

<b>Item No:</b> 7	<b>Classification:</b> Open	<b>Date:</b> 9 July 2013	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>		<b>Addendum</b> Late observations, consultation responses, and further information.	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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 7.1 Charles Dickens Primary School , Lant Street SE1 1QP**

#### **3.2 Additional Information:**

To report amended drawings have been received as the contractor confirmed the height needed for the modular building is 2.9 metres and not 3.2 metres as stated in the report. This results in the proposal no longer failing the sunlight test to the adjacent window at 8 Isaac Way.

#### **3.3 Additional objections have been received from:**

##### **1) Occupier of Isaac Way:**

I too agree with others that building 2 new modular buildings is not a realistic solution to a growing population and a new site for the school be considered (and the road be reopened). I do think it is worrying that the management ethos/culture at this particular educational institution should be such that making formal applications for 'play areas' which turn out to be thinly disguised applications for 'constructed buildings' is condoned and/or tolerated by its staff. What has happened to the vehement arguments used earlier in the year to convince Southwark Council to grant permission for increased play space? Do the children not need play space now all of a sudden? Transparency is paramount when attempting to negotiate an equitable agreement with the communities affected by the planning application. I am strongly against the council granting permission for this change of use.

##### **2) Occupier of 30 Isaac Way:**

I have just been to view the plans as invited by Southwark Council and The Charles Dickens School, and was very surprised to see that the planning application that was previously granted for the school has already been ignored by the school, by building two structures on an area that was specified for use as a vehicle delivery area. This area now has a bike storage area that is obviously being used for Staff bicycles, and another enclosure that has been constructed for keeping tricycles in.

It is so apparent that the planning application for the play space that was asked for in order that the children could play outside, is exactly the right size for the proposed classroom building, what a coincidence. I think The Charles Dickens School had the extra classrooms in mind before receiving the latest approval for the play space they wanted, I have never known architects or School bodies ever moving this fast for anything in the past. I strongly object to the latest planning application for the modular classrooms, and would also want the two structures in the delivery area to be removed at once.

- 3.4 Officers would advise that the planning issues raised above have already been covered in the report in the main agenda. The point in relation to the unauthorised cycle storage is being taken up with the school separately and does not form part of this application. Recommendation – No change.

### 3.5 **Item 7.2 284 – 302 Waterloo Road**

#### 3.6 Amended conditions

- Amended condition 3 to read as follows:  
The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved and the balustrade to the terrace shall be obscure glazed, unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

#### Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building, the visual amenity of the area in and to ensure no loss of privacy to neighbouring occupiers, in accordance with saved Policies 3.12 'Quality in Design', 3.13 'Urban Design' and 3.2 'Protection of amenity' of the Southwark Plan (UDP) July 2007.

- Amend condition 5 as follows:  
No music, amplified or otherwise, should be broadcast or performed, on the roof terrace area hereby approved and any music played in the bar shall not be audible on the roof terrace if the doors are open.

#### Reason

To ensure that and adjoining occupiers in the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from customers in accordance with Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- Delete condition 7 (already covered by condition 3)
- Amend condition 8 to read as follows:

No more than 10 people will be permitted on the roof terrace at any one time and no outdoor bar shall be provided.

**Reason**

To ensure no unacceptable noise or disturbance to neighbouring occupiers, in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

**3.7 Response received from Transport for London:**

TfL has no objection to planning permission being granted for the change of use from a hotel gym to a public bar with roof terrace.

**3.8 Item 7.3 65 Southwark Park Road, Bermondsey, London, SE16 3TY**

**3.9 Additional consultation responses:**

1) Resident at 77 Southwark Park Road

- States the revised plans do not allay concerns about residential amenity arising from the proposed take away use or the impact of the extraction flue issues.
- Concern about high levels of litter which are already generated from existing take-aways along this row.
- Concern about noise levels generating from customers frequenting the site late at night especially as the premises would operate as a pick up only take-away
- Potential impact of parking which is already said to be limited and congested at the site.
- The lack of need for another take-away which does not promote healthy eating in a site which is in close proximity to a school.

2) Resident at 67 Southwark Park Road

- Also raised issues with regard to litter which is considered a problem already in the area along with the saturation of the local area with take-away facilities.
- Particular concern was raised with the position of flue which is said to be within close proximity to a habitable room within the residential property. It is claimed that the equipment would cause disruption and harm to the amenity of adjacent residents through increased noise, smell and potentially vibration.
- Issue also raised with regard to the proposed hours of operation. It was pointed out that the nearby Pizza GoGo had an application refused to extend their permitted hours of operation of 11:00 - 23:30 on Monday - Saturday, and 11:00 - 22:30 on Sundays and Bank Holidays. The proposed hours at the application site would exceed these times by 30min each night.
- Generally considered that the provision of another hot food take away would have a detrimental impact upon the health and amenity of the community and is unnecessary especially with the current provision in the local area

**3.10 Comments from Officers**

Having considered the additional consultation responses, which are considered to be covered by the assessment made in the main agenda report, the recommendation remains that planning permission is granted, subject to conditions.

