

Item No. 6.5	Classification: Open	Date: 28 April 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 14/AP/4017 for: Full Planning Permission Address: 2 GLADSTONE STREET, LONDON, SE1 6EY Proposal: Conversion of existing vacant property to provide a 2 storey, 2 bedroom dwelling with removal of existing external steps; erection of a ground floor extension; and changes to the elevation and to the entrance access fronting Gladstone Street.		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		

RECOMMENDATION

1. That the application is referred to the Planning Sub-Committee for consideration due to member interest; and that planning permission is granted subject to condition.

Site location and description

2. The site lies on the southern side of London Road within a largely residential area. It is sited to the rear of a terrace of four storey properties on London Road and to the rear of a terrace of three storey properties on Gladstone Street. It is accessed by a narrow path to the rear of the London Road properties and alongside no. 4 Gladstone Street. The site adjoins London Underground lines/depot to the west and the rear garden of 14 London Road to the north.
3. The site comprises a vacant, detached two storey building. It has an entrance door on the ground floor and external stairs up to the flat roof of a single storey element with an entrance door into the first floor.
4. There is a gap of approximately 12m to the rear of the Gladstone Road dwellings and a gap of approximately 4m to the London Road properties.
5. The existing building, which is of yellow brick walls and a mono-pitched roof, is not Listed. Nos. 2-14 London Road are listed and while nos. 15, 15a and 16a London Road are not listed they are considered to be of architectural merit. The site is located in the St George's Conservation Area which includes the adjoining properties on London Road and the neighbouring terrace in Gladstone Street is within the West Square Conservation Area.
6. The site has the following designations:
 - Major Town Centre
 - Central Activities Zone
 - Elephant & Castle Opportunity Area
 - St George's Conservation Area

Details of proposal

7. The proposal is for the removal of the external staircase and the conversion of the property into a single, two bedroom house. The existing access would be retained and a timber gate to the new house provided. On the ground floor a small extension would be undertaken behind the boundary wall with 8 Gladstone Street and new doors would be formed in the original building. Two bedrooms, a bathroom and hallway formed would be provided on the ground floor with a small landscaped shingle garden in front. New internal stairs will be provided to the first floor which would be adapted to form a 26 sqm living/dining room/kitchen. The flat roof of the single storey element would remain as a flat roof with French windows inserted into the elevation of the living room. A 1100mm high balustrade would be provided across the French windows (to prevent access to the flat roof which itself is shown as being of sedum). The living room windows facing Gladstone Street will be obscure glazed up to 1.6m above floor level. Two 'vertical' bicycle parking racks and a refuse and recycling store would be provided within the site.
8. The proposed materials are re-pointed (existing) brick for the walls, a green roof system for the main roof (and the first floor flat roof), timber framed windows and doors with timber internal frames and conservation rooflights.

Planning history

9. 14/EQ/0063 Application type: Pre-Application Enquiry (ENQ)

Conversion and change of use of no. 2 Gladstone Street and proposed mansard extension to form 1 no studio flat and 1 no 1 bedroom (2 person) flat. Proposed rear extension of 3 storeys to provide staircase access to proposed mansard units.
Decision date 17/07/2014 Decision: Pre-application enquiry closed (EQC)

A copy of the Council's written response to the pre-application enquiry is included within Appendix 3.

Planning history of adjoining sites

10. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. 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) The impact on the amenity of the adjoining occupiers.
 - c) Quality of Proposed Accommodation
 - d) Transport Issues
 - e) Design issues and effects on character and appearance of the Conservation Area
 - f) All other relevant material planning considerations.

Planning policy

12. National Planning Policy Framework (the Framework)
Relevant policies/advice are contained within Section 6 (Delivering a Wide Choice of High Quality Homes) particularly paras 49 and 50, Section 7 (Requiring Good Design) particularly para 58 and Section 12 (Conserving and Enhancing the Built Environment).
London Plan 2015

- 3.3 - Increasing Housing Supply
- 3.4 - Optimising Housing Potential
- 3.5 - Quality and Design of Housing Developments
- 7.4 – Local Character
- 7.6 - Architecture
- 7.8 – Heritage Assets and Archaeology

Core Strategy 2011

- SP1 - Sustainable Development
- SP2 – Sustainable Transport
- SP12 - Design and Conservation
- SP13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 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.

