

Item No.	Classification:	Date:	Meeting Name:
7.2	OPEN	23 April 2013	Planning Sub-Committee A
Report title:	Development Management planning application: Application 12/AP/2634 for: Full Planning Permission Address: LAND TO REAR OF 93 GROVE LANE, LONDON, SE5 8SN Proposal: Demolition of 14 existing lock-up garages and construction of a three storey building containing 8 residential units (comprising 4 x two and 4 x one bedroom units) with associated bin and bicycle stores and landscaping.		
Ward(s) or groups affected:	Brunswick Park		
From:	Head of Development Management		
Application Start Date 24/08/2012		Application Expiry Date 19/10/2012	

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 The subject site is located between Grove Lane and Camberwell Grove, and is presently occupied with 14 disused garages with access from Grove Lane. The site adjoins Windsor Walk a public access way between the two streets. The site is located behind the residential building at 93 Grove Lane, and adjoining the listed Grove Chapel to the east of the site. Opposite Windsor Walk to the south is a four storey residential building, and to the north is a terrace of four residential properties.
- 3 The site is located within the Air Quality Management Area and the Camberwell Grove Conservation Area and the site is also within the setting of the Grade II Listed Grove Chapel. The site is located within the South Camberwell Controlled Parking Zone (CPZ) and has a medium Public Transport Accessibility Level (PTAL) of 4.

Details of proposal

- 4 Planning permission is sought for the erection of a 3 storey building comprising 8 self-contained flats (Use Class C3). An accompanying application (12-AP-2635) seeks Conservation Area Consent for the demolition of the garages.
- 5 The proposed building would contain 8 residential units (comprising 4 x two and 4 x one bedroom units). The ground floor units each have amenity space to the rear.
- 6 The proposed building will face Windsor Walk, being a pedestrian only access, and providing a refuse and cycle storage space to the front.
- 7 The application has been amended since submission to remove a bedroom from each

of the top floor units to allow the rear building line at second floor level to be reduced (with removal of roof terrace), in addition to an amended flank (western) elevation to provide more interest, and amendments to the front facade to reduce impact to the listed building and allowing more natural light into lower floor rooms.

- 8 The key differences between the previous refused scheme (11-AP-0591) and this current application include: a reduction in height; a reduction in bulk and depth to the rear; a reduced number of units and habitable rooms; amended design; and further information (including construction management / access / servicing and energy efficiency and sustainability).

Planning history

- 9 Planning permission (11-AP-0591) was refused on 25 May 2011 for the demolition of existing vacant lock-up garages and erection of a 3-storey building comprising 9 self-contained flats (Use Class C3). The application was refused on the following grounds:

10 *1] The proposed scheme represents an overdevelopment of the site owing to the combination of its bulk, massing and proximity to neighbouring sites, in particular those to the north and west. The building would have an overbearing impact resulting in overlooking of neighbouring sites with subsequent loss of privacy, and overshadowing to the rear gardens impacting on the enjoyment of these properties. The development therefore fails to comply with saved policy 3.2 'Protection of amenity' of The Southwark Plan [UDP] 2007, Residential Design Standards [SPD] 2008, Strategic policy Strategic Policy 13 – 'High environmental standards' of the Core Strategy (2011) and policy 4B.1 Design principles for a compact city of the London Plan (Consolidated with Alterations since 2004).*

11 *2] The proposed development, owing to its excessive bulk and extent of site coverage would fail to preserve or enhance the character and appearance of this part of the Camberwell Grove Conservation Area or the setting of adjacent listed building, and the form of the building fails to make an appropriate response to the historic context of the area. The development therefore fails to comply with saved policies 3.11 'Efficient Use of the Land', 3.12 'Quality in design', 3.13 'Urban design', 3.15 'Conservation of the historic environment', 3.16 'Conservation areas' and 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of The Southwark Plan [UDP] 2007, Strategic policy 12 'Design and conservation' of the draft Core Strategy (2011), policies HE7.5 and HE10 of PPS5: Planning for the Historic Environment and policy 4B.1 Design principles for a compact city of the London Plan (Consolidated with Alterations since 2004).*

12 *3] The proposal has failed to demonstrate that the development would provide suitable access for servicing the site, including during the construction phase, access for emergency vehicles and collection of waste and as such the development would be harmful to the functioning of the transportation network. The proposed cycle parking spaces are also not practically accessible for all users. As such, the development is contrary to saved policies 5.2 'Transport impacts' and 5.3 'Walking and cycling' of The Southwark Plan [UDP] 2007, Strategic Policy 2 - 'Sustainable transport' of the Core Strategy 2011 and policy 3C.1 Integrating transport and development of the London Plan (Consolidated with Alterations since 2004).*

13 *4] The proposal has failed to demonstrate that the development has minimised its impacts on the environment, and that a sufficient percentage of energy requirements could be drawn from renewable energy sources. The proposal is*

contrary to policies 4A.4 'Energy Assessment' and 4A.7 'Renewable Energy' of the London Plan (Consolidated with Alterations since 2004), saved policy 3.4 'Energy Efficiency' of The Southwark Plan [UDP] 2007 and Strategic Policy 1 - 'Sustainable development' of the Core Strategy [2011].

