

Item Nos. 8.5 8.6	Classification: OPEN	Date: 27 January 2014	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Council's own development Application 13/AP/4258 for: Council's Own Development - Reg. 3 Application 13/AP/4259 for: Listed Building Consent Address: CAMBERWELL NEW CEMETERY, BRENCHLEY GARDENS, LONDON, SE23 3RD Proposal: Change of use of existing listed cemetery lodge building from (vacant) residential use (ancillary to the cemetery) to office use (ancillary to the cemetery). Improvements to the setting of the building including relocation of car parking to rear and reinstatement of front lawns. Minor alterations to the fabric of the building.		
Ward(s) or groups affected:	Peckham Rye		
From:	Head of Development Management		
Application Start Date 05/12/2013		Application Expiry Date 30/01/2014	
Earliest Decision Date 25/01/2014			

RECOMMENDATIONS

- 1 To grant planning permission subject to conditions.
- 2 To grant listed building consent and refer to Secretary of State for a decision.

BACKGROUND INFORMATION

- 3 These applications have been referred to Sub-Committee for determination as the application site is located on Metropolitan Open Land. These are council's own applications.

Site location and description

- 4 The application site is the two-storey lodge at Camberwell New Cemetery, which is situated inside the entrance to the crematorium off Brenchley Gardens. The building is constructed of Reigate stone with Portland dressings. The lodge forms a group with the cemetery waiting room, gates and piers and the mortuary chapels, all of which are Grade II listed. The group was conceived as a symmetrical design with the waiting room directly opposite the lodge and the double chapels; with clock tower, on axis. The lodge was constructed in 1927 to the designs of Sir Aston Webb. Originally constructed as the cemetery superintendent's house with private accommodation to the rear of the building. At ground floor level the main room faces onto the cemetery entrance, approached through an open loggia and was originally intended for office use. The lodge has its own private entrances to the side and rear. The building is arranged so that only windows facing onto the public side are those of the office and the obscured glass to the first floor bathroom.

- 5 The building is no longer required as a superintendent's office, has been vacant and on English Heritage's Heritage at risk register since March 2011. As a working cemetery the building is not suitable for residential rental or to sell for use independent of the cemetery.

Details of proposal

- 6 The application under consideration is for change of use of the existing vacant cemetery lodge building from residential use (ancillary to the cemetery) to office use (ancillary to the cemetery). Works include improvements to the setting of the building including: relocation of car parking to the rear and reinstatement of front lawns, as well as refurbishment works and minor alterations to the fabric of the building. In order to secure a viable future for the building, the lodge is proposed to be converted into offices for cemetery staff, who are currently located within the south chapel.

Planning history

- 7 LBS Reg: 12-AP-2376 planning permission granted 26/10/2012 for a new section of road to link the crematorium to the chapel in Camberwell New Cemetery. A small section of existing garden will be removed to install a new carriage way linking the existing access roads together including new kerbs, foot way and removal of trees.

Planning history of adjoining sites

- 8 No recent relevant planning history.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) Amenity and heritage impacts
 - c) Transport impacts

Planning policy

Local Plan Policies Core Strategy 2011

- 10 Strategic Policy 2 - Sustainable transport
Strategic Policy 11 - Open spaces and wildlife
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 11 The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town

centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- 2.1 - Enhancement of community facilities
- 3.2 - Protection of amenity
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.14 - Designing out crime
- 3.15 - Conservation of the historic environment
- 3.16 - Conservation areas
- 3.17 - Listed buildings
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 3.25 - Metropolitan open land
- 5.2 - Transport impacts

12 London Plan 2011 - consolidated with revised early minor alterations October 2013'

- Policy 5.3 - Sustainable design and construction
- Policy 7.4 - Local character
- Policy 7.6 – Architecture
- Policy 7.8 – Heritage Assets and Archaeology
- Policy 7.17 - Metropolitan Open Land

13 National Planning Policy Framework (NPPF)

- Section 7 - Requiring good design
- Section 11 - Conserving and enhancing the natural environment
- Section 12 - Conserving and enhancing the historic environment

Principle of development

14 The main issue is whether the proposal is appropriate development for Metropolitan Open Land (MOL). Saved Southwark Plan policy 3.25 is therefore relevant to the determination of this proposal and states that planning permission will only be granted for appropriate development which is considered to be for the following purposes:

- i) Agriculture and forestry; or
- ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
- iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
- iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.

