

Item No. 7.3	Classification: OPEN	Date: 19 June 2016	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Council's own development Application 16/AP/1991 for: Council's Own Development - Reg. 3 Address: BOURNEMOUTH CLOSE (LAND AT THE REAR OF 177-207 RYE LANE), LONDON SE15 4TP Proposal: Development to provide a mix of retail (Use Class A1) with associated food and beverage (Use Class A3/A4/A5) uses and business (Use Class B1) and community facilities (Use Class D1).		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date 17/05/2016		Application Expiry Date 12/07/2016	
Earliest Decision Date 19/06/2016			

RECOMMENDATION

1. Grant planning permission, subject to conditions.

BACKGROUND INFORMATION

2. This application has been referred to the planning sub-committee following member request.

Site location and description

3. The application site (1,418sqm) is "housing land" owned by Southwark Council. The land is currently occupied by 22 garages which are linked to properties within the adjacent Bournemouth Close. The application site is located at the rear of 177 to 211 Rye Lane and has residential properties to its eastern side (Nos. 11 to 18 Birch Close and 1 to 5 Hazel Grove).
4. The site is accessed via vehicle from Bournemouth Road and then Bournemouth Close. It is also accessed by two pedestrian routes, one from Copeland Road at the south of the site and from Birch Close leading to Rye Lane.
5. The application site is not listed. However, it is located within Rye Lane Peckham Conservation area, Air Quality Management Area, Urban Density Zone, Major Town Centre, Peckham and Nunhead Action area and Peckham Core Action Areas.

Details of proposal

6. The proposals are to deliver 14 new commercial units for retail and community uses. The units vary in size and total 348sqm (GIA). The units have a range of proposed flexible use classes proposed including A1, A3, A4, A5, B1 & D1. There are 10 units

with A1, A3, A4 use class proposed, 2 units with A1, A3, A4, A5 use class proposed, 1 unit with A1, B1, D1 use class proposed and 1 unit with A1, D1 use class proposed.

7. The breakdown of commercial space is below:

Use Class/type of use	Net Sqm
A1/A3/A4/ - Shops Net Tradeable Area	232
A1/A3/A4/A5 - Restaurants and cafes	20
A1/B1/ D1 - Office (other than A2) (facilities)	47
A1/D1 - Non-residential institutions	28
B1 - Office (other than A2) (facilities)	20
Total	348

Covered Circulation Space 197

Total Building footprint (exc external circulation) 544

8. The operating times for the proposed uses are:

Use	Hours of Operation
A1 Use Class	
Monday to Friday	09:00 - 23:00
Saturday	10:00 - 23:00
Sunday and Bank Holidays	10:00 - 23:00
Other (A3,B1,D1)	
Monday to Friday	08:45 - 23:15
Saturday	09:45 - 23:15
Sunday and Bank Holidays	09:45 - 23:15

9. The proposed building is principally triangle in shape which tapers towards the southern end of the site. The exterior of the building would have a principal access to the north elevation and two further accesses positioned centrally on the western elevation. There would be shop frontages on the western elevation leaving the eastern elevation blank as this area is covered by adjoining walls. The southern elevation would have one full to ceiling height window. There would be a sloped roof that covers the entire space and provides a sheltered walkway through the scheme. Three rooflights would be provided facing north, angled away from the residential units of Hazel Grove and Birch Close.
10. Building dimensions:
Length 55m, the width at northern elevation is 17.9m which is setback on the southwesterly corner by 6.5m. The building then tapers to 7.84m at the southern elevation. The building would be 5.6m high at the central point, which would run the length of the building. At the eaves the building would be 3.6m.
11. Internally, the building would have a central spine with commercial premises on either side. At the southern tip ancillary facilities would be positioned. At the central point the

commercial units stop on the westernside and a community space is provided. The community space would have two external openings that access the side road. The units internally would have high contrasting shop frontages that are independent of one another.

