Unit 3 (at 1st floor), Unit 4 (on 2nd floor) and Unit 6 (on 3rd Floor) also have smaller balconies which have views towards 158 Rye Lane. In relation to 166 Rye Lane, it is noted that this property has windows facing north, perpendicular to this rear elevation of the proposed scheme. As such there is potential to have views from the balconies towards this property. Having regard to the planning history above, this property appears to be in use as a non-residential religious institution (D class). However it is considered that screening should be provided for all of the balconies to the rear and side elevations of the proposed development so as to overcome any potential overlooking.

35 It is noted that a consent is in place for a two-storey 6 unit scheme of Warwick Court. This is located a sufficient distance (approx 40m) from the rear of this proposed scheme so as to overcome any overlooking issues.

36 It is not considered that any other existing or proposed residential properties will be impacted as a result of overlooking.

#### Loss of Outlook/Creation of a Sense of Enclosure

37 As noted above the scheme is stepped away from No. 158 Rye Lane, reducing the impact on this property having regard to loss of outlook/creation of a sense of enclosure. It is considered that the proposal is set back sufficiently to overcome any concerns in relation to loss of outlook/sense of enclosure. The rear building is similar to that of the appeal scheme, where the Inspector did not consider that the massing at the rear was harmful to neighbours.

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

38 The surrounding uses are a mixture of residential and commercial and as such no detrimental impacts are envisaged.

#### **Traffic issues**

39 No on site parking is proposed. Given the high PTAL (6) of the site and the limitations of the development site, on site parking provision is not required in this instance.

40 The proposal site is situated in a Controlled Parking Zone. Therefore, in order to prevent possible overspill parking from the development, a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits.

- 41 A total of 12 cycle spaces are provided and this is in accordance with standards set out in Appendix 15 of the Southwark Plan (2007). In order to satisfy saved policy 5.3 of the Southwark Plan cycle parking provision must be convenient, secure and weatherproof. For reasons of convenience, cycle storage must be of the dimensions as stated in the Manual for Streets, sections 8.2.21-8.2.24 and should comply with best practice guidance. Access to the cycle space shown is not considered to be particularly convenient although the limitations of the site are recognised and it does not appear to be feasible to provide them in an alternative location.

### **Design issues and Impact on character of the Rye Lane Conservation Area**

- 42 The site lies within an area where buildings vary in height, quality and architectural style. Ground floor use is generally commercial with upper floors in residential or commercial use. Upper floors are often set back from the ground floor. Regard is had to the previous refusal (planning reference 09/AP/2265 and appeal decision (appeal reference 10/2120715) on this site. As the Inspector notes in his appeal decision, there are elements of consistency within the street scene, the generally 3 storey Victorian buildings close to the site have parapets on the front elevation that are at a similar level and the brickwork and window openings are similar. The Inspector further notes that the variations in appearance in the area increase the importance of the characteristics that are consistent and help to unify the area.

#### Demolition of the existing building

- 43 This aspect of the proposal is considered also in the concurrent application for Conservation Area Consent (12/AP/3804) but in the interest of completeness is also set out below.
- 44 Strategic Policy 12 of the Core Strategy 2011 expects development to preserve or enhance Southwark's historic environment – an approach consistent with saved Policy 3.15 of the Southwark Plan 2007. With regard to demolition in conservation areas, saved Policy 3.16 notes that planning permission will not be granted for proposals involving the demolition or substantial demolition of a building that contributes positively to the character or appearance of the Conservation Area unless it can be demonstrated that a range of criteria are met.
- 45 Section 12 of the National Planning Policy Framework (NPPF) 'Conserving and enhancing the historic environment' is of direct relevance. In particular Paragraph 138 notes that loss of a building (or other element) which makes a positive contribution to the significance of a conservation area should be treated as substantial harm under Paragraph 133 or less than substantial harm under Paragraph 134 - taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.
- 46 Paragraph 3.4.2 of the conservation area appraisal (CAA) describes a significant part of the area's character is the group of late-Georgian villas and terraces, rising up behind later often 19th century shop extensions. The development of the application buildings are consistent with these development patterns and are therefore characteristic of the area in both their form and urban morphological development of the townscape.
- 47 Paragraph 3.4.2 asserts, however, that whilst they represent a notable survival, on the whole the late Georgian villas have been much extended and are in a poor condition. This is the case here, with later unsympathetic works reducing architectural quality and their contribution to the character and appearance of the conservation area to neutral levels. Notwithstanding the butterfly roof, the application buildings have a relatively plain appearance with obvious rebuilding to the parapet and blind windows at attic level, and to window openings on upper floors. Also, the buildings are