### 3.11 **Item 7.4 Mansion Wharf House**

#### 3.12 Additional Information:

Subsequent to the Case Officers report being completed and finalised, a further letter of objection has been received from the occupier of 24 Orchard House. The email raises no issues further to those considered and addressed in the Case Officers Report with the exception of a concern that the student housing will be available for let for 13 weeks of the year outside term time. This is a common arrangement with all types of student housing throughout London and the UK and is required in order to ensure that student housing developments remain viable. It also serves to retain surveillance due to the continued presence of residents. Further concerns are outlined in terms of a loss of amenity however these have already been considered in the Case Officer's Report.

#### 3.13 Members attention is also drawn to the following points:

- The development description has changed from 56 units to 49 units. During the course of the application the scheme was reduced by seven units, resulting in a total of 49 additional bed spaces.
- The development description for case 13/AP/0744 in the planning history (paragraph 11) should read as follows; Alterations to the existing student accommodation building to include 28 additional bedspaces, the addition of two new light-wells to the south elevation and new glazing, the addition of a new single storey extension to provide a new common room and reception, alterations to the existing car park layout, the provision of a new cycle store and associated landscaping.
- In paragraph 29 the actual uplift is 37% not 43%, less of an impact than the previously quoted 43%.
- In paragraph 71 the CIL payment should be £44,030 based on 1,258sqm – not £65,660 based on 1,876sqm (1,876sqm is the existing floorspace).

#### 3.14 Amended Conditions

- Condition 14 should be amended to make it specific to the 'end of life fuel biomass' as opposed to just biomass. As such Condition 14 should read as follows;

Before the first occupation of the building hereby permitted, a Management Plan for the 'End Life of Fuel' Biomass scheme, including details of its operation, maintenance, long term fuel supply, height of any required flue, and any required emission mitigation equipment (which employs the best practicable option to mitigate and minimise emissions of Nox/kWh and other particulate matter) shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given and the biomass boiler shall be operated and maintained in accordance with the approved Management Plan while the development remains in existence.

Reason

To ensure the proposal minimises its impact on air quality in accordance with Saved Policies 3.3 Sustainability Assessment, 3.4 Energy Efficiency and 3.6 Air Quality of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- Condition 15

Prior to the occupation of the additional rooms hereby approved a written strategy shall be submitted to and approved by the Local Planning Authority. The strategy should outline measures by which it is planned to engage and liaise with local residents and provide a point of contact for any complaints and to identify appropriate action to address any complaints received. This document shall be implemented as approved by the Local Planning Authority and the Development operated in accordance with it.

Reason

In order to minimise disruption and disturbance to nearby residents, in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

- Additionally, an updated Daylight and Sunlight Study has been received demonstrating a reduced impact in terms of VSC loss compared to that outlined in the Case Officer's Report. The initial daylight and sunlight study showed an existing VSC for the ground floor kitchen window of 8.94 with a loss of 2.44 resulting in a 31.21% loss of VSC. The revised study shows that this window has an existing VSC of 9.82 and will be subject to a loss of 2.79 resulting in an overall loss of 26.07%. As such the revised daylight and sunlight study shows an improvement in VSC of 5.14% and a reduced impact in terms of a loss of daylight/sunlight.

### 3.15 Item 7.5 Perronet House

Further comment from Transport for London following provision of servicing details which they find to be acceptable.

### 3.16 Item 7.6 Ducks Infants School, Dulwich College, Dulwich Common, London, SE21 7LG

3.17 Consultation response received from occupier of 7, Woodhall Drive, SE217HJ raising the following matters of concern:

- The play area for the children will move two and a half metres closer to the properties on Woodhall Drive . This will increase the noise level which is already considerable and has been getting worse over recent years.
- The 'footprint' of the School will increase by some 83 square metres, quite a substantial area, which subsequently will allow further development of the school buildings.
- There has been creeping development of the school site since the Nursery school burnt down in the 1990's with increases in the buildings, increases in the numbers of children attending the school, increases in the age range of

the children, increase in noise levels and increase in traffic to the school. For example, it should be noted that a Planning Application in Feb 2000 referred to an extension to "the existing Nursery School". The current application refers to "the Infant Dept of Dulwich College" , ie a change in the age range of the pupils.

3.18 Officer response:

The comments raised are noted, however given the rear garden boundaries of the dwellings on Woodhall Drive are some 75.5 metres away from the area it is not considered that the proposed works would have a significant impact upon the residential amenity currently enjoyed by these dwellings. The officer recommendation remains that the application should be granted planning permission.

**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**

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

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Rob Bristow, Group Manager, West Area, Development Management	
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<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 and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
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