- 1.4 - Employment Sites outside the Preferred Office Locations and Preferred Industrial Locations
- 3.2 - Protection of Amenity
- 3.11 - Efficient Use of Land
- 3.12 - Urban Design
- 3.13 - Quality in Design
- 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
- 4.2 - Quality of Residential Accommodation
- 5.2 - Transport Impacts
- 5.3 - Walking and Cycling

Principle of development

13. The existing building is vacant and it can be argued that the previous use, which is understood to have been for light industrial purposes, has been abandoned. The letters of objection which have been received confirm that 'the building has remained empty and disused since 2005, for 9 years'. The proposal would arguably not therefore result in the loss of any existing employment use.
14. The proposed residential use of the site which is surrounded by residential properties is considered to be appropriate. The residential use would accord with National Planning Policy Framework advice to endeavour to utilise existing developed sites to provide developments to meet needs. Additionally the proposal would contribute to the Southwark Core Strategy target of providing 4,000 new homes in the Elephant and Castle Opportunity Area. There are therefore no objections 'in principle' to the proposed residential use.
15. Notwithstanding that the previous employment use appears to have been abandoned an objection has been raised on grounds of the loss of employment floorspace and consideration needs to be given to policy 1.4 of the Southwark Plan 2007, i.e. Employment Sites outside the Preferred Office Locations and Preferred Industrial

Locations. This policy seeks to retain existing employment space within the Borough subject to any of four criteria:

- i. The site fronts onto or has direct access to a classified road, or
- ii. The site is in a Public Transport Accessibility Zone, or
- iii. The site is within the Central Activities Zone, or
- iv. The site is within a Strategic Cultural Area

An exception to the policy may be made where:

- a) The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful; or
 - b) The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints; or
 - c) The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses.
16. A suitable Class A or other 'town centre use' is not proposed. The applicant has submitted a Marketing Report/Appraisal but this categorically states that 'the property has not been marketed as it is very apparent that it will not be viable to refurbish the property for commercial purposes'. The report notes that the site occupies a back land location which is accessed via a narrow alleyway. Due to the lack of presence and restricted access the site does not lend itself to any commercial use. The space is fragmented and the close proximity to residential could lead to conflict of use with general commercial use.
17. For these reasons it is considered that the site fulfils the second (part b) exception to policy 1.4. It is considered to be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class Use, having regard to physical and environmental constraints.

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

18. The layout and treatment of the development is considered to safeguard against any significant loss of amenity at any neighbouring properties. There would be no change to the building envelope which is visible from the windows and gardens of the neighbouring properties on London Road and Gladstone Street. The proposed new dwelling may entail use and activity at times and on days when the building was not previously used (although there are no planning conditions which restrict the hours and days of use of the existing building). Objections have been received on grounds of overlooking and loss of privacy but the provision of obscure glazing to a height of 1.6m above floor level within the first floor living room windows facing nos. 4 and 6 Gladstone Street would overcome the potential for significant overlooking at these immediately neighbouring properties. There may be oblique views from the French windows in the west elevation on the first floor but there should be no direct overlooking of any windows or gardens of any neighbouring dwellings. The 1100mm high balustrade across the French windows would prevent the use of the flat roof of the single storey element as a roof terrace.
19. The ground floor extension and elevational alterations, including the obscure glazed screen and green roofs, conservation rooflights, green roof, rendered walls, new winds and doors would not impact upon the amenity of surrounding occupiers in terms of light, privacy or outlook.

20. The use as a two bedroom dwelling would not result in noise levels out of keeping with the area and unduly harmful to residential amenity.