unsympathetically extended to the rear. These previous works combine to diminish the buildings historic value and their contribution to the character and appearance of the conservation area. Also, the poor quality 20<sup>th</sup> century shop front has a significant negative visual impact to the conservation area townscape in its inappropriate appearance and materials.

48 The buildings are not recognised as making a positive contribution to the conservation area and have not been not statutorily listed. The CAA, incorrectly, refers to No's 162-164 (even) Rye Lane as making a positive contribution, however this is in error. Instead, it is the neighbouring building to the south no's. 164, 168 & 170 which makes the positive contribution with its red brick articulated facade, not 162 which is the later and smaller of the two buildings forming the application site. This error now identified will be rectified within the CAA.

49 The form and appearance of the existing buildings, whilst characteristic of the conservation area, are not particularly important examples and therefore have only a limited contribution. The proposed demolition would only result in limited harm to the character and appearance of the conservation area as a whole. As such, it is considered the demolition would result in 'less than substantial harm' to the significance of the designated heritage asset (the conservation area) and should therefore be treated as falling under NPPF Paragraph 134 and should be weighed against the public benefits of the proposal.

Merits of the proposed new building

50 The current scheme has generally responded positively to the previous reasons for refusal. The approach is a contemporary one with various elements of the scheme making reference to the general architectural style of the area and the materials being in keeping with the general palette of materials in the vicinity. Amended plans have been received redesigning the roof form of the proposal, setting it back further and amending the materials. It is now considered that the significant set-back at fourth floor level and revised glass cladding and matt film materials ensures the proposal is considered acceptable subject to a materials condition.

51 The proposed replacement building will be of a good-quality design which will serve to preserve the character and appearance of this part of the conservation area. The design would benefit the area by knitting the town-scape together above no. 162 and at street level with the new shopfront. Further, it will deliver a similar level of commercial floor-space (443 sqm, up from 385 sqm), while providing 8 residential flats above, an uplift of 5 over the current arrangement. The proposal, therefore, provides substantial planning benefits.

52 High quality materials are key to integrating this building into the surrounding built environment while retaining a modern contemporary feel. The proposed materials palette with a predominant emphasis on brick appears well considered and the introduction of timber framed doors windows and shop front a welcome alteration. More detailed drawings of the shop-front and typical windows are secured by condition.

Objections to the proposed development, and the loss of the existing buildings, have been received from the Georgian Group, the Peckham Society and the Conservation Area Advisory Group. Their concerns centre of the loss of architectural features that contribute to the conservation area, and that the development proposed lacks design quality.

Notwithstanding, officers are satisfied that the detailed design and materials, form and height are appropriate in the context, and the character of the conservation area will be preserved.



- 53 To ensure that an unattractive gap does not appear in the streetscape as a result of demolition far in advance of redevelopment, any consent for demolition should only be given if there are acceptable and detailed plans for any redevelopment. It would be appropriate to impose, on the grant of consent for demolition, a condition to provide that demolition shall not take place until a contract for the carrying out of works for redevelopment had been made.
- 54 Further, a Method Statement(s) and Schedule of Works for the demolition and site clearance should be submitted via condition. Thereafter, demolition and site clearance shall be carried out in strict accordance with the approved Method Statement(s) and Schedule of Works. The Method Statement(s) shall include details of the measures to be taken to protect those walls which are to be retained - including any structures required for shoring purposes. These have been included on the conservation area application recommendation.
- 55 On balance, the planning benefits of the proposal would be sufficient to outweigh the limited harm to the significance of the designated heritage asset by demolition of the existing buildings. The design and appearance of the proposed building is considered to preserve and, in some respects, enhance the character and appearance of the area.