14 The associated Conservation Area Consent (11-AP-0566) was also refused on 25 May 2011 for the demolition of 14 garages. The application was refused on the following ground:

15 *1] In the absence of an approved scheme for the redevelopment of the site, and lack of clear justification for the removal of the existing fabric would fail to preserve or enhance the character or appearance of this part of the Camberwell Grove Conservation Area, contrary to saved policy 3.16 'Conservation areas' of the Southwark Plan 2007, strategic policy 12 'Design and conservation' of the draft Core Strategy (2011) and PPS5: Planning for the Historic Environment.*

16 These associated refused applications were then subject to appeal. The appeals were both dismissed by the Planning Inspectorate by way of decision notice on 3 May 2012.

17 The Planning Inspectorate considered that:

- 18 • In terms of the amenity of neighbouring occupiers to the north, the combination of the width, height, and proximity of the building would mean that it would have an unacceptably dominating effect on neighbouring residents when viewed from their gardens.
- 19 • In terms of the impact on the conservation area and listed building, the complex arrangements of set-back, large openings, screens and irregular angles does not respond in an sense to the positive elements found within the conservation area. With regard to the listed building, the proportions of the block of flats and its design would create a harsh juxtaposition of differing designs which would fail to preserve the setting of the listed building adjoining.
- 20 • In terms of bin storage, whilst the size might not meet needs for future occupiers, there would be sufficient scope to make minor amendments to the scheme. In terms of access for demolition and construction phase, this could be from the Grove Lane entrance. In terms of cycle storage the Inspector did not find it unacceptable.
- 21 • With regards to sustainability, the Inspector considered this could adequately be dealt with by way of condition.
- 22 • In terms of the conservation area consent, the Inspector agreed that a suitable replacement scheme would need to be approved prior to granting permission for the demolition of the garages, as the site would likely become more unattractive and a focus for rubbish.

Planning history of adjoining sites

23 None relevant to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) the principle of use
- b) the bulk and scale of the development
- c) the impact on the amenity of adjoining occupiers
- d) design and setting of conservation area and listed buildings
- e) quality of accommodation of future occupiers
- f) sustainability
- g) impact on the transportation network

Planning policy

25 Core Strategy 2011

Strategic Policy 1 – Sustainable development
Strategic Policy 2 – Sustainable transport
Strategic Policy 5 – Providing new homes
Strategic Policy 12 – Design and conservation
Strategic Policy 13 – High environmental standards

26 Southwark Plan 2007 (July) - saved policies

- 3.1 'Environmental effects'
- 3.2 'Protection of amenity'
- 3.4 'Energy efficiency'
- 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'
- 3.15 'Conservation of the historic environment'
- 3.18 'Setting of listed buildings, conservation areas and world heritage sites'
- 4.1 'Density of residential development'
- 4.2 'Quality of residential accommodation'
- 5.2 'Transport impacts'
- 5.3 'Walking and cycling'
- 5.6 'Car parking'

Residential Design Standards SPD 2011

27 London Plan 2011

- 3.3 Increasing housing supply
- 3.5 Quality and design of house developments
- 5.3 Sustainable design and construction
- 5.7 Renewable energy

- 7.1 Building London's neighbourhoods and communities
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

28 National Planning Policy Framework (NPPF)

The NPPF came into effect on 27 March 2012 and is a material planning consideration, with parts 6 'Delivering a wide choice of high quality homes', part 7 'Requiring good design' and part 12 'Conserving and enhancing the historic environment' being particularly relevant.

Principle of development

- 29 The site has been used (albeit is presently disused) for car parking, assumed to be associated with the building at 93 Grove Lane. There is no protection in purely land use terms for the retention of the car parking and as the predominant use in the area is residential, the principle of introducing residential here is acceptable. However it needs to be shown that the loss of the garages and associated parking spaces would not cause harm to the functioning of the transportation network, and this is considered further below.

Environmental impact assessment

- 30 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, although the development site does not exceed 0.5ha in area. In this context it is considered 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.