15 The site is designated as metropolitan open land. Use for cemetery purposes is specifically listed as an appropriate use of MOL. Given that the work to the lodge and associated landscaping works are required to support the cemetery operation of the land. Furthermore, the restoration of the listed building, reinstatement of front lawns, new wheelchair accessible path, carriageway and relocated car park, will improve facilities at the cemetery whilst preserving the quality of the open space and wider nature of the MOL. Therefore the proposal preserves the MOL and its value, and it is considered that the development is compliant with saved policy 3.25 of the Southwark

Plan and strategic policy 11 - Open spaces and wildlife of the core strategy (2011).

- 16 In land use terms there are no objections to the proposal and there will be no conflict of use detrimental to amenity. The principle of the development is acceptable as it raises no substantial conflict with planning policy and guidance.

Environmental impact assessment

- 17 The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not require the submission of an environmental impact assessment.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

- 18 The development will have no adverse impact on the amenity of any surrounding or nearby occupiers. The visual amenity of the site may change slightly due to the landscaping works proposed to create the car parking spaces. Part of the works proposed includes: the removal of overgrown trees/ shrubs, relocation of visitor/ staff car parking from the front of the lodge to the rear and restoration of the landscape frontage to the building. Also proposed are: re-surfacing of the gravel to the entrance and remodelling of rose beds within parterre hedges. It is considered that these works will not have an adverse impact on the wider site context, and loss of existing trees will be mitigated by tree replanting as recommended by the Urban Forester.

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

- 19 Given that the nearest neighbours in Nos. 17-47 Brenchley Gardens are 32 metres from the application site, with the boundary wall, railings and planting between, it is considered that there will be no conflict of use detrimental to amenity.

Transport issues

- 20 The transport team have been consulted and raised no object to the proposed development as it would not generate a significant negative impact on the performance and safety of the surrounding highway network.

Design issues

- 21 In design terms the proposal is acceptable. It is considered that the development proposed will enhance the vacant listed building, with minimal impact on the existing fabric. Originally two small lawns extended in front of the lodge, the proposal is to restore this original arrangement. The materials proposed seek to complement the building: granite kerbs, edgings and sets and SuDS hydro-paving toned to reflect the stonework of the lodge. New planting will be introduced and the path; to the south, regraded for use by wheelchair users, with a single carriage way created to the north providing access to a new car park, incorporating two disabled parking spaces. It is considered; therefore, that the associated groundworks, car parking to the rear and reinstatement of front lawns raises no visual amenity issues and overall will improve the setting of the listed buildings.

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

- 22 Paragraph 129 of the NPPF requires that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking*

account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.' It is considered that the significance of the lodge at Camberwell New Cemetery, lies in its group value with cemetery waiting room, gates and piers and the mortuary chapels, surviving historic fabric and plan form. Overall it is considered that the landscaping works, new path and ramp and relocation of the car parking to the rear will improve the setting of the listed building and will not harm the character of the lodge or its listed neighbours. The main impact of the development will be the proposed landscaping works, which include the removal of the fruit and self sown trees. However, it is considered that the loss of the trees can be mitigated by replanting and as such is not considered to have a significant adverse impact on the identified heritage assets.