### **Residential Standards**

- 56 **Floor Areas**  
The proposed overall unit areas comply with the Residential Design Standards SPD (adopted October 2011) and individual room areas also comply. It is noted that all of the units provide open plan kitchen/dining/living areas.
- 57 The density range in the urban zone has a maximum of 700 hra. The density proposed here is slightly over 700 hra which is acceptable provided that the overall building envelope and standard of units is satisfactory.

#### **Aspect**

- 58 Three of the units are single aspect, namely the two studio units and the 1 bed unit at first floor level. It is noted that the remainder of the units are dual aspect. On balance given the standard of the remainder of the accommodation and the constraints of the site, the single aspect units are considered to be acceptable.

The earlier appeal scheme had units that were ALL dual aspect, with small windows and some failed to meet minimum floorspace standards. Whilst there remain some single aspect units, they have a balcony and large windows, and overall the standard of accommodation has improved.

#### **Amenity Space**

- 59 All new residential development must provide an adequate amount of useable outdoor amenity space. The nature and scale of the amenity space should be appropriate to the location of the development, its function and the character of the area within which it is situated.
- 60 Section 3.6 of the Residential Design Standards SPD states that all flat developments must meet the following minimum standards and seek to exceed these where possible.
- 61
- 50 sqm communal amenity space per development
  - For units containing two or less bedrooms, 10 sqm of private amenity space should ideally be provided.

- 62 In terms of private amenity space, each of the units is provided with a balcony (5sqm), although in all of the units, save the top floor unit, access to this balcony is off the bedrooms. While this is not ideal, it is considered preferable to have the living rooms to the front of the site, with the balconies being accessible from each of the bedrooms at the rear. The top floor unit has a more generous 33ms terrace with access from the living room.
- 63 In relation to communal space, it is noted that no space is provided in this instance. Regard is had to the site constraints however and to the fact that each of the units has a good standard of accommodation with private amenity space and lack of communal space is not considered to warrant a reason for refusal in this instance.

### **Sustainable development implications**

- 64 Core Strategy Policy 13 includes environmental targets for all new development. Residential development should achieve at least Code Level 4 of the Code for Sustainable Homes.
- 65 In this instance a condition should be imposed requiring Code Level 4 to be achieved. The ground/basement retail area should achieve BREEAM excellent, and this can also be conditioned.

### **Waste**

- 66 The applicant is required to demonstrate whether the proposal sufficiently addresses waste reduction and provides adequate storage facilities in accordance with saved Policy 3.7 of the Southwark Plan. Bin storage is proposed at ground floor level to the front of the site, accessed off Rye Lane. This would have sufficient capacity to serve the proposed residential units. No designated storage is indicated on the plans for the retail unit, although storage areas are shown to the rear. Details of commercial storage should be required by way of condition.

### **Ecology**

- 67 A green roof is proposed as part of this application. As well as promoting biodiversity, it is also considered that a green roof will help to reduce water run off from the building and help insulate it.

### **Air Quality**

- 68 Given the location of the site within an Air Quality Management Area, an air quality assessment has been submitted. This document notes that during the construction phase, the works could conceivably affect the amenities of the surrounding residents and premises if not appropriately controlled. Several dust mitigation measures from construction activities have been recommended within section 5.3.1 of the report. It is considered however Construction Management Plan with a full scheme of works for dust control is requested by way of condition.
- 69 In relation to the amenities of future residents, the conclusion that mitigation measures will not be required in order to protect the new residents is accepted.

### **Noise**

- 70 The site fronts onto Rye Lane which is an extremely busy thoroughfare. Saved policy 3.2 Protection of Amenity of the Southwark Plan protects the amenity of residents and occupiers and this would include limiting disturbance from noise. The Sustainable

Design and Construction SPD provides further guidance and requirements on how to reduce disturbance from noise.