Density

- 31 Development would generally be expected to fall within the density range of between 200-700 habitable rooms per hectare, in accordance with saved policy 4.1 'Density of residential development' of The Southwark Plan [UDP] 2007. The density of the amended scheme has been calculated at being approximately 525 habitable rooms / hectare, as there are the equivalent of 21 habitable rooms within the proposed building.
- 32 This density is at the upper level of the expected range as anticipated by policy 4.1 'Density of residential accommodation' of The Southwark Plan [UDP] 2007, but is considered to be appropriate given the form and design of the scheme, which is considered to compliment this context, and the quality of residential accommodation, both of which are considered below.

Amenity

Future Occupiers

- 33 In accordance with policy 4.2 'Quality of residential accommodation of The Southwark Plan [UDP] 2007, the quality of residential accommodation for future occupiers needs to be of a good standard. The proposed plans show that all the unit and individual

room sizes meet the minimum standards of the Residential Design Standards [SPD] 2011. In addition, there is sufficient storage within the units and the stacking of room uses is also good.

- 34 Whilst the internal floor areas meet the current space standards, there had been some concern regarding the quality of accommodation for future occupiers, in particular the outlook and daylight access for the lower ground floor rooms to the front facing Windsor Walk.
- 35 To address this issue the applicant has reduced the height and diameter of the security bars facing Windsor Walk, which improves outlook to some extent. Given that all these units are dual aspect, overall the level of light and outlook that will be provided will be acceptable. It is therefore considered that on balance that the quality of accommodation would be sufficient standard of accommodation for future occupiers.
- 36 Each of the proposed 4 lower units has an area of usable outdoor amenity space approximately 20.0m² in area.
- 37 The Residential Design Standards [SPD] 2011 seeks that for units containing two bedrooms a total of 10.0m² of private amenity space should be provided, and in this instance each of the 2 bedroom units has a rear amenity space in excess of this measurement.
- 38 For these reasons it is considered that overall the development would provide a good standard of accommodation for future occupiers. The development would therefore meet saved policy 4.2 'Quality of residential accommodation of The Southwark Plan [UDP] 2007 and Residential Design Standards [SPD] 2008.

Neighbouring Occupiers

- 39 As mentioned above, the previous application was considered to have an overbearing impact resulting in overlooking of neighbouring sites to the north with subsequent loss of privacy, and overshadowing to the rear gardens impacting on the enjoyment of these properties.
- 40 The distance between the rear (northern) boundary and the rear building line was 5.0m previously at ground, first and second floor level. With the latest plans the ground floor is approximately 5.0m from the rear boundary, with the first and second floor levels being setback 7.6m and 11.8m respectively from the rear boundary.
- 41 In addition, the height of the rear of the building has been reduced from 8.7m on the refused scheme to approximately 8.0m in height (the plans also indicate that the rear garden space and the finished floor level would also be sunk slightly into the ground).
- 42 The combination of the reduction in height and the increase in separation distance between the proposed building and the properties to the north has, in Officers opinion, overcome the previous domination of neighbouring properties, in particular from overshadowing.
- 43 In terms of privacy, the increase in separation distance, the reduction in the area of glazing on the upper floors, and the high level glazing on the second floor level would help to reduce the level of overlooking when compared to the refused scheme.
- 44 With regard to privacy, the Residential Design Standards states that to avoid unnecessary problems of overlooking and loss of privacy that developments should achieve a distance of 21m back to back between buildings that face each other.