12. The commercial space being provided is for local traders who are being displaced by the proposed development at Peckham Station Square. The majority of the occupiers of the proposal are independent retailers specialising in hair and beauty and would be relocated to these new premises.
13. **Planning history**

15/AP/0080 Application type: Full Planning Permission (FUL) - Resurfacing works to vehicle access and associated landscaping including x8 additional car parking bays; x1 loading bay and bin store. Decision date 06/05/2015 Decision: Granted (GRA)

16/EQ/0085 Application type: Pre-Application Enquiry (ENQ) - Demolition of 22 existing garages to enable to construction of a single storey steel frame structure to provide 667 sqm of covered indoor market space comprising 'A class' accommodation for a range of independent, local retailers along with new 'D class' community-related facilities for the neighbouring residents of the Atwell Estate. Decision date 16/05/2016 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

14. 16/AP/0131. Address: 213 RYE LANE, LONDON SE15 4TP. Description: Partial demolition of existing buildings and redevelopment to provide buildings ranging from 1 to 7 storeys in height accommodating ground floor commercial space (Class A1/B8) with 40 residential units above (Class C3), raised amenity courtyard. Pending.
15. 03/AP/0316. Address: 195-197 Rye Lane SE15. Description: Demolition of existing first floor and construction of a two storey extension plus a mansard roof to the front of the building for use as three 2 bedroomed flats and a two storey extension for use as a maisonette at the rear of the site.
16. 14/AP/0947. Address: 193 RYE LANE, LONDON, SE15 4TP. Description: Erection of replacement building facing Rye Lane comprising four storeys with an A1 commercial unit and associated shopfront to the ground floor and two self contained residential units above; erection of three storey building to rear.
17. 14/AP/1016. Address: 191 RYE LANE, LONDON, SE15 4TP. Description: Construction of a new part 4, part 3 storey building with a 3 storey rear section comprising a commercial A1 unit (retail) on the ground floor with three floors of residential accommodation above comprising 1 x studio unit, 1 x 1 bedroom maisonette.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

18. 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) Impact of proposed development on the amenity of adjoining residents
- c) Impact of proposed development on character of the surrounding area and the nearby Conservation Area.
- d) Traffic, pedestrian and highway safety

Planning policy

19. National Planning Policy Framework (the Framework)
 - 1 Building a strong, competitive economy
 - 2 Ensuring the vitality of town centres
 - 7 Requiring good design
 - 8 Promoting healthy communities
 - 12 Conserving and enhancing the historic environment

20. London Plan July 2015 consolidated with alterations since 2011
 - Policy 3.1 Ensuring equal life chances for all
 - Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment
 - Policy 4.7 Retail and town centre development
 - Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
 - Policy 4.9 Small shops
 - Policy 4.12 Improving opportunities for all
 - Policy 7.2 An inclusive environment
 - Policy 7.3 Designing out crime
 - Policy 7.4 Local character
 - Policy 7.5 Public realm
 - Policy 7.6 Architecture

21. Core Strategy 2011
 - Strategic Policy 1 - Sustainable Development
 - Strategic Policy 2 - Sustainable Transport
 - Strategic Policy 3 - Shopping, leisure and entertainment
 - Strategic Policy 10 - Jobs and Businesses
 - Strategic Policy 12 - Design and Conservation
 - Strategic Policy 13 - High Environmental Standards

22. Southwark Plan 2007 (July) - saved policies

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.

 - Policy 1.2 - Strategic And Local Preferred Industrial Locations
 - Policy 1.5 - Small Business Unit
 - Policy 1.7 - Development Within Town And Local Centres
 - Policy 2.2 Provision of new community facilities
 - Policy 3.2 - Protection of amenity
 - Policy 3.12 - Quality in design
 - Policy 3.13 - Urban design
 - Policy 3.16 - Conservation areas
 - Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites

Policy 5.2 - Transport Impacts

Sustainable Design and Construction SPD 2009

Principle of development

23. The proposals is to deliver 14 new commercial units for retail and community use of varying size with flexible Class A1-A5, B1 and D1 use, totalling 544sqm (GIA).
24. The proposed use is acceptable in principle. In land use terms Local Plan policy 1.7 supports the growth of Peckham as a Major Town Centre where uses such as retail (A1, A3, A4, A5 Use Class), and other commercial activities like B1 (Office) and community floorspace (D1 Use Class) are promoted.
25. While there are no specific policies protecting private car parking in town centres. Policy 5.2 Transport Impacts & 5.6 Car parking supports the reduction of vehicular movements where sites are highly accessible. This site and the surrounding residential are highly accessible and therefore the loss of carparking garages is acceptable.
26. However, in addition to broad land use considerations, it is also necessary to consider the proposal in the context of neighbouring amenity, servicing and detailed design issues - this assessment is set out below.