- 71 The application is accompanied by a noise assessment. The report details the current noise environment in the area and confirms that acoustic protection will be required within the new flats in order to protect the future residents from unacceptable levels of noise. Recommendations are put forward to meet assumed guidelines; however a full scheme of acoustic mitigation works to the building is required in order to meet the levels outlined. This can be achieved by way of condition.
- 72 Concern is raised with regards to the layout of the flats and potential noise. Throughout the 4 floors, kitchens are located next to and/or above/beneath bedrooms from neighbouring flats and the enjoyment of a property could be affected if the party walls are not insulated to acceptable standards. A condition outlining expected requirements is recommended. A similar condition relating to insulation between the ground floor commercial premises and first floor flats is also recommended.
- 73 Plant/air conditioning units may be required in association with the Class A1 retail ground floor use. To ensure that the noise from this plant equipment does not increase the existing noise level a relevant condition limiting noise levels is recommended. Any external plant would need its own planning permission.
- 74 The retail opening hours are proposed to be from 9am-6pm Mon-Sat which does not raise any concerns. This is not subject to a condition, but given the town centre location, and that the proposed use is for retail purposes, it is not considered that a condition is necessary.

#### **Mayoral CIL and S106**

- 75 Section 143 of the Localism Act 2011 states the 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. CIL is payable on applications for new buildings which create new residential units. There is an existing building on site with retail floorspace below and residential use on the upper floors.
- 76 CIL is therefore payable on additional residential floor space of 470 sq m and 58 sq m of commercial floorspace, which would require a payment of £18,480 on implementation.

#### **Conclusion on planning issues**

- 77 The proposal has responded positively to the previous reasons for refusal and the demolition of the two buildings within the Rye Lane Conservation Area and replacement with a new build retail and residential building, is considered to be acceptable for the reasons outlined in detail above. There have been letters in support of the application, stating it will improve the appearance of the area and support the local economy. As such the recommendation is for approval.

#### **Community impact statement**

- 78 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. Specific actions to ameliorate these implications are various conditions to deal with amenity matters.

### **Consultations**

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

### **Consultation replies**

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

#### Summary of consultation responses

81 Rye Lane Call Centre, 192 Rye Lane  
Support application as need more people in the area

Reme Clothing, 181 Rye Lane  
Supports application

Emporium Snaps, 196 Rye Lane  
Supports application

154 Rye Lane  
Supports application . Good for local economy and ease pressure for housing.  
bring new people to the area.

92a Rye Lane  
Supports application . Reduce shortage of flats in the area.

190a Rye Lane  
Supports application. Will reduce shortage in the area.  
Will have extra shoppers in the area.

Tasty Spice, 207 Rye Lane  
Supports application. Good for local economy and ease pressure for housing.  
bring new people to the area.

No address  
Supports application .

168 Rye Lane  
Supports application. Need new people to the area.

R. Woodfall Ltd, 183 Rye Lane  
Supports application .  
Will bring new customers to the area.

156 Rye Lane,  
Supports application. Good for local economy and ease pressure for housing.  
Will bring new people to the area and will improve the appearance of the area.

205 Rye Lane  
Supports application. Good for local economy and ease pressure for housing.  
Will bring new people to the area. Will improve the appearance of the area.

160-162A Rye Lane  
Supports application.

177-179 Rye Lane  
Supports application. Good for local economy and ease pressure for housing.  
bring new people to the area. Will improve the appearance of the area.

Style, 173 Rye Lane  
Supports application. Good for local economy and ease pressure for housing.  
Will bring new people to the area.

82 Rye Lane  
Good for local economy and ease pressure for housing.  
Will bring new people to the area.

The Georgian Group  
Object to application. The applicants have made no attempt to address the tests in the Rye Lane Conservation Area Assessment.

Considers that the application is highly damaging to the character of the Rye Lane Conservation Area. It will result in the loss of architectural features that positively contribute to the conservation area, such as early 19th century fenestration patterns and proportions, early 19th century floor to ceiling ratios and the loss of the increasingly rare early 19th century butterfly roof. Recommends that application is refused.

Conservation Area Advisory Group  
Object in principle to the demolition scheme that preserves the whole existing period building should be called for the proposal for redevelopment was thought to be banal with the extension above general parapet level being particularly inappropriate.