- 23 The lodge structurally is in a good condition, however the fabric is suffering in some areas from the impact of thieves and squatters. The side entrance door has been smashed and requires replacement. Recent attempts to remove copper pipework and lead have resulted to flooding and damage to the woodblock floor. The unglazened metal windows have significantly bowed and require replacement at first floor level. At ground floor the windows are more sheltered and it is proposed to repair and refurbish the windows at this level. The works proposed to the windows are acceptable, subject to detail design and schedule of works for the refurbishment works. The pitched roofs are in a fair condition and requires isolated re-slating, particularly where chimney stacks had been previously removed or dismantled. Flat roofs are also to be overhauled. Rainwater goods are to be overhauled and damaged sections replaced with cast iron to match existing. A new lightning protection is also proposed for the roof slopes.
- 24 The internal alterations proposed at ground floor, include: the installation of a timber and glazed screen in the main entrance room, to create an office and a public accessible space. The screen would be fully reversible and new timberwork scribed around existing plaster and skirtings. The proposal is acceptable in principle, subject to detail design. To the rear room a modern fireplace and hearth will be removed. Other works include re-organisation of the kitchen area to accommodate a disabled toilet. The main entrance door and frame have previously damaged by vandals and will be replaced to match existing. The only exception being that the door will be hung to open outwards to avoid the door to the disabled toilet. The garage will be retained and refurbished to house a cemetery vehicle. At first floor level minimal alterations are proposed. To the rear a conservation roof light will be inserted in the south slope to enable views across to the cemetery, for security purposes. A modern cupboard will be removed to facilitate this alteration. The secondary glazing will be installed to all windows and is acceptable in principle, subject to detail design.
- 25 The building is not currently accessible to wheelchair users. The existing entrance; via the loggia, has a change in level between outside and finished floor level. The proposal is to create a fully accessible entrance on the north side of the building. The external path will be re-levelled and the floor if the existing porch raised to the finish floor level internally. This proposal avoids significant changes to the appearance of the loggia. Two dedicated disabled parking spaces will be sited closest to the accessible doors.
- 26 Whilst the relocation of the office to the entrance will improve natural surveillance of the cemetery it is envisaged that security could remain an issue. Provisionally CCTV cameras have been indicated on elevation and a collapsible metal gate to the rear kitchen door. No objection is raised in principle, subject to detail design.
- 27 Paragraph 131 of the NPPF requires that *'in determining planning applications, local*

planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets'. Paragraph 132 to goes onto advise that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'. It is considered that the works under consideration will lead to less than substantial harm, therefore paragraph 134 is applicable 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. It is considered that the proposal will not impact adversely on the significance of the listed building and whilst there is some minor loss of historic fabric the works will secure the future of this long-term vacant building.

- 28 The proposed alterations therefore will potentially incur some loss of historic fabric and minor alterations to the plan form. However, the loss is considered minimal and outweighed by the benefits of the scheme. Saved policy 3.15 Conservation of the historic environment, requires that development should preserve or enhance the special interest or historic character or appearance of buildings. Saved policy 3.17 Listed buildings, requires that development proposals involving a listed building should preserve the building and its features of special architectural or historic interest. Proposals should: involve no loss of important historic fabric; not be detrimental to the special architectural or historic interest of the building; and relate sensitively to the listed building.
- 29 Strategic Policy 12 – Design and conservation of core strategy 2011, requires that development will achieve the highest possible standards of design for buildings that conserve or enhance the significance of Southwark's heritage assets, their settings and wider historic environment. Given the type the works proposed to the listed buildings and its setting it is considered that these will not compromise the historic/architectural integrity of the listed building or the wider listed group.

Impact on trees

- 30 The urban forester and ecology officer have been consulted on the proposed development. In terms of the removal of trees, the urban forester raises no objections subject to a condition to secure replanting. The relevant condition will be added to any consent issued. The ecology officer raised no concerns.

Planning obligations (S.106 undertaking or agreement)

- 31 No planning obligations or S.106 Agreements are required for an application of this nature.

Sustainable development implications

- 32 The proposal raises no sustainable development implications.

Other matters

- 33 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 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.

The proposed development does not create new floor space and will provide new cemetery office accommodation in an existing vacant building and as such is not CIL liable.

Conclusion on planning issues

- 34 It is considered that the change of use of the existing vacant; Grade II listed, cemetery lodge building from (vacant) residential use (ancillary to the cemetery) to office use (ancillary to the cemetery), proposed minor alterations to the listed building and associated improvements to the setting of the building including relocation of car parking to rear and reinstatement of front lawns, will not have no adverse impact on the character or setting of either the listed building, nor adverse impact on the Metropolitan Open Land within which the application site is located. The development complies with the relevant saved policies of The Southwark plan 2007 (July), the strategic policies of The Core Strategy 2011 and the provisions of The National Planning Policy Framework 2012. Given the above it is recommended that planning permission and Listed Building Consent be granted subject to conditions.