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

27. The proposed building would sit along the eastern boundary in a similar position to the existing garages. The height of the proposed building would be 3.6m at the boundary line, which is adjacent the existing alleyway wall. The existing alleyway wall and garden fences are 2.6m high. This would result in a 1m height increase at the boundary line with the alley. The garages sit 200mm below the boundary height. The majority of the roof (35m) would slope immediately from the eastern elevation to the maximum height of 5.6m. The southern part of the roof (19.5m) is flat but would then slope upwards to a maximum 5.6m.
28. Three distances between the residential units and the building wall have been taken. These are shown in the cross-sections provided. It is evident at the closest point the proposal would be 7.44m apart. This is an isolated occurrence with the corner of No.18. The majority of units have a 7.8m separation. Where the proposed roof is flat (19.5m) there is a separation of 9.9m. In addition, the flat roof is 4.2m wide before the incline starts.
29. The daylight/sunlight assessments undertaken show that in all instances the proposed building by virtue of only being 1m higher at the boundary line would not impact on the daylight/sunlight or vertical sunlight component achievable from the residential units. Further, whilst the building would be taller, it would still be single storey and would not significantly overshadow the adjacent gardens to an extent that would warrant refusal.
30. To the west of the site there is one residential building in close proximity. This is a backland development of 195-197 Rye Lane. The living accommodation of this unit starts at first floor and therefore there is no impact on daylight/sunlight or vertical sunlight component.
31. The exterior of the building takes a simple form of folded and colour-coated metal cladding. The colour would be dark grey and on the north, west and south edges with bespoke metal blades that protrude beyond the elevations. The colour of the building

including the roof is purposely dark to blend within the context and allow, when looking east to west, the historical features of the buildings on Rye Lane to stand out. There is one section of roof that would have polycarbonated panels to allow natural light into the covered circulation area. These panels face towards the back of Rye Lane and would not be visible from the properties on Hazel Grove and Birch Close.

32. The buildings exterior would have a presence when considering the view from the residential properties to the east. However, part of this is covered by the existing boundary wall and the remaining part is designed to subtly fade out of the visual by keeping its appearance simple and allowing views to the historical buildings on Rye Lane. Samples of all materials would be conditioned.
33. The roof is designed to ensure no rainwater runoff enters third party land.
34. Hours of Operation:
The site is within the Major Town Centre designation where many of the surrounding uses have opening hours that can extend into the early hours of the morning. However, the applicant has proposed the limited hours of operation of 8:45-23:15.
35. While, it is accepted there is a residential presence the activities are focused inwards and towards the west where the buildings are more of a commercial nature. Further, the roof design covering the building would also help restrict noise pollution escaping from the building. As such, officers are of the view that noise emitted would not cause a detrimental impact on the residential amenity of neighbouring properties.
36. The isolated residential block on the rear of Rye Lane is elevated from ground level by 3.56m and setback 8.3m. Given the distances and proposed hours of operation, it is considered the impact on these residents of activities up to 23:15 would be negligible. As stated the site is within the designated Major Town Centre and therefore late night activities can be expected and are actively promoted to improve the local economy and security of the area.
37. The hours of operation are acceptable and comply with the Environmental Protection Teams guidance, however a condition would be proposed in order to restrict future hours to these times.
38. Security:
There were a number of objections raised in regards to security. The proposal is considered in the whole to improve security by increasing public presence in what is dark and empty garage facility. In addition the introduction of new lighting, CCTV and a management team would further increase surveillance within the area.
39. The building design is also aimed at reducing anti-social behaviour by illuminating the western elevation and breaking the mass blank wall by introducing perforated shutters and panels to provide partial views of the animated shop fronts and community area.
40. The roof of the building would be designed to restrict access and crucially hinder the ability to access the rear gardens of the neighbouring properties. Compared to the existing garages the proposal would significantly hinder access to the rear gardens of the neighbouring residential dwellings.
41. It is considered that overall the proposal would bring improvements to the security of the area and bring down anti-social behaviour/crime.
42. It is considered that the possible impacts on neighbouring occupiers have appropriately been addressed by the design of the proposal. The scheme is in line with policy requirements and is viewed to be appropriate development in a town centre

while protecting the amenity of surrounding occupiers.

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

43. The scheme has the potential to create opportunities within the local area by creating new workspaces of varying size. As such the adjoining commercial premises could provide supplies to the future occupants. This supports the local economy and reduces the need to travel by vehicles. It is considered the relationship between the nearby uses and occupiers would be positive. It is also viewed users would improve security by having a presence around the site.