Quality of Proposed Accommodation

21. The conversion of the building would provide a two bedroom three person house with room sizes and layouts in accordance with the Council's Residential Design Standards. The total floor area would be 75 sqm. This is comparable to 83sqm required for a two bedroom, four person house. However the proposal would only accommodate three people (as one of the bedrooms would be a single bedroom) and would compare favourably with the minimum requirement for a two bedroom flat, i.e. 61 sqm. On balance and considering the constraints of the site, it is considered that the dwelling size is acceptable. Natural daylight would be provided to all rooms and the external garden, while short of the recommended size (i.e. 50 sqm) would provide a secure, private space for functional use. The site lies less than 200m from Kennington Park where public amenity space is available.

Transport issues

22. The site is located with a high PTAL and is located within a CPZ. The applicant has proposed a car free development, this is welcomed. A planning condition is recommended to prevent future occupiers of the proposed development from obtaining on-street parking permits in the interests of preventing pressure on the existing parking provision within the CPZ.
23. The applicant has proposed to provide two vertical hanging racks for the storage of two bikes. Given the limited space available on site these are considered to be acceptable and would enable the proposal to meet the London Plan cycle parking standards.

Design issues and effects on character and appearance of Conservation Area

24. Objections were also received on design grounds, including concern about the metal windows and materials proposed. Initially the application proposed the use of render on the walls of the building and anodised aluminium panels to the new entrance door onto Gladstone Street. These were considered to be inappropriate materials within St George's Conservation Area and adjacent to the West Square Conservation Area.
25. The re-pointing of existing brickwork and a timber entrance door overcomes these concerns and the installation of timber windows, a green roof with conservation rooflights and a landscaped garden are considered to upgrade the appearance of the site and not detract from the character or appearance of the Conservation Area. The large glazed element on the west facade would provide light into the dwelling and while clearly modern in its design would preserve the conservation area.

Planning obligations (S.106 undertaking or agreement)

26. The proposed development does not exceed the Council's threshold for planning obligations to be provided under a legal agreement.

Community Infrastructure Levy

27. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for

infrastructure that supports growth in Southwark.

28. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to £3,012.56 and the Southwark CIL amount is £15,200.

Flood Risk

29. The site lies within Flood Zone 3, but within an area benefiting from flood defences. A Flood Risk Assessment has been undertaken and consultation has been undertaken with the Environment Agency, who have raised no objections.
30. The EA recommend that a flood response plan (or flood warning and evacuation plan) is prepared and submitted to the Local Planning Authority for approval.
31. Advice is given regarding the need to reduce surface water run-off rates to greenfield rates and manage surface water run-off as close to its source as possible, in line with a given drainage hierarchy, and to utilise Sustainable Drainage Systems (SuDS) wherever practical.

Other Matters

32. The neighbourhood objections refer to 'inaccuracies' within the Design & Access Statement and Marketing Report. These are dealt with in 'Site Location & Description', 'Principle of Development' and 'Design issues and effects on character and appearance of the Conservation Area' above. The existing single storey extension up to the boundary with 8 Gladstone Street has been in existence for over 4 years and is 'immune' to enforcement action. The immediately surrounding area is predominantly residential and the design of the proposal and proposed materials would be in keeping with the character and appearance of the Conservation Area.

Conclusion on planning issues

33. The use of the building as a two bedroom house raises no 'strategic' issues and is considered to be appropriate given the 'abandoned' use of the site and the residential character of the immediately surrounding area. The development would be undertaken appropriately in the context of the character and appearance of the Conservation Area and there would be no significant loss of outlook, light or privacy or undue noise or disturbance for the occupiers of any neighbouring properties. There should be no loss of highway safety. The Mayoral and Southwark Community Infrastructure Levy charges will be applicable.

Community impact statement

34. 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

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

Consultation replies

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

Summary of consultation responses

37. A total of 12 responses (including one from the Residents Association) were received as a result of neighbourhood consultations undertaken on 16 December 2014 and on 14 January 2015 and 05.03 2015 when revised drawings were received.