- 45 The only windows which directly face the rear of the application site are positioned on the building at 83a Grove Lane, and these windows are located approximately 28m to the rear boundary of the site (more to the proposed rear windows within the development). This separation distance is considered sufficient to avoid unnecessary loss of privacy. Furthermore there is a mature tree between the two properties.
- 46 A number of neighbouring occupiers have claimed a loss of privacy, and have referenced the Residential Design Standards, and specifically the 21m distance referenced above.
- 47 However, the 21m setback relates to the separation of neighbouring windows and not to rear gardens. Also, there is a large two storey flank wall at 91 Grove Lane, facing back toward the subject site, which to a large extent shields most of the rear of this terrace of properties along Grove Lane from the application site. In addition to this, whilst there are a couple of windows to the rear of properties on Grove Lane visible from the application site, there are no windows directly facing back to the application site, and views are from an oblique angle.
- 48 This would mean there would be very limited opportunity for any of the proposed units to have direct views into habitable rooms of these neighbouring properties. As such, it is not considered that these neighbouring properties would suffer a material loss of privacy from overlooking, with this revised proposal.
- 49 In addition, the terraces at the rear of the upper floor have now been removed from the application. This would further ensure that there would be no undue overlooking of neighbouring properties.
- 50 With regards to the potential impact on 93 Grove Park (to the west) the development would not result in any material loss of daylight and sunlight access, and not result in any overlooking or loss of privacy.
- 51 In terms of the impact on the properties to the south, the proposed development is approximately 14.0m from the residential block. It has been designed to limit loss of privacy due to the fenestration on the front facade, and is more than the 12m minimum as sought by the Residential Design Standards. The separation distance and height would ensure that there is no material loss of outlook, and in addition to the orientation would ensure that there is no loss of daylight or sunlight access to these properties.
- 52 There has been concern raised by neighbouring occupiers regarding the loss of daylight and sunlight access, in particular to the terrace to the north. As such the applicant has prepared and submitted a Daylight and Sunlight Report (prepared by David Maycox & Co.) to assess this impact.
- 53 This report concludes that the development is fully BRE compliant with regard to sun lighting to neighbouring properties and amenity spaces.
- 54 It is noted that this assessment was prepared in accordance with previous (now superseded) drawings, and the development has been reduced in depth at second floor level, so any impact from daylight or sunlight access has further reduced since the preparation of the Daylight and Sunlight Report.
- 55 Overall, it is considered that the development has been sufficiently amended to ensure that there would be no significant harm caused.
- 56 As such the development is considered to have overcome the previous objection and now meets saved policy 3.2 'Protection of amenity' of The Southwark Plan [UDP] and

Strategic Policy 13 'High Environmental Standards' of the Core Strategy 2011 on this basis.

Traffic issues

- 57 Given that the site is located within a Public Transport Accessibility Level (PTAL) 4, there is a good level of public transport within the vicinity of the site, and therefore the Council would encourage a car free development, in accordance with saved policy 5.6 'Car parking' of The Southwark Plan [UDP] 2007.
- 58 As the site is located within a Controlled Parking Zone (CPZ), future occupiers of the development are to be made exempt from obtaining car parking permits. This will be secured by way of condition.
- 59 All new development is required to provide 1.1 cycle spaces per residential unit which are required to be secure, accessible and weatherproof.
- 60 The applicant has provided a ground floor plan which shows two stores to the front of the property each containing 2 Sheffield stands which would allow for 8 cycles (2 on each stand) to be stored, which is acceptable to the Transportation Team.
- 61 The type of stand is one which the Council would recommend, and the stores are weatherproof and secure. Whilst the spaces between the stands fall marginally short of the minimum dimensions as stated within our best practice guidance, on balance it is considered that the proposed cycle storage would comply with saved policy 5.3 'Walking and cycling' of The Southwark Plan [UDP].
- 62 Concern was previously raised that the only access to the site is via the public footpath and there was a lack of information provided regarding servicing of the site, demolition and construction works. The Planning Inspector was satisfied that the access to the site from Grove Lane entrance for the demolition works could also be utilised during the construction phase also.
- 63 However, it would appear as though there would be no means of turning within the site, in which case vehicles will have to reverse into or out of the site. Due to the site's location being close to a primary school and hospital, careful consideration needs to be given to the interaction between construction vehicles and pedestrians and vehicles. Measures (such as a full time banksman) to mitigate the implications on the transport network and highway safety must be provided within a Construction Management Plan. The CMP is required prior to any demolition or construction works on site, and is conditioned.
- 64 Overall, for the reasons explored above it is considered that the proposed development would be in accordance with the relevant transport policies of the Core Strategy and Southwark Plan, subject to the imposition of conditions.

Design issues

- 65 This site sits fully within the Camberwell Grove Conservation Area, and on its eastern edge it shares the boundary with the Grade II listed Grove Chapel. These two heritage conditions are particularly significant factors in the appraisal of this application. The plot is effectively a backland site, currently occupied by garages behind 93 Grove Lane, but the lane (Windsor Walk) to the immediate south provides the opportunity for direct pedestrian only access into the development. Hull Court and Grove Court to the south are deck access blocks of very low architectural character. The lane that links Camberwell Grove and Grove Lane is itself of low aesthetic and amenity quality and

would benefit from improvement.

