

Item No: 7	Classification: Open	Date: 15 May 2013	Meeting Name: Planning Sub-Committee B
Report title:		Addendum Late observations, consultation responses, and further information.	
Ward(s) or groups affected:		Cathedrals, College and Grange	
From:		Head of Development Management	

PURPOSE

- 1 To advise Members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

- 2 That Members note and consider the late observations, consultation responses and information received in respect this item in reaching their decision.

FACTORS FOR CONSIDERATION

- 3 Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:
 - 3.1 **Item 7.2 - Maya House, Borough High Street**
 - 3.2 Amend paragraph 1 of the officer report as follows:

Grant planning permission, *subject to conditions*.
 - 3.3 Correction to paragraph 30 of the officer report:

The proposal could result in an additional 8 18 residents accessing their flats from the fifth floor of the Maple Building...
 - 3.4 Additional objection received from 6 the Maple Building, on behalf of the residents of the building:

Reject the assertion that fire safety regulations would prevent residents of the new flats being able to use the existing lift in Maya House and request confirmation that the proposed access arrangements would comply with fire safety regulations - response - officers have discussed the proposal with the Council's Building Control Team which has advised that the existing office space and proposed flats could not share the existing lift in Maya House. The acceptability of the route through the Maple Building is a Building Control matter and the applicant would need to obtain Building Regulations approval in order to be able to implement any forthcoming planning permission. As part of the Building Regulations process the Fire Authority would be consulted.

Paragraph 30 of the officer report states that up to 8 residents would access their flats through the Maple Building, but the number of households accessing through this building would increase by 170% which is substantial - response - this is a typographical error in the report which should have read 18 residents and the application was assessed as such based on the number of bedspaces proposed. This has been corrected through the addendum.

Plans for soundproofing the 5th floor lobby may not be possible, would reduce the size of the lobby and could block smoke vents. The lift is small and old and would be used more, resulting in increased waiting times - response - a condition for details of sound proofing to the 5th floor lobby is recommended. Any such scheme would also need to comply with the Building Regulations which considers fire safety. The maintenance of the lift would be a private matter for the leaseholders.

A revised location for the refuse store would block a fire escape for the Roxy Bar and Screen and management of the refuse store needs to be resolved - response - no revised plan for the refuse store has been submitted to the Council and a condition for details of its management is recommended.

Reject the assertion that the development has been designed to minimize its impact upon neighbouring dwellings. Impacts upon the Maple Building were not considered nor were residents consulted prior to submission of the application. Concerns regarding loss of amenity, impact upon the enjoyment of homes and the community within the Maple Building have not been considered - response - the Council consulted with residents upon receipt of the planning application and the impact upon the amenity of the Maple Building is set out in the officer report; conditions have been recommended to mitigate any potential impacts.

Consultation has not been adequate to the scale of the impact on residents of the Maple Building - response - details of the consultation carried out on the application are set out at Appendix 1 of the officer report and statutory requirements have been met.

The right to respect for private and family life would be interfered with by this proposal and there is no common good in providing access through the Maple Building - response - officers consider that the proposal for seven self-contained flats accessed through the Maple Building would not result in any significant loss of amenity to existing residents and conditions are recommended to mitigate potential impacts.

Loss of privacy and lack of detailed drawings to prevent overlooking to flat 9 of the Maple Building - response - a condition requiring privacy screens to be erected to the balconies and terraces where they are close to neighbouring flats is recommended.

Increasing the number of key holders within the building would result in a loss of security, as would replacing the current entry system with a larger one - response - it is not considered that seven additional households accessing through the Maple Building would result in a significant loss of security and could increase natural surveillance of the communal areas.

Concerns regarding the fire alarm system, construction impacts upon the Maple Building, breach of leases and management issues have been raised - response - these are matters for the Building Regulations or private management issues.