Peckham Society  
Support 'The Georgian Group' in suggesting that this development be refused for the same reasons

### **Human rights implications**

- 82 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.
- 83 This application has the legitimate aim of providing a replacement building accommodate 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/2732-91 Application file: 12/AP/2698 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 5420 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee list
Appendix 4	Recommendations

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Ronan O'Connor, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	25 January 2013	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance & corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		31 January 2013

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 21/08/12

**Press notice date:** 30/08/12

**Case officer site visit date:** 21/08/12

**Neighbour consultation letters sent:**

22/08/12

**Internal services consulted:**

Environmental Protection

Design and Conservation

Transport

**Statutory and non-statutory organisations consulted:**

The Georgian Society

Conservation Area Advisory Group

**Neighbours and local groups consulted:**

Peckham Society

As per Appendix 3

**Re-consultation:**

None

## APPENDIX 2

### Consultation responses received

#### Internal services

Environmental Protection - recommend conditions

Transport - Recommend that residents are excluded from applying for parking permits.

Design and Conservation - no objection in principle but recommend minor design changes

#### Statutory and non-statutory organisations

The Georgian Group

Object to application. Applicants have made no attempt to address the tests in the Rye Lane Conservation Area Assessment.

Considers that the application is highly damaging to the character of the Rye Lane Conservation Area. It will result in the loss of architectural features that positively contribute to the conservation area, such as early 19th century fenestration patterns and proportions, early 19th century floor to ceiling ratios and the loss of the increasingly rare early 19th century butterfly roof. Recommends that application is refused.

Conservation Area Advisory Group

Object in principle to the demolition

scheme that preserves the whole existing period building should be called for the proposal for redevelopment was thought to be banal with the extension above general parapet level being particularly inappropriate.

#### Neighbours and local groups

Peckham Society

Objects to application. Support 'The Georgian Group' in suggesting that this development be refused for the same reasons

Rye Lane Call Centre, 192 Rye Lane

Support application as need more people in the area

Reme Clothing, 181 Rye Lane

Supports application

Emporium Snaps, 196 Rye Lane

Supports application

154 Rye Lane

Supports application . Good for local economy and ease pressure for housing. bring new people to the area.

92a Rye Lane

Supports application . Reduce shortage of flats in the area.

190a Rye Lane



Supports application. Will reduce shortage in the area.  
Will have extra shoppers in the area.

Tasty Spice, 207 Rye Lane

Supports application. Good for local economy and ease pressure for housing.  
Will bring new people to the area.

No address

Supports application .

168 Rye Lane

Supports application. Need new people to the area.

R. Woodfall Ltd, 183 Rye Lane

Supports application .

Will bring new customers to the area.

156 Rye Lane,

Supports application. Good for local economy and ease pressure for housing.  
Will bring new people to the area and will improve the appearance of the area.

205 Rye Lane

Supports application. Good for local economy and ease pressure for housing.  
Will bring new people to the area. Will improve the appearance of the area.

160-162A Rye Lane

Supports application.

177-179 Rye Lane

Supports application. Good for local economy and ease pressure for housing.  
bring new people to the area. Will improve the appearance of the area.

Style, 173 Rye Lane

Supports application. Good for local economy and ease pressure for housing.  
bring new people to the area.

82 Rye Lane

Good for local economy and ease pressure for housing.  
bring new people to the area.