The matters which were raised by the neighbours included:

- Loss of potential employment floorspace
- Unacceptable overlooking of habitable rooms and private gardens
- Inappropriate new glazing on west elevation in terms of appearance and amenity impacts
- Inappropriate materials (e.g. metal windows); preference for timber framed windows and brick walls
- Proposal includes 'unauthorised' infill element on boundary with 8 Gladstone Street
- Inaccuracies within Design & Access Statement, Marketing Report
- Loss of amenity from residential use (increased hours of use)
- Inadequacy of obscure glazed screen on roof terrace and obscure glazed living room windows

Officer Note: The amended drawings received on 14 January 2015 and 4 March 2015 omitted the proposed roof terrace and confirmed the use of existing bricks and provision of timber for the walls and windows. The application includes and seeks approval for the small 'infill' extension on the ground floor abutting the boundary with 8 Gladstone Street.

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 a new two bedroom dwelling. 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/1026-2 Application file: 14/AP/4017 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 5428 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Southwark written response to pre-application enquiry 14/EQ/0063

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Adam Greenhalgh, Planner	
Version	Final	
Dated	15 April 2015	
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 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		16 April 2015

APPENDIX 1

Consultation undertaken

Site notice date: 23/12/2014

Press notice date: 11/12/2014

Case officer site visit date: n/a

Neighbour consultation letters sent: 16/12/2014

Internal services consulted:

Flood and Drainage Team

Statutory and non-statutory organisations consulted:

Environment Agency
Thames Water - Development Planning

Neighbour and local groups consulted:

Flat 22 Dunstall House SE15 5SJ	127 Peckham High Street London SE15 5SL
Flat 21 Dunstall House SE15 5SJ	133 Peckham High Street London SE15 5SL
Flat 24 Dunstall House SE15 5SJ	129 Peckham High Street London SE15 5SL
Flat 23 Dunstall House SE15 5SJ	145 Peckham High Street London SE15 5SL
Flat 20 Dunstall House SE15 5SJ	Flat 14 Dunstall House SE15 5SJ
Flat 18 Dunstall House SE15 5SJ	Flat 13 Dunstall House SE15 5SJ
Flat 17 Dunstall House SE15 5SJ	Flat 16 Dunstall House SE15 5SJ
Flat 2 Dunstall House SE15 5SJ	Flat 15 Dunstall House SE15 5SJ
Flat 19 Dunstall House SE15 5SJ	Flat 12 Dunstall House SE15 5SJ
Flat 3 Dunstall House SE15 5SJ	Flat 1 Dunstall House SE15 5SJ
131 Peckham High Street London SE15 5SL	149 Peckham High Street London SE15 5SL
Flat 9 Dunstall House SE15 5SJ	Flat 11 Dunstall House SE15 5SJ
147 Peckham High Street London SE15 5SL	Flat 10 Dunstall House SE15 5SJ
Flat 8 Dunstall House SE15 5SJ	First Floor And Second Floor Flat 15 London Road SE1 6JZ
Flat 5 Dunstall House SE15 5SJ	13 London Road London SE1 6JZ
Flat 4 Dunstall House SE15 5SJ	First Floor Flat 13 London Road SE1 6JZ
Flat 7 Dunstall House SE15 5SJ	Ground Floor 15 London Road SE1 6JZ
Flat 6 Dunstall House SE15 5SJ	Second Floor And Third Floor Flat 13 London Road SE1 3TW
139 Peckham High Street London SE15 5SL	15 London Road London SE1 6JZ
137 Peckham High Street London SE15 5SL	4 Gladstone Street London SE1 6EY
143 Peckham High Street London SE15 5SL	6 Gladstone Street London SE1 6EY
141 Peckham High Street London SE15 5SL	14 London Road London SE1 6JZ
135 Peckham High Street London SE15 5SL	8 Gladstone Street London SE1 6EY

Re-consultation: 14/01/2015

APPENDIX 2

Consultation responses received

Internal services

Flood and Drainage Team

Statutory and non-statutory organisations

Environment Agency
Thames Water - Development Planning

Neighbours and local groups

Email representation
Email representation
Email representation
12 Gladstone Street SE1 6EY
4 Gladstone Street London SE1 6EY
6 Gladstone Street London SE1 6EY
8 Gladstone Street London SE1 6EY
8 Gladstone Street London SE1 6EY