3.5 Response from Transport for London:

The site is located on Borough High Street which forms part of the Transport for London Road Network (TRLN). TfL is the highway authority for the road and are therefore concerned about any proposal which may affect its safety or performance. Given the location of the site and the high PTAL TfL welcomes the car-free nature of the development. TfL consider that the proposed level of cycle parking is in accordance with the London Plan. During construction no skips or construction materials shall be kept on the footway or carriageway. Conditions are recommended to secure a construction management plan and a delivery and servicing plan. Subject to the above, TfL are content that the application would have no adverse impacts on the operation of the TLRN.

3.6 Add the following conditions to the draft recommendation:

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. the parking of vehicles of site operatives and visitors
2. loading and unloading of plant and materials
3. storage of plant and materials used in constructing the development
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
5. wheel washing facilities
6. measures to control the emission of dust and dirt during construction
7. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason

To minimise disruption to neighbouring occupiers and to ensure that there would be no harm to highway safety, in accordance with saved policies 3.2 'Protection of amenity' and 5.2 'Transport Impacts' of the Southwark Plan (2007) and strategic policies 2 'Sustainable transport' and 13 'High environmental standards' of the Core Strategy (2011).

No development shall take place until a Service Management Plan detailing how the office space and flats are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To minimise disruption to neighbouring occupiers and to ensure that there would be no harm to highway safety, in accordance with saved policies 3.2 'Protection of amenity' and 5.2 'Transport Impacts' of the Southwark Plan (2007) and strategic policies 2 'Sustainable transport' and 13 'High environmental standards' of the Core Strategy (2011).

3.7 Item 7.3 - 65 Southwark Park Road

3.8 Paragraph 11

Add:

e) the impact on the health of children at Harris Academy

3.9 Paragraph 27:

Add:

Members are advised that the proximity of the proposed A5 hot food takeaway and its impact on the health of children at Harris Academy is a material planning consideration.

Although Policy 4: 'Hot food takeaways' of the Submission/Publication Peckham and Nunhead Action Area Plan defines a 400 metre exclusion zone for new A5 hot food takeaway uses around secondary schools this is not an adopted document and there are no policies in prohibiting such uses outside the town and local centres and protected shopping frontages within the Southwark Plan or Core Strategy. It is however likely that this matter will form part of the Southwark Plan, which is likely to be out for consultation towards the end of the year. Therefore the weight to attach to the impact of the proposal on the health of children at Harris Academy is a matter for members.

Objections regarding saturation of the local area with hot food takeaways and the gradual loss of retail uses within the borough are listed in appendix 2. As the site is not designated as a protected shopping frontage saved policy 1.9 'Change of use within protected shopping frontages' of the Southwark Plan is not relevant in this case. This policy would only exclude a A5 hot food takeaway if the application was for a change of use from A1 to A5 which would reduce the proportion of A1 uses below 50% in a protected shopping frontage.

Additional information submitted by objector:

On 14 May 2013 an email was received from Mr Alex Crowley (65 Southwark Park Road) advising that he has been asked by the other objectors to represent them. He noticed that there are no photos of the existing site in the committee papers and considers that it is only possible to get a true appreciation of the negative impact on local amenity by seeing the site as it is now and how the proposed change of use would affect the neighbouring property.

Three photos have been submitted to enable the committee to know what he will be referring to in his representation. These have been appended in appendix 1, 2 and 3.

3.10 Item 7.4 – Dulwich and Sydenham Hill Golf Club

Paragraph 1 to read:

Grant planning permission subject to conditions.

REASON FOR LATENESS

4. The comments reported above have all been received since the agenda was printed. They all relate to an item on the agenda and Members should be aware of the objections and comments made.

REASON FOR URGENCY

5. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the sub-committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications/enforcements and would inconvenience all those who attend the meeting

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403

APPENDICES

No.	Title
Appendix 1	Photograph
Appendix 2	Photograph
Appendix 3	Photograph

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Andre Verster, Victoria Lewis	
Version	Final	
Dated	15 May	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	15 May 2013	