- 66 Saved policy 3.13 'Urban design' of the Southwark Plan requires that the height, scale and massing of buildings should be appropriate to the local context and not dominate its surroundings inappropriately, with regard to their local context, making a positive contribution to the character of the area and providing active frontages. It is considered that the proposed 3 storeys is generally acceptable in terms of height, utilising the lower level, and the upper wall head generally matching the ridge level of the adjacent Chapel annexe. The set back to the upper level means that the lower south boundary wall is primarily read in direct relationship to the listed building's contemporary annexe, to which it appears subservient being some way below its eaves. The lower section of the set back upper level relates directly to the adjacent eaves, which is also responsive to its neighbour. The proposal is significantly lower than the wall head to 93 Grove Lane, so the relationship to this building is also suitably subservient.
- 67 The depth of the building has been reduced from the previously refused design, resulting in a significantly reduced bulk and a development that sits more comfortably within its site and does not appear as over development. The development of this site is without a direct urban grain pattern which it should follow, being positioned perpendicularly to the neighbouring terraces on Camberwell Grove and Grove Lane. The building at 93 Grove Lane and the Grove Chapel do themselves deviate from the established pattern of development so this proposal will not appear as overly incongruous in terms of contextual layout. While the focus onto Windsor Walk is rationale enough in itself, building hard onto the pavement limits the amount of active frontage that is desirable, as such very little contribution is made to the character of the alley area/streetscape from this largely closed/screened frontage. The reduction of the proposed bulk on the site has created better scope for outdoor amenity space, with gardens on the northern edge that relate well to those behind the Camberwell Grove and Grove Lane terraces.
- 68 Within this heritage context, and adjacent to the listed Chapel, the quality of design, detailing and materials is extremely important. Saved policy 3.12 'Quality in design' of the Southwark Plan requires that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment, creating a high quality appropriate design solution specific to their site and context, and preserving or enhancing the historic environment.
- 69 Whilst contemporary design can be appropriate within conservation areas, this must enhance the character or appearance of the area and will be heavily reliant on the use of complementary materials. The form of the design sets up a complex relationship of setbacks and openings, with four expressed bay windows to the upper elevation. The strongly expressed angular living/bedrooms-rooms on the top level of the previous scheme, which were expressing a form and rhythm that is atypical to the area, have been replaced with more regular forms. This more rationalised design should sit reasonably unobtrusively within its quiet context, and helps to overcome the previous design reason for refusal.
- 70 There had been some concern regarding the quality of the large western flank elevation. The plans originally submitted with the application proposed a mostly blank elevation which offered little in the way of visual interest. The plans have been amended since submission to provide an area of layered brickwork with a window beside, and also what appears to be a type of brick frame wall which shows plants incorporated. Given the lack of detail shown on the drawings, it is recommended that detailed drawings are submitted for approval under a condition prior to works commencing.

- 71 The quality of materials and detailing will also be a key issue for this proposal's acceptability, to ensure that there is an adequate contextual response and a very high level of built quality. The use of brick for the main facing material is acceptable in principle on this site, but sample panels of the brick and mortar/pointing will be required by condition. The brick will need to have a significant level of interest in its material quality and variation of colour tone and texture. The brick is augmented with limited areas of timber panelling/screens as well as green roofs. The combination of natural materials should help to transition this proposal into its heritage context.
- 72 Saved policy 3.16 'Conservation areas' of the Southwark Plan requires that within conservation areas, development should preserve or enhance the character or appearance of the area. New development should respect the context of the conservation area, use high quality materials that complement and enhance the area; and do not introduce design details or features that are out of character with the area. Paragraph 129 of the NPPF also requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.
- 73 The particular nature of the significance of Camberwell Grove Conservation Area, as defined by the Appraisal, lies in the consistency of architectural form, detailing and materials in the Camberwell Grove/Grove Lane terraces. Whilst it is accepted that the development of this site can deviate from this, the development must nevertheless preserve or enhance the conservation area. We consider that the revised proposal has the potential to enhance the Conservation Area with an interesting contemporary scheme that is reasonably restrained in its composition and forms, and a simplicity in the detailing and materiality that should help the proposal to settle within its context.
- 74 Where appropriate, developments should include landscape design that enhances the area and biodiversity. It is noted that the extensive use of green roofs which is commendable, and will be required by condition. Landscaping will also be an important element of this scheme, given the extensive area of the site being developed.
- 75 Overall, for these reasons, it is considered that the development has sufficiently overcome the previous design reason for refusal and subject to conditions would now meet the relevant policies of the saved Southwark Plan and Core Strategy.

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

- 76 Saved policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan, notes that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building. While the adjacent Grove Chapel has its contemporary extension immediately abutting this site, the proposal must nevertheless justify how it preserves or enhances the setting of the listed building. This proposal sits immediately adjacent the contemporary rear extension to the listed Chapel, and rendered views of the scheme have been provided that show how the proposal will enhance its setting with an appropriately scaled 'contemporary vernacular' design in complementary materials.

