

Item No: 7.1	Classification: Open	Date: 22 December 2015	Meeting Name: Planning Sub-Committee A
Report title:		Addendum - Late observations, consultation responses, and further information.	
Ward(s) or groups affected:		The Lane	
From:		Director of Planning	

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:

Item 1: 33 Nutbrook Street, London, SE15 4JU (App. Ref. 15/AP/2624)

4. Amendments to site location plan:

The applicant provided the LPA with a revised site location plan ref: PL099A which now includes the full extent of the vehicular forecourt to the north-west of the development. The revision is to include the introduction of cobblestones to the vehicular forecourt.

These changes to the site location plan would not have a material impact on the proposal nor would it impact on the residential amenity of adjoining neighbours.

The updated site location plan has already been referred to in the drawing nos. listed on the Recommendation on page 50 of the main agenda pack.

5. *Amendments to quoted policy:*

Paragraph 26 (Supplementary Planning Documents) refer to the Residential Design Standards SPD (2011) which has been superseded by the 2015 Technical Update to the Residential Design Standards (2011).

6. The wording of condition 5 is amended to:

The roots of existing trees on or adjoining the site, where they extend across the application boundary into the site, shall be protected during the development and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Report by DPA dated March 2015. All tree protection measures shall be installed, carried out and retained throughout the period of the works as specified by the Arboricultural Report DPA dated March 2015, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

7. Paragraphs 55 and 116 state that the site will be controlled by gates at both Nutbrook Street and Howden Street.

Officer's comments

The applicant indicated that the existing gates would be retained and that the Howden Street gates would be kept locked; however the Nutbrook Street gates would be kept open allowing for vehicular and pedestrian access. It is the Council's opinion that the introduction of residential units would allow natural surveillance that will deter criminal or anti social activity. Furthermore access to the rear gardens of the houses would be controlled through gates either side of the development see drawing PL 304 Rev. A and the existing studios that are to remain are built to their site boundary preventing access around their perimeter.

Additional representations

8. A late objection has been received that the submitted daylight and sunlight studies presented initially were for the existing and not the proposed building, and claiming that this was an error not noticed by the case officer. The objector states further that as a result of sustained neighbour objections the scheme was revised to address local concerns in regards to daylight and sunlight.

Officers' response:

Subsequent to the submission of this proposal the applicant submitted two pre-applications for the development of this site. These applications included Daylight / Sunlight reports. Both these schemes were significantly larger than the current scheme being hereby assessed. As both these schemes complied with the BRE regulations (in regards to daylight and sunlight) the case officer did not require a new report for the current application scheme as this is smaller than the pre-app schemes. However during the assessment of this application the Daylight and Sunlight report submitted for the pre-app (ref.14/EQ/0242) was made available to be viewed by consultees. The Daylight and Sunlight report was clearly marked as part of the pre-application submission and not as a representation of the planning application proposal.

The Council took on-board the concerns of local residents particularly those on Howden Street and negotiated with the applicant to secure revisions during the current application by lowering the house adjacent to the Howden Street properties to be consistent with the height of the existing building at this point.

The 2015 Technical Update to the Residential Design Standards (2011) and the 2011 BRE guidelines recommend that when attempting to determine whether a neighbouring property will receive an adequate quantum of daylight or sunlight,

a section in a plane perpendicular to the centre of the lowest window of the affected building is drawn. It then recommends that a measurement of the angle to the horizontal subtended by the window is taken, and if this angle is less than 25 degrees where it intersects the proposed building then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing window.

Taking this into account drawing 122 – PL 300B confirms that the proposed development complies with the 25 degree guideline for sunlight and daylight for the properties on Howden Street to the north, Nutbrook Street to the south, Waghorn Street to the east and the existing Nutbrook Studios to the west.

Additional representations

9. The late objection received also raises concerns that the case officer did not consider fire safety adequately as a material planning consideration with this application, and is concerned that the matter would not have received adequate attention in other cases.

Officers' response:

Fire safety is a matter dealt with under Building Control regulations. However as a result of local concerns raised on this matter with this application the applicant submitted a Fire Safety report to address these concerns. Additional fire hydrants are proposed as well as sprinkler systems to each dwelling. These matters will be formally assessed at the Building Regulations stage.

It is also important to note, as referred to in the main report, that the Planning Inspectorate allowed an appeal dated 13/12/2011 Appeal Ref: APP/A5840/A/11/2159340, LBS Reg.No. 11-AP-0006 to the rear of 168-190 Friern Road stating that the driveway does not need to be wide enough to accommodate fire engines and services and emergency access could be from the street.

REASON FOR URGENCY

10. 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

REASON FOR LATENESS

11. 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.

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Neil Loubser, Planning Officer	
Version	Final	
Dated	22 December 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic director of finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director of housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	22 December 2015	