Transport issues

44. The site is highly accessible, with a public transport accessibility level (PTAL) of 6a, an excellent rating. The nearest transport station is Peckham Rye (approx. 400 metres away) with routes to London Bridge. There are also a number of bus stops along Rye Lane, with buses serving central London through both day and night.
45. The site is Southwark Council housing land and has 22 garages that adjoin the eastern boundary. These garages back onto the residential properties of Hazel Grove and Birch Close. Out of the 22 garages only 5 are used. There are two pedestrian through routes; one to the north that connects Atwell Road to Birch Close and a second at the southern end of the site that connects Hazel Close to Atwell Road. The road forms part of a CPZ and has double yellow lines throughout except for a loading bay. The site has informally been used for a number of years for servicing by owners of the shops facing Rye Lane.
46. Servicing

Vehicular access shall remain via Bournemouth Road leading into Bournemouth Close. This will provide the servicing route for the proposed development and the shops that back onto the site. The refuse store for the development shall be at the north aspect of the site to allow a refuse vehicle to use the proposed turning head.
47. Following camera surveys the number of existing trips were recorded for a typical 7 day period. On average there was 69 vehicles per day within Bournemouth Close recorded with 37 being identified as servicing vehicles. The camera surveys also identified that vehicles movements were predominantly between 08:00 - 21:00 with an average of 5.4 per hour between these times.
48. There are two turning areas proposed, one being at the north and one at the south. The north turning head is capable of handling larger delivery vehicles and refuse collections that can use the space to unload and turn to leave in forward gear.
49. The southern turning head is slightly smaller and while larger vehicles could turn, albeit using multiple manoeuvres, they would be discouraged and expected to use the northern turning head. The majority of servicing vehicles currently using the space are via cars, vans and LGV. These vehicles would be able to navigate the southern turning head. The southern turning head principally serves the two new proposed loading bays that are inset within the footway.
50. In order to assess the impact of the proposed development the combination of the existing and proposed trips have been combined and assessed against the capacity of loading areas proposed. To provide a robust assessment cars parked for brief periods were included as they may have been servicing. Cars parked overnight or for longer periods were discounted. As such on average 54 vehicles per day access

Bournemouth close and given that the majority of vehicles arrive between 08:00 - 21:00 this generates approximately 4.2 vehicles per hour.

51. The existing units that are expected to relocate to these premises to enable the Peckham Station Square to be implemented were surveyed and it was identified the majority of occupiers have no daily deliveries. One stated they had one delivery per day. This is considered factual as the nature of the business means supplies can be bought locally or in some cases customers bring their own product.
52. However, for a comprehensive assessment one delivery per day has been allocated to the units. As such 14 delivery/servicing trips have been accounted for in the assessment. 67 is the average number of vehicle trips per day that would amount to 5.15 on an average between the hours of 08:00 - 21:00. If this figure is then considered against the capacity of the proposed loading bays and vehicles dwelled for between 16.4 - 29.7 minutes (the recorded dwell time) the bays would have capacity to accommodate between 4.0 - 7.3 vehicles per hour. As such the loading bays would be able to accommodate in almost all situations the entire servicing/refuse collection trips. It should be noted that in addition to these servicing areas the northern turning head can accommodate vehicles as the southern turning head permits turning for vehicles using the proposed bays. The servicing requirements of the Rye Lane shops can also be accommodate on Rye Lane. This would significantly reduce the impact on Bournemouth Close.
53. The proposed loading bays provide ample servicing capacity for the existing and proposed number of trips generated. Subsequently, while the loading bays are not in use they can be used as footway for pedestrians.
54. There has been mention of the neighbouring site using the southern turning area for its refuse collection. Without consent of the council's housing team this would not be possible as a refuse vehicle could not turn without the removal of street furniture and perimeter wall. There is capacity to allow two disabled parking spaces to be accessed from Bournemouth Close and stored off the area required for turning.

55. Circulation

As addressed above two turning areas, one to the north and one to the south shall be provided. These would permit sufficient space for large vehicles including refuse vehicles to turn and leave in forward gear. Auto-tracking has been provided to show the ability of vehicles to turn. The informal parking has been removed as this would no longer be able to occur though.

56. Pedestrian Safety

In addition the camera survey also recorded the pedestrian movements through the site. On average 476 individuals traversing the site each day. This was predominately between 07:00 - 21:00. It has been assumed the proposal would generate 260 customers per day, which would result in a total 736 pedestrians per day.