Impact on trees

- 77 The development would result in landscaping and planting of trees, however to ensure that this is undertaken, should the application be otherwise considered to be acceptable, a condition of consent is recommended to be imposed requiring details of a landscaping scheme and boundary treatment to be submitted for approval.

Planning obligations (S.106 undertaking or agreement)

78 No S.106 obligations are necessary with a scheme of this size.

Sustainable development implications

- 79 All developments are required to maximise energy efficiency, in accordance with saved policy 3.4 'Energy efficiency' of The Southwark Plan [UDP], and to minimise and reduce energy consumption and CO2 emissions. Developments should also have regard to demand for water use, and grey water recycling.
- 80 Saved policy 3.5 'Renewable Energy' of The Southwark Plan [UDP] states that planning permission will not be granted for development unless it incorporates renewable energy technology and design this where this would not adversely affect the viability of the development.
- 81 The previous application was not accompanied by either a Sustainability or Energy Efficiency Statement, although some measures were outlined within the design and access regarding some basic energy efficiency measures.
- 82 It was considered that the application failed to provide an adequate assessment of energy demand or sustainability, and also failed to incorporate renewable energy technologies into its design without justification.
- 83 The Planning Inspector considered that this could be suitably addressed with the imposition of a condition requiring a Sustainability Assessment. As such, it is recommended that such a condition is imposed on any permission given.
- 84 It is therefore considered that the proposal would meet Policies 4A.7 'Energy Efficiency and Renewable Energy' and 4A.9 'Providing for Renewable Energy' of the London Plan, saved policies 3.4 'Energy Efficiency' and 3.5 'Renewable Energy' of The Southwark Plan [UDP] 2007 and Strategic Policies 1 'Sustainable development' and 13 'High Environmental Standards' of the Core Strategy 2011.

Security

- 85 Saved policy 3.14 'Designing out crime' of The Southwark Plan [UDP] seeks to require developments to be designed to improve community safety and crime prevention. The only access to this site post construction is via the pedestrianised lane of Windsor Walk. Whilst it is acknowledged that the proposed scheme would improve natural surveillance of the walkway if constructed, improved lighting is required to improve safety for residents at night.
- 86 Within the Design and Access Statement the applicant has suggested that there will be lighting incorporated to the front of the building for safety and security. As such, it is recommended that a condition is imposed requiring details of the lighting scheme to be submitted for approval.
- 87 For these reasons it is considered that the development would be in accordance with saved policy 3.14 'Designing out crime' of The Southwark Plan [UDP] 2007.

Waste

- 88 The estimated total weekly refuse (recyclable and non-recyclable) for a residential development should be calculated at 30L per unit plus 70L per bedroom. The recycling should be 50% in addition to this calculated total. The refuse and recycling bin storage area should be provided in an easily accessible location for both residents

and the refuse collection operatives, but should not detract from the visual amenity of the streetscene, or the development's interaction with the street.

- 89 In accordance with the above, the total likely refuse generation is 1360L and recycling is 680L both per week.
- 90 The development includes two refuse storage spaces which appear large enough to accommodate bins with capacity outlined above.
- 91 Within the previous application there was concern that sufficient information was provided regarding refuse and recycling collection from the site, given that the waste storage is in excess of 30m from the road. However the Planning Inspector within the appeal decision did not raise concern with this distance.
- 92 On balance it is considered that the development would provide suitable refuse and recycling provision, and therefore meets saved policies 3.2 'Protection of amenity' and 3.7 'Waste reduction' of The Southwark Plan [UDP] 2007 and Strategic Policy 13 'High environmental standards' of the Core Strategy 2011.

Other matters

- 93 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 is 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.
- 94 The CIL contribution based on the areas provided will be $608m^2 \times \pounds 35 = \pounds 21,280$.
- 95 With regard to the concerns raised about the demolition and construction phase of the scheme, as discussed further below, should consent be granted a Construction Management Plan will be required by way of condition.

Conclusion on planning issues

- 96 Overall, for the reasons explored above, it is considered that the proposed development has sufficiently overcome the previous reasons for refusal and is considered to make a positive response to its context, sufficiently protect the amenity of adjoining occupiers, provide a good standard of accommodation for future occupiers, adequately addresses sustainability and energy efficiency, and is acceptable in terms of transportation. As such, the development now meets the relevant policies of The Southwark Plan, the Core Strategy, the Residential Design Standards and the London Plan, subject to the imposition of suitable conditions.

Community impact statement

- 97 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.