Community impact statement

- 35 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

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

Consultation replies

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

Summary of consultation responses

All comments received in response to the proposed development have been summarised and addressed below;

English Heritage - welcomed the principle of the scheme to reinstate the lodge as a working part of the cemetery, which would facilitate its removal from English Heritage's Heritage at Risk Register.

Ecology Officer - No objections in principle but suggests that the small pond could be re-installed in the future.

The pond is drained has not been in use for a number of years, there is currently no plans to reintroduce.

Transport - No objections.

Urban Forester - No objections however suitable replanting should be conditioned for replacement trees.

Response - Noted and agreed, the relevant condition will be attached to any consent issued.

Human rights implications

- 38 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.
- 39 This application has the legitimate aim of providing of altering a listed building and improvements to its setting. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 40 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2339-A Application file: 13/AP/4258 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 2289 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation (13/AP/4258)
Appendix 4	Recommendation (13/AP/4259)

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Tracy Chapman, Team Leader Design & Conservation	
Version	Final	
Dated	27 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	Yes	Yes
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	27 February 2014	

APPENDIX 1

Consultation undertaken

Site notice date: 23/12/2013

Press notice date: 02/01/2014

Case officer site visit date: 21/01/2014

Neighbour consultation letters sent: 23/12/2014

Internal services consulted:

Urban Forester
Ecology Officer
Transport Team

Statutory and non-statutory organisations consulted:

English Heritage
Council for British Archaeology
Victorian Society

Neighbours and local groups consulted:

49 BRENCHLEY GARDENS LONDON SE23 3RD
47 BRENCHLEY GARDENS LONDON SE23 3RD
51 BRENCHLEY GARDENS LONDON SE23 3RD
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7 BRENCHLEY GARDENS LONDON SE23 3RD
63 BRENCHLEY GARDENS LONDON SE23 3RD
CAMBERWELL NEW CEMETERY BRENCHLEY GARDENS LONDON SE23 3RD
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29 BRENCHLEY GARDENS LONDON SE23 3RD

Re-consultation:

N/A

APPENDIX 2

Consultation responses received

Internal services

Transport

The proposed development will not generate a significant negative impact on the performance and safety of the surrounding highway network. The transport policy team support a recommendation for approval.

Urban Forester

The proposed landscaping includes Hydropave setts to provide a permeable car parking surface with a lawn replaced to the previously asphalted forecourt and minor regrading to the rear, all of which represent an improvement to the current setting of the listed lodge.

Opening up of views requires the removal of small fruit trees not visible to the public together with self sown trees of lower quality bordering Brenchley Gardens. Those of greatest amenity value are retained, however, no arboricultural report is provided to assess the impact of tree and canopy loss of approximately 22 trees.

A suitable number of replacement planting is therefore required which could be provided elsewhere within the cemetery such that there is no net loss of canopy cover.

Protection and landscape conditions are recommended.

Ecology

I have reviewed this application with regards to ecology.

The Bat Assessment Survey of the lodge is fine and I agree with its findings.

There was a small pond/water feature in the garden. I would recommend that a pond is installed at some future point to replace the current one. This is only a recommendation and it will require feasibility, funding and careful consideration of the location due to canopy cover.

Statutory and non-statutory organisations

English Heritage (letter dated 16 January 2014)

English Heritage was pleased to be involved in pre-application discussions regarding proposals for Grade II listed Cemetery Lodge at Camberwell New Cemetery. We very much welcome the principle of the scheme to reinstate the lodge as a working part of the cemetery, which would facilitate its removal from English Heritage's Heritage at Risk Register.

Following on-site discussions, we are encouraged by many revisions to the proposals that have been made. In particular the relocation of the ramp to the side entrance will help to retain the architectural integrity of the building whilst providing access to all visitors.

Recommendation

This particular should be determined in accordance with national and local planning guidance, and on the basis of your specialist conservation advice.

Neighbours and local groups

No responses received at time of writing this report.