57. The existing site has a 20mph speed limit and is expected to have a relatively small number of vehicle movements per hour/day. The number of deliveries are lower during the weekend when it can be expected the highest number of pedestrians would arrive. Further, the scheme is expected to resurface the area around the site to improve the quality and appearance of the facility.
58. By way of design the scheme would lead to people convening in and around the proposed building. The presence of people is a natural precursor for drivers to slow down. Bearing this in mind, the 20mph speed limit and the management teams

presence, it is expected drivers would enter the site with caution and would appropriately respect the shared space. This combination of factors allows confidence in the proposed layout that it would not create a highway safety concern.

59. Parking

At present formal, informal and unauthorised parking is taking place at the site. This shall be removed as no parking on site would be provided. In relation to displaced parking it was documented that only 5 of the garages were actually being used while the informal and unauthorised parking was ad-hoc. Out of the 5 garages only one had a vehicle in, one was unknown and a third had a mobility scooter in. The other two were used for storage. The mobility scooter shall be rehoused near the users residence.

60. The informal parking predominately takes place at the south end of the site. As part of this development the space at the south of the site would need to be kept clear to ensure servicing vehicles can turn and leave in forward gear. As part of the management of the area it would be the responsibility of the security team and Southwark's traffic wardens to enforce the no parking restrictions.

61. It is considered that the impact on parking has been appropriately assessed and this matter would not cause a detrimental impact to the neighbouring highway.

62. Cycling

The number of proposed cycle parking spaces is policy compliant and would promoted sustainable means of transport to the site. The location of the cycle parking would be conditioned because at present they block the footway that connects Birch Close with Atwell Road/Bournemouth Close.

Design issues

63. The design of the building was revised following consultation and design review. As such the north elevation was set-back in the north western corner, the western elevation was redesigned to improve the appearance and the internal layout was slightly altered to create to smaller units of Takeaway (A5 Class Use).

64. The building is triangle in shape and tapers towards the southern end. Two access points are proposed, one being on the north elevation and the second on the western elevation. The northern access is the principle entrance. The accesses provide a circulation route through the site and link with the pedestrian route at the south, which leads to Hazel Grove. The principle access has been orientated with a slight set back on the western corner to provide clear views into the covered parade. The design of the proposal has been changed to allow for a more interesting appearance and the ability for potential users to see the shop frontages. The large doors on the western elevation shall be open during the day to allow a 'spill out' area which will help animate the external spaces around the building.

65. Scale/Massing

The massing of the building has been designed to minimise the impact on the residential properties to the east. As such the proposed building is single storey, though rising to 5m internally and approximately 5.6m when including the parapets. The building would sit 1m higher than the existing boundary wall on the eastern side. This would have a minimal impact on the outlook for the neighbouring properties and would not restrict their received daylight/sunlight. It has been purposely factored in that the roof inclines toward the central of the building to allow a good internal height

while protecting the amenity of adjoining properties.

66. The majority of the roof (35m) would slope immediately from the eastern elevation to the maximum height of the building, which is 5.6m. The remaining 19.5m of the roof starts flat and 4.2m in starts to slope upwards to the same height.
67. Whilst the massing would be slightly larger than the existing buildings, it would not be substantially larger than the existing row of garages and would not visually dominate the area or surrounding buildings, as such it is considered appropriate within this location.
68. The proposed building is 1m higher than the existing adjoining wall. As such the height of the building would create a negligible increase in overshadowing, which would be towards the alleyway between the proposed building and rear gardens of Hazel Grove and Birch Close. As such the impact is considered acceptable and would not be a reason for refusal.
69. Appearance

The building has a simple form. As such the building would comprise a series of folded panels and would be dark grey in colour. It is intended to keep the exterior of the building simple to deliberately contrast with the interior. However, the building would be softened by treating the elevations with adding colour to the soffit linings on the north and western elevations. This is largely to brighten up the exterior on the western elevation to overcome concerns about anti-social behaviour and creating an uninviting access road.

