

Item No: 7.	Classification: Open	Date: 10 December 2013	Meeting Name: Planning Sub-Committee B
Report title:		Addendum Late observations, consultation responses, and further information.	
Ward(s) or groups affected:		East Walworth, College	
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 7.5 – Huntsman and Hounds, 70 Elsted Street**

- 3.2 Additional representation from the objector at 38 Peacock Street, as follows:

The site has been offered for sale, and St Olave's united Charity has made an offer to purchase the pub.

Requested conditions on the following to be added to the recommendation:

1. To safeguard community amenity, the pub is closed for no longer than 6 months.
 2. The level of rent for the pub is affordable for its size and the lease period ensures its future as a pub.
 3. A reasonable Section106 is paid by the developer in lieu of the loss of public amenity space in the yard and spent on enhancing the streets around the pub.
 4. That it can only operate as an A4 pub
 5. The pub usage cannot be attacked by other residents of the development as a consequence of its reasonable operation.
- 3.3 In response to suggested conditions 1-3, officers have recommended within the agenda report that the proposal meets with planning policy. There would

therefore be no demonstrable harm resulting from the pub remaining empty, or the loss of the pub garden, that would need to be mitigated through the imposition of additional planning conditions or the necessity of a s106 payment.

Officers do however, consider that the A4 use can be protected against change of use through permitted development rights, and have proposed to add the following condition in response to suggested condition 4:

Notwithstanding the provisions of Class D of Part 4 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2013 the A4 (drinking establishment) use hereby permitted and as shown on the ground floor plan reference PL-05, shall be retained as A4, unless prior written consent is granted by the LPA.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use 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 and the National Planning Policy Framework 2012.

- 3.4 Officers also propose an additional condition on noise protection between residential and commercial uses:

Before any work hereby authorised begins, details of how the residential rooms within the development sharing a party element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 Leq, 5min is not exceeded due to noise from the commercial premises, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises 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).

- 3.5 A letter from the publican of Huntsman and Hounds and dated 27 November 2013, was received by officers on 10 December 2013. The letter is addressed to Members and states that he is satisfied that the proposal includes two darts boards in the pub, which will allow the established darts teams to continue to play. The letter also states that the rear yard has hardly been used for community events or activities and makes very little difference to the future viability of the pub. The publican confirms that he has reached an agreement with the developer, that once the pub is substantially completed, he will take occupation of the new unit under a new lease for a term of 5 years, which is longer than the standard 3 year pub tenancy.

3.6 **Item 7.6 – Camber Lawn Tennis Club, Dulwich Common**

3.7 Paragraph 6 of the officer report amended to read:

Erection of a new single storey clubhouse on site of former club house (which was destroyed by fire in March 2013). ***The new clubhouse will be exclusively used as a member's club only, and not rented to third parties for other use.*** The clubhouse will comprise changing rooms and other ancillary facilities for the tennis club. The proposal is 10 sqm larger than the previous building which results from its simple rectangular shape infilling some of the indentations of the previous plan form which arose from the incremental way in which the previous club house had been added to over the years. This more rational layout allows for greater accessibility with a changing room for disabled persons provided

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	Further letters from consultees relating to item 7.5

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Susannah Pettit, Senior Planner; Neil Loubser Senior Planner	
Version	Final	
Dated	10 December 2013	
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	10 December 2013	