Consultations

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

Consultation replies

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

Summary of consultation responses

100 Objection

Letters of objection have been received from the following:

- 5 Hull Court, 83c Grove Lane, 85 Grove Lane, 87 Grove Lane, 89 Grove Lane, First Floor Flat 91 Grove Lane, Ground Floor Flat 91 Grove Lane,

The reasons for objection have been summarised as follows:

The development is an overdevelopment of the site owing to the combination of its bulk, massing and proximity to neighbouring sites, in particular those to the north and west.

The building would have an overbearing impact resulting in overlooking of neighbouring sites with subsequent loss of privacy. The proposed building would be within 21m of buildings to the rear which is contrary to the guidance within the Residential Design Standards. The amendments since the refused application have not overcome concerns of overlooking. The fence and third floor balcony are also too low and would allow overlooking.

The development will also result in loss of daylight and sunlight access to garden spaces and properties in Grove Lane, Hull Court, and possibly Grove Court. In addition some concern has been raised regarding the height of the boundary fence with 91 Grove Lane and the resulting loss of daylight to the rear garden.

Lack of information regarding servicing and construction phase impacts, including access, noise, disturbance, dust, delivery times etc. The construction of the development would impact significantly on the amenity of neighbouring occupiers, and construction / demolition traffic would conflict with morning and afternoon school hours.

There is a lack of amenity space for the future occupiers.

The development has not included a sufficient proportion of its energy requirements from sustainable sources.

There is some concern that the remainder of the site, being the part facing Grove Lane, is left undeveloped and it is unclear what the intention is for this, and there is concern that further development would occur.

The development would impact on the adjoining listed building.

101 Reconsultation

The application was reconsulted on 3 December 2012 due to alterations to the site plan, amendments to the development and further information (Sunlight and Daylight

Report), and as such further representations were received by the occupiers of:

- 5 Hull Court, 87 Grove Lane, 89 Grove Lane, 91 Grove Lane and 1 x no address given

The reasons for objection have been summarised as follows:

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102 Support

Several letters of support for the planning application were received from the following:

- Grove Chapel Camberwell Grove, South London Architects Forum, Flats 1 and 17, 8 Dog Kennel Hill, 25a Grove Park, Flat 4 94 Camberwell Grove, Flat 4 The Hamlet Champion Hill

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The development will greatly improve the existing derelict garage site adjacent to the chapel, and will improve the security of Windsor Walk.

The massing seems befitting to its context, with the design, appearance and materials also being commendable. The quality of design is high.

The BRE assessment shows a minimal impact on neighbouring sites in terms of daylight and sunlight.

Some of the letters of support for the application were from people living in flats in the area designed by the architects who consider it to be good quality, and that the existing garages are abandoned and detract from the character of the area.

Human rights implications

103 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.

104 This application has the legitimate aim of providing additional residential accommodation. 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/2135-93 Application file: 12/AP/2634 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 5470 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	Fennel Mason, Planning Officer	
Version	Final	
Dated	19 February 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
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
Date final report sent to Constitutional Team	12 April 2013	

APPENDIX 1

Consultation undertaken

Site notice date:

13 September 2012 and 3 December 2012

Press notice date:

14 September 2012

Case officer site visit date:

13 September 2012

Neighbour consultation letters sent:

13 September 2012 and 4 December 2012

Internal services consulted:

Design and Conservation
Environmental Protection Team
Planning Policy
Transportation Team

Statutory and non-statutory organisations consulted:

Thames Water

Neighbours and local groups consulted:

Neighbour Consultee List for Application Reg. No. 12/AP/2634

TP No	TP/2135-93	Site	LAND TO REAR OF 93 GROVE LANE, LONDON, SE5 8SN
App. Type	Full Planning Permission		

Date Printed	Address
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14/09/2012	UNIT 1 93 GROVE LANE LONDON SE5 8SN
14/09/2012	UNIT 2 93 GROVE LANE LONDON SE5 8SN
14/09/2012	FLAT 8 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	FLAT 9 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	UNIT 3 93 GROVE LANE LONDON SE5 8SN
14/09/2012	UNIT 6 93 GROVE LANE LONDON SE5 8SN
14/09/2012	UNIT 7 93 GROVE LANE LONDON SE5 8SN
14/09/2012	UNIT 4 93 GROVE LANE LONDON SE5 8SN
14/09/2012	UNIT 5 93 GROVE LANE LONDON SE5 8SN
14/09/2012	FLAT 7 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	FLAT 15 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	FLAT 16 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	FLAT 13 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	FLAT 14 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012	FLAT 2 HULL COURT GROVE LANE LONDON SE5 8SL