70. The primary form of the roof comprises two simple pitches with a single rectilinear pitch roof above the eastern spine of accommodation. A second pitched roof, which is triangular, covers the western block. The roof is angled allowing for an internal open space with high ceilings. Internally at the highest point it would be 5m. The appropriate tests have been undertaken to demonstrate that from the residential properties to the east adequate sunlight/daylight is achievable. None of the residential units would see deterioration in their sunlight/daylight. On the edges of the roof the roof panels would be pressed to provide a visually interesting blade-like profile.
71. Ventilation for the building and in particular the food establishments would have plant set behind louvers.
72. Western elevation

Design changes have been incorporated into the scheme following concerns about the appearance of the western elevation and how the design had the potential to lead to anti-social behaviour. The design changes have included changing the underside of the eaves by adding colour, which would add visual depth of the elevation. During the day the shops shall have highly animated frontages. When the shops are closed the proposed roller shutters would be colourful and perforated to allow views of the shop frontages and the community space. The western elevation shall also be lit along its length to aid with security concerns. The lighting would be carefully orientated to light up the soffits and elevation. It is considered this would add visual interest along the frontage and reduce the perceived perception that the road is dangerous to traverse at night.

73. Shop fronts

The individual shop fronts would be purpose-designed. This would allow each shop tenant the ability to reflect in their own way the diversity of Peckham's hair and beauty

business. The proposed finalised design of the shop fronts would be conditioned to ensure appropriate designs but are expected to be brightly coloured with an array of reflective materials.

Materials

74. Exterior

Folded metal coloured dark grey. Perforated roller shutters and the underside of the soffit's are to be brightly coloured.

75. Interior

Shop fronts: highly textured casting set with printed plywood panels that surround the shop doors and windows.

76. The design of the proposed building is considered to be of good design to offer an interesting appearance while maximising the internal floorspace. The scheme is appropriate in scale and would protect the privacy and outlook of neighbouring properties. As such the building would be of satisfactory design and would not be a reason for refusal.

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

77. The site sits in close proximity to the Rye Lane Peckham Conservation Area, though none of the development sits within the conservation area itself. The buildings currently occupying the site comprise a row of garages and associated buildings housing electrical equipment constructed in the 1970's. These have brick perimeter walls and piers, flat felt roofs and painted metal garage doors though some are boarded up. These buildings are of no architectural quality and their removal is not considered to affect the historic character of the town centre.
78. Several of the buildings which form the western boundary of the site are of high architectural quality, however their more significant facades all face away from the site and onto Rye Lane. The eastern frontages which face the development have been heavily modified over time and act as service entrances to the shops on Rye Lane. All of these buildings have deep yards and outbuildings. While occasional views of the upper storeys can be seen from the development site, these 'back' views of the historic buildings are not considered as contributing to the character of the Conservation Area nor do they afford significant views of any historic building frontages.
79. The buildings to the east hold no architectural merit and do not form part of the conservation area.
80. The building would not be visible from the conservation area and the rear of the buildings within the conservation area that adjoin the site are of not of significant architectural merit. Their contribution to the conservation area is the principal elevations facing Rye Lane. As such it is considered the proposal is not detrimental to the conservation area.

Landscaping and external lighting

81. The scheme has been designed to incorporate improvements to the external areas. These principally relates to resurfacing the area around the site, introducing a number of lighting apparatus and soft planting, which would include a number of palm trees in freestanding planters.

82. The proposals are welcomed as they would significantly improve the visual appearance of the site and would add to the sense of interest. However, officers would seek an improvement to the materials proposed for the turning head and section of access road that doubles as the turning head, but also the main entrance. This would contribute significantly to characterising this area as a mixed/shared space for vehicles and then people when it is not needed for servicing purposes.
83. In addition officers would promote a single surface throughout the site to reinforce the shared space. It would also provide greater overall useable space for pedestrians and for vehicles.
84. The interior of the main arcade, which is semi-external in character, would be surfaced in bound gravel. While it is promoted this would extend to the footway around the site. Given the above, officer consider that it is prudent that a hard and soft landscaping condition is applied to ensure the scheme enhances the appearance of the proposal.

Planning obligations (S.106 undertaking or agreement)

85. 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 application is CIL liable because it would constitute as chargeable development under the CIL Regulations 2010 (as amended).