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 12/AP/2698

<b>TP No</b>	TP/2732-162	<b>Site</b>	160-162 RYE LANE, LONDON, SE15 4NB
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
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22/08/2012	178 Peckham Rye London SE22 9QA
22/08/2012	195-197 RYE LANE LONDON SE15 4TP
22/08/2012	164A RYE LANE LONDON SE15 4NB
22/08/2012	FIRST FLOOR AND SECOND FLOOR FLAT 189 RYE LANE LONDON SE15 4TP
22/08/2012	FIRST FLOOR AND SECOND FLOOR FLAT 191 RYE LANE LONDON SE15 4TP
22/08/2012	FIRST FLOOR AND SECOND FLOOR FLAT 160 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 6 166 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 1 166 RYE LANE LONDON SE15 4NB
22/08/2012	191 RYE LANE LONDON SE15 4TP
22/08/2012	189 RYE LANE LONDON SE15 4TP
22/08/2012	FLAT 2 166 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 5 166 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 4 166 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 3 166 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 1 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 7 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 6 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 5 152-154 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 8 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	160-162 RYE LANE LONDON SE15 4NB
22/08/2012	FIRST FLOOR AND SECOND FLOOR WARWICK COURT CHOUMERT ROAD LONDON SE15 4SE
22/08/2012	1A WARWICK COURT CHOUMERT ROAD LONDON SE15 4SE
22/08/2012	FLAT 5 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 2 152-154 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 2 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 1 152-154 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 3 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 4 152-154 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT 4 16 ALPHA STREET LONDON SE15 4NX
22/08/2012	FLAT 3 152-154 RYE LANE LONDON SE15 4NB
22/08/2012	11 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	10 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	9 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	12 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	FLAT B 160-162 RYE LANE LONDON SE15 4NB
22/08/2012	FLAT A 160-162 RYE LANE LONDON SE15 4NB
22/08/2012	13 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	8 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	3 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	2 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	1 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	4 KAPUVAR CLOSE LONDON SE15 4SH
22/08/2012	7 KAPUVAR CLOSE LONDON SE15 4SH

22/08/2012 6 KAPUVAR CLOSE LONDON SE15 4SH  
22/08/2012 5 KAPUVAR CLOSE LONDON SE15 4SH  
22/08/2012 FLAT C 195-197 RYE LANE LONDON SE15 4TP  
22/08/2012 154 RYE LANE LONDON SE15 4NB  
22/08/2012 UNIT D 166 RYE LANE LONDON SE15 4NB  
22/08/2012 UNIT C 166 RYE LANE LONDON SE15 4NB  
22/08/2012 164 RYE LANE LONDON SE15 4NB  
22/08/2012 187 RYE LANE LONDON SE15 4TP  
22/08/2012 185 RYE LANE LONDON SE15 4TP  
22/08/2012 UNIT B 166 RYE LANE LONDON SE15 4NB  
22/08/2012 FLAT D 195-197 RYE LANE LONDON SE15 4TP  
22/08/2012 FLAT A 195-197 RYE LANE LONDON SE15 4TP  
22/08/2012 FLAT B 195-197 RYE LANE LONDON SE15 4TP  
22/08/2012 FLAT B 187 RYE LANE LONDON SE15 4TP  
22/08/2012 UNIT A 166 RYE LANE LONDON SE15 4NB  
22/08/2012 168 RYE LANE LONDON SE15 4NB  
22/08/2012 FLAT A 187 RYE LANE LONDON SE15 4TP  
20/06/1837 192 RYE LANE PECKHAM LONDON SE15 4NF  
20/06/1837 181 RYE LANE LONDON SE15 4TP  
20/06/1837 196 RYE LANE PECKHAM LONDON SE15 4NF  
20/06/1837 192A RYE LANE PECKHAM LONDON SE15 4NF  
20/06/1837 190A RYE LANE PECKHAM LONDON SE15  
20/06/1837 207 RYE LANE PECKHAM LONDON SE15 4TP  
20/06/1837 213A RYE LANE PECKHAM LONDON SE15 4TP  
20/06/1837 183 RYE LANE PECKHAM LONDON SE15 4TP  
20/06/1837 177-179 RYE LANE PECKHAM LONDON SE15 4TP  
20/06/1837 156 RYE LANE PECKHAM LONDON SE15 4NB  
20/06/1837 205 RYE LANE PECKHAM LONDON SE15 4NB  
20/06/1837 Style 173 Rye Lane Peckham London SE15 4TL  
20/06/1837 82 RYE LANE PECKHAM LONDON SE15 4RY  
20/06/1837 178 Peckham Rye London SE22 9QA  
20/06/1837 56 Pennethorne Road Peckham London SE15 5TQ