14/09/2012 FLAT 5 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012 FLAT 6 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012 FLAT 3 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012 FLAT 4 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012 FIRST FLOOR FLAT 91 GROVE LANE LONDON SE5 8SN
14/09/2012 GROUND FLOOR FLAT 91 GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 8 83A GROVE LANE LONDON SE5 8SN
14/09/2012 93 GROVE LANE LONDON SE5 8SN
14/09/2012 SECOND FLOOR FLAT 91 GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 7 83A GROVE LANE LONDON SE5 8SN
14/09/2012 83C GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 1 83A GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 8 93 GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 2 83A GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 5 83A GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 6 83A GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 3 83A GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 4 83A GROVE LANE LONDON SE5 8SN
14/09/2012 85 GROVE LANE LONDON SE5 8SN
14/09/2012 87 GROVE LANE LONDON SE5 8SN
14/09/2012 96 CAMBERWELL GROVE LONDON SE5 8RF
14/09/2012 98 CAMBERWELL GROVE LONDON SE5 8RF
14/09/2012 89 GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 4 94 CAMBERWELL GROVE LONDON SE5 8RF
14/09/2012 FLAT 6 94 CAMBERWELL GROVE LONDON SE5 8RF
14/09/2012 FLAT 2 94 CAMBERWELL GROVE LONDON SE5 8RF
14/09/2012 UNIT 2B 93 GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 12 93 GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 13 93 GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 10 93 GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 11 93 GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 14 93 GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 1 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012 THE GROVE CHAPEL CAMBERWELL GROVE LONDON SE5 8RF
14/09/2012 UNIT 15 93 GROVE LANE LONDON SE5 8SN
14/09/2012 UNIT 9 93 GROVE LANE LONDON SE5 8SN
14/09/2012 FLAT 6 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG
14/09/2012 FLAT 7 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG
14/09/2012 FLAT 4 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG
14/09/2012 FLAT 5 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG
14/09/2012 FLAT 8 GROVE COURT CAMBERWELL GROVE LONDON SE5 8RG
14/09/2012 FLAT 11 HULL COURT GROVE LANE LONDON SE5 8SL
14/09/2012 FLAT 12 HULL COURT GROVE LANE LONDON SE5 8SL
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14/09/2012 96A CAMBERWELL GROVE LONDON SE5 8RF
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Re-consultation:

3 December 2012 site notice and 4 December 2012 neighbour consultation letters

APPENDIX 2

Consultation responses received

Internal services

Design and Conservation - supports the application subject to the imposition of suitable conditions.

Environmental Protection Team - no response

Planning Policy - no response

Transportation Team - does not object to the development subject to conditions.

Statutory and non-statutory organisations

Thames Water - no objections

Neighbours and local groups

Objection

Letters of objection have been received from the following:

- 5 Hull Court, 83c Grove Lane, 85 Grove Lane, 87 Grove Lane, 89 Grove Lane, First Floor Flat 91 Grove Lane, Ground Floor Flat 91 Grove Lane,

The reasons for objection have been summarised as follows:

The development is an overdevelopment of the site owing to the combination of its bulk, massing and proximity to neighbouring sites, in particular those to the north and west.

The building would have an overbearing impact resulting in overlooking of neighbouring sites with subsequent loss of privacy. The proposed building would be within 21m of buildings to the rear which is contrary to the guidance within the Residential Design Standards. The amendments since the refused application have not overcome concerns of overlooking. The fence and third floor balcony are also too low and would allow overlooking.

The development will also result in loss of daylight and sunlight access to garden spaces and properties in Grove Lane, Hull Court, and possibly Grove Court. In addition some concern has been raised regarding the height of the boundary fence with 91 Grove Lane and the resulting loss of daylight to the rear garden.

Lack of information regarding servicing and construction phase impacts, including access, noise, disturbance, dust, delivery times etc. The construction of the development would impact significantly on the amenity of neighbouring occupiers, and construction / demolition traffic would conflict with morning and afternoon school hours.

There is a lack of amenity space for the future occupiers.

The development has not included a sufficient proportion of its energy requirements from sustainable sources.

There is some concern that the remainder of the site, being the part facing Grove Lane, is left undeveloped and it is unclear what the intention is for this, and there is concern that further development would occur.

The development would impact on the adjoining listed building.

Reconsultation

The application was reconsulted on 3 December 2012 due to alterations to the site plan, amendments to the development and further information (Sunlight and Daylight Report), and as such further representations were received by the occupiers of:

- 5 Hull Court, 87 Grove Lane, 89 Grove Lane, 91 Grove Lane and 1 x no address given

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The revisions still do not remedy a number of objections previously raised, being related to excessive bulk and subsequent loss of privacy. There is still overlooking from the upper floors to the rear gardens of Grove Lane.

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