Proposed GIA = 277 + 80.6 = 357.6sqm
Existing GIA = 247.6sqm

MCIL = 110sqm x £35x 275/223 = £ 4,748

SCIL (B1 Zone 3) = Nil rate

SCIL (Zone3 Retail A uses or flexi uses including retail) = 110sqm x £125 x275/260 = £ 14,543

Sustainable development implications

86. Heating/Cooling
The design of the building lends itself to natural heating and cooling by having a central spine that connects the main entrance with the community engagement area. The two openings would create a channelling of air that would regulate the temperature of the building. However, to prevent overheating or cooling each unit would have ventilation louvers that would discharge into the main spinal area and carried away by the natural design of the building. Units would be provided with individual heater/cooler mounted systems but these are not expected to be needed as the building will comply with current building standards.
87. Ventilation/Odour
It is expected the two A3-A5 use units shall not be sufficient size to accommodate any large-scale takeaway. They are more suited to small independent suppliers of food and most likely take-away products. The units would be appropriately designed to allow for ventilation plant to be installed. This would include any acoustic insulation. The building has been designed to allow extraction louvers on the underside of the oversailing roof. A condition would be applied requiring details of any unit used for

cooking foods under the A3/A5 Class use in relation to the proposed ventilation system.

88. Lighting

Light fittings would be low-energy LED lamps and where possible fitted with PIR controls.

89. Noise

A noise survey assessment has been undertaken using data measured for a duration of four days at a location representative of local residential receptors. Noise limits at the nearest residential development have been calculated based on the averaged background noise levels measured for the anticipated operational time and potential night-time operation of the building services plant. These limits would be used in the detailed design process by the Mechanical and Electrical Engineers involved in the development such that the cumulative noise level from building services plant associated with the development meet Southwark standards. A condition would be attached to the planning permission requiring the applicant to demonstrate the proposed plant achieves a 10db below existing noise levels.

90. Land Contamination

To ensure that there is no risk of exposure to potential contaminants during construction and in the completed development a land contamination exploration and assessment will be required.

Other matters

91. The number of units shall be restricted that can operate as an A3 use. This is to protect the vitality of the hair and beauty market in Peckham that has subsequently been displaced as part of the enabling works at Peckham Station Square. It is clear should all of these units become A3 uses it would have the potential to cause significant harm to amenity and viability. As such, officers feel that it would be prudent to restrict the number of A3 uses through a condition to show that no more than 3 of the 10 units A1/A3/A4 (only) shall be used as A3 uses. This gives the potential for a maximum 5 units out of 14, which is considered reasonable.

Conclusion on planning issues

92. The proposed development is suited to the locality and is in line with policy direction. The proposal would offer improved commercial accommodation for the occupants and as such is acceptable. The proposal is recommended for approval subject to conditions.

Community impact statement

93. 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.

b) There are no issues relevant to particular communities/groups.

c) There are no likely adverse implications for any particular communities/groups.

94. Details of consultation and any re-consultation undertaken in respect of this

application are set out in Appendix 1.

Consultation replies

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

Summary of consultation responses

96. London Fire & Emergency Planning Authority:
The Fire Authority has considered the proposal and has no objection.
97. TfL:
Welcomes the cycle parking but could not comment on the construction impact as no management plan was submitted. A condition would be attached requiring a Construction Management Plan.
98. Thames Water:
There are no objections to the proposal. A standard informative was recommended: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
99. Metropolitan Police:
No specific comments were received from the Metropolitan Police as the building falls below their threshold. As a result officers have been pro-active in altering the scheme to improve lighting and appearance of the building to help alleviate received and actual safety concerns.
100. Highways/Transport:
A subsequent transport statement was provided following the original missing crucial information. The findings demonstrate the proposal can be adequately serviced from the proposed loading bays and turning areas. There are no highway safety concerns.
101. Urban Forester:
No objection
102. Public Consultation Feedback (19):
Objections (6)
Crime and Community safety, Restricted Pedestrian access, Cumulative impact of a number of proposed developments, management and viability, Equalities, Road Closures, Noise disturbance, Construction Impact, overlooking, appearance, loss of car parking,
103. Support/Neutral (9/4)
Are enough units being provided? The benefits to the local community and economy. Improving safety of a largely empty space.

Human rights implications

104. 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.
105. This application has the legitimate aim of providing commercial space to support the local economy. 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/2742-A Application file: 16/AP/1991 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 4004 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendations

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Craig Newton, Planning Officer	
Version	Final	
Dated	5 July 2016	
Key Decision	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance And Governance	No	No
Strategic Director of 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		7 July 2016

APPENDIX 1

Consultation undertaken

Site notice date: 27/05/2016

Press notice date: 26/05/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 27/05/2016

Internal services consulted:

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
HIGHWAY LICENSING
Highway Development Management
Waste Management

Statutory and non-statutory organisations consulted:

London Fire & Emergency Planning Authority
Metropolitan Police Service (Designing out Crime)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

11 Birch Close London SE15 4UG	Flat 1 175 Rye Lane SE15 4TL
10 Birch Close London SE15 4UG	Flat Above 177 Rye Lane SE15 4TP
12 Birch Close London SE15 4UG	Flat 2 175 Rye Lane SE15 4TP
15 Birch Close London SE15 4UG	Flat B 195-197 Rye Lane SE15 4TP
14 Birch Close London SE15 4UG	Flat C 195-197 Rye Lane SE15 4TP
13 Birch Close London SE15 4UG	Flat 3 175 Rye Lane SE15 4TP
1 Hazel Close London SE15 4UF	Flat Above 181 Rye Lane SE15 4TP
6 Atwell Road London SE15 4TW	189 Rye Lane London SE15 4TP
4 Atwell Road London SE15 4TW	187 Rye Lane London SE15 4TP
2 Hazel Close London SE15 4UF	185 Rye Lane London SE15 4TP
5 Hazel Close London SE15 4UF	191 Rye Lane London SE15 4TP
4 Hazel Close London SE15 4UF	211 Rye Lane London SE15 4TP
3 Hazel Close London SE15 4UF	209 Rye Lane London SE15 4TP
16 Birch Close London SE15 4UG	203-205 Rye Lane London SE15 4TP
First Floor Flat 179 Rye Lane SE15 4TP	199-201 Rye Lane London SE15 4TT
First Floor And Second Floor Flat 189 Rye Lane SE15 4TP	First Floor Flat 213a Rye Lane SE15 4TP
First Floor And Second Floor Flat 191 Rye Lane SE15 4TP	T And S Afro Cosmetics 213a Rye Lane SE15 4TP
Flat 1 203-205 Rye Lane SE15 4TP	175 Rye Lane London SE15 4TL
Shop 213 Rye Lane SE15 4TP	181 Rye Lane London SE15 4TP
Flat 3 203-205 Rye Lane SE15 4TP	177-179 Rye Lane London SE15 4TP
Flat 2 203-205 Rye Lane SE15 4TP	205 Rye Lane London SE15 4TP
9 Birch Close London SE15 4UG	Jamica Spice London SE15 4TP
18 Birch Close London SE15 4UG	Transconnection Services London SE15 4TP
17 Birch Close London SE15 4UG	128 Rye Lane London SE15 4RZ
183 Rye Lane London SE15 4TP	3 Birch Close London SE15 4UG
1-3 Atwell Road London SE15 4TW	3 Birch Close London SE15 4UG
195-197 Rye Lane London SE15 4TP	3 Birch Close London SE15 4UG
207 Rye Lane London SE15 4TP	1 Birch Close London SE15 4UG
2 Atwell Road London SE15 4TW	8 Blenheim Grov London
Flat B 187 Rye Lane SE15 4TP	6 Blenheim Grove London
Flat D 195-197 Rye Lane SE15 4TP	10 Blehaim Close London
Flat A 195-197 Rye Lane SE15 4TP	7 Hazel Close Peckham SE15 4UF
Flat A 187 Rye Lane SE15 4TP	8 Hazel Close Peckham Se15 4uf

Flat 2 207 Rye Lane SE15 4TP
Flat 1 207 Rye Lane SE15 4TP

8 Vestry Road SE5 8NX
135a Rye Lane Peckham SE15 4ST

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

London Fire & Emergency Planning Authority
Metropolitan Police Service (Designing out Crime)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Jamica Spice London SE15 4TP
Transconnection Services London SE15 4TP
1 Birch Close London SE15 4UG
10 Blehaim Close London
128 Rye Lane London SE15 4RZ
135a Rye Lane Peckham SE15 4ST
135a Rye Lane Peckham SE15 4ST
135a Rye Lane Peckham SE15 4ST
16 Birch Close London SE15 4UG
183 Rye Lane London SE15 4TP
205 Rye Lane London SE15 4TP
3 Birch Close London SE15 4UG
3 Birch Close London SE15 4UG
3 Brich Close London SE15 4UG
4 Hazel Close London SE15 4UF
6 Blenhiem Grove London
7 Hazel Close Peckham SE15 4UF
8 Blenheim Grov London
8 Hazel Close Peckham Se15 4uf
8 Vestry Road SE5 8NX